



FENCES/HEDGES, WALLS & SITE PERIMETER GRADING

through ordinance 7364 in 2023

It shall be the responsibility of property owners to ensure fences are within property lines and that a building permit is obtained when required. "Fences" as used in this section includes walls and similar above-grade unenclosed structures forming a continuous or nearly continuous line or row exceeding six feet in length. Also see definition, OMC [18.02.180\(F\)](#)

For the purpose of fencing, the front yard is considered to be the first 10 feet of any lot, tract, or parcel that abuts a public street or right of way, excluding alleys. Corner lots adjacent to two public rights of way shall have a front yard and a flanking side yard.

1. Fence Heights:

Fences, **when located within a required yard**, shall not exceed the following height limits:

Front yard = 48" (4'-0");

Side yards = 72" (6'-0"), Flanking side yards = 72" (6'-0");

Rear yards = 72" (6'-0");

Clear Sight Triangle = 30" (2'-6").

Fences and hedges may exceed maximum heights if located outside of required yards.

Agricultural uses. Rear and side yard fences for legally established agricultural uses may be permitted to a maximum height of eight feet from the ground; provided, at a minimum, the portion of the fence above six feet is composed of a fence material that is of a deer fence-type design.

Examples of deer fence designs include wire with rectangular openings generally four inches by four inches in size. Additionally, the eight-foot fences shall not be constructed of chain link or chicken wire.

Gardens. Front yard fences surrounding a defined garden bed may be permitted to a maximum height of eight feet from the ground and shall be composed of a fence material that is of a deer fence-type design.

Examples of deer fence designs include wire with rectangular openings generally four inches by four inches in size. Additionally, the eight-foot fences shall not be constructed of chain link or chicken wire.

For purposes of this section, a front yard shall not exceed 10 feet in depth, regardless of any other provision found in this Title.

Fence height is measured to the top of the fence, excluding posts. Point of ground measurement shall be the high point of the adjacent final grade.

Gates or other features. Fences, walls, and hedges are permitted within all yard areas provided that regardless of yard requirements, no closed gate, garage door, bollard or other feature shall obstruct a driveway or other motor vehicle private ingress within 20 feet of a street right-of-way nor obstruct automobile views exiting driveways and alleys (see clear vision triangle). This 20-foot requirement is not applicable within the downtown exempt parking area as illustrated at Figure 38-2. Additional exceptions may be granted in accordance with OMC [18.38.220\(A\)\(2\)](#).

Front yard fences of any common areas, such as tree, open space, park, and stormwater tracts, must be a minimum of 25 percent unobstructed, i.e., must provide for visibility through the fence.

Fence pillars, posts, and similar features may project a maximum of two feet above maximum fence height.

- 2. Retaining Walls and Site Perimeter Grading.** Within required yard areas, no single retaining wall (nor combination of walls within five horizontal feet of each other) shall exceed a height of 30 inches as measured from the lowest adjacent grade, nor shall any modification of grades or combination of retaining walls result in grade changes exceeding 30 inches within five feet of a property line nor 60 inches within 10 feet of an existing or proposed property line.
- 3. An Administrative Exception** may be approved by the Department to exceed maximum fence height and other provisions of these standards where all of the following conditions exist.
- a. Variation of existing grade on either side of the fence results in a fence lower than the maximum height as measured from the highest point of grade within five feet of either side of the fence; or other special circumstances relating to the size, shape, topography, location, or surroundings of the subject property warrant an exception to permit a fence comparable with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
 - b. The special conditions and circumstances do not result from the actions of the applicant;
 - c. Granting of the exception will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property is located;
 - d. The granting of the exception will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated; and
 - e. The exception is the minimum necessary to provide the rights and privileges described above.

Applications for additional fence height or other exceptions shall include an explanation of the exception sought and its purpose; and fence illustrations and plan drawing that depicts proposed fence location and height, other structures, landscaping, and proposed grades in relation to existing grades.

Note- A building permit is required for all fences exceeding seven feet in height.

- 4. Hedges.** Hedges are allowed in all required yard areas subject to the following maximum height limits:

- a. Front yard = 48" (4'0")
- b. Side yard, Flanking side yard = Unlimited
- c. Rear yard = Unlimited

[Note: Clear Sight Triangle = 30" (2'-6"), see OMC 18.40.060(B)]

For codes on **barbed, razor wire or electric fencing**- See OMC 18.40.060.C.9 and 10.