

1 Introduced by Council Member Ferraro:
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4 **ORDINANCE 2020-27**

5 AN ORDINANCE CONCERNING THE SUPPLEMENTARY AND
6 MISCELLANEOUS REGULATIONS OF THE ZONING CODE;
7 AMENDING SECTION 656.402 (RESIDENTIAL
8 DISTRICTS), PART 4 (SUPPLEMENTARY
9 REGULATIONS), SUBPART B (MISCELLANEOUS
10 REGULATIONS), CHAPTER 656 (ZONING CODE),
11 *ORDINANCE CODE*, TO ALLOW FOR A FENCE UP TO SIX
12 FEET IN HEIGHT IN THE REQUIRED FRONT YARD OF A
13 SINGLE FAMILY USE UNDER CERTAIN CIRCUMSTANCES;
14 PROVIDING AN EFFECTIVE DATE.
15

16 **WHEREAS**, Section 656.402, *Ordinance Code*, among other things,
17 sets forth the requirements for fence heights in residential
18 districts; and

19 **WHEREAS**, Section 656.402, *Ordinance Code*, limits fences in
20 front yards of properties in residential districts to be no more
21 than four feet in height, except in circumstances where a lot has
22 more than one front yard, in which case the approval for a fence up
23 to eight feet in height is allowed in one required yard; and

24 **WHEREAS**, many single family use standalone lots abutting
25 streets or roads are located in rural and agricultural areas and as
26 such these lots deserve the privacy and protection of appropriate
27 buffering mechanisms and should be allowed to construct fences in
28 the required front yard provided they are set back from the roadway
29 so as not to create safety issues for motorists, bicyclists and the
30 general public; and

31 **WHEREAS**, it is the intent of Council to afford such situated

1 residences such security under certain circumstances; now therefore

2 **BE IT ORDAINED** by the Council of the City of Jacksonville:

3 **Section 1. Amending Section 656.402 (Residential**
4 **Districts), Ordinance Code.** Section 656.402 (Residential
5 Districts), Part 4 (Supplementary Regulations), Subpart B
6 (Miscellaneous Regulations), Chapter 656 (Zoning Code), *Ordinance*
7 *Code*, is hereby amended as follows:

8 **CHAPTER 656. ZONING CODE.**

9 * * *

10 **PART 4. SUPPLEMENTARY REGULATIONS.**

11 * * *

12 **SUBPART B. MISCELLANEOUS REGULATIONS.**

13 **Sec. 656.402. Residential districts.**

14 In addition to other provisions of the Zoning Code, the
15 following supplementary regulations shall apply to all residential
16 districts:

17 * * *

18 (b) Notwithstanding other provisions of the Zoning Code, fences,
19 walls and hedges may be permitted in a required yard;
20 provided, however, that no fence or wall in excess of eight
21 feet in height shall be permitted in a residential district;
22 and provided further, that no fence in excess of four feet in
23 height shall be permitted in a required front yard in a
24 residential district except that a fence up to eight feet in
25 height may be allowed in one required front yard of a lot
26 with more than one front yard if such fence is approved as
27 part of the site plan or sketch plan approval pursuant to
28 Section 656.404 or Chapter 654 (Subdivision Regulations).
29 Notwithstanding, a fence up to six feet in height shall be
30 allowed in one required front yard of a corner lot if such
31 fence is along a street, road or roadway classified as a

1 collector or higher, and provided that the principal
2 structure is facing a street, road or roadway that is not
3 classified as a collector or higher. Such fence shall not be
4 located forward of the front plane of the principal structure
5 as further illustrated below in Figure A. Further, for single
6 family use lots located in the Rural Residential-Acre (RR-
7 Acre) or Agriculture (AGR) zoning district, a fence up to six
8 feet in height shall be allowed in the required front yard so
9 long as the fence is set back at least fifteen feet of the
10 primary structure and at least ten feet from the right-of-
11 way. This provision shall not be construed to supersede the
12 requirements of Chapter 804 and, in the case of conflict, the
13 more restrictive requirement shall apply. The height of a
14 fence shall be measured from the existing grade to the top of
15 the fence, excluding pilasters or other architectural
16 features, on the property owner's side of the fence.

17 * * *

18 **Section 2. Effective Date.** This ordinance shall become
19 effective upon signature by the Mayor or upon becoming effective
20 without the Mayor's signature.

21 Form Approved:

22
23 /s/ Paige H. Johnston

24 Office of General Counsel

25 Legislation prepared by: Paige H. Johnston

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