

**City of Ramsey**  
**Agenda**  
**Environmental Policy Board (EPB)**  
**Monday, April 17, 2023**  
**6:30 pm**  
**Council Chambers, 7550 Sunwood Drive NW**

Remote Attendance available at [www.cityoframsey.com/meetings](http://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 March 20, 2023
  
5. **Policy Board Business**
  1. Appoint Chairperson and Vice Chairperson
  
  2. Consider Natural Resources Aspects of Home2Suites Site Plan
  
  3. Review Proposed Tree Preservation and Landscaping Ordinance Updates
  
6. **Board/Staff Input**
  - Spring Recycling Day - May 6, 2023; 8am - 12pm, Ramsey Public Works Campus (14199 Jasper St NW)
  - Compost Bin Distribution Event - May 16, 2023; 3pm - 6pm, Ramsey Public Works Campus (14199 Jasper St NW)
  
7. **Adjournment**

**Environmental Policy Board (EPB)**

**4. 1.**

**Meeting Date:** 04/17/2023

**By:** Chris Anderson, Community Development

---

**Information**

**Title:**

Approve Meeting Minutes Dated March 20, 2023

**Action:**

Motion to approve meeting minutes dated March 20, 2023.

---

**Attachments**

Meeting Minutes Dated March 20, 2023

---

**Form Review**

**Inbox**

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 04/13/2023

**Reviewed By**

Brian Hagen

**Date**

04/13/2023 11:20 AM

Started On: 04/07/2023 02:02 PM

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

On Monday, March 20, 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 Reid Bernard  
Board Member Melissa Fetterley  
Board Member Michael Hiatt

Members Absent: Board Member Todd Arts

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

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

**4. APPROVE MINUTES**

**4.01: Approve Meeting Minutes Dated January 23, 2023**

Motion by Board Member Fetterley and seconded by Board Member Bernard to approve the regular meeting minutes dated January 23, 2023.

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

**5. POLICY BOARD BUSINESS**

**5.01: Pollinator Demonstration Garden Project Adjacent to the Northstar Train Station**

Senior Planner Anderson presented the staff report. He stated that 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 reseeding of a recently constructed infiltration basin and reseeding 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.

Board Member Fetterley commented that it would be great to have the involvement of the EPB in the planting event. She stated that she would be open to the April date, if the snow cooperates, otherwise May.

Board Member Hiatt agreed that this is a perfect opportunity to generate media exposure and information for the City website. He stated that it is an opportunity to draw attention to an environmental issue. He agreed that it may be more realistic to plan for May to ensure the ground could support the plantings. He also agreed that the event could align with a regular meeting date for the EPB. He suggested that perhaps QCTV record a segment.

Senior Planner Anderson stated that there seems to be general consensus for the Board to participate and align with a regular meeting date. He recognized that the event will be weather dependent but noted that staff can begin to plan. He stated that there will be two or three land use applications anticipated to come to the Board in April. He stated that perhaps they begin the meeting at 5:30 or 6 p.m. and hold the planting event after the meeting adjourns.

The Board agreed to a 5:30 p.m. start time.

Board Member Hiatt noted that in the past the City has done an Arbor Day event with the schools and asked if that would continue, or whether this would take the place of that.

Senior Planner Anderson replied that while the City has done events with the schools in the past, last year there was an event held in conjunction with a local business to plant trees. He confirmed that this event could be the City's Arbor Day event, in addition to a project staff is working on with a local Eagle Scout to do additional plantings. He noted that as staff continues with planning, he will keep the Board updated.

## **5.02: Zoning Code Updates**

Senior Planner Anderson presented the staff report. He stated that 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.

Board Member Hiatt asked if staff has a concept for something that would be similar in standard to what is required in other areas of the community, but scaled down for the lack of space within the COR.

Senior Planner Anderson replied that he does not have a draft but agrees with that concept of using the framework of what exists in other districts but in a reduced manner.

Board Member Hiatt commented that he has noticed that some of the standards have created an over planting situation in the past, which they have begun to address in some zoning districts. He suggested that there be some type of flexibility built in to allow staff and the applicant to work together to consider the site conditions.

Senior Planner Anderson agreed that would be helpful to avoid creating a situation that would require a variance from landscaping standards.

Chairperson Moore agreed and supported a separate landscape and tree plan for the COR.

Senior Planner Anderson noted an inconsistency between the caliper and minimum height required for planting in the residential districts compared to the other districts and density transitioning standards.

Board Member Hiatt asked the cost difference, noting that perhaps the intention was in attempt to soften the cost for residential development. He stated that he does support consistency but wants to ensure there is not an unintended consequence.

Senior Planner Anderson replied that there is a cost difference. He stated that he is unsure why the change in size was not applied to the residential districts. He stated that perhaps the thought was that because there is less root disruption in a smaller caliper tree, those trees could begin to grow faster in residential settings. He stated that in reality the trees would be more prone to other issues. He commented that it would be reasonable to require a six foot evergreen and a two inch caliper shade tree and that change could be implemented across all districts.

Board Member Hiatt stated that he would support the most simple and consistent requirement that would be easiest for enforcement.

Senior Planner Anderson confirmed the consensus of the Board to support consistency across the zoning districts for minimum tree size as staff sees appropriate. He stated that currently there is a general landscaping requirement for businesses with additional landscaping required for parking lots. He asked for guidance from the Board on whether that should continue to be separate or whether that be simplified into one landscaping requirement for the entire site.

Chairperson Moore commented that she would want to ensure that it is clear within the Code so that it is clear to builders.

Senior Planner Anderson provided a table related to buffer yards and noted that the desire would be to simply that table.

Chairperson Moore commented that she would be interested in simplifying the table if that is possible.

Board Member Fetterley agreed that she would support simplifying the table as staff sees fit.

Senior Planner Anderson referenced the statement that if a privacy fence is installed, the plantings could be reduced by ten percent which is a fairly minimal reduction for the expense of a fence. He stated that he would suggest that reduction be increased.

Chairperson Moore stated that she would agree with that, noting that a fence also occupies a fair amount of space.

Senior Planner Anderson confirmed the consensus of the Board to increase that reduction. He provided an overview of the tree preservation requirements.

Board Member Bernard asked if any projects have not moved forward because of the tree preservation requirements.

Senior Planner Anderson replied that a project has not been lost directly related to only tree preservation standards, but that could have been one factor, of multiple, for some inquiries that did not move forward to formal application.

Chairperson Moore commented that she is comfortable with the definition of significant trees and also does not have a problem with the expense a developer would have to pay in relation because they are removing a forest in order to move forward with development.

Board Member Fetterley asked if staff could recall any feedback that would be helpful in this discussion. She stated that she is comfortable with the standard, unless the City is far off from what other communities are requiring.

Senior Planner Anderson replied that he has received comments of frustration, but those projects still went forward. He stated that they can expand the search to see what other communities require. He provided an example of a more urban area and noted that perhaps the tree inventory is only needed on more heavily wooded areas. He asked if the intention is to preserve any tree, anywhere, or whether they are intending to protect more forested or woodland areas.

Board Member Bernard commented that he would believe it should apply to a more natural area. He noted that in the example these trees were planted as a buffer and were not natural to begin with. He noted that a fence would provide the same level of screening.

Senior Planner Anderson replied that the base landscaping requirements do apply to reforestation requirements. He stated that staff can explore the requirements of other communities and perhaps draft language that encapsulates the intention of true natural areas versus sporadic trees as shown in the example.

Chairperson Moore agreed but noted that she would want some kind of safeguards in place as well. She suggested looking at other Highway 10 communities for tree preservation language.

Senior Planner Anderson provided additional input on the requirement for payment into the community forestry fund, noting that in some cases there simply was not enough room on the site to plant the required trees. He identified language within the tree preservation ordinance that should be moved and/or eliminated.

Board Member Hiatt agreed that information should be moved into a separate chapter as the information is helpful and should be easy to find.

Senior Planner Anderson noted that he will gather the comparison information for communities that have similar populations with similar levels of development in order to provide more accurate comparisons.

### **5.03: Appoint Chairperson and Vice Chairperson**

Senior Planner Anderson stated that his intention was to provide information to the Board on the updated policy from the Council that identifies the number of consecutive terms someone can serve as Chairperson. He stated that the partial term of Chairperson Moore would not count and therefore she would be eligible for an additional term if desired. He stated that the intention of limiting the term of Chair is to provide opportunity to other members, noting that on some Boards or Commissions the same person has served as Chair for many years. He noted that no action is needed tonight.

## **6. BOARD / STAFF INPUT**

- **Environment Commissions Conference – May 20, 2023, 9 a.m. to 12:30 p.m., Ridgedale Public Library, 12601 Ridgedale Drive, Minnetonka, MN 55305**

Senior Planner Anderson noted the upcoming event which the Board is invited to attend.

Chairperson Moore provided input on the positive experience she has had attending this conference in the past.

- **Compost Bin Distribution Event – May 16, 2023 3 – 6 p.m., 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**

Senior Planner Anderson noted the upcoming distribution event for the remaining compost bins.

Board Member Hiatt asked the likelihood that Ramsey could hold another rain barrel event.

Senior Planner Anderson confirmed that he could look into being a site for next year. He noted that Ramsey residents can still go online to purchase a rain barrel and identify another community as the pickup location.

Chairperson Moore stated that perhaps they look into being a distribution location every two to four years. She volunteered to assist with the distribution event.

## **7. ADJOURNMENT**

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

The meeting adjourned at 8:01 p.m.

Respectfully submitted,

---

Chris Anderson  
Senior Planner

ATTEST:

---

Dana Verbeek  
Planning Administrative Assistant

Drafted by Amanda Staple  
*TimeSaver Off Site Secretarial, Inc.*

**Environmental Policy Board (EPB)**

**5. 1.**

**Meeting Date:** 04/17/2023

**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 current chair and vice chair appointments are through April 17, 2023. The new appointments will run through April 15, 2023.

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, should she 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: 04/13/2023

**Reviewed By**

Brian Hagen

**Date**

04/13/2023 11:20 AM

Started On: 04/07/2023 02:16 PM

**Meeting Date:** 04/17/2023

**By:** Chris Anderson, Community Development

---

### **Information**

**Title:**

Consider Natural Resources Aspects of Home2Suites Site Plan

**Purpose/Background:**

The City has received an application from Ramsey Properties, LLC (the "Applicant") for a proposed new hotel to be located at the northwest corner of the intersection of Sunwood Drive and Zeolite Street (the "Subject Property"). The application includes both a plat and a site plan.

**Observations/Alternatives:**

**General Project Summary**

The Applicant is proposing a four (4) story, ninety-eight (98) room hotel, that will include amenities such as a pool, laundry facilities, and a fitness center. The Subject Property is located in the COR-2b subdistrict, where lodging facilities are a permitted use. The Subject Property is just shy of thirty-one (31) acres in size; however, the project includes a proposed plat that would create a separate parcel for the hotel that would be about 2.85 acres in size.

**Natural Resources Inventory and Land Cover Classification**

The City's Natural Resources Inventory (NRI) does not indicate any native plant communities on the portion of the Subject Property where the hotel would be located. There is an 'altered/non-native' plant community (a wetland) in the northwest corner of the Subject Property, but that area will not be disturbed as part of this project. The majority of the Subject Property is categorized as 'urban with little vegetative cover' per the Minnesota Land Cover Classification System (MLCCS). There is a linear wetland in the northwest corner and another small wetland in the central part of the Subject Property, but again, these areas are outside of the proposed improvements. The Subject Property has no designated floodplains.

**Tree Inventory and Preservation Plan**

There is no tree inventory or preservation plan included with the submittal. There are scattered aspen trees and Siberian elms across the Subject Property, but none that meet the definition of a significant tree. There are existing boulevard trees along Sunwood Drive; however, those will remain and tree save fencing will be in place to protect them throughout construction.

**Landscape Plan**

The Landscape Plan is generally acceptable. It provides a mix of trees, shrubs, decorative grasses and perennials around the building and within the parking lot. Staff has recommended shifting the trees along Sunwood Drive into the boulevard (presently, they are proposed on the north side of the sidewalk) area to be consistent with the COR Design Framework. Additionally, the plan needs to be modified to include a ten (10) foot wide sidewalk to match the existing conditions on the south side of Sunwood Drive. But, rather than matching the single tree planter beds, which are approximately 4' x 10', Staff has suggested matching the existing planter beds on the south side of Sunwood Drive, but just east of Zeolite Street. These are approximately 4' x 55' and provide significantly greater soil/rooting volume, which is more beneficial for the trees. The planter beds would each include two (2) trees, three (3) shrubs, eight (8) reed (decorative) grasses, eight (8) hosta, and twenty-four (24) daylillies, creating a consistent feel with the existing planter beds further east along Sunwood Drive.

Zeolite Street will be reconstructed in 2024. It was initially constructed as a temporary road to create a north/south connection between Sunwood Drive and Bunker Lake Boulevard. Staff is working with the Applicant

regarding boulevard trees along Zeolite Street. Due to the known street reconstruction project, Staff and the Applicant are discussing alternatives to installing trees in this area. The likely solution will be in the form of an escrow or assessment where the Applicant would submit payment to the City for these plantings, but the City would ultimately install them as part of the road project.

**Funding Source:**

The Applicant is responsible for all costs associated with this request.

**Action:**

Motion to recommend approval of the natural resources aspects of the proposed plat and site plan for Home2Suites.

---

**Attachments**

Site Location Map

Site Plan

Color Building Elevations

Landscape Plan Sheet L1.0 with Staff Comments

Landscape Plan Sheet L1.1 with Staff Comments

---

**Form Review**

**Inbox**

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 04/13/2023

**Reviewed By**

Brian Hagen

**Date**

04/13/2023 11:21 AM

Started On: 04/07/2023 02:47 PM



**SITE LAYOUT NOTES:**

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-464-0022 OR 800-292-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCATIONAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
3. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
4. THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
5. CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS & ELEVATIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
6. LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
7. CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
8. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PRE-FABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING, FURNISHINGS, PAVEMENTS, WALLS, RAILINGS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RAMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
9. PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
10. CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 5' WIDE. ALL OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
11. SEE SITE PLAN FOR CURB AND GUTTER TYPE. TAPER BETWEEN CURB TYPES-SEE DETAIL.
12. ALL CURB RADII ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
13. CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
14. FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
15. PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
16. ALL PARKING LOT PAINT STRIPING TO BE WHITE, 4" WIDE TYP.
17. BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
18. ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.

**SITE AREA TABLE:**

SITE AREA CALCULATIONS		EXISTING CONDITION		PROPOSED CONDITION	
BUILDING COVERAGE	0 SF	0.0%	16,612 SF	12.9%	
ALL PAVEMENTS	0 SF	0.0%	65,709 SF	50.8%	
ALL NON-PAVEMENTS	129,235 SF	100.0%	46,914 SF	36.3%	
<b>TOTAL SITE AREA</b>	<b>129,235 SF</b>	<b>100.0%</b>	<b>129,235 SF</b>	<b>100.0%</b>	

IMPERVIOUS SURFACE		EXISTING CONDITION		PROPOSED CONDITION	
EXISTING CONDITION	0 SF	0.0%	0 SF	0.0%	
PROPOSED CONDITION	82,321 SF	63.7%	82,321 SF	63.7%	
DIFFERENCE (EX. VS PROP.)	82,321 SF	63.7%			

**SITE DATA**

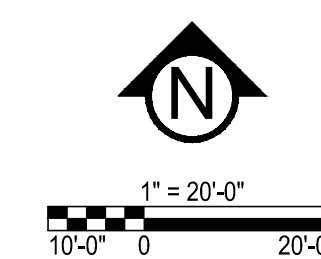
EXISTING ZONING	COR
PROPOSED ZONING	COR
NUMBER OF UNITS (PH 1)	98
NUMBER OF UNITS (PH 2)	98
SURFACE PARKING SPACES (PH 1)	131
SURFACE PARKING SPACES (PH 2)	17
TYP. PARKING SPACE	9'X18'
TYP. DRIVE AISLE	24'

**OPERATIONAL NOTES:**

- SNOW REMOVAL:** ALL SNOW SHALL BE STORED ON-SITE OUTSIDE PARKING LOT. WHEN FULL, REMOVAL CO. SHALL REMOVE EXCESS OFF-SITE.
- TRASH REMOVAL:** TRASH SHALL BE PLACED IN EXTERIOR TRASH AREA AND REMOVED BY COMMERCIAL CO. WEEKLY.
- DELIVERIES:** DELIVERIES SHALL OCCUR AT THE FRONT DOOR VIA STANDARD COMMERCIAL DELIVERY VEHICLES (UPS, FED-EX, USPS).

**SITE PLAN LEGEND:**

- LIGHT DUTY BITUMINOUS PAVEMENT (IF APPLICABLE). SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH. SEE DETAIL.
- HEAVY DUTY BITUMINOUS PAVEMENT (IF APPLICABLE). SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & WEAR COURSE DEPTH. SEE DETAIL.
- CONCRETE PAVEMENT (IF APPLICABLE) AS SPECIFIED (PAD OR WALK) SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & CONCRETE DEPTHS. WITHIN ROW SEE CITY DETAIL. WITHIN PRIVATE PROPERTY SEE CSG DETAIL.
- PROPERTY LINE
- CONSTRUCTION LIMITS
- CURB AND GUTTER-SEE NOTES (T.O.), TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN
- TRAFFIC DIRECTIONAL ARROW PAVEMENT MARKINGS
- SIGN AND POST ASSEMBLY. SHOP DRAWINGS REQUIRED.  
HC = ACCESSIBLE SIGN  
NP = NO PARKING FIRE LANE  
ST = STOP  
CP = COMPACT CAR PARKING ONLY  
ACCESSIBILITY ARROW (IF APPLICABLE) DO NOT PAINT.



**CITY OF RAMSEY SITE SPECIFIC NOTES:**

1. RESERVED FOR CITY SPECIFIC NOTES.

**PRELIMINARY:  
NOT FOR  
CONSTRUCTION**

**PROJECT**  
**HOME2 SUITES BY HILTON**  
SUNWOOD DRIVE NW AND ZEOLITE ST NW, RAMSEY, MN 55303  
**RAMSEY PROPERTIES, LLC**  
8445 BUNKER LAKE BLVD NW, RAMSEY, MN 55303

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Melby*  
ANDERS S. MELBY  
DATE 03-10-23 LICENSE NO. 58960

**ISSUE/SUBMITTAL SUMMARY**

DATE	DESCRIPTION
3-10-2023	CITY SUBMITTAL

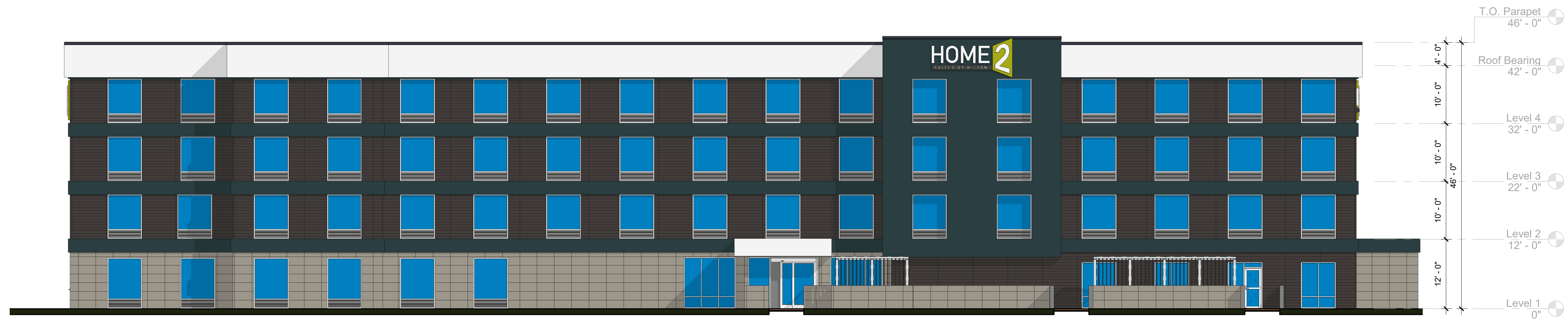
**REVISION SUMMARY**

DATE	DESCRIPTION
------	-------------

**SITE PLAN**  
**C2.0**  
© COPYRIGHT 2023 CIVIL SITE GROUP INC.



1 Building Elevation - North  
A403 3/32" = 1'-0"



2 Building Elevation - South  
A403 3/32" = 1'-0"

LIC. # 60795

No.	DESCRIPTION	DATE
-----	-------------	------

Home2 Suites by Hilton  
Sunwood Drive NW & Zeolite  
Street NW, Minnesota 55303  
Emily Allegra

Copyright © 2023, William and Associates, P.A. All rights reserved. This information is for informational purposes only. The information contained in this document is the property of William and Associates, P.A. and all rights are reserved.



DRAWN	PC / AS / AT
PROTOTYPE VERSION	V3.0
ISSUE DATE	03/13/2023
SCALE	3/32" = 1'-0"
JOB NUMBER	22-014
PROJECT STATUS	SD
SHEET NAME	Color Building Elevations
LOCATION / INN CODE	

SHEET NUMBER  
**A403**



### 1 - Relocate?

Created by: Chris Anderson  
On: 03/20/2023 10:46 AM

These trees could/should be relocated into the existing boulevard at the same spacing as the existing street trees to the west. Just need to keep them out of the vision clearance triangle (may need to eliminate 1 of the trees).

----- 0 Replies -----

### 2 - Planter Beds on Sunwood Drive

Created by: Chris Anderson  
On: 03/22/2023 09:37 AM

Add 2 planter beds along Sunwood Drive (between the 3 street lights nearest Zeolite St), matching the dimensions of the beds on the south side of Sunwood Drive, east of Zeolite St (deviations may be considered if needed to align with the two proposed connecting walkways).

Each planter bed shall include the following:

- 2 Kentucky Coffeetrees or 2 Swamp White Oaks
- 3 Forsythia or Viburnum shrubs (compact varieties)
- 8 Reed Grasses
- 8 Hostas
- 24 Daylilies

The 3 shrubs should be located between the two trees. Grasses and perennials arranged outside the trees to the edge of the beds. All perennial plantings need to be at least 12" in from the outer edge of the planter bed. Planter beds that are adjacent to on-street parking must include 1'x1' precast pavers along back of curb (see beds on south side of road).

----- 0 Replies -----

### 3 - Irrigation

Created by: Chris Anderson  
On: 03/22/2023 09:43 AM

Modify note #12 to specify that the system must include rain sensor and some form of water efficeint technology, such as a weather compensating smart controller.

----- 0 Replies -----

### 4 - Much

Created by: Chris Anderson  
On: 03/22/2023 09:51 AM

Mulch for the 2 planter beds shall be dark mink mulch, shredded hardwood.

----- 0 Replies -----

### 5 - Bluegrass Sod?

Created by: Chris Anderson

On: 03/22/2023 09:56 AM

Should some sort of seed mix be used here instead of typical sod? Sod is going to require routine mowing, and may not perform as well with excess chlorides from the parking areas.

----- 0 Replies -----

## 6 - Topsoil

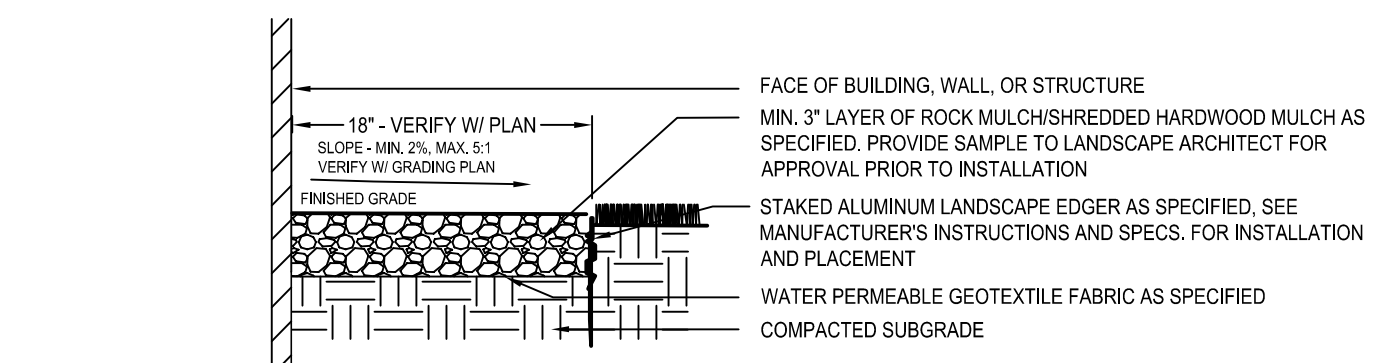
Created by: Chris Anderson

On: 03/22/2023 09:59 AM

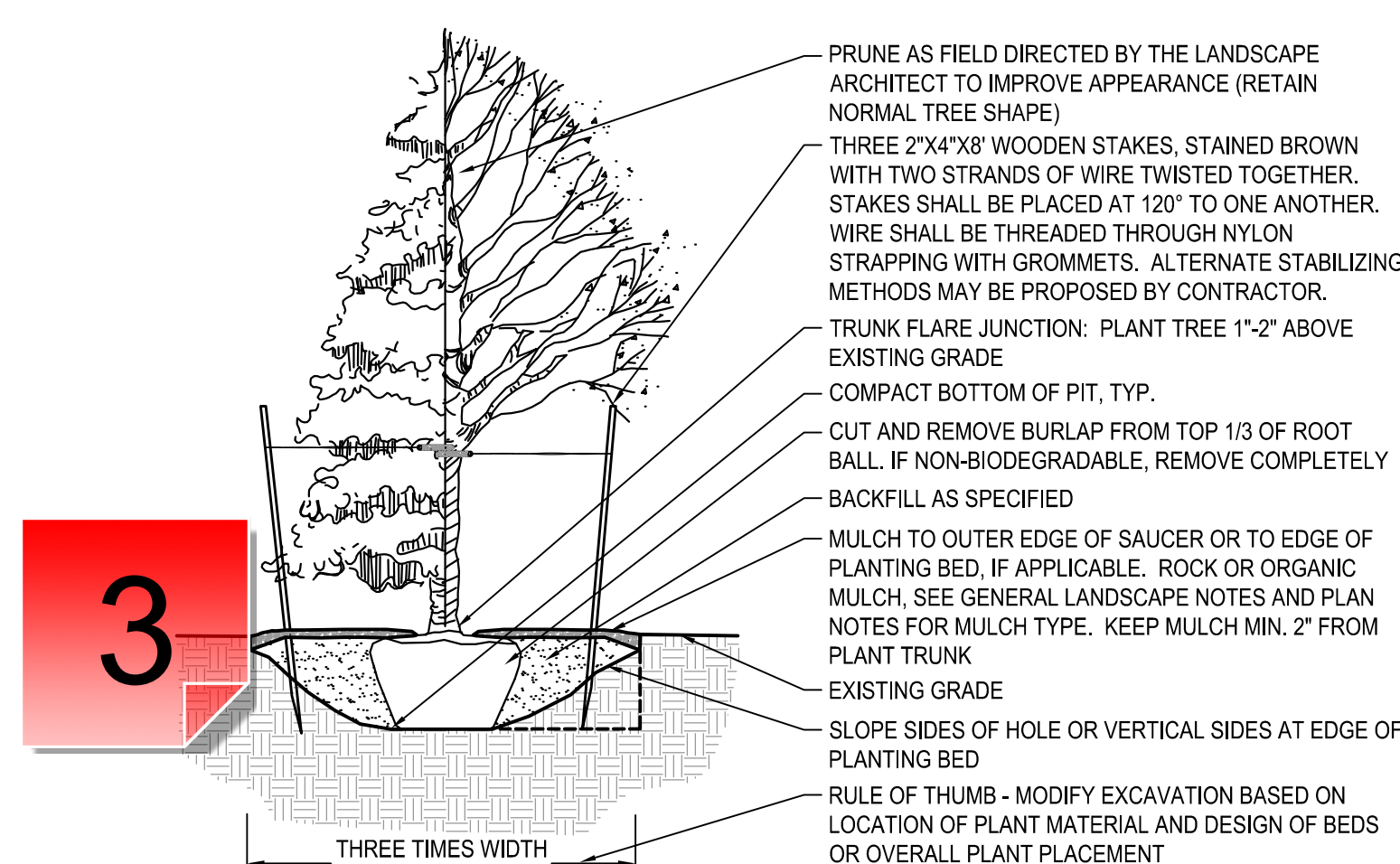
All disturbed areas not otherwise improved with imervious surfaces shall receive a minimum of 4" of topsoil wth not more than 35% sand content. Topsoil inseption required prior to plantings and installation of ground cover.

----- 0 Replies -----

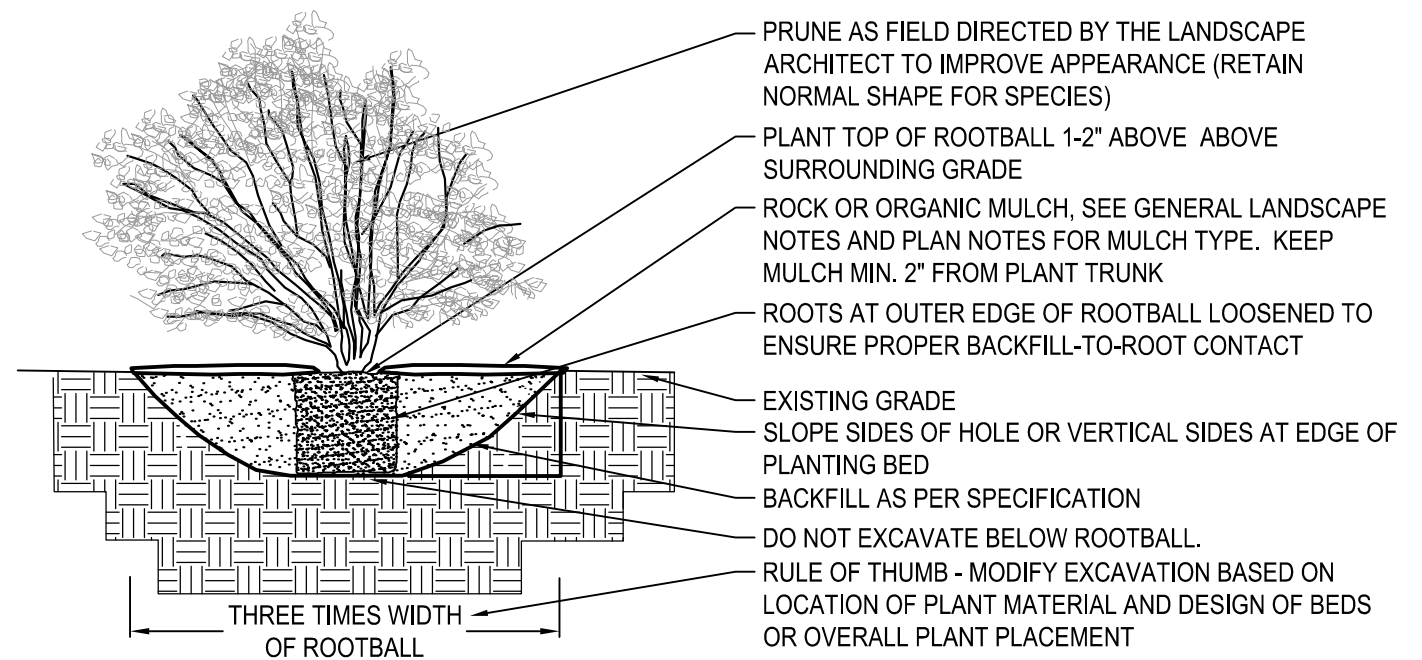
PLANT SCHEDULE					
TREES	QTY	COMMON / BOTANICAL NAME	CONT	NATIVE PLANTS	POLLINATOR FRIENDLY
AB2	4	Autumn Blaze Maple / Acer x freemanii 'Jeffred'™	2.5' Cal. B&B	NATIVE CULTIVAR	
RB	8	River Birch / Betula nigra	2.5' Cal. B&B	NATIVE	N
SH	4	Skyline Thornless Honey Locust / Gleditsia triacanthos inermis 'Skycole'™	2.5' Cal. B&B	NATIVE CULTIVAR	N
EK	3	Espresso Kentucky Coffeetree / Gymnocladus dioica 'Espresso'	2.5' Cal. B&B	NATIVE CULTIVAR	N
QB	7	Swamp White Oak / Quercus bicolor	2.5' Cal. B&B	NATIVE	Y
BL	6	Boulevard Linden / Tilia americana 'Boulevard'	2.5' Cal. B&B	NATIVE CULTIVAR	Y
SHRUBS	QTY	COMMON / BOTANICAL NAME	SIZE	NATIVE PLANTS	POLLINATOR FRIENDLY
CA3	22	New Jersey Tea / Ceanothus americanus	#1 CONT	NATIVE	Y
CA2	18	Arctic Fire Dogwood / Cornus sericea 'Arctic Fire'	#5 CONT	NATIVE CULTIVAR	Y
DL	10	Dwarf Bush Honeysuckle / Diervilla lonicera	#5 CONT	NATIVE	Y
HA	29	Annabelle Hydrangea / Hydrangea arborescens 'Annabelle'	#5 CONT	NOT NATIVE	Y
HL2	14	Little Quick Fire Hydrangea / Hydrangea paniculata 'Little Quick Fire'	#5 CONT	NOT NATIVE	Y
HJ2	45	Kalm St. Johnswort / Hypericum kalmianum	#2 CONT	NATIVE	Y
JM2	11	Medora Juniper / Juniperus scopulorum 'Medora'	#5 CONT	NOT NATIVE	N
LDN	55	Little Devil Ninebark / Physocarpus opulifolius 'Donna May'™	#5 CONT	NATIVE CULTIVAR	Y
ST	9	Birchleaf Spirea / Spirea betulifolia 'Tor'	#5 CONT	NOT NATIVE	Y
SM	7	Dwarf Korean Lilac / Syringa meyeri 'Palibin'	#5 CONT	NOT NATIVE	Y
SM2	2	Miss Kim Lilac / Syringa patula 'Miss Kim'	#5 CONT	NOT NATIVE	Y
TT	27	Taunton's Yew / Taxus x media 'Tauntonii'	#5 CONT	NOT NATIVE	N
TB	9	Mr. Bowling Ball® Arborvitae / Thuja occidentalis 'Bobozam'	#5 CONT		
GRASSES	QTY	COMMON / BOTANICAL NAME	SIZE	NATIVE PLANTS	POLLINATOR FRIENDLY
AB3	70	Blackhawks Big Bluestem / Andropogon gerardii 'Blackhawks'	#1 CONT	NATIVE CULTIVAR	Y
CK	53	Feather Reed Grass / Calamagrostis x acutiflora 'Karl Foerster'	#1 CONT	NOT NATIVE	N
PH	60	Heavy Metal Switch Grass / Panicum virgatum 'Heavy Metal'	#1 CONT	NATIVE CULTIVAR	Y
PERENNIALS	QTY	COMMON / BOTANICAL NAME	SIZE	NATIVE PLANTS	POLLINATOR FRIENDLY
AT2	54	Summer Beauty Globe Lily / Allium tanguticum 'Summer Beauty'	#1 CONT	NOT NATIVE	Y
GC	6	Biokovo Cranesbill / Geranium x cantabrigiense 'Biokovo'	#1 CONT	NOT NATIVE	Y
HA2	62	Daylily / Hemerocallis x 'Chicago Apache'	#1 CONT	NOT NATIVE	Y
HO	15	Olive Bailey Langdon Hosta / Hosta x 'Olive Bailey Langdon'	#1 CONT	NOT NATIVE	Y
NW2	30	Walkers Low Catmint / Nepeta x faassenii 'Walkers Low'	#1 CONT	NOT NATIVE	Y
PL	32	Little Spire Russian Sage / Perovskia atriplicifolia 'Little Spire'	#1 CONT	NOT NATIVE	Y
SC2	34	Cardonna Salvia / Salvia x superba 'Cardonna'	#1 CONT	NOT NATIVE	Y
SA2	49	Showy Stonecrop / Sedum spectabile 'Autumn Fire'	#1 CONT	NOT NATIVE	Y
SD	13	Dazzleberry Stonecrop / Sedum x 'Dazzleberry'	#1 CONT	NOT NATIVE	Y



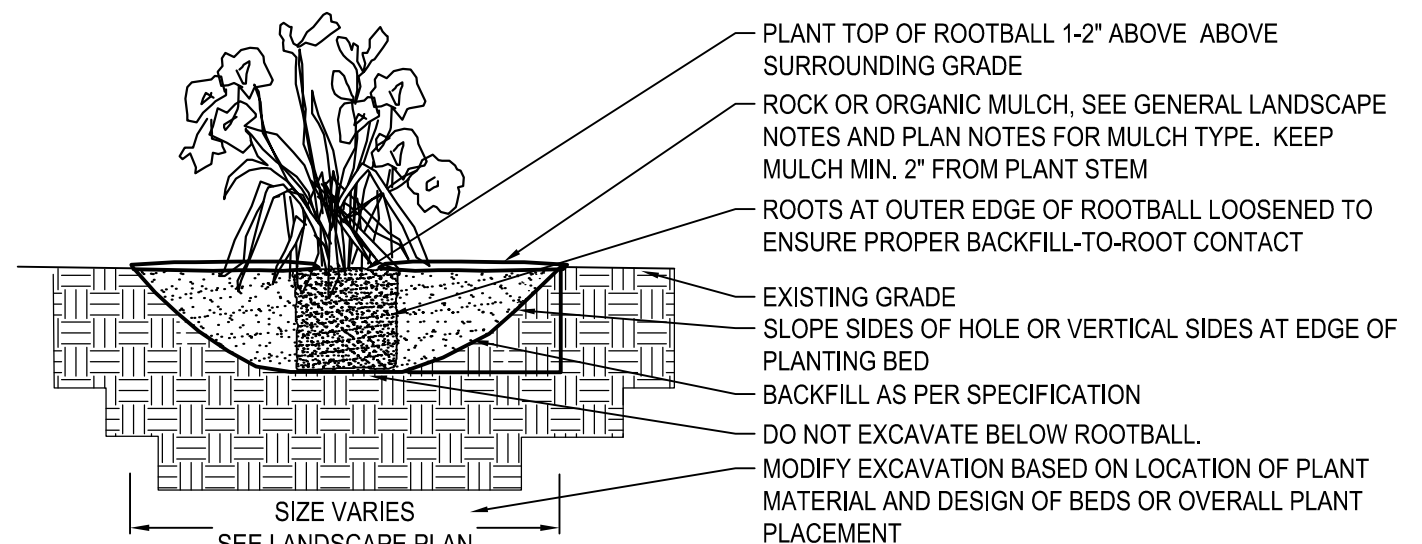
1 AGGREGATE MAINTENANCE STRIP  
N T S



2 DECIDUOUS & CONIFEROUS TREE PLANTING  
N T S



3 DECIDUOUS & CONIFEROUS SHRUB PLANTING  
N T S



4 PERENNIAL BED PLANTING  
N T S

GROUND COVERS	CODE	COMMON / BOTANICAL NAME	SIZE
	PT	Japanese Pachysandra / Pachysandra terminalis	6-Pak 2" Plugs
	RM	1.5\"/>	
	SC	Stonecrop / Sedum caudicola 6 Pak 2" plugs planted in shredded hardwood mulch 6\"/>	
	SM3	SHREDDED CEDAR MULCH 3\"/>	
	BG	BLUE GRASS SOD / SOD BLUE GRASS SOD WITH IMPROVED VARIETIES, INSTALLED ON PREPARED SOIL, CONTAINING 6\"/>	

IRRIGATION NOTES:

- ENTIRE SITE SHALL BE FULLY IRRIGATED. THE CONTRACTOR SHALL SUBMIT IRRIGATION SHOP DRAWINGS FOR REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- SEE MECHANICAL AND ELECTRICAL PLANS AND SPECIFICATIONS FOR IRRIGATION WATER, METER, AND POWER CONNECTIONS.
- CONTRACTOR TO VERIFY LOCATION OF ALL UNDERGROUND/ABOVE GROUND FACILITIES PRIOR TO ANY EXCAVATION/INSTALLATION. ANY DAMAGE TO UNDERGROUND/ABOVE GROUND FACILITIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND COSTS ASSOCIATED WITH CORRECTING DAMAGES SHALL BE BORNE ENTIRELY BY THE CONTRACTOR.
- SERVICE EQUIPMENT AND INSTALLATION SHALL BE PER LOCAL UTILITY COMPANY STANDARDS AND SHALL BE PER NATIONAL AND LOCAL CODES. EXACT LOCATION OF SERVICE EQUIPMENT SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT OR EQUIVALENT AT THE JOB SITE.
- CONTRACTOR SHALL COORDINATE WITH LOCAL UTILITY COMPANY FOR THE PROPOSED ELECTRICAL SERVICE AND METERING FACILITIES.
- IRRIGATION WATER LINE CONNECTION SIZE IS 1-1/2\"/>



PRELIMINARY:  
NOT FOR CONSTRUCTION

PROJECT  
**HOME2 SUITES BY HILTON**  
SUNWOOD DRIVE NW AND ZEOLITE ST NW, RAMSEY, MN 55303  
**RAMSEY PROPERTIES, LLC**  
8445 BUNKER LAKE BLVD NW, RAMSEY, MN 55303

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DAILY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

*J. Lockman*  
JORDAN M. LOCKMAN  
DATE 03-10-23 LICENSE NO. 48523

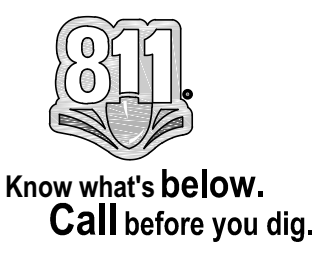
ISSUE/SUBMITTAL SUMMARY  
DATE | DESCRIPTION  
3-10-2023 | CITY SUBMITTAL

DRAWN BY: AMJL/FJ REVIEWED BY: DK  
PROJECT NUMBER: 23034

REVISION SUMMARY  
DATE | DESCRIPTION

LANDSCAPE PLAN  
NOTES & DETAILS

L1.1



### 1 - Irrigation Note

Created by: Chris Anderson  
On: 03/20/2023 01:56 PM

Add note stating that irrigation system must have a rain sensor and utilize some form of water efficient technology, such as a weather compensating smart controller.

----- 0 Replies -----

### 2 - Shrub Size

Created by: Chris Anderson  
On: 03/20/2023 01:58 PM

Modify table to specify minimum shrub size at planting is 24 inches in height.

----- 0 Replies -----

### 3 - Tree Planting Detail

Created by: Chris Anderson  
On: 03/20/2023 02:01 PM

There are two separate tree planting details, this one, and one included on Sheet L1.0. Only use 1, so there is no conflicting detail. Must specify that root floor to be at finished grade and to cut and remove burlap, twine, and wire basket (if applicable) from top 1/3 of rootball.

----- 0 Replies -----

**Meeting Date:** 04/17/2023

**By:** Chris Anderson, Community Development

---

### **Information**

**Title:**

Review Proposed Tree Preservation and Landscaping Ordinance Updates

**Purpose/Background:**

The Planning Division is currently working on an overhaul of the Zoning Code, which includes topics such as Tree Preservation and Landscaping. Attached to this case are the tree preservation standards of various communities that are generally similar in nature to Ramsey (developing community, rural and urban areas, etc.) for comparison purposes. Also attached to this case are the drafts proposed by Staff.

**Observations/Alternatives:**

**Landscaping**

A general synopsis of proposed revisions to the landscaping standards is below.

- Eliminate much of the language related to the Ramsey Tree Book.
- Modify planting sizes so that there is consistency across all zoning districts. This represents an increase in planting size in residential districts, and a reduction in planting size (for deciduous overstory trees) in commercial/industrial districts).
  - Deciduous overstory tree: 2 inch caliper
  - Deciduous understory tree: 1.5 inch caliper
  - Coniferous tree: 6 feet in height
  - Multi-stem deciduous tree: 6 feet in height
  - Shrubs: 24 inches in height or width, dependent upon growth characteristics
- Specify that internal landscaping is required in the COR district, based on the canopy cover formula. But, built in flexibility in case space is too limiting to meet the minimum planting requirements.
- Simplified the bufferyard table by eliminating the requirement to buffer between commercial and industrial uses (bufferyards will only be required when commercial or industrial development occurs adjacent to existing residential development) and specifying a singular width of the bufferyard regardless of residential zoning designation.

**Tree Preservation**

- Expanded the purpose and intent sections.
- Eliminate (or relocate to other sections of City Code) language not specific to tree preservation.
- Added specific tree preservation plan content requirements.
- Simplified the tree protection measures.
- Section 117-328 (Hazardous and/or Nuisance Trees) has been removed from the tree preservation standards. Staff intends to create a new chapter in City Code to address shade tree disease management, but did not have time to do so in this case. Most of the language would remain unchanged or very similar, but Staff does plan to incorporate more preventative measures, which are much more cost effective than control measures.

Staff would like specific feedback from the Environmental Policy Board (EPB) on the current definition of significant tree (all oaks and evergreens that are four [4] inches or greater in diameter at breast height [DBH] and all other trees that are eight [8] inches or greater in DBH). In reviewing other communities' standards, what is considered a significant tree varies somewhat, as indicated below:

- Andover: all trees with a DBH of four (4) inches or greater.
- Champlin and Elk River: all trees with a DBH of six (6) inches or greater.
- Lino Lakes: deciduous trees with a DBH of six (6) inches or greater and evergreens that are twelve (12)

feet in height or taller.

- Rogers: deciduous trees with a DBH of six (6) inches or greater and evergreens that are six (6) feet in height or taller.
- Dayton: deciduous hardwood tree (defined as ironwood, catalpa, oak, maple (hard), walnut, ash, hickory, birch, black cherry, hackberry, locus, and basswood) with a DBH of six (6) inches or greater, a common tree (presumably any other type of deciduous tree) with a DBH of twelve (12) inches or greater, and evergreens that are twelve (12) feet in height or greater (specifies that every 3 feet of height is the equivalent to 1 inch of DBH).
- Plymouth: deciduous trees with a DBH of eight (8) inches or greater and evergreens with a DBH of four (4) inches or greater.

Ramsey's definition seems to be somewhere in the middle. Staff is looking for consensus about whether the EPB is comfortable with the current definition of significant tree and whether there's any desire to place greater emphasis on certain genera or species' (this is something that we do already based on our definition of significant tree). By default, this would mean there is less emphasis on other species (the 'soft' hardwoods, such as cottonwood, box elder, willows, silver maple, etc.).

Staff would also encourage feedback on any other topic or content within either of the two attached drafts.

**Funding Source:**

This case is being handled as part of Staff's regular duties.

**Action:**

The Board's action will be based on discussion. But, Staff is seeking feedback and direction on the proposed revisions. Planning Division Staff are planning for a June Public Hearing for the rewrite of Chapter 117 and the intention would be to have the tree preservation and landscaping revisions completed so they can be included in that case.

---

**Attachments**

Andover Tree Preservation Policy  
Champlin Tree Preservation  
Dayton Tree Preservation  
Elk River Tree Preservation  
Lino Lakes Tree Preservation  
Rogers Tree Preservation  
Draft Landscaping Section  
Draft Tree Preservation Section

---

**Form Review**

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
Brian Hagen	Brian Hagen	04/13/2023 11:22 AM
Form Started By: Chris Anderson		Started On: 04/11/2023 08:17 AM
Final Approval Date: 04/13/2023		

City  
of  
Andover

Tree  
Preservation  
Policy

2004

CITY OF ANDOVER  
TREE PRESERVATION POLICY  
INDEX

		<u>Page</u>
Section I.	Purpose	2
Section II.	Applicability	2
Section III.	Definitions	2
Section IV.	Procedures	3
	Development Standards	3
	Tree Protection Plan	3
	Conditional Use Permit	5
Section V.	Tree & Site Related Disturbances	6
Section VI.	Methods of Tree Protection	7
	Planning & Considerations	7
	Protective Barriers	8
	Encroachment	8
Appendix A	Technical Terms	9
Appendix B	Reclamation of the Growing Site	10
Appendix C	Checklist for Tree Protection Plan	11

TREE PRESERVATION POLICY  
CITY OF ANDOVER  
COUNTY OF ANOKA  
STATE OF MINNESOTA

- I. Purpose. The purpose of this policy is to preserve and protect significant trees or stands of trees whose loss due to land disturbances would affect the character of neighborhoods, subdivisions, public or utility projects and commercial developments.
- II. Applicability. This policy shall apply to any person or entity that would disturb land areas and impact significant trees or stands of trees in neighborhoods, subdivisions, commercial building developments, public and utility projects such as streets, utilities and parks whether disturbed by a public agency or private developer; except where the City Council may waive these requirements where there would be a greater public need for the project than to meet the requirements of this policy. The terms and provisions of the Tree Preservation Policy in conjunction with City Code 4-3 shall apply to all activity, which requires approval from the Natural Resources Technician or their designee prior to any land disturbance.
- III. Definitions. All words in these standards have their customary dictionary definition except as specifically defined herein. The word “shall” is mandatory and the word “should” is permissive. Technical terms used in this Policy are defined in Appendix A.

Buildable Area – the portion of a lot which is not located within any minimum required yard, landscape strip/area, or buffer; that portion of a lot wherein a building may be located.

Natural Resources Technician (NRT) – the agent of the City of Andover assigned to the Engineering Department and having the primary responsibilities of administration and enforcement of the Tree Preservation Policy.

City Code 4-3 – a code relating to the preservation of shade trees and the prevention of epidemic diseases in shade trees within the City of Andover.

Construction Zone – the area within the property that is under some type of disturbance (i.e. soil disturbance or material storage) from an improvement.

Crown Dripline – a vertical line extending from the outer surface of a tree’s branch tips down to the ground.

DBH – diameter-at-breast-height is a standard measure of tree size and is a tree trunk diameter measured in inches at a height of four and one-half feet (4½’) above ground. If a tree splits into multiple trunks below four and one-half feet (4½’), then the total of the measurement of the largest of all the multiple trunks’ at DBH and one-half (½) of the DBH of the other(s) is measured in inches.

Protection Zone – all lands that fall outside the buildable area of a parcel.

Significant Trees – any deciduous hardwood tree measuring four inches (4”) in DBH or greater, or a coniferous tree measuring four inches (4”) in DBH or greater, or any tree or group of trees that is/are considered significant by the NRT or their designee.

Structure – anything manufactured, constructed or erected, which is normally attached to or positioned on land, including portable structures.

Tree – any self supporting woody plant, usually having a single woody trunk and a potential DBH of two inches (2") or more.

Tree Protection Plan – plan established in Section IV(B) of the Tree Preservation Policy and Appendix C.

Tree Preservation Policy – approved and adopted by the City of Andover Council to regulate and provide standards and guidelines for the preservation of trees through development and construction processes within the City of Andover.

Woodlot – any wooded area with significant trees.

#### IV. Procedures.

A. Development Standards. Developments shall be designed to preserve large trees and woodlots where such preservation would not affect the public health, safety or welfare. The City may prohibit removal of all or part of a woodlot or stand of trees. In addition, nothing in this policy shall prevent building on an existing lot of record, provided that such building shall be designed to save as many trees as possible. This decision shall be based on, but not limited to, the following criteria:

1. Size of woodlot tree.
2. Species, health and attractiveness of the trees including:
  - a. Sensitivity to disease
  - b. Life span
  - c. Nuisance characteristics
  - d. Sensitivity to grading
3. Potential for transplanting.
4. Need for thinning of woodlot.
5. Effect on the functioning of a development.

B. Tree Protection Plan.

1. Sketch plan shall show large stands of significant trees.
2. A Tree Protection Plan shall be submitted with the following:
  - a. Preliminary plat for the subdivision of property.
  - b. Other permit drawings as a part of the Building Permit process.
  - c. Commercial Site Plans, either as a separate drawing or as part of the Grading, Drainage and Erosion Control Plan.

3. The Tree Protection Plan shall include the following information:
  - a. Definition of spatial limits:
    - (1) Limits of land disturbance, clearing, grading and trenching
    - (2) Tree protection zones
    - (3) Specimen trees or stands of trees
  - b. Detail drawings of tree protection measures (where applicable):
    - (1) Protective tree fencing
    - (2) Tree protection signs
  - c. Drawings indicating location of various utilities:
    - (1) City water or well
    - (2) City sewer or septic system
    - (3) Electricity
    - (4) Gas
    - (5) Cable TV
    - (6) Telephone
4. These plans shall be reviewed by the NRT or their designee for conformance with the Tree Preservation Policy, in conjunction with City Code 4-3, and will either be approved, or returned for revisions. Request for revisions shall be noted on the Tree Protection Plan or otherwise stated in writing.
5. A fee established by Council resolution shall be charged for plan review for building permits. Any cost incurred by the City in reviewing plans for plats and commercial site plans shall be charged to the developer. City staff may submit the plan to a consulting forester for a recommendation. Any costs shall be paid for by the developer or builder. (Res. 105-93, 5-18-93)
6. All tree protection measures shall be installed prior to any construction activities and inspected by the NRT or their designee.
7. The NRT or their designee will conduct follow-up site inspections for enforcement of the Tree Preservation Policy in conjunction with City Code 4-3.
8. If any significant tree in development or building site:
  - Is cut and removed, the City shall require planting of two (2) new trees.
  - Is damaged and determined by the City that it will probably not survive, it shall be removed and the City shall require the planting of two (2) new trees.
  - Has mechanical damage, the City may require planting of two (2) new trees.



V. Tree & Site Related Disturbances.

- A. Tree protection zones, specimen trees or stands of trees designated to be saved must be protected from the following damages which may occur during all phases of land disturbance and construction processes. Methods of tree protection and disturbance prevention are provided in Section VI.
1. Direct physical root damage
  2. Indirect root damage
  3. Trunk and crown disturbance
- B. Direct physical root damage most frequently occurs during site clearing and grading operations, where transport or feeder roots are cut, torn or removed.
1. Transport and feeder roots tend to tangle and fuse among the roots of adjacent trees. The removal of trees with heavy machinery along the outer periphery of a tree save area cause root damage.
  2. The most substantial form of root damage for all root types occurs in the form of cut roots. Roots are cut in grade reduction, or from trenching for underground utilities, sanitary sewer or storm sewer lines.
  3. A more subtle type of root damage is the loss of feeder roots. Feeder roots normally occur within the organic layer and the surface four (4") inches of top soil, subsequently, these roots can be easily damaged by the track action from a single bulldozer pass. The stripping of top soil within a tree's critical root zone can totally eliminate its feeder root system.
- C. Indirect root damage through site modification can result from positive grade changes, temporary storage of fill material, the sedimentation of erosion materials, soil compaction and soil chemical changes.
1. Positive grade changes from fill and sedimentation causes a decrease in soil oxygen levels. An increase in soil carbon dioxide and other toxic gasses can also occur, leading to large areas of anaerobic conditions. Anaerobic soil conditions cause a decrease in the root respiration process, which is essential for the uptake and transport of minerals and nutrients.
  2. Anaerobic soil conditions are also produced by soil compaction, the increase in soil bulk density with a decrease in soil pore space. Compacted soil is also impervious to root penetration and this inhibits root development. Soil compaction is generally caused by the weight and vibrations of heavy machinery, vehicle parking and the storage of fill and/or construction materials within the critical root zones of trees.
  3. Changes in soil chemistry will adversely affect tree survival. The most frequent occurrence is the change (decrease) in soil acidity by concrete washout. Most trees native to Anoka County area prefer slightly acidic

soils; spillage of toxic materials such as fuels or paints can be fatal for trees.

- D. Trunk and crown disturbances are generally mechanical in nature and are either caused directly by clearing and grading machinery or indirectly by debris being cleared and falling into trees marked for protection.
1. Common forms of damage include stripped bark and cambium, split trunks and broken limbs.
  2. Damage also occurs from the posting of signs such as building permits or survey markers on trees.
  3. Indirect damage can be caused by the placement of burn holes or debris fires too close to trees. The possible range of damages include scorched trunks with some cambial dieback, the loss of foliage due to evaporative heat stress (leaf desiccation) and completely burned trunks and crowns.

VI. Methods of Tree Protection.

- A. Planning and Considerations. Tree space is the most critical factor in tree protection throughout the development process. The root system of trees can easily extend beyond the dripline of the tree canopy. The root system within the dripline region is generally considered to be the critical root zone. Disturbance within this zone can directly affect a tree's chances. With reference to root zones, the following standards shall apply:
1. The use of tree save islands and stands is encouraged rather than the protection of individual trees scattered throughout a site. This will facilitate ease in overall site organization as related to tree protection.
  2. The protective zone of significant trees or stands of trees or otherwise designated tree save areas shall include no less than the total area beneath the tree(s) canopy as defined by the farthest canopy dripline of the tree(s). In some instances, the NRT or their designee may require a protective zone in excess of the area defined by the tree's dripline.
  3. Layout of the project site utility and grading plans shall accommodate the required tree protection zones. Utilities must be placed along corridors between tree protective zones.
  4. Construction site activities such as parking, material storage, concrete washout, hole placement, etc., shall be arranged so as to prevent disturbances within tree protective zones.
  5. No disturbance shall occur within the protective zone of the specimen trees or stands of trees without prior approval by the NRT or their designee.

B. Protective Barriers.

1. Active protective tree fencing shall be installed along the outer edge of and completely surrounding the critical root zones of all significant trees or stands of trees, or otherwise designated tree protective zones, prior to any building construction.
2. These fences will be a minimum four feet (4') high. Four feet (4') orange polyethylene laminar safety or snow fencing is acceptable. Additional specifications include:
  - a. The stakes used to hold up fencing shall be a minimum of four and one-half feet (4 ½') tall.
  - b. They shall be kept no farther than ten feet (10') a part from one another.
  - c. The fence shall be adequately secured to the stakes.
  - d. Fencing shall be required for trees to be saved that are within fifty feet (50') of the construction zone, unless exceptions are made by the NRT or their designee.
3. Orange silt/tree fence with wood stakes is acceptable for tree protection under certain conditions (i.e. an entire development).
2. Passive forms of tree protection may be utilized to delineate tree save areas, which are beyond fifty feet (50') from the construction zone. These areas must be completely surrounded with continuous rope or flagging (heavy mil - minimum four (4') inches wide). All passive tree protection must be accompanied by "Keep Out" or "Tree Save" signage.
3. All tree protection zones should be designated as such with "Tree Save Area" signs posted visibly on all sides of the fenced area. These signs are intended to inform subcontractors of the tree protection process. Signs requesting subcontractor cooperation and compliance with tree protection standards are recommended for site entrances.
4. All tree fencing barriers must be installed prior to and maintained throughout building construction and should not be removed until completion of construction and until landscaping is installed.

C. Encroachment. Most trees can tolerate only a small percentage of critical root zone loss. If encroachment is anticipated within the critical root zones of specimen trees, stands of trees, or otherwise designated tree protection zones, the following preventive measures shall be employed:

1. Clearing Activities: Roots, often fuse and tangle amongst trees. The removal of trees adjacent to tree save areas can cause inadvertent damage to the protected trees. Wherever possible, it is advisable to cut minimum two (2') foot trenches (e.g., with a "ditch-witch") along the limits of land disturbances, so as to cut, rather than tear, roots. Directionally felling trees outward into disturbance areas and grinding stumps is also acceptable.

2. It is very strongly suggested that all clearing in oak stands be done before April 1<sup>st</sup> and after July 1<sup>st</sup> of each season. This will help prevent oak wilt, which could infect damaged trees, especially during this high-risk period. If clearing has to be done at this time, all stumps and wounded trees shall have the wound area painted thoroughly with tree paint. To be effective, the painting shall be performed within an hour of cutting. Should oak wilt get started as a result of construction, the developer/builder shall pay for all additional oak wilt control measures needed to control the disease. This is in accordance with City Code 4-3.
3. Where the NRT or their designee has determined that irreparable damage has occurred to trees within tree protective zones, they must be removed and replaced by the developer/builder as defined in Section IV(B)9.

TREE PRESERVATION POLICY  
CITY OF ANDOVER  
COUNTY OF ANOKA  
STATE OF MINNESOTA

APPENDIX A

TECHNICAL TERMS:

Cambium – tissue within the woody portion of trees and shrubs which gives rise to the woody water and nutrient conducting system, and the energy substrate transport system in trees.

Cambial Dieback – the irreparable radial or vertical interruption of a tree’s cambium, usually caused by mechanical damage, such as “skinning bark”, or from excessive heat.

Coniferous – belonging to the group of cone bearing evergreen trees or shrubs.

Critical Root Zone – the rooting area of a tree established to limit root disturbances. This zone is generally defined as a circle with a radius extending from a tree’s trunk to a point no less than the furthest crown dripline. Disturbances within this zone will directly affect a tree’s chance for survival.

Deciduous – not persistent; the shedding of leaves annually.

Feeder Roots – a complex system of small annual roots growing outward and predominantly upward from the system of “transport roots”. These roots branch four or more times to form fans or mats of thousands of fine, short, non-woody tips. Many of these small roots and their multiple tops are 0.2 to 1 mm or less in diameter, and less than 1 to 2 mm long. These roots constitute the major fraction of a tree’s root system surface area, and are the primary sites of absorption of water and nutrients.

Major Woody Roots – first order tree roots originating at the “root collar” and growing horizontally in the soil to a distance of between three (3) and fifteen (15) feet from the tree’s trunk. These roots branch and decrease in diameter to give rise to “rope roots”. The primary function of major woody roots include anchorage, structural support, the storage of food reserves, and the transport of minerals and nutrients.

Root Collar – the point of attachment of major woody roots to the tree trunk, usually at or near the groundline and associated with a marked swelling of the tree trunk.

Root Respiration – an active process occurring throughout the feeder root system of trees, and involving the consumption of oxygen and sugars with the release of energy and carbon dioxide. Root respiration facilitates the uptake and transport of minerals and nutrients essential for tree survival.

Rope Roots – an extensive network of woody second order roots arising from major woody roots, occurring within the surface 12 to 18 inches of local soils, and with an average size ranging from .25 to 1 inch in diameter. The primary function of rope roots is the transport of water and nutrients, and the storage of food reserves.

Soil Compaction – a change in soil physical properties, which include an increase in soil weight per unit volume and a decrease in soil pore space. Soil compaction is caused by repeated vibrations, frequent traffic and weight. As related tree roots, compacted soil can cause physical root damage, a decrease in soil oxygen levels with an increase in toxic gasses, and can be impervious to new root development.

Transport Roots – the system for framework of tree roots comprised of major woody roots and rope roots.

TREE PRESERVATION POLICY  
CITY OF ANDOVER  
COUNTY OF ANOKA  
STATE OF MINNESOTA

APPENDIX B

RECLAMATION OF THE GROWING SITE:

1. A tree’s ability for adequate root development, and ultimately its chances for survival, is improved with reclamation of the growing site.
  - a. Whenever possible, the soil should be brought back to its natural grade. Unnecessary fill, erosion sedimentation, concrete washout and construction debris shall be removed. When machinery is required for site improvements, it is recommended that a “bobcat” or similar light weight rubber tire vehicle be used so as to minimize soil compaction.

TREE PRESERVATION POLICY  
CITY OF ANDOVER  
COUNTY OF ANOKA  
STATE OF MINNESOTA

APPENDIX C

CHECKLIST FOR TREE PROTECTION PLAN:

Contact the City of Andover Engineering Department at (763) 755-5100 for a site inspection upon completion of landscape installation.

1. Tree Protection Plans.

- a. Provisions for tree protection on the site shall be, as minimum, in conformance with the requirements of the City of Andover Tree Preservation Policy in conjunction with City Code 4-3.
- b. A Tree Protection Plan shall be submitted either as part of the Grading, Drainage and Erosion Control Plan or as a separate drawing to include the following:
  - (1) All tree protection zones.
  - (2) Approximate location of all significant trees.
  - (3) Approximate location of all significant trees when their preservation is questionable, or might result in a change of the site design.
  - (4) Indicate those significant trees to be removed. Removal of significant trees is subject to NRT or their designee approval.
  - (5) Limits of clearing and land disturbance such as grading, trenching, etc. where these disturbances may affect tree protection zones.
  - (6) Proposed location of underground utilities.
  - (7) Methods of tree protection shall be indicated for all tree protection zones.
  - (8) The plan should indicate staging areas for parking and material storage.
- c. The following notes shall be indicated on both Tree Protection Plans and Grading Plans in large letters:
  - (1) Contact the City Engineering Department at (763) 755-5100 to arrange a pre-construction conference with the NRT or their designee prior to any land disturbance.
  - (2) All tree protection measures shall be installed prior to building construction.

---

## Sec. 126-349. Woodland and significant tree protection.

- (a) *Findings and purpose.* The city recognizes that preservation and replanting of trees is important on new development sites in order to maintain a healthy and desirable community. The purposes of tree preservation regulations are:
- (1) Prevention of soil erosion;
  - (2) Improvement of air quality;
  - (3) Energy conservation through natural insulation and shading;
  - (4) Increased property values;
  - (5) Protection of privacy by maintaining and establishing buffers between conflicting uses; and
  - (6) Providing habitat for wildlife.
- (b) *Scope.* The regulations contained in this section shall apply to all properties involving a site plan application or preliminary plat/lot division application resulting in the creation of one or more new development parcels and to property during construction after subdivision or when not connected with subdivision.
- (c) *Heritage trees.*
- (1) Upon nomination by any person and with the written consent of the property owner, the city council, after public hearing, may designate a tree as a heritage tree. A tree may be designated as a heritage tree upon a finding that it is unique and of importance to the community due to any of the following factors:
    - a. It is an outstanding specimen of a desirable species;
    - b. It is one of the largest or oldest trees in the city; or
    - c. It possesses distinctive form, size, age, location, and/or historical significance.
  - (2) After city council approval of a heritage tree designation, the property owner shall execute and record with the county recorder or, if appropriate, the county registrar of titles, a conservation easement of unlimited duration pursuant to Minn. Stats. ch. 84C over said tree. A listing of trees so designated, including the specific locations thereof, shall be kept by the community development department. Once designated, a heritage tree shall be subject to the provisions of this section unless removed from the list of heritage trees by action of the city council. The city council may remove a tree from the list upon its own motion or upon written request by the property owner.
- (d) *Intent.*
- (1) Developments, structures, utilities, and all other site activities must be designed, installed and constructed so that the maximum number of trees are preserved on all lots or parcels with special emphasis on the following:
    - a. Specimen trees (trees larger than 24 inches DBH);
    - b. Heritage trees; and
    - c. Trees and/or woodlands that serve as a buffer between existing and proposed subdivisions.
  - (2) Flexibility of city standards shall be considered when possible to ensure the preservation of the maximum number of trees.

- 
- (e) *Tree preservation plan required.* To minimize tree loss and to mitigate tree removal on wooded lots or parcels containing trees, a tree preservation plan shall be submitted with all site plan, preliminary plat and lot division applications. The plan shall be approved by the city.
- (f) *Tree preservation plan content.* The content of all tree preservation plans submitted shall, for purposes of city staff review, include the following:
- (1) A tree inventory indicating size, species, location, and condition of all significant trees (six-inch DBH or greater) and clumps of nonsignificant trees within the site limits;
  - (2) Identification of trees to be protected, preserved, or undisturbed and to be removed;
  - (3) Areas proposed to be designated as natural preserves where all natural vegetation will be protected and preserved;
  - (4) Proposed disturbance zones;
  - (5) Location and dimensions of building pads, construction zone for each lot and grading contours of the site;
  - (6) Locations and details of tree protection fencing to be installed for all trees to be preserved; and
  - (7) Calculation of significant tree inches removed on the site.
- (g) *Tree preservation barriers.*
- (1) There shall be no movement, clearing, or storage of equipment within a designated tree protection area. No person shall permit the placement of construction materials, debris, soil deposits, or fill within the canopy of any protected tree areas.
  - (2) Before any construction or grading takes place, snow fencing or erosion control fencing shall be installed around the borders of wooded areas at the drip-line of outer trees. If less protection is necessary due to the proximity of building structures or infrastructure, such reduced protection shall require approval by the city prior to any construction activity taking place.
  - (3) No construction work shall begin until the protective fencing is installed and inspected by the city.
  - (4) Silt barriers or similar effective erosion control barriers shall be required in any area where erosion or siltation may cause damage to protected trees.
  - (5) All protective fencing and erosion control barriers must be maintained throughout the land disturbance and construction process.
  - (6) The mowing, clearing, and grubbing of brush or debris located within or under the drip-line of existing 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 is not allowed.
- (h) *Standards of preservation during subdivision.*
- (1) Developments in residential districts may remove or disturb up to 50 percent of the total inches of significant trees. Any removal or disturbance beyond this threshold shall require reforestation or restitution.
  - (2) Developments in nonresidential districts may remove or disturb up to 60 percent of the total inches of significant trees. Any removal or disturbance beyond this threshold shall require reforestation or restitution.
  - (3) Tree inches of significant trees to be removed for water quality treatment ponds and rights-of-way for arterial and major collector roadways shall be exempt from the calculation of total significant tree inches on a development site.

- 
- (i) *Standards of preservation during construction after subdivision or when not connected with subdivision.*
- (1) In residential subdivisions, the builder shall be responsible for working with the community development department for the protection of the trees to be preserved on a particular lot.
  - (2) Prior to the issuance of a building permit by the city, the applicant for such building permit shall provide a certified survey identifying the location, size and species of trees six inches DBH or larger in size. Such survey shall indicate trees to be removed and those to be saved.
  - (3) The builder shall be required to replace significant trees removed from within the building pad on a basis of one-half-inch tree replacement for each one inch of tree removed.
- (j) *Reforestation/restitution requirement.* If a development tree preservation plan exceeds the allowable removal or disturbance threshold, the subdivider shall either reforest within the site or pay restitution, or provide a combination thereof, as determined by the city. For each one inch of significant tree that is removed beyond the threshold, the subdivider shall replant one inch of new tree or provide the city with \$100.00 in restitution.
- (k) *Reforestation/restitution plan.*
- (1) If the amount of significant tree inches to be removed or disturbed exceeds the specified threshold, the subdivider shall provide a reforestation plan, or a calculation of restitution, or a combination thereof, as determined by the city.
  - (2) A reforestation plan shall be prepared by a registered landscape architect or forester and shall comply with the following criteria:
    - a. The plan shall indicate the location and diameter or height of all trees to be planted;
    - b. Plantings shall be of similar vegetation found on the site, with a preference for plantings designated as native to the site;
    - c. The minimum planting size for deciduous trees shall be 2.5 inches DBH and the minimum planting size for coniferous trees shall be six feet in height;
    - d. Replacement trees on a reforestation plan may count toward the trees required by the city's landscaping regulations;
    - e. Reforestation plantings shall be guaranteed for one full growing season; and
    - f. Restitution shall be paid to the city prior to the city's release of the signed final plat mylars, or prior to the approval of a minor subdivision. Any restitution shall be placed in a fund to be used for reforestation projects in the city.
- (l) *Restrictions for properties not undergoing development.* The number of trees removed from privately owned land shall be limited to two significant trees per year, unless an approved tree replacement plan has been obtained. The following trees are exempt from this provision:
- (1) Trees removed because they are dead or diseased;
  - (2) Trees that are an obstruction to traffic or power lines;
  - (3) Trees that pose a hazard to structures; and
  - (4) If the removal of the tree is consistent with good forestry practices.
- (m) *Penalties.* Any person who shall violate any of the provisions of this section or any tree preservation plan approved thereunder shall be guilty of an offense punishable as a misdemeanor. In addition, any and all permits and approvals extended by the city in connection with the property on which the violation occurs

---

may be suspended or revoked after notice and an opportunity to be heard, and the city may also deny a certificate of occupancy or pursue injunctive relief and/or damages.

(Code 1977, § 13-114.5; Ord. No. 592, 4-26-2004)

## **1001.25 TREE PRESERVATION AND REPLACEMENT, TREE DISEASE AND LANDSCAPING REQUIREMENTS.**

### **Subd. 1 Purpose**

(1) *Purpose.* It is the policy of the City of Dayton to recognize and protect the integrity of the natural environment of the community through the preservation, protection, and planting of trees. The city recognizes that preservation and planting of trees is important in new development sites in order to maintain a healthy and desirable community. The city also recognizes that a certain amount of tree loss is an inevitable consequence of the urban development process. These tree regulations provide a balance between property owner's rights to develop property and the need of the community to protect all aspects of the natural environment (particularly the rural character-), while providing housing and employment opportunities. The objectives of this subdivision shall include, but are not limited to:

- a. The reasonable protection of existing tree canopy through, root protection by eliminating or reducing compaction, filling or excavation beyond thresholds;
- b. Prevention of soil erosion and sedimentation;
- c. Reduced storm water runoff;
- d. Improved air quality;
- e. Improved water quality;
- f. Reduced noise pollution;
- g. Enactment of M.S. Ch. 18.023. as may be amended from time to time, and regulations. Ch. 4. AGR 101-120 of the Minnesota Department of Agriculture to control the spread of tree diseases from affected trees to healthy trees;
- h. Enhancement of the city's physical and aesthetic environment;
- i. Enhancement of the quality of life and the general welfare of residents;
- j. Energy conservation through natural insulation and shading;
- k. Control of the urban heat island effect;
- l. Increased property values;
- m. Protection of privacy by establishing and maintaining buffers between conflicting land uses;
- n. Providing habitat for wildlife, including birds that help in the control of insects; and
- o. To provide an ecosystem approach to planning and development.

(2) *Scope.* This subdivision shall apply to the following in the City of Dayton:

- a. Any formal land use application in the city, including but not limited to subdivisions, minor subdivisions, site plans, rezoning and conditional use permits.
- b. All sites for which application for a subdivision review is being made.
- c. All sites for which application for a site plan review is being made.
- d. Any pre-emptive cutting of forests or woodland within 1 year of any formal land use application.

e. Grading permits that are not associated with a development, or redevelopment which propose removal of significant trees over the removal threshold detailed in this section.

(3) *Intent*. It is the intent of this subdivision to:

a. Preserve tree canopy throughout the site and extending into adjoining properties whenever possible (“continuous green/wildlife corridors”);

b. Preserve specimen trees;

c. Preserve mix of tree ages, sizes, and species;

d. Preserve the existing under-story and forest floor vegetation;

e. Preserve both front and backyard trees in residential developments with custom lot development and site specific roadway alignments;

f. Encourage building types, sizes and footprints appropriate to site specific conditions; and

g. Support and augment the comprehensive park, trails and open space plan.

## **Subd. 2 Definitions**

For the purpose of this subchapter, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

### **Caliper Inches**

The length, in inches, of a straight line measured through the tree trunk of a certified nursery raised tree at 12 inches above the ground.

### **Critical Root Zone**

The root system within the dripline is generally considered to be the critical root zone. The dripline is an imaginary line, which extends from the outermost branches of a tree's canopy to the ground. To protect these critical root zones, a tree protection area shall be established around each tree or group of trees to be retained.

a. 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.

b. Wherein authorized excavations it becomes necessary to expose or cut roots more than 1 inch in diameter, it shall be the duty of the contractor to protect such root(s) under advice of the city.

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

d. The mowing, clearing, and grubbing of brush located under the dripline of protected trees may be allowed, provided such mowing, cleaning, of grubbing is accomplished by hand or by mower. The use of heavy equipment for this purpose shall not be allowed.

### **Developer**

Any person or entity who undertakes to improve a parcel of land, by platting for the purposes of establishing two or more dwelling units, or grading which requires a grading permit.

### **Diameter at Breast Height (DBH)**

The diameter of a tree's trunk measured 4.5 feet above the ground.

### **Disturbance Zone**

Any area which will be physically altered from its natural state. This will include all areas of grading, utility installation, building pads, driveways, and parking areas.

### **Drip Line**

The farthest distance away from the trunk of a tree that rain or dew will fall directly to the ground from the leaves or branches of the tree or 1 foot per 1 inch of diameter, whichever is greater.

### **New Development**

A piece of property that is being platted for the purpose of establishing urban residential use with two or more dwelling units, establishing a business use, or is being improved by grading which requires a grading permit. This definition does not apply to agricultural lot splits or to public street/utility projects.

### **Property Owner**

The owner of a buildable property who is constructing or expanding a dwelling or a business on that property.

#### **a. Common Tree**

A deciduous overstory tree including cottonwood, poplars/aspen, box elder, willow, silver maple, elm, and any other tree species not defined as hardwood deciduous tree or a coniferous/evergreen tree or considered non-native to Minnesota.

#### **b. Coniferous/Evergreen Tree**

A tree that bears cones and evergreen needle-like or scale like leaves year-round which reaches a height of at least 15 feet at maturity.

#### **c. Deciduous Tree**

A woody tree which has a defined crown, and which loses leaves annually.

#### **d. Hardwood Deciduous Tree**

Includes ironwood, catalpa, oak, maple (hard), walnut, ash, hickory, birch, black cherry, hackberry, locust and basswood.

#### **e. Heritage Tree**

A healthy hardwood deciduous tree measuring equal to or greater than 27 inches in diameter or a healthy coniferous evergreen tree greater than 50 feet in height.

#### **f. Nuisance or Hazard Tree**

1. Any living or standing tree or part thereof infected to any degree with a shade tree disease or shade tree pest unless properly treated under the direction of a professional arborist/forester.

2. Any logs, stumps, branches, firewood, or other part of dead or dying trees infected with a shade tree disease or shade tree pest.

3. Any standing dead or living trees or limbs which may threaten human health or property.

#### **g. Protected, Preserved or Undistributed Tree**

Any tree with no less than, 60% of the critical -soot zone left undisturbed or which has been protected during the construction process by the tree protection methods described therein.

#### **h. Significant Tree**

An existing healthy deciduous hardwood tree measuring a minimum of six inches in diameter (DBH), an existing healthy common tree measuring a minimum of 12 inches in diameter (DBH), or an existing healthy coniferous/evergreen tree measuring a minimum of 12 feet in height (every three feet in height of a coniferous/evergreen tree is equivalent to one inch of diameter (DBH)).

### **Tree Certification**

A certified inventory of trees on the site after work is complete listing all trees and their final disposition, which is signed by a licensed forester or landscape architect.

### **Tree Preservation Plan**

A plan and inventory certified by a forester or landscape architect indicating all of the significant trees and their locations in the proposed development or on the lot. The Tree Preservation Plan shall include the size, species, tag numbers, and location of all significant trees proposed to be saved and removed on the area of development, and the measures proposed to protect the significant trees to be saved.

### **Tree Protection**

Snow fencing or polyethylene laminar safety netting placed at the drip line of the significant trees to be preserved. The tree protection measures shall be shown on tree preservation plan drawings and remain in place until all grading and construction activity is terminated.

### **Subd. 3 Removal Threshold**

(1) Development in residential districts may remove or disturb up to 40% of the total inches of significant trees DBH. Any removal or disturbance beyond this threshold shall require restoration. Significant trees removed for water quality treatment ponds, public trails, sidewalks and collector or arterial roads, or trees considered invasive species, are exempt from the removal threshold calculation (minor roads or local development roads are not exempt).

a. The following calculation procedure must be used to determine tree replacement requirements:

1. Calculate 40% of the total diameter inches (DBH) of significant trees on the site. This is the allowable tree removal limit, or the number of inches that can be removed without replacement.
2. Subtract the total diameter inches of common trees (which are significant) that will be removed from the allowable
3. If any allowable inches remain, subtract the total diameter inches (converted to DBH) of coniferous/evergreen trees (which are significant) that will be removed from the remaining allowable inches.
4. If any allowable inches remain, subtract the total diameter inches (DBH) of hardwood deciduous trees (which are significant) that will be removed from the remaining allowable inches.

(2) Development in non-residential districts may remove up to 60% of the total inches of significant trees DBH. Any removal or disturbance beyond shall require reforestation. Significant trees removed for water quality treatment ponds, public trails, sidewalks and collector or arterial roads are exempt from the removal threshold calculation.

a. The following calculation procedure must be used to determine tree replacement requirements:

1. Calculate 60% of the total diameter inches (DBH) of significant trees on the site. This is the allowable tree removal limit, or the number of inches that can be removed without replacement.

2. Subtract the total diameter inches of common trees (which are significant) that will be removed from the allowable limit.

3. If any allowable inches remain, subtract the total diameter inches (converted to DBH) of coniferous/evergreen trees (which are significant) that will be removed from the remaining allowable inches.

4. If any allowable inches remain, subtract the total diameter inches (DBH) of hardwood deciduous trees (which are significant) that will be removed from the remaining allowable inches.

(3) Trees which are considered Heritage Trees, as defined by this section, are unique to Dayton due to their size and age. All reasonable measures shall be taken to preserve these trees. There is a 0% removal threshold, meaning every diameter inch (DBH) of heritage tree removed will require replacement in accordance with the standards of this section. No heritage tree will be considered exempt.

#### **Subd. 4 Tree Survey/Preservation Plan.**

A tree survey and tree preservation plan shall be submitted with all preliminary plat applications, and with all lot divisions applications involving the creation of one or more new development parcels. The tree survey and tree preservation plan shall be prepared by a registered surveyor, forester, or landscape architect not more than two years prior to submission of a complete application for preliminary plat approval, and shall provide the following information:

(1) Location, diameter, and species of all significant trees on the site.

(2) Identification of which significant trees are:

- a. To be protected, preserved, or undisturbed;
- b. To be removed or disturbed; and
- c. Exempt from the calculation.

(3) Areas proposed to be designated as natural preserves where all-natural vegetation, including significant trees, will be protected and preserved.

(4) Proposed disturbance zones, as identified on the plan by cross-hatching, shading, or other visual signifier.

(5) Location and dimensions of building plans, construction zones for each lot, and proposed street layout and grading contours of the site.

(6) Proposed locations and details of tree protection fencing to be installed for all trees to be preserved.

(7) Calculation of removed or disturbed significant tree inches on the site (excluding exempt tree inches) divided by the total significant tree inches on the site (excluding exempt tree inches).

(8) Representative sampling may be allowed for areas where there are ten acres or more of contiguously treed land.

#### **Subd. 5 Tree Replacement Policy**

(1) If a development exceeds the allowable removal or disturbance threshold specified in Subd. 3 the subdivider shall reforest appropriate areas within the site (or outside the site if appropriate locations within the site are not available). For each one inch that is removed or disturbed beyond the threshold, the developer shall replant one inch of new tree.

(2) Replacement trees must consist of nursery stock and be no less than the following sizes (“measured in caliper inches”):

- a. Deciduous trees: No less than 2.5 inches in diameter.
- b. Coniferous trees: No less than 6 feet high.
- c. Replacement trees shall be species similar to the trees which were destroyed or damaged and can include those species shown on the following table:

<b><i>Deciduous Trees</i></b>	Maples (Hard)	Oak
	Linden (Basswood)	Ash
	Green Ash	Birch
	Hackberry	Ironwood
	Bitternut Hickory	Black Cherry
	Quacking Aspen	
<b><i>Coniferous Trees</i></b>	Fir	Black Hills Spruce
	White Pine	Colorado Blue and Green Spruce
	Scotch Pine	Red Pine
NOTES: This list is not inclusive and replacement trees can include other native species including pollinating trees.		

(3) No reforestation tree shall be any of the following (or otherwise considered an invasive species):

- a. A species of genus *Ulmus* (elm), including Siberian Elm, except those elms bred to be immune to Dutch Elm disease;
- b. Box Elder;
- c. A species of genus *Populus* (poplar) except when counted as under-story tree;
- d. Female ginko;
- e. Norway Maple;
- f. Amur Maple Species of Ash;
- g. Russian Olive;
- h. Black Locust; and
- i. Tree of Heaven.

(4) Exception: up to 15% of the required tree inches may be ornamental species of a lesser size (which are not considered invasive, and are resistant to common tree diseases and ailments), provided that the required replacement inches are maintained. The city may, at its discretion, approve additional species if circumstances such as soil conditions, hydrology, topography, or recent tree diseases warrant.

(5) Replacement trees shall not be placed on easements or street rights-of-way, unless approved by City Council. The city shall determine the locations of tree replacement for subdivided tree plans. If tree replacement is required on the individual lot because the builder destroyed or damaged a tree which was to be saved, the forester or landscape architect shall determine where, the replacement trees shall be installed.

(6) Landscaped buffer yards as required by the city's landscaping regulations in Section 1001.24, Subd. 7 Screening, Buffering and Fencing may count toward the trees required for replacement/reforestation trees as shown on a reforestation plan.

(7) The city recognizes that there may be developments where required reforestation cannot be practically be performed on site. Cash-in-lieu of (or in combination with) replacement tree inches will be accepted per the city fee schedule (\$125 per replacement inch). Any restitution shall be placed in the community planting fund and shall be used for reforestation projects in the city.

**Subd. 6 Requirements for Reforestation Plans.**

(1) The reforestation plan shall be prepared and signed by a licensed forester or a registered landscape architect and shall meet the following criteria:

- a. All reforestation trees by location; size (diameter), or height; and species;
- b. No more than 1/4 of the trees may be from any one species;
- c. Plant materials shall be of similar vegetation as found on site and preference given for less than six feet high;
- d. Minimum sizes shall be:
  - 1. Deciduous - no less than 2.5 caliper inches; and
  - 2. Coniferous - no less than six feet high;
- e. Installation shall follow city standard details;
- f. Trees shall be from certified nursery stock as defined and controlled by M.S. 18.44 through 18.61, the Plant Pest Act, as maybe amended from time to time;
- g. A list of recommended species for tree replacement can be obtained for each natural environment type at the Minnesota Department of Natural Resources, subject to review and approval of the city; and
- h. Trees shall be covered by a minimum two-year guarantee.

**Subd. 7 Tree Protection Measures**

The following measures for the preservation and protection of trees shall be required:

(1) *Required protective measures.* Measures required to protect significant trees and significant woodlands shall include:

- a. Installation of orange polyethylene laminate safety netting, or an equivalent form of safety netting, and metal stakes placed along the disturbance zone, and around significant trees (at least 1 foot outside the drip line) to be saved;
- b. Prevention of soil compaction or alteration of existing grades in critical root zones (at least one foot outside of the drip line);
- c. Placement of utilities in common trenches outside of the critical root zone of significant trees, or use of tunneled installation;
- d. Prevention of change in soil chemistry due to concrete washout and leakage or spillage of toxic materials, such as fuel or paints;
- e. Calculation of critical root zones of all significant trees near disturbance zone and adherence to maximum 25% removal of critical root zone;

- f. Root pruning during construction along all disturbance zones shall be done by hand with a chainsaw or with a machine designed for root sawing (machine will shatter roots);
- g. Tree stumps to be removed by grinding, not with a bulldozer, in all areas where root pruning, does not occur;
- h. Natural ground cover (not sod) shall be maintained where clusters or areas of significant trees exist;
- i. No vehicles or equipment parking or driving out of the construction boundaries;
- j. Pruning of oak trees must not take place from April 15 through July 1. If wounding of oak trees occurs, a nontoxic tree wound dressing must be applied immediately. Excavators must have a nontoxic tree wound dressing with them on the development site;
- k. Trees shall be planted in a location so as to not interfere with transmission, electric or other utility lines;
- l. Trees shall be planted at least five feet from any hard surface, and shall be planted so as to not impact existing or adjacent properties, or structures.

(2) *Optional protective measures.* Measures to protect significant trees and significant woodlands may include, but are not limited to:

- a. Installation of retaining walls to preserve trees;
- b. Reduced row and paved areas when it can be illustrated that such variances save trees;
- c. On-site layout of roads and house pads;
- d. Flaglots and other unconventional lot shapes when it can be illustrated that such variances save trees;
- e. Variable setbacks when it can be illustrated that such variances save trees;
- f. Larger lots in treed areas;
- g. Common washout pond for cement, paint etc., outside of woods;
- h. Basements dug with backhoe and material removed from site;
- i. Concrete pumped in;
- j. Specified stockpile areas;
- k. Prioritize trees to be saved; and
- l. PUD zoning.

#### **Subd. 8 Staff review.**

The tree preservation plan and any related reforestation plan or calculation of restitution shall be reviewed and evaluation by city staff. City staff shall make recommendations for adjustment of locations of structures, roadways, utilities, and for replanting and other elements that may be necessary to enhance tree preservation and reforestation efforts.

#### **Subd. 9 City Action.**

A tree preservation plan and reforestation plan, including the designation of natural preserves, shall be considered for approval or denial by the City Council as part of the review of a preliminary plat.

### **Subd. 10 Amendments to the tree preservation/reforestation plan.**

A tree preservation plan and reforestation plan may be amended after it has been approved. The Zoning Administrator shall have authority to approve amendments, except that a change resulting in removal of more than ten percent of the significant tree inches that were shown as preserved on a City Council approved tree preservation plan shall require further review, and approval, by the City Council. As part of any amendment to a tree preservation plan, the required reforestation and/or restitution shall be increased or reduced as appropriate. Requests for amendments shall be submitted prior removal of any trees shown as preserved on the approved plan.

### **Subd. 11 Financial Guarantee.**

Following the approval of the tree preservation plan, but prior to issuance of a grading permit or building permit if no grading permit is required, the developer shall provide financial guarantee, as follows:

(1) A cash escrow or letter of credit to guarantee the tree preservation plan, and the reforestation plan if applicable.

(2) The financial guarantee shall be calculated as follows: 25% of the total significant trees to be preserved that are located within 15 feet of disturbance zones multiplied by \$125 per tree inch, plus 120% of the total tree inches required by the reforestation plan (if applicable). The amount of the financial guarantee shall be maintained at the calculated level until:

a. All trees on the site (preserved and new reforestation trees) have survived two winter seasons (winter season is defined as the period between October 31 through

April 30 for the purposes of this section) after site grading and tree planning has finished; and

b. The city has inspected the site and authorized a reduction or release of the financial guarantee. This guarantee may be used to replace trees which were shown as protect and removed during the course of construction/development.

### **Subd. 12 Inspection and Enforcement of the Tree Preservation Plan**

Prior to removal of any trees and prior to issuance of a grading permit, or prior to commencement of any grading operations if no grading permit is required, or prior to issuance of a building permit if no grading operations are required, all sites shall be staked and fenced for tree preservation pursuant to the approved tree preservation plan. A copy of the approved tree preservation plan shall be submitted with an application for a grading permit, or with an application for a building permit if no grading permit is required. Such tree preservation plan shall also indicate any reforestation trees to be planted on the site. No permits shall be issued, nor shall any grading operations commence, without first receiving authorization by City Staff. Tree protection fencing shall remain in place until inspections have been finalized and the certificate of occupancy is ready for issuance for the building on the site.

(Ord. 2006-04, passed - -2006; Am. Ord. 2014-04, passed 3-25-2014; Am. Ord. 2016-19, passed 8-24-2016; Am. Ord. 2018-14, passed 5-23-2018; Am. Ord. 2019-12, passed 8-22-2019)

Sec. 30-415. - Preservation of trees and other vegetation; tree planting requirements.

All subdivisions shall be planned, designed, constructed and maintained consistent with the following, at the city's discretion:

- (1) Existing healthy trees and native vegetation on the site shall be preserved to the maximum extent feasible and shall be protected by adequate means during construction.
- (2) Where inadequate vegetation exists on land not being disturbed for development, permanent vegetation shall be established as soon as possible.
- (3) Following construction, vegetation suitable to the site shall be planted. The type of species of tree planted shall be approved by the city. Trees with root structures that are less likely to interfere with utility lines or sidewalks or cause other nuisance damage are preferable. Trees shall have a trunk diameter (measured 12 inches above ground level) of not less than two inches, and shall be planted in not less than one cubic yard of good growing soil with a suitable amount of fertilizer. Approved multiple varieties shall be used alternately. Plantings shall include boulevard trees and front yard trees. Boulevard trees shall be planted at intervals of at least one tree per lot at a distance of at least six feet but less than 12 feet from behind the curb. Corner lots shall require two boulevard trees, one per street frontage. Yard trees shall also be planted at intervals of one tree per lot and located between the edge of the right-of-way and the front of the house. Corner lots shall require two yard trees, one per street frontage. Planting of the trees shall be the responsibility of the developer and maintenance shall be the responsibility of the homeowner.
- (4) Consistent with approved grading plans, existing trees shall be preserved within any right-of-way when such trees are suitably located and in good health.
- (5) No slash, dead trees, or uprooted stumps shall remain after development.

(Code 1982, § 1008.14(7))

**Cross reference—** Vegetation, ch. 82.

c. Within an industrial zoning district, the outdoor storage of semi-trailers accessory to the principal use may be allowed by conditional use permit according to City Code Section 1007.120 and Section 1007.121.

(c) *All Zoning Districts.*

1. Except temporary construction trailers and facilities operated by public service agencies (i.e., bookmobile, bloodmobiles, etc.) as allowed by the City, no recreational vehicle may be used for habitation, office, business, industrial manufacturing, testing, or storage of items in conjunction with a business, commercial or industrial enterprise.

2. The City Council may order the owner of any property to cease or modify outdoor storage uses including existing uses, provided it is found that such use constitutes a threat to the public health, safety, convenience, or general welfare.

(17) *Screening, Landscaping, Buffer Yards and Tree Preservation.*

(a) *Purpose.* To establish landscaping and tree preservation standards to promote high quality site development, compatibility of uses, biodiversity, tree preservation, and to enhance the health, safety and general welfare of the residents of the community.

1. *Definitions.* For the purpose of the Landscaping, Screening and Tree Preservation Standards, the following definitions shall apply:

**BASIC USE AREA.** The area necessary for construction of the site's allowed use in accordance with the following:

a. Commercial, industrial, and institutional uses include the area within the footprints of buildings and vehicular hardscape and within 20 feet around those improvements

b. Residential subdivisions include the area within the street right-of-way and that portion of a residential lot between the right-of-way and within 100 feet beyond and parallel to the street right-of-way.

c. Surface water management ponds are not part of the basic use area.

**BIODIVERSITY.** The variety, distribution and abundance of living organisms in an ecosystem.

**DAMAGE.** Action or inaction which does not follow good arboriculture practices. Damage may include damage inflicted upon roots by machinery, changing the natural grade above the root system or around the trunk, destruction of the natural shape or any action which causes infection, infestation or decay.

**DBH.** Diameter at breast height, typically measured at 4'.5"-6' above the ground.

***DETENTION AREA.*** Area of a detention pond from the normal water level and up the side slopes to 10' offset from the high water level.

***DISTURBANCE.*** Any construction, development, removals, earth movement, clearing or other similar activity.

***DRIP LINE.*** Imaginary line on the ground that is extended straight downward from the outermost edge of the canopy.

***ENVIRONMENTALLY SENSITIVE AREA (ESA).*** An area that contains native vegetation, natural features and/or natural resources. These include surface water (rivers, lakes, streams and ditches); shoreland and floodplain areas, especially riparian and wildlife corridors; wetlands, sensitive groundwater (wellhead) protection areas and sensitive geological features; state or federally listed (endangered, threatened or special concern) plant and animal species and their habitat; natural plant communities, including forests, woodlands and prairies, particularly those of high species diversity and other unique and sensitive features. ESA's are categorized as Natural Resource Conservation Areas and Natural Resource Enhancement Area.

***FOUNDATION LANDSCAPE ZONE.*** An area located within 15 feet of the building.

***LARGE SHRUB.*** Large shrubs have a mature height over six (6) feet.

***LARGE TREE.*** Over story deciduous trees with a mature height of at least 40 feet.

***MEDIUM SHRUB.*** Medium shrubs have a mature height of three (3) – six (6) feet.

***MEDIUM TREE.*** Deciduous trees with a mature height over 18 feet and up to 39 feet.

***NATURAL RESOURCE CONSERVATION AREA.*** An area within the, Shoreland District of DNR Public Waters (lakes and creeks), 50 feet of a creek or public ditches, and areas within the Rice Creek Watershed District (RCWD) Wetland Management Corridor (WMC).

***NATURAL RESOURCE ENHANCEMENT AREA.*** Includes wetland areas non-contiguous to the RCWD WMC extending outward from wetland boundary 75 feet for management class A (Preserve), 50 feet for management class B (Manage 1), 30 feet for management class C (Manage 2) and class D (Manage 3); areas located within the 100-year (1 percent chance) floodplain; and Woodland Preservations Areas.

***REMOVAL.*** Actual removal or effective removal through actions resulting in the death of a tree.

**ROOT PROTECTION ZONE.** An imaginary circle surrounding the tree trunk with a radius distance of one (1) foot per one (1) inch of tree DBH (e.g., a 20 inch diameter tree has a Root Protection Zone with a radius of 20 feet).

**SCREEN.** A barrier that hinders sight and, potentially, access.

**SMALL SHRUB.** Small shrubs have a mature height of less than three (3) feet. Small shrubs are interchangeable with perennials, ornamental grasses and groundcovers to fulfill landscape standards.

**SMALL TREE.** Understory deciduous trees with a mature height of 18 feet and under.

**UNDESIRABLE TREE.** Trees that are dead, diseased, structurally weak, invasive or trees that are hazardous to people, infrastructure or buildings.

**VEHICULAR HARDSCAPE.** Areas covered with hard surface intended for motor vehicles, including but not limited to off-street loading spaces, parking lots, driveway, drop-offs, and drive through facilities.

**WETLAND MANAGEMENT CORRIDOR.** A contiguous corridor encompassing high priority wetland resources established by the Rice Creek Watershed District.

**WOODLAND PRESERVATION AREA** - a remnant woodland ecosystem that is generally mapped in the City's Minnesota Land Cover Classification System, and although it may be degraded it generally meets the criteria for one of the following types of ecosystems as reasonably determined by the city: alder, aspen, black ash swamp, deciduous forest, floodplain forest, lowland forest, maple-basswood, mixed hardwood swamp, northern hardwood, oak forest, paper birch, saturated or seasonally flooded deciduous forest, seasonally flooded deciduous forest, tamarack swamp, upland deciduous forest or woodland and willow swamp.

(b) *Landscaping Standards.* New residential platted subdivisions, mixed use, commercial, institutional and industrial uses shall be subject to the landscaping standards unless specifically excepted. The landscape standards have been divided into five categories: Canopy Cover, Foundation Landscape, Open Areas Landscape, Buffer and Screen, and Boulevard Trees. Projects shall comply with the applicable requirements of all five categories.

(c) *Canopy Cover Standards.* The purpose of this requirement is to mitigate the effects of vehicular hardscape by establishing tree canopy cover to intercept rainfall, protect pavement from sun deterioration, reduce the heat island affect, and improve aesthetics. Canopy cover requirements do not apply to single family residential development, multi-family residential development without surface parking other than individual unit driveways and permitted outdoor storage areas in Industrial Districts.

1. The required minimum canopy coverage for all uses is 40 percent.

2. The following equation shall be used to calculate required canopy coverage:

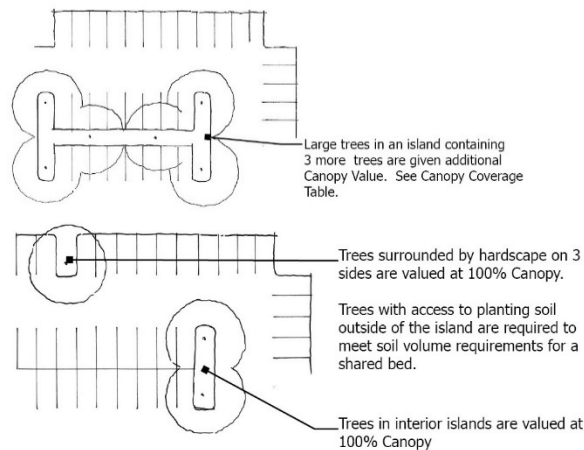
$$\text{Vehicular Hardscape (Square Feet)} \times \text{Canopy Cover Percent} = \text{Required Minimum Canopy Cover (Square Feet)}$$

The total of the assigned canopy coverage values for all the trees in or near the vehicular hardscape must be equal or greater than the required minimum. Pervious pavements are considered 50 percent hardscape.

3. The assigned canopy coverage value of each tree is based on planting location, tree size and anticipated tree canopy size 15 years after planting. The assigned canopy cover value to each deciduous tree is described in the following table and illustrations:

**Table 1**

<b>Assigned Canopy Cover Value</b>				
<b>Planting Location (for new trees)</b>		Interior parking lot islands	Within less than 7' of vehicular hardscape edge	7'-12' from vehicular hardscape edge
<b>Assigned Canopy Coverage Value</b>		100 percent of the canopy square footage	50 percent of the canopy square footage	25 percent of the canopy square footage
<b>Square feet (SF) of canopy coverage assigned to each deciduous tree</b>	<b>Large Tree</b>	950 SF (or 1200 SF in islands of 3 or more trees)	600 SF	300 SF
	<b>Medium Tree</b>	500 SF	250 SF	125 SF
	<b>Small Tree</b>	250 SF	125 SF	NA
	<b>Existing Tree: 6 – 12" DBH</b>	1900 SF	950 SF	NA
	<b>Existing Tree: 12+" DBH</b>	2850 SF	1425 SF	NA



4. Existing trees may be used to fulfill canopy coverage, as described in City Code Section 1007.043(17)(i), when the drip line has proximity to the edge of the hardscape; therefore, existing trees do not need to be within less than seven (7) feet of the vehicular hardscape edge.

(d) *Foundation Landscape Standards.* The purpose of these standards is to soften and enhance building architecture, define access points, add color and seasonal interest, and to blend buildings in with the natural environment. Foundation Landscaping Standards do not apply to single family residential development.

1. The Foundation Landscape Planting Standards are described in the following table:

**Table 2**

<b>Foundation Landscape Standards</b>		
	<b>Per 100 linear feet (LF) of Building*</b>	
<b>Location</b>	<b>Trees</b>	<b>and Shrubs</b>
<b>Front and Public/Private Street</b>	2 large	6 large

2. Rounded to the nearest tenth, with a minimum factor of one.
3. Round all calculations to the nearest whole number of plants.
4. The required plant materials shall be planted in the foundation landscape zone adjacent to the building face where the requirement applies. The City may allow flexible planting locations where service areas or other constraints make the standards difficult to meet.
5. Existing trees may be used to fulfill the Foundation Landscape Standards as described in City Code Section 1007.043(17)(i).

6. Smaller landscape materials may be substituted at the following rates:
  - 1 Large Tree = 1.5 Medium or 2 Small Trees
  - 1 Large Shrub = 1.5 Medium or 3 Small Shrubs
7. One (1) large tree may be substituted for every two (2) large shrubs in lieu of the shrub requirement at the discretion of the city.
8. The design of landscaping for ground areas under the building roof overhang must take into account the potential effects of runoff from the roof edge.
9. Trees planted within 30' of the building shall be considered within the foundation landscape zone

(e) *Open Areas Landscape Standards:* The purpose of these standards is to provide general site beautification and high aesthetic quality with a mix of plant materials in open areas. Open areas include disturbed site areas, that are not located within the foundation landscape zone, vehicular hardscape area or the building footprint and include cul-de-sac islands, boulevard medians, storm water management areas, and common areas in multifamily sites that are not for recreation facilities. Open Area Landscaping Standards do not apply to single family residential lots. Open areas landscaping shall meet the following standards.

1. The open areas planting standards are described in the following table:

**Table 3**

Open Areas Landscape Standards		
Per 2500 SF*	Trees and Shrubs	
		1 large
*Rounded to the nearest tenth, with a minimum factor of one.		

2. Round all calculations to the nearest whole number of plants.
3. Only land above the normal water level shall be included in the open area calculation for storm water detention areas. Planting shall be located above the normal water level in detention areas. The City may require specific tree species in locations where water levels vary.
4. Existing trees may be used to fulfill Open Areas Landscape Standards as described in City Code Section 1007.043(17)(i).
5. Smaller landscape materials may be substituted at the following rates:
  - 1 Large Tree = 1.5 Medium or 2 Small Trees
  - 1 Large Shrub = 1.5 Medium or 3 Small Shrubs

6. One (1) large tree may be substituted for every two (2) large shrubs in lieu of the shrub requirement at the discretion of the city.

7. Areas that are included in a project-specific natural resource management plan that addresses vegetation are not subject to the Open Areas Landscaping Standards.

(f) *Buffer and Screen Standards:* The purpose of this requirement is to separate and buffer different land use types, screen roads and parking, and screen utility and loading areas. The location of buffers and screens are listed below, while the width of the buffer yard can be found in the respective zoning districts. Buffers and screens shall meet the following standards:

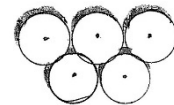
1. Required screen location, height, and materials are described in the following table:

**Table 4**

<b>Landscape Screen Location, Height and Materials</b>		
<b>Location</b>	<b>Required Screen Height</b>	<b>Required Screen Materials</b>
Between a parking lot and public right of way or sidewalk where parking projects toward the public right-of-way or sidewalk	30 inches	<ul style="list-style-type: none"> <li>• Planting screen in compliance with paragraph (f)2.</li> <li>Or</li> <li>• A combination of berm and screen in compliance with paragraph (f)2.</li> </ul>
Between residential uses and arterial or collector street	6 feet	<ul style="list-style-type: none"> <li>• Planting screen in compliance with (f)2.</li> <li>Or</li> <li>• Wall or fence and plantings shall provide shrub cover for 50 percent of the wall or fence on the exterior side</li> <li>Or</li> <li>• A combination of berm and screen in compliance with paragraph (f)2.</li> </ul>
Between any development and adjacent, less intense, residential land uses (this includes across a street from residential), but not on the side of a use considered to be the front (as determined by the Zoning Administrator)		
Between loading/service area and public view		

Landscape Screen Location, Height and Materials		
Location	Required Screen Height	Required Screen Materials
Outdoor Storage Yards	10 feet	<ul style="list-style-type: none"> <li>A wall or fence of permanent materials and planting shall provide shrub cover for 50 percent of the wall or fence on the exterior side. At its discretion, the City Council may approve a modification or waiver from these standards where the affected lot line adjoins another industrial property.</li> </ul>

2. All planting screens shall require at a minimum a double row of plants with triangulated spacing (See illustration). Planting plans shall include species which are sized to appropriately screen visibility within five (5) years of planting. Small shrubs shall be planted at a maximum interval of 3' on center; medium shrubs shall be planted at a maximum interval of 4' on center; and large shrubs shall be planted at a maximum interval of 6' on center unless; otherwise authorized by the City.



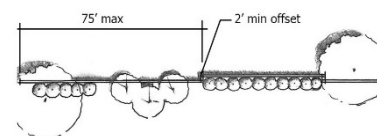
3. A wall or fence intended to provide a continuous year round screen shall block visibility completely.

4. In addition to the shrub cover required in the table above, all screens shall be planted with large trees every 50 LF, medium trees every 35 LF, small trees every 25 LF, or some combination thereof, along the length of the screen.

5. Existing vegetative screens should be left in place unless composed of invasive species or otherwise directed by the City. Existing screens may be enhanced with new plantings to comply with the requirements.

6. Berms shall be irrigated, have maximum side slopes of 3:1, and have no less than four (4) inches of topsoil.

7. Permanent walls and fences shall be offset by a minimum of 2' at intervals of 75' maximum length for stability and visual relief (See illustration).



8. Approved permanent wall/fence materials shall include wood, metal, masonry, concrete stone, or other prefabricated and/or sustainable materials. Non-decorative concrete

block is prohibited for screening walls. Rock face block or other decorative material is required for masonry walls. Chain link fences with slats are prohibited for screening walls.

9. Maintenance of the required buffer strip planting and/or fence shall be the responsibility of the individual property owners or, if applicable, the homeowners association.

(g) *Boulevard Tree Standards:*

1. Boulevard trees shall be required in all new residential subdivisions.
2. Boulevard trees are required at the rate of one (1) tree per lot frontage for single family and two family lots. Townhome and multi-family properties shall provide boulevard trees at a rate of 1 tree per 70 linear feet of street frontage where property fronts any public street.
3. Boulevard trees shall be planted within 14 feet of the curb line or as otherwise determined by the City Forester.
4. Existing trees may be used to fulfill boulevard tree standards at the City's discretion.
5. The City may, at its discretion, purchase and install the required boulevard trees. In such case, the City shall collect a standard fee per tree. Said fee shall be established by the City Council and based on the estimated market rate cost to purchase and install trees within the development site.

(h) *Sod and Ground Cover.* All areas not otherwise improved in compliance with the approved site plans shall have a minimum depth of four (4) inches of topsoil and be sodded including boulevard areas. Exceptions to these criteria may be approved by the Zoning Administrator as follows:

1. Seed may be provided in lieu of sod in any of the following cases:
  - a. Where the seed is applied to future expansion areas as shown on the approved plans, or
  - b. Where the seed is applied adjacent to natural areas or wetlands. Seed mixture shall be approved by the City, or
  - c. For single-family and two family residential properties, proper erosion control measures shall be implemented and maintained until vegetation is established. Sod may be required in areas subject to erosion as determined by the Building Official or City Engineer.
2. Undisturbed areas containing existing viable natural vegetation which can be maintained free of foreign and noxious plant materials.

3. Areas designated as open space or future expansion areas properly planted and maintained with native grasses or wild flowers indigenous to Minnesota. Seed mixture shall be approved by the City.

4. Use of mulch materials such as bark, wood chips, and decorative rock in support of shrubs and foundation plantings.

5. *Natural Prairie Restoration Areas.* Native grasses and wild flowers indigenous to Minnesota, planted and maintained on any occupied lot or parcel of land, setback a minimum of 20 feet from the front lot line and/or side lot line abutting a public street, as part of a garden or landscape treatment.

(i) *General Landscaping Standards:*

1. All lot areas not used for off-street parking, off-street loading, sidewalks, driveways, building sites, or other requirements shall be landscaped with grass, shrubs, trees or other acceptable vegetation, or treatment as required by this chapter prior to issuance of a certificate of occupancy. Exceptions to this requirement are listed in City Code Section 1007.043(17)(o).

2. Commercial, industrial, public/semi-public, institutional, and multi-family residential uses shall be required to submit a site landscape plan, in compliance with City Code Section 1007.020, Site and Building Plan Review, for approval by the City prior to issuance of a building permit.

3. Desirable existing trees may be used to fulfill Canopy Cover, Foundation Landscape, and Open Areas Landscape Standards if applicable by placement. Desirable existing trees are valued according to the following table:

**Table 5**

<b>Existing Tree Value</b>			
<b>Tree Size</b>	<b>deciduous trees under 6" DBH or evergreen trees under 12' tall</b>	<b>deciduous trees between 6"-12" DBH or evergreen trees between 12'-20' tall</b>	<b>deciduous trees over 12" DBH or evergreen trees over 20' tall.</b>
<b>Tree Value</b>	1 large tree	2 large trees	large trees

4. Plantings may be grouped if part of an approved landscape plan.

5. Standards may be met with different sizes of trees and shrubs.

6. New trees may fulfill Canopy Coverage, Foundation Landscape, Landscape Screen, and Open Space Standards simultaneously if applicable by location.

7. An existing tree is considered to be removed if the tree trunk is damaged or if more than 30 percent of the root protection zone area is disturbed during the construction process.

8. The City may allow flexibility in landscape standards if there are conflicts with solar power, wind power, water harvesting, food production, or other innovative measures proposed for the site.

9. The landscape plan shall be compared to all applicable CPTED (Crime Prevention Through Environmental Design) standards and reviewed by the police department.

10. Trees and shrubs shall not be planted in the right of way without City authorization and shall not be planted in easements without authorization from the holder of the easement.

11. Turf slopes in excess of three to one (3:1) are prohibited.

12. Commercial, industrial, multi-family, public/semi-public, and institutional uses shall install irrigation systems to ensure survivability of landscape materials.

(j) *Tree Preservation and Mitigation Standards.* The purpose of these standards is to protect valuable trees and stands of vegetation, while not interfering with landowners' reasonable use and development of property. The goal is to minimize unnecessary loss of habitat, biodiversity and forest resources, and to replace removed trees in areas where tree cover is most critical. Unless specifically excepted, tree preservation and mitigation standards apply to all plats, site plans, conditional use permits, interim use permits, grading, building, and other activity that requires a City permit or approval.

1. Tree preservation and mitigation standards are described in the following table:

**Table 6**

<b>Tree Preservation and Mitigation Standards</b>			
<b>Environmentally Sensitive Area (ESA) Category</b>	<b>Tree Location: within Basic Use Area</b>	<b>Tree Location: not within Basic Use Area</b>	
	<b>deciduous trees 6" DBH and over or evergreen trees between 12'-20' tall</b>	<b>deciduous trees 6-12" DBH or evergreen trees</b>	<b>deciduous trees over 12" DBH or evergreen trees over 20' tall</b>

		<b>between 12'-20' tall</b>	
Non-ESA	no mitigation required	provide one tree per tree removed	provide two trees per tree removed
Natural Resource Conservation Area	provide one tree per four trees removed	provide two trees per tree removed	provide three trees per tree removed
Natural Resource Protected Area	provide one tree per two trees removed	provide two trees per tree removed	provide three trees per tree removed

2. Trees used for mitigation may also fulfill the Open Areas Landscape Standards at the discretion of the City.

3. Trees with 30 percent of the roots damaged are considered to be removed and must be mitigated for at the applicable rates.

4. Undesirable trees are not subject to the Tree Preservation and Mitigation Standards.

5. Areas where trees are being removed for ecological restoration in accordance with a City approved restoration plan are not subject to the Tree Preservation and Mitigation.

6. On existing lots with existing buildings where no building or development activity that requires a permit or approval from the City is occurring, the removal of trees is not subject to tree preservation and mitigation standards.

7. Replacement trees shall be planted on site.

8. The applicant may request to pay a fee per tree in lieu of some or all of the trees required for mitigation. At the City's discretion, the City may accept the fee for planting trees within the general area of the development project. The City shall maintain a standard fee per tree based on the estimated market rate cost to purchase and install trees.

(k) *Landscaping Guidelines and Technical Specifications.* The selection, installation, and maintenance of all planting materials shall be in compliance with the City's Landscaping Guidelines and Technical Specifications Manual.

(l) *Tree Survey.*

1. A tree survey is required for all property that contains a significant tree.

2. The tree survey shall be the basis for the tree preservation plan, tree mitigation standards, and the use of existing trees to fulfill landscape standards.

3. The tree survey shall provide the following information:

a. In the basic use area and other areas where tree removal is proposed, for all significant trees:

i. tree species

ii. size

iii. location

iv. root protection zone

v. tree condition

b. The location of the combined root protection zones of all tree stands designated for preservation on the development property.

c. On adjacent properties, the root protection zone of significant tree where the root protection zone is within five (5) feet of the development property.

4. For a new plat or new Planned Unit Development, the tree survey shall be one plan sheet and the tree preservation plan shall be a separate plan sheet.

5. For a building permit for a new structure on an existing lot, the tree survey and preservation information may be included on the lot survey typically required for a building permit instead of on a separate document. For a building permit for an addition to an existing structure, the tree survey information may be provided in an informal medium that sufficiently conveys the information.

6. At the City's discretion, the tree survey requirement may be waived under the following circumstances:

a. significant trees will not be removed and are not likely to be impacted by construction.

b. significant trees will only be removed within the basic use area and the basic use area is not an ESA.

(m) *Tree Preservation Plan:*

1. A tree preservation plan shall be required for all soil disturbance activities where Tree Preservation and Mitigation Standards apply. A tree preservation plan shows how the Tree Preservation and Mitigation Standards will be met and how preserved trees will be protected during construction and other potentially harmful activities.

2. The tree preservation plan shall be based on the tree survey.

3. If a tree survey shows that no significant trees are on the development property or adjacent properties are near the construction area, the City may waive the tree preservation plan requirement.

4. A tree preservation plan shall identify:

a. The basic use area and environmentally sensitive areas.

b. The disturbance area.

c. Tree size (DBH), species, condition, location, and root protection zone for all significant trees to be preserved, or;

d. The combined root protection zone of all stands of trees designated for preservation, whichever is applicable.

e. Location and type of tree protection fence.

f. Staging areas.

g. Temporary construction access routes when temporary site access is necessary within root protection zone of any tree or tree stand designated for preservation.

i. Temporary access shall be routed in a manner that is least disruptive to the tree or tree stand per the approval of the City Forester.

ii. Temporary access roads shall not exceed 25 feet in width and shall be delineated by snow fencing or safety fencing.

iii. An eight (8) inch deep cover of wood chip mulch shall be placed over the temporary access route to cushion the root protection zones from compaction.

h. Concrete washout areas.

i. Existing and proposed grading.

j. The plan shall show directional felling and trenching to separate root systems prior to bulldozing trees or stumps if necessary to avoid damage to adjacent trees.

k. The plan shall be coordinated with utility planning so that utilities are installed in a manner that protects trees intended to be saved.

5. Trees to be preserved shall be tagged in the field and keyed to the tree preservation plan. The City may inspect the trees to verify compliance with the preservation plan at any time during construction.

6. If a natural resource management plan has been approved for the site, the tree preservation plan shall be in compliance with said plan.

7. The following shall occur prior to soil disturbance:

- a. The tree preservation plan shall be approved by the City.
- b. Fencing and all tree protection measures shall be installed and inspected by the City.
- c. Erosion control measures shall be installed and inspected by the City.
- d. All required financial securities have been submitted.
- e. Any required development agreement has been approved.

(n) *Tree Preservation during Construction:* Trees that are to be preserved must be protected by the following methods unless otherwise approved by the City.

1. Before land clearing, grading, or construction begins, the City approved tree protection fencing or other method shall be installed and maintained around the Root Protection Zone of the trees to be protected. Fencing shall be a minimum of four (4) feet high and of a highly visible material, such as snow fence or polyethylene laminar safety netting, and must be standing throughout the construction process. Cut roots with clean, pruning cuts at the fence line prior to fence installation to avoid later tearing of the roots. Signage shall be installed to instruct workers to stay out of the Root Protection Zone.

2. Areas where development must encroach upon the root protection zone must be identified on the tree preservation plan in which case the fencing shall be installed at that edge.

3. No actions that may harm the health of the tree; including but not limited to construction, traffic, compaction, storage of equipment or materials including soil, grading, or concrete washout areas; may occur in the Root Protection Zone.

4. Trees damaged by construction, or with more than 30 percent of the roots disturbed, shall be counted as removed and mitigated at applicable rates.

5. Tree protection measures shall remain in place until all grading and construction activity is terminated.

(o) *Final Inspection:* Prior to the issuance of a certificate of occupancy, the project developer, builder, or representative shall certify in writing to the City that all elements of the tree preservation plan and landscaping plan were completed. These must be confirmed by the City. However, the City may issue a certificate of occupancy prior to completion of landscaping in the following situations:

1. If winter weather will prevent healthy planting practices, a security shall be posted to ensure the remaining planting is accomplished and all planting must be installed by the 15<sup>th</sup> of June the following spring.

2. A certificate of occupancy may be issued by the City on residential lots prior to lawn seeding or sod, provided an escrow security is submitted sufficient to ensure that the work will be completed and the date of completion is specified.

(p) *Non-Compliance:* If the City finds that the property is not in compliance with the approved landscaping plan or tree preservation plan, it shall inform the property owner or, if applicable, the homeowners association, regarding the non-compliance and describe, in writing, the steps needed to bring the property into compliance within a reasonable timeframe, not to exceed 60 calendar days.

(q) *Performance Security:* The City may require performance security to ensure compliance with the requirements of this chapter.

1. The performance security shall extend for two (2) years from the date of planting. The form of the security (cash, letter of credit, or other form) shall be determined by the City.

2. If after notification of non-compliance the property owner or, if applicable, the homeowners association, fails to achieve the compliance within 60 calendar days, the City may exercise its authority to use the performance security to address compliance.

(18) *Fences and Retaining Walls.* Fences and retaining walls shall be permitted in all required yards subject to the following conditions:

(a) *Permit Required.* It is unlawful for any person to construct a fence or retaining wall without first making an application for and securing a permit.

(b) *Certificate of Survey.* An application for a fence or retaining wall permit shall be accompanied by a current certificate of survey providing exact lot dimensions; the location of existing buildings, structures, and easements on the lot; and the location of the proposed fence or retaining wall. At the discretion of the City, a final plat detail or aerial map of the lot with the required information shown may suffice if no certificate of survey is available. Applicant shall be required to physically identify the property corners for City inspection.

## **Sec 125-90 - Landscaping And Tree Preservation**

### **(a) Landscaping**

#### **(1) Landscaping**

- a. All properties within the City subject to subdivision, development or redevelopment, or renovation shall be subject to the requirements of this Section.
- b. The front, side and rear yards of each site not utilized for building, parking (where permitted) or other improvements shall be landscaped utilizing an effective combination of street trees, grass, ground cover and shrubbery. Undeveloped areas in the interior of the site shall be seeded with appropriate grasses and maintained neat and orderly so as to control dust on sites. All tree trimmings, stumps, and construction debris shall be promptly removed and not be accumulated or stored on-site.

#### **(2) Open Areas**

- a. All open areas of developed lots which are not devoted to buildings, patios, off-street parking, loading and driving areas shall be irrigated and landscaped with grass ground cover, trees, shrubs or other ornamental landscape material except that natural grasses and vegetation for undeveloped portions of the lot reserved for future expansion is allowed providing the portions of lot are kept free of litter, debris, and noxious or unsightly weeds. All areas used for parking, circulation, display, storage or open sales shall be paved with asphalt or concrete. Concrete curbing shall be used in the collection of stormwater runoff and protection of all landscaped areas. Crushed rock is not a permitted material in any zoning district other than AG or R1 for areas used for circulation, open sales display or storage.

#### **(3) Planting Plan**

- a. A planting plan shall be submitted with development and redevelopment applications. The planting plan shall be prepared on the proposed site grading plan and shall indicate the location, quantity and common name of all proposed plantings as well as other pertinent landscape features such as retaining walls, berms, swales, lighting, irrigation extents etc. Plantings specified in this Section represent minimum requirements.

#### **(4) Planting Requirements, Minimum Size**

- a. The landscape plan shall be reviewed by City staff to ensure that appropriate plant materials are used to accomplish the intent of the landscaping, including screening where required. Size requirements are presented in Table 26. Planting Size Requirements.

**TABLE 27. PLANTING SIZE REQUIREMENTS**

Tree Type	Minimum Size
Shade Trees (overstory)	2.5-inch caliper
Ornamental Trees (understory)	1.5-inch caliper
Evergreen Trees (overstory)	4-6 feet
Tall Shrubs and Hedge Material (deciduous or coniferous)	3-4 feet

Low Shrubs (deciduous)	5 gallon
------------------------	----------

(b) **Tree and woodland preservation.** The following restrictions shall apply to all residential development occurring in wooded areas:

- (1) Structures shall be located in such a manner that the maximum number of trees shall be preserved.
- (2) Prior to the granting of a building permit, it shall be the duty of the person seeking the permit to demonstrate that there are no feasible or prudent alternatives to the clear-cutting of trees on the site and that if trees are cut, the person will restore the density of trees to that which existed before development but in no case shall the person be compelled to raise the density above 10 trees per acre.
- (3) Forestation, reforestation or landscaping shall utilize a variety of tree species and shall not utilize any species presently under disease epidemic. Species planted shall be hardy under local conditions and compatible with the local landscape.
- (4) A tree inventory will be prepared.

---

## 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) Ramsey Tree Book. The city has developed the Ramsey Tree Book, which includes landscape design and maintenance principles and promotes the use of appropriate plant materials.~~

~~(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 preferred, acceptable, and prohibited desirable and undesirable trees, and 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.~~

(ed) *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 [or, if not in the Ramsey Tree Book, have approval of the city.](#) 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) *Tree stock.* [Required plantings shall be free of insects, diseases, and mechanical injuries and shall have a straight trunk and form that is characteristic of the species.](#)
  - (6) *Minimum planting sizes.* [The minimum planting sizes for all zoning districts shall be:](#)
    - a. [Deciduous overstory tree: 2 inch caliper;](#)

- b. Deciduous understory/ornamental tree: 1.5 inch caliper;
- c. Coniferous tree and multi-stem deciduous tree: 6 feet in height; and
- d. Shrubs: twenty-four (24) inches in height or width, dependent upon growth characteristics.

~~(57)~~ *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 <del>50 feet of frontage</del> lot, planted in the boulevard	<del>1 inch caliper — deciduous</del> <del>56 foot height — conifer</del>
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)	<del>1 inch caliper — deciduous</del> <del>5 foot height — conifer</del>
R-1 Rural Developing	Overstory Deciduous and/or Coniferous trees	2 trees per dwelling, planted in the front yard	<del>1 inch caliper — deciduous</del> <del>5 foot height — conifer</del>

- 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.

~~(68)~~ *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
<del>Deciduous Tree</del>	<del>1 inch caliper</del>
<del>Coniferous Tree</del>	<del>5 feet in height</del>
<del>Ornamental Tree</del>	<del>1 inch caliper</del>

Deciduous Shrub	2 feet in height
Evergreen	2 feet in height or width, based on growth characteristics

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

- 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.

- b. Employment ~~and~~ COR districts (E-1, E-2, ~~and~~ E-3, and COR). 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:

- Determine ratio of impervious area (including stormwater ponds below the 100-year flood elevation) to entire site.
- 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.
- The following formula shall be utilized to determine the average canopy cover of a species:  $[(\text{Minimum} + \text{Maximum Spread}) \div 4]^2 \times \pi \times (0.65 \text{ for preferred species or } 0.50 \text{ for acceptable species, as identified in the Ramsey Tree Book})$ .
- Due to the unique nature of the COR district, flexibility with the minimum planting standards may be approved if space is a limiting factor.

~~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

- dc. 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 [for the district](#).
- ed. 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 [and are credited toward the minimum planting requirements for the district](#):
- 1 tree per every ten parking spaces.
  - Every overstory tree planting shall be provided with a planting area of at least 162 square feet [\(equivalent of a 9 foot x 18 foot parking stall\)](#).
  - Acceptable ground cover materials include sod, mulch, and other natural ground cover. Landscaping rock and plastic underlayment is prohibited in planting islands.
- fe. 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.
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 [\(the percentage is applied to the total number of trees and shrubs required for the proposed development\)](#):

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%

Proposed Development	Existing Adjacent Development		
	R-1	R-2	R-3
Business (B-1, B-2, B-3, H-1, NBD) Bufferyard width	40 feet	40 feet	40 feet
% increase in plantings	30%	30%	30%
Employment (E-1, E-2, E-3)	60 feet	60 feet	60 feet
% increase in plantings	30%	30%	30%

2. As an alternative method for screening within the bufferyard, 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~~ fifty percent from the stated minimum requirement.
- g.f. 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. ~~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.~~
- (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. 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~~
- (2) 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 the~~ by 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.
  - 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.

g. *Privacy and buffering.*

1. Preservation of existing trees helps maintain privacy and establishes a buffer between conflicting uses or varying residential densities.

~~(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.~~

~~(c) 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 ~~permit~~ permission 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.~~

*(d) 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.

- (e) *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.~~

(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.~~
- (1) Residential and commercial development plans shall be designed to preserve ~~native natural~~ 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.~~
  - (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 ~~nor shall any construction materials, debris, or soil/fill be stored or deposited 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.~~
- (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, species, and condition of all significant trees on site in both graphic and tabular form. 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 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;
  - (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;

**Commented [CA1]:** Do we want to consider modifying these definitions? Either breaking out deciduous hardwoods (e.g. basswood, birch, black cherry, catalpa, hackberry, honey locust, ironwood, maple (hard), oak, and walnut) and softwoods (softwoods generally less desirable, they typically are faster growing but with weaker wood) with different sizes, increasing the size that constitutes a significant tree, and/or changing the coniferous standard to a height rather than DBH.

City of Dayton defines significant tree as any healthy deciduous hardwood tree 6" or larger, any common tree (generally the 'soft' hardwoods) including cottonwood, poplar/aspens, box elder, willow, silver maple, red maple, elm, or any other tree species not defined as hardwood deciduous tree or a coniferous tree or considered non-native to Minnesota) 12" or larger, or any coniferous tree 12' in height or larger (they specify that every 3 feet in height equates to 1 inch of diameter).

- (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.~~

(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. \_\_\_\_\_~~

~~(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).~~

~~(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.~~

~~(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.~~

(63) 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.~~

~~(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.~~

~~(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.~~

(24) 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.

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

(46) 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.

(fe) *Removal threshold.*

(1) Within residential developments, ~~at least no more than 460~~ percent of the inches of existing significant tree DBH shall be ~~retained on site removed~~.

(2) Within business and employment developments, ~~at least no more than 370~~ percent of the inches of existing significant tree DBH shall be ~~retained on site removed~~.

(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.

(gf) Reforestation/restitution requirement. If a development exceeds the removal threshold specified in (fe) 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 significant tree inches to be removed 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.

(2) A reforestation plan shall be prepared by a registered landscape architect or forester and shall comply with the following criteria:

- ~~b.a.~~ The plan shall indicate the location and diameter (or height if coniferous; for each three (3) feet in height is equivalent to one (1) caliper inch) of all reforestation trees to be planted. This can be included on the landscape plan, but the reforestation calculation, trees, and inches, must be specified.
- b. Size at the time of planting shall comply with the planting standards outlined in ~~the~~ **respective zoning section 117-364 (Landscaping) district.**
- c. No more than 25 percent of the reforestation trees ~~to be planted~~ shall be from any one species.
- d. ~~Reforestation Replacement trees included~~ in the reforestation plan may count toward the ~~trees required by the city's landscaping regulations. base landscaping requirements 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, 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.

(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.~~

**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.~~~~

~~e.—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)