



Residential Fence Permit Process

FOR YOUR OWN SAFETY, PLEASE REMEMBER TO CALL GOPHER STATE ONE AT (651) 454-0002 OR 1-800-252-1166, TO MARK YOUR PROPERTY FOR UTILITY OR PIPELINE LOCATIONS. PLEASE NOTE THAT DURING THAT LOCATION SOME SUBSURFACE UTILITIES MAY BE DISCOVERED THAT WOULD RESULT IN YOUR FENCE BEING RELOCATED.

Submit the following document:

- 1) **Completed building permit application**, available at City Hall. The fence permit fee is \$75.00 and is due at the time of application.

Follow these procedures:

- 1) *Locate the property pins/stakes that identify your lot boundaries. These are usually metal pipes with colored caps that are located below the ground. A lot survey may be available at the Building Department to help you locate the pins. Metal detectors are also helpful, and can be rented from equipment rental stores.*
- 2) *Easements: Most lots have easements on the property. Some nonstandard easements contain drainage ways, wetlands, utilities or other City or Developer installed infrastructure that must be accessible for maintenance and repair.*

Fences, sheds, landscaping and other permanent fixtures are not allowed to be placed in these easements.

It may be necessary for your fence installation to be reviewed by the City Engineer to ensure that these easements remain accessible.

Fences may be placed in standard easements; however it WILL BE YOUR COST and responsibility to remove it in order to gain the necessary access for any utilities.

- 3) City Ordinance provides a couple of options regarding the location of the fence. You may place it directly on the property line, with written permission from those adjoining neighbors. That written permission should be turned in to the Building Department to be kept with the property file. You may also place the fence any distance off of the property line, as long as it is on your lot. Keeping in mind that you must maintain both sides of your fence. Residential fences shall not exceed 6 feet in height in the side and/or rear yards. Maximum height is 4 feet for front-yard fences.*
- 4) Stake out the area where the fence will be placed so that we can see where it will be located on your lot. Call the Building Department at least 48 hours in advance to schedule this location inspection.*
- 5) Construct your fence.*
- 6) Call the Building Official at least 48 hours in advance to schedule a final inspection of the finished work.*

Richard Meyer, Building Official – (651) 277-5223

Sec. 66-973. - Fencing and screening.

(a)

No fence located in the rear yard or side yard of any residential property shall exceed six feet in height. No fence in the front yard of any residential property shall exceed four feet in height. If the construction is being made with preassembled panels that are six feet in height, the fence may be placed up to an average of four inches off the ground to allow for easier maintenance of vegetation and will still be considered a six-foot fence. This does not mean that you can use boards over six feet and fill in the space at the bottom.

(b)

All commercial and industrial principal and accessory uses which are situated within ten feet of a residential zoning district shall be screened from such zone by a wall or fence of not less than 90 percent opacity at least six feet in height or up to eight feet in height above the level of the residential zone property at the district boundary. Walls or fences over six feet in height shall be set back from the property line at least five feet. In the setback area there shall be planted a combination of coniferous and deciduous plants in order to soften the appearance of the fence or wall for the affected residential area.

(c)

All screening devices in all districts shall be designed so that they are architecturally harmonious, as determined by the planning director or planning commission, with the principal structures on the site and adjacent properties and they shall be properly maintained so as not to become unsightly, hazardous, or less opaque than when originally constructed.

(d)

All screening required by the provisions of this article shall be defined as follows:

(1)

A green belt planting strip consisting of vegetation cover of sufficient width and density all year round to provide an effective screen; or

(2)

A fence constructed of masonry, brick, wood, or steel which complies with other provisions of this article; or

(3)

Earth moundings or berms may be used, but not for more than three feet of the required screening height. All berms shall be sodded or planted.

(e)

No commercial use shall erect a fence for screening unless it is specifically required by this article or necessary for safety purposes when approved by the city council with considerations made only for any pedestrian access needs.

(f)

Except as provided in other sections of this article, fences may be placed along the lot line upon mutual written consent of abutting property owner(s) and the filing with the city a certificate of survey indicating the boundary lines.

(g)

A building permit is required for all fences over six feet and design information and structural engineering will also be required.

(h)

The height shall be measured from the average point between the highest and lowest grade.

Sec. 66-974. - Landscaping.

(a)

Requirements. All exposed ground areas surrounding or within a principal or accessory use including streets, boulevards (which are not devoted to drives), sidewalks, patios, or other such uses shall be landscaped. All landscaped areas shall be kept neat, clean, and uncluttered.

(1)

Landscaping required by the provisions of this article shall be defined as follows:

a.

Single-family homes, manufactured home park and apartment dwelling structures shall contain as a minimum: one tree per dwelling unit. Ornamental trees do not count for this requirement.

b.

Nonresidential uses shall contain at a minimum the greater of:

1.

One tree per 1,000 square feet of gross building floor area;

2.

One tree per 50 lineal feet of site perimeter.

c.

The full requirements of the landscaping ordinance shall not apply to land zoned CBD central business district. The planning director shall review individual sites zoned CBD central business district to determine the extent to which it is possible for the requirements of this chapter to apply to the parcel.

d.

The complement of trees fulfilling the requirements of this section shall be not less than 25 percent deciduous and not less than 25 percent coniferous.

e.

Existing trees on a lot may count towards the required number of trees provided the size and type are consistent with the requirements of this article and they are shown and labeled as such on the site plan.

f.

Each two ornamental trees may fulfill the requirement of one tree as required by this section.

(b)

Erosion. Land subject to soil erosion shall be landscaped.

(c)

Footage. For industrial and business uses or multi-family housing project of three or more units, if any parking is provided, in the area between the parking lot and a public right-of-way there shall be a depth of at least ten feet of landscaped area in an industrial or business district and at least 20 feet of landscaped area in residential zone.

(d)

Screening. Exterior storage, where permitted, shall be subject to proper screening as approved by the planning director.

(e)

Surface water ponding. Natural impoundment areas shall be retained as much as possible, or if necessary, enlarged or modified as directed by the city engineer or as recommended by the planning commission and approved by the city council to reduce the site runoff.

(f)

Removal of tree cover. The developer of the site shall not remove more than 50 percent of the existing tree cover (trees of six inch diameter or larger) or as approved by the city council. As part of the site plan review process or subdivision application, a tree preservation plan shall be submitted for all new and/or expanded subdivision, multiple-family residential, manufactured home parks, commercial, industrial and institutional uses. In the event a tree designated for preservation is removed or destroyed in excess of the number detailed in the tree preservation plan, then it shall be replaced with a new tree or the equivalent fee paid to the city (\$300.00/tree) so the city can purchase trees to plant in the area.

(g)

Prohibited trees. It shall be unlawful to plant any of the following trees within the city:

(1)

Ginko (Maidenhair tree female only);

(2)

Boxelder (ash-leaved maple);

(3)

Eastern cottonwood;

(4)

Lombardy poplar.

(h)

Appropriate sites. All tree species shall be indigenous to the appropriate hardiness zone and physical characteristics of the site.

(i)

Time requirements.

(1)

Provisions of this article shall be carried out within one year of the issuance of the certificate of occupancy for single-family lots.

(2)

Multifamily residential, and business, industrial use lots, new construction. Compliance with this chapter shall be completed prior to issuance of certificate of occupancy unless a letter of credit is submitted to the city, in an amount approved by the city, which shall include the estimated cost of the required landscaping and its installation.

(3)

Existing multifamily residential, and business, industrial use expansion. Any building or parking lot expansion increasing the square footage of the building, parking lot, or both, shall result in the lot being brought further towards compliance with this article.

(4)

Any lot which does not have 50 percent of the number of trees required by this article at the time of site plan submittal or construction commencement, whichever occurs first, shall install at least the greater of:

- a. The number of trees required to bring the lot into 50 percent compliance with the required number of trees; or
- b. Doubling the number of existing trees on site so as to exceed 50 percent.

(5)

Any lot which has at least 50 percent of the required number of trees required by this article at the time of site plan submittal or construction commencement, whichever occurs first, shall install at least the number of trees required to bring the lot into full compliance with the required number of trees. Compliance with this chapter shall be completed prior to issuance of certificate of occupancy unless a letter of credit is submitted to the city, in an amount approved by the city, which shall be for the estimated cost of the required landscaping and its installation. If the work is not completed within one year of the issuance of the certificate of occupancy then the letter of credit shall be drawn upon and the city shall have the work completed.

(j)

Developer's agreement. For industrial and business uses and housing projects of three or more units, the city council may require that an agreement be signed by the developer or owner which guarantees that certain improvements judged essential to the public interest and specified in the site plan are carried out within a specified time period.

(k)

Permit. Proposals for landscaping and site plans regarding landscaping shall be submitted with the building permit application.

(Code 1996, § 17.46.050)