

**City of Coral Springs
City Commission Meeting Agenda Item
Summary Sheet**

Meeting: January 21, 2015
Department: Development Services/
Community Development
Initiated By: James P. Hickey

DOC ID: 4252

SUBJECT: Ordinance 2014-129: Second and Final Reading, Fences (5-LDA-14)

PLACEMENT: Policy Formation

REQUESTED ACTION: Request to adopt second and final reading of Ordinance 2014-129 to amend Section 250128 (entitled Fences, Walls, and Hedges) and Section 250834 (entitled Plant Material and Installation Requirements) of the Land Development Code to clarify language within the Sections including fence paint colors, allow mixing of fencing materials, and to change requirements for shrubs. **5-LDA-14 (REQUEST TO ADOPT)**

PRIOR ACTION:

12/17/14	Commission unanimously (5-0) approved first reading of Ordinance 2014-129.
11/17/14	P&Z Board unanimously (5-0) forwarded a favorable recommendation to Commission for their consideration.
8/27/14	Commission held a workshop and directed Staff to amend Section 250128 (Fences, walls, and hedges).
11/20/2007	Commission held public hearing and quasi-judicial hearing and approved second reading adopting Ordinance 2007-116, which included changes to fencing, parking, landscaping, etc. as part of a major update to the Land Development Code.

STAFF RECOMMENDATION: THAT THE CITY COMMISSION:

**ADOPT SECOND AND FINAL READING OF ORDINANCE 2014-129 TO AMEND
SECTIONS 250128 (FENCES, WALLS, AND HEDGES) AND SECTION 250834 (PLANT
MATERIAL AND INSTALLATION REQUIREMENTS) RELATIVE TO FENCE PAINT
COLORS, ALLOW MIXING OF FENCING MATERIALS, AND TO CHANGE
REQUIREMENTS FOR SHRUBS.**

LOCATION: City Wide
 Specific (see site map)
 NA

ATTACHMENTS:

Petition
Ordinance 2014-129
Exhibit A – Other Citi

cc: Erdal Dönmez, City Manager Tony Pustizzi, Chief of Police
John J. Hearn, City Attorney Glenn Roberts, Police – Community Involvement
Susan Hess Krisman, Director of Development Services

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Subject: Ordinance 2014-129: Second Reading, Fences (5-LDA-14)

SUBJECT: PETITION OF THE CITY OF CORAL SPRINGS TO AMEND SECTION 250128 (ENTITLED FENCES, WALLS, AND HEDGES) AND SECTION 2508324 (ENTITLED PLANT MATERIAL AND INSTALLATION REQUIREMENTS) OF THE LAND DEVELOPMENT CODE TO CLARIFY LANGUAGE INCLUDING FENCE PAINT COLORS, ALLOW MIXING OF FENCING MATERIALS, AND TO CHANGE REQUIREMENTS FOR SHRUBS. (5-LDA-14)

DESCRIPTION/BACKGROUND

The Land Development Code (LDC) contains regulations that guide the physical development of the City. The regulations in the LDC are not static and are updated regularly to account for emerging trends, changes to associated documents, changes to state or county laws and practical recommendations from City Staff. Code amendments are typically brought forward as the need arises and as directed by the City Commission.

Staff has seen a steady influx of fence permits over the past few years, ever since the invasion of the White Fly which has affected existing Ficus hedges throughout the City. Typically, property owners utilized these hedges as screening for their properties. However, the White Fly has decimated the hedges so badly that homeowners have had to remove them. In order to provide screening for their properties, home/property owners have opted to install fencing in lieu of hedges. With an increasing amount of fences being installed, the Code was modified in 2007 to add additional provisions which specified materials and design requirements. The intent of these provisions was to maintain an aesthetic appeal for the fence, the subject property, and the overall neighborhood.

At the August 27, 2014 City Commission Workshop, City staff introduced a discussion relating to updating current fence requirements in response to customer complaints. Over the last year, staff saw a reduction in the number of fence building permits requiring only one review, largely due to existing field conditions uncovered once ficus hedges were removed since the LDC does not permit mixing of fence types.

During the Workshop discussion, the City Commission also directed Staff to evaluate the LDC relative to materials and colors for fences. Currently, the LDC provides requirements for fences which requires specific materials be used. These fence types must be designed in a specific manner in order to comply with the LDC. The LDC requirements do not allow for the mixing of materials within the same property unless the property backs up to a body of water. Additionally, wood fences are not permitted to be painted and can only be stained to preserve their natural state. Furthermore, opaque fences are prohibited and fences can only be semi-private; however, specifications on airflow or spacing are not provided.

City Commission also directed staff to review the code requirement limiting fence height along road rights-of-way. The Code has a restriction of 5' maximum along rights-of-way only, and allows 6' for all other fencing in residential zoning districts.

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ANALYSIS

Materials

With a decrease in hedges and an increase in fence permits, Staff has seen an increase in requests for the mixing of fence materials. In order to better understand these requests, Staff sent a formal survey to fence companies who routinely install fences throughout the City to determine issues with the City's current fence regulations in the LDC. They indicated a common issue with property owners was the mixing of materials. Homeowners typically request a fence only along one or two sides of their property if their neighbor already has a fence installed. Installing fences on only one or two sides helps on the cost of installing additional fencing, as well as prevents two fences abutting one another. On many occasions, the adjacent fence is a different material than the proposed new fence. A common example would be along a property line that once had a ficus hedge which the homeowner wants to replace with a more opaque fence (e.g. wood or PVC shadowbox). In many cases, chain link fencing or another material exists so the LDC would not allow this new fence to be installed as it prohibits the mixing of materials and requires each property to have its own fence.

Staff surveyed other cities in Palm Beach, Broward, and Miami-Dade County who have similar design guidelines or are of similar size. Research revealed these other cities do not prohibit the mixing of materials and property owners may utilize a neighbor's fence. Additionally, Weston leaves the decision up to their homeowner's associations, which is often the case within some of Coral Springs' homeowners associations (See Exhibit A). Of the thirteen cities contacted, the City of Coral Springs is the only one that prohibits the mixing of materials. It should be noted, the Florida Building Code requires fences utilized for pool safety to be the same fence and a neighbor's fence cannot be utilized. Fences being installed for pool safety must continue to meet this Building Code requirement.

Colors

Currently, the LDC requires wood fences be maintained or stained to preserve their natural state. Painting of wood fences is prohibited unless in the case of picket fences. However, this description is vague, as the 'natural state' can be interpreted to include a wide range of colors and stains. City staff recommends the painting/staining of fences should be limited to colors consistent with natural wood colors, i.e. redwood, brown, cedar, or white to maintain aesthetics within residential neighborhoods. Upon approval of this amendment, a separate color palette for fences will be created similar to the City's residential paint palette, and will become part of the City's Architectural Design Guidelines. The palette for fences would be added so that property owner's may submit and obtain a paint color application.

Modifications to this recommendation incorporated subsequent to the Planning and Zoning Board meeting.

Visibility

The LDC permits semi-private fences which allow for airflow, such as shadowbox style

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fences. Other fence types such as board-on-board or stockade fences are only permitted if latticework is incorporated into the design. The latticework should be a minimum of 9"-15" on top of the board-on-board/stockade fence in order to maintain airflow and to increase visibility, as encouraged by Crime Prevention Through Environmental Design (CPTED).

Modifications to this recommendation incorporated subsequent to the Planning and Zoning Board meeting.

Fence Height Along Public Rights-of-Way

At the August 27, 2014 Workshop, the City Commission also directed Staff to research height requirements of fences for the street side yard to determine if an increased height should be allowed. The LDC currently permits street side fences to be a maximum of 5 feet, which was increased from 4 feet prior to 2007. At that time, the 5 foot height requirement was recommended by City staff as it provided privacy while still allowing first responders to view into the yard in the event of an emergency.

Six foot fences are allowed along street sides in all of the other cities staff researched (See Exhibit A). While Police Department staff would prefer to maintain the 5' maximum fence height to allow for greater visibility, the City's LDC currently permits hedges to be up to 8' at the sides and rear of homes which would already greatly reduce visibility into yards. Additionally, allowing 6' fencing will help reduce cost to homeowners, as a 5' fence panel is not routinely carried at home improvement stores and homeowners are forced to special-order fencing at this height.

The proposed amendment would modify the LDC Section 250128, Fences, Walls, and Hedges in order to allow the following:

- Allow mixing of materials. In situations where the location of the fence is on an arterial, the material must match either neighbor's fence in style and material.
 - o If the fence is to meet the pool barrier requirement, the entire property must be enclosed with its own fence. The subject property cannot utilize a neighbor's fence.
- Allow painting of fences. Fences will require a Paint Application and must be an approved color. City staff will work with the Architectural Review Committee (ARC) to identify appropriate colors to include within the new palette.
- Codify the requirement of 9"-15" of latticework on top for semi-private fences with board-on-board or stockade.

Furthermore, this amendment would modify the LDC Section 250834, Plant Material and Installation Requirements, to clarify that shrubs shall be 18"-24" off center when planted in order to ensure sufficient screening is obtained when new plantings are installed as part of a fence installation.

Modifications to this recommendation incorporated subsequent to the Planning and

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Zoning Board meeting.

CONCLUSION

In light of aesthetic/environmental changes occurring with the decimation of ficus hedges throughout the City by the White Fly, updates to the Land Development Code are needed to address concerns raised by the public. These updates need to maintain the aesthetics the City is known for while still providing residents with the privacy they have enjoyed for a number of years with their ficus hedges.

The proposed amendment will not only help address these concerns by permitting fencing of a more standardized design found in many other cities, but will also create a more uniform look previously afforded by the ficus hedges in many neighborhoods throughout the City. In addition, allowing 6' fencing along public rights-of-way will assist homeowners with increased privacy and reduce the overall cost for the homeowner.

City staff recommends the Planning and Zoning Board forward a favorable recommendation to the City Commission for the proposed amendment 5-LDA-14. Implementation of these requirements will allow property owners to construct fences which ensure privacy and are aesthetically pleasing.

INTERVENING ACTION FROM THE NOVEMBER 17, 2014 PLANNING & ZONING BOARD MEETING

The Board unanimously (5-0) forwarded a favorable recommendation for 5-LDA-14 to the December 17, 2014 City Commission meeting with Staff's recommended conditions.

Subsequent to the Board meeting, Staff continued its analysis regarding the proposed recommendations and the practicality for future implementation. Based on this analysis, Staff is recommending modifications to portions of the recommendation. Changes include:

- Use of different types of fencing material within the same property is now permitted;
- Allow wood fences to be painted and/or stained in accordance with an approved paint/stain palette;
- Table C was added, clarifying allowed/prohibited fence types and materials;
- Tongue-and-groove opaque semi-private fencing now requires 9" to 15" of lattice at the top (existing policy being codified);
- Maximum allowable height for residential fences and walls was increased from 5' to 6' for side yards facing rights-of-way;
- Requirements for shrubs and hedges were clarified;
- Several sections were reorganized and grouped together to create a more practical and navigable ordinance;

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Further clarifications of these modifications have been incorporated as part of the Analysis section of this report.

INTERVENING ACTION FROM THE DECEMBER 17, 2014 CITY COMMISSION MEETING

The City Commission held a Public Hearing and unanimously approved (5-0) First Reading of Ordinance 2014-129. Subsequent to the City Commission meeting, staff clarified language relative to shrub height and spacing in Section 250834.



LAND DEVELOPMENT CODE AMENDMENT (LDA) PETITION

PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION:

PETITIONER: City of Coral Springs

PETITIONER'S RELATION TO CITY: N/A

SECTION (S) OF THE CODE TO BE AMENDED: Chapter 25, Zoning of the Land Development Code (LDC) Section 250128 (Fences, Walls and Hedges).

RELATIVE TO: General updates to the City's code relative to fencing.

PROPOSED AMENDMENT (use attachments, if necessary):

Changes to code for general updates including, but not limited to: fence type, height, spacing and color.

REASON FOR AMENDMENT (use attachments, if necessary):

Intent of code has changed due to the number of fences in the City and because of the decimation of ficus hedges.

WHAT IS THE PUBLIC BENEFIT OF THE PROPOSED CODE AMENDMENT?

Clarifies code to allow property owners to install fences to meet revised guidelines.

HOW DOES THIS CODE AMENDMENT(S) EFFECT OTHER PORTIONS OF THE CODE AND/OR THE PUBLIC?
This change will affect the public specifically those that will install fences in the future.

*DOES THIS AMENDMENT IMPACT THE COST OF HOUSING? YES NO

IF YES, WHAT IS THE APPROXIMATE INCREASE PER UNIT?

Sworn to and subscribed before me
 this 14th day of November, 2014.

SIGNATURE OF PETITIONER

NOTARY PUBLIC



My Commission Expires:

LAILA HOUGHTON
 Notary Public - State of Florida
 My Comm. Expires Jun 7, 2015
 Commission # EE 70334
 Bonded Through National Notary Assn.

PETITIONER'S NAME (Print or Type)

James Hickey

ADDRESS (Street, City, Phone)

2730 UNIVERSITY DR, CS, FL 33065

PERSONALLY KNOWN
 TYPE OF IDENTIFICATION PRODUCED: _____
 DID TAKE AN OATH
 DID NOT TAKE AN OATH

- Two (2) sets of site plan of subject property
- CD containing digital copies of all documents in PDF file
- FEE: \$3,672.00 plus \$50.00 Recordation Fee and legal ad costs to be determined by City Clerk
 (954) 344-1065

TO BE COMPLETED BY COMMUNITY DEVELOPMENT DIVISION

ACCEPTED BY:

PETITION #

DATE:

*IF THIS AMENDMENT IMPACTS THE COST OF HOUSING PER UNIT, NOTIFY CHIEF PLANNER.

ORDINANCE NO. 2014-129

**AN ORDINANCE OF THE CITY COMMISSION OF
THE CITY OF CORAL SPRINGS, FLORIDA,
AMENDING CHAPTER 25, SECTION 250128 OF THE
LAND DEVELOPMENT CODE, ENTITLED “FENCES,
WALLS AND HEDGES” TO CHANGE CERTAIN
REQUIREMENTS RELATING TO FENCES, WALLS
AND HEDGES; AMENDING CHAPTER 25, SECTION
250834 OF THE LAND DEVELOPMENT CODE,
ENTITLED “PLANT MATERIAL AND INSTALLATION
REQUIREMENTS” TO CHANGE REQUIREMENTS
FOR SHRUBS; PROVIDING FOR CONFLICT;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CODIFICATION; PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, Section 250128 of the Land Development Code provides certain requirements for fences, walls and hedges pertaining to their design criteria; and

WHEREAS, during the August 27, 2014 City Commission Workshop, City staff introduced a discussion relating to updating current fence requirements in response to feedback from the public; and

WHEREAS, during the Workshop, the City Commission also directed City staff to evaluate criteria relative to materials, colors for fences, and fence height; and

WHEREAS, based upon feedback from the public and this evaluation, City staff has recommended that the Land Development Code be updated to implement certain revisions to the requirements for fences, walls and hedges, including amending Section 250834 to change requirements for shrubs; and

WHEREAS, the City Commission accepts the recommendation of City staff and finds that the revisions to Sections 250128 and 250834 of the Land Development Code are in the best interests of the citizens and residents of the City of Coral Springs; now, therefore

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. That Section 250128 of the Land Development Code, entitled "Fences, Walls and Hedges", is hereby amended to read as follows:

Sec. 250128. - Fences, walls and hedges.

(1) Fences and walls constructed or hedges planted within a required setback of a property zoned in the following categories shall not exceed the height specified in Tables (A) and (B), except as provided herein:

Table A - Maximum Height of Fences and Walls (in feet)

Residential and Non-Residential Zoning Districts

Zoning District(s)	Yards			
	Front	Rear	Side (Interior)	Side (Street)
All Residential	4	6	6	5-6
All Non-Residential	4	8	8	5-6

Table B - Maximum Height of Hedges (in feet)

Residential and Non-Residential Zoning Districts

Zoning District(s)	Yards			
	Front	Rear	Side (Interior)	Side (Street)
RS-1 (Estate)	6	10	10	6
All Other Residential	4	10	10	6

All Non-Residential	4	10	10	4
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Table C – Approved Fence Types and Materials

	<u>Wood</u>	<u>Vinyl Coated</u>	<u>PVC</u>	<u>Aluminum</u>	<u>Wrought Iron</u>
<u>Shadowbox</u>	<u>P</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Picket</u>	<u>P</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Tongue-and-Groove with Lattice</u>	<u>P</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>NP</u>
<u>Chain link</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
<u>Decorative (Custom)</u>	<u>P</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>

P = Permitted Fence Type and Material

NP = Not Permitted Fence Type and Material

If a different type of fence and/or material, other than those listed above, is proposed, the request shall be evaluated by the Architectural Review Committee with final approval by the City Manager or designee.

(2) All portions of fence, post and concrete shall be placed within the plot line excluding zero lot line developments or when a special district has granted written permission for all or a portion of the fence and/or post to lie within its right of way (as outlined in section 250128(24)).

(2) The following regulations shall apply to wood fencing on the property:

- In all zoning districts, only pressure treated pine, redwood and cedar wood shall be acceptable for wood fence construction. The painting or staining of wood fences shall be consistent with the City's approved fencing paint and stain palette.
- All wood used for fencing shall have a nominal thickness of five-eighths (5/8) of an inch.
- All wooden fences shall have a recognizable finished side facing adjacent properties and rights-of-way.

(3) Fences, walls or hedges shall be permitted in required yards or required building separations. However, no fence or wall shall be located closer than two and one half (2½) feet to any street right of way. If a utility easement exists adjacent to a street side property line, no setback shall be required. However, if a sidewalk is located in the right of way, fences and walls shall be located at least two and one half (2½) feet from the edge of the sidewalk.

(3) The following regulations shall apply to chain link fencing on the property:

- (a) In all residential zoning districts, no chain link fencing shall be permitted in the front yard area.
- (b) Slats made of metal, vinyl or any other material are not allowed in chain link fences including gates for dumpster enclosures, throughout the City of Coral Springs.
- (c) All chain link fences must be vinyl coated and green, black or bronze. Bare metal or galvanized chain link fences are prohibited.
- (4) Entry columns at driveways shall be permitted in RS 1, RS 3, RS 4, and RS 5 zoning districts. Columns may exceed the maximum height of fences by no more than twenty (20) per cent.

(4) The following regulations shall apply to opaque fencing on the property:

- (a) If the opaque fence is made of wood, the opaque fence must also comply with the regulations set out in subsection two (2) above.
- (b) Opaque fences are prohibited along any property line that is adjacent to any type of waterway.
- (c) If an opaque fence is utilized, irrigation heads cannot be blocked to prevent watering of landscaped areas on the opposite side of such fence, including public rights-of-way or linear parks.
- (d) Opaque fences must be semi-private fencing (shadowbox and tongue-and-groove with lattice) to provide higher aesthetic appeal and shall meet the following requirements:

1. Shadowbox shall require a minimum distance separation of $\frac{3}{4}$ ";
2. Tongue-and-groove shall require between 9" and 15" of lattice (excluding framing) at the top of the fence.

(5) In all districts, no fence, wall or hedge shall be erected, constructed, maintained or grown to a height exceeding three (3) feet above the street grade nearest thereto within a triangle formed by the intersection of two (2) or more public rights of way with two (2) sides of the triangular area being thirty (30) feet in length along the abutting public right of way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two (2) lines.

(5)(6) The following regulations shall apply whenever a property owner seeks to include barbed wire in fencing or on walls:

- (a) Barbed wire shall be restricted use material in every zoning district except A-1.
- (b) No barbed wire shall be used in residential districts or on the property line between a residential district and any other district.
- (c) In all zoning districts other than A-1 and where consistent with other regulations in the Land Development Code which permit fencing, barbed wire may be utilized at or above a height of six (6) feet that shall be measured from grade.

(d) Barbed wire shall be permitted in the following circumstances:

1. On a construction site where there is an active building permit, provided that said fencing does not obstruct any public easement or right-of-way.
2. On utility sites.
3. On the location of any essential public service where the city manager determines that the risk to persons or property is greater without such fencing than with it.
4. In commercial districts and industrial districts where the outside storage of materials is permitted under the Land Development Code, an application may be made to the ~~director of building~~ Director of Development Services for a permit to utilize barbed wire. The property owner shall provide documentation that the risk to persons and property is substantially greater without the barbed wire than with it. Only upon the property owner meeting the above standard may ~~the director of building issue the requested permit a permit be issued~~. Appeal of the ~~director of building's~~ Director of Development Services' final decision can be made as provided elsewhere in the Land Development Code.
5. On properties of five (5) acres or more in any district which is used for livestock grazing provided barbed wire shall not be used at a height greater than five (5) feet or within fifteen (15) feet of a street line or platted residential lot line.

(e) It shall be the duty of the property owner to ensure that barbed wire fencing is maintained in a rust-free and taut condition.

(f) Installation of barbed wire in any district shall be evidence that the property owner has expressly assumed all of the risks associated with this material.

(6)(7) The following regulations shall apply whenever opaque screens are mandated by buffer requirements contained in Chapter 25, Section 250441 as amended from time to time.

- (a) If a wall is provided to satisfy a requirement for an opaque screen, a concrete or masonry wall shall be provided with a minimum height of four (4) feet or greater as specified in the respective regulations, as measured from the crown of the nearest street right-of-way.
- (b) Walls can meander through required buffer areas; however, a minimum of five (5) feet shall be provided between any right-of-way and a wall unless waived by the ~~community development director~~ Director of Development Services or designee.
- (c) An opaque screen required for a single-family subdivision shall be located within or on one (1) of the following:
 1. On the single-family property lot provided that at least the minimum rear or side yard depth is maintained between the opaque screen and the building;
 2. On the boundary or within the area of a landscape buffer area;
 3. At a minimum of five (5) feet from the boundary of any right-of-way; or
 4. On an abutting B or I zoned plot.

- (d) In nonresidential zoning districts, an additional fifteen (15) feet of buffer width beyond the minimum mandated may be provided to eliminate the requirement of an opaque screen. This provision does not apply when a wall is required to satisfy other requirements not related to buffers between dissimilar plots, such as screening overhead doors.
- (e) Where the required opaque screen cannot be provided for single-family subdivisions, as determined by the ~~community development director~~ Director of Development Services or designee, the setback on the RS or RD plot shall be increased by fifteen (15) feet.
- (f) Earthen berms may be used in lieu of wall height for the purpose of creating the required opaque screen. The berm shall not be located within any required setback for single-family developments. The height of berms shall be measured as the average height of the high points and low points of the berm.

Berms constructed pursuant to this section shall have a maximum slope of one (1) to three (3). If a berm is utilized, the minimum yard shall be provided in addition to any area occupied by the berm.

- (7) All portions of fence, post and concrete shall be placed within the plot line excluding zero lot line developments or when a special district has granted written permission for all or a portion of the fence and/or post to lie within its right-of-way (as outlined in section 250128(24)).
- (8) In all districts, fences, even though otherwise permitted, shall not be connected to any source of power or electrified in any manner whatsoever.
- (8) Fences, walls or hedges shall be permitted in required yards or required building separations. However, no fence or wall shall be located closer than two and one-half (2½) feet to any street right-of-way. If a utility easement exists adjacent to a street side property line, no setback shall be required. However, if a sidewalk is located in the right-of-way, fences and walls shall be located at least two and one-half (2½) feet from the edge of the sidewalk.
- (9) In all residential zoning districts, no chain link fencing shall be permitted in the front yard area.
- (9) Entry columns at driveways shall be permitted in RS-1, RS-3, RS-4, and RS-5 zoning districts. Columns may exceed the maximum height of fences by no more than twenty (20) percent.
- (10) In all zoning districts, only pressure treated pine, redwood and cedar wood shall be acceptable for wood fence construction.
- (10) In all districts, no fence, wall or hedge shall be erected, constructed, maintained or grown to a height exceeding three (3) feet above the street grade nearest thereto within a triangle formed by the intersection of two (2) or more public rights-of-way with two (2) sides of the triangular area being thirty (30) feet in length along the abutting public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two (2) lines.
- (11) All wood used for fencing shall have a nominal thickness of five eighths (5/8) of an inch.

(11) In all districts, fences, even though otherwise permitted, shall not be connected to any source of power or electrified in any manner whatsoever.

(12) In all residential zoning districts, front yard fencing shall be decorative only.

(13) All walls must include aesthetic design features such as columns, trim, and varying textures.

(14) In all zoning districts, fences shall be screened with ~~shrubs a hedge~~ along each perimeter adjacent to a street, canal right-of-way, a linear separate parcel that lies between a public right-of-way and the property line to be fenced or other water body. ~~The maximum spacing between each shrub shall be three and one half (3½) feet on center.~~

~~Shrubs Hedges~~ will not be required if the following exists:

- A. If a fence adjacent to a canal right-of-way, or other water body, is a black or bronze coated vinyl chain link fence, metal rail fence or wrought iron fence; or
- B. If a fence is immediately adjacent to a deck or patio without having any separation between the fence and deck.

~~(15) All wooden fences shall have a recognizable finished side facing adjacent properties and rights of way.~~

(15) The use of different types of fencing material is permitted. However, if the fence is adjacent to a major arterial, as identified in the Broward County Trafficways Plan, the new fencing material shall match that of a directly adjacent neighboring property.

~~(16) Slats made of metal, vinyl or any other material will not be allowed in chain link fences including gates for dumpster enclosures, throughout the City of Coral Springs.~~

(16) If fifty (50) percent or more of an existing section of fence is to be repaired or replaced, that section of fence must be repaired or replaced in its entirety and in conformance with the current code.

~~(17) Opaque fences are prohibited along the rear property line that is adjacent to any type of waterway that is directly to the rear of the primary residence.~~

(17) In such cases where a special district has granted written permission for the fence and landscaping to be placed within their right-of-way, the following conditions shall be met:

- (a) Fences and landscaping (where required under this section) shall be placed no closer than twenty (20) feet from the normal water line within the right-of-way as determined by the district, including on-site inspection;
- (b) Fences shall meet all screening requirements as listed in this section;
- (c) Gates shall be incorporated as directed by the special district to allow access to the canal right-of-way; and
- (d) All landscaping to be included in the right-of-way shall be native materials.

~~(18) The use of different types of fencing material within the same property that are connected or directly adjacent and not distinctly separated is strictly prohibited unless the property backs up to a body of water.~~

(19) ~~Wood fences must be maintained in their natural state or stained to preserve their natural state. The painting of wood fences that conceals the natural wood is prohibited except for picket fences.~~

(20) ~~Board on board or stockade fences made of wood, PVC (vinyl) or similar materials are prohibited. Opaque fences must be offset shadowbox type fences to provide increased airflow and higher aesthetic appeal. Other fences such as picket fences are permitted provided they allow airflow through them and are not opaque.~~

(21) ~~Bare metal or galvanized chain link fences are prohibited. All chain link fences must be vinyl coated.~~

(22) ~~If an opaque fence is utilized, irrigation heads cannot be blocked to prevent watering of landscaped areas on opposite side of such fence, including public rights of way or linear parks.~~

(23) ~~Any existing fence that is repaired or replaced equal to or greater than fifty (50) per cent of the entire fence, must conform to current code.~~

(24) ~~In such cases where a special district has granted written permission for the fence and landscaping to be placed within their right of way, the following conditions shall be met:~~

- (a) ~~Fences and landscaping (where required under this section) shall be placed no closer than twenty (20) feet from the normal water line within the right-of-way as determined by the district, including on site inspection;~~
- (b) ~~Fences shall meet all screening requirements as listed in this section;~~
- (c) ~~Gates shall be incorporated as directed by the special district to allow access to the canal right of way; and~~
- (d) ~~All landscaping to be included in the right of way shall be native materials.~~

Section 3. That Section 250834 of the Land Development Code, entitled “Plant material and installation requirements”, is hereby amended to read as follows:

Sec. 250834. - Plant material and installation requirements.

(1) Plant selection should be based on the plant's adaptability to the existing conditions present at the landscaped area and native plant communities, particularly considering appropriate hardiness zone, soil type and moisture conditions, light, mature plant size, desired effect, color, and texture. Plant species that are drought and wind tolerant are preferred. For purposes of determining prohibited and controlled plant species, refer to the Department of Agriculture and Consumer Services, Chapter 5B-57, Florida Administrative Code ("F.A.C.") Plants named in this rule may not be used, except as allowed in Chapter 5B-57.

(18) Shrubs:

(a) Shrubs shall be considered in accordance with standards set forth in the current official "Landscape Manual" available at the development services department. Shrubs classified as "spreading type" shall have a minimum height of twelve (12) eighteen (18) to twenty-four (24) inches with a minimum spread spacing of between eighteen (18) and twenty-four (24) inches, and those classified as "upright type" shall have a minimum height of twenty-four (24) inches with a spread of eighteen (18) inches, when measured immediately after planting.

(b) Hedges, where required, shall be planted and maintained so as to form a continuous visual screen. Shrubs used as hedges shall be Florida Department of Agriculture Grade No. 1 or better with a minimum height of twenty-four (24) inches and a minimum spread of between eighteen (18) and twenty-four (24) inches, when measured immediately after planting and shall be capable of reaching a minimum of three (3) feet in height within two (2) years from the date of planting. Hedges shall be planted with branches touching, so as to create a solid screen with no visual spaces between plants at time of installation. Plant spacing shall be adjusted according to plant sizes so long as a solid screen is achieved.

Section 4. Repeal of Conflicting Ordinances.

All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 6. Inclusion in Code.

It is the intention of the City Commission of the City of Coral Springs, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Springs Code of Ordinances; and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 7. Effective Date.

This Ordinance shall become effective upon the approval of the City Commission.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2014.

PASSED ON SECOND READING THIS ____ DAY OF _____, 2015.

CITY OF CORAL SPRINGS, FLORIDA

WALTER G. CAMPBELL, JR., MAYOR

ATTEST:

JOSEPHINE CHAVEZ, CRM, CMC, CITY CLERK

Unanimous ____
Motion /2nd

Yes No

____	____	MAYOR CAMPBELL	____	____
____	____	VICE MAYOR VIGNOLA	____	____
____	____	COMMISSIONER DALEY	____	____
____	____	COMMISSIONER CARTER	____	____
____	____	COMMISSIONER CIMAGLIA	____	____

Other Cities' Fence Requirements

Municipality	Maximum Height along Street Side	Setbacks from property line	Notes
Coral Springs	5 feet	None	
Davie	6 feet	None	Must Observe 25 ft site triangle.
Parkland	6 feet	None	
Deerfield Beach	6 feet	<u>Single-and-Two-Family-Dwellings-</u> Street Side (Corner Yards) 15 feet. <u>Multifamily Dwellings-</u> 5 feet	
Coconut Creek	6 feet	5 feet from property line or access easement.	If a sidewalk is present, then shrubs or hedges must be placed along the outside of the fence (24 inches high & 18 spread)
Pompano Beach	6 feet	4 feet	
Margate	<u>Single Family</u> - 6 feet <u>Multifamily</u> - Front and corner: 4 feet must be 90 % see through. Side and rear: 6 feet.		
Tamarac	6 feet	None	
Boca Raton	6 feet	5 feet	Must Observe 25 ft site triangle.
Ft. Lauderdale	6 feet 6 inches	3 feet	
Hollywood	6 feet		
Pembroke Pines	6 feet	None	Must Observe 25 ft site triangle.
Weston	6 feet	None	
Plantation	6 feet	None	

Analysis Completed August 2014