

- **Planning Case #23-013** –
Public Hearing Required
- **Applicant:** City of Arden Hills
- **Request:** Zoning Code
Amendment - Fences



Council to Consider

- Adoption of Ordinance 2023-008 for Zoning Code Amendments to Chapter 13, Section 1325.05 – Design Standards, Subd. 4.D, Fences to identify criteria between a temporary and permanent fence in all zoning districts as well as set a maximum height for fences in the Business and Industrial Zoning Districts.
- Authorization to publish a Summary Ordinance of 2023-008 for Planning Case 23-013.

Overview of Ordinance Amendments

- Section 1325.05 – Design Standards, Subd. 4.D – Fences
- Proposed amendments will:
 - Establish criteria for evaluating materials for residential fences
 - Identify factors between a temporary and permanent fence.
 - City code is absent of any language differentiating the two which means that all fences are subject to a zoning permit.
 - Establish a time limitation for how many days temporary fencing could be erected on a property.
 - Establish a maximum height specification for fences in business or industrial zoning districts and allows the City to grant flexibility based on site suitability as a buffer or screening.

Overview of Ordinance Amendments

- Add Section 1325.05, Subd. 4.D.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.
- Add Section 1325.05, Subd. 4.D.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.
- Add Section 1325.05, Subd. 4.D.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.

Findings of Fact

1. The City of Arden Hills is proposing to amend ordinance language to create design and materials standards for fences in residential zoning districts.
2. The proposed ordinance would create language for evaluating a temporary fence in all zoning districts.
3. The proposed ordinance will add a maximum height design standard for fences in the business and industrial zoning districts.
4. The proposed ordinance will include amendments to the language of the City Code to Chapter 13 – Zoning Code within Section 1325.05, Subd. 4 for Fences.
5. Amendments to the Zoning Code regulations require a public hearing prior to action by the City Council.
6. The Planning Commission conducted a public hearing for the Text Amendment on August 9, 2023.

Motion Language Options – Text Amendment

PC 23-013

- Approval: Motion to adopt Ordinance 23-008 for Planning Case 23-013 as presented for Zoning Code Amendments to Chapter 13 in Section 1325.05, Subd. 4.D of the Arden Hills City Code to add language in the city code establishing criteria for a temporary and permanent fence in all zoning districts as well as set a maximum height for fences in the Business and Industrial Zoning Districts as presented in the August 28, 2023 Report to the City Council.
- Approval with Amendments: Motion to adopt Ordinance 23-008 for Planning Case 23-013 as presented for Zoning Code Amendments to Chapter 13 in Section 1325.05, Subd. 4.D of the Arden Hills City Code to add language in the city code establishing criteria for a temporary and permanent fence in all zoning districts as well as set a maximum height for fences in the Business and Industrial Zoning Districts, based on the findings of fact and August 28, 2023 Report to the City Council with amendments: a specific reason should be included with all amendments.
- Denial: Motion to deny of Planning Case 23-013 as presented for Zoning Code Amendments to Chapter 13 in Section 1325.05, Subd. 4.D of the Arden Hills City Code to add language in the city code establishing criteria for a temporary and permanent fence in all zoning districts as well as set a maximum height for fences in the Business and Industrial Zoning Districts: findings to deny should specifically reference the reasons for denial.
- Table: Motion to table Planning Case 23-013 as presented for Zoning Code Amendments to Chapter 13 in Section 1325.05, Subd. 4.D of the Arden Hills City Code to add language in the city code establishing criteria for a temporary and permanent fence in all zoning districts as well as set a maximum height for fences in the Business and Industrial Zoning Districts: the City Council should identify a specific reason and/or information request should be included with a motion to table.

Motion Language Options – Authorization to Publish Summary Ordinance

- Approval as Presented: Motion to approve authorization to publish a Summary Ordinance 2023-008 for Planning Case 23-013 for Zoning Code Amendments to Chapter 13 in Section 1325.05, Subd. 4.D.
- Denial: Motion to deny authorization to publish a Summary Ordinance 2023-008 for Planning Case 23-013 for Zoning Code Amendments to Chapter 13 in Section 1325.05, Subd. 4.D.
- Table: Motion to table authorization to publish a Summary Ordinance 2023-008 for Planning Case 23-013 for Zoning Code Amendments to Chapter 13 in Section 1325.05, Subd. 4.D.

Questions?

Planning Case 23-013 – Zoning Code Amendments – Chapter 13, Fences

