Introduced by Council Member Ferraro and amended by the Land Use and Zoning Committee:

## ORDINANCE 2020-27-E



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

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

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

WHEREAS, it is the intent of Council to afford such situated residences such security under certain circumstances; now, therefore

BE IT ORDAINED by the Council of the City of Jacksonville:
Section 1. Amending Section 656.402 (Residential Districts), Ordinance Code. Section 656.402 (Residential Districts), Part 4 (Supplementary Regulations), Subpart B (Miscellaneous Regulations), Chapter 656 (Zoning Code), Ordinance Code, is hereby amended as follows:

CHAPTER 656. ZONING CODE.

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PART 4. SUPPLEMENTARY REGULATIONS.

## SUBPART B. MISCELLANEOUS REGULATIONS.

Sec. 656.402. Residential districts.
In addition to other provisions of the Zoning Code, the following supplementary regulations shall apply to all residential districts:
(b) Notwithstanding other provisions of the Zoning Code, fences, walls and hedges may be permitted in a required yard; provided, however, that no fence or wall in excess of eight feet in height shall be permitted in a residential district; and provided further, that no fence in excess of four feet in height shall be permitted in a required front yard in a residential district except that a fence up to eight feet in height may be allowed in one required front yard of a lot with more than one front yard if such fence is approved as part of the site plan or sketch plan approval pursuant to Section 656.404 or Chapter 654 (Subdivision Regulations). Notwithstanding, a fence up to six feet in height shall be
allowed in one required front yard of a corner lot if such fence is along a street, road or roadway classified as a collector or higher, and provided that the principal structure is facing a street, road or roadway that is not classified as a collector or higher. Such fence shall not be located forward of the front plane of the principal structure as further illustrated below in Figure A. Further, for single family use lots located in the Rural Residential (RR-Acre) zoning district, a fence up to six (6) feet in height shall be allowed in the required front yard so long as there is a residential subdivision on the adjacent property with a fence at least six (6) feet in height, approved through the site plan or sketch plan approval process, along the same right-of-way functioning as a collector road or higher. This provision shall not be construed to supersede the requirements of Chapter 804 and, in the case of conflict, the more restrictive requirement shall apply. The height of a fence shall be measured from the existing grade to the top of the fence, excluding pilasters or other architectural features, on the property owner's side of the fence.

Section 2. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:
/s/ Shannon K. Eller
Office of General Counsel
Legislation prepared by: Paige H. Johnston

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