

City of Clayton Land Use Code

Planning and Development Services Staff Clarification SC11-02

Date: June, 10 2011

Subject: Front Yard Fences—Residential Zoning Districts

Code Section: Front Yard Setbacks—all residential zoning districts (R-1 through R-7); Building Code Sections 3111 and 3111.1

Initiated by: Planning Staff

Background/Considerations:

The Zoning Regulations impose specific limitations on fences located within the required front yard of a residential structure. Below are the Zoning Regulations as they pertain to fences located in the front yard for all residential zoning districts:

“Front yard masonry garden walls, planting boxes, retaining walls, plantings or ornamental or decorative fences may be erected as part of new construction, up to four (4) feet above the grade level in the front yard, provided such structure is an integral part of the architectural feature of the principal structure, is in compliance with sight distance standards and is approved by the Architectural Review Board. Additionally, for properties located on a corner lot, no such plantings, masonry garden walls, planting boxes, retaining walls or ornamental or decorative fences shall be maintained higher than three and one-half (3½) feet above the established street grades within twenty (20) feet of any street intersection to comply with sight distance standards.”

These regulations are intended to restrict the height of landscape features, including fences, and require fences in front yards to be decorative using materials such as wrought iron or aluminum (as opposed to a typical stockade, wood, chain link or vinyl board style fence) when they are placed in the Code defined front yard of residential properties in residential zoning districts. However, property owners of corner lots often request to extend fences beyond the building line, in the front yard located opposite the side of their home, for the purposes of creating larger enclosed back yards, thus resulting in more usable space. By code, perimeter fences in this location would be subject to the front yard fencing requirements noted above (limited to a maximum height of four (4) feet and decorative). Historically, on corner lots the City’s Architectural Review Board has approved fences greater than four (4) feet in height on what functionally would be a property’s side yard, provided the fence is part of a perimeter fence. This policy document will clarify this distinction made by staff in interpreting these provisions consistent with ARB’s historical approval of these requests, until a relevant code change is made.

Determination/Clarification:

As required by the Zoning Regulations, all new proposals for front yard fences require approval from the Architectural Review Board (ARB). Front yard fences are those fences which project beyond the building line and into the required front yard area. On corner lots, each yard adjacent to a street must comply with the front yard requirements of the Code, however on corner lots, fences which are part of a perimeter fence, but project within the “secondary” front yard (functionally the side yard as it relates to dwelling placement on the property) are allowed up to a maximum height of 6-feet (the maximum height of any residential fence located in a side or rear yard), provided the site distance standards referenced above are adhered to. Consistent with previous ARB approvals and Code requirements, the portion of the fence located in the “primary” (typically the frontage along which a home’s front door or entry point is located) and “secondary” front yard shall be decorative (i.e. not a solid wood, chain or vinyl fence) and must be placed on the property in a manner which provides a sufficient landscape planting area to allow for generous landscaping material planted parallel to the fence and located on the street-facing side of the fence to break up the monotonous appearance of the fence. The landscape plan showing the required screening shall be submitted at time of ARB application for the fence.

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