

1   **THE CITY OF WOODCREEK**  
2   **ORDINANCE NO. 24-XXX**

3  
4  
5           **AN ORDINANCE AMENDING THE CITY OF WOODCREEK CODE OF**  
6           **ORDINANCES AT TITLE XV (“LAND USAGE”), CHAPTER 156 (“ZONING”);**  
7           **PROVIDING FOR AMENDMENTS TO FENCE RESTRICTIONS; AND**  
8           **REPEALING ALL CONFLICTING ORDINANCES.**

9           **WHEREAS,** the City of Woodcreek (“City”) is a Texas General Law Municipality operating  
10                  under the laws of the State of Texas; and,

11           **WHEREAS,** Tex. Loc. Gov’t Code Chapter 211 authorizes the City of Woodcreek to adopt  
12                  rules and regulations regarding land use within the City limits of the City of  
13                  Woodcreek for the purpose of promoting the safe, orderly, and healthful  
14                  development of the City; and,

15           **WHEREAS,** the City Council passed and approved Ordinances 16-218, 16-227, 19-252, and  
16                  19-255, which set a six-foot height maximum for fences located within the City  
17                  limits of the City of Woodcreek; and,

18           **WHEREAS,** the City Council finds it necessary to establish the provisions of this ordinance  
19                  regarding the regulation of fences; and,

20  
21           **WHEREAS,** the City Council finds and determines it is in the best interests of the City to  
22                  repeal the City of Woodcreek Ordinances 16-218, 16-227, 19-252, and 19-255;  
23                  and,

24  
25           **WHEREAS,** the City Council finds that it would be advantageous and beneficial to the  
26                  citizens of the City of Woodcreek, Texas, to adopt this ordinance setting an eight-  
27                  foot height maximum for fences located within the City of Woodcreek.

28  
29  
30  
31           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**  
32           **WOODCREEK, TEXAS, THAT:**

33                    Section 1.     Findings. All of the above premises are hereby found to be true and correct  
34  
35                  legislative and factual findings of the City Council and are hereby approved and incorporated into the  
36                  body of the Zoning Code as if copied in their entirety.

37                    Section 2.     Amending Zoning Code. That Code of Ordinances, Chapter 156 Zoning is  
38                  hereby amended as follows with ~~strike throughs~~ being deletions from the Code of Ordinances and  
39                  underlines being additions to the code of ordinance:

1 **Sec. 156.057. – Fences.**

2 *Privacy Fence.* An opaque fence or screen ~~no more than six feet in height~~. A fence shall be  
3 considered opaque if it is made of opaque materials and constructed so that gaps in the fence do  
4 not exceed one-half inch. Fences using boards placed on alternating sides of fence runners shall  
5 be considered opaque if the boards overlap at least one-half inch.

6  
7 **Sec. 156.057. – Fences.**

8  
9 (A) No wall, fence, planter or hedge in excess of two feet high shall be erected or  
10 maintained nearer to the front lot line than the front building setback line, nor on corner  
11 lots nearer to the street side lot line than the building setback line parallel to the side street.  
12 No rear fence, wall or hedge and no side fence, wall or hedge located between the side  
13 building line and the interior lot line (or located on the interior lot line) shall be more than  
14 ~~six-eight~~ feet high. For multifamily districts (MF-1 and MF-2) adjacent and contiguous to  
15 single-family districts (SF-1 through SF-6), perimeter fences along shared district  
16 boundaries may not exceed eight feet height from grade.

17  
18 (B) No object or thing which obstructs sight lines at elevations between two and six  
19 feet above the roadways and within the triangular area formed by intersecting street  
20 property lines and a line connecting them at points 25 feet from the intersection of the  
21 street lines (or extensions thereof) shall be placed, planted or permitted to remain on corner  
22 lots. Wood fences are prohibited on lot lines contiguous or abutting a golf course where  
23 the wood fence would be visible from the golf course. All fences contiguous or abutting a  
24 golf course shall not obstruct sight lines of the golf course and shall be constructed of  
25 panels of a metal product manufactured for the purpose of residential fencing and shall be  
26 a minimum of four feet and a maximum of ~~six eight~~ feet in height.

27 **Section 3.** The repeal of any ordinance or part of ordinances effectuated by the enactment of this  
28 Ordinance shall not be construed as abandoning any action now pending under or by virtue of such  
29 ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as  
30 affecting any rights of the City under any section or provisions of any ordinances at the time of passage  
31 of this Ordinance.

32 **Section 4.** If any provision of this Ordinance is illegal, invalid, or unenforceable under present  
33 or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid,  
34 or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable  
35 provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

36 **Section 5.** Ordinances 16-218, 16-227, 19-252, and 19-255 are hereby repealed in their entirety.

37 **Section 6.** This Ordinance shall be cumulative of all provisions of ordinances of the City except  
38 where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in  
39 which event the conflicting provisions of such ordinances are hereby repealed.

40  
41 **Section 7.** This Ordinance shall be construed and enforced in accordance with the laws of the  
42 state of Texas and the United States of America.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

**Section 8.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Section 9.** This Ordinance shall be in full force and effect after its final passage and approval by the City Council, as duly attested by the Mayor and City Secretary, and any publication required by law.

**PASSED, ADOPTED AND APPROVED** this 5th day of May, **2024**,  
by a \_\_\_\_\_ **Yea** to \_\_\_\_\_ **Nay** to \_\_\_\_\_ **Abstentions** vote of the City Council of Woodcreek, Texas.

PLACE  
CITY SEAL  
HERE

17  
20  
21

**WOODCREEK, TEXAS**

By: \_\_\_\_\_  
*Jeff Rasco, Mayor*

**ATTEST:**

\_\_\_\_\_  
*Suzanne J. Mac Kenzie, City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
*City Attorney's Office*