

19.06.120 - Yard modifications.

The yard requirements ~~stipulated set forth~~ elsewhere in this title may be modified as follows:

- A. Uncovered stairs, landings and fire escapes may project into any yard but not to exceed six feet and not closer than ten feet to any lot line (unless allowed under Chapter 19.30).
- B. Architectural projections, such as chimneys, flues, gutters, sills, eaves, belt courses and ornaments, may project into any required yard, but such projection shall not exceed three feet.
- C. Residential fences and walls are permitted either within or on the property line.

1 Fences and walls ~~a height of~~ six feet ~~high~~ or less, located in the side yard or rear yard are permitted. ~~Fences and walls four feet high or less are permitted in front yards. Property owners who install fences or walls six foot high or less shall consider the following factors, prior to installation, to assure that the fence is reasonably compatible with the Neighborhood:~~

- a. ~~Location and setback from surrounding structures.~~
- b. ~~Adjacent neighbor's input after notifying them of the planned fence.~~
- c. ~~Safety concerns.~~
- d. ~~The grade and topography of the site.~~

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2 Fences or walls exceeding a height of six feet in the side or rear yard area may be permitted by written approval of the ~~D~~irector of ~~N~~eighborhood ~~S~~ervices if he or she decides that a fence or wall greater than six feet high is appropriate for the site after considering the following factors:

- a. Location and setback from surrounding structures.
- b. Vision sight-lines for neighboring residents and the general public.
- c. The effect it will have on neighboring properties including vacant parcels.
- d. The design, architectural features and materials of the fence or wall.
- e. The appearance of the fence or wall.
- f. Safety concerns.
- g. The grade and topography of the site.
- h. Residential property adjacent to non-residential.

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3 All driveway openings abutting a public right-of-way shall have a fifteen-foot free ~~fence~~ vision triangle setback from both sides of the driveway. (Similar to Section 19.51.010.)

4 ~~The finished face of the fence shall face outward to the street (for the front yard) and toward the outer perimeter for side and rear yard fences.~~

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5 Fences shall have consistent fence building material which may include naturally resistant or treated wood, brick or masonry, natural stone, wrought iron, vinyl, galvanized and/or coated chain link. Fence material, other than these materials, shall require review and approval by the Neighborhood Services Director.

26 Fences shall be kept in good repair and be properly maintained, which shall include maintenance of paint, stain or other finishing products.

D. Security Fences. Within the B-3 and M-1 districts, security fences are permitted within the side and rear yard areas. Such fences shall be designed to enclose the entire area for security and shall not exceed ten feet in height. Barbed wire is permitted only on security fences at least six feet above established grade levels.

E. Swimming Pools and Swimming Pool Fencing. For the purpose of this chapter, "pool" shall include swimming pools, hot tubs, whirlpools or other similar devices, but shall not include:

- 1 Storable swimming or wading pools having a diameter of eighteen feet or less and a wall height of twenty-four inches or less and which are constructed in such a way as to be readily disassembled for storage and reassembled to original integrity; or
- 2 Storable swimming or wading pools with nonmetallic inflatable walls regardless of dimension.

All temporary swimming pools shall be removed and stored by November 1. Swimming pools shall not be allowed in front yards. Swimming pools on side or in backyards shall be a minimum of fifteen feet from the property line. All swimming pools shall be covered and ladders removed when not in use.

F. Pools within the scope of this section which are not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool. Such fence or wall shall not be less than six feet in height and shall be so constructed as not to have voids, holes or openings larger than six inches in one dimension. Gates or doors shall be kept locked (which includes the use of self-locking devices) while the pool is not in actual use.

The pool enclosure may be omitted:

- 1 For portable pools installed above ground that have a raised deck around the entire pool perimeter with an attached enclosed railing a minimum of thirty-six inches high on the top, or if the side walls are unobstructed and a minimum of thirty-six inches high; such pool must have secure access by use of self-closing/self-latching gates.
- 2 For above-ground pools in which the wall height is at least forty-eight inches and if the only access to the pool is provided by a ladder or steps,

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provided that the ladder or steps shall be capable of being secured, locked or removed to prevent access.

- G. Detached accessory structures in residential districts are permitted in side and rear yards unless otherwise noted in the zoning district. The detached accessory structures shall not be closer than ten feet to the principal structure, shall not exceed fifteen feet in height, shall not be larger than ten percent of the side and rear yard lot area (open space) and shall not exceed eight hundred square feet in size. Detached accessory structures shall not be closer than five feet to any lot line nor ten feet to any alley line. Any proposed detached accessory structure which is larger than the requirements of this section may be allowed but shall require a conditional use permit. To determine the size on corner lots, the side street yard shall be counted as part of the side and rear area. In nonresidential districts the size and location of detached accessory structures shall be treated as conditional uses when the square footage exceeds eight hundred square feet.
- H. Essential services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this title.
- I. Landscaping and vegetation are exempt from the yard requirements of this title except that landscaping and vegetation shall not extend over any public right-of-way within ten feet of the ground level.
- J. All decks are to maintain a setback from a property line of no less than the front yard and side yard required setback of the zoning district in which they are located and must be a minimum of fifteen feet from any rear lot line.

(Ord. No. 1914A, 2-18-2016; Ord. No. 1942A, § 1, 7-18-2017)