ORDINANCE NO. 106, FOURTH SERIES

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, 2014 EDITION, AS PROVIDED IN §14.06 OF THE REDWOOD FALLS CITY CODE, FOR THE PURPOSE OF AMENDING PERMITTED FENCE LOCATION AND HEIGHT

THE CITY COUNCIL OF REDWOOD FALLS DOES ORDAIN:

SECTION 1. PURPOSE.

WHEREAS, pursuant to State Statute §462.357 which enables cities to enact land use plans through zoning ordinances, a certain document, one (1) copy of which is on file in the office of the City Administrator of the City of Redwood Falls, being marked and designated as the Unified Development Ordinance, 2014 Edition, was adopted, after public hearing, as the Unified Development Ordinance of the City of Redwood Falls, State of Minnesota by Ordinance No. 44, Fourth Series, on November 7, 2014 by the City Council of Redwood Falls. The Unified Development Ordinance of the City of Redwood Falls, State of Minnesota, was adopted for regulating and governing zoning ordinances for the purpose of promoting public health, safety and the general welfare; for the future layout and landscape of the City for years to come; for the development or preservation of open space; for the redevelopment and revival of existing properties; and to develop future plans for harmonious and healthy land use patterns that are consistent with the goals of the City's Comprehensive Plan; and

WHEREAS, after public hearing, Ordinance No. 90, Fourth Series, adopted on May 21, 2024, adopted the Unified Development Ordinance, 2014 Edition, of the City of Redwood Falls with amendments to sections 7.18, 7.20, and 7.24; and

WHEREAS, the Unified Development Ordinance, 2014 Edition, was subsequently amended by Ordinance No. 94, Fourth Series, adopted on January 2, 2025; by Ordinance No. 104, Fourth Series, adopted on May 19, 2026; and by Ordinance No. 105, Fourth Series, adopted on July 7, 2026; and

WHEREAS, the Unified Development Ordinance, 2014 Edition, continues and remains adopted as the Unified Development Ordinance of the City of Redwood Falls, State of Minnesota, remains on file in the office of the City Administrator of the City of Redwood Falls, and is hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance with amendments as noted below; and

WHEREAS, the Council finds and concludes that the proposed amendments are appropriate and lawful land use regulations for the City of Redwood Falls, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good; and

SECTION 2. That after a public hearing and review of all the evidence pertaining to the request to amend the Unified Development Ordinance, 2014 Edition, as referenced in Section 7, the City Council of the City of Redwood Falls makes the following:

FINDINGS OF FACT

1. The amendments are consistent with the applicable policies of the City's Comprehensive and Land Use Plan.

2. The amendments do not propose to change the zoning classification of a particular property.

3. The amendments are in the best interest of the public as they promote orderly development and are not solely for the benefit of a single property owner.

SECTION 3. CONFLICT AND REPEAL. That any and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Redwood Falls City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that anyone or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. APPLICATION. That nothing in this ordinance or in the Unified Development Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6. That Chapter 14, Section 14.01 of the Redwood Falls City Code continue to read as follows:

> "**SEC. 14.01. UNIFIED DEVELOPMENT ORDINANCE**. The Unified Development Ordinance, 2014 Edition, is hereby adopted by reference as though set forth verbatim herein. One copy of said Code shall be marked CITY OF REDWOOD FALLS-OFFICIAL COPY and kept on file in the office of the City Administrator and open to inspection and use by the public."

SECTION 7. That Chapter 14, §14.06 of the Redwood Falls City Code be amended to read as follows:

> ~~**SEC. 14.06 [RESERVED]**~~

*"**SEC. 14.06. AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE**. The Unified Development Ordinance, 2014 Edition, as adopted and amended on November 7, 2014, April 6, 2021, May 21, 2024, January 2, 2025, May 19, 2026, and July 7 2026, by reference as though set forth verbatim in §14.01, §14.02, §14.03, §14.04, §14.05 is hereby amended to read as follows:*

1. Section 7.26 Fence Location and Height

Fences may be erected, placed, or maintained in any yard along or adjacent to a lot line, in accordance with the requirements identified below and permits are required. The City of Redwood Falls does not provide surveying service. It is up to the homeowner to establish the location of the lines and make these available at time of application or upon request of the inspector. The owner shall be responsible for properly locating all property lines before construction of any fence. The Zoning Administrator may require any applicant for a permit to establish the boundary lines of his or her property by a survey thereof to be made by a licensed land surveyor.

(A) No fence shall exceed eight (8) feet in height in residential districts or ten (10) feet in non-residential districts. In the case of grade separation such as the division of properties by a retaining wall, fence height shall be determined based on measurement from the average point between highest and lowest grade.

(B) Residential fencing in the front yard or a corner side yard of principal structure may be no higher than 48 inches, shall be constructed with at least 75% open space and shall be set back at least one foot from the right-of-way line. For the purpose of interpreting these fence regulations, a structure's front yard shall be defined as that area which is on the same side of the house as the main entrance (identifiable by the address) and, in the case of corner lots, the side lot between the structure and the right-of-way (excluding alleyways).

(C) On residential corner lots, no fence or screen shall be permitted within the triangular area defined as beginning at the intersection of the projected curb line of two intersecting streets (including alleyways), thence 20 feet from the point of beginning on the other curb line, thence to the point of beginning.

(D) In residential districts, fences in side or rear yards shall be constructed no closer than 5' from all public right of ways without a conditional use permit.

(E) In non-residential districts, fences shall be constructed no closer than ten feet from all public right-of-ways (including alleyways) without a conditional use permit. Fences shall not be permitted in the front yard in nonresidential without a conditional use permit.

(F) Fences or hedges placed within utility easements are subject to removal at the expense of the property owner if required for the maintenance or improvement of the utility. No fence shall be constructed within a public right-of-way or recorded utility easement, whether by plat or other acquisition, in rear yards. No fence shall be constructed within recorded utility easements, whether by plat or other acquisition, in side yards if the easement is used for ingress and egress to rear yard utility easements.

SECTION 8. EFFECTIVE DATE. That this Ordinance becomes effective from and after its passage and publication of its adoption and reference that a printed copy of the Unified Development Ordinance is available for inspection by any person during regular office hours at the office of the City Administrator.

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota, this 10th day of November 2026.

ATTEST:

Keith Muetzel
City Administrator

Tom Quackenbush
Mayor

(City Seal)

Subscribed and sworn to before me this
10th day of November 2026.

Notary Public

CAITLIN J. KODET
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2028

Introduction:	**10/20/2026**
Posting:	**10/26/2026**
Adopted:	**11/10/2026**
Approval Published:	**11/19/2026**