



FENCES AND WALLS

Permit & Information Center
99 West 10th Avenue
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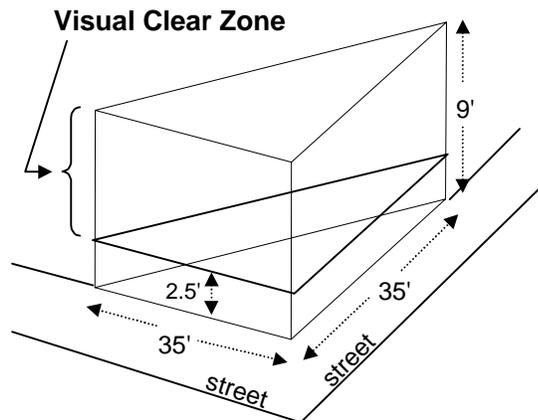
The Eugene Code regulates the construction of fences and walls to preserve the appearance of the city and to avoid traffic and safety hazards. Check the code requirements before building a fence or wall to avoid having to alter or remove a structure in which you have invested time and money

The term “FENCES” includes masonry fences to **avoid** confusion with retaining walls. **RETAINING WALLS** must meet the structural design standards of the Uniform Building Code, Section 2308, **RETAINING WALLS**, and Chapter 26, **CONCRETE**, and Chapter 29, **EXCAVATIONS, FOUNDATIONS and RETAINING WALLS**.

Residential District Front Yard Setback

In residential districts, the front yard setback is an area that extends 10 feet toward the house along any property line adjacent to a street right-of-way. The Eugene Code requires that landscaping and structures in this area provide adequate vision clearance for vehicles and pedestrians passing on the public right-of-way and adjacent properties. The street, curb, planting strip, public sidewalk and any additional land deeded for future street improvements are in the public right-of-way. The front property line can vary from 1 foot to more than 15 feet behind the sidewalk.

On a corner lot, the front yard setback requirement applies along both street frontages. At intersections between streets, a visual clear zone must be kept free of obstructions between 2½ feet high and 9 feet high to protect motorists, bicyclists, and pedestrians from oncoming traffic. The 2 legs of the visual clear zone are 35 feet long, measured along the curb face.



Fences up to 2 ½ feet high may be placed in residential district front yard setbacks within a visual clear zone without a permit.

Fences up to 42 inches high in a residential district front yard setback are permitted if:

- ‘ The fence is not in a visual clear zone.
- ‘ There will be adequate vision clearance for vehicles and pedestrians passing on public right-of-way and entering or leaving the development site and adjacent properties.
- ‘ The fence complies with all applicable provisions of Chapter 8 of the Eugene Code, including but not limited to construction of durable materials treated for decay prevention, and the ability to withstand wind and other anticipated loading conditions.

Residential District Interior Yard Setback

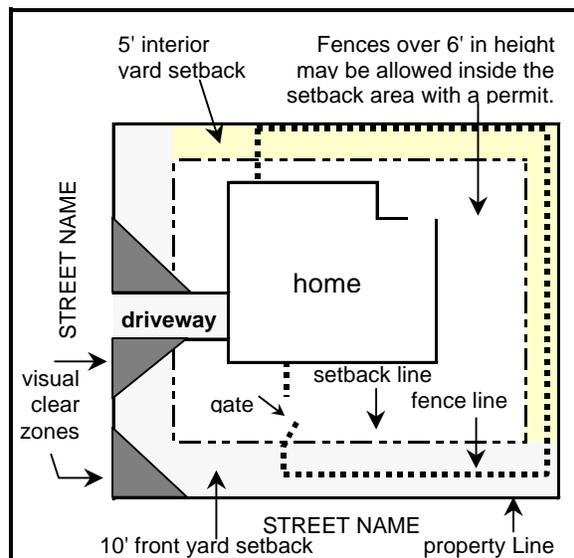
A residential interior yard is an area 5 feet wide along a property line not having a street frontage (the side and rear property line). In residential districts, fences up to 6 feet high in the interior yards are allowed without a permit. Interior property lines can usually be established by finding iron pins at lot corners, or through a private surveyor.

Special Setback Requirements

Along streets that are planned for widening in the future, there is a special setback requirement in addition to the existing right-of-way and front yard setback. For example, if the current right-of-way on your street is 60 feet wide, and the planned right-of-way is 80 feet wide, there is a special setback, usually 10 feet wide on each side, to allow for future street widening. Special Setbacks may still apply, even though the street was recently improved or widened.

Residential District Inside the Setback Lines

Fences over 6 feet high may be allowed with a building permit, if located outside the required setback areas.



SITE PLAN

To Obtain a Building Permit You Will Need:

- " A completed Permit Application
- " 2-5 copies of a SITE PLAN showing:
 - Property lines
 - Existing structures
 - Location of fence or wall
 - Driveways, sidewalks
 - Street name

Call 682-5505 for more information

Swimming Pool Fences

A pool or body of water deeper than 18 inches must have a fence completely surrounding it at least 4 feet high. The enclosure must be acceptable to the building official. Its construction and materials must discourage children from climbing over it and prevent them from crawling under it. Holes or gaps must be no larger than 4 inches. A building may be used as part of the enclosure. All gates and doors through the enclosure must have a self-closing and self-latching device at least 40 inches above the ground or base. The door of an occupied dwelling forming part of the enclosure is not required to be so equipped (Eugene Code 8.905).

Commercial or Industrial District

In GO districts, fences requirements are the same as in residential districts. At the intersections with streets, a visual clear zone must be kept free of obstructions from 2 ½ to 9 feet in height. Each leg of the visual clear zone is 35 feet long, measured along the curb face. In any commercial or industrial district, fences up to 8 feet high may be located or maintained in any yard except within a minimum or maximum front yard setback or where the visual clear zone applies. A building permit is required for fences over 6 feet high. Setbacks may be affected by adjoining zoning districts (Eugene Code 9.544[d]2). Barbed wire may not be located on a fence adjacent to a public way if it creates a safety hazard. Please contact a Land Use Analyst at 682-8336 for more information.

Guard Rails and Barriers

In any district, open work fences, hedges, guard railings or other landscaping or architectural protection around depressed ramps, stairs, or retaining walls, may be located in required yard setbacks, provided that such devices are not more than 3 ½ feet high (Eugene Code 9.544(a)).

Utility Easements

Residential properties often have a utility easement, especially in new residential area. Although the easement must be maintained by the property owner and property taxes are assessed on it, utility installation or service may require excavation of part of the easement. Rather than building a fixed or stationary fence on easement property, it may be easier and less expensive to use a fence made of sections designed to be easily removed and reinstalled.

Design and Landscaping

To modify the difference in heights between interior yard fences and front yard fences, many people use a stepped design. Landscaping can also provide a natural transition between fence heights. Hedges, trees and other plantings are not regulated by the Eugene Code, except where a visual clear zone applies. Where security is not a primary objective, trees, shrubs or hedges give privacy and natural beauty to the property that a fence cannot. Depending on the plantings used, initial cost and upkeep are sometimes less expensive than a fence.

The fence and wall code is a result of many years of study and decisions. It is both broad enough and specific enough to apply to most situations. In rare instances a hardship caused by site conditions or unusual circumstances would justify a review for a possible variance from the code. A self-imposed hardship caused by the property owner is not a basis for variance approval. For more information on right-of-way widths or special setbacks and easements, contact the Permit and Information Center Engineering Staff, 682-8400.

For additional information on fences, contact the Permit and Information Center Information Staff, 682-5505.

Get 24-hour a day information about building permits, building activity, common home improvement projects, business licenses, parking permits and requirements, sign code requirements, common city code violations and what to do about them, property tax records, zoning information, flood plain information, land use applications, public agency phone numbers and more via the Internet:
<http://www.ci.eugene.or.us>