

TOWN OF PARADISE VALLEY

Wall and Fence Ordinance Study Session January 28, 2021



TODAY'S GOAL

Discussion and direction to staff regarding possible code amendments to address consistency and clarity of side and front yard regulations for wall, view fences and combination view fences on corner lots.



January 28, 2021

CURRENT CODE

Current Code Issues:

- Difficulty in determination of front and side yard
- Unclear definitions of wall and fence type
- Complexity of regulations



ZONING ORDINANCE

TABLE 2404A – ALL RESIDENTIAL DISTRICTS SETBACK AND HEIGHT REGULATIONS FOR WALLS / VIEW FENCES/COMBINATION VIEW FENCES

FRONT YARD ALONG RIGHTS-OF-WAY			
STREET TYPE	TYPE OF WALL OR FENCE	SETBACK FROM PROPERTY LINE, FEET	MAXIMUM HEIGHT, FEET
Major	View Fence	10, Minimum	**8, including berm
	Meandering Wall	15, Average	**8, including berm
	All Others	20, Minimum	**8, including berm
	Any	10, Minimum	3
Local, Collector,	Any	10, Minimum	3
Minor	View Fence/Combination View Fence	***20, Minimum (Landscape Restrictions with Maintenance Requirements)	6
	All Others	*40, Minimum	6
SIDE OR REAR YARD ALONG RIGHTS-OF-WAY			
Major	View Fence	10, Minimum	**8, including berm
	Meandering Wall	15, Average	**8, including berm
	All Others	20, Minimum	**8, including berm
	Any	10, Minimum	3
Local, Collector,	View Fence	10, Minimum	6
Minor	Meandering Wall	15, Average	6
	All Others	20, Minimum	6
	Any	10, Minimum	3
SIDE OR REAR YARD INTERIOR (not along any right-of-way)			
Not applicable	Any	None Required	6
SIDE OR REAR YARD INTERIOR (adjoining non-residential property other than a right-of-way)			
Not applicable	Any	None Required	**8, including berm

* In R-18A Zoning Districts, the front yard setback along local, collector, or minor streets is minimum 35 feet.

In R-10 Zoning Districts, the front yard setback along local, collector, or minor streets is minimum 20 feet, or as shown on the recorded plat, or as existing at the

time of annexation. The setbacks shown on the recorded plat take precedence. If there are no setbacks shown on the recorded plat, the applicant shall choose a setback of 20 feet or a setback as existing at time of annexation. Reference Table 2404A for R-10 Zoning District side and rear yard setbacks.

** Refer to Section 2404(a) for details

*** Refer to Section 2404.d for landscape restrictions.

TABLE 2404B – ADDITIONAL MEANDERING WALLS CRITERIA

Minimum setback from property line	10 feet
Minimum variation offset from average setback	4 feet
Maximum length of any single section meandering between the 10' and 20' setback	15% of total wall length
Maximum setback area allowed in determining meandering setback	20 feet

CONSISTENCY AND CLARITY

On previous Table 2404A, a view fence (a fence with 70% opacity) can be 6' high 10' from the property line on:

- A front yard along a Major Right-of-Way
- A side or rear yard along a Major Right of Way
- A side or rear yard along a Local, Collector, and Minor Right-of-Way.

It cannot, however, be on a front yard along a Local Collector and Minor Right-of-Way, inconsistent with the other 3 similar situations.

POTENTIAL AMENDED CODE

Current Code Issues Resolved :

- ☐ Difficulty in determination of front and side yard
 - ✓ Amend regulations to allow same wall type and setback for side and front yard
- ☐ Unclear definitions of wall and fence type
 - ✓ Review definitions for clarity
 - ✓ Remove “all others” wall type and replace with “any”
- ☐ Complexity of regulations
 - ✓ Review the Table 2404A and simplify to provide clarity



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STAFF RECOMMENDATION

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Revise Wall and Fence Ordinance so that the front and side yard setbacks for a 6' high view fence is consistently allowed for both front and side yards at a minimum of 10' from the property lines.

COUNCIL DIRECTION

Discussion and direction to staff regarding possible code amendments to address consistency and clarity of side and front yard regulations for wall, view fences and combination view fences on corner lots.



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