

**CITY OF FREEPORT
PLANNING COMMISSION AND CITY COUNCIL
JOINT PUBLIC HEARING
Monday, December 5, 2011, 6:00 p.m.
Freeport Police Department, Municipal Courtroom
430 North Brazosport Boulevard
Freeport, Texas**

AGENDA

Edward Garcia
Tobey Davenport
Eddie Virgil

Rueben Cuellar
Jesse Aguilar

NOTICE is hereby given that the Planning Commission of The City of Freeport, Texas will meet in a Joint Public Hearing with the Freeport City Council on Monday, **December 5, 2011 at 6:00 P.M.** at the Police Department Municipal Courtroom, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

1. Call to order.
2. Conduct a Joint Public Hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, adding provisions allowing a decorative fence in front yards, specifying regulations therefor and containing an exception for existing front yard fences.
3. Make a recommendation to the City Council concerning whether or not the Comprehensive Zoning Ordinance of said City, codified as Chapter 155 of the Code of Ordinances of said City, should be amended to add provisions allowing a decorative fence in front yards, specifying regulations therefor and containing an exception for existing front yard fences.
4. Adjourn.

NOTE: ITEMS NOT NECESSARILY DISCUSSED IN THE OREDER THEY APPEAR ON THE AGENDA. THE PLANNING COMMISSION, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED.

I, Melissa Farmer, Building/Permit Department Secretary, City of Freeport, Texas, hereby certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building with 24-hour access, at 200 West 2nd Street, Freeport, Texas, on or before **Friday, December 2, 2011, at 5:00 P.M.**



Melissa Farmer
Building/Permit Department
City of Freeport

INTEROFFICE MEMORANDUM

TO: Planning and Zoning Commissioners
FROM: Kola Olayiwola, Building Codes Official
CC: City Administration
DATE: October 20th, 2011
SUBJECT: Recommendations for Picket Fence Ordinance

Based on our prior discussion and our research of other cities, below are our recommendations:

- Decorative Fences having openings not less than 50% of the fence area and not exceeding three (3) feet in height are permitted in front yards.
- Picket fences may be constructed from wood, hard plastic type products, iron and sturdy materials approved by the Building Official.
- Picket fence shall have a front sidewalk single picket fence door opening of 3'.
- Prohibiting chain link, wire mesh or corrugated metal fences in the front yard.
- No residential fence shall be closer than 10' to a public street.

INTEROFFICE MEMORANDUM

TO: City Manager (Jeff Pynes)
FROM: Kola Olayiwola, Building Codes Official
CC: Planning and Zoning Commissioners
DATE: October 19th, 2011
SUBJECT: Sample Ordinances on Picket/Decorative Fences

Per your request, below is an appendix of what other communities have adopted as model code for regulating Picket and Decorative Fences:

City of Pittsville, Wisconsin

Exact Center of the State

Picket Fence.

A fence having a pointed post, stake, pale or peg laced vertically with the point or sharp part pointing upward to form a part of the fence. A picket fence may not be placed within 4 feet of a sidewalk or other public right-of-way.

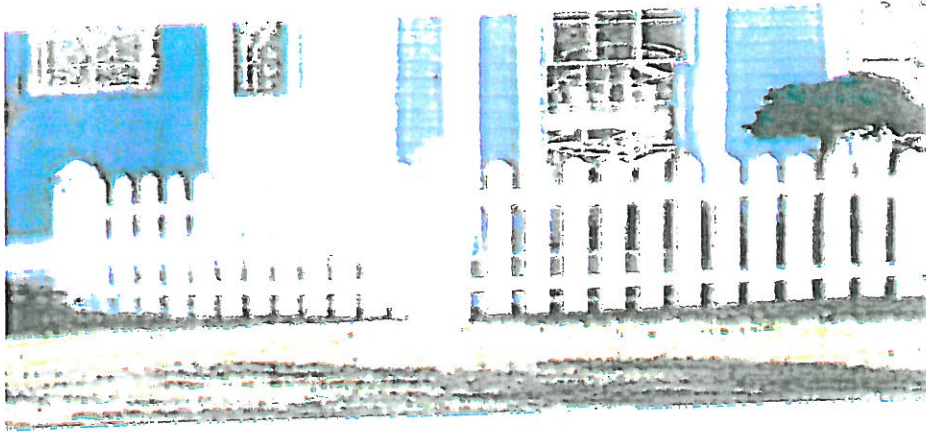
(d) Residential Height Limitation

Fences in residential districts or in any other districts for which the principal use is residential may not exceed 6 feet in height.

(e) Limitation on Fences

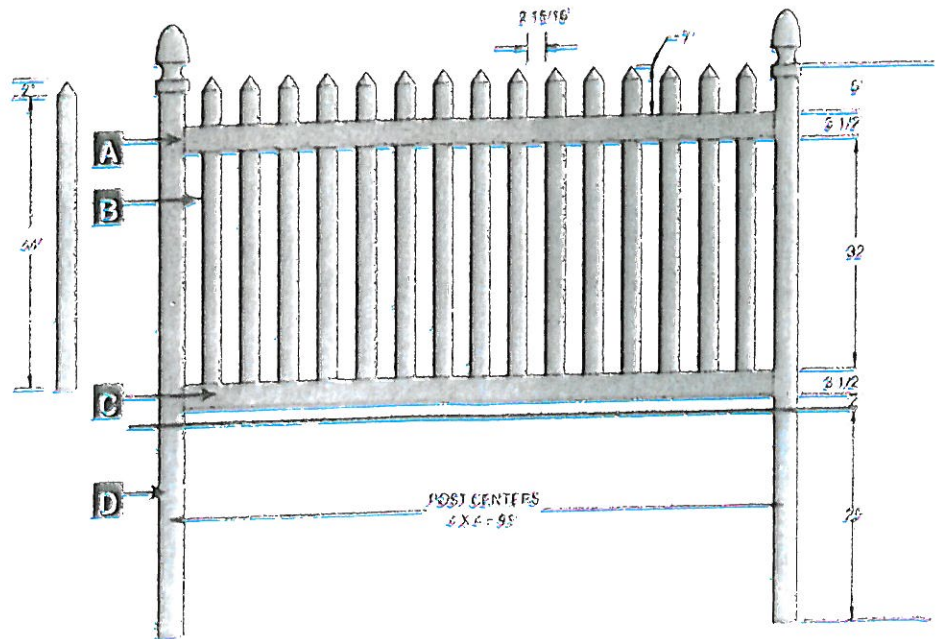
For all districts, all street yard fences or shrubs shall be decorative only and they must not be more than 3 feet in height and must have a setback of 3 feet from the front lot line. All street yard fences must have at least 50% of their surface in air space...

Typical Picket Fence



Design Specifications Picket Fence

- A** TOP RAIL
2" x 4" x 95-1/2"
- B** PICKETS (with caps attached)
15 pieces of 7/8" x 3" x 42"
Length does not include cap
- PICKET CAPS**
15 pieces of 7/8" x 3" x 2" Pointed
picket caps
- C** BOTTOM RAIL
2" x 4" x 95-1/2" Includes steel
channel
- D** POST
4" x 4" x 75"





PEARLAND

Section 4.2.4.3 Fencing

(a) Fences in Residential Areas/Districts, Except Multiple-Family.

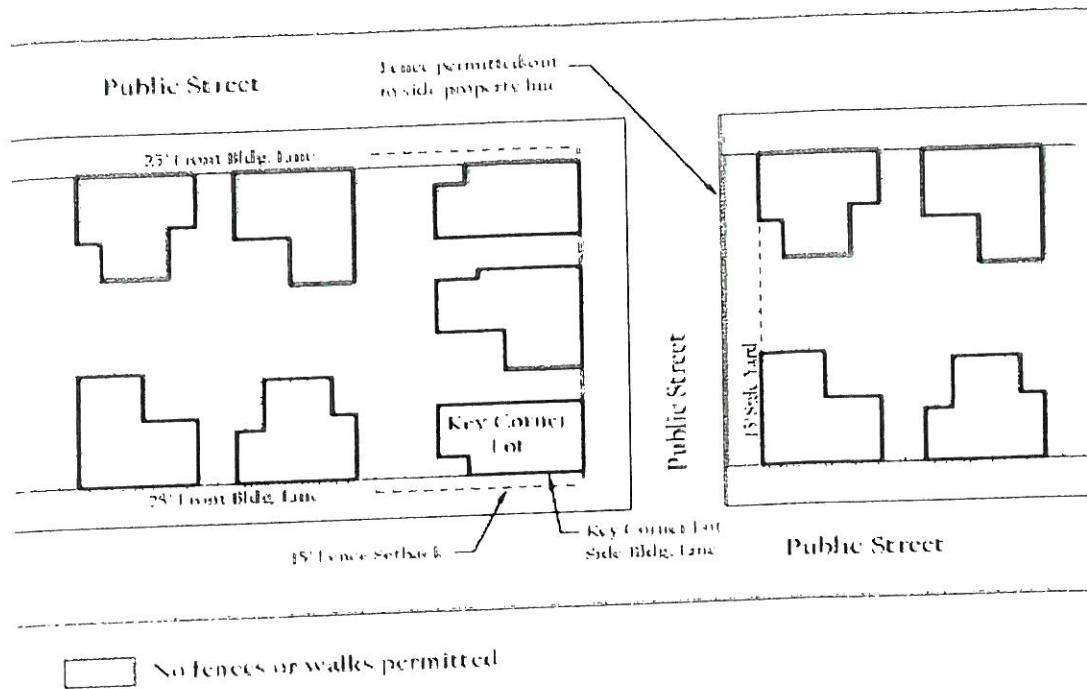
(1) **Materials Permitted** - Fences may be constructed of wood, decorative metal, chain link or woven wire mesh, and other materials traditionally used in private fence construction. New and innovative materials such as plastics, PVCs, metal panel or metal slat, "honeycomb", cementitious fiber board (e.g., "WoodCrete"), **and other similar materials may be approved for use by the City's Building Official if the material is proven to be sturdy, durable and relatively maintenance-free.**

(2) **Fences Permitted in Front Yard(s) Adjacent to a Public Street** –
a. Except as provided by Subsection b (*Decorative Fences*) below, no fence or wall shall be permitted within the required front yard of any single-family or duplex residential lot which is adjacent to a public street. **No residential fence shall be closer than 15 feet to a public street;** however, in cases where the side or rear building line of the yards on continuous corner lots adjoin (i.e., the side yard lot is not a key corner lot), the fence may be constructed out to the property line of the side yard, such that the street side yard may be included as part of the lot's rear yard area. (See *Figure 4-5*.)

Fences in Front Yards

b. **Decorative Fences** - Decorative fences with openings not less than 50% of the fence area and not exceeding four (4) feet in height are permitted in front yards. **Chain link, woven wire mesh metal panel, or similar materials are not considered decorative fencing, and are therefore not allowed in front yards**

Figure 4-5.



City of Port Arthur, TX

Sec. 18-456

Fence standards.

Unless otherwise specifically provided for in this article, fences in residential zoning districts must be constructed and maintained in accordance with the following regulations.

- (1) Any fence or wall located along the side property line and behind the minimum required front yard or in the rear yard shall not exceed a height of eight feet above the adjacent grade.
- (2) Any fence or wall located along the side property line and in front of the minimum required front yard or across the front of the lot shall not exceed four feet in height above the adjacent grade, except that an open fence may be erected to a height of five feet above the adjacent grade, provided that the ratio of open portion of the fence to the solid portion of the fence is not less than six to one.
- (3) No fence located in a residential zoning district may be constructed of sheet metal, metal roofing or other similar materials.



Local Government Center
 University of Wisconsin-Extension
 610 Langdon Street, 229 Lowell Center
 Madison, WI 53703

Phone (608) 262-9961
 Fax (608) 265-8662

What is a Legal Fence?

Wire and picket fences may consist of at least 3 wires with pickets interwoven or fastened to the wires. Pickets must be at least 4 feet long, spaced no more than 6 inches apart, and the wires must be No. 12 or thicker. Posts are spaced no more than 16 feet apart.



Palmer Township, Pennsylvania

Fence and Wall Zoning Regulations

(c) Fences.

[1] Any fence located in the required front yard of a use in the LDR, MDR, HDR or HDR-II Districts or of any primarily residential use shall have a minimum ratio of 1:1 of open to structural areas and shall not exceed four feet in height. Such fences shall be of split-rail or picket-fence type of wood construction.

Figure 1: Example of open ratio 1:1

[2] Fences may be located on a lot line.

[3] A fence that is not regulated under Subsection E (7)(c)[1] above or Subsection E(7)(c)[4]

below may have a height of up to six feet and may be solid.

[4] For nonresidential principal uses or within the RA districts, fences may have a maximum height of nine feet.

[5] A fence of up to 10 feet may be allowed in a rear yard in any district for the sole purpose of enclosing a