

Fence and Accessory Structure Code Change

Presentation to City Council

January 25, 2016

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Overview

- Proposed ordinance improves two sections of code
 - Fence definitions/standards
 - Accessory Structures definitions
- Both sections aim to provide clarity and direction to staff and property owners on these two issues
- Both sections were reprioritized ahead of other “code scrubs” in response to a specific enforcement case
 - New fence on top of a retaining wall
 - New arbor within front yard setback

Process

- Staff worked with stakeholders to draft proposed language
 - CONO
 - HBA
 - Enforcement case stakeholders
 - City Planners
 - City Attorneys
- Adoption process through Planning Commission and City Council

Fences

- Definition Improvements
 - Added “wall” to definition
 - Expanded list of typical materials
- Standards clarifications and improvements
 - Deleted confusing language on measuring fence height
 - Added new height standards
 - If two sides vary, larger of two measurements is used
 - Fences within 3’ of the face of retaining wall are measured from top of fence to bottom of wall
 - No alteration of finished grade for compliance
 - Posts, poles, and finials allowed additional 12” of height if spaced 8’ or more from each other

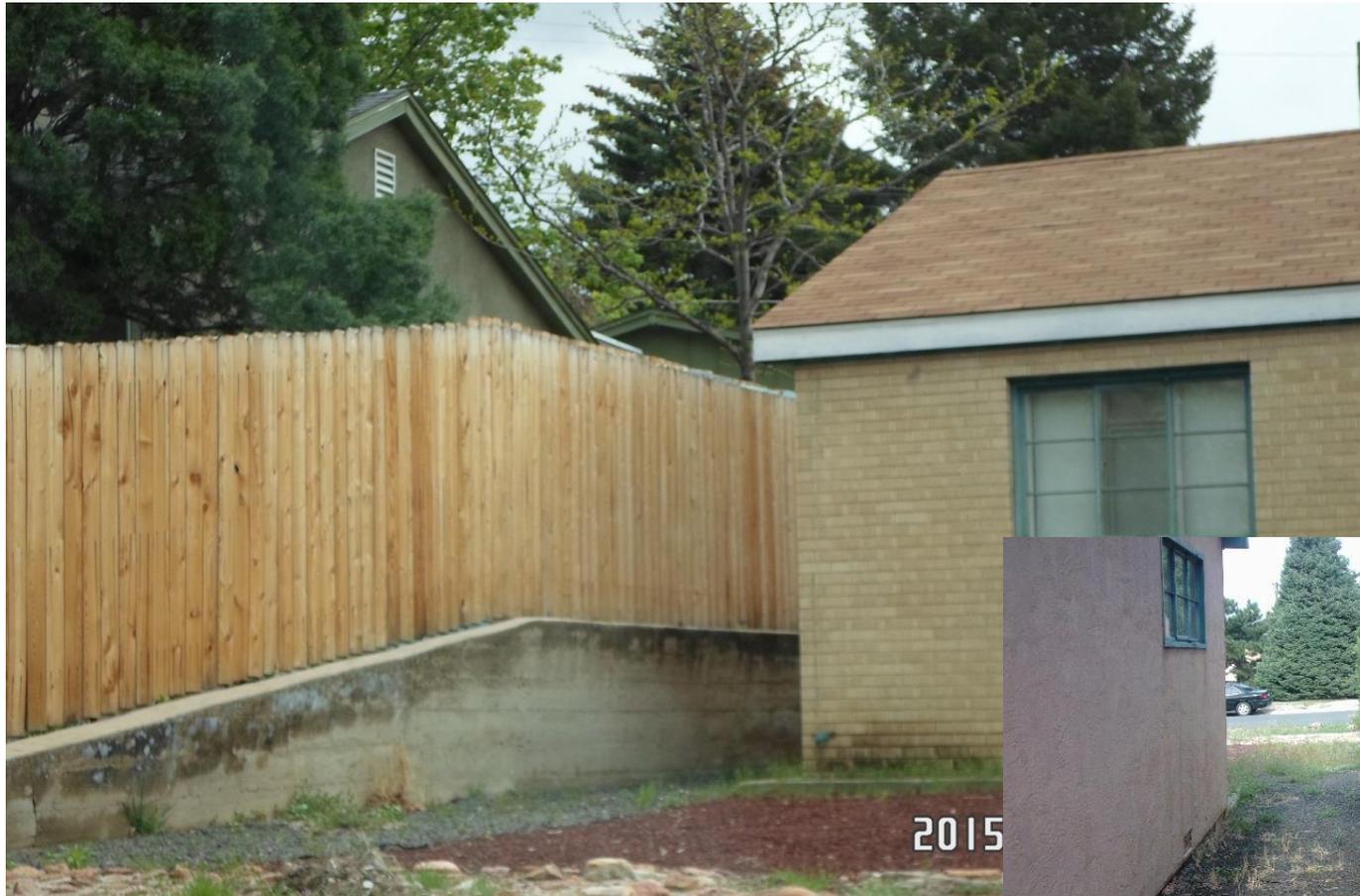
Fences, cont.

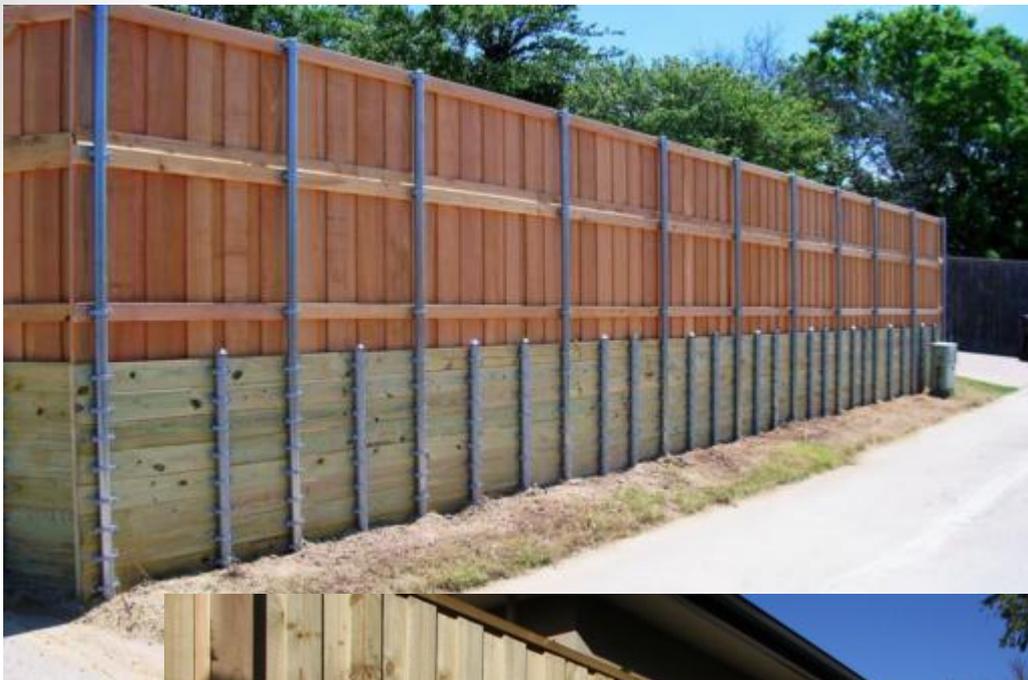
- Minor Correction in Definition
 - Words “and receive a building permit for construction” to be deleted for formal adoption
 - Consistency with proposed changes to the Pikes Peak Regional Building Code which will no longer require building permits for fences less than 7 feet in height

Accessory Structures

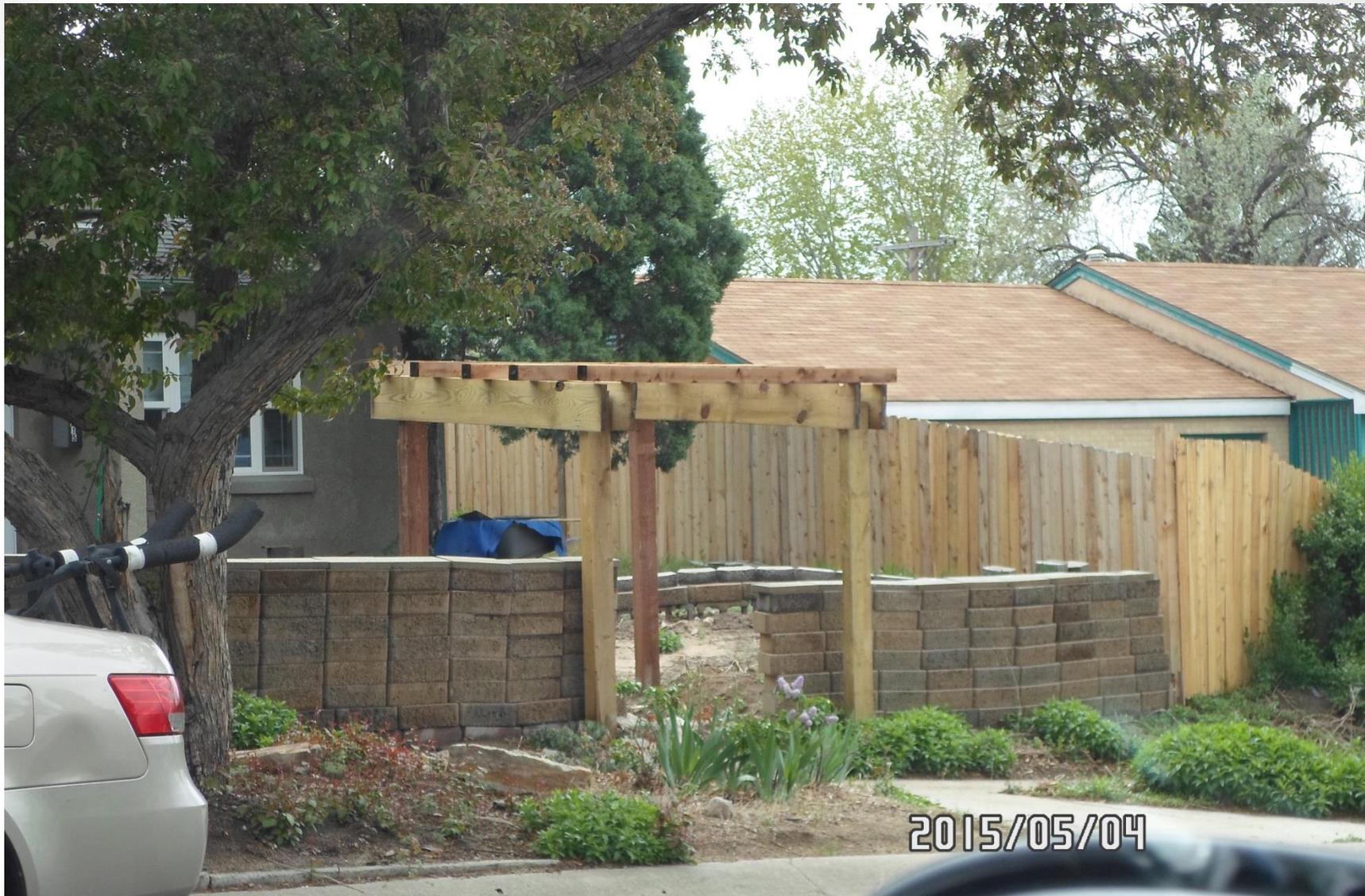
- Definitions
 - Included typical examples of accessory structures
 - Clarified that accessory structures are over 6' tall
 - Added definition for "detached"
 - Separated by 3 or more feet
 - If connected via breezeway less than 12' tall and 6' wide

Low-side view of fence on top of a retaining wall









Planning Commission Input

- Minor changes were incorporated into the ordinance:
 - Additional fence materials added
 - Typographical improvements
- Two Commissioners wanted additional changes:
 - Ability to build fences on top of retaining walls on property lines
 - Clarification that fence/wall height standards only apply when fence and retaining wall are parallel
- After significant discussion, 7 – 2 vote to approve

Recommendation

- Approve the proposed code change at upcoming formal Council meeting

- Questions?