



## ORDINANCE NO. 2023-008

### CITY OF ARDEN HILLS RAMSEY COUNTY, MINNESOTA

#### AN ORDINANCE AMENDING CHAPTER 13, ZONING CODE, SECTION 1325 OF THE ARDEN HILLS CITY CODE

THE CITY COUNCIL OF THE CITY OF ARDEN HILLS, MINNESOTA, ORDAINS:

**SECTION 1.** Chapter 13 - Zoning Code, Section 1325 – General Regulation, subsection 1325.05, Subd. 4.D is hereby amended by deleting ~~strike through~~ language and adding the underlined language as follows:

D. Fence Regulations.

1. Height of Fences in Side and Rear Yards. Fences in side or rear yards may not exceed six (6) feet in height in all residential districts. Fences may be up to six (6) feet in height if placed in the secondary front yard of corner lots in residential districts provided that the fence does not exceed three (3) feet in height within the structure setback of the primary front yard and the fence does not encroach on the clear vision area. (revised 3/18/09)

2. Height of Fences, Solid Walls and Hedges in Front Yards. Fences, solid walls and hedges in excess of three (3) feet in height in the minimum front yard building setback area are prohibited in all R-1 and R-2 Residential Districts.

3. Fences in residential districts shall be comprised of chain-link, aluminum, wood, vinyl, composite, or other material as approved by the Zoning Administrator. Alternate fencing materials may be allowed in business and industrial zoning districts subject to conformance with Section 1325.05.

4. Height of Fences in Business and Industrial Districts. Fences may be up to eight (8) feet in height in the side and rear yards up to the front building line of the principal structure. Fences abutting residential districts shall conform to those regulations applicable to the residential district. Fences, solid walls and hedges in the minimum front yard setback may be allowed through Site Plan Review or as part of a Planned Unit Development as determined appropriate by the City Council based on site suitability to allow for additional screening and/or as a buffer for noise reduction.

35. Electric Fences and Barbs or Spikes on Fences. No above grade fence shall have barbs or spikes or be of metal construction, which is charged or connected with electrical current within any district of the City. These fencing types shall only be permitted through a Conditional Use Permit.

46. Placement of Fences Along Lot Lines. Fences may be placed along lot lines provided no damage of any kind results to the abutting property.
57. Direction of Fence Facing. That side of the fence considered to be the face (facing as applied to fence posts) shall face toward adjoining property.
68. Fences in Public Rights-of-way. No fence, wall or hedge may be placed in a public right-of-way.
79. Fences in Non-Residential Situations and Exceptional and Unusual Circumstances in Residential Districts. Deviation from these requirements for fences, walls and landscape screening may be permitted after Planning Commission review and Council approval of a site plan with documentation showing the unusual circumstances justifying the proposed deviation and plans for the proposed fence, wall, or landscape screening. This provision is intended to allow flexibility in meeting the purpose and intent of this subdivision without the necessity of proving a hardship as is required in the variance procedure. The objective of this provision is to improve the livability, appearance, and security of properties and their relationships to one another.
10. Fences which are temporary in nature shall be allowed seasonally for the purpose of protecting gardens or lawns from natural elements. Temporary fences that are 48 inches or less shall be allowed without a zoning permit and temporary fences over 48 inches are prohibited. Other purposes for temporary fencing may be permitted on a case-by-case review subject to the approval of the Zoning Administrator. Temporary fencing may be installed for a duration not to exceed 150 days. Examples of temporary fencing materials allowed are snow or safety fence (i.e. plastic), silt fence (i.e. fabric), or wire fence. Temporary fencing shall be subject to all other fence regulations listed within the ordinance. Silt fencing or fencing utilized at a construction site associated with an active grading and erosion control or building permit issued by the City is allowed as an exception to this provision for duration and height. Temporary fencing installed in conjunction with a City permit is subject to removal prior to the final inspection.

**SECTION 2.** This Ordinance shall become effective immediately upon its passage and publication according to law. A Summary of this Ordinance will be published in accordance with state statute.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023, by the City Council of the City of Arden Hills, Minnesota.

**CITY OF ARDEN HILLS**

By \_\_\_\_\_  
David Grant, Mayor

ATTEST:

\_\_\_\_\_  
Julie Hanson, City Clerk