



ACKNOWLEDGMENT
FENCE AND WALL CONSTRUCTION POLICY

I, the undersigned Owner or Owner’s Representative, hereby acknowledge the City of Cedar Park’s Fence and Wall Construction Policy and governing provisions of the City Ordinance, including, without limitation, the following standards, restrictions, and requirements:

- (1) For every project which will include fence or wall construction within the City of Cedar Park, the Owner or Owner’s Representative shall execute and submit this Acknowledgment to the City of Cedar Park Engineering Department.
- (2) Any fence or wall construction associated with this project shall comply with the City’s Fence and Wall Construction Policy, as well as all applicable federal, state, and local law, including the following provisions of the Cedar Park Code of Ordinances (attached hereto as Exhibit A): Sections 14.05.007 (Sight distance requirements), 14.07.007 (Fencing requirements – residential), and 14.07.008 (Fencing requirements – non-residential).
- (3) All preliminary plans, final plats, subdivision improvement plans, or site development plans submitted to the City of Cedar Park for approval shall delineate sight distance triangles at each public roadway intersection and at each private vehicular access point with the public roadway, with the dimensions for each sight distance triangle in compliance with the Transportation Criteria Manual. The delineated sight distance triangles may require one (1) or more sight line easement(s) for the fence or wall construction project.
- (4) All preliminary plans, final plats, subdivision improvement plans, or site development plans submitted to the City of Cedar Park for approval shall contain the appropriate notes for the respective project set forth in Exhibit B, attached hereto.
- (5) Failure to comply with the City’s Fence and Wall Construction Policy, Sight Distance Requirements, Fencing Regulations, or other provisions of the City Ordinance may subject my project to delay and are violations punishable pursuant to Section 1.01.009 of the Cedar Park Code of Ordinances.

I hereby further acknowledge that additional standards, restrictions, and requirements may apply to my fence or wall construction project pursuant to the City of Cedar Park’s policies and the City Ordinance, as amended.

Owner or Owner’s Representative

Printed Name

Date

ACKNOWLEDGMENT

Sworn to and subscribed before me, the undersigned notary, on this ____ day of _____, 20__.

Notary Public in and for the State of Texas

EXHIBIT A:

SIGHT LINES AND FENCE PROVISIONS OF THE CITY OF CEDAR PARK CODE OF ORDINANCES

Sec. 14.05.007 Sight distance requirements

- (a) Sight obstruction standards for streets, alley corners and access points.
- (1) All sight distance standards and criteria shall be in accordance with the TCM.
 - (2) It shall be unlawful for any person to place or maintain or cause or allow to be placed or maintained any plant, tree, fence, object or vehicle in such a position on a corner lot in the city such that a driver of a vehicle cannot see down the intersecting streets the distance specified in the TCM.
 - (3) This restriction shall not apply to traffic-control devices, street signs, fire hydrants, utility poles and any other utility-related equipment placed within such area by authority of the city council.
- (b) Obstruction of rights-of-way prohibited. It shall be unlawful for any person to place, maintain, permit or cause to be placed or maintained any tree, shrub, or plant of any kind or vehicle of any kind on or across public right-of-way as to:
- (1) Obstruct passage on or use of that area by the public.
 - (2) Create a hazard to persons using the right-of-way.
 - (3) Restrict drainage flow.

All parts of any vehicles parked adjacent to a public street or other public right-of-way shall be parked entirely on private property, shall not extend into the public right-of-way and shall be in observance of sight obstruction standards. Curbs or guideposts shall be installed as necessary to prohibit vehicle parking in the public right-of-way.

- (c) Sight obstruction standards for fire hydrants. It shall be unlawful for any person to place or maintain any plant, tree, fence or object that would visually obstruct the location of a fire hydrant from the public right-of-way.

Sec. 14.07.007 Fencing requirements—residential

- (a) Privacy fences shall not exceed six (6) feet in height and be constructed of wood, masonry or similar material with metal or concrete posts and concrete bases. Slats used in chainlink or similar materials shall not be considered privacy fencing and shall not be used for screening.
- (b) Privacy fences shall not impede drainage.

- (c) Only fences less than or equal to three (3) feet in height shall be allowed in the front setback.
- (d) No fence or other structure more than thirty (30) percent solid or more than three (3) feet high shall be located so that it impairs the sight distance triangle at the intersection of any rights-of-way.
- (e) For residential subdivisions located on or adjacent to a roadway located in the corridor overlay see also [section 12.12.017](#) subdivision walls for additional fencing requirements.

(Ordinance CO41-07-07-12-3H adopted 7/12/07)

Sec. 14.07.008 Fencing requirements–nonresidential

(a) Privacy fences shall be six (6) feet in height and be constructed of masonry materials such as brick, stone, or decorative reinforced concrete or similar two-sided masonry or other equivalent material approved by the director of planning. Fence posts shall be constructed of rust-resistant metal parts, concrete-based masonry or concrete pillars of sound structural integrity. Slats used in chain link, cinder and/or cement blocks or similar materials shall not be considered privacy fencing and shall not be used for screening. (CO61-07-10-25-2A adopted 10/25/07)

(b) Privacy fences shall not impede drainage.

(c) No fence shall exceed six (6) feet in height, with the exception of fences constructed in the following situations. Exceptions may be fences that are constructed:

(1) To impede access to hazardous facilities including, but not limited to, electrical substations, swimming pools other than those used for single-family residential and chemical or equipment storage yards.

(2) Where the slope of a line drawn perpendicular to the fence line averages twenty percent (20%) or more on either side of the fence over a distance no less than fifteen (15) feet.

(3) These fences shall in no case exceed eight (8) feet.

(d) No fence or other structure more than thirty percent (30%) solid or more than three (3) feet high shall be located so that it impairs the sight distance at the intersection of any rights-of-way.

(e) The finished side of all fences built to comply with these regulations shall face the protected use.

(f) Fencing requirements for projects located within the corridor overlay district.

(1) No fencing is allowed within the 25-foot front setback area from a designated roadway, for a list of designated roadways see section 11.02.278.

(2) Any fencing behind the 25-foot front setback area in the downtown corridor shall be decorative wrought iron or tubular steel; or alternative similar products may be approved by the planning department with appeal to the planning and zoning commission.

- (3) Any fencing behind the 25-foot front setback in the remaining designated roadway corridors shall be wrought iron or tubular steel.

- (4) Chainlink fences shall only be used around detention ponds and/or water quality ponds. Chainlink fencing shall be black or green vinyl-coated, including posts, and must be buffered by planting five-gallon evergreen shrubs and vines that will, at maturity, screen at least thirty percent (30%) of the view of the fence.

EXHIBIT B:

Fence and/or Wall Installation Notes to be added to proposed plans at each level of project submission.

General Plat Note:

All proposed fences and walls adjacent to intersecting public roadway ROW or adjacent to private access points are to be in compliance with City Code Section 14.05.007 Sight Distance Requirement. Installing a fence or wall which does not comply with the City's Sight Distance Requirements or Fencing Regulations is a violation of the City's Ordinance and may be punishable pursuant to Section 1.01.009.

Subdivision General Note:

All proposed fences and walls adjacent to intersecting public roadway ROW or adjacent private access point are to be in compliance with City Code Section 14.05.007 Sight Distance Requirement. Installing a fence or wall which does not comply with the City's Sight Distance Requirements or Fencing Regulations is a violation of the City's Ordinance and may be punishable pursuant to Section 1.01.009.

Site Plan Note:

No Fencing or Wall is allowed to be constructed so that it obstructs the sight lines of drivers from an intersecting public roadway or from an intersecting private driveway. Sight Distance Requirements are to be maintained as described in City Code Section 14.05.007. Installing a fence or wall which does not comply with the City's Sight Distance Requirements or Fencing Regulations is a violation of the City's Ordinance and may be punishable pursuant to Section 1.01.009.