

Date: August 17, 2017

To: Wisconsin Rapids Planning Commission

From: Tim Schwecke, AICP

Subject: Wisconsin Rapids zoning code rewrite project - Materials for meeting on August 22, 2017

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Please find attached the articles listed below.

1. Article 14 – Wellhead Protection(Draft 1.0)
2. Article 15 – Downtown Design Overlay District (Draft 1.0)
3. Article 55 – Fencing (Draft 1.0)

All of them are first drafts. The fence regulations are temporarily numbered Article 55 (as a placeholder). It will be renumbered and inserted into the final draft.

CHAPTER 11 – ZONING**ARTICLE 14
WELLHEAD PROTECTION OVERLAY DISTRICT****Sections**

| | | | |
|----------|----------------------|----------|--|
| 11.14.01 | Legislative findings | 11.14.04 | Permitted land uses and activities |
| 11.14.02 | Purpose | 11.14.05 | Nonconforming uses |
| 11.14.03 | Boundary of district | 11.14.06 | Responsibility for contamination cleanup |

11.14.01 Legislative findings

The Common Council makes the following legislative findings relating to the wellhead protection overlay district:

- (1) The residents of the City of Wisconsin Rapids depend exclusively on groundwater for a safe drinking water supply.
- (2) Certain land use practices and activities can seriously threaten or degrade groundwater quality.
- (3) The City has the authority to adopt regulations relating to wellhead protection under s. 62.23(7)(a) and (c), Wis. Stats.
- (4) Regulations in this chapter relating to wellhead protection are adopted to promote the public health, safety, and general welfare of city residents.

11.14.02 Purpose

This article promotes the public health, safety, and welfare and is intended to:

- (1) further the maintenance of safe and healthful conditions and prevent and control water pollution;
- (2) protect spawning grounds, fish, and aquatic life by controlling the removal of shoreline vegetation;
- (3) control the placement of principal buildings by establishing setbacks from waterways; and
- (4) preserve shore cover and natural beauty by (i) restricting the removal of natural shoreland cover; (ii) preventing shoreline encroachment by structures; (iii) controlling shoreland excavation and other earth moving activities; and (iv) regulating the use and placement of boathouses and other structures.

11.14.03 Boundary of district

The boundary of the wellhead protection overlay district extends from the center of a public wellhead for a distance of 1,200 feet in all directions. Such boundary is based on the wellhead protection plan adopted by the Common Council _____. (VERIFY)

11.14.04 Permitted land uses and activities

(a) **Generally.** The land uses/activities listed in Exhibit 14-1 are permitted provided the various restrictions are maintained and the use/activity is otherwise allowed in the base zoning district under this code. All other uses are prohibited.

(b) **Amendment of this section.** Land uses that are prohibited pose a high risk of polluting the groundwater based upon the combined pollution experience of many individual uses, and the technology generally employed. As the technology of these prohibited uses change to low or non-risk materials or methods, the above list of permitted uses may be amended consistent with the procedures and requirements in Article _____. It is the intention to continue a prohibition on such uses until the technology of the use removes reliance upon the pollutant materials or processes deemed to be a groundwater hazard.

Exhibit 14-1. Permitted land uses and activities

| Minimum separation between well and land use /activity [1] | Permitted land use/activity |
|--|--|
| none | Biking, hiking, skiing, nature, equestrian, and fitness trails |
| none | Public and private parks, playgrounds, beaches, provided such use is connected to a municipal sanitary sewer service if sanitary service is provided (holding tanks and on-site systems are not permitted) |
| none | Wildlife management, open space, and similar uses |
| none | Routine tillage, planting, and field management operations related to crop production provided (1) herbicides and pesticides are not applied to the ground surface, (2) animal waste is not applied to the ground surface, and (3) the combination of all other nutrient sources applied or available do not exceed those thresholds established or recommended by the Bayfield County Land & Water Conservation Department, or alternatively the Natural Resources Conservation Service (NRCS). |
| none | Multi-family dwelling units provided such use is connected to a municipal sanitary sewer service |
| none | Single-family dwelling on a lot consisting of 20,000 square feet or more and is connected to a private on-site sewage treatment system |
| none | Above-ground liquid propane gas tanks for heating with a maximum capacity of 1,000 gallons |
| 200 feet | Single-family residential fuel oil tank |
| 50 feet | Storm sewer main |
| 200 feet | Sanitary sewer main, sanitary sewer manhole, and sanitary lift station. A lesser separation distance may be allowed for sanitary sewer mains if the sanitary sewer main is constructed of water main materials and joints and pressure tested in place to meet current American Waterworks Association (AWWA) C600 specifications. In no case may the separation distance between a well and sanitary sewer main be less than 50 feet. |
| 400 feet | Septic tank or soil adsorption unit receiving less than 8,000 gallons per day provides such system complies with all local and state requirements for on-site sewage treatment systems |
| 1,000 feet | Septic tank or soil adsorption unit receiving more than 8,000 gallons per day provides such system complies with all local and state requirements for on-site sewage treatment systems |
| 400 feet | Storm water drainage pond or conveyance facility |
| 600 feet | Gasoline or fuel oil storage tank installation that has received written approval from the Wisconsin Department of Safety and Professional Services or its designated agent under s. Comm 10.10, Wis. Admin. Code. |
| none | Institutional, commercial, and industrial land uses provided such use is connected to a municipal sanitary sewer service, except that the following are strictly prohibited: motor vehicle fuel stations, vehicle repair establishments, auto body repair, printing and duplicating businesses, facilities involving manufacturing or industrial processes, bus or truck terminals, repair shops of all types, solid waste disposal or handling facilities, wastewater treatment facilities, spray wastewater facilities, junk yards or auto salvage yards, bulk fertilizer and/or pesticide facilities, asphalt products manufacturing, dry cleaning businesses, salt storage, electroplating facilities, exterminating businesses, paint and coating manufacturing, hazardous and/or toxic materials storage, hazardous and/or toxic waste facilities, radioactive waste facilities, recycling facilities, cemeteries, underground storage tanks of any size, and any other use determined by the zoning administrator to pose a high-risk of polluting the groundwater. |

Notes:

1. See s. NR 811.12, Wis. Admin. Code

11.14.05 Nonconforming uses

Land uses that were legally established, but do not comply with the regulations in this article are nonconforming and are subject to the requirements set forth in Article 14. In addition, the operator of a nonconforming use shall (1) provide copies of all current, revised or new federal, state and local facility operation approvals, permits or certificates; operational safety plans; and on-going environmental monitoring results to the City; (2) provide additional environmental or safety structures/monitoring as deemed necessary by the Common Council, which may include but is not limited to stormwater runoff management and monitoring; (3) replace equipment or expand in a manner that improves the existing environmental and safety technologies already in existence; and (4) prepare and submit a contingency plan satisfactory to the zoning administrator for the immediate notification of city officials in the event of an emergency.

11.14.06 Responsibility for contamination cleanup

An individual and/or facility that releases a contaminant in the wellhead protection overlay district that has the potential of endangering the municipal water supply shall immediately stop the release and clean up the contaminant to the satisfaction of the Common Council and other state and federal regulatory agencies. The individual/facility shall be responsible for all costs of cleanup, including those incurred by the City, which may include:

- (1) consultant fees at the invoice amount plus administrative costs for oversight, review, and documentation;
- (2) the cost of city employees' time associated in any way with cleanup based on the hourly rate paid to the employee multiplied by a factor determined by the city administrator representing the city's cost for expenses, benefits, insurance, sick leave, holidays, overtime, vacation, and similar benefits;
- (3) the cost of city equipment used in the response and cleanup; and
- (4) the cost of mileage reimbursed to city employees attributed to the cleanup.

The Common Council may require the responsible party to establish a monitoring program based on the nature of the contamination and the risk posed to the municipal water supply. In addition, the Common Council may require the responsible party to provide a financial security in such amount and type it deems necessary to safeguard the municipal water supply.

Summary of Reviews and Revisions (This table to be removed upon adoption.)

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| <ul style="list-style-type: none">• The consultant prepared draft 1.0.• The Planning Commission reviewed draft 1.0 on August 22, 2017 and ____. |
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CHAPTER 11 – ZONING**ARTICLE 15
DOWNTOWN DESIGN OVERLAY DISTRICT****Sections**

| | | | |
|----------|---------------------------|----------|-------------------------------|
| 11.15.01 | Legislative findings | 11.15.07 | Building design |
| 11.15.02 | Purpose | 11.15.08 | Off-street parking and access |
| 11.15.03 | District boundaries | 11.15.09 | Landscaping |
| 11.15.04 | General compliance | 11.15.10 | Service areas and similar |
| 11.15.05 | Project review procedures | 11.15.11 | Signs |
| 11.15.06 | Building setbacks | 11.15.12 | Utilities |

11.15.01 Legislative findings

The Common Council makes the following legislative findings:

- (1) Wisconsin Rapid's downtown area contains a variety of building types, many of which represent an architectural style characterized by attached storefronts.
- (2) Given the close proximity of buildings in the downtown, special rules and regulations are needed to protect and perpetuate the existing character of the area.
- (3) The standards in this article are not intended to discourage development but to encourage development that is functional, attractive, and context sensitive.

11.15.02 Purpose

This article is established to promote the public health, safety, and welfare and is intended to protect and perpetuate the general architectural style within the overlay district.

11.15.03 District boundaries

The location of the downtown design overlay district is depicted on the zoning map described in s. 11.06.07.

11.15.04 General compliance

Given the pattern of existing development in this overlay district and the size and configuration of the existing parcels, it may not be feasible for all new development or redevelopment in the district to be consistent with all of the design standards specified in this article. Therefore, prior to any major work (herein described) the appropriate reviewing authority shall ensure that the proposed work is consistent with the intent of the design standards when considered as a whole.

11.15.05 Project review procedures

(a) **Minor work without prior approval.** The following work may proceed without prior approval, provided a building permit is issued if required:

- (1) residing with appropriate materials;
- (2) repair or replacement of windows, trim, and doors if new materials match existing;
- (3) installation or removal of door and window openings not visible from the primary street;
- (4) chimney reconstruction if completed with similar materials;
- (5) exterior cleaning, refinishing, and tuck-pointing; and
- (6) any other similar work as determined by the zoning administrator.

Prior to the commencement of any work, a property owner may ask the zoning administrator to review the proposed work to determine if it is classified as minor work and/or otherwise complies with the standards in this article.

(b) **Major work.** Any work not classified as minor work in this section shall be reviewed using the procedures specified below.

- (1) buildings - architectural review
- (2) site work - site plan

Examples of major work includes relocation of an existing building, construction of a new building, addition to an existing building, alteration of a building elevation, alterations to windows, siding, entries, and trim, erection of new signs or modification of existing signs, changes to the site including parking, pedestrian circulation, and the like.

11.15.06 Building setbacks

The setback of buildings from street-yard and side-yard lot lines shall be compatible with existing buildings in the immediate area.

11.15.07 Building design

In addition to meeting the standards in Article 6, buildings shall comply with each of the following:

- (1) **Building height.** The height of a building shall not be more than one story taller or shorter than the height of the adjoining building. In no event, shall the height of a building exceed the maximum building height established for the base zoning district.
- (2) **Building mass.** The mass of a building (i.e., relationship between façade height and width) shall be compatible with existing buildings in the immediate area.
- (3) **Special requirements for large buildings.** A building façade fronting on a public street with a frontage of 150 feet or more shall be designed to look like two or more individual building fronts. This may be achieved by using different building materials, facade articulations, or other design approach that gives the appearance of separate, but attached buildings.
- (4) **Horizontal rhythms.** The horizontal pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as piers and columns shall be spaced at regular intervals across all visible façades of the building.
- (5) **Vertical rhythms.** The floor heights on main façades shall complement those of adjoining buildings. The rhythm of the ground floor shall harmonize with the rhythm of upper floors. The vertical pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as sills, headers, transoms, cornices, and sign bands shall be compatible in design and elevation with adjoining buildings in immediate area.
- (6) **Roof forms.** Flat or gently sloping roofs which are not visible from the street grade shall generally be used. Mansards or other exotic roof shapes are not characteristic of the district's character and are prohibited.
- (7) **Awnings.** The size, color, placement, and design of an awning should be complement the architectural character of the building on which it is located. Soft, weather-treated canvas or vinyl materials which allow for flexible or fixed installation shall be used. Awnings covered with shingles, metal roofing, or the like are prohibited. Backlit awnings are prohibited.
- (8) **Building materials.** Selected building materials shall be compatible with those of existing buildings in the immediate area which generally consist of natural materials such as stone, brick, and wood. Concrete masonry units, corrugated metal, half-log siding, and vinyl siding are prohibited.

11.15.08 Off-street parking and access

(a) **Placement.** Off-street parking should be located to the rear of the principal building, or on the side as a less preferable alternative.

- (b) **New curb-cuts.** New curb-cuts shall occur on the side streets rather than on a primary street.

(c) **Screening.** Parking lots that are located on the side of a building should incorporate a screen to block the view of parked cars as generally depicted in Exhibit 15-1.

11.15.09 Landscaping

Landscaping as described in Article 17 is not required. If provided, landscaping should complement street trees and other streetscape elements in the public right-of-way.

11.15.10 Service areas and similar

Service areas, refuse collection areas, storage areas, and loading areas shall be located away from or screened from public view, especially from the primary street.

Exhibit 15-1. An example of a parking lot screen



11.15.11 Signs

(a) **Generally.** Signs should enhance the visual appeal of the district and its ability to attract the traveling public.

(b) **Wall signs.** Wall signs should be designed to fit within the architectural space intended for signage.

(c) **Compatibility.** Signs should be compatible with signs on adjoining buildings with respect to location, shape, style, graphics, size, material, illumination, and color, while allowing individual expression and identification.

11.15.12 Utilities

Utility lines, such as telephone, electric, and cable, shall be installed underground, where feasible. Ground-mounted utility components, such as switch boxes and transformers, shall be screened by landscaping or a decorative wall and/or be located away from public view, especially from the primary street.

Summary of Reviews and Revisions (This table to be removed upon adoption.)

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| <ul style="list-style-type: none"> • The consultant prepared draft 1.0. • The Planning Commission reviewed draft 1.0 on August 22, 2017 and _____. • • |
|--|

Draft 1.0

CHAPTER 11 – ZONING**ARTICLE 55
FENCING****Sections**

| | | | |
|----------|--|----------|-----------------------------------|
| 11.55.01 | Applicability | 11.55.09 | Fence materials |
| 11.55.02 | General requirements | 11.55.10 | Barbed wire |
| 11.55.03 | Prohibitions | 11.55.11 | Storage of materials prohibited |
| 11.55.04 | Measurement of height | 11.55.12 | Fences permitted without a permit |
| 11.55.05 | Obstruction of ingress/egress area of a dwelling | 11.55.13 | Nonboundary fences |
| 11.55.06 | Fences in commercial and industrial zoning districts | 11.55.14 | Security fences |
| 11.55.07 | Fences in residential zoning districts | 11.55.15 | Dog enclosures |
| 11.55.08 | Minimum setbacks | 11.55.16 | Maintenance |

11.55.01 Applicability

The requirements in this article apply to existing fences and new fences.

11.55.02 General Requirements

All fences shall be installed in strict compliance with this article, site specific permit conditions, and the following requirements:

- (1) The owner or applicant shall be responsible for properly locating all property lines before construction of any fence. This requirement can be waived if it is clear that the fence will not encroach or overlap any property line.
- (2) Lot pins/markers shall not be tampered with when installing a fence. Any violations of this requirement shall be subject to the penalty provisions outlined in this code, and/or within state statutes.
- (3) No fence may be constructed or maintained which is detrimental to human life or safety, or causes a traffic hazard.
- (4) Structural and support components of a fence shall face away from adjacent properties.
- (5) Fences shall be installed with the finished side facing the adjacent property or public right-of-way, and the fence posts must be located on the inside of the fence facing -the property on which the fence is located, except when the style of fence commonly described as a "Good Neighbor Fence" is installed.
- (6) Fences shall be installed plumb and the top finish of the fence shall be uniform. Fences shall follow the contour of the ground to the extent practical. Adjustments for grade shall occur at the bottom of the fence.
- (7) The height of the fence shall be controlled by the applicable provisions of this article for the zoning district in which the fence will be located.

11.55.03 Prohibitions

The following are specifically prohibited:

- (1) An electric or razor wire fence.
- (2) Any wire or chain link-type fence with the cut or salvage end of the fence exposed at the top.
- (3) Chicken wire or similar type fences, except when used for gardening type purposes.
- (4) A fence which creates a hazard to users of the street, sidewalk, or to nearby property.
- (5) A fence composed solely of fence posts.
- (6) An incomplete fence, consisting only of posts and supporting members.

11.55.04 Measurement of height

Fence height is measured from the surface of the ground immediately below the fence. In the case of grade separation, such as the separation of properties by a retaining wall, the fence height is based on the measurement from the average point between highest and lowest grade. If the fence is set back from the retaining wall by a distance of at least 2 feet, the fence height is measured from the base of the fence.

For fences that have a uniform deviation (i.e., where the fence post height is higher than the fence wall, or where the fence wall is higher than the fence posts) the highest portion of the fence shall be used to measure the height of the fence.

11.55.05 Obstruction of ingress/egress area of a dwelling

No fence shall be installed in any yard that will shield any window or opening in a habitable space of a dwelling. A minimum distance of 3 feet shall be maintained between any solid fence and any such window or opening in a dwelling.

11.55.06 Fences in commercial and industrial zoning districts

(a) **Front yard** In commercially or industrially zoned areas on interior lots with one frontage, fences, not exceeding 4 feet in height, shall be allowed within the front yard setback area. The front yard setback consists of any side lot line between the front property line and the front setback line or building line, whichever is closest to the front property line.

Exception: When establishments are required to provide screening, screening standards shall supersede this standard.

Exception: Front yard or corner side yard fences may be increased to a maximum height of 6 feet if open, decorative, ornamental fencing materials that are less than or equal to 20 percent opaque are used. Chain link or similar type fences are not considered decorative, ornamental fences.

Exception: Where adjacent properties are allowed to have a fence of 6 feet in height along a property line, because the property line is the side or rear property line for their lot, the owner of the other lot may erect a fence not to exceed 6 feet in height along the same area that the adjacent owner may erect a 6-foot high fence. However, the fence must meet all other requirements outlined in this chapter, including not interfering with vision triangles.

(b) **Side and rear yards.** No solid fence or wall shall exceed 8 feet in height in any side or rear yard. Fences not greater than 8 feet in height are permitted in side or rear yards and shall not extend beyond the front of the principal structure.

Exception: When establishments are required to provide screening, screening standards shall supersede this standard.

(c) **Corner lots** In commercially or industrially zoned areas the maximum height of a solid fence or wall within a required front or corner side yard setback shall not exceed six (4) feet, except that a fence or wall of up to 8 feet may be located within a corner side yard setback behind the rear plane of the principal building. (Discrepancy in existing code.)

Exception: When establishments are required to provide screening, screening standards shall supersede this standard.

(d) **Double frontage lots** In commercially or industrially zoned areas, fences may not exceed a height of 8 feet within the required rear setback.

Exception: When establishments are required to provide screening, screening standards shall supersede this standard.

11.55.07 Fences in residential zoning districts

(a) **Front yard** In residentially zoned areas on interior lots with one frontage, fences, not exceeding 4 feet in height, shall be allowed within a residentially required front yard setback area. The front yard setback consists of any side lot line between the front property line and the front setback line or building line, whichever is closest to the front property line. If the fence is setback at or beyond the minimum required setback, fences may exceed the 4-foot height requirement, but shall not be higher than 6 feet.

Draft 1.0

Exception: Front yard or corner side yard fences may be increased to a maximum height of 6 feet if open, decorative, ornamental fencing materials that are less than or equal to 20 percent opaque are used. Chain link or similar type fences are not considered decorative, ornamental fences.

Exception: Where adjacent properties are allowed to have a fence of 6 feet in height along a property line, because the property line is the side or rear property line for their lot, the owner of the other lot may erect a fence not to exceed 6 feet in height along the same area that the adjacent owner may erect a 6-foot high fence. However, the fence must meet all other requirements outlined in this article, including not interfering with vision triangles.

(b) **Side and rear yards** In residentially zoned areas on interior lots with one frontage, no solid fence or wall shall exceed 6 feet in height in any side or rear yard.

Exception: A fence of up to 8 feet in height may be constructed between a residential district and a commercial or industrial district.

A wall or solid fence not more than 6 feet in height, as measured from the highest adjacent grade, may be maintained along the interior side or rear lot lines provided such a wall or solid fence does not extend into a required front yard.

(c) **Corner lots** In residentially zoned areas, the maximum height of a solid fence or wall within a required front or corner side yard setback shall not exceed 4 feet, except that a fence or wall of up to 6 feet may be located within a corner side yard setback behind the rear plane of the principal building. If the fence is setback at or beyond the minimum required setback, fences may exceed the 4-foot height requirement, but shall not be higher than 6 feet.

(d) **Double frontage lots** In residentially zoned areas, fences may not exceed a height of 6 feet within the required rear setback.

11.55.08 Minimum setbacks

(a) **From public right-of-ways.** Fences must be a minimum of 2 feet from the public right-of-way property line.

(b) **From adjacent property lines.** Fences may be installed up to, but not across adjacent property lines.

Exception: If an existing building is located on an adjacent lot, 2 feet is the minimum distance in which the fence must be set back from the existing building.

Note: Property owners must maintain their fence(s) as noted in s. 11.55.16. Erecting a fence too close to a property line can make it hard to maintain both sides of the fence.

(c) **From alleys.** Fences must be a minimum of 5 feet from the alley property line. If the alley does not support traffic, the fence may be located up to, but not over the property line.

(d) **Vision clearance areas.** No fence or wall greater than 2 1/2 feet above the street grade shall be placed within the vision clearance area.

11.55.09 Fence materials

(a) **Generally.** A fence located in a side and/or rear yard shall be constructed of materials suitable for residential-style fencing, including brick, fieldstone, wrought iron, vinyl, chain link (with a minimum thickness of nine (9) gauge and a required top rail support), stockade, or board-on-board wood. No fence shall be constructed of used or discarded materials in disrepair, including pallets, tree trunks, trash, junk, or other similar items. Materials not specifically manufactured for fencing, such as railroad ties, wooden doors, landscape timbers or utility poles shall not be used for, or in the construction of a fence.

(b) **Agricultural/farm fences** Agricultural/farm fences shall only be permitted in agriculturally zoned or used districts and shall not exceed 6 feet in height.

11.55.10 Barbed wire

No person shall construct, use or maintain any barbed wire fence on residential, business, or institutionally zoned property. Barbed wire fences may be installed in manufacturing zoning districts under circumstances whereby no

more than 3 strands of barbed wire are horizontally situated above a fence of boards or woven wire not less than 72 inches in height, excluding the barbed wire. Barbed wire may be used on top of a 6-foot fence surrounding a public utility, public use, or on a site storage area as approved under a Conditional Use Permit or Site Plan Review. Notwithstanding the above, barbed wire shall not be used along a property line abutting a residentially zoned area.

11.55.11 Storage of materials prohibited

No materials shall be stored on or between a fence located adjacent to a property line.

11.55.12 Fences permitted without a permit

The following types of fences are permitted, as specified, without a permit, subject to the following restrictions and providing that said fence does not in any way interfere with traffic visibility, or block, redirect or cause a drainage problem for the adjacent or downstream properties:

- (1) Snow fencing shall be permitted in all districts not exceeding 4 feet in height provided it is removed between May 1 and November 1 of each year. No snow fence shall extend into the street right-of-way line unless installed by the City or a contractor having a permit from the City.
- (2) Fences used for the protection of excavation and construction sites and the protection of plants during grading and construction is permitted for a time period consistent with an approved building permit.
- (3) Agricultural/farm fences are limited to agriculturally zoned or used districts.
- (4) Decorative fences not exceeding 2 feet in height shall be permitted in all districts. Such fences shall not be placed in any manner that presents a hazard to pedestrians on any public or private sidewalk.
- (5) Underground electrical fences are permitted in all districts.
- (6) Garden fencing shall be allowed without a permit, but it shall not exceed a height of 6 feet, shall not be located closer than 3 feet to any property line, and shall not be more than 10 percent opaque. Fencing shall be limited to the gardening area.

11.55.13 Nonboundary fences

Fences and/or enclosures for swimming pools shall be permitted as required in s. 303.2 of the Code of General Ordinances. Fences surrounding tennis courts, and baseball and/or softball field backstops, or similar type facilities may be erected in conformance with accepted industry standards. A fence permit shall be required for such installation.

11.55.14 Security fences

Security fences are permitted up to the property lines in all districts except residential areas and shall be screened from public view by a fence not to exceed 10 feet in height and shall be of an approved type.

11.55.15 Dog enclosures

Dog enclosures are permitted in residential zoning districts subject to the following requirements:

- (1) No dog enclosure shall be installed on a lot unless approved by the Department and a permit is issued.
- (2) A dog enclosure shall be obscured from view from neighboring properties at grade and adjacent streets with a solid fence. Existing structures (e.g., sheds, garages) may be used to obscure view.
- (3) A dog enclosure must be located in the buildable area directly behind and adjacent to the principal building. In no event shall a dog enclosure encroach into a required setback or be located closer to a corner or interior side -property line than the principal building.
- (4) No dog enclosure shall be more than 250 square feet in area, nor more than 6 feet in height above the surface of the ground, as measured from the ground level at the lowest grade level within 5 feet of either side thereof.
- (5) A dog enclosure shall be constructed on a hard surface.
- (6) A dog enclosure may be constructed of any material permitted for a residential fence.
- (7) A dog enclosure shall comply with all vision clearance area requirements.

Draft 1.0

11.55.16 Maintenance

The property owner is responsible for maintaining fences on their property in good repair and in a structurally sound condition. Fences shall be maintained in a manner as to prevent rust, corrosion and deterioration, so as not to become a public or private nuisance, and so as not to be dilapidated or a danger to adjoining property owners or the public. Fences shall not create an appearance of patchwork, which is indicative of a state of disrepair. Every fence installed shall be maintained by the owner in such a way that it will remain plumb and in good repair. All fences shall be constructed and maintained in a good aesthetic condition and in such a manner and of such materials and colors so as not to adversely affect the value of adjoining property or property in the immediate neighborhood. Fences shall also meet the maintenance standards as outlined in the Property Maintenance Code.

Summary of Reviews and Revisions (This table to be removed upon adoption.)

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| <ul style="list-style-type: none">• The consultant prepared draft 1.0.• The Planning Commission reviewed draft 1.0 on August 22, 2017 and _____. |
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