

ORDINANCE NO. 1937

(An ordinance amending Section 17.01.060—Definitions, Chapter 17.04
Supplementary Provisions of the Hood River Municipal Code)

BY CM CODIFIED
Date 3/3/08

WHEREAS, the City undertook a visioning process that involved a written survey and town hall meetings;

WHEREAS, the following amendments to Title 17 respond to issues raised during the visioning process to include provisions for the character and scale of the City's residential neighborhoods;

WHEREAS, the following amendments are necessary to differentiate among fences, walls, and retaining walls so that both up and down-hill properties are protected during development;

WHEREAS, the following amendments are consistent with the City's Comprehensive Plan as set forth in the attached Findings of Fact and Conclusions of Law, which are approved and hereby incorporated by reference;

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Section 17.01.060—Definitions is amended to read as follows:

[only the portion being amended is reproduced here; deletions shown in strike-out and additions shown in underline]

FENCE means a structure with air on both sides erected for the purpose of providing landscaping, defining an area, confinement of people or animals, protection of privacy, screening, and/or restriction of access.

RETAINING WALL means a wall or other structure erected for the purpose of holding back or in place soil, rock, and/or other material and designed for the purpose of resisting lateral and other forces from the material being held back or in place.

SETBACK means a line established by ordinance beyond which a ~~building~~ structure may not be built. A legal setback line may be a property, vision, or vehicle clearance line.

STRUCTURE means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. ~~Driveways and walks less than thirty (30) inches and fences six (6) feet or less above the ground on which they rest shall not be considered structures.~~

WALL means a barrier erected for the same purposes as a fence, but excludes retaining walls.

**Section 17.04 – Supplementary Provisions is amended to read as follows:
[only the portion being amended is reproduced here; deletions shown in strike-out and additions shown in underline]**

17.04.050 Fences and Walls

- A. Fences and walls not more than six (6) feet in height are permitted within or on all property lines and on corner lots or parcels when vision clearance requirements are met.
- B. Height is measured from original ground elevation in accordance with the City Engineering Standards.
- C. A fence that is six (6) feet or less as measured from original ground elevation in accordance with City Engineering Standards, is not considered a structure for purposes of setbacks established in this title.
- D. All retaining walls are considered structures for purposes of setbacks, and may not be located within the front, side or rear setback for a building except as provided in this title.

17.04.060 Retaining Walls

- A. Retaining walls less than four (4) feet in height are permitted within or on all setback lines when the retaining wall retains earth on the parcel on which the retaining wall is built.
- B. If more than one retaining wall is located within the setback, the distance between each wall must be equal to the height of both walls, and the area between the walls must be landscaped.
- C. There shall be no more than 4' of exposed wall face on a retaining wall within a setback adjacent to a public right-of-way.
- D. One retaining wall of any height may be located within or on all property lines if the wall retains earth on the adjoining parcel and, if on a corner lot or parcel, when vision clearance requirements are met.

E. Height is measured from original ground elevation in accordance with the City Engineering Standards.

F. The limitations on location and height of retaining walls in this title do not apply to retaining walls located within the public right of way for the purpose of constructing or maintaining the public right of way.

17.04.060 General Requirements for Parking Lots becomes 17.04.130.

17.04.090 Vision Clearance Area

Corner lots or parcels in all residential zones and fences, walls, and retaining walls on property lines shall provide and maintain a vision clearance area. A "vision clearance area" is defined as a triangular area formed at a corner lot or parcel by the intersection of the street curb and a straight line joining said lines through points fifteen (15) feet back from their intersection. See Diagram "A" – 17.04.090.

The vision clearance area shall provide an area of unobstructed vision from three and one-half (3 1/2) feet to eight (8) feet above the top of the curb at the side of the vision clearance line intersection with the curb having the lower elevation. Natural topographic features, utility poles, and tree trunks are excluded from this requirement.

Read for the first time: 11/26/07

Read for the second time and passed: 12/10, 2007, to become effective thirty (30) days hence.

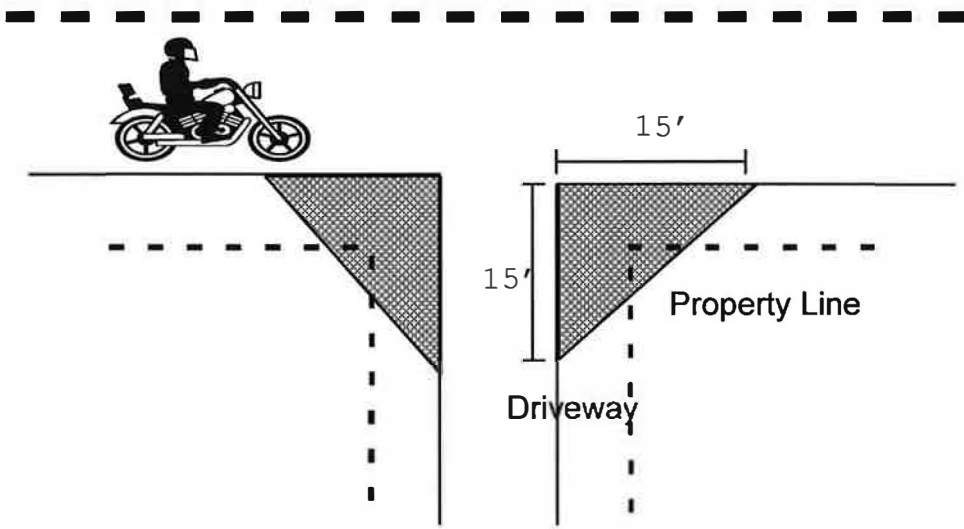
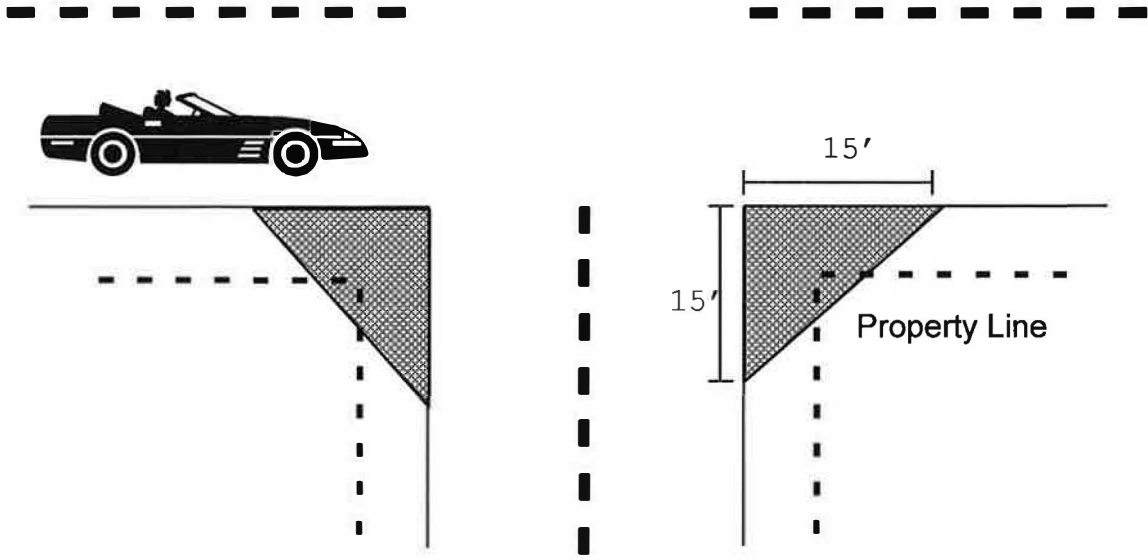
Signed December 12, 2007


Linda Streich, Mayor

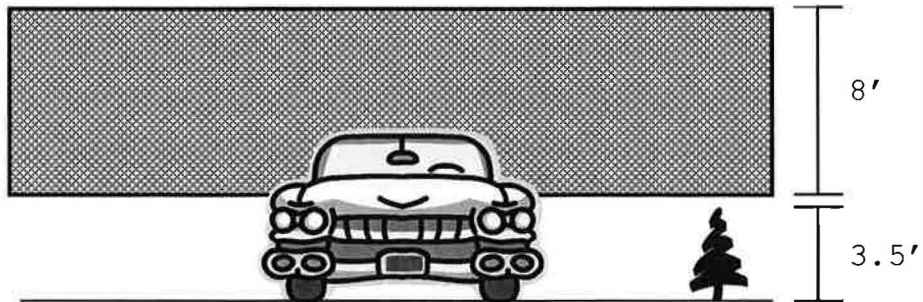
ATTEST:


City Recorder

DIAGRAM "A"- 17.04.090 VISION CLEARANCE



VISION CLEARANCE FOR HEIGHTS



VISION CLEARANCE - NO OBSTRUCTING ELEMENT ALLOWED