



City of Plymouth Planning Commission Sub-Committee Meeting Agenda

Wednesday, February 24, 2026 – 6:00 p.m.
City Hall Conference Room

City of Plymouth
201 S. Main
Plymouth, Michigan 48170

www.plymouthmi.gov
Phone 734-453-1234

1. CALL TO ORDER
 - a. Roll Call
2. CITIZENS COMMENTS
3. APPROVAL OF THE MINUTES
 - a. Approval of the January 28, 2026 meeting minutes
4. ZONING AUDIT DISCUSSION
5. ADJOURNMENT

Citizen Comments - This section of the agenda allows up to 3 minutes to present information or raise issues regarding items not on the agenda. Upon arising to address the Commission, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item.

Meetings of the City of Plymouth are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, disability, or any other trait protected under applicable law. Any individual planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) should submit a request to the ADA Coordinator at 734-453-1234 ext. 234 at least two working days in advance of the meeting. The request may also be submitted via mail at 201 S. Main St. Plymouth, MI 48170, or email to clerk@plymouthmi.gov.

City of Plymouth Strategic Plan 2022-2026

GOAL AREA ONE - SUSTAINABLE INFRASTRUCTURE

OBJECTIVES

1. Identify and establish sustainable financial model(s) for major capital projects, Old Village business district, 35th District Court, recreation department, and public safety
2. Incorporate eco-friendly, sustainable practices into city assets, services, and policies; including more environmentally friendly surfaces, reduced impervious surfaces, expanded recycling and composting services, prioritizing native and pollinator-friendly plants, encouraging rain gardens, and growing a mature tree canopy
3. Partner with or become members of additional environmentally aware organizations
4. Increase technology infrastructure into city assets, services, and policies
5. Continue sustainable infrastructure improvement for utilities, facilities, and fleet
6. Address changing vehicular habits, including paid parking system /parking deck replacement plan, electric vehicle (EV) charging stations, and one-way street options

GOAL AREA TWO – STAFF DEVELOPMENT, TRAINING, AND SUCCESSION

OBJECTIVES

1. Create a 5-year staffing projection
2. Review current recruitment strategies and identify additional resources
3. Identify/establish flex scheduling positions and procedures
4. Develop a plan for an internship program
5. Review potential department collaborations
6. Hire an additional recreation professional
7. Review current diversity, equity, and inclusion training opportunities
8. Seek out training opportunities for serving diverse communities

GOAL AREA THREE - COMMUNITY CONNECTIVITY

OBJECTIVES

1. Engage in partnerships with public, private and non-profit entities
2. Increase residential/business education programs for active citizen engagement
3. Robust diversity, equity, and inclusion programs
4. Actively participate with multi-governmental lobbies (Michigan Municipal League, Conference of Western Wayne, etc.)

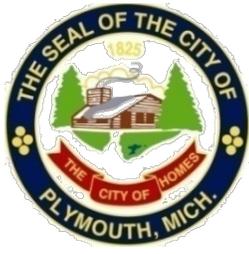
GOAL AREA FOUR - ATTRACTIVE, LIVABLE COMMUNITY

OBJECTIVES

1. Create vibrant commercial districts by seeking appropriate mixed-use development, marketing transitional properties, and implementing Redevelopment Ready Communities (RRC) practices
2. Improve existing and pursue additional recreational and public green space opportunities and facilities for all ages
3. Develop multi-modal transportation plan which prioritizes pedestrian and biker safety
4. Improve link between Hines Park, Old Village, Downtown Plymouth, Plymouth Township, and other regional destinations
5. Maintain safe, well-lit neighborhoods with diverse housing stock that maximizes resident livability and satisfaction
6. Modernize and update zoning ordinance to reflect community vision
7. Implement Kellogg Park master plan

2025 Planning Commission Goals

1. Adopt the master plan
2. Complete “quick” zoning ordinance amendments (zoning audit)
3. Complete the multi-family/housing ordinance amendments (MSHDA Grant)
4. Work toward completing a residential compatibility ordinance



**Plymouth Planning Commission
Sub-Committee Meeting Minutes
Wednesday, January 28, 2026 – 7:00 p.m.
Plymouth City Hall 201 S. Main**

City of Plymouth
Plymouth, Michigan 48170-1637

www.plymouthmi.gov
734-453-1234

1. CALL TO ORDER

Vice-Chair Medaugh called the meeting to order at 7:00 p.m.

Present: Vice-Chair Medaugh, Commissioners Marni Schroeder, and Katie Rossie

Also present: Planning and Community Development Director Greta Bolhuis

2. CITIZENS COMMENTS

Received email correspondence from Kathryn Szary, 1107 W. Ann Arbor Trail (attached).

3. APPROVAL OF THE MINUTES

a. Medaugh made a motion, seconded by Rossie, to approve December 17, 2025 meeting minutes.

There was a voice vote

MOTION PASSED UNANIMOUSLY

4. ZONING AUDIT DISCUSSION

The sub-committee discussed their progress. It was suggested to group tasks #12, 13, 14, 15, and 16 to review and update Article 20 at one time.

- Task #12: There was concern about the broader implications of allowing a plot plan instead of a full site. Consider impact on minor site plan reviews and possibly use that language. Use this update to complete “Building Official” to “Community Development Director” task. Staff to review where else site plan and plot plan requirements are mentioned to ensure no conflicts arise. The sub-committee also discussed special land uses and the current requirements and what, if anything, should change. There was consensus that the entire special land use article needed to be cleaned up.
- Task #14: Staff to review the zoning audit report for suggested sections and formatting. Revise and resubmit this task to the sub-committee.
- Task #23: There was concern about the broader implications of moving and consolidating fence regulations. Staff to review additional sections where fence ordinance regulations exist and bring them back to the sub-committee.
- Task #26: Consistently change “area” to “district”. Propose changes as a complete deletion and replacement. Delete “under the City’s control” in the last sentence.

The next step is to present Task #26 to the full Planning Commission and bring back one of the other tasks for further discussion.

5. ADJOURNMENT

Schroeder offered a motion, seconded by Medaugh, to adjourn the meeting at 9:05 p.m.

There was a voice vote

MOTION PASSED UNANIMOUSLY

Bolhuis, Greta

From: Kathryn Dudley
Sent: Wednesday, January 28, 2026 1:02 PM
To: Planning - Medaugh, Kyle; Planning - Rossie, Kathleen; Planning - Schroeder, Marni
Cc: Bolhuis, Greta
Subject: Zoning Audit Sub-Committee – Clarifying Questions for Consideration

Good afternoon,

I have reviewed the Planning Commission Sub-Committee materials related to the zoning audit and understand that these items are being discussed at a preliminary level prior to consideration by the full Planning Commission.

I may not be 100% interpreting the proposed changes correctly, so I wanted to share the following for consideration.

Is it accurate that the amendments under consideration—particularly those addressing religious institutions, reduced setback requirements, expanded administrative discretion, and the allowance of plot plans in lieu of full site plans—would lower regulatory and procedural barriers for redevelopment or adaptive reuse of the church property?

If so, I respectfully offer the following considerations for awareness and discussion as part of the sub-committee's review:

- The subject (church) property has already been transitioned from a single-use designation to a mixed-use framework, expanding the range of allowable development.
- The zoning audit proposals appear to further increase development flexibility by reducing dimensional standards and review thresholds that would otherwise influence scale, massing, and neighborhood compatibility.
- Residents have consistently raised concerns regarding multifamily development intensity, setbacks, and compatibility with adjacent residential areas, hoping these concerns are being addressed at this stage.
- When viewed collectively, the prior land-use designation changes and the current zoning audit amendments appear to establish a regulatory pathway that materially facilitates redevelopment of this property.

I respectfully request that these considerations be acknowledged and discussed by the sub-committee as part of tonight's meeting, and that any recommendations forwarded to the full Planning Commission clearly address how neighborhood compatibility and resident concerns are being evaluated alongside expanded zoning flexibility.

These comments are submitted for the public record and in support of a transparent and balanced review process.

Thank you very much for reading through! I appreciate your time and consideration.

Kathryn Dudley Szary

1107 W. Ann Arbor Trail

Task #23 of 26

Consolidate all fence regulations into a single place, with the fence section of the Zoning Ordinance or the City's Fence Ordinance.

- Sec. 78-21, 78-208 – 78-209
- Chapter 18, Article 10
- Introduction to Sub-Committee 7/28/2025
- Discussed by Sub-Committee 9/22/2025
- Discussed by Sub-Committee 11/19/2025
- Introduced to Planning Commission 12/10/2025
- Public hearing 1/14/2026 - postponed
- Discussed by Sub-Committee 1/28/2026

From the Zoning Audit:

“The following items are inconsistencies that should be updated:

- Consolidate all fence regulations into a single place, with these sections of Zoning Ordinance or the City’s Fence Ordinance.”

Sub-Committee Discussion Summary:

Widen the scope to ensure no adverse impact on other fence regulations occurs.

Staff Comments:

After further review, it is recommended that the fence regulations live primarily in the general code since. We are adding specific references back to that code in the appropriate sections.

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Current Ordinance:

ARTICLE X. FENCES

Sec. 18-371. Purpose, intent.

It is the intent and purpose of this article to assure to occupants of all properties adequate light and air adjacent to structures and in yard areas, effective and desirable sight distance from the front of all structures in all directions, the right to provide for their own privacy within their properties, to protect plantings from damage by trespass, and to prevent such construction related thereto as would be hazardous.

(Ord. No. 82-11, § 1(8.21), 8-16-82)

Sec. 18-372. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Border means a planting area composed of shrubs, trees, etc., which is utilized as a part of the landscaping of a lot.

Decorative fence means a permanent barrier not used for enclosure. Any such fence shall be a part of the overall landscape plan and shall be composed of natural materials such as wood (i.e., split rail fence, picket, etc.) or a decorative metal construction (i.e., aluminum, wrought iron, etc.).

Fence means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary.

Gutter grade means the lowest point of integral curb and gutter down which water flows, or, when no curb or gutter exists, is the lowest point between the street and sidewalk down which water will flow or drain.

Picket fence means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary. A picket fence shall have spaced uprights connected by two or more horizontal rails. The uprights shall not exceed four inches in width. The space between uprights shall be a minimum of two and one-half inches and must not exceed four inches.

Sidewalk line means the edge of the constructed public sidewalk that is adjacent or closest to the lot line.

Wall means a barrier constructed of masonry or other solid materials on a continuous concrete footing for the purpose of controlling entrance, sound and/or view.

(Ord. No. 82-11, § 1(8.22), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11; Ord. of 8-7-23)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 18-373. Prevention of hazards.

- (a) No fence, border or wall shall have exposed beneath a height of eight feet any sharp protrusions which would be likely to cause physical or material damage to persons or clothing passing by the fence, border or wall.
- (b) Any wall shall be capped with a peaked coping of sufficient pitch to discourage walking.

(Ord. No. 82-11, § 1(8.26), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

Sec. 18-374. Line fences and walls.

All fences and walls must be located entirely on the private property of the person constructing the same; provided, however, that if adjoining property owners jointly apply for and sign a permit to erect a fence upon their common property line, such fence may be so erected. No temporary type of barrier or temporary fence of any type shall be permitted in the front yard areas.

(Ord. No. 82-11, § 1(8.27), 8-16-82)

Sec. 18-375. Electric fences.

It shall be unlawful for any person to construct or maintain, or to allow to be constructed or maintained upon property owned or occupied by such person, any fence charged or connected with an electrical current in such manner as to transmit such current in the form of shock to persons or animals which might come in contact with such charged fence. This shall exclude underground electric pet containment fences.

(Ord. No. 82-11, § 1(8.28), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

Sec. 18-376. Appeals.

If there is believed to be a conflict between the stated intent and any specific provisions of this article, the zoning board of appeals may, in accordance with established procedures, permit modification of such specific provision, while retaining the intent, in such appealed instance.

(Ord. No. 82-11, § 1(8.29), 8-16-82)

Sec. 18-377. Permits.

- (a) It shall be unlawful for any person to construct, or cause to be constructed, any fence or wall upon any property within the city without first having obtained a permit therefor.
- (b) Any person desiring to construct, or cause to be constructed a fence or wall upon property in the city shall first apply to the building department of the city for a permit, for which there shall be a fee, the amount of which shall be set by resolution of the city commission. Such permit shall be issued by the building inspector upon a written application, and shall contain such information as may be required by the inspector in order to determine that such fence or wall will not violate any provision of the City Code or state law.

(Ord. No. 82-11, § 1(8.23), 8-16-82)

Sec. 18-378. Establishing lot lines.

The building inspector may require the owner of property upon which a fence is to be constructed to establish lot lines upon such property, through the placing of permanent stakes located by a licensed surveyor. Such lot line shall be established before such fence shall be erected, and the building inspector may withhold the issuance of the required permit until the lot lines are established and permanent stakes are placed.

(Ord. No. 82-11, § 1(8.30), 8-16-82)

Sec. 18-379. Borders.

Borders may be planted in any yard area subject to the following provisions:

- (1) Borders shall not be located nearer than two feet to any drive or walkway. Borders are also subject to additional restrictions as specified in this section.
- (2) No border shall obscure visibility within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection. Shrubs or hedges or other plantings (excluding trees) in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted within this same area shall not have branches lower than eight feet above the average gutter grade. Sight visibility shall be in accordance with section 78-207 of the zoning ordinance.
- (3) Similar restrictions as above shall be required in a 15-foot corner triangle formed at the intersection of any driveway and alley or any driveway and street right-of-way line.

(Ord. No. 82-11, § 1(8.24), 8-16-82; Ord. No. 2011-02, 1-17-11)

Sec. 18-380. Fences and walls.

- (a) All posts thereof shall be of materials designed to withstand rusting, rotting and other weather-related deterioration for a period of not less than ten years.

- (b) Fences shall be setback a minimum of one foot away from the sidewalk line.
- (c) Solid masonry walls shall be erected on continuous foundations at least 42 inches below grade.
- (d) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.
- (e) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard setback, whichever is greater (see figure 1). In the case of a rear yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch-tall picket fence may project into this area but shall not extend toward the front of the lot nearer than the front of the house (see figure 2).

Figure 1.

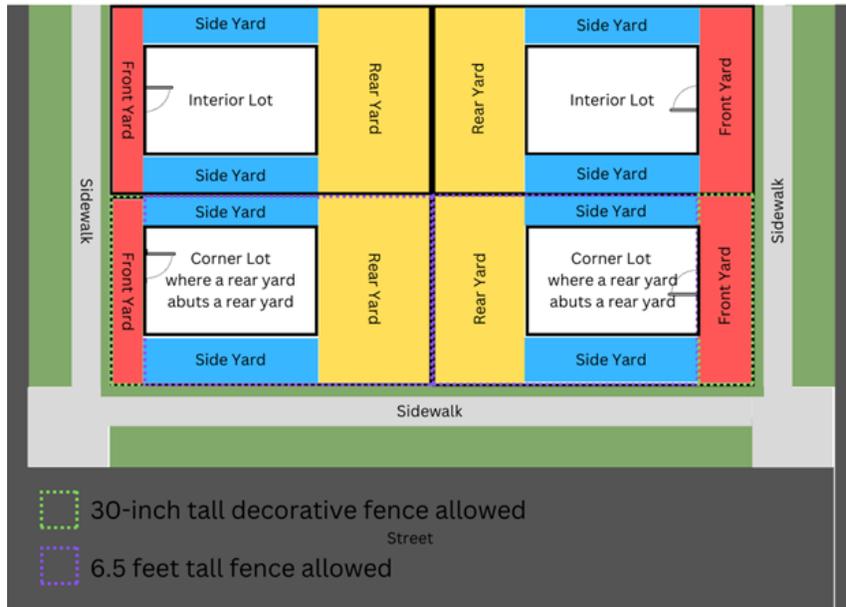
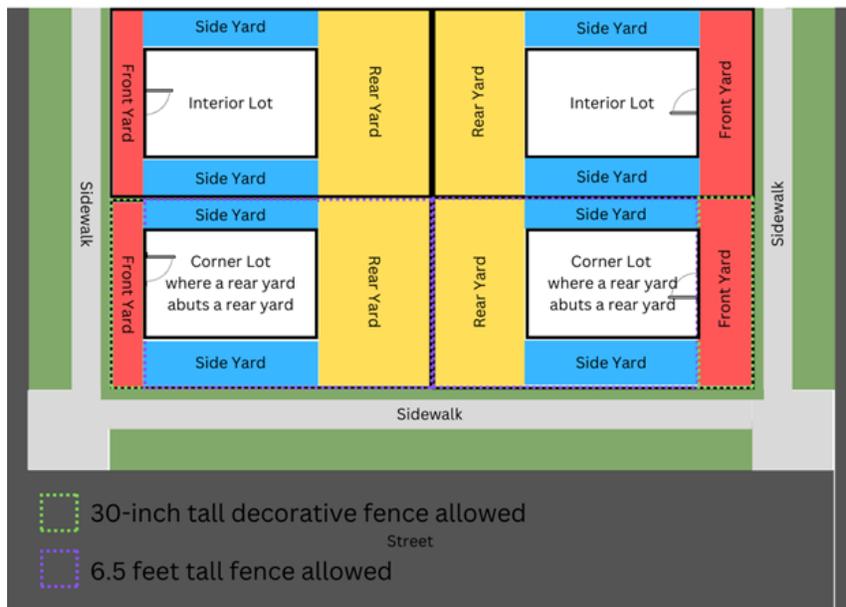


Figure 2.



- (f) In business zoned areas, fences and walls should not exceed a height above ground level of more than six and one-half feet. On corner lots, no fence, wall, shrubbery or other obstruction to vision above a height 30 inches from the established street gutter grades shall be permitted within the triangular area forward at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines for a distance along each line of 25 feet from their point of intersection.
- (g) In industrial zoned areas, fences and walls may be constructed up to eight feet in height. On corner lots, no fence, wall, shrubbery or other obstruction to vision above a height of 30 inches from the established street gutter grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines for a distance along each line of 25 feet from their point of intersection. Barbed wire may be installed on the top of such fences on arms or supports over the private property of the owner of the fence at least eight feet above the adjacent grade level.

(Ord. No. 82-11, § 1(8.25), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11; Ord. of 8-7-23)

Secs. 18-381—18-400. Reserved.

CHAPTER 78

Sec. 78-21. Definitions.

Berm, obscuring, means an earthen mound of definite height and location to serve as an obscuring device in carrying out the requirements of this chapter.

Fence means a manmade structure constructed for the purpose of or to have the effect of enclosing the area it is constructed upon or as defined in the city Code.

Wall, obscuring, means a structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this chapter.

Sec. 78-205. Residential entranceway.

In all residential districts, entranceway structures including but not limited to walls, columns and gates marking entrances to single-family subdivisions or multiple housing projects may be permitted and may be located in a required yard, except as provided in section 78-207, provided that such entranceway structures shall comply with all codes of the city, and shall be approved by the building department and a permit issued.

(Ord. of 10-6-03)

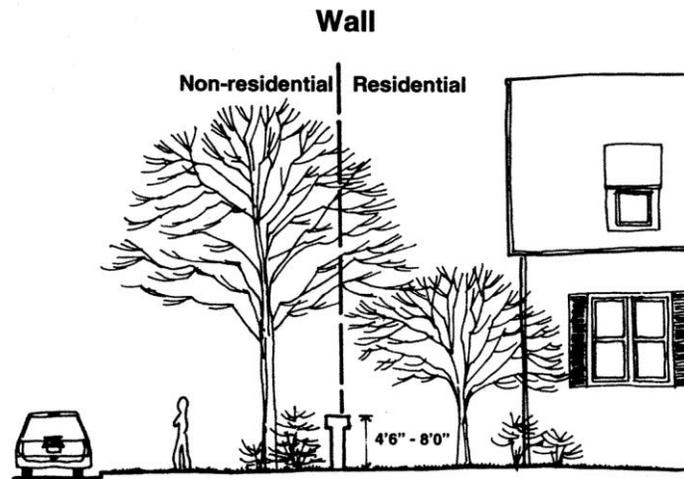
Sec. 78-206. Walls and berms.

- (a) For the use districts and uses listed below, there shall be provided and maintained on those sides abutting or adjacent to a residential district, a screening wall, fence, landscaped berm or landscape strip as required below. The height of the fence, wall, or berm shall be measured from the surface of the parking area or land on the nonresidential side of the wall.

	Use	Height Requirements
(1)	RM, RM-1 and RM-2 districts (on those sides adjacent to one-family residential districts)	4½ feet to 6½ feet
(2)	P-1 vehicular parking districts	4½ feet
(3)	Off-street parking area (other than vehicular parking districts)	4½ feet
(4)	O-1, O-2, B-1, B-2 and B-3 districts	4½ feet to 6½ feet
(5)	I-1 and I-2 districts	4½ feet to 8 feet
(6)	Utility buildings, stations and/or substations	6½ feet

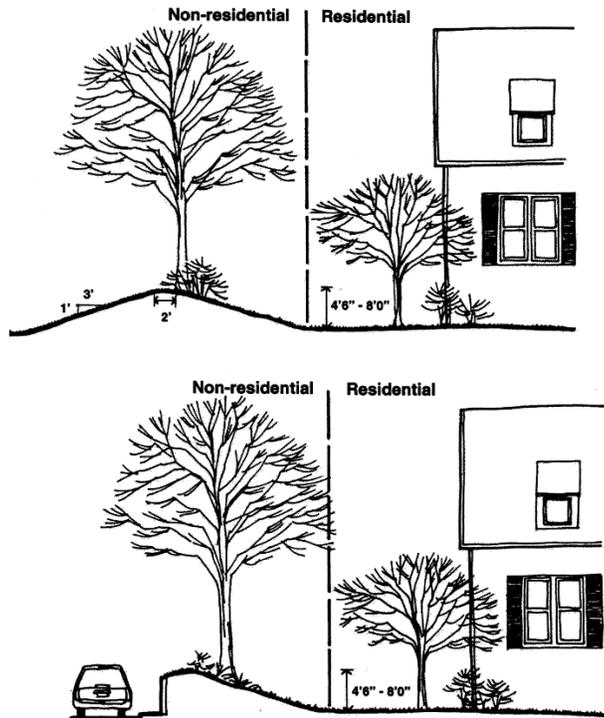
- (b) In the case of variable wall, fence or berm height requirements such as in subsections (a)(1), (4), and (5) of this section, the extent of the obscuring wall, fence, or berm shall be determined by the planning commission on the basis of land usage, provided further that no wall, fence or berm shall be less than the above required minimum.

- (c) Required walls shall be located on the lot line except where underground utilities interfere and except in instances where this chapter requires conformance with yard setback lines. Required walls may, upon approval of the zoning board of appeals, be located on the opposite side of an alley right-of-way from a nonresidential zone that abuts a residential zone when mutually agreeable to affected property owners. The continuity of the required wall on a given block will be a major consideration of the zoning board of appeals in reviewing such request.
- (1) Required walls shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this chapter and except as may be approved by the building official. All walls herein required shall be constructed of face brick or comparable nonporous facing materials and shall be durable, weather resistant, rust-proof and easily maintainable. Wood screen walls or fences shall be cedar, wolmanized or treated wood and may only be used in areas not adjoining parking lots or roadways, and which will not be subject to damage from vehicular traffic. Fences shall comply with the City of Plymouth Fence Ordinance. Solid stockade fences shall be prohibited. Open weave or shadow box style fences which permit air flow shall be permitted.
 - (2) Plant materials along a wall or fence shall include at least one tree for each 20 feet or fraction thereof, and shall form a continuous screen from four feet, six inches in height to eight feet in height as required in section 78-206(a).



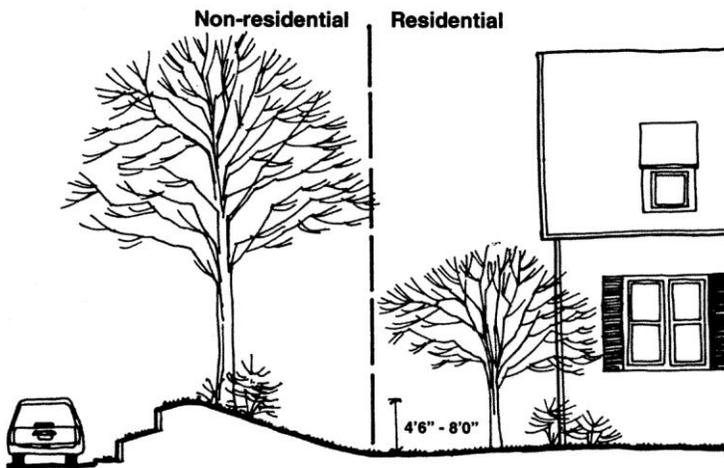
- (d) Required berms shall be constructed as landscaped earth mounds with a crest area at least two feet in width. The exterior face of the berm shall be constructed as an earthen slope. The interior face of the berm may be constructed as an earthen slope, or retained by means of a wall, terrace or other means acceptable to the building official. Whenever an earthen slope is provided, it shall be constructed with an incline not to exceed one foot of vertical rise to three feet of horizontal distance.
- (1) Berm slopes shall be protected from erosion by sodding or seeding. If slopes are seeded, they shall be protected with erosion control methods until the seed germinates and a permanent lawn is established. The berm area shall be kept free from refuse and debris and shall be planted with shrubs, trees or lawn and shall be maintained in a healthy, growing condition.
 - (2) Plant materials within the berm area shall include at least one tree for each 20 feet or fraction thereof, and shall form a continuous screen from four feet, six inches in height to eight feet in height as required in section 78-206(a). A planting plan and grading plan shall be prepared for the berm and shall be reviewed by the planning commission.

Berms



Berms

Berms—Cont'd.



Berms-2

- (e) If a landscape strip is used as a buffer between conflicting uses, the landscape strip shall be at least ten feet in width. The landscape strip shall be planted with dense foliage in such manner as to provide a minimum opacity of 80 percent in summer and 60 percent in winter.

Landscape Strip

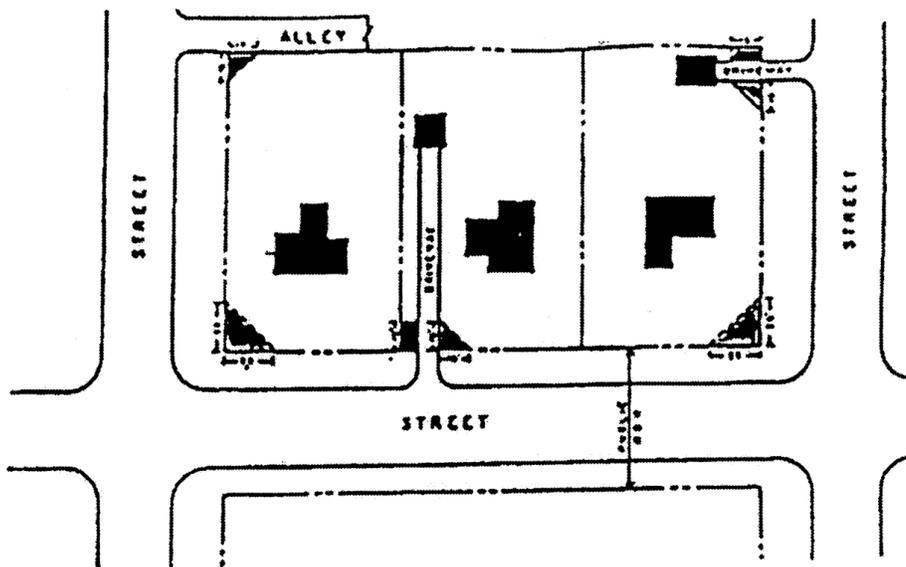
- (f) The planning commission may waive or modify the foregoing requirements of section 78-206, where cause can be shown that no good purpose would be served and that the waiver or modification would neither be injurious to the surrounding neighborhood nor contrary to the spirit and purpose of this chapter provided that in no instance shall a required wall or berm be permitted to be less than four feet, six inches in height. In those instances where suitable screening will be achieved, the planning commission may allow planting, earth berms, or treated wood walls in place of masonry walls.

- (1) In consideration of request to waive wall or berm requirements between residential and nonresidential districts, or as otherwise required herein, the planning commission shall consider:
 - a. Whether or not the residential district is considered to be an area in transition and will become nonresidential in the future based on the adopted master plan.
 - b. Whether or not the existing use of land adjacent thereto is such that the obscuring effect of a wall or berm would achieve no substantial screening function.
 - c. Whether or not the ground elevation of the site in question and the land adjacent thereto is such that a wall or berm would not be required to provide the required obscuring effect.
 - (2) The planning commission may temporarily waive wall or berm requirements for an initial period not to exceed 12 months. Granting of subsequent waivers shall be permitted, provided that the planning commission shall make a determination as hereinbefore described for each subsequent waiver.
 - (g) The city may require that suitable maintenance guarantee be provided for the continued maintenance of walls required under this chapter.
 - (h) The requirement for an obscuring wall between off-street parking areas, outdoor storage areas, and any abutting residential districts may not be required when such areas are located more than 200 feet distant from such abutting residential district.
- (Ord. of 10-6-03; Ord. No. 2011-03, § 1, 1-17-11)

Sec. 78-207. Corner clearance.

- (a) A clear vision area shall be established within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines at a distance along each line of 25 feet from their point of intersection. Walls, fences, berms, shrubs, hedges or other plantings (excluding trees) and signs in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted or signs erected within this same area shall not have branches or portions of the sign area lower than eight feet above the average gutter grade.
- (b) The planning commission may require adequate sight visibility, corner clearance and building setback within the B-2 zoning district. This may be required at the intersection of driveways and a public right-of-way in a manner to aid vehicular and pedestrian traffic. A triangular area of unobstructed vision for motorists and pedestrians shall be maintained at the intersection of the street right-of-way and driveway. The triangular area shall comply with Section 78-207 or as modified by the Building Official or Planning Commission for sites where strict compliance is impractical.

CORNER CLEARANCE



(Ord. of 10-6-03; Ord. No. 2007-01, § 5, 5-21-07)

Sec. 78-208. Residential fences.

Fences or walls are permitted, subject to the paramount provisions of the City of Plymouth Fence Ordinance (Chapter 18, Building Regulations Article X, Fences 18-371—18-380) and subject to the further provisions of this section. If any of the provisions of this section should conflict with the City of Plymouth Fence Ordinance, the stricter provision shall prevail. It is the intent, however, that the following provisions be construed harmoniously with the fence ordinance where possible.

- (1) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard, whichever is greater (see Figure 1). In the case of a rear yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch-tall picket fence may project into this area but shall not extend toward the front of the lot nearer than the front of the house (see Figure 2).

Figure 1.

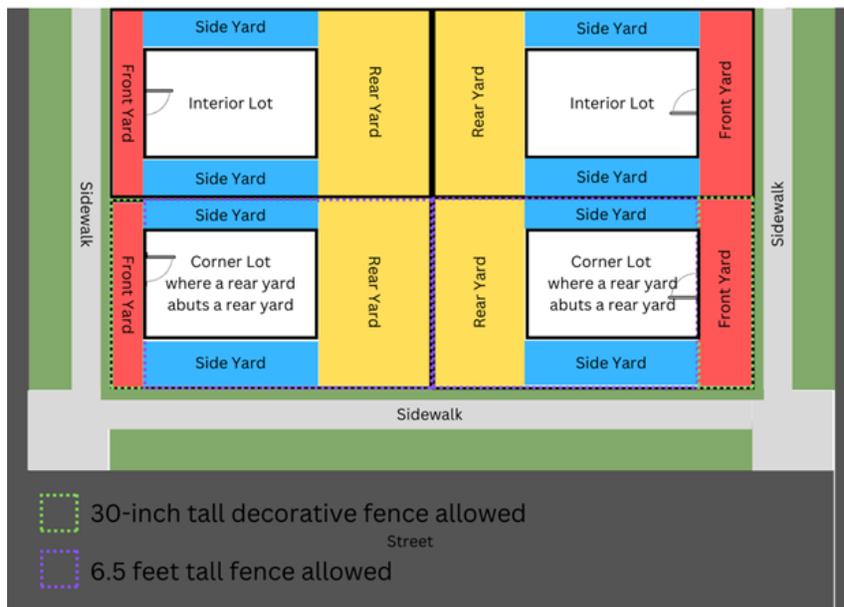
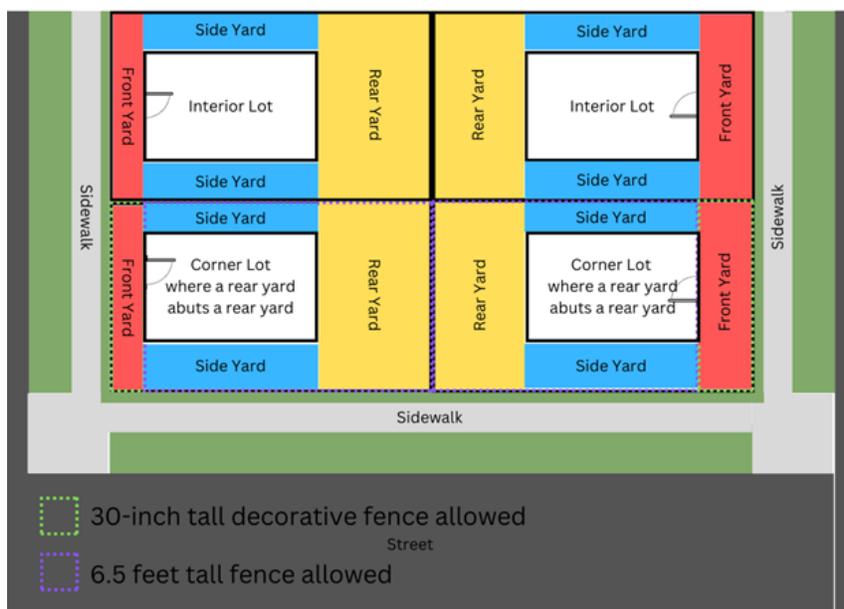


Figure 2.



- (2) Fences on lots of record shall not contain barbed wire, electric current, or charge of electricity. This shall exclude underground electric fences used for pet containment.
- (3) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (4) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (5) Fences for swimming pools shall comply with the regulations of the state construction code.
- (6) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, or plantings shall comply with the corner clearance requirements of section 78-207.
- (7) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.
- (8) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.
- (9) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches. This shall exclude screening walls constructed between conflicting land uses as specified in section 78-206.

(Ord. of 10-6-03; Ord. No. 2011-03, § 2, 1-17-11; Ord. of 8-7-23)

Sec. 78-209. Industrial fences.

Fences are permitted in industrial districts as follows:

- (1) Fences shall not be allowed within the front yard of any industry on sites of less than ten acres in size. Fences may be allowed in front yards of sites of ten acres or more after review and approval of the planning commission.
- (2) Fences not to exceed eight feet in height shall be permitted in side and rear yards. Barbed wire shall be allowed on fences not less than eight feet in height in not more than three strands mounted in a "Y" at the top of the fence and shall be permitted provided such "Y" is located to project over the property being fenced.

(Ord. of 10-6-03)

Proposed Ordinance (Redlined):

ARTICLE X. FENCES

Sec. 18-371. Purpose, intent.

It is the intent and purpose of this article to assure to occupants of all properties adequate light and air adjacent to structures and in yard areas, effective and desirable sight distance from the front of all structures in all directions, the right to provide for their own privacy within their properties, to protect plantings from damage by trespass, and to prevent such construction related thereto as would be hazardous.

(Ord. No. 82-11, § 1(8.21), 8-16-82)

Sec. 18-372. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Border means a planting area composed of shrubs, trees, etc., which is utilized as a part of the landscaping of a lot.

Decorative fence means a permanent barrier not used for enclosure. Any such fence shall be a part of the overall landscape plan and shall be composed of natural materials such as wood (i.e., split rail fence, picket, etc.) or a decorative metal construction (i.e., aluminum, wrought iron, etc.).

Fence means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary.

Gutter grade means the lowest point of integral curb and gutter down which water flows, or, when no curb or gutter exists, is the lowest point between the street and sidewalk down which water will flow or drain.

Picket fence means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary. A picket fence shall have spaced uprights connected by two or more horizontal rails. The uprights shall not exceed four inches in width. The space between uprights shall be a minimum of two and one-half inches and must not exceed four inches.

Sidewalk line means the edge of the constructed public sidewalk that is adjacent or closest to the lot line.

Wall means a barrier constructed of masonry or other solid materials on a continuous concrete footing for the purpose of controlling entrance, sound and/or view.

(Ord. No. 82-11, § 1(8.22), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11; Ord. of 8-7-23)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 18-373. Prevention of hazards.

- (a) No fence, border or wall shall have exposed beneath a height of eight feet any sharp protrusions which would be likely to cause physical or material damage to persons or clothing passing by the fence, border or wall.
- (b) Any wall shall be capped with a peaked coping of sufficient pitch to discourage walking.

(Ord. No. 82-11, § 1(8.26), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

Sec. 18-374. Line fences and walls.

All fences and walls must be located entirely on the private property of the person constructing the same; provided, however, that if adjoining property owners jointly apply for and sign a permit to erect a fence upon their common property line, such fence may be so erected. No temporary type of barrier or temporary fence of any type shall be permitted in the front yard areas.

(Ord. No. 82-11, § 1(8.27), 8-16-82)

Sec. 18-375. Electric fences.

It shall be unlawful for any person to construct or maintain, or to allow to be constructed or maintained upon property owned or occupied by such person, any fence charged or connected with an electrical current in such manner as to transmit such current in the form of shock to persons or animals which might come in contact with such charged fence. This shall exclude underground electric pet containment fences.

(Ord. No. 82-11, § 1(8.28), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11)

Sec. 18-376. Appeals.

If there is believed to be a conflict between the stated intent and any specific provisions of this article, the zoning board of appeals may, in accordance with established procedures, permit modification of such specific provision, while retaining the intent, in such appealed instance.

(Ord. No. 82-11, § 1(8.29), 8-16-82)

Sec. 18-377. Permits.

- (a) It shall be unlawful for any person to construct, or cause to be constructed, any fence or wall upon any property within the city without first having obtained a permit ~~therefor~~.
- (b) Any person desiring to construct, or cause to be constructed a fence or wall upon property in the city shall first apply to the building department of the city for a permit, for which there shall be a fee, the amount of which shall be set by resolution of the city commission. Such permit shall be issued by the building inspector upon a written application, and shall contain such information as may be required by the inspector in order to determine that such fence or wall will not violate any provision of the City Code or state law.

(Ord. No. 82-11, § 1(8.23), 8-16-82)

Sec. 18-378. Establishing lot lines.

The building inspector may require the owner of property upon which a fence is to be constructed to establish lot lines upon such property, through the placing of permanent stakes located by a licensed surveyor. Such lot line shall be established before such fence shall be erected, and the building inspector may withhold the issuance of the required permit until the lot lines are established and permanent stakes are placed.

(Ord. No. 82-11, § 1(8.30), 8-16-82)

Sec. 18-379. Borders.

Borders may be planted in any yard area subject to the following provisions:

- ~~(1)~~—(a) Borders shall not be located nearer than two feet to any drive or walkway. Borders are also subject to additional restrictions as specified in this section.
- ~~(2)~~—(b) No border shall obscure visibility within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection. Shrubs or hedges or other plantings (excluding trees) in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted within this same area shall not have branches lower than eight feet above the average gutter grade. Sight visibility shall be in accordance with section 78-207 of the zoning ordinance.
- ~~(3)~~—(c) Similar restrictions as above shall be required in a 15-foot corner triangle formed at the intersection of any driveway and alley or any driveway and street right-of-way line.

(Ord. No. 82-11, § 1(8.24), 8-16-82; Ord. No. 2011-02, 1-17-11)

Sec. 18-380. Fences and walls.

- (a) All posts thereof shall be of materials designed to withstand rusting, rotting and other weather-related deterioration for a period of not less than ten years.

- (b) Fences shall be setback a minimum of one foot away from the sidewalk line.
- (c) Solid masonry walls shall be erected on continuous foundations at least 42 inches below grade.
- (d) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.

(e) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, and borders shall comply with the corner clearance requirements of section 78-207.

(f) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.

Sec. 18-381. Residential fences.

- (e) (a) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard setback, whichever is greater (see figure 1). In the case of a rear yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch-tall picket fence may project into this area but shall not extend toward the front of the lot nearer than the front of the house (see figure 2).

Figure 1.

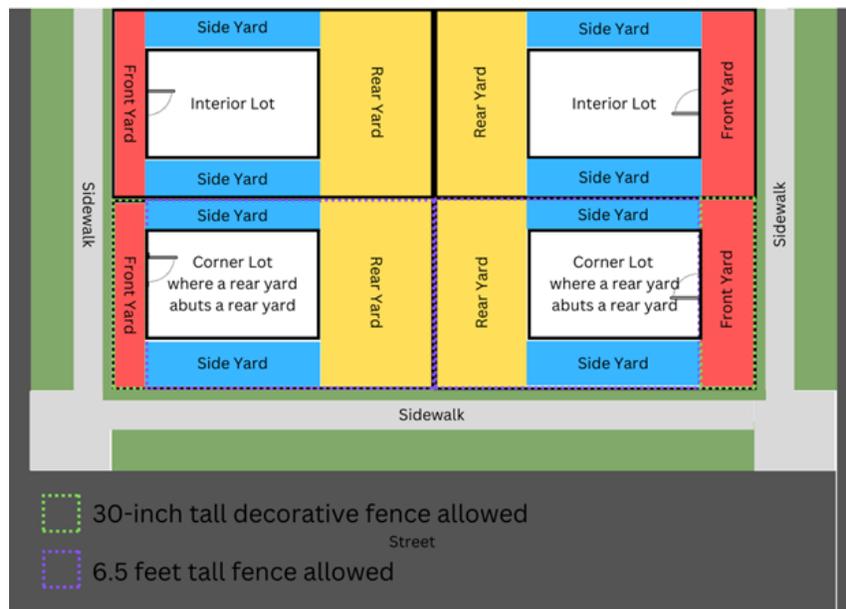
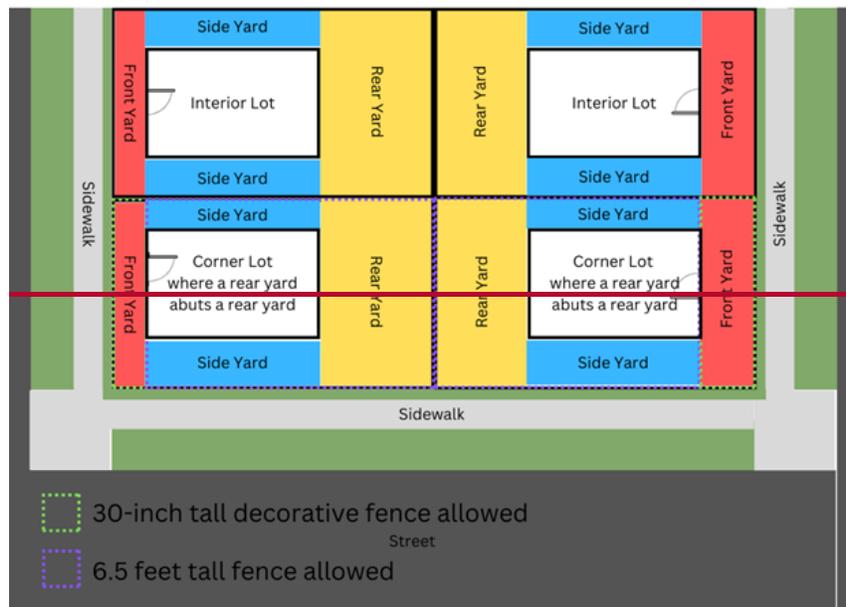
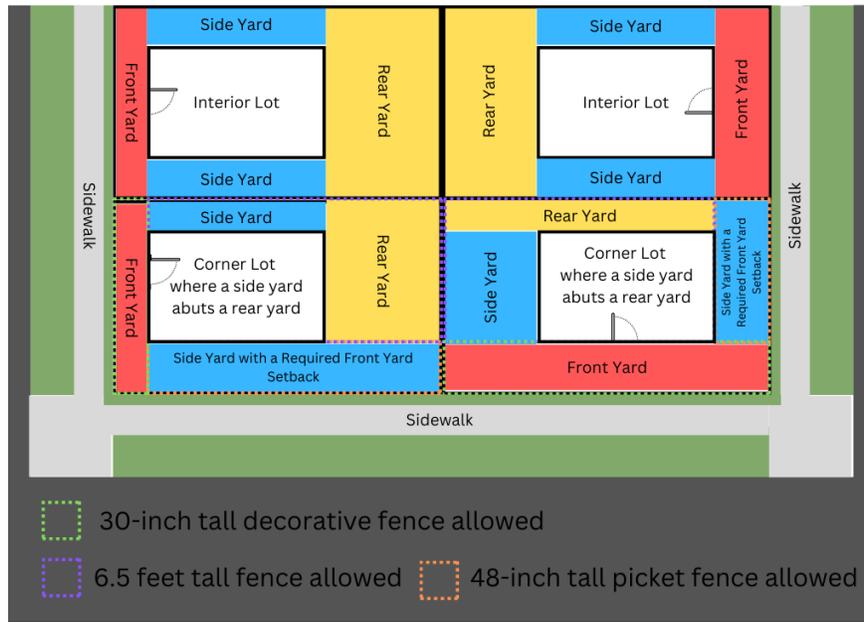


Figure 2.



- (b) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (d) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (e) Fences for swimming pools shall comply with the regulations of the state construction code.
- (i) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches.

Secs. 18-382. Office and business fences.

- (f) In office and business zoned areas, fences and walls should not exceed a height above ground level of more than six and one-half feet in side and rear yards. On corner lots, no fence, wall, shrubbery or other obstruction to vision above a height 30 inches from the established street gutter grades shall be permitted within the triangular area forward at the intersection of

any street right-of-way lines by a straight line drawn between such right-of-way lines for a distance along each line of 25 feet from their point of intersection.

Secs. 18-383. Industrial fences.

(g) (a) In industrial zoned areas, fences and walls may be constructed up to eight feet in height. On corner lots, no fence, wall, shrubbery or other obstruction to vision above a height of 30 inches from the established street gutter grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines for a distance along each line of 25 feet from their point of intersection. Barbed wire may be installed on the top of such fences on arms or supports over the private property of the owner of the fence at least eight feet above the adjacent grade level. shall not be allowed within the front yard on sites of less than ten acres in size. Fences may be allowed in front yards of sites of ten acres or more after review and approval of the planning commission.

(b) Fences not to exceed eight feet in height shall be permitted in side and rear yards. Barbed wire shall be allowed on fences not less than eight feet in height in not more than three strands mounted in a "Y" at the top of the fence and shall be permitted provided such "Y" is located to project over the property being fenced.

(Ord. No. 82-11, § 1(8.25), 8-16-82; Ord. No. 2011-02, § 1, 1-17-11; Ord. of 8-7-23)

Secs. 18-38~~41~~—18-400. Reserved.

CHAPTER 78

Sec. 78-21. Definitions.

Berm, obscuring, means an earthen mound of definite height and location to serve as an obscuring device in carrying out the requirements of this chapter.

Fence means a manmade structure constructed for the purpose of or to have the effect of enclosing the area it is constructed upon or as defined in the city Code.

Fence, shadow box means a privacy fence constructed from vertical pickets attached alternately to the front and back of horizontal rails.

Fence, stockade means a privacy fence constructed with vertical pickets placed tightly together with little to no gaps, supported by a horizontal rail.

Gutter grade means the lowest point of integral curb and gutter down which water flows, or, when no curb or gutter exists, is the lowest point between the street and sidewalk down which water will flow or drain.

Wall, obscuring, means a structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this chapter.

Sec. 78-205. Residential entranceway.

In all residential districts, entranceway structures including but not limited to walls, columns and gates marking entrances to single-family subdivisions or multiple housing projects may be permitted and may be located in a required yard, except as provided in section 78-207, provided that such entranceway structures shall comply with all codes of the city, and shall be approved by the building department and a permit issued.

(Ord. of 10-6-03)

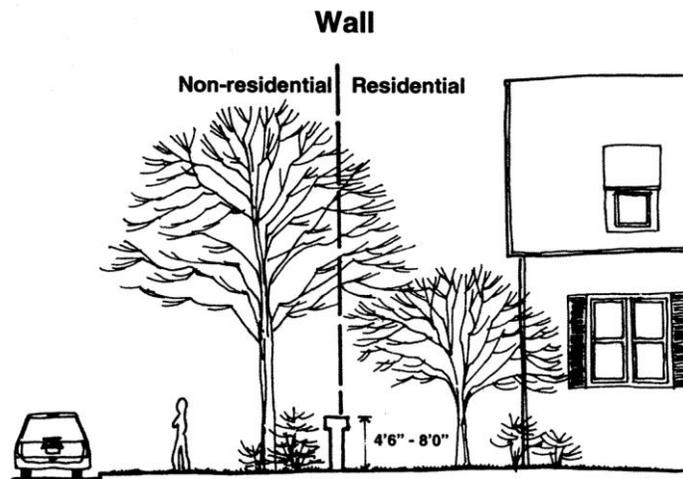
Sec. 78-206. Obscuring Walls and berms.

(a) For the use districts and uses listed below, there shall be provided and maintained on those sides abutting or adjacent to a residential district, a screening wall, fence, landscaped berm or landscape strip as required below. The height of the fence, wall, or berm shall be measured from the surface of the parking area or land on the nonresidential side of the wall.

	Use	Height Requirements
(1)	RM, RM-1 and RM-2 districts (on those sides adjacent to one-family residential districts)	4½ feet to 6½ feet
(2)	P-1 vehicular parking districts	4½ feet
(3)	Off-street parking area (other than vehicular parking districts)	4½ feet
(4)	O-1, O-2, B-1, B-2 and B-3 districts	4½ feet to 6½ feet
(5)	I-1 and I-2 districts	4½ feet to 8 feet
(6)	Utility buildings, stations and/or substations	6½ feet

- (b) In the case of variable wall, fence or berm height requirements such as in subsections (a)(1), (4), and (5) of this section, the extent of the obscuring wall, fence, or berm shall be determined by the planning commission on the basis of land usage, provided further that no wall, fence or berm shall be less than the above required minimum.
- (c) Required walls shall be located on the lot line except where underground utilities interfere and except in instances where this chapter requires conformance with yard setback lines. Required walls may, upon approval of the planning commission zoning board of appeals, be located on the opposite side of an alley right-of-way from a nonresidential zone that abuts a residential zone when mutually agreeable to affected property owners. The continuity of the required wall on a given block will be a major consideration of the planning commission zoning board of appeals in reviewing such request.
- (1) Required walls shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this chapter and except as may be approved by the building official. All walls herein required shall be constructed of face brick or comparable nonporous facing materials and shall be durable, weather resistant, rust-proof and easily maintainable. Wood screen walls or fences shall be cedar, wolmanized or treated wood and may only be used in areas not adjoining parking lots or roadways, and which will not be subject to damage from vehicular traffic. **Fences shall comply with the City of Plymouth Fence Ordinance. Solid stockade fences shall be prohibited. Open weave or shadow box style fences which permit air flow shall be permitted.**
- (2) Plant materials along a wall or fence shall include at least one tree for each 20 feet or fraction thereof, and shall form a continuous screen from four feet, six inches in height to eight feet in height as required in section 78-206(a).

Wall

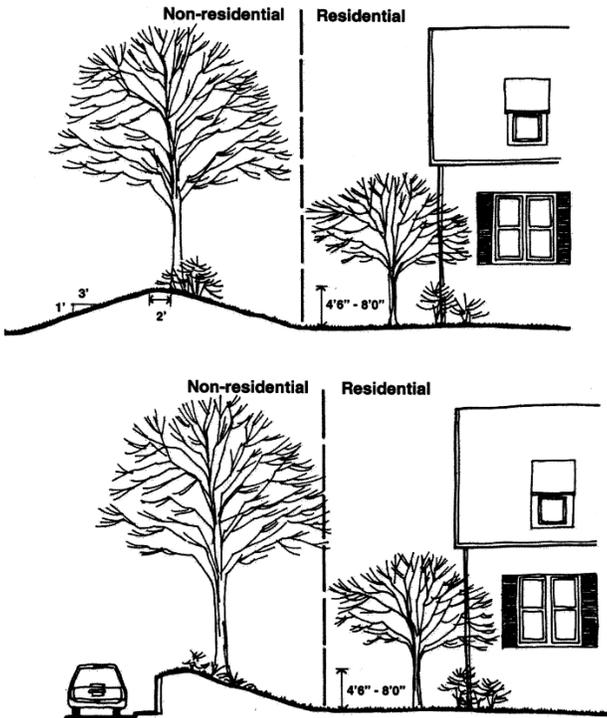


- (d) Required berms shall be constructed as landscaped earth mounds with a crest area at least two feet in width. The exterior face of the berm shall be constructed as an earthen slope. The interior face of the berm may be constructed as an earthen slope, or retained by means of a wall, terrace or other means acceptable to the building official. Whenever an earthen slope is provided, it shall be constructed with an incline not to exceed one foot of vertical rise to three feet of horizontal distance.
- (1) Berm slopes shall be protected from erosion by sodding or seeding. If slopes are seeded, they shall be protected with erosion control methods until the seed germinates and a permanent lawn is established. The berm area shall be kept free from refuse and debris and shall be planted with shrubs, trees or lawn and shall be maintained in a healthy, growing condition.

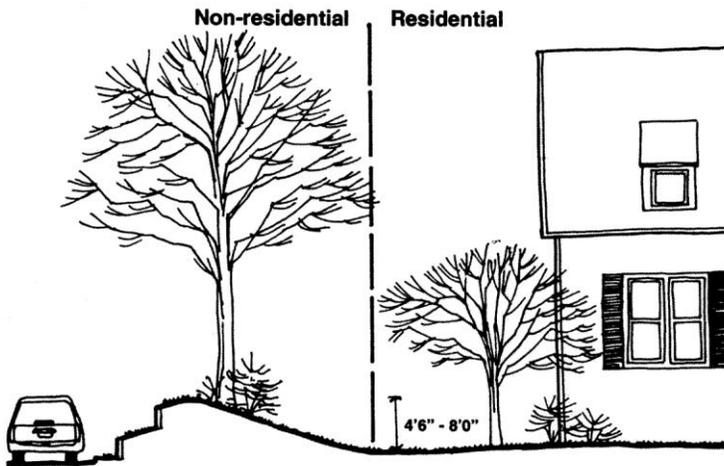
- (2) Plant materials within the berm area shall include at least one tree for each 20 feet or fraction thereof, and shall form a continuous screen from four feet, six inches in height to eight feet in height as required in section 78-206(a). A planting plan and grading plan shall be prepared for the berm and shall be reviewed by the planning commission.

Berms

Berms



Berms—Cont'd.



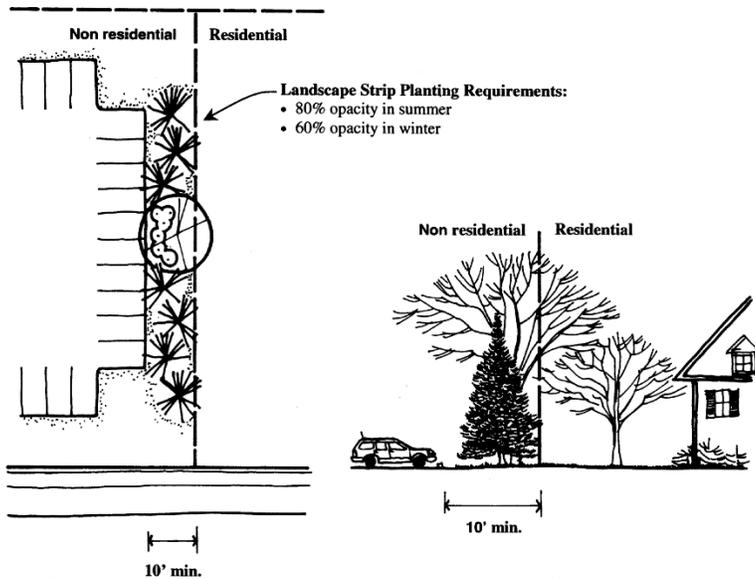
Berms-2

- (e) If a landscape strip is used as a buffer between conflicting uses, the landscape strip shall be at least ten feet in width. The landscape strip shall be planted with dense foliage in such manner as to provide a minimum opacity of 80 percent in summer and 60 percent in winter.

Landscape Strip

Landscape Strip

Landscape Strip



- (f) The planning commission may waive or modify the foregoing requirements of section 78-206, where cause can be shown that no good purpose would be served and that the waiver or modification would neither be injurious to the surrounding neighborhood nor contrary to the spirit and purpose of this chapter ~~provided that in no instance shall a required wall or berm be permitted to be less than four feet, six inches in height. In those instances where suitable screening will be achieved, the planning commission may allow planting, earth berms, or treated wood walls in place of masonry walls.~~
- (1) In consideration of request to waive wall or berm requirements between residential and nonresidential districts, or as otherwise required herein, the planning commission shall consider:
 - a. Whether or not the residential district is considered to be an area in transition and will become nonresidential in the future based on the adopted master plan.
 - b. Whether or not the existing use of land adjacent thereto is such that the obscuring effect of a wall or berm would achieve no substantial screening function.
 - c. Whether or not the ground elevation of the site in question and the land adjacent thereto is such that a wall or berm would not be required to provide the required obscuring effect.
 - (2) The planning commission may temporarily waive wall or berm requirements for an initial period not to exceed 12 months. Granting of subsequent waivers shall be permitted, provided that the planning commission shall make a determination as hereinbefore described for each subsequent waiver.
- (g) The city may require that suitable maintenance guarantee be provided for the continued maintenance of walls required under this chapter.
- (h) The requirement for an obscuring wall between off-street parking areas, outdoor storage areas, and any abutting residential districts may not be required when such areas are located more than 200 feet distant from such abutting residential district.
- (Ord. of 10-6-03; Ord. No. 2011-03, § 1, 1-17-11)

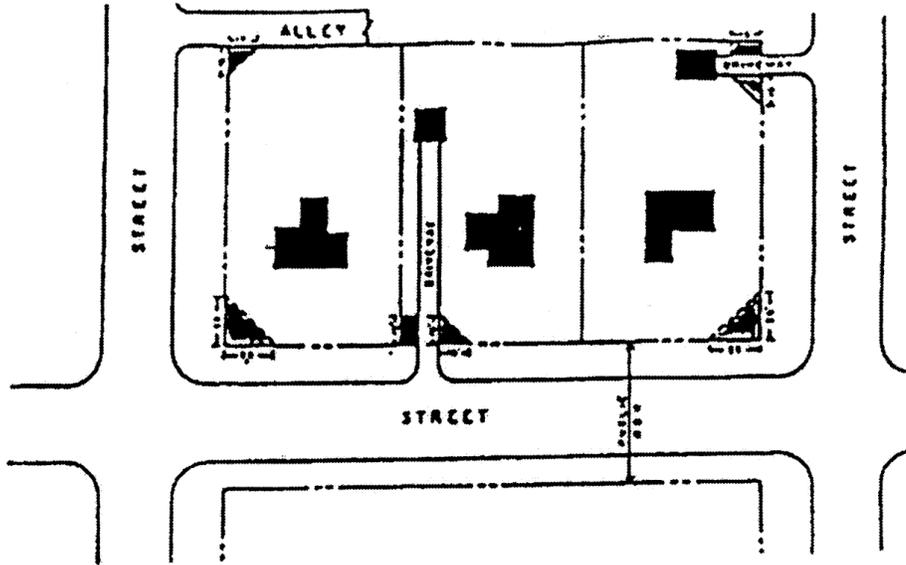
Sec. 78-207. Corner clearance.

- (a) A clear vision area shall be established within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines at a distance along each line of 25 feet from their point of intersection. Walls, fences, berms, shrubs, hedges or other plantings (excluding trees), and signs in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted or signs erected within this same area shall not have branches or portions of the sign area lower than eight feet above the average gutter grade.

(b) Similar restrictions as above shall be required in a 15-foot corner triangle formed at the intersection of any driveway and alley or any driveway and street right-of-way line.

(b) — (c) The planning commission may require adequate sight visibility, corner clearance and building setback within the B-2 zoning district. This may be required at the intersection of driveways and a public right-of-way in a manner to aid vehicular and pedestrian traffic. A triangular area of unobstructed vision for motorists and pedestrians shall be maintained at the intersection of the street right-of-way and driveway. The triangular area shall comply with Section 78-207 or as modified by the Building Official or Planning Commission for sites where strict compliance is impractical.

CORNER CLEARANCE



(Ord. of 10-6-03; Ord. No. 2007-01, § 5, 5-21-07)

Sec. 78-208. Residential fences.

See Chapter 18-381.

Fences or walls are permitted, subject to the paramount provisions of the City of Plymouth Fence Ordinance (Chapter 18, Building Regulations Article X, Fences 18-371—18-380) and subject to the further provisions of this section. If any of the provisions of this section should conflict with the City of Plymouth Fence Ordinance, the stricter provision shall prevail. It is the intent, however, that the following provisions be construed harmoniously with the fence ordinance where possible.

- (1) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard, whichever is greater (see Figure 1). In the case of a rear yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch tall picket fence may project into this area but shall not extend toward the front of the lot nearer than the front of the house (see Figure 2).

Figure 1.

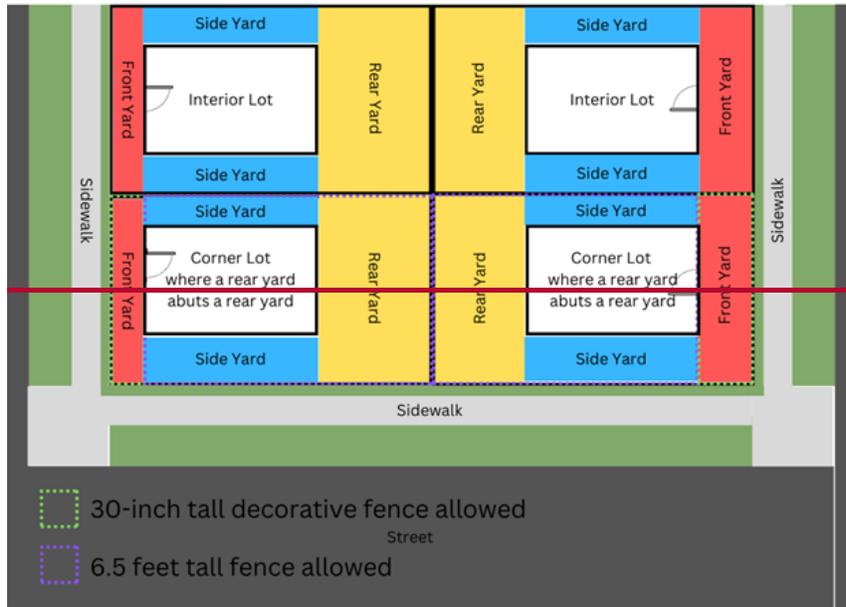
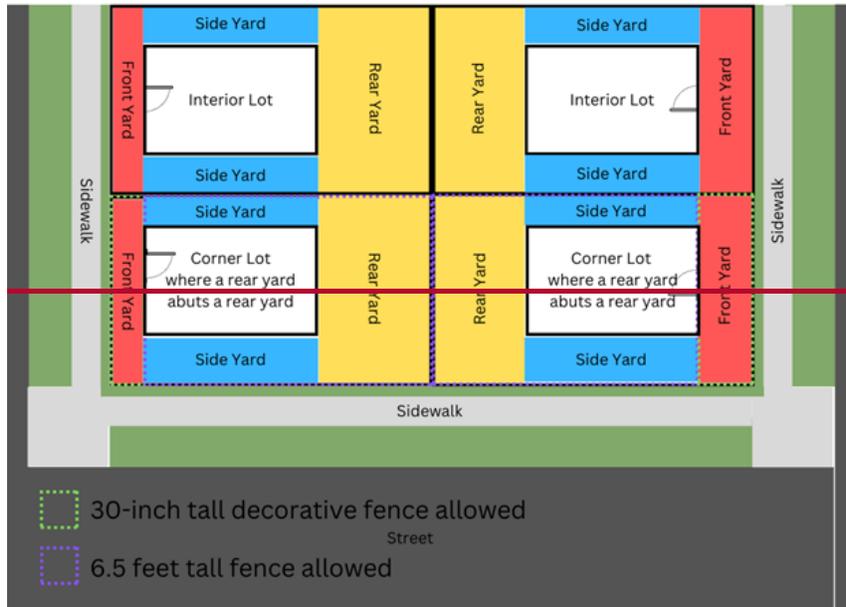


Figure 2.



- (2) Fences on lots of record shall not contain barbed wire, electric current, or charge of electricity. This shall exclude underground electric fences used for pet containment.
- (3) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (4) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (5) Fences for swimming pools shall comply with the regulations of the state construction code.
- (6) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, or plantings shall comply with the corner clearance requirements of section 78-207.
- (7) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.

~~(8) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.~~

~~(9) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches. This shall exclude screening walls constructed between conflicting land uses as specified in section 78-206.~~

~~(Ord. of 10-6-03; Ord. No. 2011-03, § 2, 1-17-11; Ord. of 8-7-23)~~

Sec. 78-209. Industrial fences.

See Chapter 18-383.

Fences are permitted in industrial districts as follows:

~~(1) Fences shall not be allowed within the front yard of any industry on sites of less than ten acres in size. Fences may be allowed in front yards of sites of ten acres or more after review and approval of the planning commission.~~

~~(2) Fences not to exceed eight feet in height shall be permitted in side and rear yards. Barbed wire shall be allowed on fences not less than eight feet in height in not more than three strands mounted in a "Y" at the top of the fence and shall be permitted provided such "Y" is located to project over the property being fenced.~~

~~(Ord. of 10-6-03)~~

Sec. 78-336. -- Reserved. Residential yard fences:

~~Fences or walls in residential districts may be constructed within a required rear or side yard, or along such property line as provided in accordance with City Code, Chapter 18, Article 10.~~

Proposed Ordinance (Clean Copy):

ARTICLE X. FENCES

Sec. 18-371. Purpose, intent.

It is the intent and purpose of this article to assure to occupants of all properties adequate light and air adjacent to structures and in yard areas, effective and desirable sight distance from the front of all structures in all directions, the right to provide for their own privacy within their properties, to protect plantings from damage by trespass, and to prevent such construction related thereto as would be hazardous.

Sec. 18-372. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Border means a planting area composed of shrubs, trees, etc., which is utilized as a part of the landscaping of a lot.

Decorative fence means a permanent barrier not used for enclosure. Any such fence shall be a part of the overall landscape plan and shall be composed of natural materials such as wood (i.e., split rail fence, picket, etc.) or a decorative metal construction (i.e., aluminum, wrought iron, etc.).

Fence means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary.

Gutter grade means the lowest point of integral curb and gutter down which water flows, or, when no curb or gutter exists, is the lowest point between the street and sidewalk down which water will flow or drain.

Picket fence means a permanent barrier enclosing a plot of land or portion thereof composed of manmade or processed materials erected on posts, for the purpose of preventing or controlling entrance or to confine within or to mark a boundary. A picket fence shall have spaced uprights connected by two or more horizontal rails. The uprights shall not exceed four inches in width. The space between uprights shall be a minimum of two and one-half inches and must not exceed four inches.

Sidewalk line means the edge of the constructed public sidewalk that is adjacent or closest to the lot line.

Wall means a barrier constructed of masonry or other solid materials on a continuous concrete footing for the purpose of controlling entrance, sound and/or view.

Cross reference(s)—Definitions generally, § 1-2.

Sec. 18-373. Prevention of hazards.

- (a) No fence, border or wall shall have exposed beneath a height of eight feet any sharp protrusions which would be likely to cause physical or material damage to persons or clothing passing by the fence, border or wall.
- (b) Any wall shall be capped with a peaked coping of sufficient pitch to discourage walking.

Sec. 18-374. Line fences and walls.

All fences and walls must be located entirely on the private property of the person constructing the same; provided, however, that if adjoining property owners jointly apply for and sign a permit to erect a fence upon their common property line, such fence may be so erected. No temporary type of barrier or temporary fence of any type shall be permitted in the front yard areas.

Sec. 18-375. Electric fences.

It shall be unlawful for any person to construct or maintain, or to allow to be constructed or maintained upon property owned or occupied by such person, any fence charged or connected with an electrical current in such manner as to transmit such current in the form of shock to persons or animals which might come in contact with such charged fence. This shall exclude underground electric pet containment fences.

Sec. 18-376. Appeals.

If there is believed to be a conflict between the stated intent and any specific provisions of this article, the zoning board of appeals may, in accordance with established procedures, permit modification of such specific provision, while retaining the intent, in such appealed instance.

Sec. 18-377. Permits.

- (a) It shall be unlawful for any person to construct, or cause to be constructed, any fence or wall upon any property within the city without first having obtained a permit.
- (b) Any person desiring to construct, or cause to be constructed a fence or wall upon property in the city shall first apply to the building department of the city for a permit, for which there shall be a fee, the amount of which shall be set by resolution of the city commission. Such permit shall be issued by the building inspector upon a written application and shall contain such information as may be required by the inspector in order to determine that such fence or wall will not violate any provision of the City Code or state law.

Sec. 18-378. Establishing lot lines.

The building inspector may require the owner of property upon which a fence is to be constructed to establish lot lines upon such property, through the placing of permanent stakes located by a licensed surveyor. Such lot line shall be established before such fence shall be erected, and the building inspector may withhold the issuance of the required permit until the lot lines are established and permanent stakes are placed.

Sec. 18-379. Borders.

Borders may be planted in any yard area subject to the following provisions:

- (a) Borders shall not be located nearer than two feet to any drive or walkway. Borders are also subject to additional restrictions as specified in this section.
- (b) No border shall obscure visibility within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between the right-of-way lines at a distance along each line of 25 feet from their point of intersection. Shrubs or hedges or other plantings (excluding trees) in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted within this same area shall not have branches lower than eight feet above the average gutter grade. Sight visibility shall be in accordance with section 78-207 of the zoning ordinance.
- (c) Similar restrictions as above shall be required in a 15-foot corner triangle formed at the intersection of any driveway and alley or any driveway and street right-of-way line.

Sec. 18-380. Fences and walls.

- (a) All posts thereof shall be of materials designed to withstand rusting, rotting and other weather-related deterioration for a period of not less than ten years.
- (b) Fences shall be setback a minimum of one foot away from the sidewalk line.
- (c) Solid masonry walls shall be erected on continuous foundations at least 42 inches below grade.
- (d) Fences or walls within a required front yard area shall be decorative style only consisting of wrought iron, metal, or pickets and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard area.
- (e) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, and borders shall comply with the corner clearance requirements of section 78-207.
- (f) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.

Sec. 18-381. Residential fences.

(a) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard setback, whichever is greater (see figure 1). In the case of a rear yard abutting a side yard, the side yard abutting a street shall be a continuation of the required front setback on the lot to the rear, and a 48-inch-tall picket fence may project into this area but shall not extend toward the front of the lot nearer than the front of the house (see figure 2).

Figure 1.

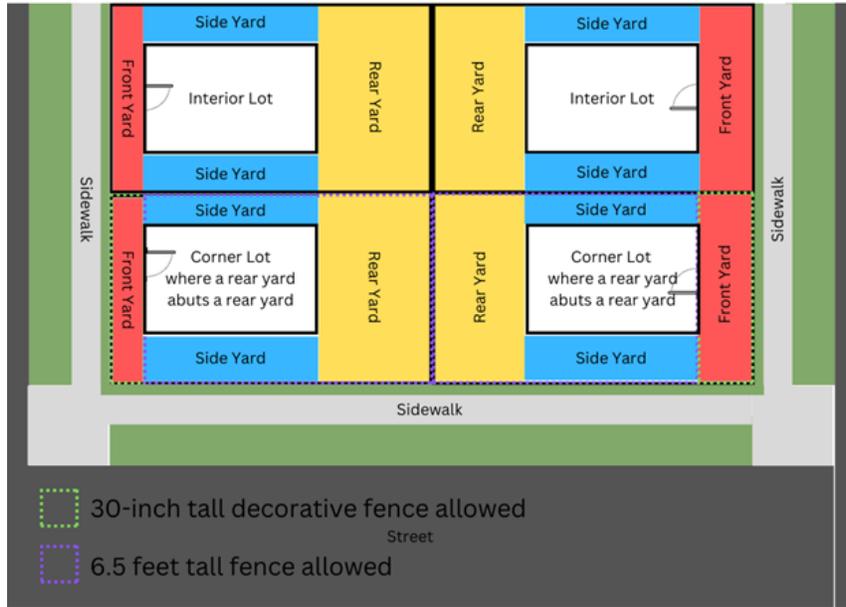
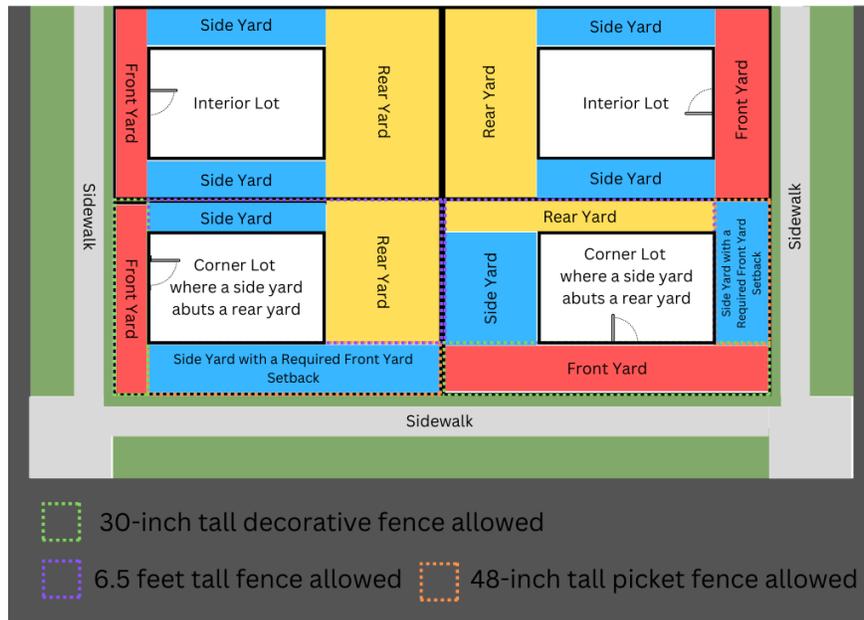


Figure 2.



- (b) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (d) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (e) Fences for swimming pools shall comply with the regulations of the state construction code.

- (i) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches.

Secs. 18-382. Office and business fences.

In office and business zoned areas, fences and walls should not exceed a height above ground level of more than six and one-half feet in side or rear yards.

Secs. 18-383. Industrial fences.

- (a) In industrial zoned areas, fences shall not be allowed within the front yard on sites of less than ten acres in size. Fences may be allowed in front yards of sites of ten acres or more after review and approval of the planning commission.
- (b) Fences not to exceed eight feet in height shall be permitted in side and rear yards. Barbed wire shall be allowed on fences not less than eight feet in height in not more than three strands mounted in a "Y" at the top of the fence and shall be permitted provided such "Y" is located to project over the property being fenced.

Secs. 18-384—18-400. Reserved.

CHAPTER 78

Sec. 78-21. Definitions.

Berm, obscuring, means an earthen mound of definite height and location to serve as an obscuring device in carrying out the requirements of this chapter.

Fence means a manmade structure constructed for the purpose of or to have the effect of enclosing the area it is constructed upon or as defined in the city Code.

Fence, shadow box means a privacy fence constructed from vertical pickets attached alternately to the front and back of horizontal rails.

Fence, stockade means a privacy fence constructed with vertical pickets placed tightly together with little to no gaps, supported by a horizontal rail.

Gutter grade means the lowest point of integral curb and gutter down which water flows, or, when no curb or gutter exists, is the lowest point between the street and sidewalk down which water will flow or drain.

Wall, obscuring, means a structure of definite height and location to serve as an obscuring screen in carrying out the requirements of this chapter.

Sec. 78-205. Residential entranceway.

In all residential districts, entranceway structures including but not limited to walls, columns and gates marking entrances to single-family subdivisions or multiple housing projects may be permitted and may be located in a required yard, except as provided in section 78-207, provided that such entranceway structures shall comply with all codes of the city, and shall be approved by the building department and a permit issued.

Sec. 78-206. Obscuring walls and berms.

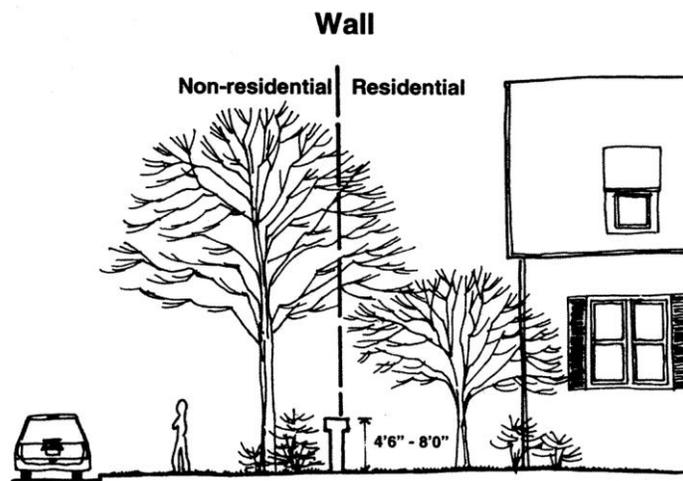
- (a) For the use districts and uses listed below, there shall be provided and maintained on those sides abutting or adjacent to a residential district, a screening wall, fence, landscaped berm or landscape strip as required below. The height of the fence, wall, or berm shall be measured from the surface of the parking area or land on the nonresidential side of the wall.

	Use	Height Requirements
(1)	RM, RM-1 and RM-2 districts (on those sides adjacent to one-family residential districts)	4½ feet to 6½ feet
(2)	P-1 vehicular parking districts	4½ feet
(3)	Off-street parking area (other than vehicular parking districts)	4½ feet
(4)	O-1, O-2, B-1, B-2 and B-3 districts	4½ feet to 6½ feet
(5)	I-1 and I-2 districts	4½ feet to 8 feet

(6)	Utility buildings, stations and/or substations	6½ feet
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- (b) In the case of variable wall, fence or berm height requirements such as in subsections (a)(1), (4), and (5) of this section, the extent of the obscuring wall, fence, or berm shall be determined by the planning commission on the basis of land usage, provided further that no wall, fence or berm shall be less than the above required minimum.
- (c) Required walls shall be located on the lot line except where underground utilities interfere and except in instances where this chapter requires conformance with yard setback lines. Required walls may, upon approval of the planning commission, be located on the opposite side of an alley right-of-way from a nonresidential zone that abuts a residential zone when mutually agreeable to affected property owners. The continuity of the required wall on a given block will be a major consideration of the planning commission in reviewing such request.
 - (1) Required walls shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this chapter and except as may be approved by the building official. All walls herein required shall be constructed of face brick or comparable nonporous facing materials and shall be durable, weather resistant, rust-proof and easily maintainable. Wood screen walls or fences shall be cedar, wolmanized or treated wood and may only be used in areas not adjoining parking lots or roadways, and which will not be subject to damage from vehicular traffic. **Fences shall comply with the City of Plymouth Fence Ordinance. Solid stockade fences shall be prohibited. Open weave or shadow box style fences which permit air flow shall be permitted.**
 - (2) Plant materials along a wall or fence shall include at least one tree for each 20 feet or fraction thereof, and shall form a continuous screen from four feet, six inches in height to eight feet in height as required in section 78-206(a).

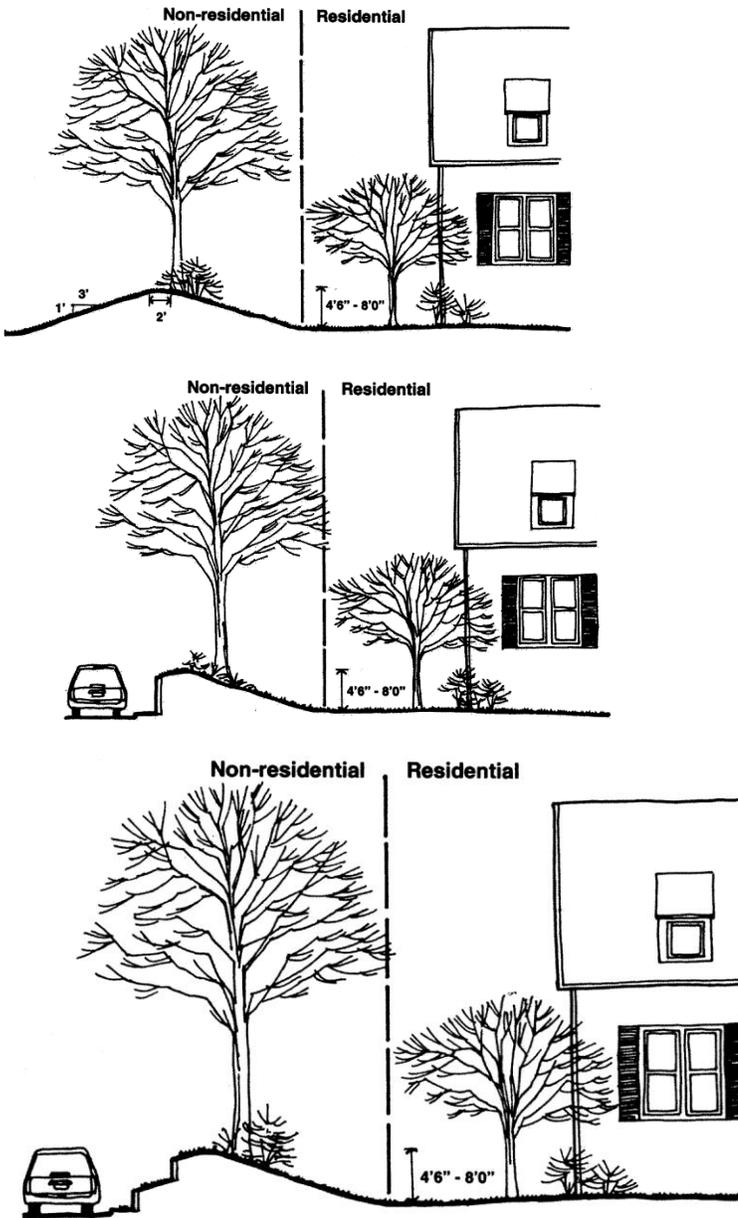
Wall



- (d) Required berms shall be constructed as landscaped earth mounds with a crest area at least two feet in width. The exterior face of the berm shall be constructed as an earthen slope. The interior face of the berm may be constructed as an earthen slope, or retained by means of a wall, terrace or other means acceptable to the building official. Whenever an earthen slope is provided, it shall be constructed with an incline not to exceed one foot of vertical rise to three feet of horizontal distance.
 - (1) Berm slopes shall be protected from erosion by sodding or seeding. If slopes are seeded, they shall be protected with erosion control methods until the seed germinates and a permanent lawn is established. The berm area shall be kept free from refuse and debris and shall be planted with shrubs, trees or lawn and shall be maintained in a healthy, growing condition.
 - (2) Plant materials within the berm area shall include at least one tree for each 20 feet or fraction thereof, and shall form a continuous screen from four feet, six inches in height to eight feet in height as required in section 78-206(a). A planting plan and grading plan shall be prepared for the berm and shall be reviewed by the planning commission.

Berms

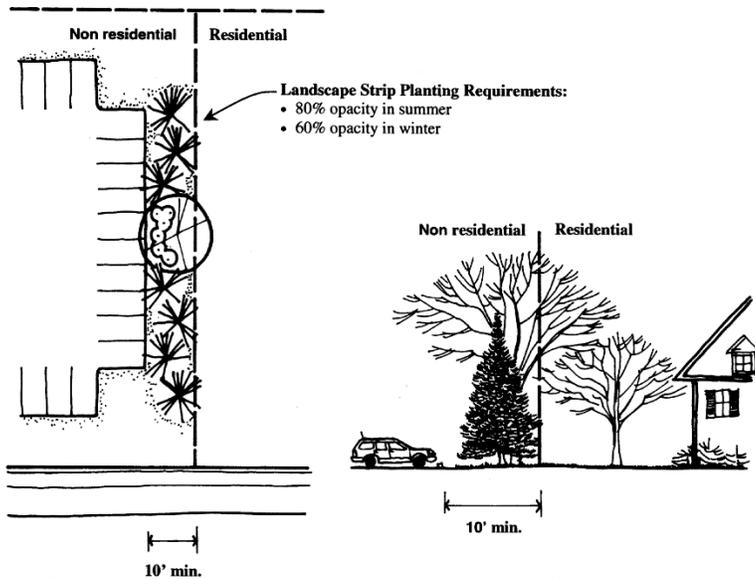
Berms



- (e) If a landscape strip is used as a buffer between conflicting uses, the landscape strip shall be at least ten feet in width. The landscape strip shall be planted with dense foliage in such manner as to provide a minimum opacity of 80 percent in summer and 60 percent in winter.

Landscape Strip

Landscape Strip



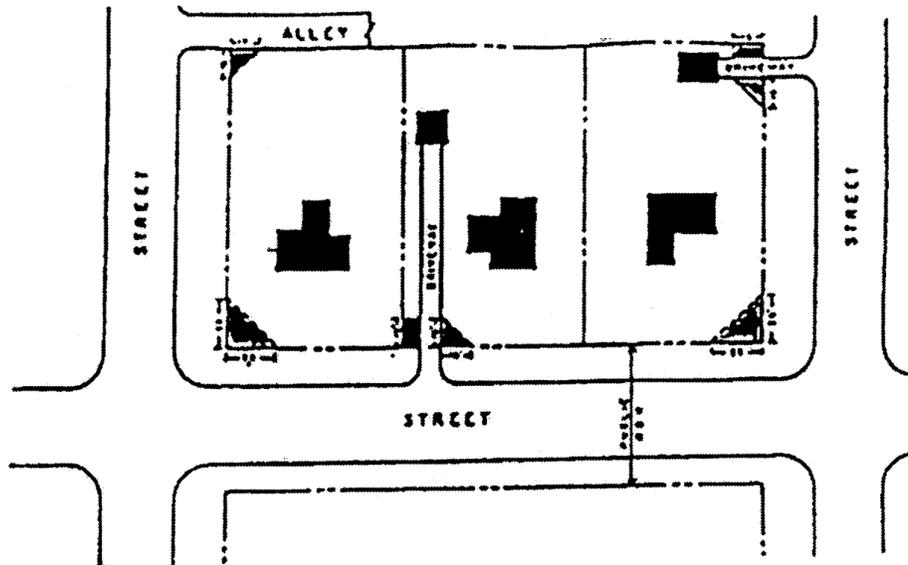
- (f) The planning commission may waive or modify the foregoing requirements of section 78-206, where cause can be shown that no good purpose would be served and that the waiver or modification would neither be injurious to the surrounding neighborhood nor contrary to the spirit and purpose of this chapter.
- (1) In consideration of request to waive wall or berm requirements between residential and nonresidential districts, or as otherwise required herein, the planning commission shall consider:
 - a. Whether or not the residential district is considered to be an area in transition and will become nonresidential in the future based on the adopted master plan.
 - b. Whether or not the existing use of land adjacent thereto is such that the obscuring effect of a wall or berm would achieve no substantial screening function.
 - c. Whether or not the ground elevation of the site in question and the land adjacent thereto is such that a wall or berm would not be required to provide the required obscuring effect.
 - (2) The planning commission may temporarily waive wall or berm requirements for an initial period not to exceed 12 months. Granting of subsequent waivers shall be permitted, provided that the planning commission shall make a determination as hereinbefore described for each subsequent waiver.
- (g) The city may require that suitable maintenance guarantee be provided for the continued maintenance of walls required under this chapter.
- (h) The requirement for an obscuring wall between off-street parking areas, outdoor storage areas, and any abutting residential districts may not be required when such areas are located more than 200 feet distant from such abutting residential district.

Sec. 78-207. Corner clearance.

- (a) A clear vision area shall be established within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between such right-of-way lines at a distance along each line of 25 feet from their point of intersection. Walls, fences, berms, shrubs, hedges or other plantings (excluding trees), and signs in this area shall not exceed 30 inches in height above the average gutter grade adjacent to this area. Trees planted or signs erected within this same area shall not have branches or portions of the sign area lower than eight feet above the average gutter grade.
- (b) Similar restrictions as above shall be required in a 15-foot corner triangle formed at the intersection of any driveway and alley or any driveway and street right-of-way line.
- (c) The planning commission may require adequate sight visibility, corner clearance and building setback within the B-2 zoning district. This may be required at the intersection of driveways and a public right-of-way in a manner to aid vehicular and pedestrian traffic. A triangular area of unobstructed vision for motorists and pedestrians shall be maintained at the

intersection of the street right-of-way and driveway. The triangular area shall comply with Section 78-207 or as modified by the Building Official or Planning Commission for sites where strict compliance is impractical.

CORNER CLEARANCE



Sec. 78-208. Residential fences.

See Section 18-381.

Sec. 78-209. Industrial fences.

See Section 18-383.

Sec. 78-336. – Reserved.