



7505 South Holden Street
Midvale, UT 84047
Phone (801) 567-7200
www.midvalecity.org

MIDVALE PLANNING AND ZONING COMMISSION MEETING AGENDA APRIL 27, 2016

WORKSHOP MEETING
ALEXANDER DAHL CONFERENCE ROOM
6:30 PM

- STAFF BRIEFING OF AGENDA ITEMS AND UPDATES

GENERAL SESSION
COUNCIL CHAMBERS
7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING(S)

1. REZ-22-31-132-025/026; WHITE PINES PHASE VIII; 189-193 EAST 8000 SOUTH; GENERAL PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND REZONE FROM SINGLE FAMILY RESIDENTIAL (SF-1) WITH AGRICULTURAL OVERLAY TO MULTI FAMILY RESIDENTIAL (RM-12); STEVE BRENDLE/SUNSTONE CORPORATION (APPLICANT)
2. REZ-27-01-201-056; FRY REZONE; 193 WEST 8600 SOUTH; REZONE FROM REGIONAL COMMERCIAL TO SINGLE FAMILY RESIDENTIAL (SF-1); BRANDON FRY/DIVERSIFIED ATLAS LLC (APPLICANT)

DISCUSSION

3. PROPOSED TEXT AMENDMENT REGARDING FENCE HEIGHTS

MINUTES

4. REVIEW AND APPROVE MINUTES OF FEBRUARY 24, 2016; MARCH 9, 2016; MARCH 23, 2016; AND APRIL 13, 2016

ADJOURN

The workshop meeting is open to the public; however, there is no public participation. This meeting includes City Staff briefing Commission Members on the technical aspects of the agenda items. Members of the public will be given an opportunity to address the Commission during public hearing items in the general session. The Commission reserves the right to amend the order of the agenda if deemed appropriate. No item will be heard after 10:30pm without unanimous consent of the Commission. Items not heard will be scheduled on the next agenda. In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the CED Administrative Assistant at (801) 567-7211, providing at least three working days advance notice of the meeting.

A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 2nd Floor City Hall Lobby, on the City's website at www.midvalecity.org and the State Public Notice website at <http://pnn.utah.gov>. Commission Members may participate in the meeting via electronic communication. Commission Members' participation via electronic communication will be broadcast and amplified so all Commission Members and persons present in the Council Chambers will be able to hear or see the communication.

Midvale City
Department of Community Development
Planning and Zoning

Planning and Zoning Commission Staff Report

APPLICATION:	White Pines Phase VIII
LOCATION:	189-193 East 8000 South
APPLICANT:	Steve Brendle/Sunstone Corporation
FILE #:	REZ-22-31-132-025/026
REQUEST:	General Plan Amendment and Rezone
MEETING DATE:	April 27, 2016
ZONING DESIGNATION:	SF-1 with Agricultural Overlay
AUTHOR:	Lesley Burns, City Planner
APPLICABLE ORDINANCE (S):	17-3-1
AGENDA #:	1

SUMMARY:

The applicant, Steve Brendle, is proposing to expand the White Pines townhouse development onto the two parcels to the west of the existing development along 8000 South. These parcels, located at 189 East and 193 East 8000 South, are narrow, deep lots with older single family homes and are currently zoned single family residential (SF-1) with an Agricultural Overlay (AO). As shown on the attached concept plan, the intent is to extend the existing private road from White Pines Phase VI to access some of the proposed new units, with other new units proposed along 8000 South. The applicant was the original developer of the White Pines project, and is working with the White Pines Homeowners Association on this proposed expansion. At this time, the applicant is requesting that the two parcels, totaling 0.66 acres, be re-designated from a low density residential use to a medium density residential use on the General Plan Proposed Land Use Map and rezoned from SF-1 AO to RM-12 (multi-family residential 12 units per acre). Provided this General Plan Amendment/Rezone request receives a favorable decision, the applicant will move forward with the development application for the project itself.

General Plan Amendment and Rezone

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan, and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need that was not anticipated at the time of the adoption of the Midvale City General Plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by natural characteristics of the land, including but not limited to steep slopes, floodplain, unstable soils, and inadequate drainage; or
3. Land surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

The north side of 8000 South between the TRAX line and 300 East is primarily zoned RM-12, with some SF-1/Agricultural Overlay zoning interspersed. The adjacent RM-12 zoning was changed during 2000-2003 to accommodate the various phases of the White Pines development. This rezone request is on property directly west of the existing RM-12 zone. The General Plan shows this property as a low density residential designation. The City Council has amended the General Plan on the parcels that have become RM-12 to a medium density residential designation prior to the zone changes occurring. This request would be an orderly progression of the medium density land use designation and RM-12 zone, particularly with the existing development pattern providing a road access into the property. These properties have a history of code enforcement violations with weeds, storage of junk and general disrepair.

The Planning Commission will need to consider the appropriateness of the General Plan amendment and rezone request, and forward a recommendation to the City Council for its consideration. The City Council will make a final decision on this legislative request.

STAFF RECOMMENDATION:

Based on the development pattern in the area, Staff recommends that the Planning Commission forwards a positive recommendation to the City Council to amend the General Plan changing the land use designation on the property at 189-193 East 8000 South from low density residential to medium density residential. Based on compliance with the General Plan, the orderly progression of development that would occur as a result and creating an opportunity to better utilize and maintain the property, Staff further recommends that the Planning Commission forwards a positive recommendation to the City Council to rezone the property at 189-193 East 8000 South from SF-1/Agricultural Overlay to RM-12.

RECOMMENDED MOTIONS:

General Plan Amendment

“Based on the development pattern in the area, I move that we forward a positive recommendation to the City Council to amend the General Plan changing the land use designation on the property at 189-193 East 8000 South from low density residential to medium density residential.”

Rezone

“Based on compliance with the General Plan, the orderly progression of development that would occur as a result, and creating an opportunity to better utilize and maintain the property, I move that we forward a positive recommendation to the City Council to rezone the property at 189-193 East 8000 South from SF-1 with an Agricultural Overlay to RM-12.”

ADJACENT LAND USES:

North: SF-1 (residential)

South: SF-1 AO (residential)

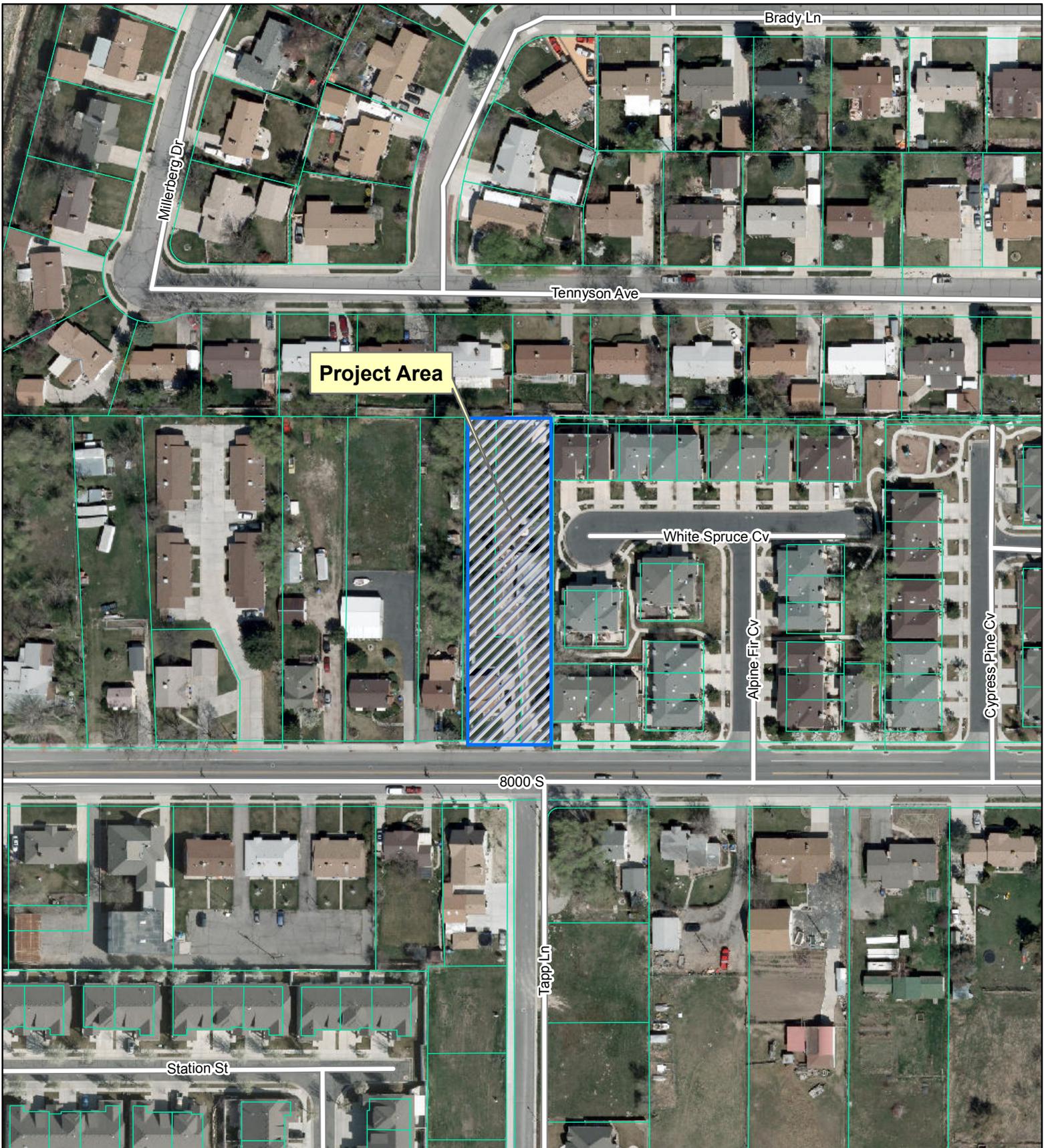
East: RM-12 (residential)

West: SF-1 AO (residential)

ATTACHMENTS:

- Vicinity Map
- Development Concept
- General Plan Proposed Land Use Map
- Zoning Map

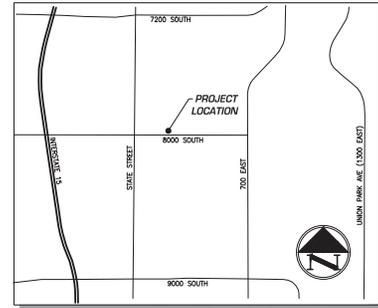
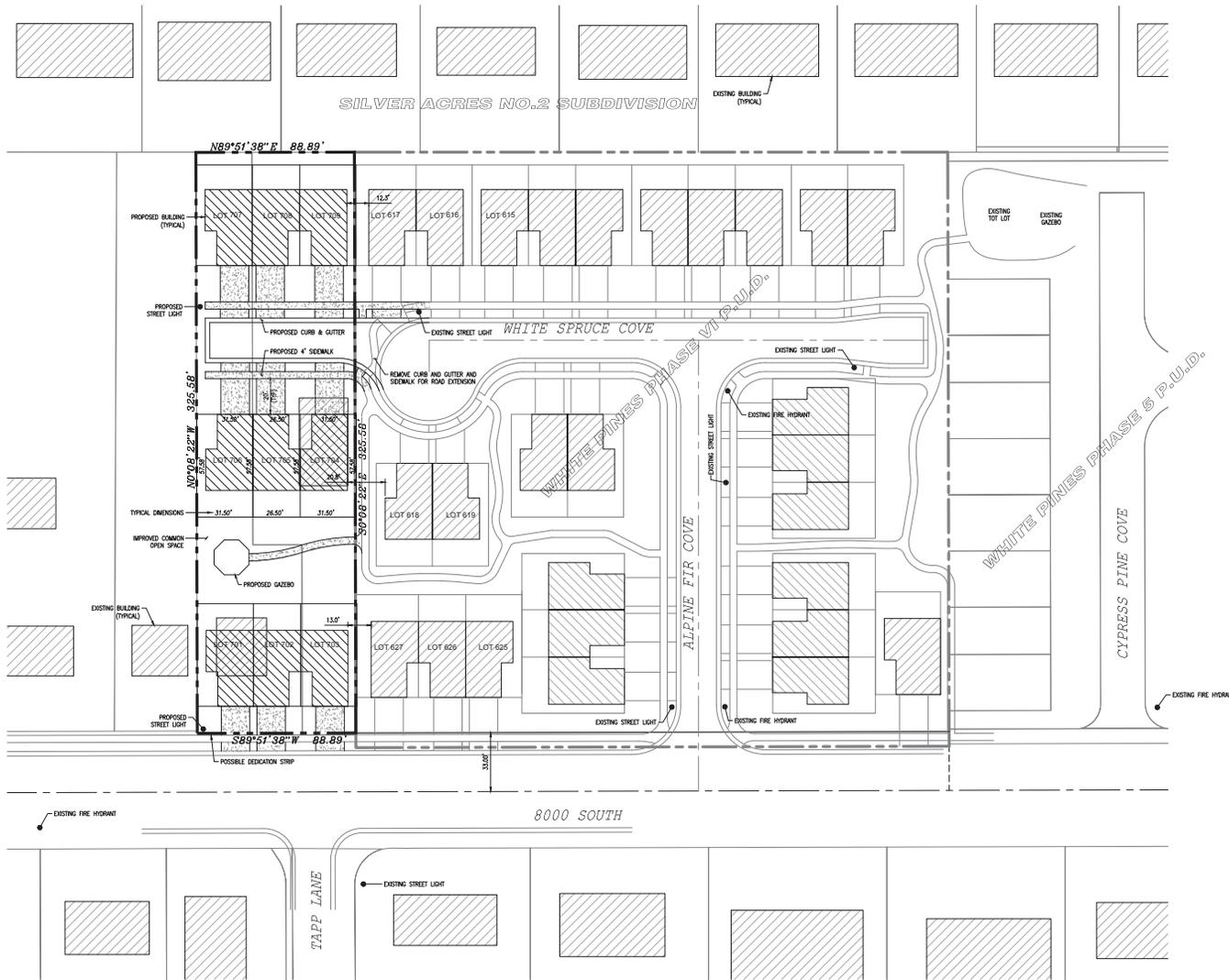
PUBLIC NOTICE: No Yes



White Pines Townhouses Phase VIII
189-193 East 8000 South

WHITE PINES PHASE VIII P.U.D. SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 2
SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
MIDVALE, UTAH



VICINITY MAP

PROJECT SUMMARY:

1. PARCEL 1 (WEST HALF OF PROJECT)
 - ADDRESS: 189 EAST 8000 SOUTH
 - PARCEL No. 22-31-132-025
2. PARCEL 2 (EAST HALF OF PROJECT)
 - ADDRESS: 183 EAST 8000 SOUTH
 - PARCEL No. 22-31-132-026
3. PROJECT AREA 0.66 ACRES
4. EXISTING HOMES TO BE DEMOLISHED.
5. AREA OF EACH 1-1/2-TRK IS 3008 SQUARE FEET, INCLUDING THE GARAGES.

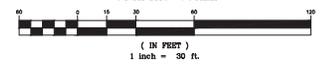
DEVELOPER

SUNSTONE CORPORATION
CONTACT: STEVE BRENDLE
801-688-0725

White Pines		
Area Summary (Phases 6 & 8)		
	SQ. FT.	%
Phase VIII Area	28,913	
Road Dedication	66	
Net Phase 6 Area	28,875	100%
Buildings	9,018	31%
Driveways (20'x16')	2,880	10%
Roadways (includes curb and gutter & asphalt)	2,094	7%
OpenSpace	14,883	52%
Improved Common Open Space	4,333	15%
Phase 6 Area (Per Plat)	110,917	
Road Dedication	2,744	
Net Phase 6 Area	108,173	100%
Buildings	27,277	25%
Driveways (20'x16')	10,376	10%
Roadways (includes curb and gutter & asphalt)	15,626	14%
OpenSpace	54,894	51%
Improved Common Open Space	15,797	15%



GRAPHIC SCALE



JF Engineering, PC
7955 South 2325 East
South Weber, Utah
ph 801.866.7702
jfoone@jfoone.com



NO.	DATE	BY	REVISIONS / DESCRIPTIONS

FOR REVIEW

WHITE PINES PHASE VIII P.U.D. SUBDIVISION
CONCEPT PLAN
MIDVALE, UTAH

SHEET SIZE: ARCH D
H. SCALE: 1" = 30'
V. SCALE: N/A
DATE: 04/01/2016
© COPYRIGHT 2016

SHEET NO.
CP1

DATE: 04/01/2016 10:58 AM

MIDVALE CITY GENERAL PLAN PROPOSED LAND USE MAP

LEGEND

-  RESIDENTIAL (LOW)
-  RESIDENTIAL (MEDIUM)
-  RESIDENTIAL (HIGH)
-  RESIDENTIAL (MOBILE HOME PARK)
-  OFFICE
-  MIXED USE
-  COMMERCIAL
-  GOVERNMENT AND PUBLIC AGENCIES
-  HEALTH FACILITIES
-  SCHOOLS
-  CHURCHES
-  PARKS AND OPEN SPACE
-  INDUSTRIAL
-  UTILITY
-  SEE ALTERNATIVES FOR PROPOSED LAND USE
-  APPROXIMATE POSSIBLE REDEVELOPMENT AREAS
-  CIVIC CENTER/TOWN CENTER
-  EXISTING TRAX STATION
-  PROPOSED TRAX STATION AND 1/4 MILE TRANSIT ORIENTED DEVELOPMENT POTENTIAL

0 800' 1600' 3200'
SCALE 1"=1600'

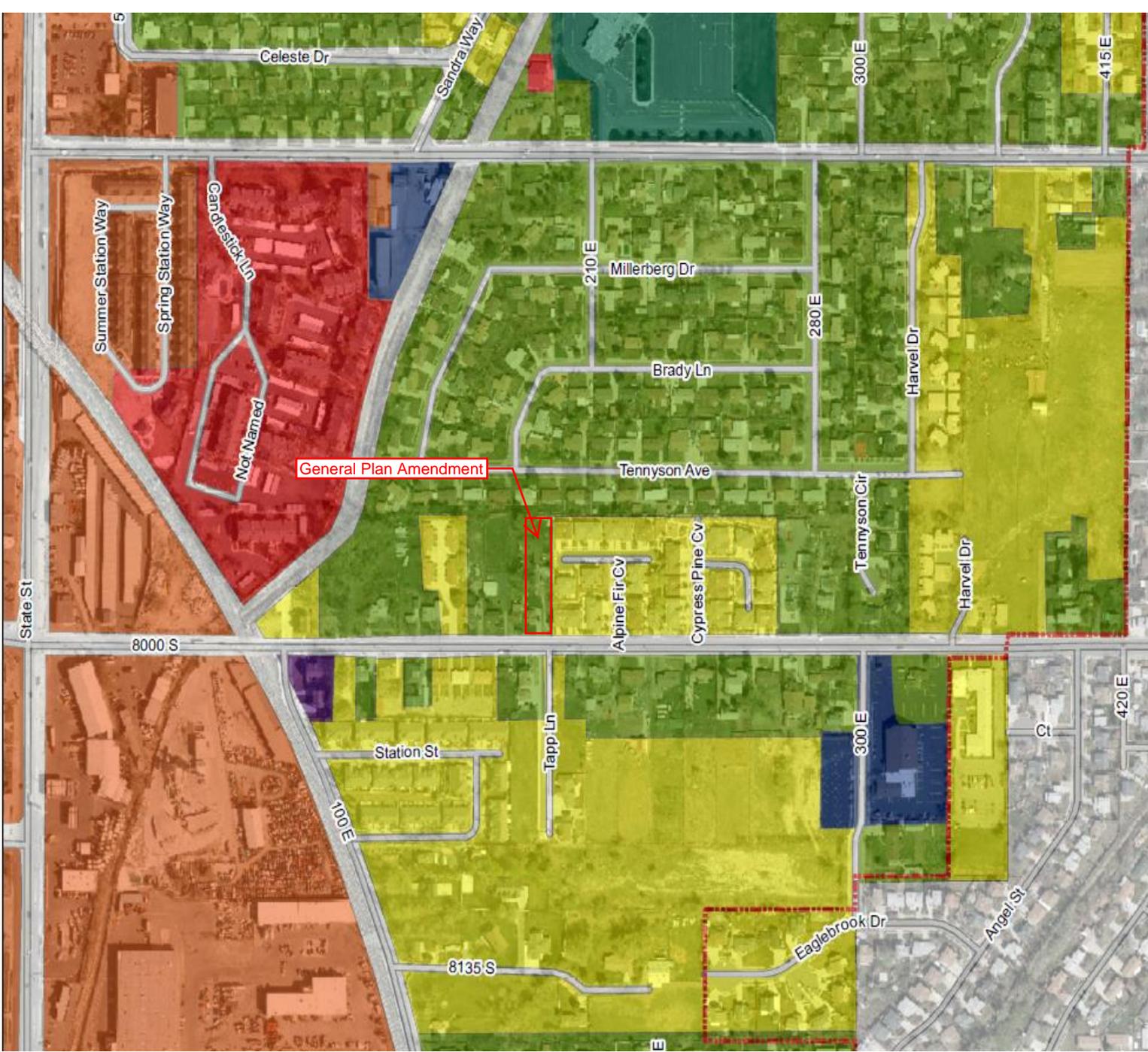
APRIL 2000

LANDMARK
DESIGN

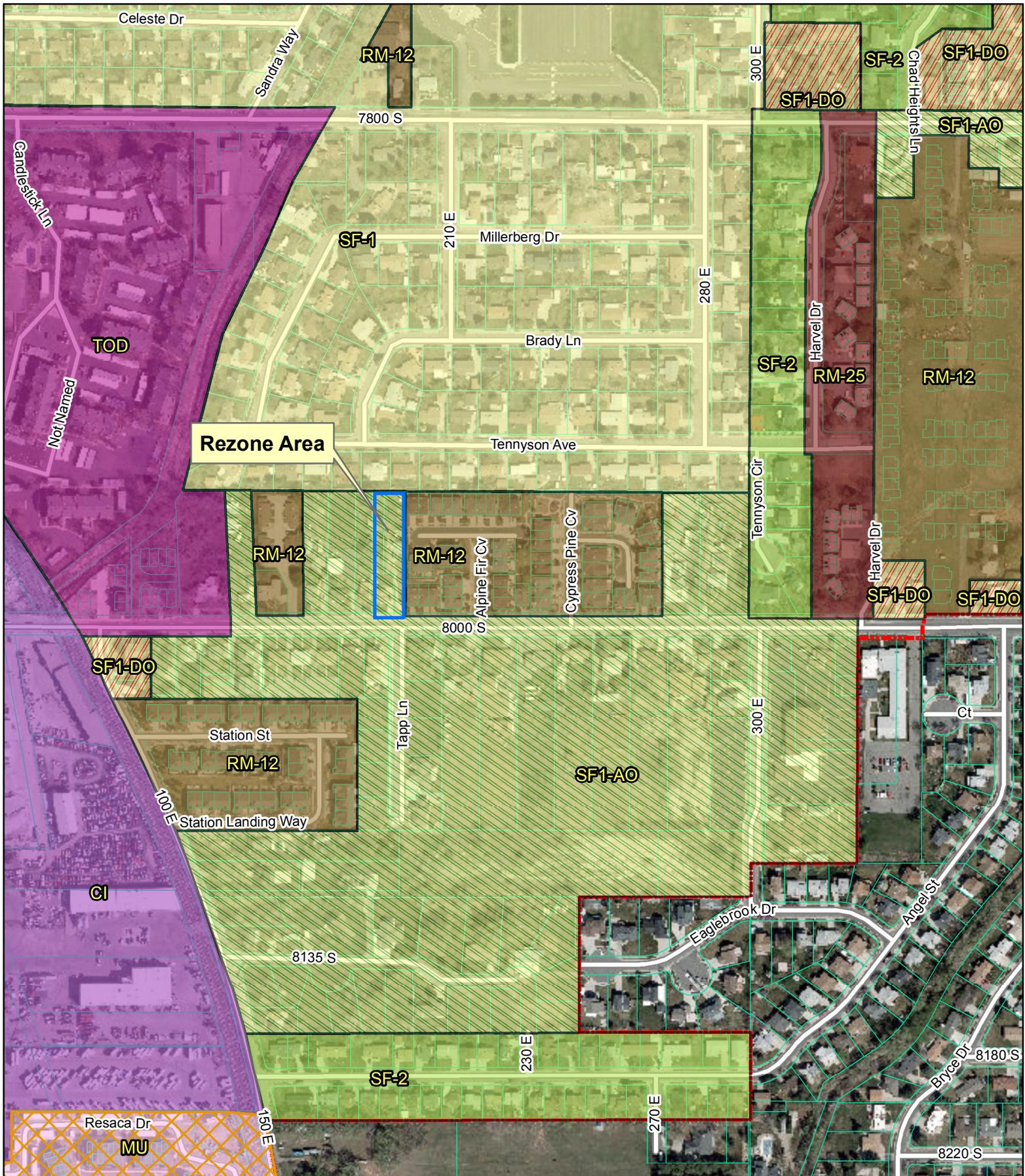
LANDSCAPE ARCHITECTURE
AND LAND PLANNING

2000 UNIVERSITY DRIVE
SALT LAKE CITY
UTAH 84103
PHONE (801) 476-1000
FAX (801) 476-1000

NORTH

General Plan Amendment



189-193 East 8000 South

Midvale City
Department of Community Development
Planning and Zoning

Planning and Zoning Commission Staff Report

APPLICATION:	Fry Rezone
LOCATION:	193 West 8600 South
APPLICANT:	Brandon Fry/Diversified Atlas LLC
FILE #:	REZ-27-01-201-056
REQUEST:	Rezone
MEETING DATE:	April 27, 2016
ZONING DESIGNATION:	Regional Commercial (RC)
AUTHOR:	Lesley Burns, City Planner
APPLICABLE ORDINANCE (S):	17-3-1
AGENDA #:	2

SUMMARY:

The applicant, Brandon Fry, is requesting that the property located at 193 West 8600 South be rezoned from Regional Commercial (RC) to Single Family Residential (SF-1). This property includes an older single family house and is 0.72 acres in size. The applicant is making this request in order to develop the property into three single family residential lots. The applicant has provided a concept plan illustrating the anticipated use of the property; however, the Planning Commission will not be reviewing the subdivision plat at this time.

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan, and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need that was not anticipated at the time of the adoption of the Midvale City General Plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by natural characteristics of the land, including but not limited to steep slopes, floodplain, unstable soils, and inadequate drainage; or
3. Land surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

The General Plan Proposed Land Use Map designates this property as a low density residential use. The current RC zoning designation is not consistent with the General Plan Proposed Land Use Map; the proposed rezone to SF-1 would make the zoning on the property consistent with the current land use designation. The property directly east, although zoned RC, is currently being used as single family residential. The property directly west is an existing commercial use. With the exception of the properties to the west of this parcel, 8600 South is primarily a single family residential neighborhood west of the canal near State Street to Harrison Street. 8600 South functions and is designed as a neighborhood road. The location is not conducive to most commercial uses with its lack of visibility and traffic. It is better suited for a residential type development. The applicant has provided a narrative on the rezone request.

The Planning Commission will need to consider the appropriateness of the rezone request, and forward a recommendation to the City Council for its consideration. The City Council will make a final decision on this legislative request.

STAFF RECOMMENDATION:

Based on compliance with the Midvale City General Plan and existing development in the area, Staff recommends that the property at 193 West 8600 South be rezoned from Regional Commercial (RC) to Single Family Residential (SF-1).

RECOMMENDED MOTION:

“Based on compliance with the Midvale City General Plan and existing development in the area, I move that we forward a positive recommendation to the City Council to rezone the property at 193 West 8600 South from Regional Commercial (RC) to Single Family Residential (SF-1).”

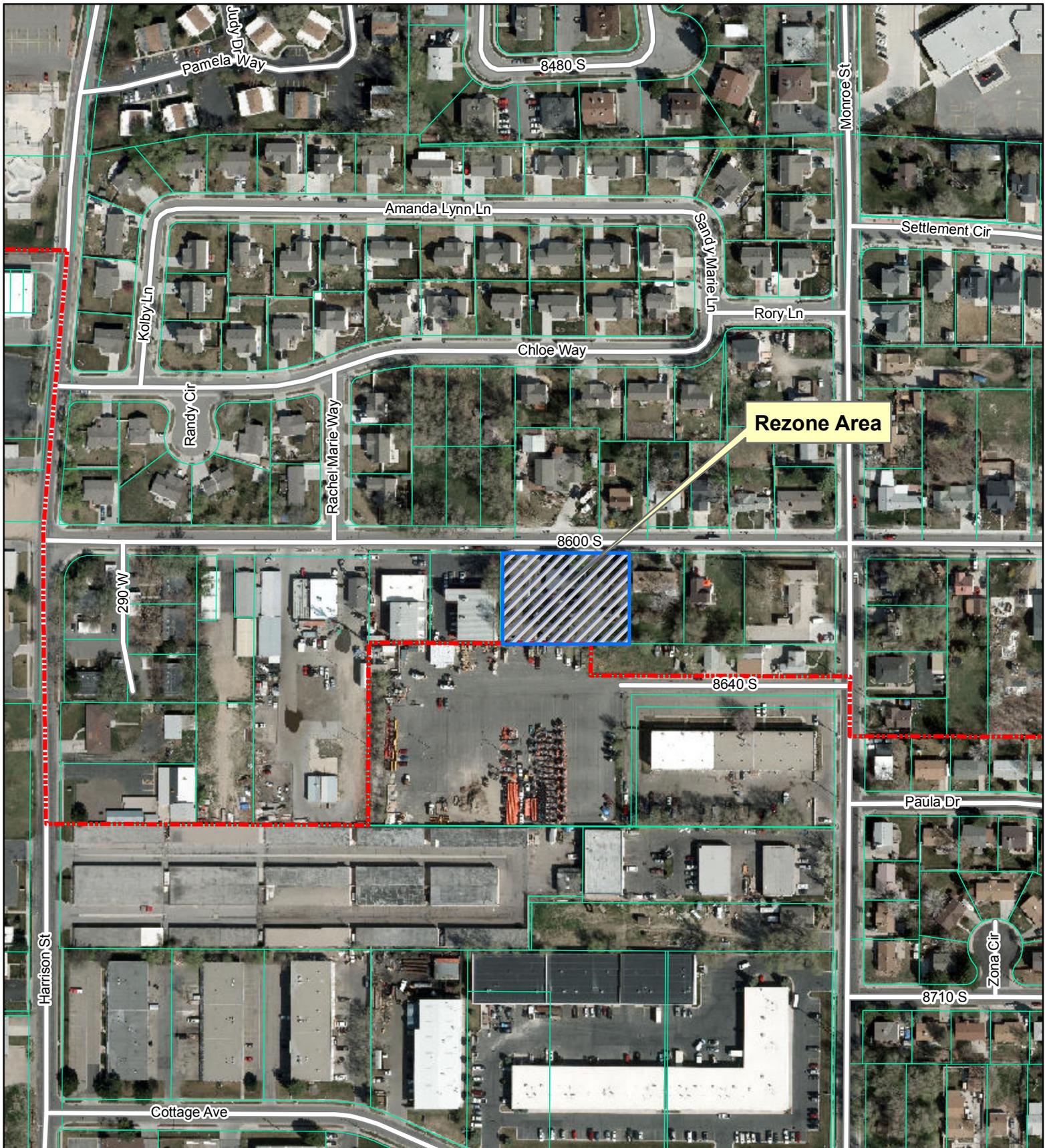
ADJACENT LAND USES:

North: SF-1 (residential)
South: Sandy City (commercial)
East: RC (residential)
West: RC (commercial)

ATTACHMENTS:

- Vicinity Map
- Development Concept
- General Plan Proposed Land Use Map
- Zoning Map
- Applicant Narrative

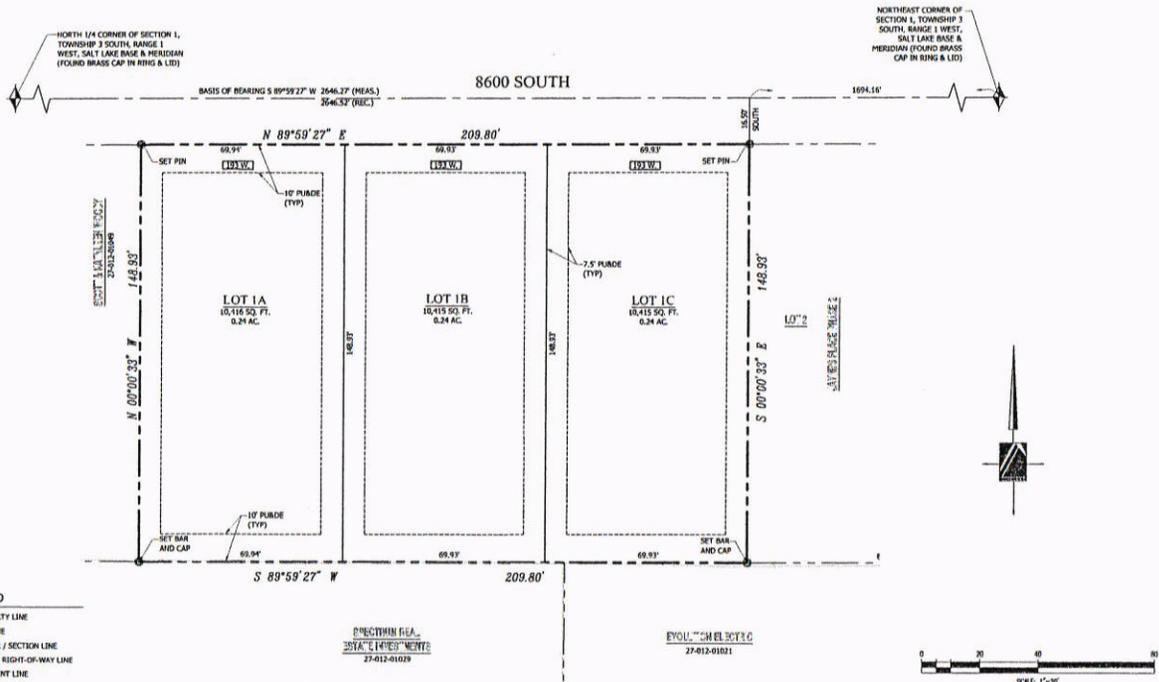
PUBLIC NOTICE: No Yes



**8600 South Rezone
193 West 8600 South**

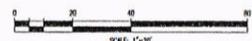
JAYNE'S PLACE PHASE 2 SUBDIVISION AMENDED

LOCATED IN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MIDVALE CITY, SALT LAKE COUNTY, UTAH,



- LEGEND**
- PROPERTY LINE
 - LOT LINE
 - CENTER / SECTION LINE
 - STREET RIGHT-OF-WAY LINE
 - EASEMENT LINE
 - EXISTING FENCE
 - ADJACENT PROPERTY LINE
 - ◆ SECTION CORNER
 - ◆ PUBLIC UTILITY & DRAINAGE EASEMENT
 - SET 5/8" REBAR WITH AN ORANGE PLASTIC CAP, OR NAIL & WASHER STAMPED PINNACLE ENCL. & LAND SURV.

PRECINCTORIAL REG. 27-012-01029
 ENUCL. TECH. REG. 27-012-01021



SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 191517 AS PRESCRIBED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUPERVISED SAID TRACT OF LAND INTO LOTS, HEREINAFTER TO BE KNOWN AS: JAYNE'S PLACE PHASE 2 SUBDIVISION AMENDED AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE SOUTH LINE OF 8600 SOUTH STREET, SAID POINT BEING LOCATED SOUTH 89°59'27" WEST ALONG SECTION LINE 104.16 FEET & SOUTH 16.50 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN AND RUNNING THENCE SOUTH 09°00'33" EAST 148.93 FEET; THENCE SOUTH 89°59'27" WEST 209.80 FEET; THENCE NORTH 09°00'33" WEST 148.93 FEET TO A POINT ON THE SOUTH LINE OF 8600 SOUTH; THENCE ALONG SAID SOUTH LINE NORTH 89°59'27" EAST 209.80 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.717 ACRES (3 LOTS)

DATE _____ STEPHEN J. FACKRELL
 LICENSE NO. 191517

OWNER'S DEDICATION

WE, THE UNDETERMINED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, HEREBY SET APART AND SURVEYED THE SAME INTO LOTS AS SHOWN ON THIS PLAT, AND NAME SAID TRACT "JAYNE'S PLACE PHASE 2 SUBDIVISION AMENDED."

SIGNED THIS _____ DAY OF _____, 2013

ACKNOWLEDGMENT

STATE OF UTAH)
) SS.
 COUNTY OF)
 On this _____ day of _____, 20____, personally appeared before me, _____, who being by me duly sworn did say that he/she/they is/are the _____ of _____, by authority of its members or its articles of organization, and he/she acknowledged to me that said limited liability company executed the same.

NOTARY PUBLIC
 My Commission Expires: _____
 Residing In: _____ County, _____

JAYNE'S PLACE PHASE 2 SUBDIVISION AMENDED

LOCATED IN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MIDVALE CITY, SALT LAKE COUNTY, UTAH

<p>BOARD OF HEALTH APPROVAL</p> <p>APPROVED THIS _____ DAY OF _____, 20____.</p> <p>SALT LAKE VALLEY HEALTH DEPT.</p>	<p>CITY ATTORNEY'S APPROVAL</p> <p>APPROVED THIS _____ DAY OF _____, 20____ BY THE MIDVALE CITY ATTORNEY.</p> <p>MIDVALE CITY ATTORNEY</p>	<p>PLANNING COMMISSION APPROVAL</p> <p>APPROVED THIS _____ DAY OF _____, 20____ BY THE MIDVALE CITY PLANNING COMMISSION.</p> <p>CHAIRMAN, MIDVALE CITY PLANNING COMMISSION</p>	<p>CITY ENGINEER'S APPROVAL</p> <p>I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE AND IS HEREBY APPROVED.</p> <p>MIDVALE CITY ENGINEER</p>	<p>CITY COUNCIL APPROVAL</p> <p>APPROVED THIS _____ DAY OF _____, 20____ BY MIDVALE CITY COUNCIL.</p> <p>CITY RECORDER MIDVALE CITY MAYOR</p>	<p>SALT LAKE COUNTY RECORDER</p> <p>STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____</p> <p>DATE _____ TIME _____ BOOK _____ PAGE _____</p> <p>FEE \$ _____ SALT LAKE COUNTY RECORDER</p>
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MIDVALE CITY GENERAL PLAN PROPOSED LAND USE MAP

LEGEND

- RESIDENTIAL (LOW)
- RESIDENTIAL (MEDIUM)
- RESIDENTIAL (HIGH)
- RESIDENTIAL (MOBILE HOME PARK)
- OFFICE
- MIXED USE
- COMMERCIAL
- GOVERNMENT AND PUBLIC AGENCIES
- HEALTH FACILITIES
- SCHOOLS
- CHURCHES
- PARKS AND OPEN SPACE

- INDUSTRIAL
- UTILITY
- SEE ALTERNATIVES FOR PROPOSED LAND USE
- APPROXIMATE POSSIBLE REDEVELOPMENT AREAS
- CIVIC CENTER/TOWN CENTER

- EXISTING TRAX STATION
- PROPOSED TRAX STATION AND 1/4 MILE TRANSIT ORIENTED DEVELOPMENT POTENTIAL

0 800' 1600' 3200'

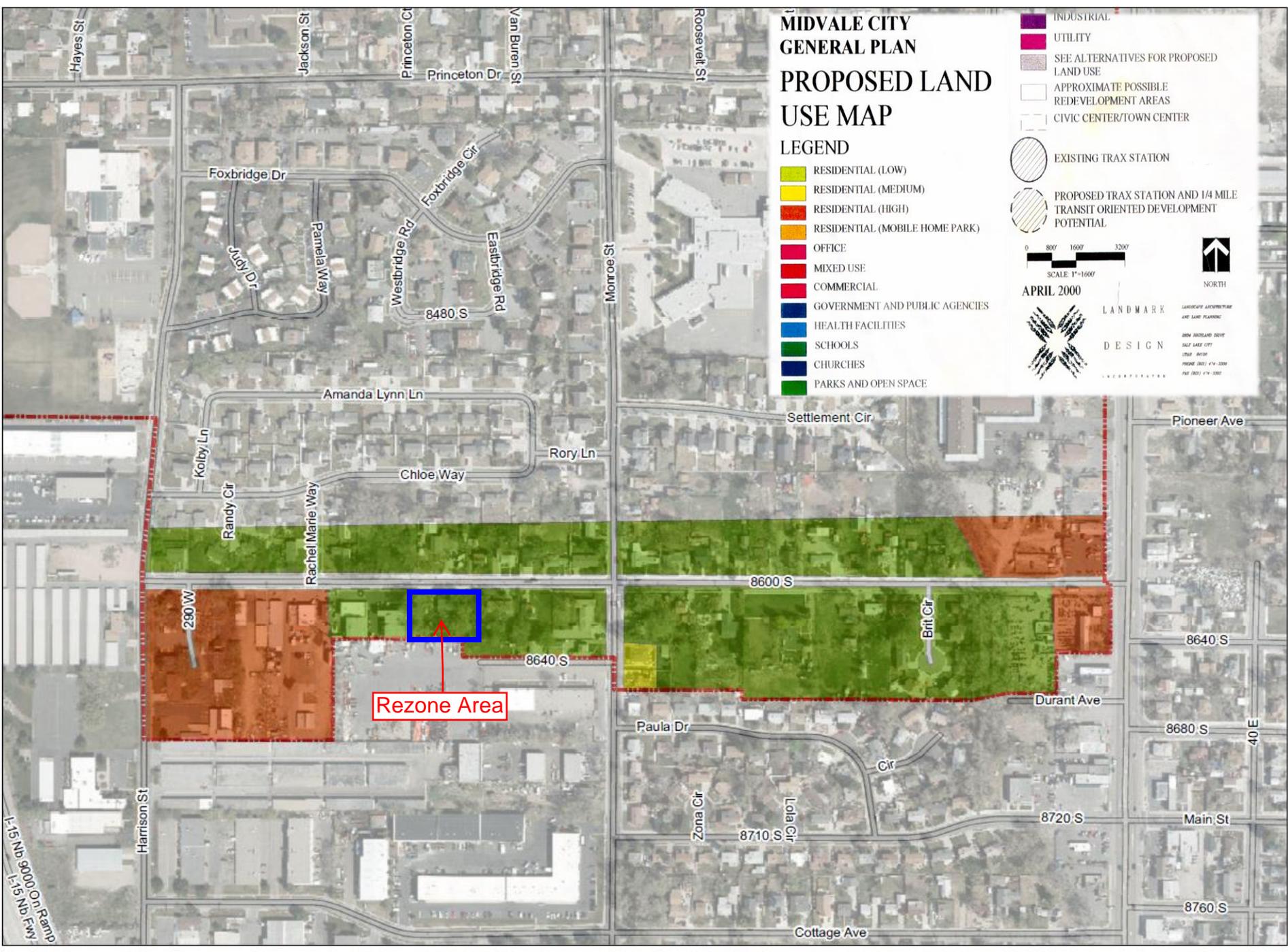
SCALE 1"=1600'

APRIL 2000

NORTH

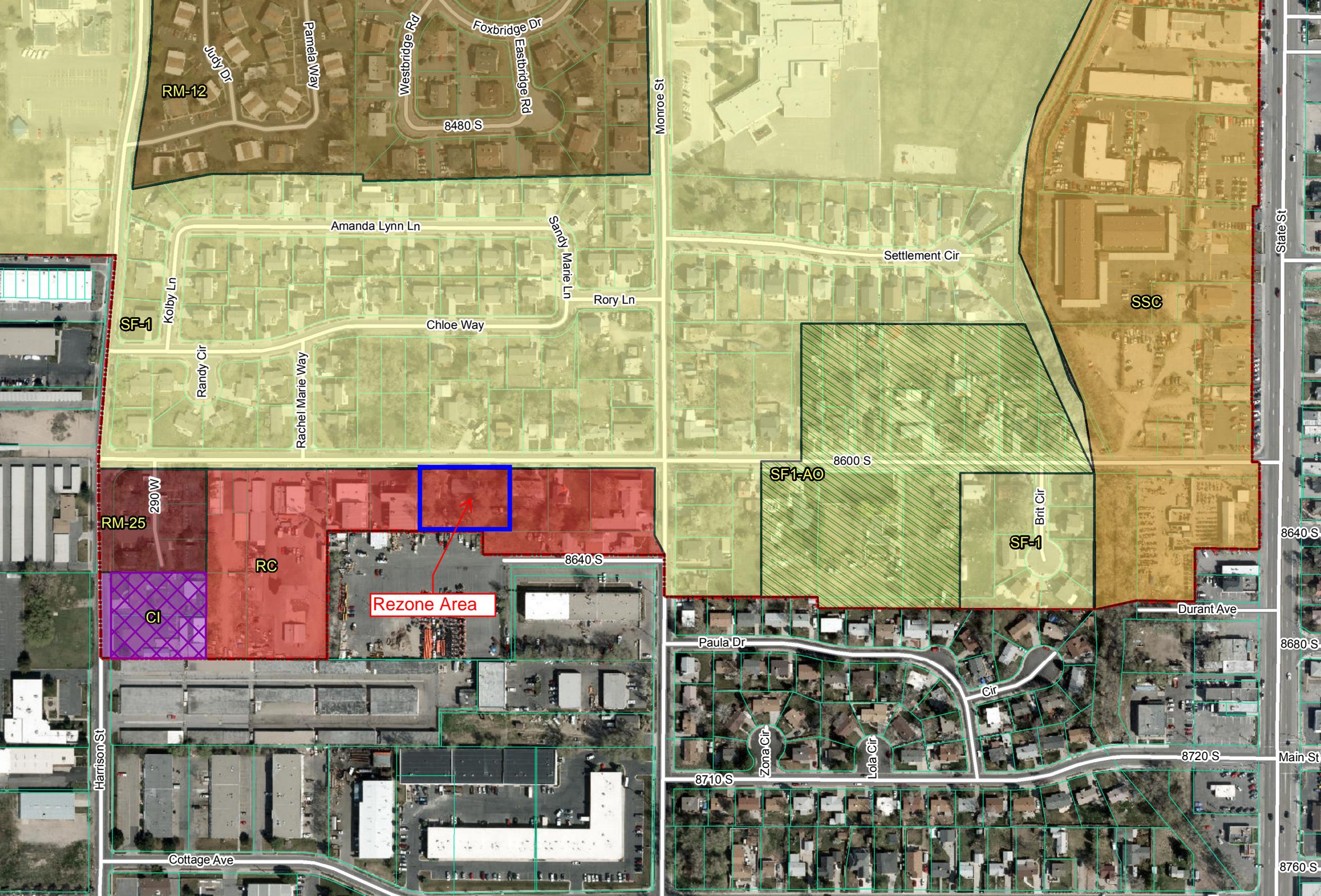
LANDMARK DESIGN

LANDSCAPE ARCHITECTURE AND LAND PLANNING
BEN HINDLAND DRIVE
SALT LAKE CITY
UTAH 84108
PHONE (801) 474-3300
FAX (801) 474-3302



Rezone Area

I-15 Nb 9000 On Ramp
I-15 Nb Fly



RM-12

Judy Dr

Pamela Way

Westbridge Rd

Foxbridge Dr
Eastbridge Rd

8480 S

Monroe St

Amanda Lynn Ln

Sandy Marie Ln

Rory Ln

Settlement Cir

SSC

SF-1

Kolby Ln

Randy Cir

Rachel Marie Way

Chloe Way

8600 S

SF1-AO

Britt Cir

SF-1

RM-25

290 W

RC

8640 S

Rezone Area

Durant Ave

Paula Dr

Cir

8640 S

8680 S

Harrison St

Zona Cir

Lola Cir

8720 S

Main St

Cottage Ave

8710 S

8760 S

From: [Brandon Fry](#)
To: [Lesley Burns](#)
Subject: 8600 S 193 W Rezone
Date: Wednesday, April 6, 2016 3:20:28 PM

To whom it may concern-

I am requesting a rezone for the property located at 8600 S 193 W for the purpose of creating additional value through building 3 new single family homes. Currently the property is zoned for commercial use and in my speaking with the majority of the surrounding neighbors they have voiced their concern and displeasure with the thought of having more asphalt and block buildings as their neighbors. I have also discovered that 8600 S is not to have large commercial trucks use this road for deliveries and it continues to occur even though the neighbors have made complaints to the city. I believe the most fitting use for this space is to create a copacetic atmosphere that is more in line with the desires and aesthetics of the neighborhood which would be single family residences. Thank you.

--

Thanks,
Brandon Fry
801-718-1331
www.grayhawkllc.com



7505 South Holden Street
Midvale, Utah 84047
Phone (801) 567-7200
Fax (801) 567-0518

Memorandum

Date: Thursday, April 21, 2016

To: Planning Commission Members

From: Matt Hilderman, Associate Planner

Subject: Discussion Regarding Proposed Text Amendment to Amend the Height Limitations for Fences, Hedges, and Walls

The City Council has made a request to review our existing fence ordinance for Single-Family and Multifamily Residential Zones, concerning the height limitations and have proposed increasing the overall height for fencing, excluding height limitations within the front yard setback and clear view triangle. The initial discussion suggested to increase the height from the existing six-foot (6') maximum limitation to an eight-foot (8') maximum limitation or higher.

The Municipal Code development standards for fences, hedges, and walls states the following:
“No fence or wall may exceed six feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle.”

This same language is also identified within the multifamily zones, some sections within higher-intensity zone districts, and in some higher-intensity zones an Administrative or Conditional Use Permit is required for fencing higher than six-feet (6').

Discussion with the Building Official determined there is language within the current and adopted 2012 IBC and IRC development codes that states fences not exceeding seven-feet (7') in height does not require a building permit for the construction of this feature. The Building Official also stated the City is preparing to adopt the 2015 IBC and IRC codes in July, 2016, where upon this language is continued, as identified above.

Further research of thirteen (13) municipalities within the Salt Lake Valley determined that ten (10) municipalities have provisions to allow fencing to increase to a maximum of eight-feet (8') within residential zone districts.

Attached to this document, Staff has summarized and provided the following information; existing ordinance language, fencing language from the International Residential Code (IRC) and International Building Code (IBC), and research of fencing heights within other jurisdictions.

FENCE AND WALL ORDINANCE

Chapter 17-7-1 Single Family Residential Zone (SF-1)

- Section 17-7-1.6 Fences, hedges and walls. (B) Height.

No fence or wall may exceed six feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle.

Chapter 17-7-2 Single Family Residential Zone (SF-2)

- Section 17-7-2.6 Fences, hedges and walls. (B) Height.

No fence or wall may exceed six feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle.

- Section 17-7-2.11 (B) (e) (v) (B) Neighborhood Commercial Use. Full Sight-Obscuring Fence. Such fence must be six feet high.

Chapter 17-7-3 Multifamily Residential – Medium Density Zone (RM-12)

- Section 17-7-3.5 (D) Fences, Hedges and Walls. (2) Height.

No fence or wall may exceed six feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle.

- Table 17-7-3.5 Architectural Standards (Multifamily)

Materials	Configurations	Techniques
<i>Yards</i>		
<i>Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.</i>	Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'. Max. height on lot is 6'.	When a masonry wall is constructed, it shall be at least 8" in thickness and be capped by a top course suitable for weather protection.

Chapter 17-7-4 Multifamily Residential – Medium to High Density Zone (RM-25)

- Section 17-7-4.5 (D) Fences, Hedges and Walls. (2) Height.

No fence or wall may exceed six feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle.

- Table 17-7-4.5 Architectural Standards (Multifamily)

Materials	Configurations	Techniques
<i>Yards</i>		
<i>Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.</i>	Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'. Max. height on lot is 6'.	When a masonry wall is constructed, it shall be at least 8" in thickness and be capped by a top course suitable for weather protection.

Chapter 17-7-5 Mixed-Use Zone (MU)

– Table 17-7-5.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Fences				
6' or less	X			
> 6'		X		

– Section 17-7-5.8 (B) (2) Administrative Conditional Use. (c) Fences greater than six feet in height.

i. The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.

ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.

iii. Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.

Chapter 17-7-6 7200 South Overlay

- Section 17-7-6.5 Architectural Standards. (D) Fences, Hedges and Walls. (2) Height.

*No fence or wall may exceed **six feet in height**, four feet in height in the front yard setback, nor three feet in the clear view triangle*

Chapter 17-7-7 State Street Zone (SSC)

– Table 17-7-7.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Fences				
6' or less	X			
> 6'		X		

– Section 17-7-7.11 (B) (2) Administrative Conditional Use. (b) Fences greater than six feet in height.

i. The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.

ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.

iii. Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.

– Section 17-7-7.5 Architectural Standards. (E) Fences, Hedges and Walls. (2) Height.

No fence or wall may exceed six feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle

– Section 17-7-7.7 Required landscaping. (l) Residential buffer. (2) Fully-sight obscuring fence.

The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. Such fence must be six feet high and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials

– Table 17-7-7.7 Landscaping Requirements

Area	Requirement	Specifications
Residential Buffer	30' between residential and commercial uses	<ul style="list-style-type: none"> • Minimum 1 tree for every 250 s.f. of buffer area • 6' masonry wall between commercial and residential uses

Chapter 17-7-8 Transit-Oriented Development Zone (TOD)

– Table 17-7-8.2 Uses

Type	Allowed	Administrative	Conditional	Business License
Fences				
6' or less	X			
> 6'		X		

– Section 17-7-8.11 (B) (2) Administrative Conditional Use. (c) **Fences greater than six feet in height.**

i. *The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

ii. *The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

iii. *Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.*

– Section 17-7-8.3 Single Family Residential. (K) Fences, Hedges and Walls. (2) Height.

*No fence or wall may exceed **six feet in height**, four feet in height in the front yard setback, nor three feet in the clear view triangle*

– Section 17-7-8.4 Medium and high density residential. (I) Fencing.

*Fencing in residential developments shall not exceed **six feet in height** in the rear and side yards. Fencing in a front yard is prohibited. Fencing located in the sight distance triangle shall not exceed three feet in height. The fencing of private yards shall be accomplished in a manner that does not create areas of common space that are unusable, inaccessible, or hidden from other residents of the project. Barbed or razor wire is prohibited*

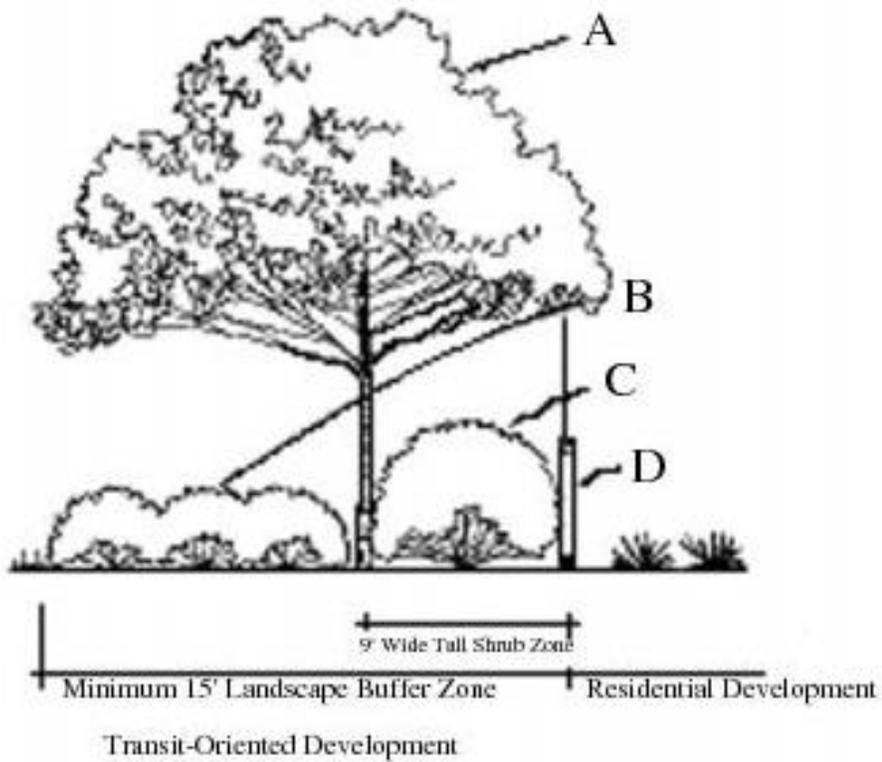
– Section 17-7-8.6 Retail, office and mixed-use architectural. (E) Fences, Hedges and Walls. (2) Height.

*No fence or wall may exceed **six feet in height**, four feet in height in the front yard setback, nor three feet in the clear view triangle*

– Section 17-7-8.7 Required landscaping. (C) Residential Buffer.

*New development shall provide a minimum fifteen-foot landscaped buffer consisting of large trees, shrubs, and a **six-foot screening wall** as approved by the planning commission. The screening wall shall be constructed of wood, metal, brick, masonry or other permanent materials along all property boundaries adjacent to single family residential zones*

TOD Zone Buffering Standard



- A – Large (Class 3) trees 30' on center (alternate with 8' tall evergreens)
- B – Low shrub buffer
- C – Tall shrub zone (8' – 10' mature height)
- D – Six-foot-tall screening wall as approved by commission

Chapter 17-7-9 Bingham Junction Zone (BJ)

– Section 17-7-9.3 Uses.

Subarea 1 – Residential

Fences, 6' or less – Allowed

Subarea 1 – Urban

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 2 – Urban

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 2 – Mixed-Use

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 3 – Residential

Fences, 6' or less – Allowed

Subarea 3 – Urban

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 3 – Mixed-Use

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 4 – Residential

Fences, 6' or less – Allowed

Subarea 4 – Urban

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 4 – Mixed-Use

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 5 – Urban

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 5 – Mixed-Use

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 6 – Mixed-Use

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

– Section 17-7-9.9 (B) (2) Administrative Conditional Use. (c) **Fences greater than six feet in height.**

i. The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.

ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.

iii. Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.

Chapter 17-7-9.12.1 Riverwalk Zone

- Section 17-7-9.12.1.3 Uses.

Subarea 1 – Residential

Fences, 6' or less – Allowed

Subarea 1 – Retail/Office/Flex

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 2 – Retail/Office/Flex

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 2 – Mixed-Use

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 5 – Retail/Office/Flex

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

- Section 17-7-9.12.1.5 Medium and high density residential development. (F) Fencing.

Fencing in residential developments shall not exceed six feet in height in the rear and side yards, and four feet in the front yard

- Section 17-7-9.12.1.7 Retail/office/flex and mixed-use landscaping. (A) (5) Residential buffer.

(b) Fully sight-obscuring fence.

The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. Such fence must be six feet high and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials

- Section 17-7-9.12.1.8 Retail/office/flex and mixed-use architectural standards. (C) Fences, Hedges, and Walls. (2) Height.

No fence structures may exceed six feet in height, four feet in height from the front of the primary structure forward, or three feet in the sight distance triangle

- Table 17-7-9.12.1.8 Architectural Standards

Materials	Configurations	Techniques
Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.	Max. height on lot is 6'. Max. height from front of primary structure forward is 4'. Max. height in site distance triangle is 3'.	Masonry wall shall be at least 8" thick and capped by a weather protection top course.

Chapter 17-7-9.12.2 The Junction at Midvale Zone

- Section 17-7-9.12.2.3 Uses

- Subarea 2 – Urban

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 2 – Mixed-Use

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 3 – Residential

- Fences, 6' or less – Allowed*

- Subarea 3 – Urban

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 3 – Mixed-Use

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 4 – Residential

- Fences, 6' or less – Allowed*

- Subarea 4 – Urban

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 4 – Mixed-Use

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 5 – Urban

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 5 – Mixed-Use

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Subarea 6 – Mixed-Use

- Fences, 6' or less – Allowed*

- Fences, 6' or more – Administrative Conditional Use Permit (ACUP)*

- Section 17-7-9.12.2.5 Medium and high density residential development. (G) Fencing. *Fencing in residential developments shall not exceed six feet in height in the rear and side yards*

- Section 17-7-9.12.2.7 Retail/office/flex and mixed-use architectural. (C) Fences, hedges, and walls. (2) Height.

- No fence structures may exceed six feet in height except as needed for screening purposes in accordance with subsection (l) of this section*

- Section 17-7-9.12.2.8 Retail/office/flex and mixed-use landscaping. (7) Residential buffer. (c) Fully sight-obscuring fence.

- The planning commission may require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and the required landscaped buffer is not*

practical. Such fence must be six feet high and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials

Chapter 17-7-9.12.3 Silver Refinery Overlay

- Section 17-7-9.12.3.4 Uses.

Urban Use Type

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Residential Use Type

Fences, 6' or less – Allowed

- Section 17-7-9.12.3.6 Medium density residential development standards for single-family attached and multi-family development. (F) Fencing.

Fencing in residential developments shall not exceed six feet in height in the rear and side yards

- Section 17-7-9.12.3.7 Medium density residential development standards for single-family detached development. (E) Interior Fencing.

Interior fencing is considered a design element of the overall project. All interior fencing, including location, type and height, shall be reviewed and approved by the planning commission as part of the site review process. Interior fencing shall not exceed six feet in height

- Section 17-7-9.12.3.9 Commercial and mixed use architectural standards. (C) Fences, Hedges, and Walls. (2) Height.

No fence structures may exceed six feet in height except as needed for screening purposes in accordance with subsection (l) of this section

- Section 17-7-9.12.3.10 Commercial and mixed-use landscaping. (A) (6) Residential buffer. (c) Fully sight-obscuring fence.

The planning commission may require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and the required landscaped buffer is not practical. In such instances, the planning commission shall determine the appropriate width and type of landscaping to be used in conjunction with a completely sight-obscuring fence of at least six feet in height. Fences may be of wood, metal, bricks, masonry or other permanent materials

Chapter 17-7-10 Jordan Bluffs Zone (JB)

– Section 17-7-10.3 Uses.

Subarea 1 – Residential

Fences, 6' or less – Allowed

Subarea 1 – Mixed-Use

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 2 – Residential

Fences, 6' or less – Allowed

Subarea 2 – Mixed-Use

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 3 – Residential

Fences, 6' or less – Allowed

Subarea 3 – Urban (Office/Retail/Flex)

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

Subarea 4 – Residential

Fences, 6' or less – Allowed

Subarea 4 – Urban (Office/Retail/Flex)

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

– Section 17-7-10.9 (B) (2) Administrative Conditional Use. (d) **Fences greater than six feet in height.**

i. The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.

ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.

iii. Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.

Chapter 17-7-11 Historic Commercial Zone (HC)

- Section 17-7-11.2 Uses.

Table 17-7-11.2

Type	Allowed	Administrative	Conditional
Fences—Single Family/Duplex Uses			
6' or less	X		
> 6'		X	
Fences—Commercial/Mixed Use/Multi-Family Uses			X

- Table 17-7-11.6 Architectural Standards

Materials	Configurations	Techniques
Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.	<p>Max. height on lot is 6'.</p> <p>Max. height from front of primary structure forward is 4'.</p> <p>Max. height in clear view triangle is 3'.</p>	Masonry wall shall be at least 8" thick and capped by a weather protection top course.

- Section 17-7-11.8 (B) Conditional Uses. (c) Fences for Commercial, Mixed Use and Multi-family developments.

Each application for a fence within a commercial, mixed use or multi-family development must comply with the following:

- i. The applicant must demonstrate that the fence is an integral part of the development's design and function.*
- ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*
- iii. Fences shall be located on private property and entirely within the property lines of the property they are intended to serve. No fence shall extend beyond or across a property line, unless there is a recorded agreement with the abutting property owner. No fence may be placed nearer than six inches to any public sidewalk. A survey and site plan shall be provided to show the proposed fence location.*
- iv. Only one fence or wall shall be allowed per property line. Double fences, walls or a combination thereof are prohibited.*

v. *Fences shall be designed to promote natural surveillance through properties for crime prevention. Solid fences are discouraged in most areas, unless the applicant can demonstrate a solid fence is in the best interest of the community.*

vi. *Fences shall not be constructed in such a manner as to prohibit emergency vehicle access, pedestrian access, standard size parking spaces and drive aisle widths, and adequate circulation for pedestrians and vehicles.*

vii. *Fences shall not create pedestrian or vehicular access issues for abutting properties and uses.*

viii. *Clear view areas shall be maintained at all intersections and driveways.*

ix. *Fences shall meet the requirements of the National Building Code.*

x. *Fences used solely for the screening of dumpsters and building mechanical equipment are allowed. Temporary fencing on a construction site is allowed during the period of construction.*

- Section 17-7-11.8 (B) (2) Administrative Conditional Use. (b) **Fences greater than six feet in height.**

i. *The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

ii. *The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.*

iii. *Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.*

Chapter 17-7-12 Regional Commercial Zone (RC)

- Section 17-7-12.2 Uses.

Table 17-7-12.2

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

- Section 17-7-12.4 Architectural Standards. (C) Fences, Hedges, and Walls. (2) Height. No fence or wall may exceed **six feet in height**, four feet in height from the front of the primary structure forward, or three feet in the sight distance triangle

- Table 17-7-12.4 Architectural Standards.

Materials	Configurations	Techniques
Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.	<p>Max. height on lot is 6'.</p> <p>Max. height from front of primary structure forward is 4'.</p> <p>Max. height in clear view triangle is 3'.</p>	Masonry wall shall be at least 8" thick and capped by a weather protection top course.

- Section 17-7-12.6 Landscaping. (A) (8) Residential buffer. (b) Fully sight-obscuring fence. *The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. Such fence must be **six feet high** and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials*

- Table 17-7-12.6. Landscaping Requirements.

Area	Requirement	Specifications
Residential Buffer	30' between residential and commercial uses	<ul style="list-style-type: none"> • Minimum 1 tree for every 250 s.f. of buffer area • 6' masonry wall between commercial and residential uses

- Section 17-7-12.9 (B) (2) Administrative Conditional Use. (c) **Fences greater than six feet in height.**
 - The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.*

ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.

iii. Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.

Chapter 17-7-13 Clean Industrial Zone (CI)

- Section 17-7-13.2 Uses.

Table 17-7-13.2

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

- Section 17-7-13.4 Architectural standards. (C) Fences, Hedges and Walls. (2) Height.

No fence or wall may exceed **six feet in height**, four feet in height from the front of the primary structure forward, or three feet in the sight distance triangle

- Table 17-7-13.4 Architectural standards.

Materials	Configurations	Techniques
Yard Walls & Fences: Shall be of materials and color complementary to the building's materials.	<p>Max. height on lot is 6'.</p> <p>Max. height from front of primary structure forward is 4'.</p> <p>Max. height in clear view triangle is 3'.</p>	Masonry wall shall be at least 8" thick and capped by a weather protection top course.

- Section 17-7-13.6 Landscaping. (A) (8) Residential Buffer. (b) Fully sight-obscuring fence.

The planning commission shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. **Such fence must be a minimum of six feet high (up to eight feet if warranted and approved by the planning commission)** and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials

- Table 17-7-13.6 Landscaping Requirements.

Area	Requirement	Specifications
Residential Buffer	30' between residential and commercial uses	<ul style="list-style-type: none"> • Minimum 1 tree for every 250 s.f. of buffer area • 6' masonry wall between commercial and residential uses

- Section 17-7-13.9 (B) (2) Administrative Conditional Use. (c) **Fences greater than six feet in height.**

i. The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.

ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.

iii. Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.

Chapter 17-7-15 State Street Overlay Zone (SSOZ)

- Section 17-7-15.3 Use tables.

Table 17-7-15.3

Fences, 6' or less – Allowed

Fences, 6' or more – Administrative Conditional Use Permit (ACUP)

- Section 17-7-15.6 General architecture standards for State Street overlay. (E) Fences, Hedges, and Walls. (2) Height.

*No fence or wall may exceed **six feet in height**, four feet in height from the front of the primary structure forward, nor three feet in the clear view triangle*

- Table 17-7-15.6 Architectural Standards.

Materials	Configurations	Techniques
Yards		
<i>Yard Walls & Fences:</i> Shall be of materials and color complementary to the building's materials.	Max. height from front of primary structure forward is 4'. Max. height in clear view triangle is 3'. Max. height on lot is 6'.	When a masonry wall is constructed, it shall be at least 8" in thickness and be capped by a top course suitable for weather protection.

- Section 17-7-15.7 General landscaping requirements for the State Street overlay. (E) Residential Buffer. (2) Fully sight-obscuring fence.

*The land use authority shall require complete visual separation from residential uses if it determines that complete screening is necessary to protect abutting uses, and landscaping is not practical. Fencing used for this purpose must be **six feet high** and completely sight-obscuring. Fences may be of wood, metal, bricks, masonry or other permanent materials.*

- Section 17-7-15.12 (B) (2) Administrative Conditional Use. (f) **Fences greater than six feet in height.**

i. The applicant must demonstrate that a fence greater than six feet in height is necessary to better promote public health, safety, welfare, and aesthetic quality in the area and the height requested is the minimum necessary to achieve this.

ii. The fence design, i.e., materials, color, features, height, must be compatible with the associated development in terms of theme, architecture and function. All barbed wire or other sharp, pointed, or electrically charged fences are prohibited.

iii. Fences shall comply with all requirements for fences less than or equal to six feet in height with regard to location and construction.

International Residential Code (IRC)

R105.2 Work exempt from permit.

Permits shall not be required for the following. Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*.

Building:

1. One-story detached *accessory structures* used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon *grade* if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a *dwelling* and do not serve the exit door required by [Section R311.4](#).

International Building Code (IBC)

105.2 Work exempt from permit.

Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. **Permits shall not be required for the following:**

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11 m²).
2. Fences not over 7 feet (2134 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family *dwelling*s.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

FENCING HEIGHTS PER JURISDICTIONAL REVIEW

** Allowance of fencing higher than six-feet (6')*

SALT LAKE CITY (Chapter 21A.40.120 Regulation of Fences, Walls, and Hedges)

Residential Districts

- First obtain a building permit
- Constructed to a height of six feet (6') or less

Manufacturing District (outdoor sales, display of storage)

- Solid wall & fence not less than 7 ft. and no more than 10 ft.

***SOUTH SALT LAKE (Chapter 17.06.030 Fence and clear view regulations)**

- No fence may exceed six feet (6') in height
- *Fences up to eight feet (8') allowed on side or rear yard (not on corner lot) with building permit

***WEST VALLEY CITY (Title 7; 7-2-118 Fences)**

- All fences required to be six feet (6') or less
- *Zoning Administrator may grant a waiver or modification of any height requirements. This waiver or modification will not circumvent the intent of the requirements

TAYLORSVILLE CITY (Chapter 13.28 Fencing/Retaining Walls)

Residential Districts

- All fences required to be six feet (6') or less

Commercial/Industrial Districts

- All fences to be six feet (6') unless otherwise approved by Director for a maximum of eight feet (8')

***WEST JORDAN CITY (Chapter 14 Fencing and Screening)**

Outside Storage

- Screening fences not less than six feet (6'); fences greater than eight feet (8') may be approved by PC, finding screening height is necessary

Residential Districts

- All fences required to be six feet (6'); *eight feet (8') fences allowed on side or rear lot line adjacent to an arterial street

Office, Commercial and Manufacturing Districts

- All fences required to be at least six feet (6')

***MURRAY CITY (Chapter 17.64 Fence Regulations)**

Residential Districts

- All fences required to be six feet (6') or less

Nonresidential Districts

- Fences allowed to be seven feet (7') or less

Exceptions

- *Property abutting freeway system; fence cannot exceed ten feet (10')

- *Buffering between commercial and residential; PC may grant maximum of eight feet (8')
- *Property exceeding ½ acre may erect a seven foot (7') fence or less

***HOLLADAY CITY (Chapter 13.76.710 Fences)**

- All fences required to be six feet (6') or less
- Six foot (6') fence may abut specific public streets
- Corner-side yard fence shall be five feet (5')
- *CD Director may allow up to eight feet (8') provided specific conditions

SANDY CITY (Chapter 15A-28 Fencing)

Residential Districts

- All fences required to be six feet (6') or less
- Corner-side yard; up to six feet (6') allowed beyond 60 feet intersecting

Commercial and Industrial Districts

- Six feet (6') allowed in front setback
- Eight foot (8') fencing allowed around side and rear with Director approval

***DRAPER CITY (Chapter 27; 9-27-080 Fences and Visual Obstructions)**

- All fences required to be six feet (6') or less
- *Any visual obstruction between 6' – 10' in height requires a conditional use permit

***SOUTH JORDAN CITY (Chapter 16.04.200 Fencing)**

- All fences required to be six feet (6') or less
- *Any fence up to eight feet (8') must be approved by City Council

***HERRIMAN CITY (Chapter 29 Fencing)**

Residential Districts

- *All fences required to be eight feet (8') or less

***RIVERTON CITY (Chapter 18.155 Fences)**

Residential Districts

- *All fences required to be eight feet (8') or less

Commercial and Industrial Districts

- All fences required to be eight feet (8') or less

***BLUFFDALE CITY (Chapter 16; 11-16-14 Fences and Walls)**

Residential Districts

- *All fences required to be eight feet (8') or less; CUP required for higher than 8'

Nonresidential Districts

- All fences required to be six feet (6') or less