



city of **CREVE COEUR**

300 North New Ballas Road • Creve Coeur, Missouri 63141
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NOTICE OF PUBLIC HEARING

APPLICATION TO PLANNING AND ZONING COMMISSION #21-015 TEXT AMENDMENTS TO SECTION 405.640 FENCES AND WALLS OF THE CITY'S ZONING ORDINANCE REGARDING PROHIBITING SPIKES AT THE TOP OF METAL FENCES

FOR THE MEETING OF: **Monday, May 17, 2021 at 6:30 P.M.**

LOCATION: All Districts within the City

REQUEST: Jason Jaggi, Director of Community Development, on behalf of the City of Creve Coeur, Planning Division, has submitted an application for a text amendment to Section 405.640 Fences and Walls to prohibit spikes at the top of decorative metal fences, as well as, other clarifying language. Additional information is available at the Government Center, Planning Division offices or on the City's website Text Amendments to the Zoning Ordinance requires review at the Planning and Zoning Commission and approval by the City Council.

ADDITIONAL INFORMATION: Review of the proposal is scheduled for the meeting on Monday, May 17, 2021 at the Planning and Zoning Commission. The Planning and Zoning Commission meeting is held at 6:30 p.m., in the Council Chambers of the Creve Coeur Government Center located at 300 North New Ballas Road. Due to the pandemic emergency, the Planning and Zoning Commission and City Council meetings will be held via teleconference until further notice. Online meetings are hosted through a remote conferencing service called Zoom, which offers audio and/or video conferencing. We encourage you to attend remotely if you have any questions or wish to make a statement. For more information on the meeting and to register please go to: <http://www.crevecoeurmo.gov/1125/Public-Hearing-Registration>.

In addition, you can submit written or e-mail comments to Planning staff in advance of the meeting. Additional information regarding this proposal is available at the Government Center, Planning Division offices or on the City's website at www.crevecoeurmo.gov/447/Current-Planning-Projects. You may also call (314) 872-2501 or e-mail wkelly@crevecoeurmo.gov.

APPLICANT: Jason Jaggi
Director of Community Development
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

Key Issues:

- Are the changes consistent with the purposes of the Zoning Code
- Are the changes consistent with the purposes of the Comprehensive Plan

Creve Coeur 2030 Comp. Plan References

- Residential Development & Preservation

Zoning Code References

- Section 405.630 Yard Encroachments
- Section 405.640 Fences and Walls

STAFF CONTACT: Whitney Kelly, AICP, City Planner

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 405.640 OF THE CITY'S ZONING ORDINANCE, FENCES AND WALLS, TO CLARIFY SAME AND TO PROHIBIT SPIKES AT THE TOP OF METAL FENCES

WHEREAS, an application was submitted by the City's Department of Community Development for text amendments regarding sections of the City's Zoning Ordinance, Chapter 405, Section 405.640 Fences and Walls, to prohibit metal spikes on the top of residential fences to prevent deer from getting entangled; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, has recognized the need for such changes as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on May 17, 2021, beginning at 6:30 p.m., or immediately following the close of the previous public hearing; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of ___ recommended approval of the subject amendments at its meeting on May 17, 2021; and

WHEREAS, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and the Bill was read by title in open meeting two times before final passage by the City Council; and

WHEREAS, the City Council being fully informed finds that amending the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort, and convenience of the citizens of the City of Creve Coeur and in the public interest,

NOW THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri, as follows:

Section 1. Section 405.640(C) Fences and walls of the Creve Coeur Code of Ordinances is hereby amended to read as follows:

Section 405.640. Fences And Walls. As provided under Section 405.630(A)(9) of Yard Regulations, fences and walls are allowed within required yards, subject to the following provisions:

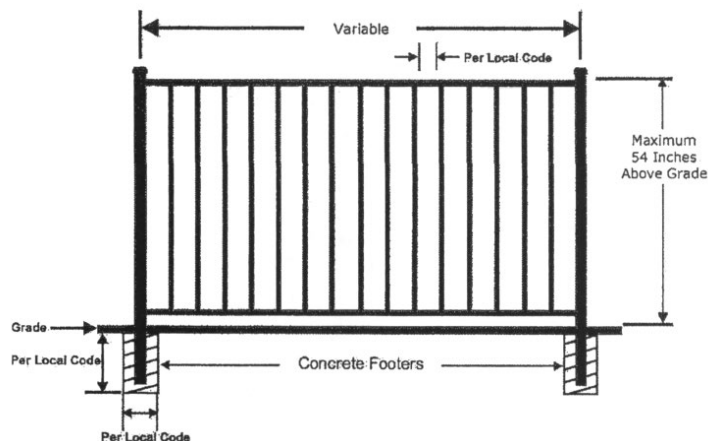
- A. Height Of Fences And Walls. No fence or wall shall exceed six (6) feet in height unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem.

- B. Fences Or Walls At Street Intersections. No fence or wall shall be located within the sight triangle (as defined in Article II) of a street intersection.
- C. Fences Or Walls Within The Front Yard Section And Along Street Right-Of-Way. A fence may project within the area equivalent to the front yard of the applicable zoning district, when clearly to the side or rear of the home, provided that such fence is setback at least fifteen (15) feet from the property line, no more than four (4) feet in height, and is an open slatted decorative metal fencing, similar in style for swimming pool enclosures as provided in Subsection (D). Any other fence design or location, outside of the preceding criteria, in the area equivalent to the front yard along any street right-of-way shall be subject to site development plan approval [by the Planning and Zoning Commission](#) in accordance with Section 405.1080.

Walls, entry columns, and gates, in front of the home within the front yard or the area equivalent to the front yard shall be subject to site development plan approval in accordance with Section 405.1080.

D. Fences Surrounding Swimming Pools.

1. Every private swimming pool constructed anywhere in the City of Creve Coeur shall be provided with an enclosure surrounding the pool area that is constructed and maintained in compliance with the Creve Coeur Building Code. The Zoning Administrator shall have the authority to approve a fence surrounding a swimming pool within a setback as described under the following conditions:
 - a. The fence is at least fifteen (15) feet from any lot line.
 - b. The fence is a maximum of fifty-four (54) inches in height.
 - c. The fence meets Building Code standards regarding design and placement of fence to the pool.
 - d. The fence is of an open slat black metal style, similar to the following:



- e. If the Zoning Administrator finds that any of the aforementioned standards is not met, the fence shall require Planning and Zoning Commission approval in accordance with Sections 405.640 and 405.1080.

E. Game Court Fence. Tennis, basketball, racquetball, handball, and other game courts, hockey/ice rinks, batting cages, and other similar facilities may have an open dark coated chain link, or black netted fence customary for recreational activities up to ten (10) feet in height, provided such fence is setback at least fifteen (15) feet from any property line

abutting a single-family residence. Approval of permanent lighting standards for Game Courts shall be reviewed by the Planning and Zoning Commission as a Minor Site Plan as provided in Section 405.1080.

~~F. The horizontal and vertical support posts must be inside of the fence area or otherwise hidden from both the neighbor's and general public's view. Fences with a shadowbox design shall be considered to hide support posts.~~

G.F Fence materials and designs shall be subject to the following standards:

1. The design, color and material of the fence shall be complementary or shall match the principal structure on the property.
2. Solid sight-proof, white vinyl fences are prohibited; Vinyl fencing is permitted provided it maintains a natural wood color and/or dark color or style. For the purposes of this Section, natural colors shall include tan, gray, brown, or beige.
3. The horizontal and vertical support posts must be inside of the fence area or otherwise hidden from both the neighbor's and general public's view. Fences with a shadowbox design shall be considered to hide support posts.
4. Metal fencing shall have a flat top, similar to the graphic for subsection (D)(1)(d) above, in residential districts. Metal spikes or spears at the top of a fence are prohibited in residential districts.
5. Except as otherwise provided herein, raw metal chain link fencing is prohibited for all residential development, but dark coated fencing is allowed.

Section 2. This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2021.

HEATHER SILVERMAN
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2021.

DR. ROBERT HOFFMAN
MAYOR

ATTEST:

DEBORAH RYAN, MPCC
CITY CLERK