

Sec. 17.74.40. Fences and retaining walls.

A. ~~Fences~~—*Residential/Parks and Open Space zoning districts.*

1. Fences on corner lots. Any fence or retaining wall, constructed upon or adjacent to any property line that abuts two or more intersecting streets, shall not exceed three feet in height within the vision clearance area as specified in Section 17.74.30.
2. Fences in a front yard. The height of a fence or retaining wall in a front yard shall not exceed four feet. Front yard fencing cannot be galvanized metal fencing material, except for hog wire framed with wood.
3. Fences—Side and rear yards abutting streets. The height of a fence, retaining wall, or a combination of the two in a side or rear yard abutting a public right-of-way shall not exceed six feet above the grade of the right-of-way.
4. Fences—Side and rear yards abutting other lots. The height of a fence, ~~or~~ retaining wall, ~~or a combination of the two~~ in a side or rear yard abutting other lots shall not exceed eight feet, ~~above the grade of the right-of-way.~~ The combined height of a fence with a retaining wall may exceed eight feet in height in accordance with the following:
 - a. The total combined height of a fence and retaining wall shall not exceed 10 feet with the fence or retaining wall not exceeding a total individual height of eight feet.
 - a.b. The total combined height of a fence and retaining wall shall not exceed 12 feet with the fence or retaining wall not exceeding a total individual height of eight feet, provided that the fence is setback a minimum of two horizontal feet from the retaining wall.
5. Sight Obscuring Hedges. Trees or shrubs that form a sight-obscuring hedge shall comply with the same height requirement as a fence within the ~~clear~~-vision clearance area. Deciduous trees separated by at least 15 feet may grow to any height.
6. Front Yard Fences for Existing Dwellings on Major Arterials. The height of a fence in a front yard for an existing dwelling (constructed prior to July 1, 1996) facing a major arterial shall not exceed a height of six feet outside the ~~clear~~-vision clearance area.
7. Fences on Through Lots. Gates are required in rear-yard fences on through lots since it remains the property owners' responsibility to maintain the area from the curb or edge of pavement to a proposed fence.

B. ~~Fences~~—*Commercial/Industrial zoning districts.*

1. Fences on corner lots. Any fence or retaining wall, constructed upon or adjacent to any property line that abuts two or more intersecting streets, shall not exceed three feet in height within the ~~clear~~-vision clearance area as specified in Section 17.74.30.
2. Fences in a front yard (specific to C commercial zoning districts). The height of a fence or retaining wall in a front yard shall not exceed four feet. Front yard fencing cannot be galvanized metal fencing material, except for hog wire framed with wood.
3. Fences in a front yard (specific to H industrial zoning districts). The height of a fence or retaining wall in a front yard shall not exceed six feet. Front yard fencing cannot be galvanized metal fencing material, except for hog wire framed with wood.

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4. Fences—Side and Rear Yards. The height of a fence or retaining wall adjacent to a side or rear yard or a side or rear property line shall not exceed eight feet. The combined height of a fence with a retaining wall may exceed eight feet in height in accordance with the following:
 - a. The total combined height of a fence and retaining wall shall not exceed 10 feet with the fence or retaining wall not exceeding a total individual height of eight feet.
 - a.b. The total combined height of a fence and retaining wall shall not exceed 12 feet with the fence or retaining wall not exceeding a total individual height of eight feet, provided that the fence is setback a minimum of two horizontal feet from the retaining wall.
 5. Sight Obscuring Hedges. Trees or shrubs that form a sight-obscuring hedge shall comply with the same height requirement as a fence within the ~~clear~~-vision clearance area. Deciduous trees separated by at least 15 feet may grow to any height.
 - C. *Fence Regulations for Recreation Areas.* Any recreational court may be enclosed by a wire fence not exceeding 12 feet in height provided that no part of the court fence is within 20 feet of any ~~street~~ public right-of-way.
 - D. *Fence Regulations for Swimming Pool/Hot Tub Areas.* A swimming pool, hot tub, or other human-made outside body of water, which has a depth greater than 18 inches shall be enclosed with a fence not less than four feet and not more than eight feet in height. If located on or surrounded by a deck, the deck shall be enclosed with a railing ~~with a height~~ of not less than four feet and not more than eight feet in height. The fence or railing shall not have any openings, holes, or gaps larger than four inches square, except for doors or gates. Any gate shall be equipped with a self-closing, self-latching device. A dwelling unit and/or accessory building may form part of the enclosure.
 - E. *Fence Regulations for Stormwater Detention Facilities and Human-Made Wetlands.* A stormwater detention facility or human-made wetlands, which is designed for a water depth greater than 18 inches, shall be enclosed with a black coated chain link fence not less than six feet and not more than eight feet in height.
 - F. *Wire Fences.*
 1. Barbed wire fencing may be permitted for agricultural, community service, commercial, or industrial uses when the wire is employed on the top of any other type of fencing, and when the barbed wire is a minimum of six feet above the finished ground surface and does not extend over a public right-of-way. The maximum combined height of the fence with barbed wire shall not exceed eight feet.
 2. No electrically charged or sharp pointed fencing such as razor wire (other than barbed wire fencing) shall be constructed or maintained within the city limits.
 - G. Fences in excess of seven (7) feet in height require a building permit in accordance with Title 15.
- (Ord. No. 2021-03 , § 6(Exh. F), 5-17-2021)

Sec. 17.74.60. Temporary uses or structures.

A. *Temporary Uses.* Temporary uses, as defined in Chapter 17.10—Definitions, not located within a structure (except for fire-retardant fabric structures), may be permitted for a period not to exceed 90 days, provided a temporary use permit is first obtained under the Type I procedure. Temporary use permits shall meet all the following standards:

1. The temporary use shall be located within the boundaries of the property and not located in the right-of-way unless the City approves the use in the right-of-way under a separate process.
2. The temporary use shall not interfere with ADA compliant parking spaces and vehicles shall not be parked on unimproved surfaces, such as grass, unless permitted by the temporary use approval.
3. The temporary use shall be monitored to ensure there is no disruption to traffic or adverse impacts to surrounding properties.
4. The temporary use shall comply with Title 8 of the Sandy Municipal Code in regard to music and amplified music.
5. The temporary use shall comply with Title 15 of the Sandy Municipal Code in regard to signage.
6. Fabric structures shall be secured at all corners to prevent being blown by the wind. The securing system used shall not penetrate any parking lot surfaces.
7. The use shall continuously meet the requirements of the Oregon Fire Code, Chapter 31.

When a temporary use permit expires, the applicant shall return the site to pre-temporary use conditions immediately. The ~~R~~enewal of a temporary permit shall be processed under the Type II procedure and shall be applied for at least 30 days prior to expiration of the temporary use permit.

B. *Temporary Structures.* Temporary structures in connection with the building or sale of dwellings and land, ~~and~~ construction of industrial or commercial facilities, construction of parks, or in conjunction with an emergency (e.g. a kitchen fire), may be permitted, for a period not to exceed one (1) year, provided a temporary structure permit is first obtained under the Type I procedure. ~~Renewal of a temporary permit shall be processed under the Type II procedure.~~ Temporary structure permits shall meet all the following standards:

1. The temporary structure shall be located within the boundaries of the property, not located in the right-of-way, and shall not include any overnight accommodation.
2. All locational standards for structures in the applicable zoning district are met (e.g., setbacks and height).
3. Ingress and egress to the temporary structure shall meet the requirements of the latest edition of the Oregon Building Codes.
4. The temporary structure shall be served by utility services or shall submit a utility service plan.

When a temporary structure permit expires, the applicant shall remove the temporary structure from the site immediately. The renewal of a temporary structure permit shall be processed under the Type II procedure and shall be applied for at least 30 days prior to expiration of the temporary structure permit.

C. *Portable Outdoor Storage Unit.* Portable outdoor storage units may be placed on a lot, including within the setback areas, for not more than 60 days (any portion of a day, between 12:00 a.m. and ending at 11:59 p.m., shall be counted as a day) within any 12 month period. Portable outdoor storage units shall not be located in the public right-of-way and shall not restrict access to any walkway.