



Date: December 6th, 2023
To: Chairman Shockey and Commissioners
From: Kim White, Planning Department

Purpose:

The Town of Grand Lake fencing code is fairly basic and states the type of material that is allowed, and the height that is allowed without any permits (highlighted below).

Other jurisdictions have rules such as 50% solid to void ratio, or different height in the front setback than the back setbacks. Below is Winter Park code that we can discuss to see if we would like to adopt any other standards to bolster our own current code.

My suggestion is to at least add a solid to void ratio on the front or corner lots. All fencing should be approved by Town Staff. Height requirements for front, side, rear should be required, and prohibited materials list should be listed.

The GL code also references fencing as screening, if we wanted to review this code as well.

Codes:

Town of Grand Lake Fence Regulations

4. Fences shall be constructed of wood, native or imitation stone in a style and color harmonious with the adjacent building architecture and the surrounding natural environment.
 - (a) Chain link fences may be used as a perimeter around swimming pools, marinas, public playgrounds, licensed day-care facilities, and tennis or other recreational courts.
 1. Chain link fences may also be used for dog pens when such pens are screened from public view, and the fencing does not exceed seventy-five (75') perimeter feet.
 - (b) Fences over eight (8') feet in height shall be reviewed by the Planning Commission for approval or denial.
 - (c) White picket fences are permitted.

Winter Park Fence Regulations

Sec. 3-I-7 Fences and Walls

A. Fences and Walls.

1. *Purpose.* The purpose of these regulations is to maintain adequate visibility on private property and in public rights-of-way, to protect the light and air to abutting properties, to provide adequate screening by regulating height, location, and design, and to promote the movement of wildlife through portions of Town.
2. *Privacy Gates.* Privacy gates are prohibited within the Town.
3. *Fence Design Standards.* The welfare of the Town is based to a great extent on the community's character, which includes natural terrain, open spaces, wildlife corridors, and wooded hillsides. The installation of fences and privacy gates in residential areas can erode this character by impeding views, hindering wildlife movement, and creating the image of a closed, unwelcoming community. It is the intent of the Town to limit fences in most situations in areas outside of the commercial zones (R-C, D-C, and C-1) in order to maintain the open, natural, and wooded alpine character of the Town and establish mandatory requirements for the erection of allowed fences in residential zone districts. Fence/Wall Permits are required; see [Sec. 5-E-1](#), *Site Plan*. Temporary fences that are installed to



protect a construction site shall comply with Sec. 2-B-5-E-2, *Temporary Construction Fencing*.

a. *General Design Standards:*

1. All fences require approval from the Town.
2. Prohibited Materials: Contemporary security fencing such as electrical wire, razor wire, barbed wire, or chain-link fencing (with and without slats), PVC, vinyl, and plastic fencing are prohibited.
3. Height limitations and solid-to-void ratio are set out in Table 3-I-7-1, *Permitted Height and Solid-to-Void Ratios*.
4. Rough sawn timbers, natural logs, and patinaed metal are preferred; Permitted Materials are set out in Table 3-I-7-2, *Permitted Materials*.
5. Fences shall have the finished side face away from the interior of the property being fenced.

Table 3-I-7-1 Permitted Height and Solid-to-Void Ratios		
Yard Setback Type	Maximum Permitted Height	Maximum Solid-to-Void Ratio
Front ¹	4'	1:3
Corner ²	3'	1:3 or 1:5 ³
Side ¹	6'	NA
Rear	6'	NA

Table Notes:
Unless otherwise stated all measurements are in feet.
 1. Measured from the front plane of the primary structure forward or, in the absence of a structure, from the front yard setback forward.
 2. Fences shall not obstruct sight distance at intersections for a minimum distance of thirty-five feet (35') measured from property corners at intersections of streets, roads, highways and railroads except when the town engineer determines that the fence, hedge or wall should be less than three feet (3') in height to permit unobstructed vision of vehicles and pedestrians (intersection sight triangle), as defined by the Standards and Specifications for Design and Construction.
 3. Only applicable if corner fence is within intersection sight triangle.

4. *Residential uses in the following zone districts (ME, R-1, R-2, R-C, D-C, C-1 and R-2-O).*

a. Although discouraged in these zone districts, in all instances fences should complement the property and landscape rather than contain it. Fences delineating property boundaries are not permitted. Fences will be considered for approval by the Director only when demonstrated by the applicant that the design is consistent with the following criteria:

1. Fences shall have a maximum solid-to-void ratio of one to three (1:3), e.g. one inch (1") of solid material for every three inches (3") of opening. Pet fences are exempt from this requirement.
2. Fences shall not enclose an area greater than twenty-five percent (25%) of the total property or two thousand (2,000) square feet, whichever is more restrictive;
3. Fences shall ensure the proposed design does not hinder wildlife migration;
4. If a fence is part of a multifamily project, approval shall be received from the association and the fence design shall be integrated with the property's overall landscape design; and
5. If a fence is located on a duplex, Twin Home, or townhouse property, written approval shall be received from the adjoining property owner for that shared lot line and the fence design shall be integrated with the overall landscape and building design.

b. *Pet Fence.* Shall be located in a rear or side yard or where the fence is not visible from a public right-of-way. Pet fences shall be located to minimize their visibility to the greatest extent possible, which in most instances will require the fence posts to be located behind or to the side of a structure. Pet fences may incorporate a wire mesh or solid wood material to enclose pets. While both materials may be installed vertically on the fence posts, the wire mesh may also extend horizontally over the top of the enclosed pet area. The maximum area of a fenced pet enclosure shall be four hundred (400) square feet or twenty-five percent (25%) of the overall non-



buildable area, whichever is more restrictive. The maximum height is limited to fifty-four inches (54").

c. *Hot Tub Fence.* Privacy fences around hot tubs shall not exceed six feet (6') in height and shall not exceed twenty-five feet (25') in total length. Such fences shall be architecturally compatible with adjacent buildings. Where a fence around a hot tub is highly visible, a Type A bufferyard shall screen the hot tub to soften the fence's visual impact.

5. *Commercial uses in the following zone districts (R-C, C-1, D-C, O-S-F).*

a. *Compatibility.* Walls and fences shall be architecturally compatible with the style, materials, and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually "cohesive" by integrating architectural elements, such as brick (in the D-C zone district only) or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings, or through similar techniques. Length of a fence or wall shall not exceed ninety percent (90%) of the front lot line length.

b. *Materials.*

1. Solid walls and fences are permitted only in rear and side yards. Retaining walls are permitted where required for grading purposes. See Sec. 2-B-4(F), Retaining Walls. Hedges may be used in the same manner and for the same purposes as a fence or wall.
2. Fences used in front yards shall have a maximum solid-to-void ratio of one to three (1:3). Fence materials not listed in Table 3-I-7-2, *Permitted Materials*, may be approved by the Director if they are materials of a similar nature. Where an applicant can demonstrate to the satisfaction of the Town that an alternative material would be architecturally compatible with the surrounding neighborhood, the Director may authorize such materials.
3. Solid fences shall be constructed to meet the wind design criteria of the adopted International Building Code, using a basic wind speed of ninety (90) miles per hour.
4. For details about integrating fences and walls into the surrounding landscape, see the Town's Design Guidelines: Appendix A, Section G, *Fences and Walls*.

Table 3-I-7-2 Permitted Materials							
ZD	Split Rail	Buck & Rail	Wooden Post/Wire Mesh	Horizontal Wooden Board	Wrought Iron	Stone Pier ¹	Brick ¹
Residential							
M-E	P	P	P	P	--	--	--
R-1							
R-2							
R-2-O							
Mixed Residential							
R-C	--	--	P	P	P	P	--
C-1							P
D-C							P
Table Notes:							
1. Stone walls or brick walls shall have a stone or cast stone cap.							

(Ord. 23-603, 06/11/2023)

Effective on: 6/11/2023



Town of Grand Lake Fence Regulations

12-7-4 Design Standards for Structures.

These standards require applicants to consider the inherent nature of color and material selection and their appropriate application, the transition from one to another, and viewing the building as a whole and from many angles. Also, the standards require careful attention to which colors, materials and their structural application are selected for vertical supporting elements, spanning elements, or creating building planes and major building walls.

The standards and criteria established herein are made for the purposes of establishing and maintaining the harmony of appearance between existing buildings and newly constructed buildings and to require the use of materials and colors which are compatible with and which improves the surrounding environment and rustic setting of the Town. The guiding vision is to create a vibrant mountain village to improve the quality of life and physical environment for both residents and visitors alike. Unless otherwise stated, all structures, including temporary facilities, within the town limits are subject to these standards and all applicable provisions of the Building Code, Zoning and Land Use Development Regulations (as adopted) of the Town of Grand Lake.

...

(E) *Site Design Standards.*

1. Refuse containers shall, to the greatest extent possible, be accessed from the public alley right-of-way.
 - (a) Town staff or the Planning Commission shall assess refuse container placement in relationship to the site plan, the topography of the lot, the alley access and the general applicability and availability of placement in or near an alley right-of-way.
2. Refuse containers shall not be stored on the public street right-of-way.
 - (a) Refuse containers, including Dumpsters, shall be permitted to be placed on the public street or alley right-of-way upon issuance of a Special Use or Special Events Permit.
 1. Permit applications shall include the placement of the refuse container and the proposed duration of the placement.
 - (b) Dumpsters may be permitted to be stored on the public street right-of-way upon permission of the Town Board of Trustees.
 1. Dumpsters permitted by the Town Board of Trustees to be stored on the public street right-of-way shall be screened.
 - (i) Dumpsters shall be screened on three (3) sides between October 16th to May 14th as to provide for provider access; and
 - (ii) Dumpsters shall be screened on four (4) side May 15th to October 15th.
 2. Construction Dumpsters may be allowed to be placed on the public street or alley right-of-way as per the determination of Town staff in the building permit process or at the time of interior renovations.
 - (c) Refuse containers may be permitted to be stored in the public alley right-of-way so long as vehicle access is not obstructed by the container.
3. The Town shall encourage and promote the following:
 - (a) Refuse Enclosures for Refuse Containers to optionally screen from the public street right-of-way view on a horizontal plane from the public street right-of-way; and
 - (b) Fences for Refuse Containers to optionally screen from the public street right-of-way view on a horizontal plane down a public alley right-of-way; and



- (c) Multiple business cooperation of Refuse Containers sharing as to reduce the concentration of Refuse Containers in a given geographical area; and
- (d) Multiple business cooperation of Refuse Enclosure sharing as to centralize concentrated Refuse Containers in a given geographical area.

4. Fences shall be constructed of wood, native or imitation stone in a style and color harmonious with the adjacent building architecture and the surrounding natural environment.

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