

ORDINANCE NO. 2023 - ~~48~~

AN ORDINANCE AMENDING AN EXCEPTION TO HEIGHT REQUIREMENTS FOR RESIDENTIAL FENCES, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [] with ~~strike through~~ text and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION A: GENERAL STANDARDS

§ 21.301.08 FENCES.

(c) *Height.* Except where otherwise required by this code, the following regulations apply to fence height. For the purposes of fence height requirements, alleys are not considered a street.

(1) *Limitations.* Except where otherwise required by this code or required by a condition of approval for a development application, the following limitations apply to fence height:

<i>Type of Yard</i>	<i>Maximum Height for Body of Fence</i>	
	<i>Residential Use</i>	<i>Nonresidential Use</i>
Yard abutting a street	4 ft.	6 ft.
Yard not abutting a street	6 ft.	10 ft.

(2) *Exceptions and interpretation.* The following exceptions and guidance on interpretation apply to fence height limitations:

(A) A residential fence in a yard abutting an arterial street as designated by the Comprehensive Plan may rise to a maximum height of six feet;

(B) Any residential fence may rise to a height of eight feet if the following locational requirements are all met:

(i) The fence must not be located in a front yard or yard abutting a street unless it is set back at least 65 feet from the public right-of-way; and

(ii) ~~[that]~~Fences located within side or rear yards not abutting a street must meet[s] the required setback from a specific property line for a principal structure in the applicable zoning district~~[may rise to a height of eight feet]~~;

(C) A residential fence in the rear yard of a corner lot may rise to a height of six feet provided the fence meets the minimum setback from the street for a principal structure in the applicable zoning district or provided the fence is no closer to a street than an existing principal structure or garage;

(D) A residential fence in the rear yard of a through lot when abutting lots are also through lots may rise to a height of six feet;

(E) A residential fence abutting a nonresidential use may rise to the height of eight feet;

(F) Screening fences required by the city code (see subsection (g)(4) below for references);

(G) Screening fences required by a condition of approval for a development application; and

(H) Public chain link fences for public safety and/or public research purposes such as along public trails and/or at public parks.

~~Passed and adopted this 18th day of December, 2023.~~

~~_____
Mayor~~

ATTEST: _____

APPROVED: _____

Secretary to the Council

City Attorney

/s/ Tim Busse
Mayor

ATTEST: _____

APPROVED: _____

/s/ Matt Brillhart
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney

Formatted: Space After: 0 pt, Line spacing: single

Formatted: Space After: 0 pt

Formatted: Space After: 0 pt, Line spacing: single