



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
Fax (563) 262-4142

COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Planning and Zoning Commission

From: Andrew Fangman, City Planner

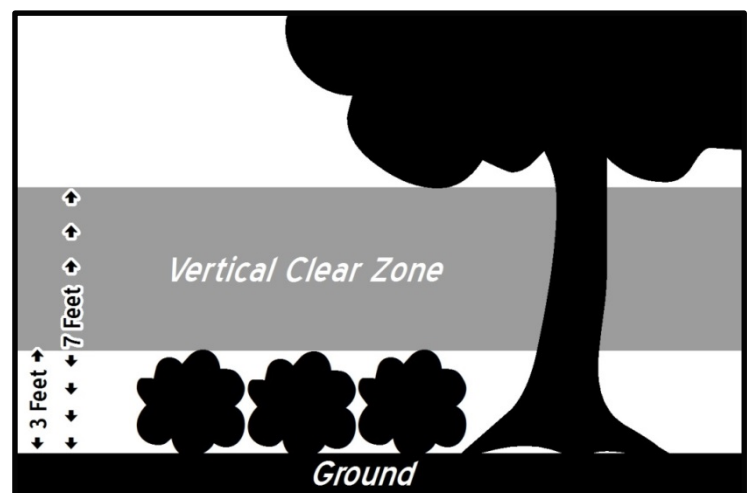
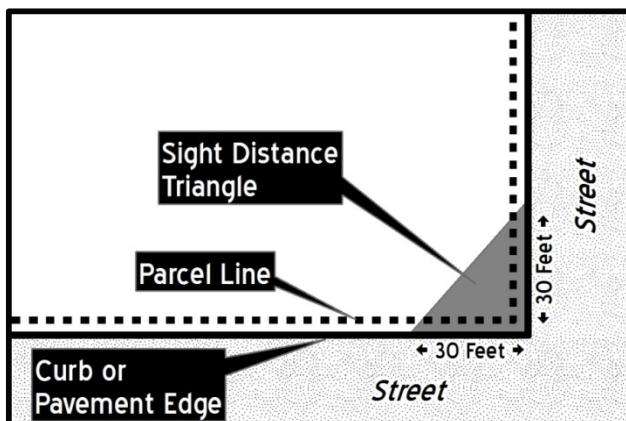
Date: June 10, 2014

Re: Initial Draft of the Portion of the New Zoning Ordinance that Deals with Sight Triangle Regulations

This chapter covers sight triangle regulations. Sight triangles are a triangular area at an intersection, formed by the two roads and a third line, which is to be kept clear of obstructions of specified height, such as hedges so that people in one road can see cars approaching on the other. The majority of these regulations remain unchanged from what is contained in the current zoning ordinance. However two major changes are being proposed, one relating to how sight triangles are measured, and a change to the required vertical clear zone. These regulations have also been reformatted, illustrated, and placed in their own chapter in order to make them more user friendly.

Current regulations do not specify where exactly the required 30 feet from an intersection, that comprise a sight triangle, should be measured from and this has caused confusion. The proposed regulations would specify that this is to be measured from the curb or edge of the pavement.

Regulations relating to the vertical clear zone, the area within a sight triangle that must be kept clear of any obstructions, are being proposed for updating. Currently nothing higher than 3 feet is allowed within a sight triangle. The revised regulations prohibit obstructions between 3 and 7 feet. This widely used standard allows vehicles the necessary visibility, but allows for things such as tree canopies to overhang the vertical clear zone.



"I remember Muscatine for its sunsets. I have never seen any
on either side of the ocean that equaled them" — Mark Twain



Title 10 – Zoning

Chapter XXX – Fence Regulations

10-XXX-1 Regulations for Fences in Residential Districts

- A.** The maximum allowed height of fences are as follows:
 - 1. **Rear Yards:** 6 feet.
 - 2. **Side Yards:** 6 feet.
 - 3. **Portion of Front Yards That are Less Than 25 feet of the Front Property Line:**
 - i. Fences that are more than 25% opaque: 3 feet.
 - ii. Fences that are less than 25% opaque: 6 feet.
 - 4. **Portion of Front Yards that are More Than 25 feet of the Front Property Line:** 6 feet.
- B.** No fence shall contain barbed wire, razor wire, electrical current or charge of electricity, or similar hazardous materials or devices except in and those districts that allow the keeping of livestock as a permitted use.

10-XXX-2 Regulations for Fences in Non-Residential Districts

- A.** Barbed wire or similar materials are allowed, if located on top of a fence or wall that is at least 6 feet in height.
- B.** No fence shall contain razor wire, broken glass or similar hazardous materials or devices.

10-XXX-3 Sight Triangle

All located with sight distance triangles as defined in Chapter XXX must comply with the height restrictions contained within Chapter XXX.

10-XXX-4 Fencing Required Around Outdoor Pools

A swimming pool, or other contained body of water of more than 24 inches or more in depth at any point and is intended for swimming, shall be enclosed by a fence or wall meeting the following criteria:

- A.** Be entirely enclosed by at least a four foot wall, fence or other barrier as measured on the exterior side of the wall, fence or barrier.

- B. Have no openings in the wall, fence or barrier through which a spherical object 4 inches in diameter can pass. *Figure A.*

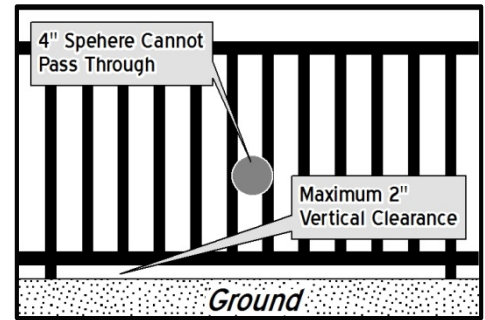


Figure A

- C. Have a vertical clearance between grade and the bottom of the wall, fence or barrier of less than 2 inches, as measured from the side of the wall, fence or barrier that faces away from the pool.

When a wall, fence or barrier is composed of vertical and horizontal members and the distance between the tops of the horizontal members greater than or equal to 45 inches spacing between vertical members shall not be greater than 4 inches. *Figure B.*

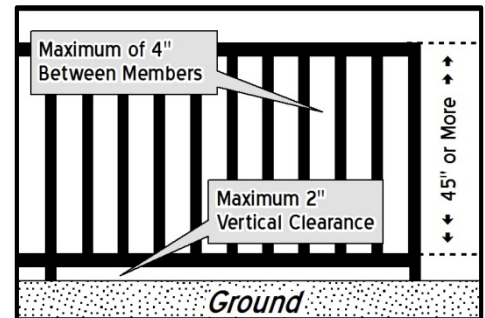


Figure B

- D. When a wall, fence or barrier is composed of vertical and horizontal members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the swimming pool side of the wall, fence or barrier. Spacing between the vertical members shall not be greater than 1 3/4 inches. *Figure C.*

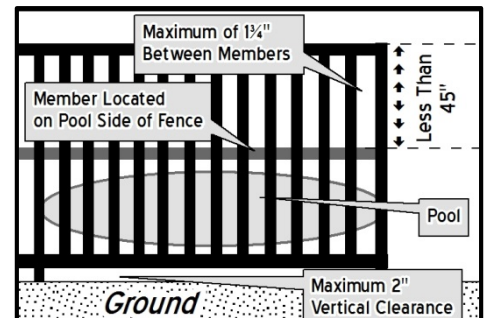


Figure C

- E. Where there are decorative cutouts on any vertical member, spacing within the cutouts shall not exceed 1 3/4 inches.
- F. When a wall, fence or barrier is composed of diagonal members, the openings formed by the diagonal members shall not be greater than 1 3/4 inches.
- G. Mesh size for chain link fences shall not be greater than a 2 1/4 inch square, unless the fence is provided with slats fastened at the top or bottom which reduce the size of the openings to 1 3/4 inches. *Figure D.*

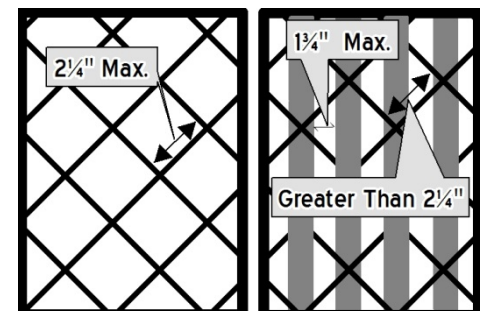


Figure D

- H. Gates for the enclosure shall:
1. Be self-closing and self-latching.
 2. The latch shall be located:
 - i. At least 54 inches above the underlying ground or;



DRAFT City of Muscatine, Iowa—Zoning Ordinance

Chapter XXX: Fence Regulations

- ii. Be located on the pool side of the gate with a release mechanism at least 3 inches below the top of the gate and no opening greater than ½ inch within 24 inches of the release mechanism.
- 3. Open outward from the pool.
 - I. The wall, fence or barrier shall not contain openings, handholds or footholds accessible from the exterior side of the enclosure that can be used to climb the wall, fence or barrier.
 - J. Solid barriers which do not have opening shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
 - K. When an aboveground pool structured is used as barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps shall be:
 - i. Capable of being secured, locked, or removed to prevent access, without creating any openings that would allow the passage of a 4 inch sphere, or:
 - ii. Surrounded wall, fence or barrier that meets all requirements contained within this Chapter.