

DIVISION 49200. OTHER DESIGN STANDARDS

SECTION 49210. PURPOSE

The purpose of this Division is to establish other design standards that are intended to protect the health, safety and welfare of the residents and visitors of the County, and to achieve the goals of the Comprehensive Plan.

SECTION 49220. WILDLIFE FRIENDLY FENCING

Fencing is a structural element that can create an impediment for wildlife movement, resulting in both injuries to wildlife and damage to the fencing. New fences erected after the adoption of this Section (September 12, 2006) shall comply with the standards of this Section. If over 50% of the linear feet of an existing fence is replaced, the fence shall be considered “new” and shall abide by the standards of this Section. Notwithstanding, repair, or relocation of prior or existing agricultural fences (pursuant to Section 2220.B.2.a, Agriculture) and fences built for new riding arenas, as defined in these Land Development Regulations, shall be exempt from the provisions of this Section (*AMD 07-0023*).

A. **Fencing Height.** Fencing shall comply with the following height restrictions.

1. Fencing, for purposes other than livestock control, shall be no higher than thirty-eight (38) inches above the ground. Fencing for livestock control shall be no higher than forty-two (42) inches above the ground. For both of the above fence types, spacing between the top two wires or top pole/rail and adjacent wire shall be at least 12 inches.
1. Fencing adjacent to intersections is subject to Section 4760, Clear View of Intersecting Streets.

B. **Materials and Design.** Fencing materials and design shall comply with the following standards:

1. Wood (or similar material) top poles, and either wood rails or wire strands are permitted as horizontal elements in fencing. The wire strands shall be smooth or twisted wire. Barbed wires may be used in the middle strands, not including the top and bottom strands, when necessary to control livestock.
2. The required fencing design includes a top level of a wood (or similar material) pole rather than wire. The bottom rail or wire strand shall be at least sixteen (16) inches above the ground.
3. The spacing of fence posts shall be on 12-foot centers unless topography prohibits this spacing. The posts shall have extra height to allow for any necessary lower or raising of the top rail. Spacing of the second and third wire shall be evenly spaced. Spacing distances may vary from 7-8 inches depending on the height of the fence.
4. Buck and rail fencing shall be avoided. When buck and rail fencing is necessary due to rocky soil, a portion of the fence shall be laid down or constructed to a lower height, not to exceed thirty-eight (38) inches, to allow wildlife movement.
5. The top level of a newly constructed fence shall be flagged immediately after construction. The flagging shall be white and maintained for at least one (1) year.

C. **Special Purpose Fencing.** Notwithstanding the provisions of this Section, the Planning Director may exempt special purpose fencing from this Section provided the fencing encompasses the

smallest area necessary to achieve the purpose. Special purpose fencing is constructed for a particular use and requires a specific design to accomplish the purpose of the fence. Examples of special purpose fencing include fencing for a dog kennel, certain types of agricultural fencing (such as bull enclosure, pig pens, sheep enclosure, fencing to secure stored livestock feed, fencing for winter livestock feeding sites, and fencing for 4-H projects), securing a construction site, swimming pool enclosure, screening of refuse facilities, recycling containers, dumpsters, and small yard enclosure.