

City of Ramsey
Agenda
Environmental Policy Board (EPB)

Monday, March 20, 2023

6:30 pm

Council Chambers, 7550 Sunwood Drive NW

Remote Attendance available at www.cityoframsey.com/meetings.
Those joining remotely and requesting to speak are asked to use a webcam when speaking.

1. Call to Order

2. Citizen Input

3. Approve Agenda

4. Approve Minutes

1. Approve Meeting Minutes Dated January 23, 2023

5. Policy Board Business

1. Pollinator Demonstration Garden Project Adjacent to the Northstar Train Station
2. Zoning Code Updates
3. Appoint Chairperson and Vice Chairperson

6. Board/Staff Input

- Environment Commissions Conference - May 20, 2023, 9:00am - 12:30pm, Ridgedale Public Library, 12601 Ridgedale Drive, Minnetonka, MN 55305
- Compost Bin Distribution Event - May 16, 3:00-6:00pm, Public Works Building
 - 22 compost bins remaining from the 2022 event (this is all that will be available; did not sign up for a 2023 event)
 - Looking for volunteers

7. Adjournment

Environmental Policy Board (EPB)

4. 1.

Meeting Date: 03/20/2023

By: Chris Anderson, Community Development

Information

Title:

Approve Meeting Minutes Dated January 23, 2023

Action:

Motion to approve meeting minutes dated January 23, 2023.

Attachments

Meeting Minutes Dated January 23, 2023

Form Review

Inbox

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 02/17/2023

Reviewed By

Brian Hagen

Date

02/17/2023 03:24 PM

Started On: 02/16/2023 10:25 AM

**ENVIRONMENTAL POLICY BOARD
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

On Monday, January 23, 2023, the Environmental Policy Board (EPB) met in the Council Chambers at the Ramsey Municipal Center, 7550 Sunwood Drive N.W., Ramsey, Minnesota.

Members Present: Chairperson Laura Moore
 Board Member Todd Arts
 Board Member Reid Bernard
 Board Member Melissa Fetterley
 Board Member Michael Hiatt

Members Absent: Board Member Jared Little

Also Present: Senior Planner Chris Anderson
 City Council Liaison Chelsee Howell

1. CALL TO ORDER

Chairperson Moore called the meeting to order at 6:30 p.m.

2. CITIZEN INPUT

None.

3. APPROVE AGENDA

Motion by Board Member Bernard and seconded by Board Member Hiatt to approve the agenda as submitted.

Motion carried. Voting Yes: Chairperson Moore, Board Member Bernard, Hiatt, Arts, and Fetterley. Voting No: None. Absent: Board Member Little.

4. APPROVE MINUTES

4.01: Approve Meeting Minutes Dated October 17, 2022

Motion by Board Member Bernard and seconded by Board Member Fetterley to approve the regular meeting minutes dated October 17, 2022.

Motion carried. Voting Yes: Chairperson Moore, Board Member Bernard, Fetterley, Arts, and Hiatt. Voting No: None. Absent: Board Member Little.

5. POLICY BOARD BUSINESS

5.01: Consider Natural Resources Aspects of Site Plan and Plat for AARA Dome (Project

No. 22-123); Case of Anoka Ramsey Athletic Association

Senior Planner Anderson presented the staff report. He stated that the City has received an application for a Site Plan, Variance, Preliminary Plat, and Final Plat from Anoka Ramsey Athletic Association for a proposed new athletic dome and associated improvements. The proposed project is located at 14622 and 14650 Ferret Street NW.

Board Member Hiatt asked where expansion would be anticipated.

Senior Planner Anderson replied that future expansion would be to the west and provided more details.

Board Member Fetterley asked for details on parking.

Senior Planner Anderson replied that parking has been discussed between the applicant and planning staff. He stated that there has been a lot of discussion on whether this would be a practice facility or whether games/tournaments would be played as the use would have different requirements. He stated that as it presently stands this would only be used for practice and therefore would meet requirements for parking. He noted that if they want to hold events at the space, the requirements could be different.

Chairperson Moore asked what currently exists to the west.

Senior Planner Anderson replied that land is currently vacant and noted that if there were plans for expansion in the future, that would follow the typical site plan review process.

Motion by Board Member Hiatt and seconded by Board Member Bernard to recommend approval of the natural resources aspects related to this project.

Motion carried. Voting Yes: Chairperson Moore, Board Member Hiatt, Bernard, Arts, and Fetterley. Voting No: None. Absent: Board Member Little.

5.02: Consider Natural Resources Related Elements for Parkside Townhomes Preliminary Plat

Senior Planner Anderson presented the staff report. He stated that the City has received an application from Ramsey at COR LLC for Preliminary Plat review of a proposed townhome development located on the block bordered by Rhinestone Street, Traprock Street, 146th Avenue, and Ramsey Parkway. The purpose of this case is to review the Landscape Plan and other natural resources aspects of the project.

Board Member Hiatt asked if there is sidewalk on all four streets.

Senior Planner Anderson confirmed that there will be public sidewalks on all four streets. He noted that sidewalk exists on Rhinestone and the developer will install the others as part of the project.

Board Member Hiatt asked and received confirmation that the mentioned boulevard landscaping would occur between the street and sidewalk. He asked if some of the trees from the backside could be moved to the boulevard.

Senior Planner Anderson confirmed that the applicant could choose to do that. He noted that another option would be to add trees to the boulevard.

Chairperson Moore appreciated the information on the Drinking Water Supply Management Area (DWSMA) and found that interesting.

Senior Planner Anderson provided additional details on the DWSMA and concerns for infiltration within that area.

Chairperson Moore asked if the plans for stormwater anticipated this type of use for the property.

Senior Planner Anderson replied that the boundary of the DWSMA is not impacted by the type of development.

Board Member Hiatt commented on the diverse species planned for landscaping.

Senior Planner Anderson agreed that the applicant did a good job emphasizing a diverse landscape.

Motion by Board Member Fetterley and seconded by Board Member Bernard to recommend approval of the Landscape Plan, contingent upon compliance with Staff's review comments.

Motion carried. Voting Yes: Chairperson Moore, Board Member Fetterley, Bernard, Arts, and Hiatt. Voting No: None. Absent: Board Member Little.

6. BOARD / STAFF INPUT

Chairperson Moore asked for an update related to an email received from the Anoka Conservation District (ACD) on potential land uses within Ramsey.

Senior Planner Anderson provided a high-level summary of the request from ACD to inquire on whether there was park land that would be suitable to convert to a natural landscape because ACD was looking to apply for grant funds for that type of conversion. He stated that nothing was locked into place, the request was simply to determine if there were site candidates that would work. He stated that staff did identify a few locations and if ACD is successful in obtaining the grant, staff would bring that information forward to the EPB, Parks and Recreation Commission and ultimately City Council for input and approval. He noted that should that move forward, it would reduce maintenance and improve pollinator habitat. He stated that he will have a case to present at an upcoming meeting for a similar project to consider along the railroad right-of-way and COR infiltration basin. He noted that could be an opportunity for the Board to assist with the plantings.

Board Member Hiatt commented that if park land is converted as discussed, it would be nice to have some walking paths as that could be an opportunity for resident education.

Chairperson Moore asked if there is any update on Rabbit Park. She stated that perhaps there would be a spring opportunity for volunteers to assist with plantings.

Senior Planner Anderson stated that he did not have an update but would follow up with parks staff.

7. ADJOURNMENT

Motion by Board Member Hiatt and seconded by Board Member Bernard to adjourn the meeting.

The meeting adjourned at 7:02 p.m.

Respectfully submitted,

Chris Anderson
Senior Planner

ATTEST:

JoAnn Shaw
Community Development Secretary

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

Meeting Date: 03/20/2023

By: Chris Anderson, Community Development

Information

Title:

Pollinator Demonstration Garden Project Adjacent to the Northstar Train Station

Purpose/Background:

In 2022, the City was successful in securing grant funds through Great River Greening (GRG) to establish a pollinator corridor between Veterans Drive and the BNSF right-of-way. Subsequently, the City submitted a revised application to expand the project to include reseeded of a recently constructed infiltration basin and reseeded around the rim of a stormwater pond as well. Additionally, the revised application included a demonstration garden adjacent to the Northstar commuter rail station that would be established with larger, potted plants.

Observations/Alternatives:

There is approximately 3.6 acres of right-of-way, sandwiched between Veterans Drive and the BNSF railroad tracks, stretching from the Coborn's anchored retail area to the stormwater pond at the intersection of Ramsey Boulevard and the railroad tracks (see attached exhibit). The City will use part of the funding to hire a contractor to complete the seeding of this long corridor with an enhanced dry prairie mix offered by the Board of Water and Soil Resources (BWSR). The infiltration basin in the southeast corner of the COR was originally seeded (unrelated to this grant) as part of that project. However, that seeding failed for various reasons. The expanded scope of this grant included reseeded not only the infiltration basin, but also the rim of the stormwater pond, with a combination of wetland and upland species. That work was completed last fall.

The final component of the expanded scope of the project is a demonstration garden that will be installed this spring. This will consist of approximately 100-200 potted, native plants and possibly several native plum trees. Staff and GRG are still designing the full scope of the demonstration garden, but it could potentially include informative/educational signage, focusing on pollinator habitat, as well as a path/walkway through the garden.

This project aligns well with an item on the most recent Environmental Policy Board (EPB) Work Plan: Design and Implement a Demonstration Garden. Staff is working with GRG on final design aspects, and once complete, would be looking to involve the EPB in the planting/installation phase. At this time, Staff is considering a planting event that coincides with a regular meeting date of the EPB, such as April 17. The reasoning is twofold. First, generally, board members have kept their calendars open on meeting nights and this wouldn't require an additional evening commitment from board members. Secondly, this particular meeting date is close to Earth Day (April 22) and Arbor Day (April 28) and the planting activity could be tied to both.

Staff would like feedback from the EPB as to whether there is an interest in participating in the demonstration garden planting activity. Secondly, if there is interest, would there be a preference to conduct the planting on a regularly scheduled meeting night (e.g. April 17) or a separate, weekday afternoon/evening.

Funding Source:

The cost of materials for the pollinator demonstration project are a covered component of this grant.

Action:

By general consensus, let Staff know if there is an interest in participating in the installation of the demonstration garden plants and, if so, if there is a preference to schedule it on a regular meeting date or find an alternative weekday afternoon/evening.

Attachments

Map of Project Area

Exhibit Showing Location of Pollinator Demonstration Garden

Form Review

Inbox

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 02/23/2023

Reviewed By

Brian Hagen


Date


02/23/2023 10:17 AM

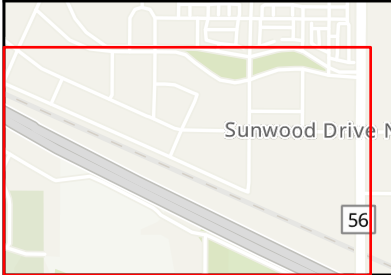
Started On: 02/16/2023 10:56 AM



Legend

 Pollinator ROW - 3.6 Acres

 Infiltration basins - 8 Acres

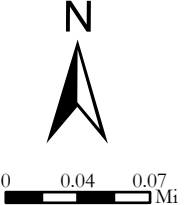


Ramsey COR Pollinator Project


GREAT RIVER GREENING
 RESTORING LAND, WATER AND WONDER


**ENVIRONMENT
 AND NATURAL RESOURCES
 TRUST FUND**

2022





Draft Exhibit Environmental Policy Board Pollinator Intensive Garden

Meeting Date: 03/20/2023

By: Chris Anderson, Community Development

Information

Title:

Zoning Code Updates

Purpose/Background:

Planning Division Staff and the Planning Commission are in the process of overhauling the current Zoning Code. Both Tree Preservation and Landscaping standards currently reside in the Zoning Code. Even though the Landscaping portion was recently reviewed by the Environmental Policy Board (EPB), Staff wanted to provide both of these sections of City Code to the EPB for review and comment/feedback. Attached to this case are Section 117-364 (Landscaping) and Chapter 117, Article II, Division 5 (Tree Preservation), with Staff's early markups. The purpose of this case is to:

1. Provide the EPB with copies of both Section 117-364 (Landscaping) and Chapter 117, Article II, Division 5 (Tree Preservation) from City Code.
2. Initiate discussion about potential revisions to either section.
3. Contemplate creating landscaping regulations for the COR district (presently, the Design Framework only addresses streetscape, there is nothing about internal landscaping)

Observations/Alternatives:

Below are some points of discussion that Staff is interested in feedback on related to Landscaping (Section 117-364):

- (c) (1) b. (Required Ground Cover): this subsection includes a provision that any alternative to sod requires City Council approval. Is there any scenario in which seeding would not be acceptable? If not, Staff would suggest that this be modified to simply state that established ground cover is required.
- (c) (5) and (c) (6) d. (plant size): should the minimum size be increased to 2.5 inch caliper for deciduous trees and 6 foot height for coniferous and clump (e.g. river birch) trees? This would match what is required in the commercial/industrial districts, as well as the density transitioning standards.
- (c) (7) f. (Bufferyards): Should Staff attempt to simplify this subsection to indicate that buffering/screening is required between residential and commercial/industrial rather than individual zoning districts?
- (c) (7) f. 2.: Staff would suggest a greater reduction than just 10% of required plantings.

Below are some points of discussion that Staff is interested in feedback on related to Tree Preservation (Chapter 117; Article II; Division 5):

- Section 117-324 (Purpose and Intent): Staff would suggest updating the purpose to focus on protecting important/significant trees and stands of trees that, if removed, would impact the character of a neighborhood. Additionally, the intent paragraph could be more succinct.
- Section 117-324 (c): Staff would recommend eliminating this altogether. The Ramsey Tree Book has been in place for years now and is available through the City's website.
- Section 117-326 (d): Staff would recommend eliminating this altogether as it is addressed in the Signs portion of City Code.
- Section 117-326 (g): Staff would recommend eliminating this altogether. Part of it conflicts with (b) and the part about watering public trees is not necessary in City Code.
- Section 117-327 (c) (2): Staff would recommend being more specific in terms of what must be included within a tree preservation plan (e.g. species, diameter, and location of all significant trees; identification of which significant trees are to be preserved, removed, and exempt from removal calculation; tree protection fencing location(s) and details; tally of total significant tree inches on site, tally of significant tree inches exempt from calculation, and tally of significant tree inches to be preserved).

- Section 117-327 (c) (2): Staff would recommend that tree preservation plans be prepared and signed by a registered land surveyor or forester.
- Section 117-327 (f): If the definition of significant tree is not going to change, should consideration be given to modifying the preservation standards for both residential and commercial/industrial developments?
- Section 117-328 (Hazardous and/or Nuisance Trees): Staff would recommend creating a separate chapter in City Code to address shade tree diseases and pests, and place more of an emphasis on prevention rather than control, as that is much more cost-effective for property owners.
- Section 117-329 (Exemptions): Staff would recommend eliminating this section altogether.
- Would the EPB consider any potential exemptions from tree inventories/tree preservation requirements for something such as a tree farm? These trees were planted with the intention of being harvested at some point in the future. They are not a natural woodland, and provide fewer wildlife benefits than naturally occurring woodlands.

For both portions of City Code, the above bullet lists are intended to initiate thought and discussion. If there are other revisions, or if the EPB wants to see additional standards added, this is the time to raise them.

Action:

No specific action is required. Staff is simply seeking feedback on these two portions of City Code. Staff will take any direction provided by the EPB and attempt to modify both sections accordingly for review by the EPB in March.

Attachments

Section 117-364 (Landscaping)
 Ch. 117 Article II Division 5 Tree Preservation

Form Review

Inbox	Reviewed By	Date
Brian Hagen	Brian Hagen	02/23/2023 10:39 AM
Chris Anderson (Originator)	Dana Verbeek	03/16/2023 12:18 PM
Form Started By: Chris Anderson		Started On: 02/22/2023 08:58 AM
Final Approval Date: 03/16/2023		

Sec. 117-364. Landscaping.

(a) *Intent.* The City of Ramsey recognizes the advantages that landscaping and screening can provide, including enhanced health, safety, aesthetic, ecological and economic value. The intent of this section is to:

- (1) Enhance the quality of life within the city;
- (2) Enhance aesthetic view of development(s) from public roads;
- (3) Maintain and enhance property values;
- (4) Aid in both physical and mental human health;
- (5) Improve air quality and buffer against noise, glare, and heat;
- (6) Reduce the potential for crime and violence;
- (7) Improve energy efficiency;
- (8) Add visual interest to blank building facades and soften appearance of hardscaping and buildings with accent plantings;
- (9) Complement adjacent land uses;
- (10) Improve the visual quality and continuity within and between developments;
- (11) Reduce storm water runoff;
- (12) Encourage the establishment and/or restoration of native landscapes.

(b) *Goals and objectives.* Landscaping for any project is intended to achieve the following goals and objectives:

- (1) Provide immediate aesthetic enhancements to a development site while also ~~taking into account~~ **considering** space and input needs of plantings well into the future;
- (2) Encourage a healthy environment and landscape in the future;
- (3) Ensure a diverse mixture of species to protect against future pests and pathogens;
- (4) Encourage native landscapes in suitable locations with appropriate management plans.

(c) *Landscaping requirements.*

- (1) *Topsoil and ground cover.* All exposed ground areas, including boulevards and areas not devoted to off-street parking, driveways, sidewalks, trails, patios or other such impervious improvements, shall be landscaped with turf, shrubs, trees, native grasses and wildflowers and/or other ornamental landscape materials within six months of the date of issuance of the certificate of occupancy.
 - a. *Topsoil.* In all zoning districts, a minimum of four inches of topsoil, as defined in section 117-1, shall be applied across all exposed ground areas to the edge of improved streets, sidewalks, driveways and other impervious surfaces, excluding natural areas that are left undisturbed, whenever a building permit is issued for the construction of a principal building.
 1. The depth of topsoil at the time of inspection shall be not less than four inches.
 2. Alternatives to the import of topsoil, such as compost or other soil amendments known to improve soil water holding capacity may be permitted, but only with the prior approval of the city engineer.
 - b. *Required ground cover.* In all zoning districts except R-1, all portions of a site not covered by structures, concrete, or asphalt, but excluding natural areas that are left undisturbed, shall be

finished with sod and plantings, up to the edge of improved streets and other impervious surfaces. Any alternative to the sod requirement shall require City Council approval.

1. In the R-1 Residential District, sod is required in all boulevards, excluding those areas devoted to sidewalks, trails and driveways.
 2. The remainder of a yard may be established with sod, seed, natural ground cover and/or native grasses and wildflowers. ~~Noxious weeds do not constitute allowable ground cover.~~
 3. A landscape escrow, in an amount to be determined by the building official, shall be deposited for all required landscaping, including topsoil, sod and trees, which is not established at the time of issuance of a certificate of occupancy. Installation of required landscaping, including topsoil, sod (or seeding where permitted by this Code) and trees, shall be completed within six months of the issuance of the certificate of occupancy, weather permitting. The city may draw upon the escrow to install the required landscaping if said work is not completed within six months of the date of issuance of the certificate of occupancy.
- (2) *Irrigation.* If a landscape irrigation system is provided, the system shall be equipped with the following:
- a. Technology that inhibits or interrupts operation of the irrigation system during periods of sufficient moisture (rain sensor).
 - b. One or more water efficient technologies. This could include, but is not limited to, WaterSense labeled weather-based irrigation controllers, soil moisture sensors, and/or evapotranspiration (ET) sensors.
- (3) *Existing trees.* A reasonable attempt shall be made to preserve as many existing trees as is practicable and incorporate them into a development (see division 5, Tree Preservation for inventory and preservation requirements). For each healthy significant tree retained on site and not identified on the city's list of prohibited trees, one overstory tree, or the equivalent canopy square footage, can be deducted from the minimum planting requirements.
- (4) *Planting types.* Acceptable planting types shall be determined by the Ramsey Tree Book. The complement of trees fulfilling the landscaping requirements shall not be less than 25 percent deciduous and not less than 25 percent coniferous. Not more than 25 percent of the required plantings shall consist of ornamental or understory trees. Projects should attempt to limit the planting of any one genus to no more than 20 percent of the total plantings.
- (5) *Planting requirements for the R-1 Residential District.*

Zoning District	Planting Type	Minimum Number Required	Size
R-1 Residential (MUSA) — Villas	Overstory Deciduous and/or Coniferous trees	1 tree per 50 feet of frontage, planted in the boulevard	1 inch caliper — deciduous 5 foot height — conifer
R-1 Residential (MUSA) — SF Detached Homes	Overstory Deciduous and/or Coniferous trees	2 trees per dwelling, planted in the boulevard (or front yard depending on available space)	1 inch caliper - deciduous 5 foot height - conifer
R-1 Rural Developing	Overstory Deciduous and/or Coniferous trees	2 trees per dwelling, planted in the front yard	1 inch caliper - deciduous 5 foot height — conifer

Commented [CA1]: Increase planting size?

- a. In the R-1 Residential (MUSA) — Villas sub-district, alternative planting locations, such as the backyard or common areas, will be considered if there is not sufficient space in the boulevard due to other improvements such as driveways, streetlights, hydrants, etc.

(6) *Planting requirements for the R-2 Residential (Medium Density) and R-3 Residential (High Density) Districts.*

- a. If the housing product is a detached style, the plantings shall consist of at least one tree per 50 feet of street frontage, planted in the boulevard.
 - 1. Alternative planting locations, such as the backyard or common areas, will be considered if there is not sufficient space in the boulevard due to other improvements such as driveway, streetlights, hydrants, etc.
- b. If the housing product is an attached style, the number of plantings shall be determined based on canopy cover. To fulfill the planting requirements, a combination of trees and shrubs shall meet or exceed the minimum required canopy cover square footage.
- c. The minimum canopy cover required shall be calculated as follows:
 - 1. Determine ratio of impervious area (including stormwater ponds) to entire site.
 - 2. Multiply the impervious area/site area ratio by the square footage of the pervious area to calculate the required canopy cover square footage for the project area.
 - 3. The following formula shall be utilized to determine the average canopy cover of a species: $[(\text{Minimum} + \text{maximum spread}) \div 4]^2 \times \pi \times (0.65 \text{ for preferred species or } 0.50 \text{ for acceptable species, as identified in the Ramsey Tree Book})$.
- d. Minimum size of plantings. Required trees and shrubs shall meet or exceed the following size standards:

Plant Type	Size
Deciduous Tree	1 inch caliper
Coniferous Tree	5 feet in height
Ornamental Tree	1 inch caliper
Deciduous Shrub	2 feet in height
Evergreen	2 feet in height or width, based on growth characteristics

Commented [CA2]: Increase planting size?

(7) *Planting requirements for business and employment districts (B-1, B-2, B-3, Neighborhood Business, H-1, E-1, E-2, and E-3).*

- a. *Business districts (B-1, B-2, B-3, Neighborhood Business, and H-1).* The minimum number of trees required are outlined in the table below. These are minimum requirements and can be supplemented with other plantings, as well as flowers and various ground covers that would be appropriate to produce a complete and quality landscape.

Planting Type	Required Numbers
Deciduous/coniferous trees	1 tree per 50 lineal feet of site perimeter, or 1 tree per 1,000 square feet of building footprint, whichever is greater. For building expansions, 1 additional tree is required for each 1,000 square feet of new building footprint area.

Shrubs	1 shrub per 30 lineal feet of site perimeter or 1 shrub per 300 square feet of building footprint area, whichever is greater.
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- b. *Employment districts (E-1, E-2, and E-3).* The minimum number of plantings required shall be determined based on canopy cover. To fulfill the planting requirements, a combination of trees and shrubs shall meet or exceed the minimum required canopy cover square footage. The minimum canopy cover required shall be as follows:
1. Determine ratio of impervious area (including stormwater ponds below the 100-year flood elevation) to entire site.
 2. Multiply the impervious area/site area ratio by the square footage of the pervious area to calculate the required canopy cover square footage for the project area.
 3. The following formula shall be utilized to determine the average canopy cover of a species: $[(\text{Minimum} + \text{Maximum Spread}) \div 4]^2 \times \pi \times (0.65 \text{ for preferred species or } 0.50 \text{ for acceptable species, as identified in the Ramsey Tree Book})$.
- c. *Minimum size of plantings.* Required trees and shrubs shall meet or exceed the following size standards:

Plant Type	Size
Deciduous Tree	2.5 inch caliper
Coniferous Tree	6 feet in height
Ornamental/Understory Tree	1.5 inch caliper
Deciduous Shrub	2 feet in height
Coniferous Shrub	2 feet in height or width, based on growth characteristics

- d. *Road frontage plantings.* For every 35 feet of public road frontage, one overstory tree shall be planted adjacent to the road right-of-way on private property. These plantings are credited toward the minimum planting requirements.
- e. *Parking lot landscaping.* All parking lots are required to provide internal and/or adjacent overstory tree plantings in an effort to shade parking surfaces and provide visual relief. The planting schedule is established to provide an acceptable number of plantings that may be planted in regular symmetrical patterns or irregular clusters or groupings. Plantings are required at the following minimum schedule:
1. 1 tree per every ten parking spaces.
 2. Every overstory tree planting shall be provided with a planting area of at least 162 square feet.
 3. Acceptable ground cover materials include sod, mulch, and other natural ground cover. Landscaping rock and plastic underlayment is prohibited in planting islands.
- f. *Bufferyards.* Bufferyards help to achieve screening between differing uses with varied intensities and impacts that are not always complementary when adjacent to one another. When a bufferyard is required, the yard space and planting requirements are not to be reduced for other purposes such as future parking and driveways, building expansions, or other activities that are not in keeping with the purposes of buffering and screening.

Commented [CA3]: Should this specify that it is in addition to the required plantings outlined above or should parking lot plantings count toward the required plantings?

1. Bufferyards are intended to provide additional screening of businesses that are adjacent to residential areas. The following table details the width of the bufferyard along the common adjacent property line. An additional increase of landscape plantings is required in the bufferyard. The table below outlines the minimum required additional plantings, expressed as a percentage of the total required site landscaping:

Proposed Development	Existing Adjacent Development							
	R-1	R-2	R-3	NBD	B-1	B-2	B-3	H-1
Neighborhood Business (NBD) Bufferyard width	40 feet	30 feet	20 feet	NA	NA	NA	NA	NA
% increase in plantings	25%	20%	02% 20%					
B-1 Bufferyard width	40 feet	30 feet	20 feet	NA	NA	NA	NA	NA
% increase in plantings	30%	25%	20%					
B-2 Bufferyard width	50 feet	40 feet	30 feet	NA	NA	NA	NA	NA
% increase in plantings	30%	25%	25%					
B-3 Bufferyard width	50 feet	40 feet	30 feet	NA	NA	NA	NA	NA
% increase in plantings	30%	25%	20%					
H-1 Bufferyard width	50 feet	40 feet	30 feet	NA	NA	NA	NA	NA
% increase in plantings	30%	25%	20%					
E-1 Bufferyard width	60 feet	60 feet	60 feet	35 feet	35 feet	35 feet	35 feet	35 feet
% increase in plantings	30%	30%	30%	20%	20%	20%	20%	20%
E-2 Bufferyard width	60 feet	60 feet	60 feet	35 feet	35 feet	35 feet	35 feet	35 feet
% increase in plantings	30%	30%	30%	20%	20%	20%	20%	20%
E-3 Bufferyard width	60 feet	60 feet	60 feet	35 feet	35 feet	35 feet	35 feet	35 feet
% increase in plantings	30%	30%	30%	20%	20%	20%	20%	20%

Commented [CA4]: Simplify this to between uses rather than districts (e.g. between residential and commercial/industrial)?

2. As an alternative method for screening in the Neighborhood Business, B-1, B-2, B-3, H-1, E-1, E-2 and E-3 Districts, fences that are 100 percent opaque may be used to mitigate the impacts of businesses that are adjacent to residential areas. Fences are subject to the provisions found in all applicable ordinances. When a fence is used for screening purposes, the bufferyard planting requirements may be reduced by ten percent from the stated minimum requirement.

Commented [CA5]: Suggest a greater reduction in planting if a fence is used.

- g. Credit for preservation or establishment of native grasses and plant communities. The total number of required trees may be offset by the provision of native grasses and wildflowers. Establishment or preservation of native plant communities can reduce the required number of tree plantings by one tree per 500 square feet of native grass/plant community area. Credit may not exceed 50 percent of the total requirements.
1. This area(s) must be shown on both the landscape plan and the grading plan.
 2. Species, quantities, and application method and rates, shall all be provided as part of the landscape plan.
 3. A three-year management plan shall be submitted for review and approval by the city as part of the civil plan set. Thereafter, an annual management plan shall be submitted to the city every year by March 1.

(Ord. No. 21-06 , § 2, 6-8-2021)

DIVISION 5. TREE PRESERVATION

Sec. 117-324. Purpose; intent; design and maintenance principles; administration.

- (a) *Purpose.* ~~The city council finds it is in the best interest of the city to protect, preserve, and enhance the natural environment by encouraging a resourceful and prudent approach to development and alteration of wooded areas. The city council also recognizes that some amount of tree loss is an inevitable consequence of the development process. The tree preservation regulations herein attempt to maintain a balance between one's rights to develop property with the needs and desires of the community to protect the natural environment. 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.~~
- (b) *Intent and Objectives.* The intent of this division is to ~~provide support the preservation and protection of significant trees or stands of trees to promote the orderly development of such areas and minimize public and private losses. The following regulations address relating to the removal of trees associated with new development. to promote the orderly development of such areas and thereby minimizing public and private losses. Furthermore, this division will establish and maintain appropriate levels of diversity among tree species and age classes to provide a stable and sustainable community forest.~~ The city council finds that the following objectives are important ~~to achieve the purpose and intent of this division in achieving these goals:~~
- (1) To continue to seek recognition as a Tree City U.S.A. and to take all reasonable steps to promote planting and conservation of trees throughout the city;
 - ~~(2) To promote good design in new areas and provide sensitive and compatible infill development in existing commercial areas;~~
 - (3) To control epidemic tree diseases and insect infestations which threaten the health of trees in the community;
 - ~~(4) To provide regulations that ensure the placement of trees along the street right of way for the purpose of protecting against excessive noise, heat, and glare, and to enhance the attractiveness and value of property;~~
 - ~~(5) To ensure that landscaping is an integral part of development, not an afterthought;~~
 - ~~(6) To foster and support community forest programs and encourage good tree management; and~~
 - (7) To maintain and preserve the many benefits that trees provide including, but not limited to, the following:
 - a. *Character and aesthetics.*
 1. Trees help buffer different or conflicting land uses ~~for thereby establishing~~ visual screening and buffering noise, glare and heat abatement ~~in transitional zones;~~
 2. Trees conserve and enhance the city's quality of life and ecological and aesthetic environment, especially its valuable and rural atmosphere; and
 3. Trees provide important psychological benefits to the ~~persons~~ people within the city and neighborhoods.
 - b. *Wildlife habitat.* Trees are essential to maintain wildlife habitat within the city.

Commented [CA1]: Move shade tree disease and infestation stuff to separate chapter????

Commented [CA2]: Not tree preservation related, these are more related to landscaping.

- c. *Energy conservation.* Trees assist in the moderation of climate by providing shade, windbreaks, and the cooling of air; thereby reducing the requirements for air conditioning and heating and the subsequent utilization of energy resources.
- d. *Improved Air and water quality.*
 - 1. Trees aid in the filtering of stormwater as it passes through the soil to the groundwater;
 - 2. Trees maintain permeable land areas essential to surface water management and aquifer recharge; and
 - 3. Trees aid in the purification of the air through the removal of carbon dioxide, the generation of oxygen, and the precipitation of dust and other airborne pollutants.
- e. *Socioeconomic.*
 - 1. Trees enhance property values; and
 - 2. Trees protect and preserve the unique identity and environment of the city and aid in the development of the economic base attracted to the city by such factors.
- f. *Erosion and flood control.*
 - 1. Trees aid in the stabilization of soil by the prevention of erosion and sedimentation; and
 - 2. Trees reduce stormwater runoff and the costs associated therewith and aid in the replenishment of groundwater supplies.

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~~(c) — Creation of the Ramsey Tree Book. The intent is to provide a set of landscape design and maintenance principles that promote the use of appropriate plant materials, which do not require special attention and which require little supplemental water to grow properly.~~

~~(1) — The Ramsey Tree Book will be available for reference and guidelines regarding principles for tree preservation in the city. The book is to be offered, upon request, to the citizens of the city as well as the development community and other interested parties. Copies will be available at city hall.~~

~~(2) — The Ramsey Tree Book will also include lists of desirable and undesirable trees, shrubs, and natural vegetation for the city. The Ramsey Tree Book shall maintain an extensive list of recommended vegetation for planting. The intent is to maintain diversity in the total tree population within the city. The list of recommended species shall be updated periodically to reflect new developments or species that will affect the population of the community forest.~~

Commented [CA3]: Book has been in place for years now. Do not need to retain this language.

- (d) *Administration.*
 - (1) The city shall administer and enforce the provisions of this division. The city is authorized to cause inspections on a scheduled basis when reason exists to believe that a violation of this division has been or is being committed.
 - (2) When the city determines a violation has occurred, the city's written evaluation of the deficiencies shall be considered prima facie evidence in any subsequent litigation

(Code 1978, § 9.24.01; Ord. No. 03-33, 9-15-2003; Ord. No. 06-25, § 2, 8-8-2006; Ord. No. 13-10, § 2, 5-28-2013)

Sec. 117-325. Landmark trees.

A landmark tree shall be any tree, public or private, that has been designated as such by the city council, after public hearing and due notice to the owner of the tree. The criteria of such designation shall include, but not necessarily be limited to, notable historical interest and value to the city because of its location or historical association with the community.

(Code 1978, § 9.24.02; Ord. No. 03-33, 9-15-2003)

Sec. 117-326. Public trees.

- (a) *Authority.* The city shall have the right, but does not have the obligation, to plant, prune, maintain and remove trees, plants and shrubs within the public right-of-way of all streets, alleys, ~~avenues, lanes, squares, parks,~~ and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such ~~public grounds~~areas.
- (b) *Removal of public trees.* No trees, brush, vines, shrubs and/or ground cover are to be removed by anyone, including adjacent landowners or agents of any landowner, from any city-owned land, greenways or access corridors from greenways without the written permission of the city.
- (c) *Storage upon public land.* No person shall deposit, place, store, or maintain upon any public ~~place-land~~ of the ~~municipality-city~~ 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 ~~permission~~consion of the city.

~~(d) Signage. It shall be unlawful for any person, firm, or public utility to attach any sign, advertisement, political endorsement or notice to any public tree.~~

Commented [CA4]: Addressed under Sign Ordinance

~~(ed)~~ *Operation of equipment.*

- (1) All maintenance equipment, implements, machines and tools shall be used or operated in such a manner as not to damage or destroy any tree, shrub or plant in any public right-of-way or park.
- (2) During the erection, repair, alteration or removal of any building, house or structure, in the city, any person, firm, or corporation in charge of such work shall protect any tree in any public place within the city in the vicinity of such building or structure with sufficient guards or protectors to prevent injury to such tree.

~~(fe)~~ *Notifying adjacent property owners of maintenance work.* An attempt ~~may~~shall be made to inform adjacent property owners of maintenance work on trees and landscaping along boulevards, city property, and easements. This notification will be left with direct and adjacent property owners. Suitable precautions shall be taken to protect and warn the public that spraying is being done to public trees. Spraying will be done only if following an integrated pest management plan as exemplified under such topic within the state department of agriculture and be completed by a Minnesota Department of Agriculture licensed pesticide applicator.

~~(g) Adjacent landowners' limited responsibility. Trees planted along city property lines will be watered by those property owners adjacent to said trees. No one other than city employees or their designee may trim, prune, or remove public trees.~~

Commented [CA5]: Conflicts with (c) above. Cannot require someone to water trees that are not on their own property.

(Code 1978, § 9.24.03; Ord. No. 03-33, 9-15-2003; Ord. No. 13-10, § 2, 5-28-2013)

Sec. 117-327. Private trees in new development areas.

- (a) *Requirements for a tree preservation plan.* Prior to any development, ~~land clearing, filling, or any other land alteration,~~ as described in subsection (b) of this section, a tree preservation plan shall be submitted to and approved by the city. ~~The developer shall be required to erect suitable protective barriers around all trees to be preserved and these protective structures, where required, shall remain until such time as they are authorized to be removed by the city or issuance of a final certificate of occupancy.~~

(b) *Tree preservation plan.* A tree preservation plan shall be submitted with preliminary plats and/or site plans, drawn to the same scale as the other preliminary plat or site plan submittals. ~~The submitted tree preservation plan must include a buffer, if required, and landscape plan for the project.~~

Commented [CA6]: Covered by other sections of code.

(1) Residential and commercial development plans shall be designed to preserve ~~natural native~~ vegetation areas as much as possible. Streets, parcels, structures and parking areas shall be laid out to minimize the destruction of wooded areas or outstanding tree specimens. ~~Developers of land are encouraged to designate wooded areas as park reserves.~~

Commented [CA7]: Eliminate? Generally prefer park dedication as cash rather than land.

(2) The city may require either the clustering of dwellings or alternate locations of dwellings to preserve significant trees during the plat approval process.

(3) There shall be no movement, clearing, or storage of equipment within a designated tree protection zone. The owner, developer, or agent shall not permit the placement of construction materials, debris, soil deposits, or fill; nor cause or permit disposal of waste materials such as paints, oils, solvents, asphalt, concrete, mortar or any other harmful material within the dripline of any protected tree area.

Commented [CA8]: Is this really needed? I don't think this would be allowed anywhere, not just within a dripline.

(c) *Plan specifications content.* The content of all tree preservation plans submitted shall ~~be prepared and signed by a licensed surveyor or forester not more than two (2) years prior to submission to the city and shall, for purposes of city staff review,~~ include the following:

(1) ~~The name(s), contact information (telephone number and email), and address(es) of applicant(s), property owner(s), developer(s), and/or builder(s);~~

(2) ~~Delineation of all buildings, structures, and impervious surfaces situated thereon or proposed to be built thereon;~~

(3) ~~Delineation of all areas located within a 100-year floodplain;~~

(4) ~~Location, diameter, and species of all significant trees on site in both graphic and tabular form. For the purposes of this division, significant trees shall include:~~

Commented [CA9]: Is a reference or link needed to where significant tree is defined?

a. ~~All species of oak that have a DBH of four inches or greater;~~

b. ~~All coniferous species that have a DBH of four inches or greater; and~~

c. ~~All other trees that have a DBH of eight inches or more;~~

Commented [CA10]: Do we want to consider modifying these definitions? Either breaking out deciduous hardwoods and softwoods (softwoods generally less desirable) with different sizes, increasing the size that constitutes a significant tree, and/or changing the coniferous standard to a height rather than DBH.

(5) ~~Identification of which significant trees are to be (1) preserved, (2) removed; and (3) exempt from the removal calculation per subsection (f) (3) of this section. This shall be in both graphic and tabular form;~~

(6) ~~Tabulation of total significant tree inches on site;~~

(7) ~~Calculation of total inches being removed on site excluding exempt significant tree inches;~~

(8) ~~Calculation of total exempt significant tree inches and indication of why each significant tree is exempt;~~

(9) ~~Calculation of removed significant tree inches (excluding exempt tree inches) divided by the total significant tree inches on site (excluding exempt tree inches);~~

(10) ~~Proposed locations and details of tree protection fencing to be installed around trees being preserved;~~

(2) ~~A tree survey overlay on the grading plan, which locates all significant trees within the developable areas of the site, identifying both diameter and species. Dead or diseased trees shall be included in the survey. All tree surveys for subdivisions involving the construction of roads or drainage conveyances shall be performed by an International Society of Arboriculture Certified Arborist or a Society of American Foresters Certified Forester. For the purposes of this division, significant trees shall include:~~

a. ~~All species of oak that have a DBH of four inches or greater;~~

b. ~~All evergreen species that have a DBH of four inches or greater; and~~

c. All other trees that have a DBH of eight inches or more;

~~(3) Existing soil conditions throughout the parcel; and~~

~~(4) Existing contour data for the entire property with vertical contour data consistent with city standards for all areas to be disturbed by proposed tree removal operations, extending for a distance of at least 50 feet beyond the limits of such areas. Indicated elevations may be based on United States Geological Survey data.~~

Commented [CA11]: Covered by the grading plan

(d) ~~Tree preservation barriers~~ protection measures.

~~(1) All tree protection areas are recommended to be designated as such with "Tree Save Area" signs posted in addition to the required protective fencing. Signs requesting sub-contractor cooperation and compliance with tree protection standards are recommended for site entrances.~~

Commented [CA12]: Not needed.

~~(2) Before any construction or grading takes place, snow fencing (polyethylene laminate safety netting) or erosion control fencing shall be placed at the dripline of significant trees around the borders of woodlots at the dripline of large trees to be preserved. Signs shall be placed along this fence line prohibiting grading beyond the fence line.~~

~~(3) These fences will be orange polyethylene laminar safety fencing or of woven polyethylene fabric (silt fencing).~~

Commented [CA13]: Addressed in 1 above.

~~(4) Passive forms of tree protection may be utilized to delineate tree save areas outside of the MUSA line with approval of the city. These areas must be completely surrounded with continuous rope or flagging (heavy mil — minimum four inches wide). "Keep-Out" or "Tree Save" signage must accompany all passive tree protection methods.~~

Commented [CA14]: Should require same fencing regardless of urban or rural development.

~~(5) No construction shall begin until this work has been completed, inspected, and accepted by the city. The tree protection measures shall not be removed until the land disturbance and construction activities are complete.~~

~~(6) Silt barriers or similarly effective erosion control barriers shall be required in any area where erosion or siltation may cause damage to protected trees.~~

~~(7) All protective tree fencing, staking or continuous ribbon and all erosion control barriers must be installed prior to and maintained throughout the land disturbance and construction process, and should not be removed until acceptable vegetation is established.~~

Commented [CA15]: Address above in #3.

~~(e) Critical root zone. The root system within the dripline is generally considered to be the critical root zone. To protect these critical root zones, a tree protection area shall be established around each tree or group of trees to be retained.~~

Commented [CA16]: Addressed by #1 above.

~~(1) The tree protection area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.~~

Commented [CA17]: Addressed by #1 above.

~~(2) Wherein authorized excavations it becomes necessary to expose or cut roots more than one inch in diameter, it shall be the duty of the contractor to protect such root under advice from the city.~~

~~(3) All open trenching is prohibited. Utility installation within the dripline of protected trees, during construction or thereafter, can only occur using trenchless methods.~~

~~(4) The mowing, clearing, and grubbing of brush located within or under the dripline of protected trees may be allowed, provided such mowing, clearing, or grubbing is accomplished by hand or by mowers. The use of heavy equipment for this purpose shall not be allowed.~~

~~(f) Removal threshold.~~

(1) Within residential developments, at least 40 percent of the inches of existing significant tree DBH shall be retained on site.

(2) Within business and employment developments, at least 30 percent of the inches of existing significant tree DBH shall be retained on site.

~~(3) Significant trees removed for water quality treatment ponds, public trails and sidewalks, and arterial and collector streets, or that are considered invasive species, are considered exempt from the removal threshold calculation.~~

Commented [CA18]: Based on significant tree definition, this can be challenging sometimes to comply. Do we want to consider modifying these?

~~(e)~~ *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 significant tree inch that is removed in excess of the removal threshold, the developer shall replant 1.25 inches (~~diameter/caliper~~) 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.~~

~~(g)~~ *Reforestation/restitution plan.*

~~a~~ (1). 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.

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~~b~~ (2). Size at the time of planting shall comply with the planting standards outlined in the respective zoning section 117-364 (Landscaping) district.

~~c~~ (3). No more than 25 percent of the trees to be planted shall be from any one species.

~~d~~ (4). Reforestation trees included in the reforestation plan may count toward the base landscaping requirements trees required for landscaping purposes within the applicable zoning district.

~~e~~ (5). 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, if a plat was not required, 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.

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(h) *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.

(i) *Encroachment.* If encroachment into a tree preservation area occurs that causes irreparable damage to a tree(s), the tree preservation plan shall be revised to compensate for the loss. Under no circumstance 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.

~~(j) 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 ten 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) **Reforestation/restoration plan.**~~

~~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 25 percent 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.**~~

Commented [CA19]: Deleting. As long as trees are in front yard, the city doesn't need to specify where they are installed. Covered in the landscaping section.

Commented [CA20]: Need to move to landscaping section.

Commented [CA21]: Deleting. Addressed in vision clearance triangle section.

Commented [CA22]: Should be able to delete as much of this is addressed in the Landscaping section.

Commented [CA23]: Need to move to landscaping section.

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Commented [CA24]: Moved up to (g)

(Code 1978, § 9.24.04; Ord. No. 03-33, 9-15-2003; Ord. No. 06-25, § 2, 8-8-2006; Ord. No. 13-10, § 2, 5-28-2013)

Sec. 117-328. Hazardous and/or nuisance trees.

The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life or property, or harbor insects or disease which constitute a potential threat to other trees within the city. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal to the property owner.

(1) **Notice to take action.** An order for a "Notice to Take Action" will be issued upon determination by the city, or its designee, that maintenance work requiring the pruning, preservation, or removal of trees or

plants upon private property when such action is necessary to ensure public safety and/or to prevent the spread of disease or insects to public trees and places.

- a. Such notice shall describe the kind of tree, shrub, or other plant or plant part which has been declared to be a public nuisance; its location on the property; and the reason for declaring it a nuisance.
- b. Proper disposal procedures of wood, bark and debris from said nuisance shall be detailed in said notice. These disposal procedures shall be followed within the time provided in the notice.
- c. The notice of violation shall state the specific violation and indicate whether immediate enforcement will be sought or if 30 days will be allowed to correct and remove the violation.
- d. If the owner of the property to whom an order has been issued fails or refuses to take remedial action in accordance with and within the time specified in an order, the city or its designate shall cause the remedial action so ordered to be performed at the expense of the owner. Appeals shall be in accordance with section 117-55.

(2) *Disease- or pest-infested trees.* Any tree located within the city, which is determined by a certified arborist to be afflicted with any dangerous or infectious insect infestation or plant disease, may be declared a public nuisance. This shall include trees and shrubs harboring injurious insects or pathogens that may cause significant potential danger to the community forest.

- a. The city or its designate may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is infected with Oak Wilt or Dutch Elm Disease.
- b. An evaluation of "imminent danger" means that the hazard to the public is immediate. If the property owner cannot be contacted or refuses to remove the hazard, the city will initiate action immediately.
- c. An evaluation of "potentially dangerous" means that a hazard to the public will exist in the near future. The property owner will be notified and should remove the future hazard as soon as possible.

(Code 1978, § 9.24.05; Ord. No. 03-33, 9-15-2003; Ord. No. 06-25, § 2, 8-8-2006)

~~Sec. 117-329. Exemptions.~~

~~Requirements of this division may be waived by the city for a project in which at least 75 percent of the land has already received a permit initiating clearing or grading activities prior to the effective date of the ordinance from which this division is derived.~~

- ~~(1) The provisions of this division are not intended to prohibit agriculture, silviculture, horticulture, or nursery operations within the city.~~
- ~~(2) The provisions of this division are intended to prevent the spread of disease or infestation of trees within the city. Authorization may be obtained to remove certain trees to prevent the transmission of disease or infestation and to alleviate potentially hazardous trees that may cause injury to persons or property.~~

(Code 1978, § 9.24.06; Ord. No. 03-33, 9-15-2003)

Commented [CA25]: Move to a separate chapter. Also, incorporate more information focusing on prevention rather than on control. Include in Purpose that prevention is more cost effective for property owners than control measures.

Commented [CA26]: Recommend eliminating

Secs. 117-330—117-346. Reserved.

Environmental Policy Board (EPB)

5.3.

Meeting Date: 03/20/2023

By: Chris Anderson, Community Development

Information

Title:

Appoint Chairperson and Vice Chairperson

Purpose/Background:

Each year, Commissions and Boards appoint officers. Currently, Ms. Laura Moore serves as Chairperson and Ms. Melissa Fetterley serves as Vice Chair. The terms of Boards and Commissions are to be from April 1st through March 31st of the respective year(s). On February 14, 2023, the City Council did adopt a new policy related to serving as Chair for any Board or Commission. The City Council expressed a desire to offer members an opportunity to grow their experience while serving on a Board or Commission and therefore, effective April 1, 2023, a member may only serve a maximum of two (2)consecutive terms as Chair. After that, a new member is to be appointed as Chair. The outgoing Chair could be appointed as Vice Chair and would be eligible to serve as Chair again in the future. Please note, in reviewing the status of current Chair Moore's terms served, she is eligible to serve as Chair again this nominations cycle, she should be nominated.

Action:

Motion to appoint _____ as Chairperson of the Environmental Policy Board.

-and-

Motion to appoint _____ as Vice Chairperson of the Environmental Policy Board.

Attachments

No file(s) attached.

Form Review

Inbox

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 03/16/2023

Reviewed By

Dana Verbeek

Date

03/16/2023 12:18 PM

Started On: 03/09/2023 02:16 PM