



## FENCES, RETAINING WALLS AND THE SCAPPOOSE MUNICIPAL CODE – A Quick Guide

### INSTALLING A FENCE?



Ensure your fence, retaining wall or an accessory structure near your property line or public Right-of-Way (ROW), complies with the Scappoose Municipal Codes and State of Oregon Building Code.

### OR RETAINING WALL?



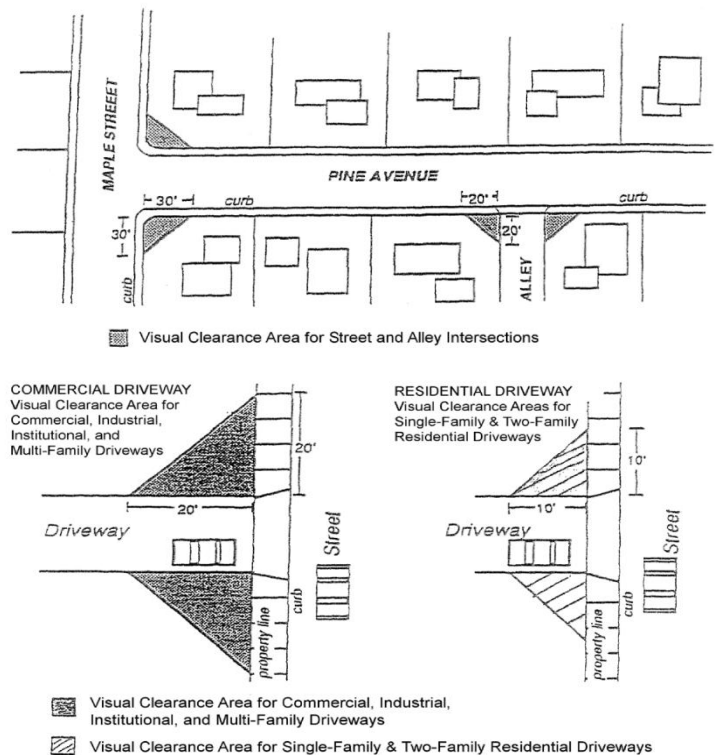
### HEIGHT RESTRICTIONS:

- Fence, wall, and landscaping heights, within the front yard setback (check your zone, it's usually 15' or 20' from property line), may only be up to **4' high** when located outside Visual Clearance Areas (VCA).
- Retaining walls up to 4' which do not support a structure or retain materials to protect a structure may be built without Planning or Building Department permits.
- Fences up to 7' may be built without Planning or Building Department permits, when located outside of the front yard setback and VCA.
- Please contact the City Community Development Department for permit info if you wish to build a fence higher than 7'.
- The City's Landscape, Screening, and Fencing code can be found in Ch. 17.100; <https://scappoose.municipal.codes/Code/17.100>
- Properties within the special flood hazard areas can have fences, when located out of the floodway with sufficient openings as not to impede, retard or change flow of water per Ch. 17.84. See link below for floodplain maps; <https://www.scappoose.gov/planning/page/city-maps>

### VISUAL CLEARANCE AREAS (VCA):

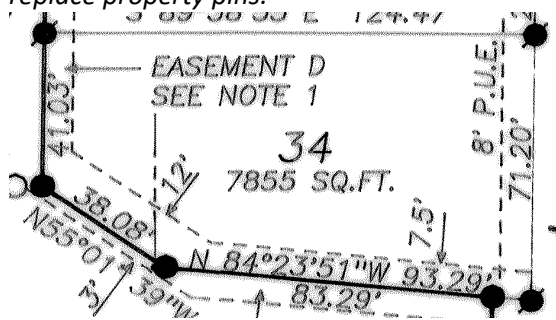
- The Visual Clearance Areas (VCA) for corner lots and driveways require obstruction-free areas for pedestrians and vehicle traffic sight distances. No fence or retaining wall may exceed 3' in height within the VCA.
- The Municipal Code chapter for VCAs can be found within Ch. 12.10.

Figure 12.10.1: Visual Clearance Areas for Streets and Alleys



**PROPERTY LINES:**

- Most homeowners are unaware of the location of their property lines and existing Public Utility Easements (PUE) on their property in relation to the public Right-of-Way (ROW) width.
- Fences, retaining walls, and/or accessory structures in a PUE or the public ROW are **not allowed**.
- The City GIS imagery shows only the **approximate** location of property lines.
- The only way to be certain of the exact location of property lines is to hire a surveyor to locate the property pins and distances between each.
- Alternatively, you may try to locate the property pins yourself. Typically, metal property pins are located at the corner of each lot or intersection of property lines indicated with a black dot on the plat map and surveys (see below example). These documents are accessible via the County Web Maps: <https://gis.columbiacountymaps.com/ColumbiaCountyWebMaps/>
- Newer subdivisions have stamped-cap iron rods buried. The challenge is when a new fence or tree is installed near property corners; these iron rods get accidentally moved or removed.
- In older parts of the City, the property pin can look similar to a long iron rod/nail or a railroad stake without any caps or markings.
- **Please Note:** it is illegal to remove property pins. Only a licensed surveyor can install or replace property pins.



**PUBLIC UTILITY EASEMENTS:**

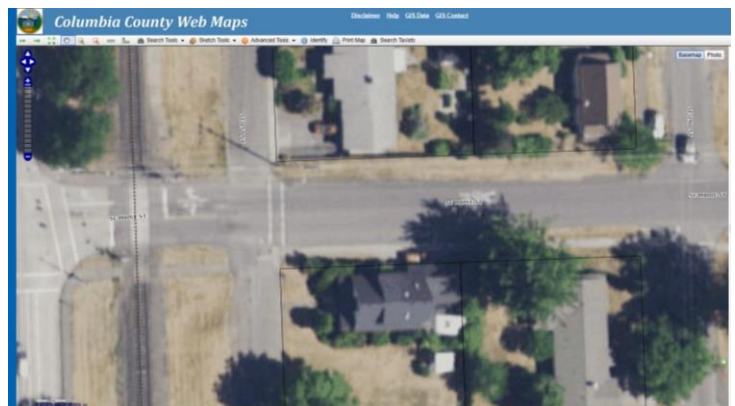
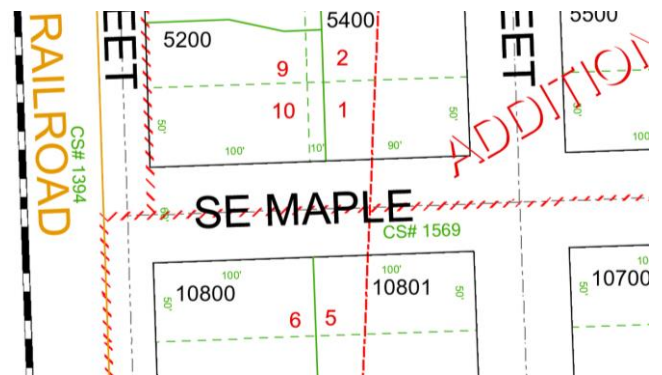
- In most subdivisions there is a 5' or 8' Public Utility Easement (PUE) and/or Street Tree Easement (STE) for properties abutting the streets, however each subdivision is different.
- The PUE is an easement **within your** property, which is separate from the public ROW.
- Easement documents should have been included with the documentation that was required when you purchased your property. If

you do not have it, then contact your title company or visit the County Records Clerk for recorded documents.

- There should **not be any** obstructions in/on a PUE or ROW, unless the developer and City explicitly agreed to it when the subdivision was built.
- City GIS imagery will only show City utilities.
- Cable, electric, gas, phone lines **are not shown on City or County maps**. Be sure to **call 811** to request locates BEFORE YOU DIG; otherwise you could be responsible for damages; <https://call811.com/>

**RIGHT-OF-WAY:**

- Ensure that you know the location of your property lines and the width of the right-of-way (ROW) abutting your property.
- Columbia County tax maps and past surveys of your property can be found on the County Assessor's web-maps: (contact the assessor's office for assistance with their website) <https://gis.columbiacountymaps.com/ColumbiaCountyWebMaps/>
- For example: The public ROW width of SE Maple is 60' while the paved width is approx. only 30'.



Questions, contact Elizabeth Happala at [ehappala@scappoose.gov](mailto:ehappala@scappoose.gov) or calling 503-543-7184 \*402