



Town of Luray, Virginia
Council Agenda Statement

Item No: VI - B

Meeting Date: April 9, 2018

Agenda Item: PUBLIC HEARING & COUNCIL CONSIDERATION
Item VI-B – Proposed Code Amendment – Article V – Section 504 - Fences

Summary: Council is requested to consider a proposed update to the Town Code Section 504 of Article V of Appendix A regarding the zoning regulations for fences. The suggested amendment to the Code is proposed to 1) include descriptive headings that are consistent with and declarative of each section’s content; 2) provide a height limit of four feet for fences parallel to the street Right-of-Way abutting the front yard of a lot in a Residential District; and 3) establish that a fence is not a structure for the purposes of the Zoning Ordinance and therefore not subject to setback or yard requirements. The Town Attorney has also developed changes to Sections 503 and 504 that addresses sight distance concerns, as well as establishes a “grandfather” clause for existing conditions. Staff recommends the recommended changes to Sections 503 and 504 and the Town Attorney has determined that they are substantially conforming to the advertised Public Hearing.

At the March 27th Work Session, Town Council discussed several concerns that have been reviewed by the Town Attorney:

Fence for screening – Screening is typically required for commercial properties; the 4’ fence height only applies to residentially zoned properties. The locations discussed at the Work Session are in the commercially (B-1) zoned Downtown area.

Fence Height – Fence height is determined from the top most point of the ground; if a fence is on a wall, the height is from the top of the wall, not its foundation.

Lot with 2 Streets – A lot located between two streets in a residential zone shall only have the front yard requirement with the front yard established during the site plan process.

Sight Distance – The Town Attorney has identified proposed modifications to Section 503 and 504 related to sight distance concerns about fences and other obstructions that are included in the packet with proposed changes red-lined.

Council Review: March 27th Work Session

Fiscal Impact: N/A

Suggested Motion: I move that Town Council approve the Code Amendment to Town Code Sections 503 and 504 Article V of Appendix A regarding the zoning regulations for fences as presented and recommend by the Town Attorney.