

a. Height Regulations

1. In General.

The height of walls, view fences, and combination view fences shall be measured vertically from the finished grade on the exterior side of the wall or view fence. Raising the finished grade by placing fill solely for the purpose of adding additional height to a wall, view fence or combination view fence is prohibited. If a wall, view fence or combination view fence is placed on a berm, the height shall be measured vertically from the base of the berm.

2. Adjoining Local, Collector, and Minor Arterial Streets.

The maximum height of a wall, view fence or combination view fence, including the berm, adjoining a local, collector, and minor street shall not exceed six (6) feet, further provided that no portion of a wall or fence located between the ten- (10) foot and forty- (40) foot front yard setback shall exceed three (3) feet, except for view fencing and combination view fencing, which may extend up to six (6) feet at a front yard setback of twenty (20) feet or greater, and except for entry gates and columns as permitted under Section 2413. See Table 2404A for additional criteria.

3. Adjoining Major Arterial Streets.

The maximum height of a wall, view fence and combination view fence, including the berm, adjoining a major arterial street shall not exceed eight (8) feet. The maximum exposed vertical wall or view fence element from the exterior side of the property shall be no more than six (6) feet, except for a single entry gate and columns as permitted under Section 2413. See Table 2404A for additional criteria.

4. Adjoining Non-Residential Properties Other Than Along A Right-Of-Way

The maximum height of a wall, view fence and combination view fence, including the berm, between a residential property and an adjoining non-residential property, other than a right-of-way, shall not exceed eight (8) feet. When such a wall is adjoining or visible from a right-of-way and/or open space area, it shall complement the architectural character of the main house, and shall have a finish texture, color, and material on both sides compatible with the primary building on-site, or as determined by the town. See Table 2404A for additional criteria.

b. Setbacks Regulations

1. In General.

Setbacks for a wall, view fence or combination view fence will vary depending on whether it is a) adjoining a right-of-way or other property; b) adjoining a major arterial or other street classification; c) located in the front yard or other sides of the lot; d) considered a wall or a view fence; e) meandering and based on the amount of meander utilized in the wall's construction or f)

meets the criteria for combination view fencing set forth in Section 2402. Walls, view fences or combination view fencing not adjoining a public or private right-of-way may be built at or on the property lines with no setback requirement. See Table 2404A and B for additional criteria.

2. Adjoining Local, Collector, and Minor Arterial Streets.

Solid walls or fences not meeting the criteria for view fencing or combination view fencing located in the front yard of a lot adjoining local, collector, or minor arterial streets that exceed three (3) feet in height shall be setback at least forty (40) feet from the right-of-way property line. View fences or combination view fences located in the front yard of a lot adjoining local, collector, or minor arterial streets that are six (6) feet in height or less shall be setback at least twenty (20) feet from the right-of-way property line. Walls, view fences, or combination view fences located in the front yard of a lot adjoining local, collector, or minor arterial streets that are three (3) feet in height or less shall be setback at least ten (10) feet from the right-of-way property line, except for the area allotted to an entry gate, as permitted under Section 2413, may be greater than the three foot height limitation. Walls located in the side or rear yard of a lot adjoining local, collector, or minor arterial streets, three (3) feet in height or less, shall be setback at least ten (10) feet from the right-of-way property line. Walls located in the rear or side yard of a lot adjoining local, collector, or minor arterial streets that exceed (3) three feet in height, shall be setback at least twenty (20) feet from the right-of-way property line; however, a view fence may be constructed at a ten (10) foot setback, or a meandering wall may be constructed at an average fifteen (15) foot setback, provided they meet the criteria set forth in this article and Table 2404A. See Table 2404A for additional criteria.

3. Adjoining Major Arterial Streets.

Walls exceeding three (3) feet in height that adjoin major arterial streets shall be setback at least twenty (20) feet from the right-of-way property line; however, a view fence may be constructed at a ten (10) foot setback or a meandering wall may be constructed at an average fifteen (15) foot setback provided they meet the criteria set forth in this article and Table 2404 A. Walls three (3) feet in height or less may be constructed at the ten (10) foot setback. See Table 2404A for additional criteria.

4. Additional Criteria for Meandering Walls.

Meandering walls shall maintain an average setback of not less than fifteen (15) feet, said average to be determined by comparing the area between the ten (10) and the fifteen (15) foot setback area (noted as Area “A” on Figures 2404-A through -C) with the area encroaching between the fifteen (15) and the twenty (20) foot setback area (noted as Area “B” on Figures 2404-A through -C) such that the area located between the ten (10) and the fifteen (15) foot setback area shall be equal to or less than the area located between the fifteen (15) and twenty (20) foot setback area. Walls that have no significant meander and that are configured to meet the criteria set forth herein solely for the purpose of moving to a fifteen (15) foot setback are impermissible. See Tables 2404A and 2404B for additional criteria.

Table 2404A summarizes many of the regulations relating to height and setback regulations for walls, meandering walls, view fences, and combination view fences; and sets forth additional criteria related to these structures. Table 2404B sets forth additional criteria for meandering walls.

d. Additional Criteria for View Fences and Combination View Fences.

Properties that contain view fencing or combination view fencing over 3' in height and between 20' and 40' of the front yard setback may not also contain hedges over 3' in height in the front yard or in any unpaved sections of right-of-way and must have a hedge maintenance agreement executed and recorded prior to the issuance of a building permit for the combination view fencing. The maintenance of the hedge is the responsibility of the property owner. The hedge maintenance agreement shall:

- (a) Be in a form acceptable to the Town Manager or Designee,
- (b) Grant the Town easement rights and a right of entry in, over, and across the Hedge and Landscape Area for purposes of complying with this section,
- (c) Specify that the maintenance responsibility for the Hedge and Landscape Area remains private,
- (d) Be recorded in the Maricopa County Recorder's office, and
- (e) Specify that the property owner shall maintain the hedge within the Hedge and Landscape Area in compliance with all applicable Town codes.

TABLE 2404A – ALL RESIDENTIAL DISTRICTS SETBACK AND HEIGHT REGULATIONS FOR WALLS / VIEW FENCES/COMBINATION VIEW FENCES

FRONT YARD ALONG RIGHTS-OF-WAY			
STREET TYPE	TYPE OF WALL OR FENCE	SETBACK FROM PROPERTY LINE, FEET	MAXIMUM HEIGHT, FEET
Major	View Fence	10, Minimum	**8, including berm
	Meandering Wall	15, Average	**8, including berm
	All Others	20, Minimum	**8, including berm
	Any	10, Minimum	3
Local, Collector, Minor	Any	10, Minimum	3
	View Fence/Combination View Fence	***20, Minimum (Landscape Restrictions with Maintenance Requirements)	6
	All Others	*40, Minimum	6
SIDE OR REAR YARD ALONG RIGHTS-OF-WAY			
Major	View Fence	10, Minimum	**8, including berm
	Meandering Wall	15, Average	**8, including berm
	All Others	20, Minimum	**8, including berm
	Any	10, Minimum	3
Local, Collector, Minor	View Fence	10, Minimum	6
	Meandering Wall	15, Average	6
	All Others	20, Minimum	6
	Any	10, Minimum	3
SIDE OR REAR YARD INTERIOR (not along any right-of-way)			
Not applicable	Any	None Required	6
SIDE OR REAR YARD INTERIOR (adjoining non-residential property other than a right-of-way)			
Not applicable	Any	None Required	**8, including berm

* In R-18A Zoning Districts, the front yard setback along local, collector, or minor streets is minimum 35 feet.

In R-10 Zoning Districts, the front yard setback along local, collector, or minor streets is minimum 20 feet, or as shown on the recorded plat, or as existing at the time of annexation.

The setbacks shown on the recorded plat take precedence. If there are no setbacks shown on the recorded plat, the applicant shall choose a setback of 20 feet or a setback as existing at time of annexation. Reference Table 2404A for R-10 Zoning District side and rear yard setbacks.

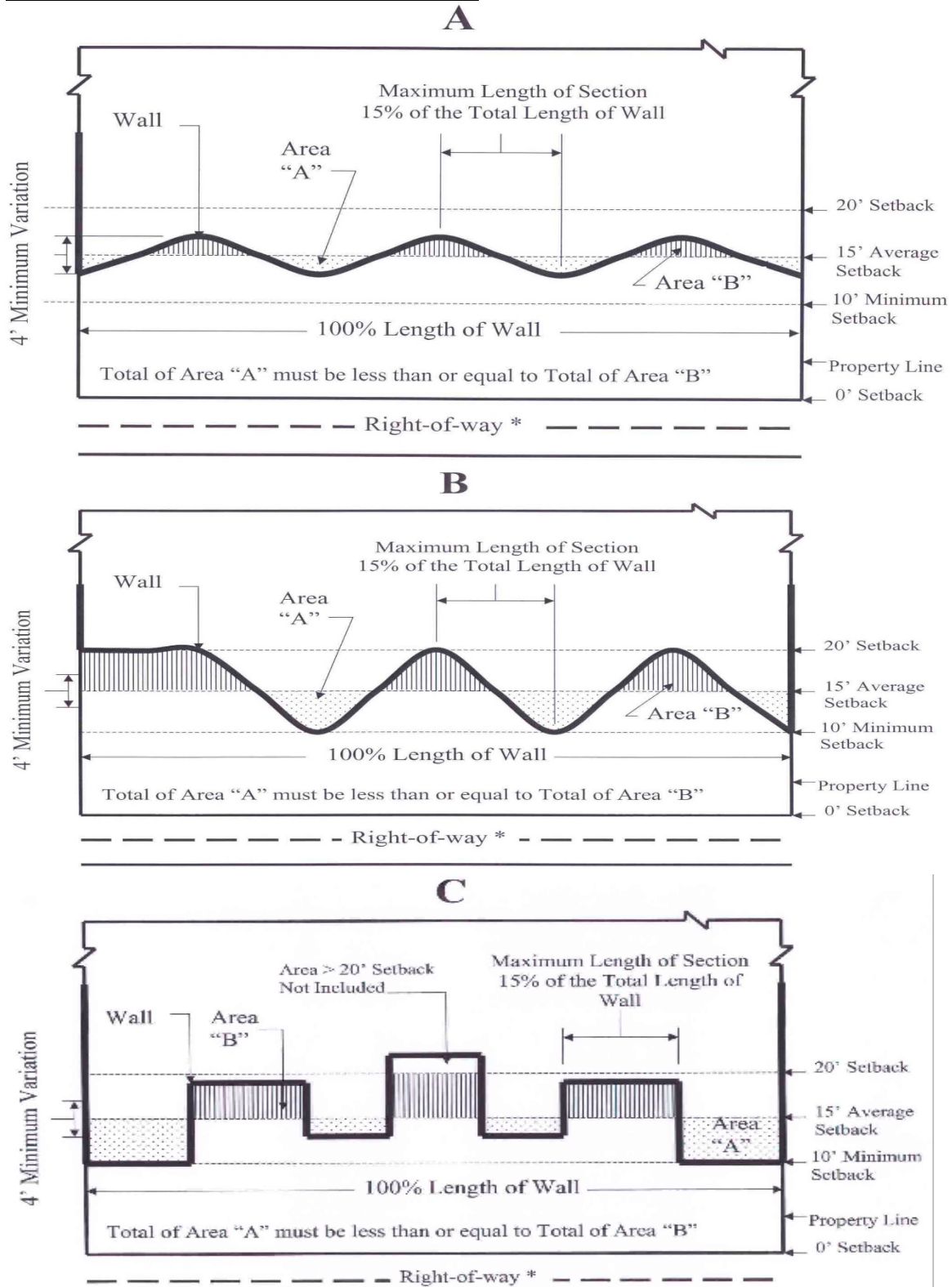
** Refer to Section 2404(a) for details

*** Refer to Section 2404.d for landscape restrictions.

TABLE 2404B – ADDITIONAL MEANDERING WALLS CRITERIA

Minimum setback from property line	10 feet
Minimum variation offset from average setback	4 feet
Maximum length of any single section meandering between the 10' and 20' setback	15% of total wall length
Maximum setback area allowed in determining meandering setback	20 feet

FIGURE 2404 – MEANDERING WALLS



* Major Arterial Roadway along the Front or Side or Rear Yard. Or, Local, Collector, or Minor Arterial Roadway along the Side or Rear Yard