

Land Development Code

3.3.1 Fencing and Walls

A. Applicability

- a. The requirements of this section shall apply to all fences and walls unless otherwise stated.
- b. A fence or wall in an area subject to flooding identified on a Federal Flood Insurance Rate Map (FIRM) on file in the city planner's office shall require a zoning certificate, and shall comply with all requirements of the city engineer in addition to the requirements of this section.
- c. These regulations do not apply to fences or walls required by regulations of a state or federal agency, or by the city for reasons of public safety.

B. General Requirements

These requirements apply to fences in all zoning districts:

- a. The finished side of a fence shall face the adjacent property.
- b. All fences shall comply with the sight distance triangle requirements of the LDC, **Section 3.1.6(E), Height Limit at Street Corners (Traffic Safety Visibility Triangle)**.
- c. All fences, including footings, shall be located entirely upon the property whose owner or occupant constructs the fence. It is the property owner's or occupant's responsibility to locate property lines prior to installing a fence.
- d. Razor wire fencing, concertina, above ground electrical fences, and barbed wire fences are prohibited.
- e. Fences used to enclose an outdoor pool shall meet the requirements of the LDC, **Section 2.10.4(G), Swimming Pools, Hot Tubs, and Spas**.
- f. All fences shall be maintained in good repair. Any fence that is potentially dangerous or in disrepair shall be removed or repaired.
- g. No temporary fence, such as a snow fence or erosion control fence, shall be permitted on any property for a period in excess of 30 days unless approved by the city engineer.
- h. The city planner may authorize temporary fencing that is necessary to protect archaeological or historic resources, trees, or other similar sensitive features during site preparation and construction. Such fencing shall be removed upon completion of construction.
- i. Fencing may be allowed in drainage and utility easement areas in side and rear yards. Where such fences are installed the city will not be responsible for repairing or replacing the fence if work needs to be done in the easement.

C. Height

- a. Fences shall be measured from grade to the height of the fence (not the support structures).
- b. All fences more than six feet in height require a building permit.
- c. Fences around dog kennels shall be limited in height to eight feet in height.
- d. Fences in residential zoning districts shall be limited to four feet in height in front yards and corner side yards. Fences in side and rear yards shall be limited to six feet in height, except for dog kennels.
- e. Fences in commercial and industrial zoning districts shall be limited to four feet in the front yard and to eight feet in the side, corner side and rear yards.

D. Retaining Walls

Retaining walls supporting an embankment to be retained on any lot that exceeds 48 inches in height shall be benched, so that no individual vertical segment of a retaining wall exceeds a height of six feet except where the city engineer determines that topography requires a wall of greater height. Each individual horizontal bench segment, so constructed, shall be a minimum width of 36 inches (See Figure 3-12 below).

- a. Retaining walls over 48", measured from the top of the footing to the top of the wall, are required to be designed and certified by a registered professional licensed in Minnesota. A copy of the signed construction drawings should be submitted with a site plan or building permit in the case of a residential application.
- b. Any retaining wall shall be approved by the city planner, in consultation with the city engineer, who will review the retaining wall's effects on drainage and erosion on the property and the neighboring properties.



Figure 3-12: Retaining walls shall be benched, or terraced, so that no individual wall exceeds a height of six feet.