

AN ORDINANCE AMENDING SECTION 407.040.D.3 OF THE UNIFIED DEVELOPMENT CODE, OF THE CODE OF ORDINANCES OF THE CITY OF BLUE SPRINGS TO ADOPT NEW FENCING DESIGN STANDARDS

WHEREAS, the City of Blue Springs adopted a Unified Development Code (UDC) in 1996 by passage of Ordinance No. 2738 on November 18, 1996, and readopted an amended Unified Development Code on August 3, 2015, by passage of Ordinance No. 4558; which has been further amended for maintenance purposes, as well as to respond to changing development patterns and keep up to date with current trends; and

WHEREAS, City staff is committed to bringing forward amendments to the UDC as needed; and

WHEREAS, the proposed UDC amendments are intended improve the aesthetic quality of fencing design throughout the City; and

WHEREAS, the City Council is elected to promote the community's health, safety, and welfare, which duty includes proper planning and ordinances designed to provide for a coordinated development of the City and the reduction of conflicting use to promote the general welfare; and

WHEREAS, the Development Advisory Commission recommends the approval of amendments to the Unified Development Code; and

WHEREAS, the Planning Commission held a public hearing and, after discussion, recommends to the City Council the language set forth below; and

WHEREAS, after due notice, public hearings were held before the Planning Commission at its November 13, 2023, meeting and City Council at its December 4, 2023 meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BLUE SPRINGS, MISSOURI, as follows:

NOTE: LANGUAGE TO BE ADDED IS UNDERLINED. LANGUAGE TO BE DELETED IS SHOWN AS ~~STRICKEN~~. Sections and Subsections not set out herein are not amended or changed.

Section 1. That Section 407.030.D.3 of the Code of Ordinances, City of Blue Springs, Missouri, is hereby amended to read as follows:

Section 407.040. Site And Landscape Design.

D. Buffers, Screens And Fencing

3. Fences. All fences for screening, security, or privacy shall meet the following standards.

c. Other Fence Design Standards.

- (1) Any fences that could potentially create a sight obstruction for vehicles crossing pedestrian areas or entering the street may require greater transparency or additional location restrictions to allow for safe sight distances.
- (2) All fences shall be constructed so that the finished side faces outward from the property installing the fence and the support posts are inside the fence and screened from view.
- (3) Fences may be located so that the fence face is at or near the property line; otherwise the fence shall be setback at least three (3) feet from the property line absent more specific standards in these regulations. Any areas set back three (3) feet or more from the property line, which could become enclosed by other similarly located fences, may be required to have at least one (1) gate for access and maintenance equipment.
- (4) Fences shall be constructed out of any of the following materials; however, no fence shall be constructed out of more than two of the materials below:
 - (a) Wood or vinyl simulating wood;
 - (b) Wrought iron or aluminum simulating wrought iron;
 - (c) Stone, brick, concrete with stone or brick veneer, or precast concrete simulated stone or brick; or
 - (d) Chain link or vinyl clad chain link in the rear or side yard only, provided all exposed steel shall have a color finished coat or be galvanized.
 - (e) Fences for security in non-residential districts or fences around recreation amenities such as tennis courts or pools may be exempt from the height and material standards.
 - (f) Any fence proposed across a drainage way or drainage easement shall require review and approval by the Director of Public Works.
 - (g) No more than two materials and/or styles of fences may be utilized.
 - (h) Additions or add-ons to fences to increase the height as permitted otherwise under this Section shall be of the same materials, color and of a compatible design as the primary fence.

Section 2. That this Ordinance shall be in full force and effect from and after its passage and approval.

Section 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Administrator without the need to come before the City Council.

PASSED by the City Council of the City of Blue Springs, Missouri, and approved by the Mayor of Blue Springs, this 4th day of December 2023.

CITY OF BLUE SPRINGS

Carson Ross, Mayor

ATTEST:

Erin Ford, City Clerk

1st Reading: December 4, 2023
2nd Reading: December 4, 2023