

ORDINANCE #13-10

CITY OF RAMSEY

**ANOKA COUNTY
STATE OF MINNESOTA**

**AN AMENDMENT TO CHAPTER 117 OF THE CITY CODE, WHICH CHAPTER IS KNOWN AS
ZONING AND SUBDIVISIONS OF THE CITY CODE OF RAMSEY, MINNESOTA**

**AN ORDINANCE AMENDING DIVISION 5 (TREE PRESERVATION) OF THE RAMSEY CITY
CODE.**

The City of Ramsey Ordains:

SECTION 1 AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2 AMENDMENTS

Section 117-324 (a) is hereby amended as follows (additions indicated as underline, deletions indicated as ~~strike through~~):

- (a) *Purpose.* The purpose of this division is to enhance the community and its citizenry, and not to be punitive or to cause hardship to any individual, private or public company.

Section 117-326 (c) is hereby amended as follows (additions indicated as underline, deletions indicated as ~~strike through~~):

- (c) *Storage upon public land.* No person shall deposit, place, store, or maintain upon any public place of the municipality; any stone, brick, sand, concrete, vehicles, equipment, toxins, animals, tree carving, or other materials which may impede the free passage of water, air, or fertilizer to the roots of any tree growing therein, except by written permit of the ~~environmental specialist~~ city.

Section 117-327 is hereby amended as follows additions indicated as underline, deletions indicated as ~~strike through~~):

- (f) *Removal threshold.*

- (1) Within residential developments, at least forty percent (40%) of the inches of existing significant tree DBH shall be retained on site.
- (2) Within business and employment developments, at least thirty percent (30%) of the inches of existing significant tree DBH shall be retained on site.

(g) Reforestation/restitution requirement. If a development exceeds the removal threshold specified in (f) above, the developer shall either reforest areas within the site, pay restitution, or some combination thereof.

(1) For every one (1) significant tree inch that is removed in excess of the removal threshold, the developer shall replant 1.25 inches (diameter) of new trees or provide the City with \$125.00 in restitution.

(2) Significant trees removed for water quality treatment ponds, public trails and sidewalks, and arterial and collector streets, or that are considered invasive species, are exempt from the removal threshold calculation.

(fh) *Protection from disease and pestilence.* All clearing in oak stands shall be performed prior to April 15 or after July 15 of each season. Any development involving oak trees on or adjacent to the development area must submit a plan in conjunction with the preliminary plat: that identifies what precautionary steps will be taken to protect the trees from oak wilt.

(gi) *Encroachment.* If encroachment into a tree preservation area occurs that causes irreparable damage to ~~the a~~ tree(s), the tree preservation plan shall be revised to compensate for the loss. Under no circumstances shall the developer be relieved of responsibility for compliance with the provisions of this division, nor shall planned revision activities prevent the city from instituting action for violation of this division.

(hj) *Planting requirements.* All trees chosen shall be from the acceptable/preferred list (or have approval of the city) and native and/or adaptable to this region and climate as described in the Ramsey Tree Book. The quantity of the required plantings shall be in accordance with the performance standards established for the respective zoning district.

(1) *Size of trees at planting.* For all required plantings, deciduous trees shall be a minimum of one-inch caliper at time of planting and all evergreen trees shall be a minimum of five feet in height at time of planting. Specifications shall be determined by the American Nurseryman's Standards.

(2) *Type of tree stock.* For all required plantings, trees shall be free of insects, diseases, or mechanical injuries and have straight trunk and a form characteristic of the species.

(3) *Spacing at time of planting.* The spacing of new trees must be compatible with spatial site limitations and with the responsible consideration toward species size when mature as outlined in the Ramsey Tree Book.

(4) *Planting standards.* As outlined in the Ramsey Tree Book.

(5) *Planting standard: soil amendment.* As outlined in the Ramsey Tree Book.

(6) *Planting standards: mulch.* As outlined in the Ramsey Tree Book.

(7) *Planting distance along rural section streets.* Shall be at the right-of-way unless approved by the city.

(8) *Planting distance from hydrants.* Trees shall be planted a minimum of ~~45~~ ten (10) feet from hydrants.

- (9) *Vision clearance (sight triangle)*. Tree plantings should not be within the vision clearance triangle as defined in [section 117-348](#)
- (10) *Planting distance from utilities*. Trees shall be planted a minimum of two feet from any joint utility trench whenever practicable.
- ~~(11) *Tree preservation tree density standard calculation*~~. Reforestation/restitution plan.
- a. ~~All multifamily residential developments shall retain 40 percent of the inches of tree DBH existing on the site after subdivision.~~
- b. ~~If in excess of 60 percent of desirable trees are removed from the plat due to construction, they shall be replaced, on a one to one basis, in addition to the required plantings specified within the applicable zoning district.~~
- a. If the total number of tree inches exceeds the removal threshold, the developer shall provide a reforestation plan (can be included as part of landscaping plan, but must clearly identify those trees that are intended to satisfy the reforestation requirement), or a calculation of restitution, or a combination thereof.
- b. Size at the time of planting shall comply with the planting standards outlined in the respective zoning district.
- c. No more than twenty-five percent (25%) of the trees to be planted shall be from any one species.
- d. Reforestation trees included in the reforestation plan may count toward the trees required for landscaping purposes within the applicable zoning district.
- e. Restitution, if applicable, shall be paid in cash to the City prior to the release of the final plat mylars for recording, or prior to approval of a minor subdivision, or prior to the issuance of a building permit subject to site plan review. Any restitution paid shall be deposited in the Community Reforestation Fund and be used for reforestation efforts within the City.

SECTION 3. SUMMARY

The following is the official summary of Ordinance #13-10, which has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

It is the intent and effect of Ordinance #13-10 to amend Ramsey, Minnesota City Code Chapter 117, Article II, Division 5 to:

- Replace the term ‘desirable tree’ with ‘significant tree’ as the latter is already defined.
- Clarify that all developments, not just multi-family projects, are subject to removal thresholds (forty percent [40%] for residential projects and thirty percent [30%] for business and employment projects).
- Identify exemptions from the removal threshold calculation when removals are for water quality treatment ponds, public trails and sidewalks, and arterial and collector streets, or include invasive species.
- Identify replacement standards when removals exceed the threshold, which would be either 1.25 inches of planted trees for every one (1) inch of significant tree removed beyond the allowable threshold or \$125.00 in restitution for every one (1) inch of significant tree removed beyond the allowable threshold, or some combination thereof.

- Identify that required reforestation plantings do count toward the required landscaping for the applicable zoning district.

SECTION 4. EFFECTIVE DATE

The effective date of this Ordinance is thirty (30) days after its passage and publication, subject to City Charter Section 5.07.

Adopted by the Ramsey City Council the 28th day of May, 2013.

Mayor

ATTEST:

City Clerk

Introduction Date:

Posting Dates:

Adoption Date:

Publication Date:

Effective Date: