

# EXHIBIT “A”

The following are modifications to Title 8, Chapter 8.32 and Title 16, Chapter 16.12 & 16.20 (additions are in underlined red text and deletions are shown with ~~red and strikethrough~~):

## Title 8 – HEALTH AND SAFETY

### Chapter 8.32 – PUBLIC NUISANCES

#### 8.32.040 – Property maintenance.

J. Buildings, structures, walls ~~or~~ fences, or yard enclosures constructed ~~of materials not approved for exterior use~~ unapproved materials or improperly maintained. Improperly maintained may include but not be limited to: listing from the vertical axis, moveable with a lateral force of ten pounds or less, dilapidation or similar structural deficiency. (See Chapter 16.20.080 for approved materials)

## Title 16 – DEVELOPMENT CODE

### Chapter 16.12 - PERMITS AND PROCEDURES

#### ARTICLE VI. – VARIANCES AND MINOR EXCEPTIONS

##### 16.12.220 - Reviewing authority.

B. Review and approval for the following minor exception requests will be through the administrative review with notice procedure, pursuant to Section 16.12.005(A)(2).

1. Fence Height. In any zone, the maximum height of any fence, wall, hedge or equivalent screening may be increased by a maximum of two feet, for ~~not more than twenty (20) percent of~~ the total length or portion of said wall or other screening, where the topography of sloping sites or a difference in grade between abutting sites warrants such increase in height to maintain a level of privacy, or to maintain effectiveness of screening, provided that the increased height does not encroach into the clear sight triangle area. The requirement for an exception may be waived where the requesting party is located on the low side of said wall or other screening, and the proposal does not present visual impacts to an area larger than the properties directly involved in the request.

### Chapter 16.20 – GENERAL REGULATIONS

#### ARTICLE III. – PROJECTION INTO YARDS

##### 16.20.070 - Clear areas.

The projections listed in the table in Section 16.20.075 may not, in any event, encroach on the following:

- A. The clear sight triangle required at traffic intersections by Sections ~~87.0701(e)~~ 16.20.045.

- B. Within five feet of any yard in which the projection is not allowed.
- C. Within five feet of any lot line (three feet for substandard lots). (Exception: Projections listed in items 1 and 6 in Section 16.20.075 may encroach to within three feet of a lot line.)

***Section D & E and the accompanying Table below are moving to a new Section 16.20.080 titled Fences and Walls***

- ~~D. Fences and walls within the front yard setback may be approved by the director of development services or his designee as provided in subsection E and shall require the approval of a plot plan.~~
- ~~E. Standards for Fences and Walls within the Front Yard Setback Area. The maximum height of a wall, fence or hedge shall be limited to a maximum of thirty-six (36) inches above grade when view-obscuring; however, non-view-obscuring estate type fences (i.e., those constructed of ornamental metal and masonry pillars) may be constructed in the front yard up to a maximum of six feet above grade (Chain link with slats is not considered an ornamental fence, and is limited in height to thirty-six (36) inches unless on a lot at least fifteen thousand (15,000) square feet or larger). The director of development services or his designee may limit the height and alter the size and location of fences and pillars, based on the position of the residence as well as other factors, which may include the topography of the site, development on adjacent parcels, and legally located structures and utilities. In no event shall any view-obscuring portion of the estate type fence, other than pillars consistent with Section 16.20.045, exceed the maximum height of thirty-six (36) inches above grade. The maximum height of fences, walls, and hedges shall be as provided within the table below:~~

**16.20.080 – Fences and Walls**

- A. Fences and walls within the front yard setback may be approved by the director of development services or his designee as provided in subsection B and shall require the approval of a plot plan.
- B. Standards for Fences and Walls within the Front Yard Setback Area. The maximum height of a wall, fence or hedge shall be limited to a maximum of thirty-six (36) inches above grade when view-obscuring; however, non-view-obscuring estate type fences (i.e., those constructed of ornamental metal and masonry pillars) may be constructed in the front yard up to a maximum of six feet above grade (Chain link with slats is not considered an ornamental fence, and is limited in height to thirty-six (36) inches unless on a lot at least fifteen thousand (15,000) square feet or larger). The director of development services or his designee may limit the height and alter the size and location of fences and pillars, based on the position of the residence as well as other factors, which may include the topography of the site, development on adjacent parcels, and legally located structures and utilities. In no event shall any view-obscuring portion of the estate type fence, other than pillars consistent with Section 16.20.045, exceed the maximum height of thirty-six (36) inches above grade. The maximum height of fences, walls, and hedges shall be as provided within the table below:

Fencing <del>&amp; Hedges</del>	Front and Street Side Yards	Rear and Interior Side Yards
Fences, screening, safety guard rails, walls <del>and dense</del> <del>hedges</del>	Allowed	Allowed

Commercial and all zones other than Agricultural, Residential or Industrial	6 ft. max. height	10 ft. max. height
Industrial † In accordance with Section 16.16.585	12 ft. max. height†	12 ft. max. height†
Agricultural & Residential	<p>3 ft. max. high solid and open wire with slats fencing. 4 ft. open wire max. height in the front yard of lots under 15,000 square feet in net area. (16.20.070 080 <del>D &amp; E</del> A &amp; B)</p> <p>6 ft. max. height in front yards for open wire fencing without slats on lots at least 15,000 square feet in net area. 6 ft. high solid or open wire fencing with slats shall be allowed in the area of the front yard which overlaps the street side yard if the fence does not encroach within a required clear sight triangle. The fence may also extend across the front yard to connect to a logical portion of the residence to form a private yard as approved by the director of development services or his designee (chain link is not considered an ornamental fence and is limited in height as provided herein).</p> <p>6 ft. max. height within street side yards</p>	6 ft. max. height

C. Fences, walls or yard enclosures (not including animal enclosures) shall be constructed of approved materials. Approved materials include masonry block, split face block, wrought iron, chain link, wood or plastic slats, vinyl fencing, and split rail. Any other material must be approved by the Director or designee as a fencing material. Fencing constructed of approved materials must still meet all other requirements of this code, including but not limited to design standards and permitting requirements.

D. All fencing shall be constructed to add to the overall look of the property, installed in a professional manner using treated materials to withstand the environment. In no case shall a fence be constructed of secondhand or castoff materials not originally designed for fencing. Examples of prohibited materials include, but are not limited to garage doors, corrugated metal scrap, mattresses, tires, car parts, and plywood less than five-eighths inches thick, plywood not of a grade approved by the Director or designee, particle board, paper, visqueen plastic, plastic tarp, cloth or similar material.

E. Animal enclosures shall be constructed of materials treated and installed to withstand the environment, be appropriate for the keeping of animals, and be properly maintained. Animal enclosures shall meet all other requirements of this code. The materials listed as prohibited in Section D are also prohibited for use as an animal enclosure.