

**ORDINANCE NO. 2793**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF CORSICANA, TEXAS, AMENDING CHAPTER  
12, ARTICLE 12.100, SECTION 8.401 AND REPEALING  
CHAPTER 12, ARTICLE 12.100, SECTION 15-100 OF  
THE CITY CODE OF ORDINANCES CONCERNING  
FENCING/SCREENING REQUIREMENTS.**

**WHEREAS**, in accordance with the provisions of the laws of the State of Texas, the City Council has conducted a public hearing for the purpose of considering the amendment to the Code of Ordinances for the City of Corsicana, Texas.

**NOW, THEREFORE BE IT ORDAINED**, by the City Council of the City of Corsicana, Texas, that Section 8.401 of Chapter 12, Article 12.100 of the City Code of Ordinances is repealed in its entirety and amended as follows:

Section 8.401 Fencing/Screening Requirements Within the City Limits of Corsicana

~~A) Any Mobile Home Park, Trailer Camp(s), or Trailer Subdivision(s) as defined in Chapter 12, Section 8-600 (may or may NOT be considered as a Planned Development District) will be required to have a proper screening wall to serve as a visual barrier. Any required screening wall or fence must be constructed of masonry or with a concrete or metal frame supporting a permanent type wall, or fence material which does not contain openings constituting more than four (4) square inches in each one (1) square foot of wall or fence surface, and the surface of such wall or fence shall constitute a visual barrier. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence, and be free of any advertising.~~

~~B) Screening—Mobile Home Parks, Trailer Camps, Trailer Subdivisions subject to the following requirements:~~

~~A solid, opaque screening wall or fence of not less than six (6) feet in height, measured at the highest finished grade, shall be provided along all perimeter property lines of a Mobile Home Park, Trailer Camp, or Trailer Subdivision. Such mobile home park or subdivision shall be screened from any adjacent arterial thoroughfare in accordance with this ordinance.~~

~~C) Junk Yards and Salvage Yards, including Automobile Salvage Yards and Wrecking Operations, as well as Auto Storage are subject to the following requirements:~~

~~All outdoor storage shall be conducted entirely within a solid fence at least eight foot (8') in height with lockable gates. The fence or wall on any property line is expressly prohibited. Junk or salvage materials shall not be piled against the exterior of the fence. Junk or salvage materials shall not be stacked higher than the height of the fence, unless otherwise totally screened. Screening shall be provided around the perimeter of the property.~~

~~D) This legislation is designed to provide improved liability between different or dissimilar land uses by defining policy and standards regarding the placement, retention,~~

or replacement of areas designated as screen borders or buffer areas. This legislation is further designed and intended to promote the health, safety, and welfare of the public by requiring screen to accomplish the following:

- 1) Reduce the transmission of noise, dust, and glare;
- 2) Lessen perceived visual pollution;
- 3) Create a greater sense of privacy;
- 4) Improve esthetics, by effectively landscaping a non-residential use.

E) Maintenance. All fences constructed within the city shall be maintained in a vertical position, and although functional, not create an unsightly condition that substantially detracts from the appearance of the neighborhood.

- (1) All fences must remain in good working order, and may not have any missing boards for more than a five-day period.
- (2) Fences are not allowed to obstruct the vision of motorists on the public street.
- (3) Fences must be upright, and maintain less than a 20% angle in any direction, or will be considered in violation.
- (4) Fencing materials not allowed within the City limits include: plywood, sheet metal, corrugated steel, fiberglass panel, or electric fences.
- (5) Barbed wire may be used only in agricultural or commercial uses. In commercial use, it may only be used on the top portion of fences for security purposes.
- (6) Razor wire will not be allowed in areas adjacent to or zoned R-1, R-2, R-3, R-4, F-1, MF-1, and MF-2.
- (7) For purpose of enforcement, these requirements apply to the exterior fence and do not apply to materials necessary for containment of animals inside fences.

F) Variances. Requests for variances to this ordinance will be considered by the City Council.

G) Permits. You will need to obtain a permit if you are building a new fence, or placing more than 25% of an existing fence. Permits for fences to be constructed may be obtained through the City of Corsicana Planning & Zoning department for the fee of \$10.00.

H) Penalty. Failure to comply with this ordinance shall be deemed a violation and the violator shall have a period of six (6) months to comply. Violators will be charged with a Class "C" Misdemeanor, and be subject to a minimum fine of \$400, not to exceed \$2,000 per occurrence. For the purpose of this section, each day during which there exists any violation of any provisions herein shall constitute a separate violation of such provisions.

I) For any land use of which it is determined by the Building Official that it is necessary to be screened from public view in order to protect the city's natural, scenic, historic, architectural or cultural resources a solid, opaque screening wall or fence not less than eight feet (8') in height, measured at the highest finished grade, shall be provided along all perimeter property lines. Appeals of the Building Official's decision will be considered by City Council as outlined in Section 8.401 (G).

*A) Residential. In any residential district or along the common boundary between any residential and non-residential district where a wall, fence or screening separation is erected, the following standards shall be observed:*

*1. Front yard. Any fence or wall located in the minimum required front yard shall comply with following height requirements:*

*(a) Solid fences shall not exceed three (3) feet in height.*

*(b) Wrought iron fences with opacity less than 50% shall not exceed eight (8) feet in height. Fences of any other permitted material with opacity less than 50% shall not exceed four (4) feet in height.*

*2. Rear yard. Any fence or wall located in the rear of the minimum required front yard line shall not exceed eight (8) feet in height above the adjacent grade.*

*B) Planned Development District. Any screening wall or fence required under the provisions of the Planned Development District shall be constructed of masonry or with a concrete or metal frame supporting a permanent type wall, or fence material which does not contain openings constituting more than forty (40) square inches in each one (1) square foot of wall or fence surface, and the surface of such wall or fence shall constitute a visual barrier. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence.*

*C) Manufactured Home Parks, Manufactured Home Subdivisions, or Recreational Vehicle (RV) Parks as defined in Chapter 12, Section 8-600 (may or may NOT be considered as a Planned Development District) are subject to the following requirements:*

*1. A solid, opaque screening wall or fence of not less than six (6) feet in height, measured at the highest finished grade, shall be provided along all perimeter property lines of a Manufactured Home Park, Manufactured Home Subdivision, or RV Park. Such parks or subdivisions shall be screened from any adjacent arterial thoroughfare in accordance with this ordinance.*

*2. Any required screening wall or fence must be constructed of masonry or with a concrete or metal frame supporting a permanent type wall, or fence material which does not contain openings constituting more than forty (40) square inches in each one (1) square foot of wall or fence surface, and the surface of such wall or fence shall constitute a visual barrier. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence.*

*D) Junk Yards and Salvage Yards, including Automobile Salvage Yards and Wrecking Operations, as well as Auto Storage are subject to the following requirements:*

*All outdoor storage shall be conducted entirely within a solid fence at least eight (8) feet in height with lockable gates. Junk or salvage materials shall not be piled against the exterior of the fence. Junk or salvage materials shall not be stacked higher than the height of the fence, unless otherwise totally screened. Screening shall be provided around*

*the perimeter of the containment or storage area. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence.*

*E) For any land use of which it is determined by the Building Official that it is necessary to be screened from public view in order to protect the city's natural, scenic, historic, architectural or cultural resources a solid, opaque screening wall or fence not less than eight (8) feet in height, measured at the highest finished grade, shall be provided along all perimeter property lines. Appeals of the Building Official's decision will be considered by City Council.*

*F) Maintenance. All fences constructed within the city shall be maintained in a vertical position and not create an unsightly condition that substantially detracts from the appearance of the neighborhood.*

*1. All fences must remain in good working order, and may not have any missing boards for more than a five-day period.*

*2. No fence, screen, wall or other visual barrier shall be so located or placed that it obstructs the vision of a motor vehicle driver approaching any street, alley or drive intersection. At all street intersections clear vision shall be maintained across the lot for a distance of fifteen (15) feet back from the property corner along both streets.*

*3. Fences must be upright, and maintain less than a 20% angle in any direction, or will be considered in violation.*

*4. Fencing materials not allowed within the City limits include: plywood, sheet metal, corrugated steel, fiberglass panel or electric fences. Exception: 26 gauge R-panel or U-panel with a baked enamel finish may be used in General Retail (GR), Commercial (C), Light Industrial (I-1) or Heavy Industrial (I-2) zoning districts except in areas abutting or adjacent to residential uses.*

*5. Barbed wire may be used only in agricultural or commercial uses. In commercial use, it may only be used on the top portion of fences for security purposes.*

*6. Razor wire will not be allowed in areas adjacent to or zoned R-1, R-2, R-3, R-4, 2F, MF-1, and MF-2.*

*7. For purpose of enforcement, these requirements apply to the exterior fence and do not apply to materials necessary for containment of animals inside fences.*

*G) Open storage. No open storage of commodities, materials or equipment for sale or display shall be permitted in any residential or office district. All commodities and materials offered for sale and displayed in the open in the NS, GR, C or I-1 District shall be located back from the minimum required front yard line. In the I-1 and PD Industrial Districts, no open storage operation shall be permitted except as an accessory use and*

*all such open storage operations shall be located behind the main building and screened with a visual barrier as herein prescribed.*

*H) Variances. Requests for variances to this ordinance will be considered by the City Council.*

*I) Permits. A permit is required to erect a new fence, or to replace more than 25% of an existing fence. Fence permits may be obtained through the Planning & Zoning Department for the fee prescribed in Chapter 13 of the Code of Ordinances.*

**NOW, THEREFORE BE IT FURTHER ORDAINED**, by the City Council of the City of Corsicana, Texas, that Section 15-100 of Chapter 12, Article 12.100 of the City Code of Ordinances is repealed in its entirety and is reserved for future use:

~~Section 15-100 Fence and Wall Regulations~~

~~In any residential district or along the common boundary between any residential or non-residential district where a wall, fence or screening separation is erected, the following standards for height and design shall be observed:~~

~~15-101 Height of fence or wall.~~

~~A. Any fence or wall erected on the property line and located in the rear of the minimum required front yard line as determined by the provisions of 9-104 shall not exceed eight (8) feet in height above the adjacent grade.~~

~~B. No fence, screen, wall or other visual barrier shall be so located or placed that it obstructs the vision of a motor vehicle driver approaching any street, alley or drive intersection. At all street intersections clear vision shall be maintained across the lot for a distance of fifteen (15) feet back from the property corner along both streets.~~

~~15-102 Screening walls or visual barriers and open storage.~~

~~A. Any screening wall or fence required under the provisions of the Planned Development District shall be constructed of masonry or with a concrete or metal frame supporting a permanent type wall, or fence material which does not contain openings constituting more than forty (40) square inches in each one (1) square foot of wall or fence surface, and the surface of such wall or fence shall constitute a visual barrier. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence.~~

~~B. No open storage of commodities, materials or equipment for sale or display shall be permitted in any residential or office district. All commodities and materials offered for sale and displayed in the open in the NS, GR, C or I-1 District shall be located back from the minimum required front yard line. In the I-1 and PD Industrial Districts, no open storage operation shall be permitted except as an accessory use and all such open storage~~

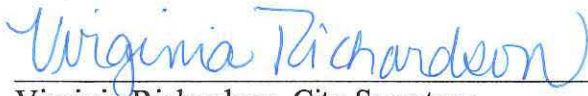
~~operations shall be located behind the main building and screened with a visual barrier as herein prescribed.~~

**PASSED, APPROVED and ADOPTED** this 24th day of March, 2014.



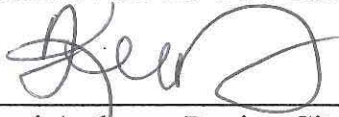
Chuck McClanahan, Mayor

**ATTEST:**



Virginia Richardson, City Secretary

**APPROVED AS TO FORM:**



Kerri Anderson Donica, City Attorney





**ITEM NO. 7E**

**Date:** March 24, 2014

**Subject:** Consider amending Chapter 12, Article 12.100, Section 8.401 and repealing Section 15-100 of the City Code of Ordinances concerning fencing/screening requirements.

**Comments:** The Zoning Ordinance outlines requirements for fencing/screening in two sections, Section 8.401 and Section 15-100. Section 8.401 establishes screening requirements for mobile home/RV parks and auto storage/salvage yards, sets standards for maintenance and materials, and outlines the variance process. Section 15-100 establishes requirements for residential and planned development use, but does not address fencing the front yard.

The proposal is to combine the two existing sections into one section and to establish requirements for residential fencing the front yard. In addition, it is proposed correct the typos, unclear/vague wording and outdated terminology in the existing text and to re-organize the sections for clarity. The final version of the amended ordinance is shown below:

**Chapter 12, Article 12.100, Section 8.401**

*A) Residential. In any residential district or along the common boundary between any residential and non-residential district where a wall, fence or screening separation is erected, the following standards shall be observed:*

*1. Front yard. Any fence or wall located in the minimum required front yard shall comply with following height requirements:*

*(a) Solid fences shall not exceed three (3) feet in height.*

*(b) Wrought iron fences with opacity less than 50% shall not exceed eight (8) feet in height. Fences of any other permitted material with opacity less than 50% shall not exceed four (4) feet in height.*

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*B) Planned Development District. Any screening wall or fence required under the provisions of the Planned Development District shall be constructed of masonry or with a concrete or metal frame supporting a permanent type wall, or fence material which does not contain openings constituting more than forty (40) square inches in each one (1) square foot of wall or fence surface, and the surface of such wall or fence shall constitute a visual barrier. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence.*



C) *Manufactured Home Parks, Manufactured Home Subdivisions, or Recreational Vehicle (RV) Parks as defined in Chapter 12, Section 8-600 (may or may NOT be considered as a Planned Development District) are subject to the following requirements:*

1. *A solid, opaque screening wall or fence of not less than six (6) feet in height, measured at the highest finished grade, shall be provided along all perimeter property lines of a Manufactured Home Park, Manufactured Home Subdivision, or RV Park. Such parks or subdivisions shall be screened from any adjacent arterial thoroughfare in accordance with this ordinance.*

2. *Any required screening wall or fence must be constructed of masonry or with a concrete or metal frame supporting a permanent type wall, or fence material which does not contain openings constituting more than forty (40) square inches in each one (1) square foot of wall or fence surface, and the surface of such wall or fence shall constitute a visual barrier. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence.*

D) *Junk Yards and Salvage Yards, including Automobile Salvage Yards and Wrecking Operations, as well as Auto Storage are subject to the following requirements:*

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E) *For any land use of which it is determined by the Building Official that it is necessary to be screened from public view in order to protect the city's natural, scenic, historic, architectural or cultural resources a solid, opaque screening wall or fence not less than eight (8) feet in height, measured at the highest finished grade, shall be provided along all perimeter property lines. Appeals of the Building Official's decision will be considered by City Council.*

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7. For purpose of enforcement, these requirements apply to the exterior fence and do not apply to materials necessary for containment of animals inside fences.

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H) Variances. Requests for variances to this ordinance will be considered by the City Council.

I) Permits. A permit is required to erect a new fence, or to replace more than 25% of an existing fence. Fence permits may be obtained through the Planning & Zoning Department for the fee prescribed in Chapter 13 of the Code of Ordinances.

**Recommendation:** Consider the request.

**MOTION:**

**I MOVE TO APPROVE AMENDING CHAPTER 12, CONCERNING FENCING/SCREENING REQUIREMENTS.**