



# Fence Construction Information

The construction or replacement of a fence requires a zoning permit through the Planning Division, but does not require a structural building permit from the Building Safety Division. The purpose of the permit is to verify the location, height and type of fence being installed.

Permits can be obtained at the Community Development building, located at 51 Winburn Way.

Fence permit applications must contain the following items:

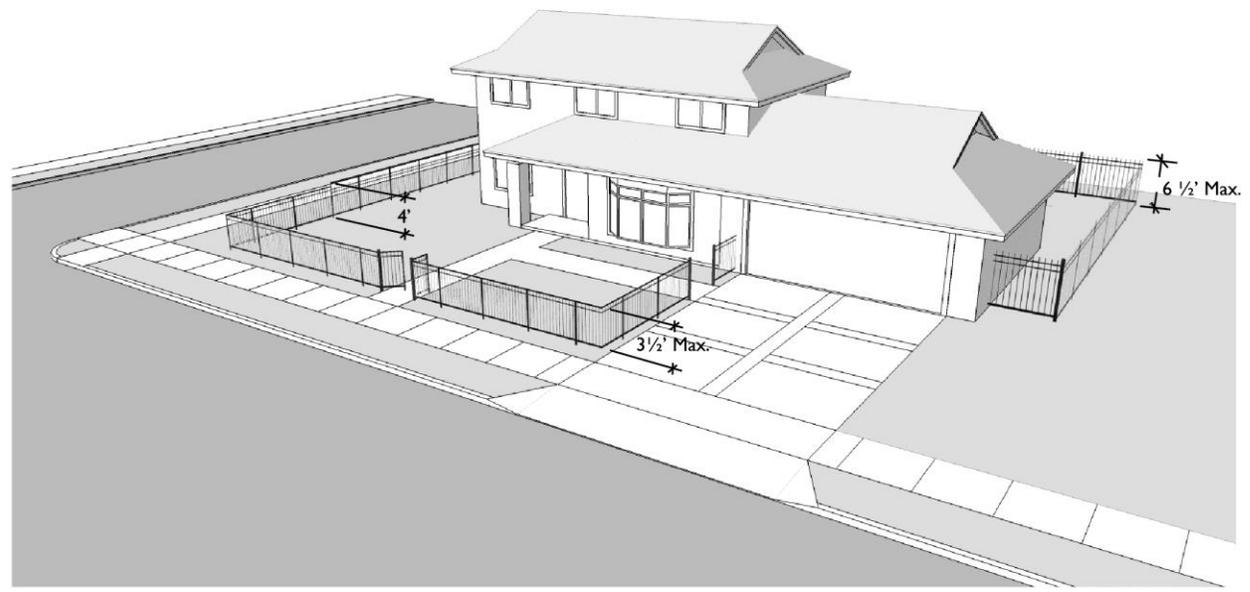
- Site plan of the property with proposed fence locations and heights.
- Section drawing of the fence elevation to determine whether the fence meets the "good neighbor" fence requirement. If deer fencing is proposed, a diagram showing support spacing and fencing materials (including mesh diameter) to determine the level of opacity.
- \$30.50 permit fee

It is the responsibility of permit applicant to confirm property line locations and address any dispute that might be involved with the proposed fence. City of Ashland Public Works staff can provide right of way width information and determination of property lines, but in some instances the exact location of property lines may require that the applicant hire an Oregon-licensed surveyor.

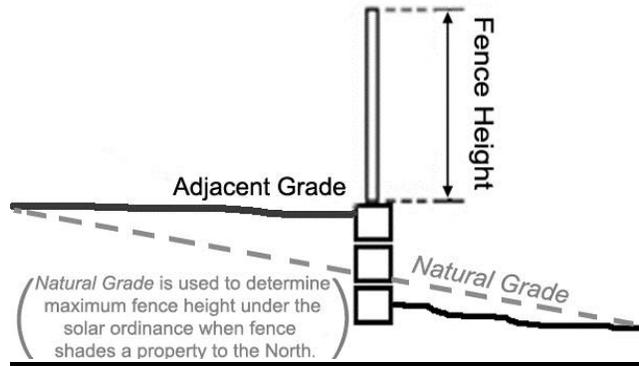
"Good Neighbor" fencing - requires the framework of the fence to be on the inside (towards the property of the person installing the fence). Good neighbor fencing also includes fences that conceal or integrate the framework into the design.

## Diagrams

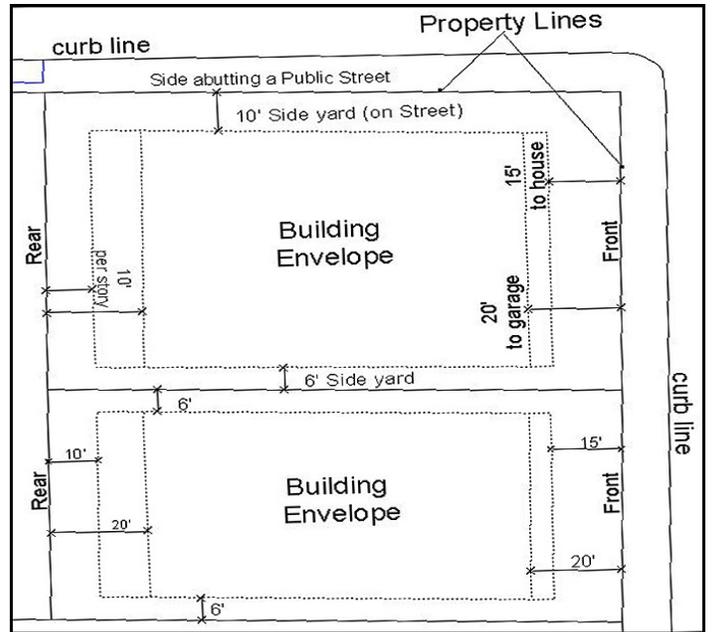
### Height Measurements:



**Grade:**

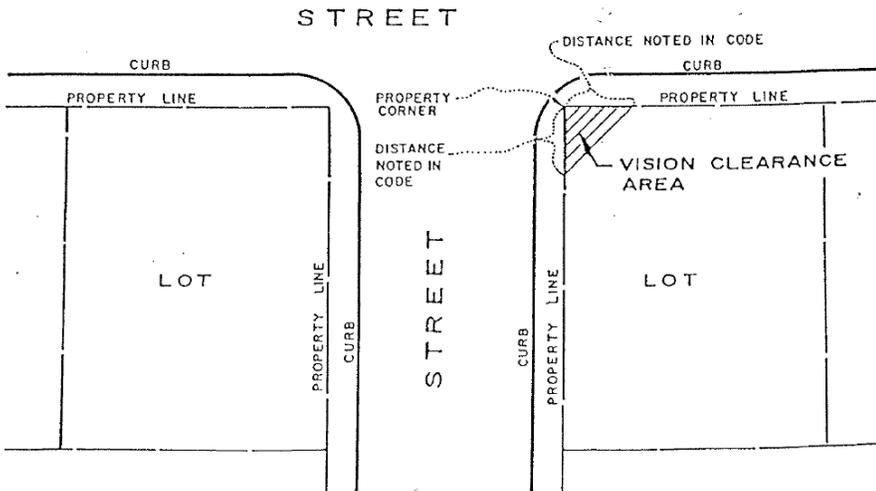


**Setbacks:**

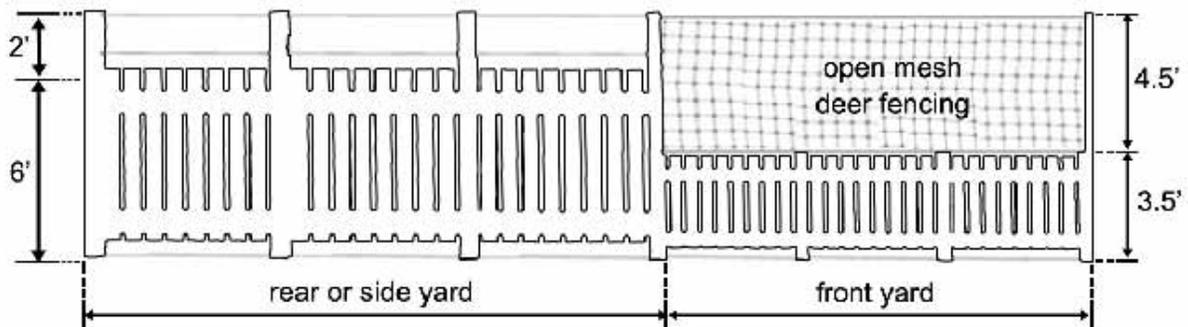


**Vision Clearance:**

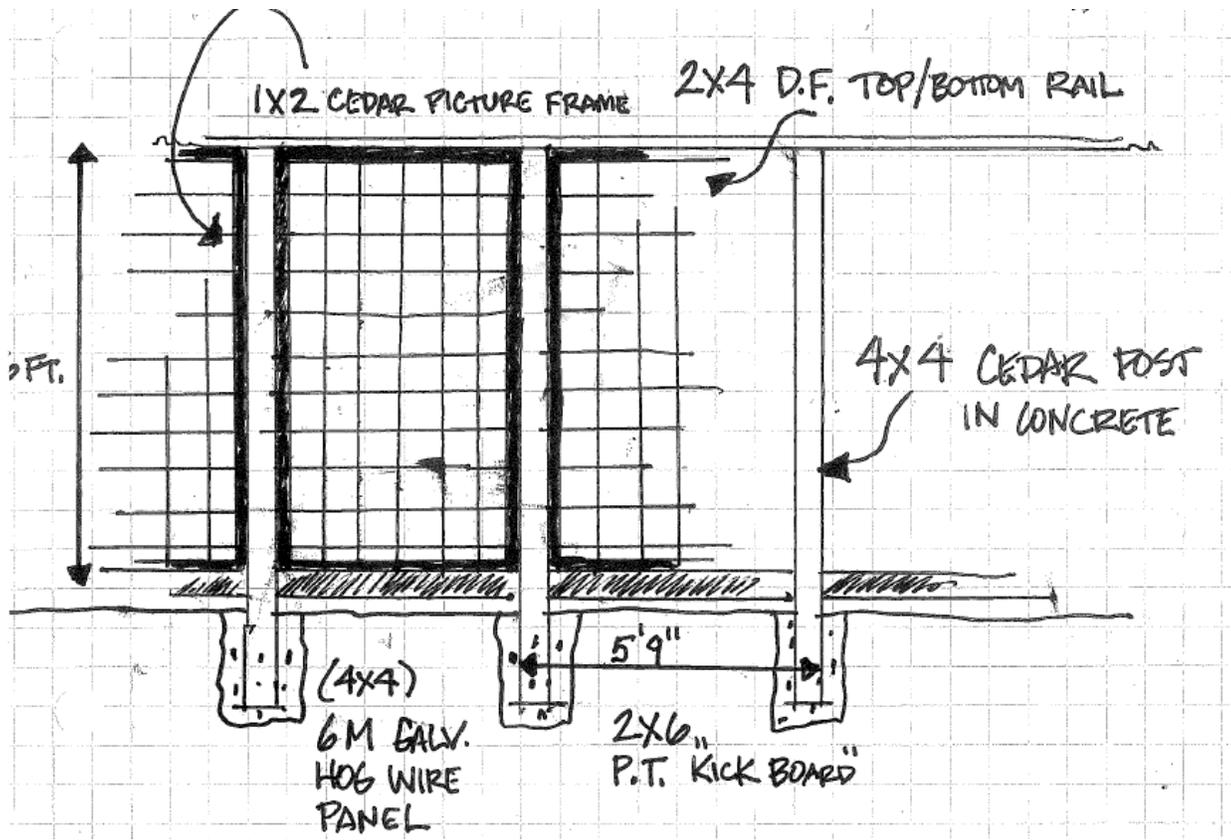
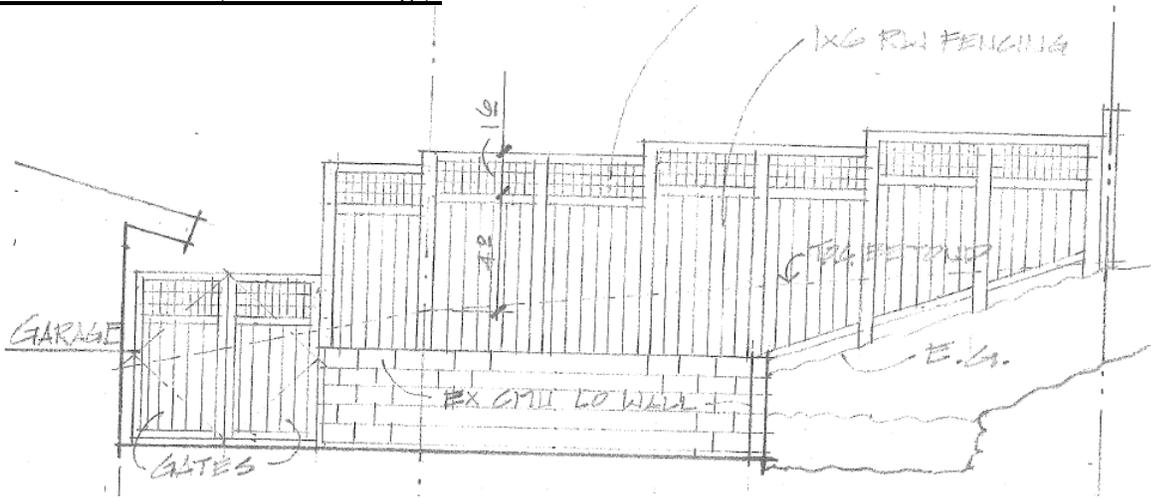
(no structures or vegetation taller than 2 1/2 feet)



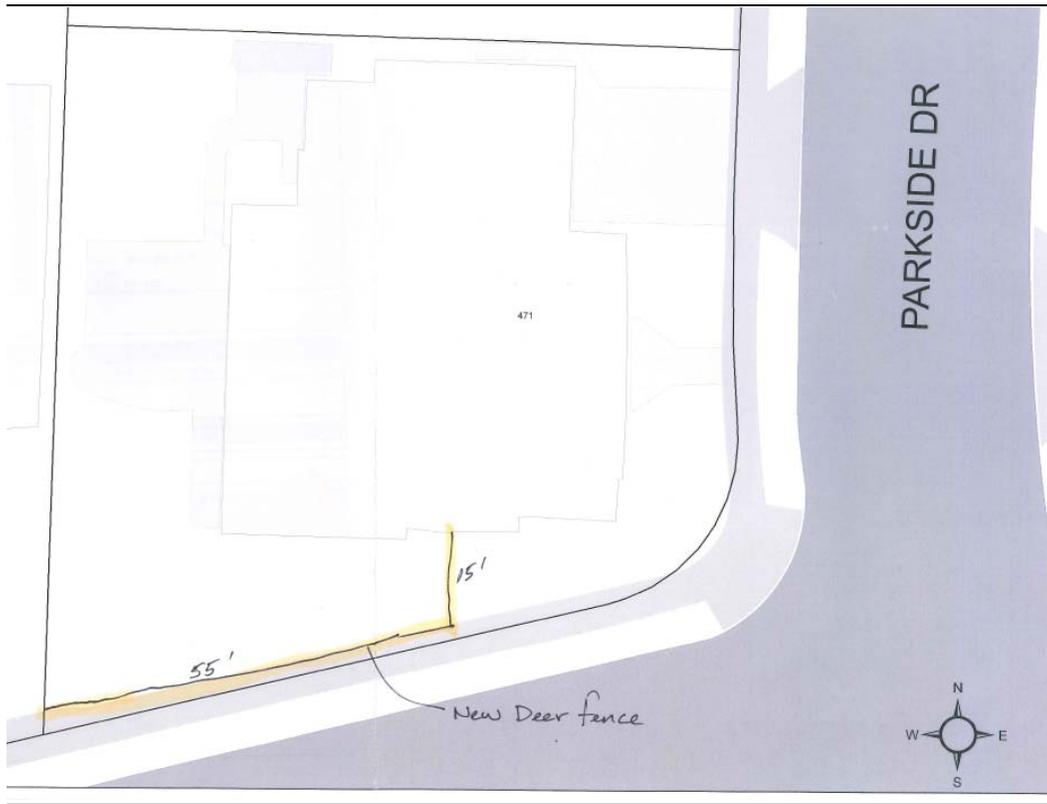
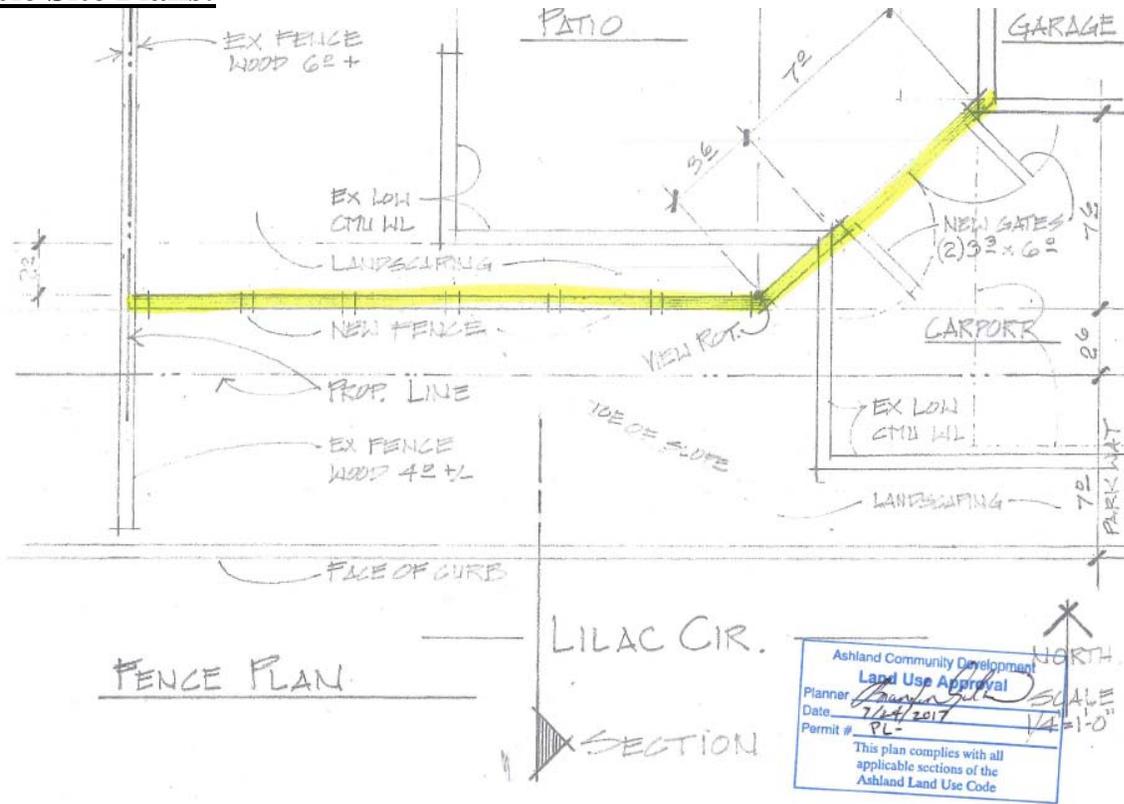
**Deer Fencing:**



**Sample Elevations (Section Drawings):**



**Sample Site Plans:**



## **Ashland Municipal Code 18.4.4.060 Fences and Walls**

B. **Design Standards.** Fences, walls, hedges and screen planting shall be subject to the following standards:

1. **Height.** Fences, walls, hedges, and screen planting shall not exceed the following heights.
  - a. *Front Yard.* In any required front yard, not more than 3 ½ feet in height.
  - b. *Rear and Side Yard.* In any rear or side yard, not more than 6 ½ feet in height.
  - c. *Street-Side Yard.* In any rear or side yard abutting a public street, except alleys, not more than 4 feet in height where located within 10 feet of said street.
2. **Height Measurement.** The height of a fence is the vertical distance measured from the natural grade to the highest point on the fence, including structural supports.
  - a. *Below-Grade Lots.* On lots that are not generally level with the adjacent street, height may be measured from the top of the adjacent sidewalk or curb, or, where curbs are absent, from the crown of the adjacent street plus six inches.
  - b. *Retaining Walls and Slopes.* Where fences are built on top of retaining walls, or one lot is markedly higher than an adjacent lot, height shall be measured from the highest adjacent grade, except that the solar access of adjacent properties to the north shall be maintained in accordance with 18.4.8 Solar Access.
3. **Location.**
  - a. *Yard (Setbacks).* Standard yard requirements do not apply to fences and walls meeting height requirements of this section; however, fences and walls exceeding the height requirements of this section will meet yard requirements. All fences and walls shall comply with the vision clearance area requirements of section 18.2.4.040. Other provisions of this ordinance may limit allowable height of a fence or wall below the height limits of this section.
  - b. *Public Rights-of-Way.* The construction of permanent structures is prohibited in the public right-of-way and associated setback areas of a future street or greenway.
4. **Framework.** The framework for newly constructed fences and walls shall face toward the property of the party who constructs the fence, except where fences are jointly constructed.
5. **Restricted Materials.** The use of barbed wire, razor wire, electrified wire and similar security fencing materials shall be limited as follows:
  - a) Such materials shall not be located adjacent to a sidewalk, a public way, or along the adjoining property line of another person.
  - b) Such materials shall not be erected or maintained at less than six and a half (6½) feet above grade.
  - c) Such materials may be located in commercial, employment or industrial lands if not visible from the public right of way, or with approval from the Community Development Director on properties deemed to be hazardous or in need of additional security.
6. **Deer Fencing**
  - a. Deer fencing may be attached to a permitted front, side, or rear yard fences provided the area in excess of the allowable fence heights per 18.68.010 is designed and constructed to provide a clear view through the fence.
    - i. Within required front yards at least 85% of the surface shall be unobstructed to both light and air when viewed perpendicular to the plane of the fence.
    - ii. Within required side and rear yards at least 80%, of the surface shall be unobstructed to both light and air when viewed perpendicular to the plane of the fence.
  - b. Deer Fencing shall have a minimum height of 6 ½ feet and shall not exceed 8 feet above grade.
  - c. Permitted deer fencing materials may include, woven wire fencing, field fence, "hog panels", wire strand, or polypropylene mesh net that is open and visible through the material. Within front yards all mesh material shall have a minimum open diameter of 1 ½ square inches.
  - d. Deer fencing shall be supported by structural supports, or tension wires, that run along the top of the fence to prevent sagging.
  - e. Chain link fences shall not be considered to be deer fences under this section even if they meet the criteria above.
7. **Waterways, Riparian Areas, and Wetlands.** Fences in and near waterways, riparian areas, and wetlands shall conform to the following standards.
  - a. *Waterways.* Fences shall not be constructed across any waterway or stream, or within any designated floodway identified on the official maps adopted pursuant to chapter 18.3.10 Physical and Environmental Constraints Overlay.

- b. *Riparian Areas and Wetlands.* Fences may be installed in the upland half of the stream bank protection zone, and in the wetland buffer identified on the official map adopted pursuant to chapter 18.3.11 Water Resources Protection Zones Overlay. Temporary tree protection fencing required with development pursuant to chapter 18.4.5 is exempt from this requirement.
- c. *Materials.* Fences in floodways and water resource protection zones shall be limited to open wire, electric, or similar fencing material that will not collect debris or obstruct flood waters, but not including wire mesh or chain link fencing. Solid wood fencing is prohibited in the Water Resource Protection Zones.

For additional information, feel free to contact the Planning Department at 541-488-5305 or view the land use code online at <http://www.ashland.or.us/code.asp>.