

ORDINANCE NO. 2020-1158

AN ORDINANCE OF THE CITY OF MABTON, WASHINGTON, AMENDING THE MABTON MUNICIPAL CODE REGULATING THE HEIGHTS OF FENCES.

WHEREAS, the Mabton Municipal Code has established standards and requirements for fences hedges and walls installed or constructed within various zoning districts as set forth in MMC 17.10.040; and

WHEREAS, the City Council has reviewed the fence standards and requirements and finds that it is appropriate to clarify and adjust certain fence, hedge and wall standards and requirements for commercial and public land uses within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABTON, as follows:

SECTION 1 MMC 17.10.040 Heights of Fences, Hedges and Walls currently provides as follows:

17.10.040 Height of Fences, Hedges and Walls:

A. In the R-1, R-2, R-R and MU - CR zoning districts, and as an accessory use to any dwelling in such zones the height of fences, hedges and walls is regulated as follows:

1. Height shall not exceed six feet in the side or rear yard area:
2. Height shall not exceed five feet in the front yard area as defined by the front most projection of the main building line;
3. For corner lots, the following shall apply:
 - a. Any fence, hedge or wall shall not exceed a height of five feet on either front or street facing side of the property.
 - b. Fences, hedges or walls may be adjusted to a maximum height of six feet where zoning administrator determines such adjustment does not unreasonably restrict or impair intersection site and clear view functions;
4. Rear and side yard fences, walls or hedges shall be limited to six feet. Side yard fences, walls or hedges may extend in front yards to a point equal to the front of any building on an adjoining lot if the adjoining lot is in an R-1 or R-2 district.
5. Fences, hedges and walls may be placed on the perimeter property line provided such placement does not impair perimeter intersection site-line or clear view functions.

B. In Commercial (C-1) and Manufacturing (M-1) Districts, fences, hedges, and walls shall be subject to the following requirements and standards.

1. Fencing of publicly owned or occupied properties may have a six-foot fence with three strands of wire above the six-foot fence.

2. Commercial property may have six foot-fence with one strand of wire above the six-foot fence.

C. Any fence abutting the intersection of any alley with a street shall not exceed a height of five feet unless approved by Zoning Administrator as to not unreasonably interfere with intersection site and clear view functions.

D. Chain link fences in all zones and in any location shall not exceed a total height of six feet including any strands of wire on top of the chain link portion of the fence, provided, however, as follows:

E. Fences shall not be constructed out of tires, pallets, bed springs, tarps, plastic sheets, corrugated sheet metal, wheel rims, multicolored materials, (except colored materials manufactured specifically for fencing (i.e.) slats for chain link fences) and similar or like materials not traditionally manufactured or used for fencing purposes. Hog wire or chicken wire fencing material is not permitted in residential or commercial ones.

F. In all front yards, whether on properties with single, double, or triple frontage, rails, posts and other structural fence supports shall not be visible from a public street; except that posts and rails that are an integral part of the fence design and aesthetics and not used solely for structural support may be visible from a public street.

G. Barbed and razor wire fencing is prohibited in all residential districts, except barbed wire may be permitted in rural residential districts on tracts larger than an acre. In the commercial and manufacturing districts, barbed wire is permitted along the top rail, within two inches of the top rail or as additional stands as allowed herein.

H. Electrified fences are not permitted in residential districts except in rural residential as a means to contain permitted farm animals.

I. Public Right-of-Way. Fences constructed in any zoning district may be permitted at the back of sidewalks in public right-of-way upon approval of the city administrator.

J. A fence or wall shall not be erected without first obtaining a building permit from city hall if such permit is required under applicable building codes. Said permit shall be valid for thirty days.

K. A fence, wall or hedge shall not enclose a fire hydrant or city water meter. (ORD. 859 §2 (part), 2004; (Ord No. 946, §1, 11-23-2010).

SECTION 2 MMC 17.10.040 - Height of fences, hedges and walls is amended and restated to provide as follows:

17.10.040

Height of Fences, Hedges and Walls:

A. In the R-1, R-2, R-R and MU - CR zoning districts, and as an accessory use to any dwelling in such zones the height of fences, hedges and walls is regulated as follows:

1. Height shall not exceed six feet in the side or rear yard area:
2. Height shall not exceed ~~five~~ four feet in the front yard area as defined by the front most projection of the main building line;
3. For comer lots, the following shall apply:
 - a. Any fence, hedge or wall shall not exceed a height of ~~five~~ four feet on either front or street facing side of the property.
 - b. Fences, hedges or walls may be adjusted to a maximum height of six feet where zoning administrator determines such adjustment does not unreasonably restrict or impair intersection site and clear view functions;
4. Rear and side yard fences, walls or hedges shall be limited to six feet. Side yard fences, walls or hedges may extend in front yards to a point equal to the front of any building on an adjoining lot if the adjoining lot is in an R-1 or R-2 district.
5. Fences, hedges and walls may be placed on the perimeter property line provided such placement does not impair perimeter intersection site-line or clear view functions.

B. In Commercial (C-1) and Manufacturing (M-1) Districts, fences, hedges, and walls shall be subject to the following requirements and standards.

1. Fencing of publicly owned or occupied properties may have a six-foot fence with three strands of wire above the six-foot fence.
2. Commercial property may have six foot-fence with one strand of wire above the six-foot fence.

C. Any fence abutting the intersection of any alley with a street shall not exceed a height of ~~five~~ four feet unless approved by Zoning Administrator as to not unreasonably interfere with intersection site and clear view functions.

D. Chain link fences in all zones and in any location shall not exceed a total height of six feet including any strands of wire on top of the chain link portion of the fence, provided, however, as follows:

E. Fences shall not be constructed out of tires, pallets, bed springs, tarps, plastic sheets, corrugated sheet metal, wheel rims, multicolored materials, (except colored materials manufactured specifically for fencing (i.e.) slats for chain link fences) and similar or like materials not traditionally manufactured or used for fencing purposes. Hog wire or chicken wire fencing material is not permitted in residential or commercial ones.

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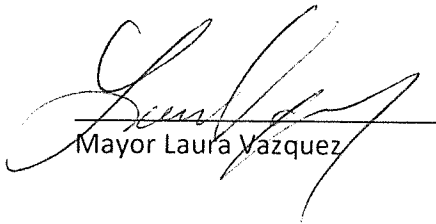
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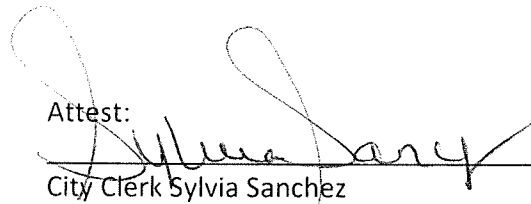
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K. A fence, wall or hedge shall not enclose a fire hydrant or city water meter. (ORD. 859 §2 (part). 2004: (Ord No. 946, §1, 11-23-2010).

PASSED by the City Council and APPROVED by the Mayor at its Special Meeting on this 12th Day of May 2020



Mayor Laura Vazquez

Attest:


City Clerk Sylvia Sanchez

Approved As to Form:

City Attorney James Carmody