

MEMO



TO: Mayor Hahs and Members of the Board
FROM: Larry Miller, Building & Planning Manager
DATE: October 17, 2025
SUBJECT: Amendment to Chapter 65 (Zoning) Regarding Privacy Fence Height Requirement Discrepancies

Staff has identified conflicting provisions within Chapter 65 of the Zoning Code regarding privacy fence height requirements between industrial and residential zoning districts.

Section 65-3(8) states that when a new industrial district is established adjacent to any residential zone, a buffer must include “trees, shrubs, and a privacy fence or wall a minimum of six (6) feet in height.”

However, Section 65-16 and 65-17, which establishes buffering standards for industrial uses adjoining residential districts, requires that:

“Where industrial uses abut a residential district, an adequate buffer or screen shall be provided to visually screen the industrial use from the residential area. The buffer shall consist of a planting screen of suitable shrubbery maintained at a minimum height of eight (8) feet and being a minimum of eight (8) feet wide or privacy-type fencing a minimum of eight (8) feet in height.”

This creates a conflict in the required fence height—six (6) feet in Section 65-3(8) versus eight (8) feet in Sections 65-16 and 65-17—resulting in uncertainty when applying the code to industrial-residential buffer areas.

An amendment to Chapter 65 is needed to fix the conflicting height requirements and clarify which section governs and aligns the general buffer requirement in Section 65-3(8) with the industrial district provisions in Sections 65-16 and 65-17.