

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



---

### Work Session: Fence Regulations

---

Meeting Date: November 28, 2013  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 5  
Staff Contact: Mike McKerrow  
Contact Telephone Number: 541-682-5288

---

#### **ISSUE STATEMENT**

This work session provides an opportunity for the council to review how the City regulates fences. One area of discussion is the interest of gardeners to keep deer out of their garden and current fence standards.

#### **BACKGROUND**

Eugene's land use code is an important part of creating, protecting and improving the quality of life in Eugene. The code provides fence standards which regulate the height and location of fences on private property. The work session will focus on fences in residential areas.

Fence standards first appeared in Eugene's land use code in 1968. Residential areas were limited to fences up to six feet in height in the back yards of homes. Since then, fences greater than six feet in height need a building permit to ensure wind won't blow them over. In addition, these taller fences have to be at least five feet from the property line.

With adoption of an updated land use code in 2001, fence standards changed. While the limits for back yard fences stayed at six feet in height, the maximum height for fences in the front yard setback (the first ten feet of private property adjacent to a street) decreased from six feet down to 42 inches. The goal was to improve the streetscape aesthetic and increase "eyes on the street" by eliminating tall fences along sidewalks.

In 2008, the front yard fence height standard was modified for corner lots. The land use code now allows a six-foot high fence along portions of the sidewalk to provide homes on corner lots with more privacy options.

Two years ago, it was clarified that a building permit is not required for fences up to eight feet if the section of the fence between six and eight feet consists only of several smooth continuous wires spanning between posts.

**RELATED CITY POLICIES**

Eugene Code 6.010(d) (prohibits electric fences and limits barbed wire)  
State Building Code, administered by City staff, requires a building permit for solid fences over six feet in height.

**COUNCIL OPTIONS**

No council options at this time. Work session is discussion only.

**CITY MANAGER'S RECOMMENDATION**

There is no City Manager recommendation.

**SUGGESTED MOTION**

There is no suggested motion.

**ATTACHMENTS**

- A. Eugene Code 9.2750 Fences and Eugene Code 9.2751(14) Fence Standards
- B. Fence Figure 9.2751(14) (b) 1

**FOR MORE INFORMATION**

Staff Contact: Mike McKerrow  
Telephone: 541-682-5288  
Staff E-Mail: [mike.j.mckerrow@ci.eugene.or.us](mailto:mike.j.mckerrow@ci.eugene.or.us)