

## Proposed 2010 Council Study Issue

**CDD 09-06 Review Front Yard Fence Requirements and Policies**

<b>Lead Department</b>	Community Development		
<b>Element or Sub-element</b>	Community Design Sub-element		
<b>New or Previous</b>	Previous		
<b>Status</b>	Pending	<b>History</b>	1 year ago Below the line      2 years ago None

**1. What are the key elements of the issue? What precipitated it?**

The Zoning Code allows fences over 3' high in the front yard to be considered with a Miscellaneous Plan Permit on a case-by-case basis, depending on the site conditions. There is also a 3' maximum as a policy as described in the Single Family Home Design guidelines. Although this policy allows for flexibility, it can be confusing to the community on how these decisions are made. There have been an increasing number of these types of applications in recent years, several of which were generated as part of the Neighborhood Enhancement Program.

This study would consider making changes to the Zoning Code to clearly spell out the requirements for fences in the front yard. Included in the study would be an analysis of the trade-off between rigid code requirements versus policy requirements (as currently regulated) which allows for discretion based on each situation. If the Zoning Code states a maximum height, a fence that exceeds the limit would require a Variance from Code requirements, whereas a decision based on policy could be approved for greater height through a MPP or Use Permit based on design and compatibility requirements. The study would review existing conditions in the City and would review other nearby cities' requirements.

In late 2009, staff will present the Council with a series of options of ways to create efficiencies and streamlining techniques in planning review, including changes to fence and driveway vision triangle requirements. If Council adopts those changes, this study issue may not be required.

**2. How does this relate to the General Plan or existing City Policy?****COMMUNITY DESIGN SUB-ELEMENT**

*Policy C.2:* Review site plans to ensure the design is compatible with the natural and surrounding built environment.

Action Statement C.2.g: Consider studying areas where the street and building setback relationship could be improved.

Action Statement C.5.h: Continue to require additional setbacks for new construction when necessary to preserve the light, air, views and privacy of adjoining residential properties.

**SINGLE FAMILY HOME DESIGN TECHNIQUES**

3.11G Landscaping: Fencing along front property lines and along side property lines within the front setback area should not exceed three feet in height.

**3. Origin of issue**

- Council Member(s)**
- General Plan
- City Staff
- Public
- Board or Commission Planning Commission

**4. Multiple Year Project? No Planned Completion Year 2010**

**5. Expected participation involved in the study issue process?**

- Does Council need to approve a work plan? No
- Does this issue require review by a Board/Commission? Yes
- If so, which?  
Planning Commission
- Is a Council Study Session anticipated? No
- What is the public participation process?  
Neighborhood associations will be contacted and public hearings will be noticed in the newspaper.

**6. Cost of Study**

- Operating Budget Program covering costs  
242- Land Use Planning
- Project Budget covering costs
- Budget modification \$ amount needed for study
- Explain below what the additional funding will be used for

**7. Potential fiscal impact to implement recommendations in the Study approved by Council**

- Capital expenditure range None
- Operating expenditure range None
- New revenues/savings range None
- Explain impact briefly

**8. Staff Recommendation**

- Staff Recommendation None
- If 'For Study' or 'Against Study', explain

**9. Estimated consultant hours for completion of the study issue**

Managers	Role	Manager	Hours
	Lead	Ryan, Trudi	Mgr CY1: 30 Mgr CY2: 0

		Staff CY1:	150	Staff CY2:	0
Support	Gunvalsen, Christy	Mgr CY1:	20	Mgr CY2:	0
		Staff CY1:	0	Staff CY2:	0
Interdep	Berry, Kathryn	Mgr CY1:	10	Mgr CY2:	0
		Staff CY1:	0	Staff CY2:	0

Total Hours CY1: 210

Total Hours CY2: 0

Note: If staff's recommendation is 'For Study' or 'Against Study', the Director should note the relative importance of this Study to other major projects that the Department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Reviewed by



Department Director

10/13/09

Date

Approved by



City Manager

10-15-09

Date

### Addendum

**A. Board / Commission Recommendation**

**Issue Created Too Late for B/C Ranking**

Board or Commission	Rank Rank 1 year ago	Rank Rank 2 years ago
Arts Commission		
Bicycle and Pedestrian Advisory Committee		
Board of Building Code Appeals		
Board of Library Trustees		
Child Care Advisory Board		
Heritage Preservation Commission		
Housing and Human Services Commission		
Parks and Recreation Commission		
Personnel Board		
Planning Commission		9 of 10

**Board or Commission ranking comments**

**B. Council**

**Council Rank** (no rank yet)  
**Start Date** (blank)  
**Work Plan Review Date** (blank)  
**Study Session Date** (blank)  
**RTC Date** (blank)  
**Actual Complete Date** (blank)  
**Staff Contact**