

FENCE AND WALL STANDARDS

SECTION 1 – Applicability

The provision of this ordinance shall apply to all construction, substantial reconstruction or replacement of fences, retaining walls not required for support of a primary or accessory structure, or any other linear barrier intended to delineate different portions of a lot.

SECTION 2 – Fence Permit Required

In all zoning districts other than an Agricultural District (A-1) all new construction, substantial reconstruction, and replacement installation of a fence, a retaining wall not required for support of a primary or accessory structure, or any other linear barrier intended to delineate different portions of a lot shall meet the requirements as set forth.

SECTION 3 – Maximum Height

1. Agricultural Districts – residential lots up to two (2) acres in size shall comply with the maximum height requirements for residential districts as set forth below. Residential lots larger than two (2) acres shall not be subject to maximum height restrictions, but fences shall not exceed three (3) feet in height in any front setback area.
2. Residential Districts – fences and walls shall not exceed a height of three (3) feet in front yards and eight (8) feet in side and rear yards. Such maximum height shall be measured from the top of any retaining wall, or if a retaining wall has not been constructed, then from natural grade.

3. Commercial and Industrial Districts – fences and wall shall not exceed a height of three (3) feet in front landscape setback areas, six (6) feet on the remainder of front yards, and ten (10) feet in side or rear yards. Such maximum height shall be measured from the top of any retaining wall, or if a retaining wall has not been constructed, then from natural grade.
4. Exemption for Recreational Fencing – customary fencing provided as a part of a permitted tennis court, ball field, or other recreational facility shall be exempt from the height restrictions of this section.

SECTION 4 – Perimeter Fences Abutting Public Rights-of-Way

No subdivision perimeter fence or other side yard fence on a double frontage lot shall be located within ten (10) feet of the right-of-way line of any arterial, collector or local street. Whenever any fence will be visible from adjacent streets or adjacent properties, it shall be installed so that the more finished side (i.e. the side with fewer or no visible structural framing or bracing elements) faces outward from the lot on which it is installed and shall be broken into sections not to exceed one hundred and fifty feet (150') without break in materials or a landscaped area.

SECTION 5 – Visibility Clearance

All fences and walls shall be installed and maintained in such a manner that they do not interfere with protected intersection or driveway visibility.

SECTION 6 – Block Natural Drainage Flows

No fence shall be installed so as to block or divert a natural drainage flow onto or off of any other property.

SECTION 7 – Materials

All fences and walls shall comply with the following standards.

1. Electrified fences and barbed or razor wire fences are prohibited in all zoning districts, except in portion of lots in agricultural districts and single family residential districts when necessary to restrict the movement of permitted livestock or animals. Security strands of barbed wire may be installed on fences in commercial and industrial districts at a height of over six (6) feet.
2. Fences shall be constructed of customary fencing materials, including solid wood of cedar or redwood, masonry, stone, engineered plastic or resin-based fence components or decorative metal materials. Fences or walls made of debris, junk, rolled plastic, sheet metal, plywood or waste materials are prohibited in all zoning districts, unless such materials have been recycled and reprocessed into building materials marketed to the general public as new fencing materials.
3. Street landscaping required to provide breaks in fencing sections as required above shall submit a proposal for landscaping to the planning and community development division or other designated agent of the city, who shall use his or her discretion in approving the proposal, or requiring modifications to such proposal. Such landscaping shall be designed so as not to interfere with pedestrian and vehicular traffic safety.

The following shall be considered mandatory requirements for any landscaping under this section:

- (1) Landscaping strips along the sides of vehicular areas shall be a minimum of five (5) feet in width.
- (2) Living and nonliving landscaping or landscape barriers, if used, shall not exceed thirty (30) inches in height.
- (3) Trees shall provide an eight-foot height limb clearance except multi-trunked species which shall be so installed and maintained as not to create obstructions to vehicular and pedestrian traffic.

The following guidelines are set forth as recommended landscaping methods:

- (1) Concrete curbing or other landscape edging may be provided around the base of each planter area.
- (2) Shrubs or other plantings may be planted in groups or as a planting screen which may extend the entire length of the landscaping strip(s).
- (3) Ground covers such as grass, creeping ground covers, flowers, and the like may be incorporated with shrubs and other landscape treatments excluding paving and sand. Gravel, rocks, and bark may be used in combination with shrubs or other living landscape treatments.

(A) IRRIGATION REQUIREMENTS: An automatic or other irrigation system shall be required for all landscaped areas.

(B) PLANT MATERIAL SELECTION REQUIREMENTS: Plant materials used for compliance with the provisions of this section shall conform to the

“American Standards for Nursery Stock, 1-73,” Grade No. 1, American Association of Nurseryman, Inc., or equal thereto.

(C) DEFINITIONS.

- (1) *Ground covers*: Plant materials which reach a maximum height of not more than eighteen (18) inches may be used in lieu of grass.
- (2) *Lawn grass*: Species normally grown as permanent lawn in Benton/Washington County, Arkansas.
- (3) *Shrubs*: Self-supporting woody deciduous or evergreen species which are a minimum of eighteen (18) inches in height at time of installation.
- (4) *Trees*: Self-supporting wood plants which normally grow to a minimum height of fifteen (15) feet or greater in Benton/Washington County, Arkansas, and having trunks which can be maintained with over five (5) feet of clear trunk. Trees having an average mature crown spread of less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of fifteen (15) feet crown spread. All trees shall have a minimum caliper of two (2) inches at planting.

SECTION 8 – Appearance

Whenever a fence is installed, if one side of the fence appears more “finished” than the other (i.e. one side has visible support framing and the other does not), then the more “finished” side of the fence shall face the perimeter of the lot, rather than facing the interior of the lots. Whenever a fence is installed to meet requirement for landscaping, buffering or screening pursuant to the Code of

Ordinances, the fence shall have a natural finish, and if stained or varnished, the resulting finish must be natural in appearance.

SECTION 9 – Maintenance

All fences and walls shall be maintained in good repair. Any deteriorated, damaged or decayed fence material shall be promptly repaired, and any fence or wall post or section that leans more than twenty degrees (20°) from vertical shall be promptly repaired to correct that condition.