

..Title

Fence Permit Requirements Related to Use and Development Standards in the City Zoning Code, Title 21 – For the purpose of creating additional standards related to home fencing along forests and open spaces; clarifying undue obstructions related to fencing; stating Council preference for extra consideration regarding fences on an up-slope; and generally related to fence regulation in Title 21.

..Body

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 30-24

Introduced by: Alderman Savidge

Referred to:

Planning Commission
Rules and City Government Committee

AN ORDINANCE concerning

**Fencing Requirements for Permits Related to Use and Development Standards
in the City Zoning Code, Title 21**

FOR the purpose of creating additional standards related to home fencing along forests and open spaces; clarifying undue obstructions related to fencing; stating Council preference for extra consideration regarding fences on an up-slope; and generally related to fence regulation in Title 21.

BY repealing and reenacting with amendments the following portions of the Code of the City of Annapolis, 2024 Edition:
21.60.070

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

Title 21 - PLANNING AND ZONING

Division V - Regulation of General Applicability

Section 21.60.070 - Fences and walls.

- E. Fences and walls shall not be located to unduly obstruct light and air from neighboring properties or public ways.

Explanation: ~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates a change to the City Code.
Underlining & black - copyediting or reformatting of existing Code section
Underlining & red - new matter added to the code.

- 1 1. Privacy fences or other fences with less than two inches gap between boards,
2 excluding lattice-type fencing, shall not be installed along areas that are backed
3 on one side, the applicant's side, by forests or open space that does not have
4 homes located on or within 50 feet of the fence.
- 5 2. Undue obstructions could include, but are not limited to, fences that are over four
6 feet tall that include no lattice or have gaps smaller than two inches between
7 boards, that are proposed to be located within 10 feet of a neighboring property's
8 rear windows or that are backing undeveloped forest.
- 9 3. Fences located on up-slopes behind homes may be more obstructive to light and
10 air and should be modified as needed to alleviate this issue, especially when there
11 are no homes on the applicant's side of the fence.

12
13 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
14 **ANNAPOLIS CITY COUNCIL** that this ordinance:

- 15 1. Shall take effect upon passage; and
- 16 2. Apply to all projects and applications without final approval from the Department.

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