

## SECTION 15: FENCING, SCREENING, AND LANDSCAPING

Subdivision 1	General Provisions
Subdivision 2	Residential Fences
Subdivision 3	Non-Residential Fences
Subdivision 4	Screening Fences and Planting Screens
Subdivision 5	Landscaping Requirements

### Subdivision 1: General Provisions.

Except as otherwise provided herein, all fences and walls within the City shall be subject to the following general provisions:

- A. Permit Required.
1. Building Permit. Prior to the construction and/or installation of a fence, an application for a building permit shall be obtained from the City and shall specify the intended location, character, and size of such fence or wall.
  2. Zoning Permit. For all other fences, not meeting the requirements for a building permit, a zoning permit must be obtained prior to construction on the property.
- B. Maintenance. All fences shall be properly maintained, so as not to become unsightly, hazardous, or constitute a nuisance. Damaged and destroyed fences shall be removed and replaced within thirty (30) days upon written notice from the Zoning Administrator or his/her designee. All fences shall be maintained at the property owner's expense. The persons, firms, corporations, or individuals constructing or causing the construction of such fence shall be responsible for maintaining that part of the property between the fence and the property line.
- C. Installation.
1. The side of any fence or wall considered to be its "face" (finished side with no structural supports) shall face either the abutting property or the street right-of-way.
  2. Upon installation of the fence, no physical damage shall occur to the abutting property owner unless it has been permitted under written agreement with the adjacent property owner.
- D. Prohibited Materials. Fences shall not be constructed from chicken wire, welded wire, snow fence, branches, or materials originally intended for other purposes. Electric fencing and metal sheeting are also prohibited materials. Barbed-wire fencing is prohibited in all non-industrial districts.
- E. Setbacks.
1. On corner lots or lots adjacent to railroad right-of-ways, streets or public roads, no fence shall be located in the vision clearance triangle, as shown within Section 4 of this Ordinance.
  2. Privacy fences shall be setback a minimum of fifteen (15) feet from any street right-of-way.
  3. Fences shall be located on the property of the owner. All posts and framework shall be placed within the property lines of the fence owner.
  4. No fence shall enclose a water shutoff valve to the interior. A 12-inch minimum separation between the fence and the water shutoff valve must be maintained.
  5. No fences shall be permitted within a stormwater flow path.
  6. Fences within a storm pond drainage easement must provide for the free flow of water by using a material such as chain-link or by providing a minimum ground clearance of four (4) inches.
  7. Fences located within storm pond drainage easements shall be reviewed by Public Works and/or The City Engineer. (*Ord. No. 647*)
- F. Retaining Walls. Retaining walls exceeding four (4) feet in height, including staged walls which cumulatively exceed four (4) feet in height, must be constructed in accordance with plans prepared by a registered engineer or landscaped architect. Building permits for construction of a retaining wall over four (4) feet are required.

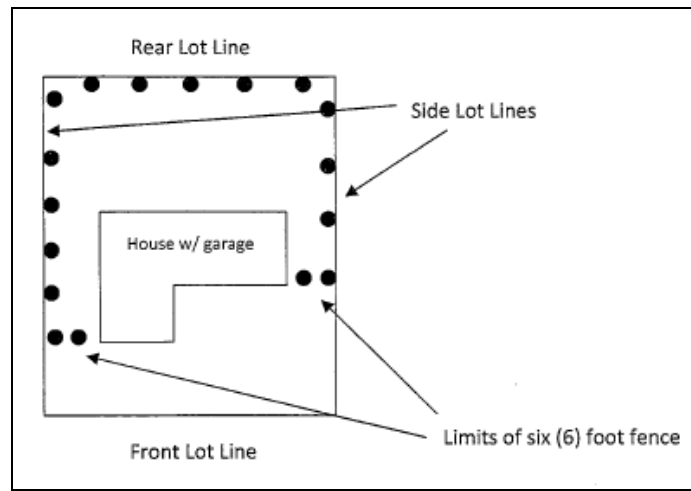
- G. Property Owner Responsibility. Any fence located on the property line or within a drainage and utility easement shall be removed upon request of the City and at the expense of the property owner.

### **Subdivision 2: Residential Fences**

The following regulations shall apply to all residential properties located within the City.

- A. Maximum Height. Fences shall be no higher than three (3) feet when extended past the front corner of the home or garage of the principal structure. Fences shall be no higher than six (6) feet in the rear and side yards and shall not extend past the front corner of the principal structure. Fence height shall be measured from the finished grade level.

**FIGURE 12: Fence Location**

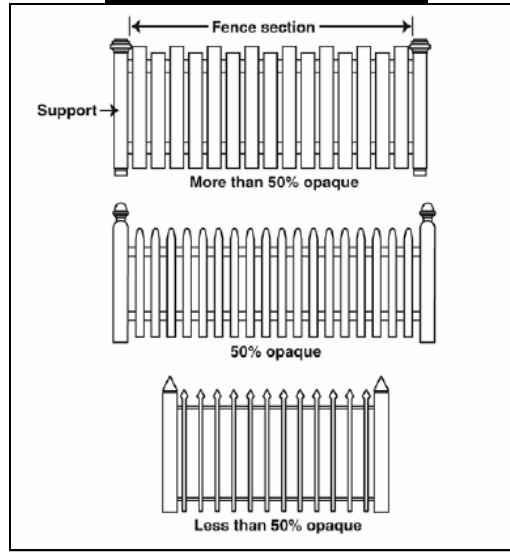


Note: Drawing has been provided to show the limitations on the location of a six (6) foot fence, in reference to the principal structure on an interior lot only. Corner lots must meet the requirements as provided within the text of this Ordinance.

- B. Exceptions. The following exceptions apply to residential fences.
1. On corner lots, the street side setback may match the setback of the prevailing fence line of the corner lot immediately abutting such property. However, at no time shall the fence be within the right-of-way or the vision clearance triangle, as shown within Section 4 of this Ordinance. Such fence location shall be subject to approval by the Zoning Administrator or his / her designee. (*Ord. No. 623*)
  2. On corner lots and through lots, a four (4) foot chain-link fence that is less than ten (10) percent opaque or ninety (90) percent transparent may be placed along the secondary street frontage.
  3. Fences permitted past the front corner of the principal structure shall meet the height requirements as specified within this Section. Chain-link fences shall not be permitted within the front yard. A decorative fence is the only type of fence permitted past the front corner of the principal structure and shall have an opaqueness of no greater than 50%.
  4. Screening fences, as required by Chapter 227, Article II of the City Code of the City of Isanti; for screening of stored recreational vehicles within the side or rear yard shall meet one of the following acceptable screening options: (*Ord. No. 608*)
    - a. A fencing screen per Subdivision 4(A) of this Section and shall obscure from view at ground level any neighboring property or public street by at least 80% of the area.
    - b. Installation of a planting screen. Where natural materials, such as trees or hedges are approved in lieu of required screening by means of walls or fences, density and species of planting shall be such to achieve 80% opaqueness year round from view at ground level at any neighboring property or public street.
      - (1) Acceptable plantings include arborvitae, upright juniper, upright yew, fountain hemlock, or other species approved by the Zoning Administrator.
      - (2) Plants shall be 4'-5' in height when purchased for installation.
      - (3) Plantings must be spaced within half the plants spread at maturity.

- (4) Plant material centers shall not be located closer than three (3) feet from a side or rear property line or twelve (12) feet from a front property line and shall not be planted to conflict with public plantings, drainage and utility easements, sidewalks, trails, fences, parking areas, and driveways based on the judgment of the Zoning Administrator.
- (5) All planting screens shall be reviewed and approved by the Zoning Administrator.
- (6) Planting screens shall be maintained in a healthy condition. Dead material shall be removed and replaced within thirty (30) days upon written notice of the Zoning Administrator or his/her designee.

**FIGURE 13: Fence Opacity**



### **Subdivision 3: Non-Residential Fences**

- A. Commercial and Industrial properties may construct security fences up six (6) feet in height. Fences in excess of six (6) feet shall require a conditional use permit.
- B. Barbed-wire fencing is permitted in Industrial Districts only. Barbed wire security arms shall be constructed at a minimum of six (6) feet in height. The security arm shall be angled in such a manner that it does not overhang any lot lines.

### **Subdivision 4: Screening Fences and Planting Screens**

All commercial and industrial uses and transitional lot areas as stipulated within this ordinance that are required to provide screening shall do so through the use of one of the following, subject to recommendation by the Planning Commission and approval by the City Council.

- A. Screening Fence.
  1. Screening Fences shall be at maximum of six (6) feet in height with a minimum opaqueness of 80 percent. Screening height shall be measured from the finished grade level.
  2. Screening fences shall be constructed of masonry, brick, wood, chain-link or steel and shall be compatible with the principal building on the site and with the surrounding properties.
  3. Fencing may be placed along the property line, providing mutual written consent has been granted by the abutting property owners and filed along with a copy of the certificate of survey to the City prior to construction.
  4. Barbed-wire fencing is permitted in industrial districts only, and provided that the following conditions are met:
    - a. The fencing shall be constructed at a minimum of six (6) feet above ground level.
    - b. The fencing does not overhang any lot lines.
  5. Screening fences or walls shall be setback five (5) feet from the property line, if a mutual written agreement has not been filed and if the property is not adjacent to a street right-of-way.

6. A combination of coniferous and deciduous trees may be planted to soften the appearance of the fence or wall from adjacent properties or the public street.

**B. Planting Screens.**

1. Planting screens shall consist of a row of alternating evergreen and deciduous trees and shrubs. The species and size shall be in accordance with Subdivision 5, of this Section.
2. The trees shall be placed in such proximity as to form a screen.
3. Planting screens shall be maintained in a healthy condition. Dead material shall be removed and replaced within thirty (30) days upon written notice of the Zoning Administrator or his/her designee.

**Subdivision 5: Landscaping Requirements**

- A. Purpose. The purpose of this Subdivision is to provide specifications, which will guide landscaping within residential, commercial, mixed-use, and industrial districts; will provide buffering between different and more intense land uses; will ensure that native trees and vegetation are preserved and replenished ; will aid in the stabilization of the environment’s ecological balance by reducing storm water runoff and improving surface water quality; and will enhance the overall beauty and appearance of the City.

**B. General Requirements.**

1. City Tree lists. The following trees may be used to meet planting and landscaping requirements. If other tree varieties are desired; they shall be approved by CityStaff.

**TABLE 4: Primary and Secondary Deciduous Tree List**

<b>Primary Deciduous Trees</b>	<b>Common Names</b>
Acer freemanii	Autumn Blaze (Red Maple x Silver Maple)
Acer platanoides (various species)	Norway Maples - Cleveland, Columnar, Crimson King, Emerald Lustre, Emerald Queen, Schwedler, etc.
Acer rubrum	Red Maple
Acer saccharum	Sugar Maple or Hard Maple
Betula nigra	River Birch
Carya ovate	Shagbark Hickory
Celtis occidentalis	Hackberry
Quercus alba	Oak, White
Quercus coccinea	Scarlet Oak
Quercus macrocarpa	Oak, Bur
Tilia Americana	American Linden (aka – Basswood)
Tilia cordata	Littleleaf Linden or Greenspire Linden
<b>Secondary Deciduous Trees</b>	<b>Common Names</b>
Acer pseudoplatanus	Sycamore Maple
Aesculus hippocastanum	Horse Chestnut
Aesculus octandra	Yellow Buckeye
Aralia elata	Japanese Angelica Tree
Betula alleghanie	Yellow Birch
Betula lenta	Sweet or Black Birch
Carpinus betula	European Hornbeam
Carya cordiformis	Bitternut Hickory
Corylus columna	Turkish Filbert
Catalpa speciosa	Northern Catalpa
Fagus	Beech (both North American and European)
Ginkgo biloba	Ginkgo (only male trees permitted)
Gleditsia triacanthos inermis	Honeylocust, thornless or ‘Imperial’ or ‘Skyline’
Gymnocladus dioicus	Kentucky Coffeetree
Juglans nigra	Black Walnut

Liriodendron tulipifera	Tuliptree (best grown w/ sprinkler system)
Phellodendron amurense	Amur Corktree
Quercus rubra	Red Oak
Quercus palustris	Pin Oak
Tilia x euchlora	'Redmond' Linden
Tilia platyphyllos	Bigleaf Linden

**TABLE 5: Ornamental Tree List**

<b>Ornamentals</b>	<b>Common Names</b>
Acer ginnala	Maple, Amur
Acer tataricum	Tatarian Maple (similar to Amur Maple)
Amelanchier	Serviceberry or Juneberry
Carpinus caroliniana	American Hornbeam
Cornus alternifolia	Pagoda Dogwood
Crataegus spp.	Hawthorne 'Winter King' or 'Washington'
Maackia amurensis	Amur Maackia
Malus baccata columnaris	Crabapple, Columnar Siberian
Malus (various species)	Crabapple, flowering – Varieties; Dolgo, Flame, Radiant, Red, Silver, Red Splendor
Ostrya virginiana	Ironwood (aka – American Hophornbeam)
Prunus cerasifera	'Newport' Plum, Newport
Prunus maackii	Amur Chokecherry
Prunus triloba	Plum, flowering or Rose Tree of China
Prunus virginiana	'Schubert' Chokecherry, Schubert's
Syringa reticulata	Japanese Tree Lilac

**TABLE 6: Coniferous Tree List**

<b>Conifers</b>	<b>Common Names</b>
Abies balsamea	Fir, Balsam
Abies concolor	Fir, Concolor
Larix laricina	Tamarack
Picea abies	Spruce, Norway
Picea glauca	Spruce, White
Picea glauca densata	Spruce, Black Hills
Picea pungens	Spruce, Colorado Green
Picea pungens	'Glaucous' Spruce, Colorado Blue
Pinus nigra	Pine, Austrian
Pinus ponderosa	Pine, Ponderosa (may not be hardy)
Pinus resinosa	Pine, Norway (aka – Red Pine)
Pinus strobus	Pine, White
Pinus sylvestris	Pine, Scotch
Pseudotsuga menziesii	Fir, Douglas
Thuja occidentalis	Arborvitae
Thuja occidentalis	'Techny' Techny Arborvitae

**TABLE 7: Permitted Trees Not Meeting Landscaping Requirements**

<b>Allowed – but not used to meet requirements</b>	
Acer saccharinum	'Silver Queen' Maple, (still weak limbs/large roots)
Aesculus glabra	Ohio Buckeye (questionable – mildew, blight, leaf scorch all of which may disfigure)
Betula papyrifera	Birch, Paper (questionable – birch borer – understory)

Elaeagnus angustifolia	Russian Olive
Morus (Rubra and Alba)	Red and White Mulberry
Populus tremuloides	Quaking Aspen
Quercus bicolor	Oak, Bicolor (recategorized because it prefers clay soil)
Robinia pseudoacacia	Black Locust
Salix	Willow
Ulmus Americana	American Elm (recategorized – Dutch Elm Disease)
Rhus	Sumac

**TABLE 8: Prohibited Trees**

<b>Not allowed to be planted within the City</b>	
Acer negundo	Boxelder
Betula pendula	‘Dalecarlica’ Birch (aka – cut leaf weeping)
Rhamnus	Buckthorn
Ulmus pumila	Siberian Elm
Populus	Poplar
Populus deltoids	Cottonwood

2. All properties shall provide one (1) tree per fifty (50) feet of lot frontage, or fraction thereof.
  3. Deciduous trees shall be two and one-half (2.5) inches in diameter and Coniferous/Evergreen trees shall be six (6) feet in height above the root ball at the time of installation.
  4. All trees shall be measured according to American Standards for Nursery Stock.
  5. No more than fifty (50) percent of the required trees provided on the property may be of the same species.
  6. Underground sprinkler systems.
    - a. Sprinkler systems shall be provided as part of each new development for all landscaped areas, except those areas on the property that will be preserved in their natural state.
    - b. Single-family and two-family dwellings as well as additions to existing structures, in which the addition will not exceed the floor area of the existing structure, are exempt from this provision.
    - c. On all lots, the City may permit alternative landscaping options, which may not require an irrigation system. Such alternative options shall be reviewed by the Planning Commission. Alternative landscape options include, but are not limited to, rock gardens, natural prairie grass, and rain gardens.
  7. Tree Preservation Requirements.
    - a. A reasonable attempt shall be made to preserve as many existing trees as practicable on a property.
    - b. Existing trees identified to be preserved shall be protected by orange snow fencing. The fencing shall be installed at the dripline and shall remain in place throughout the construction process, from excavation to the completion of the landscaping.
    - c. No construction materials or equipment shall be located within the fenced area. Grade changes within the fenced area are prohibited. Soil compaction in the critical root zone or damage to trunks or limbs shall be avoided.
    - d. Should the property owner, developer, or homeowner fail to install or maintain tree protection fencing; existing trees located on the property shall not be counted towards the landscaping requirements.
- C. Residential Requirements. In addition to the general requirements noted, properties located within residential districts, shall be subject to the following regulations.
1. Soil Requirements. All disturbed areas that are not planned to receive an impervious surface shall be graded and finished with a minimum layer of four (4) inches of Premium Topsoil that is screened, pulverized and in compliance with the requirements as defined by MNDOT specification Section 3877 and as defined within Section 2 of this Ordinance.

- a. The topsoil shall be hauled from a pre-approved source certified by the Minnesota Department of Transportation or the material shall be tested by an independent laboratory hired by the applicant and approved by the City prior to hauling any material within the City limits. Lists for both certified sites as well as testing facilities can be obtained from the Building Official or City Engineer. Any material tested that is not within the limits identified in the table provided in Section 2 of this Ordinance, thus meeting the definition of Premium Topsoil will be considered not in compliance and rejected from use within the City limits.
    - b. A certificate or written verification shall be provided to the Building Official, which includes the name of the certified site in which the soil was purchased, the type of soil, and the purchase date.
    - c. No credit will be given for soil thickness associated with the soil attached to the root zone of sod rolls. Any area receiving sod shall be graded with four (4) inches of premium topsoil before the sod is placed.
  2. Turf Requirements. All areas disturbed by new construction or not covered by established lawn or turf shall be sodded. Those areas to be maintained as natural areas as provided for within a developer's agreement or any wetlands that may be located on the property are exempt from this provision. The Building Official may waive this requirement upon inspection of the property.
  3. Tree Requirements. The following quantity and type of trees are required.
    - a. All residential properties shall provide a minimum of two (2) trees.
    - b. Residential lots exceeding 8,000 square feet in area shall provide a minimum of three (3) trees upon the property. Corner lots and lots exceeding 12,000 square feet in area shall provide a minimum of four (4) trees.
    - c. When calculating the number of required trees, whether based upon lot area or lot frontage, the greater of the two shall be provided.
    - d. Trees shall be of varying species and shall be in accordance with the City Tree Lists, as presented within the Section. If four (4) or more trees are used, the trees shall be of at least three (3) different species. If seven (7) or more trees are planted, trees shall be of at least four (4) different species. Other types of trees not listed on the City Tree Lists may be permitted at the discretion of City Staff.
  4. Tree Location.
    - a. Each tree shall be planted a minimum of five (5) feet from the public right-of-way.
    - b. The majority of trees shall be planted in front of the primary structure. For corner lots, trees may be planted along the secondary street frontage.
  5. Tree Substitutions.
    - a. Conifers and deciduous trees found on the City's Secondary Tree list may be substituted for a Primary Tree at a ratio of 3:2.
    - b. If smaller trees are utilized, one and one-half (1.5) inch Primary Trees may be substituted at a ratio of 2:1 for full-sized trees.
    - c. Secondary or Ornamental trees, one and one-half (1.5) inches in diameter or four (4) foot tall conifer trees may be substituted at a ratio of 3:1 for required full sized Primary trees.
  6. Maintenance of Landscaping.
    - a. The owner or tenant shall be responsible for the maintenance of landscaping provided on the parcel(s) in a condition presenting a healthy, neat, and orderly appearance; free from refuse and debris.
    - b. Trees and ground cover that are required by this Ordinance or by an approved site or landscape plan and which have died or have been removed shall be replaced within three (3) months from receipt of notification by the City. The time for compliance may be extended to nine (9) months, due to seasonal weather conditions.
- D. Non-Residential Requirements. In addition to the general requirements noted, properties located within non-residential districts, shall be subject to the following regulations.
1. Minimum Landscaping Requirements. All open areas of a lot which are not used or improved for required building areas, parking areas, building expansion areas, drives, sidewalks, storage, or similar hard surface materials shall be landscaped with a combination of sod, overstory trees, understory trees, shrubs, flowers, ground cover materials and/or other similar site design features or materials in a quantity acceptable to the City.



2. Parking Lot Landscaping.
  - a. All parking lots containing over fifty (50) stalls shall be designed to incorporate unpaved, landscaped islands in number and dimension as required by the City. All landscape islands shall contain a minimum of 180 square feet.
  - b. Islands, which are necessary to promote the safe and efficient flow of traffic shall be in addition to those required for parking lots with over fifty (50) stalls and shall be required by the City when warranted.
  - c. Parking lot landscape areas, including landscape islands, shall be reasonably distributed throughout the parking lot area so as to break-up expanses of paved areas.
  - d. Parking lot landscape areas shall be provided with deciduous shade trees, ornamental trees, evergreen trees, ground cover, mulch and/or shrubbery as determined appropriate by the City Council. Parking lot landscaping shall be contained in planting beds bordered by raised concrete curbs. Alternative landscape options may include, but are not limited to natural prairie grass or rain gardens.
3. Maintenance of Landscaping. The owner, tenant, and their respective agents shall be responsible for the maintenance of all landscaping provided on the parcel(s) in a condition presenting a healthy, neat, and orderly appearance; free from refuse and debris. Plants and ground cover that are required by an approved site or landscape plan and which have died shall be replaced within three (3) months from receipt of notification by the City. The time for compliance may be extended to nine (9) months, due to seasonal weather conditions.
4. Soil Requirements. A minimum of four (4) inches of topsoil shall be provided upon all lots.
5. Turf Requirements. All areas disturbed by new construction or not covered by established lawn or turf shall be sodded. Those areas to be maintained as natural areas as provided for within a developer's agreement or any wetlands that may be located on the property are exempt from this provision. The Building Official may waive this requirement upon inspection of the property.
6. Tree Requirements.
  - a. Landscaping shall provide for an appropriate mix of plantings around the exterior footprint of all buildings. Landscaping shall improve the appearance of the structure and break up large unadorned building elevations. Plantings are not intended to obscure views of the building or accessory signage.
  - b. Where undeveloped or open areas of a site are located adjacent to a public right-of-way, the plan shall provide for deciduous trees. A minimum of one (1) tree per fifty (50) feet of street frontage is required. The City may approve an alternative if such alternative appears to meet the intent of this article.
  - c. In addition to deciduous and coniferous trees; shrubs, ornamental trees, perennials and annual flowers and bulbs as well as ornamental grasses and ground cover shall be used to compliment the landscape plan.
  - d. Trees shall be of varying species and shall be in accordance with the City Tree Lists, as presented within the Section. If four (4) or more trees are used, the trees shall be of at least three (3) different species. If seven (7) or more trees are planted, trees shall be of at least four (4) different species. Other types of trees not listed on the City Tree Lists may be permitted at the discretion of City Staff.