

AN ORDINANCE 15-122
ENTITLED

AN ORDINANCE AMENDING THE CITY OF ALBANY'S
ZONING ORDINANCE SO AS TO PROVIDE
REGULATIONS FOR FENCES, WALLS, UTILITIES AND
SCREENING IN ALL DISTRICTS; REPEALING PRIOR
ORDINANCES IN CONFLICT AND FOR OTHER
PURPOSES.

WHEREAS, it is in the best interest of the City of Albany that the Zoning Ordinance be amended concerning fences, walls, utilities and screening in all districts; and

WHEREAS, this ordinance will amend Title II, Article 2, Section 2.05 of the City's Zoning Ordinance so as to provide for a new section 2.05,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. Section 2.05 as it presently exists is hereby deleted.

SECTION 2. Section 2.05 hereinafter shall read as follows:

Section 2.05 FENCES, WALLS, UTILITIES AND SCREENING IN ALL DISTRICTS

Should any other screening or buffering requirements of the zoning code, whether found in Title I, Title II, or Title III, are in conflict with the following regulations, the regulations that provide the greatest degree of buffering and screening shall apply.

1. All fencing used for required screening, where permitted, shall be a minimum of eighty (80) percent opaque and have openings no larger than two and one-half inches in width.
2. Chain-link fencing is not permitted in front yards or yards adjacent to a street, except when located in the following zoning Districts: M-1, M-2, and AG. Placement of chain-link fencing in the C-3 and C-2 Districts is subject to administrative review and approval by the Director of Planning; determining factors will include adjacent land use, zoning districts, and existing fencing. Any party affected by the decision of the Planning Director may file an appeal with the Albany Dougherty Planning Commission according to established procedure specified in Title III, Article 5, Section 5.03, Appeals and Reviews.
3. Walls and fences are not permitted to include barbed wire when such walls and fences are located in the front yard, or in a side yard adjacent to a street, or adjacent to a public street, park or alley.
4. Wall and fences are not permitted to include razor wire; except the M Districts and the C-3 District may include razor wire on walls and on fences only when such walls and fences are not

located in the front yard or in a side yard adjacent to a street, and are not adjacent to a public street, park or alley.

5. **County Only:** The height of fences and walls shall not exceed forty-two (42) inches when located within any required front yard or between the BUILDING STREET FACADE of any principal structure and a street, and in other areas shall not exceed six (6) feet.

City Only: Walls and fences shall be permitted in any zoning district and are not subject to setback requirements of the zoning ordinance, except that in all residential zoning districts:


- a. No wall or fence shall exceed eight feet in height within a side yard or rear yard.
 - b. Any wall or fence that extends into the front yard shall not exceed four feet in height.
 - c. No wall or fence constructed of woven wire or metal fabric (chain link, hog wire, chicken wire or welded wire) shall extend into a front yard, except that a woven wire or metal fabric fence may extend into a front yard when the property contains a minimum of three acres and any wall or fence shall not be constructed of exposed concrete block, tires, junk or other discarded materials.
 - d. Any wall or fence which extends into the required front yard on property less than three acres shall be ornamental or decorative and constructed of brick, stone, wood, stucco, wrought iron, split rail, and shall not be constructed of exposed concrete block, tires, junk or other discarded materials.
 - e. Any subdivision entrance wall or fence shall not extend ten feet in height and shall be subject to approval of a landscape plan, site plan, and architectural elevations by the Director of Planning and Development Services and review by the Planning Commission. Contiguous property owners shall be notified.
 - f. In the case of residential corner lots, a property owner may erect an opaque fence in one of the front yards only in cases where the property is classified as a corner lot. Said fence shall not be closer than ten feet from subject property line, notwithstanding any other provision of this code to the contrary.
6. Loading docks and dumpsters shall be entirely screened from view of any street, PUBLIC OPEN SPACE or SIDEWALK AREA, with vertically enclosed opaque walls.
 7. Utilities shall be placed underground or in alleys wherever feasible.
 8. Screening building mechanical and accessory features:
 - a. Shall be located to the side or rear of the principal structure or on rooftops and shall not be visible from any PUBLIC OPEN SPACE or SIDEWALK AREA.
 - b. When located on rooftops shall be incorporated in the design of the building and screened with materials similar to the building.

SECTION 3. Pre-existing fencing and walls not in compliance may remain in place, provided any replacement of same is subject to this Ordinance.

SECTION 4. Properly recorded subdivision covenants to which are more restrictive may be enforced by property owners of the subdivision.

SECTION 5. This Ordinance shall become effective immediately upon adoption.

SECTION 6. All Ordinances or parts of Ordinances, in conflict herewith are repealed.


MAYOR

ATTEST:


CITY CLERK

Adopted: July 28, 2015

Introduced By Commissioner: Roger Mavetta
Date(s) read: July 28, 2015