

**AN ORDINANCE TO AMEND THE CITY OF JOHNS CREEK CODE OF
ORDINANCES, APPENDIX A – ZONING, TO ALLOW FOR REPLACEMENT OF
EXISTING FENCES ADJACENT TO THE PUBLIC RIGHT-OF-WAY AND TO
CODIFY PERMIT REQUIREMENTS FOR FENCES**

WHEREAS, the City of Johns Creek, Georgia, is authorized by the State of Georgia Constitution to execute zoning power within its city limits;

WHEREAS, the City originally adopted its Zoning Ordinance in January 2007, adopting the Fulton County Zoning Resolution in its entirety;

WHEREAS, the Mayor and Council identified the need to allow for replacement of existing fences adjacent to from the right-of-way when such fences are impacted by a City or State road project; and

NOW THEREFORE, the Mayor and Council of the City of Johns Creek hereby ordain that Appendix A – Zoning, Article IV, Section 4.11. “Fences and Walls” and Article XII-E., Section 12E.3.C. “Screening” are amended as follows:

ADDITION IN **BOLD**
DELETION IN ~~STRIKETHROUGH~~

Article IV, Section 4.11. – Fences and Walls.

Fences and walls which conform to the provisions stated herein shall be permitted by the Community Development Department. ~~Fences erected for agricultural purposes in the AG-1 District shall be exempt from permit requirements.~~

- A. *Visibility Triangle*. Fences, walls and vegetative materials used in association therewith must not obstruct the minimum sight distance requirements which are specified in the City of Johns Creek Development Regulations. ~~administered by the Director of the Community Development Department.~~
- B. *Gates*. No part of an automobile gate shall be located within 20 feet of a public right-of-way, nor shall any gate or vehicle in any way obstruct a public right-of-way or the minimum sight distance specified in the Development Regulations regardless of whether open, closed or in an intermediate position. **The distance measurement of the gate location shall be taken from the closest point of the gate to the public right-of-way, measured perpendicularly in a straight line.**
- C. *Maintenance of Required Landscape Areas*. Landscape areas or strips required pursuant to this section shall be maintained in accordance with the requirements of the Tree Preservation Ordinance.
- D. *Fence and Wall Materials*. The following standards shall apply to fences and walls.
 1. *Adjoining Right-of-Way*. In all single-family detached dwelling developments, wire and plastic fencing materials, including chain-link fencing ~~with plastic or wooden inserts~~ shall not be used adjoining a ~~street~~ **public** right-of-way, **except when replacing existing chain-link fencing adjacent to the right-of-way due to impacts initiated by a City or State road project. All chain-link fencing shall be black or hunter green vinyl coated.** The architectural treatment of poured

concrete, common aggregate block or concrete block walls shall be approved by the Director of the Community Development Department. This provision shall not preclude the use of chain-link fencing as a security fence around storm water facilities. See Article ~~12E.3.B,~~**12E.3.C.**, Development Standards for Screening.

2. *Fences Along All Property Lines.* Walls and fences constructed along all property lines shall be constructed with a finished side toward the neighboring property.
 3. *Barbed Wire.* Barbed wire may be used in the AG-1 District as long as its use is associated with a legitimate agricultural pursuit. Barbed wire shall not be approved for any single-family dwelling lots including such lots which are located in the AG-1 District. Barbed wire may be used for security strands **only in all but single-family dwelling nonresidential zoning** districts at a height of at least 6 feet above grade.
 4. *Minimum Landscape Requirements.* A minimum three-foot landscape strip shall be provided between a fence or wall and a public right-of-way.
 5. Where the Zoning Ordinance or zoning conditions require fences and walls to be solid/opaque, the visual density of the fence shall be such that it cannot be seen through.
- E. *Height.* Fences and walls shall not exceed a height of eight feet from grade in residential districts. Column and ornament heights are permitted to exceed the maximum fence/wall height up to 3 feet.
- F. *Setback.* Fences and walls shall be set back a minimum of 3 feet from a public right-of-way.
- G. *Permit Requirement.* A fence permit is required when a new or replacement fence is located adjacent to a public right-of-way, within the 75-foot stream buffer, and/or the 2,000-foot Chattahoochee River Corridor. Fences erected for agricultural purposes in the AG-1 District shall be exempt from permit requirements but must adhere to all regulations of this section.**

Article XII-E., Section 12E.3.C. – Screening.

C. *Screening.*

1. Accessory site features located on the ground shall be screened from view from any public right-of-way, any residential use, or any residential or AG-1 zoning category by one of the following: placement behind the building, 100% opaque fencing, berm or vegetative screen planted to buffer standards.
2. Flat roofs, roof mounted equipment and other accessories shall be screened from view from the public rights-of-way, residential uses or any residential or AG-1 zoning category by a parapet, gable roof, roof screen, an architectural feature. Roof equipment and roof screens shall be finished to match the roof or parapet wall. When the relationship between building roofs and adjoining public streets and/or residential developments make screening of roof equipment impossible (e.g. road higher than roof), a parapet of no less than four feet in height shall be installed.
3. Refuse areas and receptacles shall be placed in the least visible location from public streets and shall be enclosed on 3 sides with opaque walls. The walls shall

be made out of exterior building materials allowed in section [12E.3.D.1.] The 4th side shall be an opaque gate. Opaque walls shall be a minimum of 12 inches higher than the receptacle. Refuse receptacles shall not be placed within 50 feet of an existing residential or AG-1 (Agricultural) zoning district.

4. Loading areas shall be screened from the public rights-of-way, any residential use, or any residential or AG-1 zoning category by placement behind the main building, and with fencing, vegetation or vegetation and earthen berms that are no less than 5 feet in height at the time of planting.
5. All parking areas shall be screened from view from the public right-of-way with earthen berms and/or evergreen shrubs planted at a height of no less than 36" as measured from the top of curb of the parking areas.
6. Fencing and wall materials along public streets and side yards are restricted to wood privacy fence, wrought iron, powder coated aluminum, brick, stone, iron, or white wood picket fences, **except where chain-link fencing is allowed in accordance with Article 4.11 on AG-1 zoned land used for agricultural purposes and replacement of existing chain-link fencing adjacent to a public right-of-way when impacted by a City or State road project.**, ~~where chain-link and barbwire fences are allowed in accordance with Article 4.11.~~
7. Chain-link fencing may be used along golf courses, play fields, other recreational areas, and detention/retention facilities. All chain-link fencing shall be black or hunter green vinyl coated.
8. Chain-link fencing, where allowed, shall be screened from right-of-way and residentially zoned property with no less than one continuous row of evergreen shrubs with a height of 3 feet at time of planting. Chain-link fences on AG-1 zoned land used for agricultural purposes shall be exempt from screening requirements.
9. Retaining walls, if visible from the right-of-way or adjacent **to** residentially-zoned property, must be faced with brick, stone or cast stone. Decorative walls or retaining walls shall be allowed in the landscape strip, provided that they are faced with brick or stacked stone to match the architectural building theme.

SO ORDAINED, this _____ day of _____, 2026.

Approved:

John Bradberry, Mayor

ATTEST:

Approved as to Form:

Allison Tarpley, City Clerk

Angela C. Couch, City Attorney

(Seal)