



# HOLLADAY CITY COUNCIL SUMMARY REPORT

**MEETING DATE:**

**AGENDA ITEM:**

**TITLE: Front Yard Fencing- Section 13.76.710**

**SUBMITTED BY: Mrs. Liane Stillman**

**SUMMARY:** This application was submitted by Mrs. Liane Stillman, a Holladay citizen who is concerned about the deer problem in her Pheasant Way neighborhood. She would like to install a six foot high, non-sight obscuring fence as a deterrent in her front yard. In order to make this possible an amendment to the current ordinance would be necessary. Ms. Stillman's proposed language is attached to this staff report.

**RECOMMENDATION:** For some time now, the Planning Commissioners have been discussing the overall fencing regulations in the ordinance and their unintended consequences. They discussed this matter at their December 6<sup>th</sup> meeting and agreed that if adopted this text amendment will increase the likelihood that higher, front yard fencing will appear throughout the community. Additionally, they were not convinced that this type of barrier is a deterrent to migratory deer.

The matter was opened for public comment and besides the applicant there were no comments. After some discussion, the Commissioners agreed to send a recommendation regarding this matter forward but agreed that a more intensive discussion of the entire fencing ordinance is warranted in 2017. The Commission voted unanimously to recommend denial of this request.

**CONTACT PERSON: Liane Stillman, Jon Teerlink**

**EXHIBITS:**

- Draft text
- PC minutes (when available)

**13.76.710: FENCES:** No fence, wall or hedge shall be erected or reconstructed unless in conformity with the regulations specified in this chapter.

A. *Fencing Permit Required:* No fence, wall or hedge shall be constructed or reconstructed within the setback area abutting a public street or private right of way without a fencing permit signed by the community development director or his designee.

B. *Fences In The Front Yard Area:*

1. The maximum height of any fence in the front yard area as defined in section 13.04.040 of this title and abutting a public street shall be four feet (4').

2. Exception: A six foot (6') fence may be allowed when:

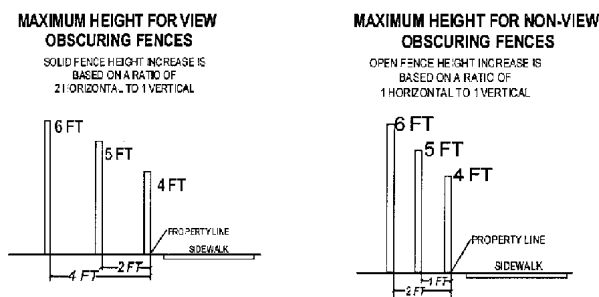
a. ~~A six foot (6') fence may be allowed when:~~ Directly abutting the following public streets:

- Big Cottonwood Road (6200 South Street)
- Cottonwood Lane north of Walker Lane
- Highland Drive
- Holladay Boulevard
- Spring Lane
- Walker Lane west of the easternmost intersection of Cottonwood Lane
- 2300 East north of Holladay Village zone boundary
- 3900 South
- 4500 South
- 5600 South

b. Or in the front yard of any lot in an R-1 zone which has an area equal to or greater than one-half (1/2) acre.

c. And, may be allowed when ~~on~~ the proposed fencing complies with the setback to height ratio as shown on figure 13.76.710(B) of this section.

FIGURE 13.76.710(B) - FENCING IN FRONT YARD AREAS



3. The community development director may approve a fence up to five feet (5') in height in the second front yard area of a double frontage lot on a public street if the proposed fence is set back from the property line a minimum of two feet (2'). Gated access from the street is subject to a minimum setback from the property line of at least eighteen feet (18').

C. *Fences in the Side and Rear Yard Areas:* No Change

D. *Fences In The Corner-Side Yard Area Abutting The Street:* No change

E. *Sport Court Fencing:* No change

- F. *Measurement of Fence Heights*: No change
- G. *Landscaping*: No change
- H. *Clear View*: No change
- I. *Vehicular Gates*: No Change
- J. *Fencing Along Private Rights Of Way*: No change
- K. *Nonconforming Fences*: No change.
- L. *Maintenance*: No change