

City of Ramsey
Agenda
Environmental Policy Board (EPB)

Monday, May 15, 2023

6:30 pm

Council Chambers, 7550 Sunwood Drive NW

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

1. Call to Order

2. Citizen Input

3. Approve Agenda

4. Approve Minutes

1. Approve Meeting Minutes Dated April 17, 2023

5. Policy Board Business

1. In Memory of Environmental Policy Board Member Michael Hiatt
2. Consider Natural Resources Aspects of Proposed Site Plan for CorTrust Bank (Project No. 23-104)
3. Zoning Code Update

6. Board/Staff Input

- Spring Recycling Day Event Recap - May 6, 2023
- Arbor Day Planting Recap - May 3, 2023 at North Commons
- Compost Bin Distribution Event - May 16, 2023 - 3pm to 6pm - Public Works Campus - 14199 Jasper St NW
- June EPB Meeting - reschedule due to Juneteenth holiday (MN adopted and could potentially go into effect yet in 2023); Staff suggests June 12 as the alternate date

7. Adjournment

Environmental Policy Board (EPB)

4. 1.

Meeting Date: 05/15/2023

By: Chris Anderson, Community Development

Information

Title:

Approve Meeting Minutes Dated April 17, 2023

Action:

Motion to approve meeting minutes dated April 17, 2023.

Attachments

Meeting Minutes Dated April 17, 2023

Form Review

Inbox

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 05/11/2023

Reviewed By

Brian Hagen

Date

05/11/2023 11:31 AM

Started On: 05/09/2023 11:25 AM

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

On Monday, April 17, 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 Thomas Hagerty
 Board Member Hassan Salami
 Board Member Jessica Vikander

Members Absent: Board Member Michael Hiatt

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

1. CALL TO ORDER

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

Chairperson Moore welcomed the new members of the Board. The members of the Board introduced themselves.

2. CITIZEN INPUT

None.

3. APPROVE AGENDA

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

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

4. APPROVE MINUTES

4.01: Approve Meeting Minutes Dated March 20, 2023

Motion by Board Member Bernard and seconded by Board Member Salami to approve the regular meeting minutes dated March 20, 2023.

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

5. POLICY BOARD BUSINESS

5.01: Appoint Chairperson and Vice Chairperson

Senior Planner Anderson presented the staff report. He provided information on the new policy limiting the number of terms a member can serve consecutively as Chairperson. He noted that if interested, Chairperson Moore would be eligible to serve one more term in that position.

Chairperson Moore opened the floor for nominations for the position of Chairperson.

Board Member Bernard nominated Laura Moore for the position of Chairperson.

There were no other nominations.

Chairperson Moore accepted the nomination.

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

Motion by Board Member Salami and seconded by Board Member Moore to appoint Melissa Fetterley as Vice Chairperson of the Environmental Policy Board.

There were no other nominations.

Board Member Fetterley accepted the nomination.

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

5.02: Consider Natural Resources Aspects of Home2Suites Site Plan

Senior Planner Anderson presented the staff report. He stated that the City has received an application from Ramsey Properties, LLC for a proposed new hotel to be located at the northwest corner of the intersection of Sunwood Drive and Zeolite Street. The application includes both a plat and site plan. He presented a revised landscaping plan which addresses all his previous comments, with the exception of the addition of pavers, and provided an overview.

Chairperson Moore asked if the applicant is purchasing the entire parcel shown in blue with plans to expand.

Senior Planner Anderson replied that the applicant is only purchasing the area marked and identified the boundary. He stated that the City will retain ownership of the remainder of the land.

Board Member Fetterley referenced the circles shown in the parking lot and asked if those would be trees or shrubs.

Senior Planner Anderson replied that it would be a combination of the two noting that there would be overstory trees with shrubbery below.

Board Member Fetterley noted a triangle area in the southwest corner marked for future expansion and asked how that area would appear until that time.

Senior Planner Anderson replied that would be a dry sandy seed mix designed for general roadside scenarios.

Motion by Board Member Bernard and seconded by Board Member Salami to recommend approval of the natural resources aspects of the proposed plat and site plan for Home2Suites, contingent upon the condition of staff related to pavers.

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

5.03: Review Proposed Tree Preservation and Landscaping Ordinance Updates

Senior Planner Anderson presented the staff report. He stated that the Planning Division is currently working on an overview of the Zoning Code, which includes topics such as Tree Preservation and Landscaping. The tree preservation standards of various communities similar to Ramsey were included in the packet for comparison purposes as well as the drafts proposed by staff. He welcomed feedback from the Board.

Chairperson Moore commented that she supports eliminating extra and repetitive language and agrees with the proposed changes. She referenced the previous case where there was mention of aspen trees, which are not considered significant. She noted that on that property there are many aspens on the northern portion and while she would not want to put in different size requirements for different tree species in terms of removal, she also does not want to see a site clear cut.

Senior Planner Anderson stated that his first portion of the presentation was related to landscaping and welcomed those comments before moving to tree preservation.

Board Member Fetterley agreed with the changes proposed to the landscaping section.

Chairperson Moore commented that she also supports the simplified buffer yard regulations.

Senior Planner Anderson provided an overview of the proposed changes to tree preservation.

Chairperson Moore commented that she would prefer the smaller size for definition of significant tree. She agreed that it would be burdensome to provide a size for each species of tree but noted that perhaps it could be broken down in another manner such as hardwood versus softwood.

Senior Planner Anderson asked if the suggestion would be for a different size for hardwoods and softwoods in the inventory.

Chairperson Moore provided additional clarification suggesting that perhaps some others are listed as softwoods would almost never reach that size.

Board Member Fetterley stated that she agrees that she would like to preserve as many trees as possible but after the resources provided, she believes that Ramsey compares to similar communities and would not want to overcomplicate things. She believed that the eight-inch size is reasonable based on what other communities are doing. She did believe that calling out additional species would complicate things.

Senior Planner Anderson provided clarification on the tree preservation standards for the new members of the Board.

6. BOARD / STAFF INPUT

- **Spring Recycling Day – May 6, 2023; 8am – 12pm, Ramsey Public Works Campus (14199 Jasper Street NW)**

Senior Planner Anderson noted the upcoming spring recycling event details.

- **Compost Bin Distribution Event – May 16, 2023; 3pm – 6pm, Ramsey Public Works Campus (14199 Jasper Street NW)**

Senior Planner Anderson provided details on the upcoming event.

7. ADJOURNMENT

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

The meeting adjourned at 7:39 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: 05/15/2023

By: Chris Anderson, Community Development

Information

Title:

In Memory of Environmental Policy Board Member Michael Hiatt

Purpose/Background:

Michael Hiatt passed away on April 26, 2023 after a short hospital stay. Mr. Hiatt served on the City's Environmental Policy Board (EPB) since 2012. He had a passion for giving back to the community and was always interested in getting out into the community to improve environmental awareness. Mr. Hiatt will be greatly missed. The Environmental Policy Board and Staff wish to honor Michael's memory and recognize him for all he has done for the Community and his contributions to the EPB.

Action:

Attachments

No file(s) attached.

Form Review

Inbox

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 05/11/2023

Reviewed By

Brian Hagen

Date

05/11/2023 11:31 AM

Started On: 05/09/2023 03:12 PM

Meeting Date: 05/15/2023

By: Chris Anderson, Community Development

Information

Title:

Consider Natural Resources Aspects of Proposed Site Plan for CorTrust Bank (Project No. 23-104)

Purpose/Background:

The City has received an application from CorTrust Bank (the "Applicant") for a proposed new bank to be located at the northeast corner of Zeolite Street and Sunwood Drive (the "Subject Property"). The application includes a Site Plan, a Plat, and a Zoning Amendment.

Observations/Alternatives:

General Project Summary

The Applicant is proposing a single-story bank that will provide service for walk-up customers and includes drive-thru service as well. The Subject Property is a little less than twelve (12) acres in size, but the bank would only acquire about 1.25 acres. The Subject Property is located within the COR District and, more specifically, the COR-2a sub-district, where banks are a permitted use. The requested Zoning Amendment is to rezone the property from COR-2a to COR-2b to accommodate their proposed two (2) drive-thru lanes (COR-2a only allows one drive-thru lane).

Natural Resources Inventory and Land Cover Classification System

The City's Natural Resources Inventory (NRI) does not indicate any native plant communities within the Subject Property. The Subject Property is categorized as 'urban with little vegetative cover' per the Minnesota Land Cover Classification System (MLCCS). The Subject Property has no designated floodplains.

Tree Inventory and Preservation Plan

The plans do include a tree inventory. There are twenty-seven trees on the roughly 1.25 acres that the bank would be constructed. There are two (2) red cedars, one (1) box elder, and the rest are Siberian elms, which are an invasive species. All trees within this 1.25 acre are proposed to be removed. As the vast majority of them are invasive, they would be excluded from the removal threshold. Thus, based on the proposed landscaping (see below), the project will satisfy the tree preservation standards via reforestation on site. Staff has requested a bit more information regarding the tree inventory and preservation plan, but nothing of any great significance.

Landscape Plan

The Landscape Plan is generally acceptable with the corrections noted on the plan sheets. Staff is working with the Applicant to lengthen the eastern most planter bed along Sunwood Drive so it matches the beds east of Zeolite Street (south side of Sunwood Drive). Additionally, Zeolite Street will be reconstructed (a City project) in 2024, so it does not make sense to have boulevard trees installed until after the road project is complete. Based on the linear footage along Zeolite Street (about 270 feet), eight boulevard trees would be required (spaced at 35 feet on center). Similar to the hotel project, which is just across Zeolite Street from the Subject Property, Staff is recommending collecting a boulevard tree fee through the Development Agreement that can be used to purchase and install these trees in accordance with the COR Design Framework as part of the City's road construction project. There are other minor corrections needed on the Landscape Plan as noted on the attached plan sheets.

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 project.

Attachments

Site Location Map

Sketch Plan

Site Plan

Tree Inventory

Sheet L1.1

Sheet L2.1

Form Review

Inbox

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 05/11/2023

Reviewed By

Brian Hagen

Date

05/11/2023 11:30 AM

Started On: 05/09/2023 09:03 AM

SITE DATA

Areas:	
Lot 1, Block 1	= 53,891 +/- square feet or 1.24 +/- acres
Outlot A	= 456,789 +/- square feet or 10.48 +/- acres
Total Property Area	= 510,680 +/- square feet or 11.72 +/- acres

LEGEND

● FOUND 1/2 INCH OPEN IRON MONUMENT UNLESS SHOWN OTHERWISE	—> STORM SEWER
* FOUND REBAR	—> SANITARY SEWER
○ SET 1/2 INCH X 1/4 INCH IRON MONUMENT, MARKED "LS 5342"	—> MAPPED SANITARY SEWER
⊗ CATCH BASIN	—> MAPPED WATERMAIN
⊙ STORM MANHOLE	—> MAPPED UNDERGROUND ELECTRIC
○ SANITARY MANHOLE	— CONCRETE CURB
○ HYDRANT	— CONTOUR
⊕ GATE VALVE	— SPOT ELEVATION
⊕ HAND HOLE	— CONIFEROUS TREE
⊕ LIGHT POLE	— DECIDUOUS TREE
⊕ SIGN	— BOXELDER
⊕ UNDERGROUND UTILITY MARKER	— EL
— PARTIAL TOPOGRAPHY LIMITS	— TC
— BSBL	— TOP OF CURB

ZONING INFORMATION

Current Zoning: COR-2a
Proposed Zoning: COR-2b

Yard (Building) Setbacks:
Front 15 feet Maximum
Side 0 feet Minimum
Rear 0 feet Minimum

Off-Street Parking Setbacks:
Front 0 feet Minimum
Side 0 feet Minimum
Rear 0 feet Minimum

CORTRUST BANK

RAMSEY, MN

CORTRUST BANK

1300 BABCOCK BLVD E
DELANO, MN 55328

LOUCKS

PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL

7200 Hemlock Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com

CADD QUALIFICATION

CADD files prepared by the Consultant for this project are prepared by the Consultant professional services for use solely with respect to this project. These CADD files shall not be used on other projects, for additions to this project, or for completion of this project by others without written approval by the Consultant. With the Consultant's approval, others may be permitted to obtain copies of the CADD drawing files for information and reference only. All intellectual or contractual rights, additions, or deletions to these CADD files shall be made at the full risk of the party making such requests, additions or deletions and the party shall hold harmless and indemnify the Consultant from any & all responsibilities, claims, and liabilities.

SUBMITTAL/REVISIONS

04/17/23 PLAN ISSUED

PROFESSIONAL SIGNATURE

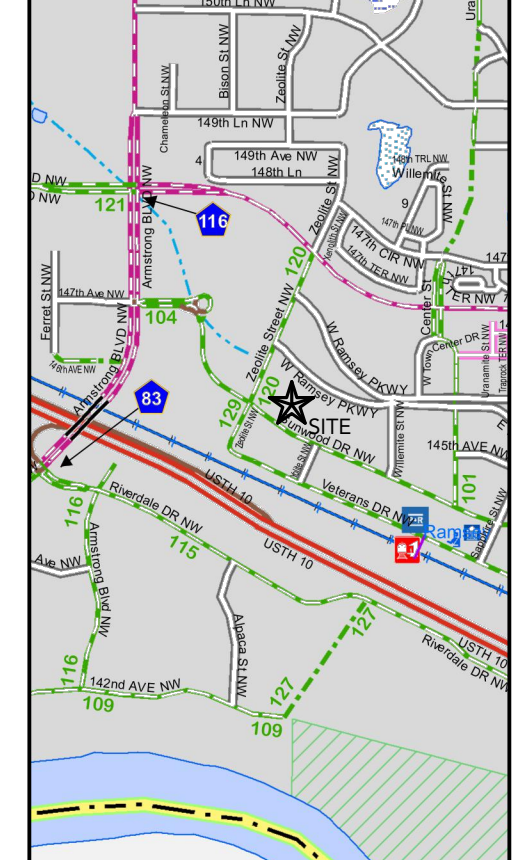
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Janet J. Auerbach
Janet J. Auerbach - PLS
License No. 53642
Date 04/17/23

QUALITY CONTROL

Loucks Project No. 23024A
Project Lead JJA
Drawn By SEK
Checked By JJA
Field Crew DJP

VICINITY MAP



SKETCH PLAN

1 OF 1

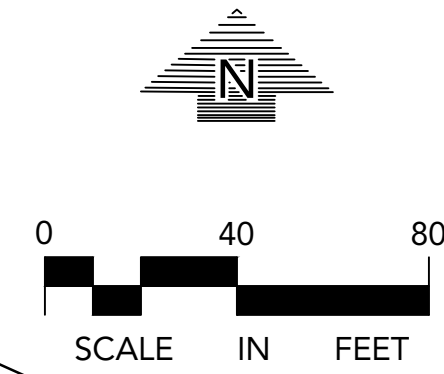


LEGAL DESCRIPTION

(Per Anoka County Tax Records)
Outlot C, AFFINITY AT THE COR, Anoka County, Minnesota

GENERAL NOTES

- | | |
|---|--|
| SURVEYOR:
Loucks
7200 Hemlock Lane, Suite 300
Maple Grove, MN 55330
763-424-5505 | OWNER/DEVELOPER:
CorTrust Bank
1300 Babcock Boulevard E
Delano, MN 55328
612-590-1165 |
|---|--|
- Prepared April 17, 2023.
 - The address, if disclosed in documents provided to or obtained by the surveyor, or observed while conducting the fieldwork is unassigned in Ramsey, MN 55303.
 - The bearings for this survey are based on the Anoka County Coordinate System NAD 83 (1986 Adjust).
 - The field work was completed on 03/15/23.



Plotted: 04/17/2023 9:37 AM W:\2023\23024\CADD DATA\SURVEY\Long Sheet\Plan\Sketch23024A.PDF

LEGEND

- FOUND 1/2 INCH OPEN IRON MONUMENT UNLESS SHOWN OTHERWISE
- ✱ FOUND REBAR
- SET 1/2 INCH X 14 INCH IRON MONUMENT, MARKED "LS 53442"
- HAND HOLE
- LIGHT POLE
- ⊕ SIGN
- UNDERGROUND UTILITY MARKER
- PARTIAL TOPOGRAPHY LIMITS
- ▬ CONCRETE CURB
- CONTOUR
- SPOT ELEVATION
- ☼ CONIFEROUS TREE
- ☼ DECIDUOUS TREE

TREE INVENTORY

TREE #	SPECIES	DIAMETER AT BREAST HEIGHT	STEMS	CONDITION
1	Elm, Siberian	9	3	Fair
2	Elm, Siberian	8	1	Fair
3	Cedar, red	4	1	Good
4	Boxelder	10	3	Fair
5	Elm, Siberian	17	2	Fair
6	Elm, Siberian	8	1	Fair
7	Elm, Siberian	11	1	Fair
8	Cedar, red	4.5	1	Good
9	Elm, Siberian	9	1	Good
10	Elm, Siberian	12	1	Good
11	Elm, Siberian	10	1	Fair
12	Elm, Siberian	10.5	1	Fair
13	Elm, Siberian	12	1	Good
14	Elm, Siberian	11	1	Fair
15	Elm, Siberian	9.5	1	Good
16	Elm, Siberian	10	1	Fair
17	Elm, Siberian	12.5	1	Fair
18	Elm, Siberian	13.5	1	Fair
19	Elm, Siberian	10	3	Fair
20	Elm, Siberian	16	1	Good
21	Elm, Siberian	14	1	Good
22	Elm, Siberian	9	1	Good
23	Elm, Siberian	9	1	Fair
24	Elm, Siberian	8.5	1	Good
25	Elm, Siberian	8	1	Good
26	Elm, Siberian	12	3	Fair
27	Elm, Siberian	10.5	1	Good



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SUBMITTAL/REVISIONS

DATE	DESCRIPTION
04/13/23	TREE INVENTORY

PROFESSIONAL SIGNATURE

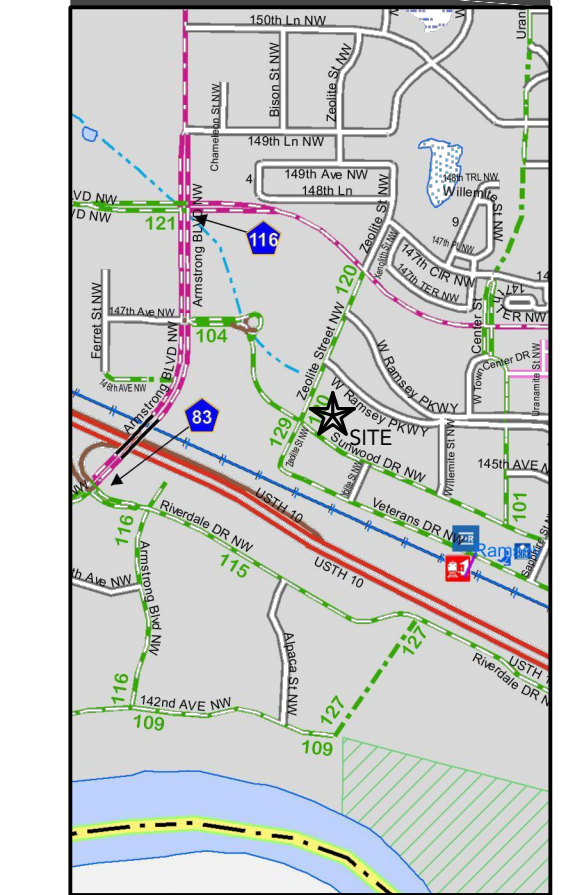
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Janet Auerbach
Janet J. Auerbach - PLS
License No. 53642
Date 03/28/23

QUALITY CONTROL

Loucks Project No. 23024A
Project Lead JJA
Drawn By SEK
Checked By JJA
Field Crew DJP

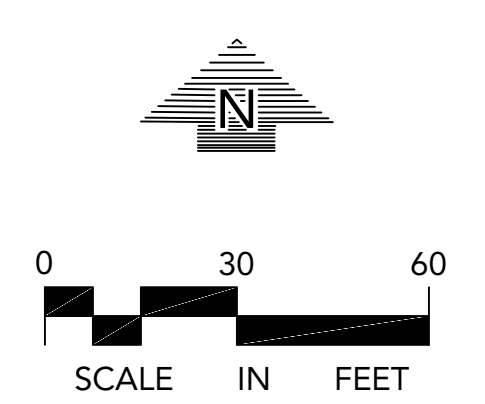
VICINITY MAP



TREE INVENTORY

SURVEY REPORT

- The bearings for this survey are based on the Anoka County Coordinate System NAD 83 (1996 Adjust).
- Trees shown hereon are measured at breast height.
- The trees shown hereon were identified and field located to sub-meter accuracy by Stephen Nicholson, a Certified Arborist and Forester with Treebiz on 04/12/23.
- See sheets 1 and 2 for boundary and partial topographic survey.



1 - More Information Needed

Created by: Chris Anderson
On: 04/21/2023 02:35 PM

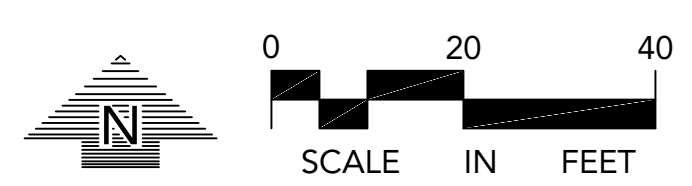
Please add the following information to the Tree Inventory Table:

Total DBH inches

Total Invasive inches

Status (e.g. save or remove)

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



NOTE:
EXISTING CONDITIONS INFORMATION
SHOWN IS FROM A BOUNDARY &
PARTIAL TOPOGRAPHIC SURVEY
PREPARED BY LOUCKS, DATED 03/28/2023.

**CORTRUST
BANK**
RAMSEY, MINNESOTA

LOUCKS
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SUBMITTAL/REVISIONS
CITY SUBMITTAL 4/17/2023

PROFESSIONAL SIGNATURE
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 Landscape Architect under the laws of the State of Minnesota.

License No. 56877
Date XX/XX/23

QUALITY CONTROL
Loucks Project No. 23024
Project Lead NWE
Drawn By DRC
Checked By NWE
Review Date XX/XX/23

SHEET INDEX

- C1.1 EXISTING CONDITIONS
- C1.2 DEMOLITION PLAN
- C2.1 SITE PLAN
- C3.1 GRADING PLAN
- C3.2 SWPPP
- C3.3 SWPPP NOTES
- C4.1 UTILITY PLAN STORM SEWER
- C4.2 UTILITY PLAN SAN & WATER
- C8.1 CIVIL DETAILS
- C8.2 CIVIL DETAILS
- L1.1 LANDSCAPE PLAN
- L1.2 LANDSCAPE DETAILS



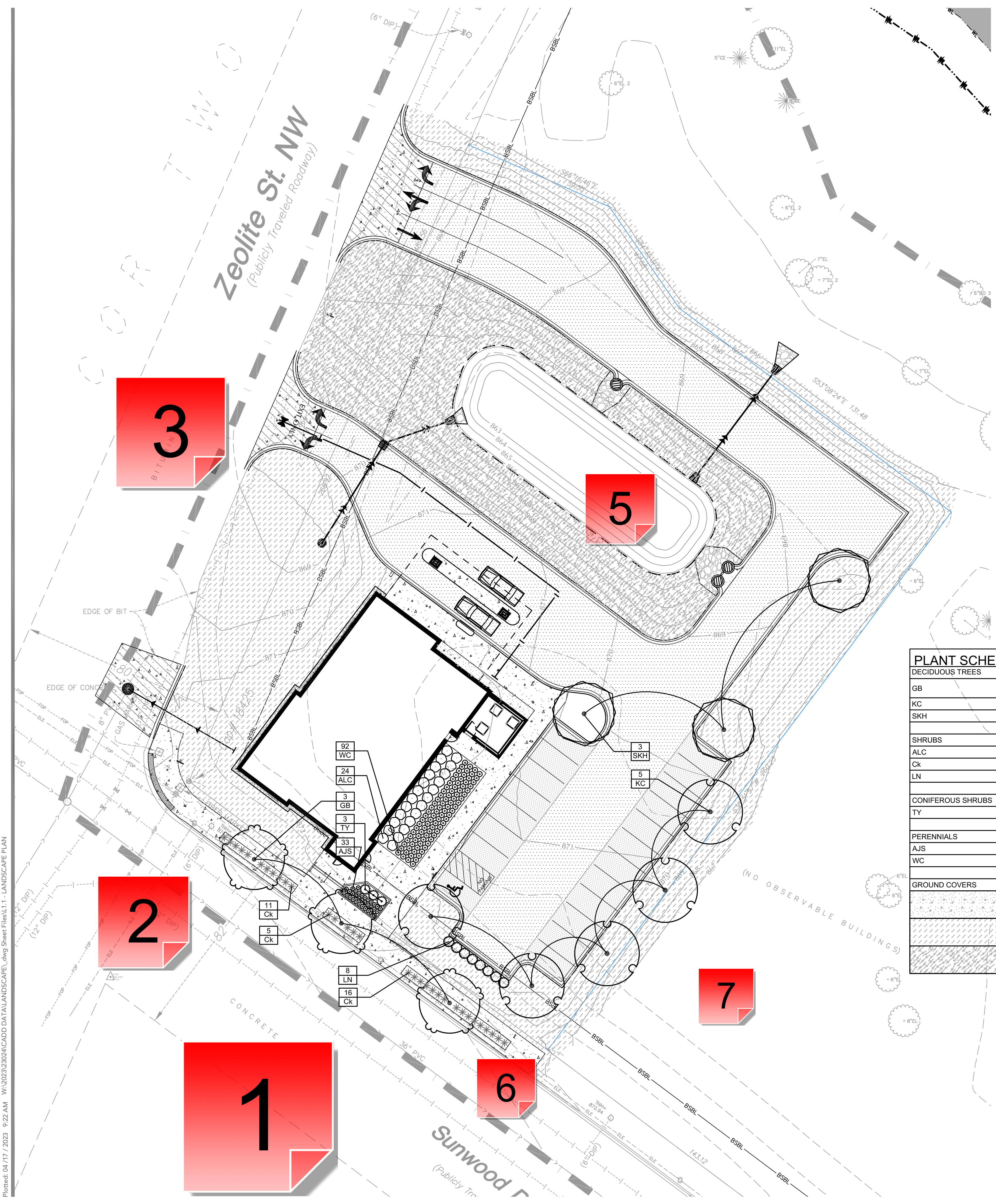
CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

WARNING:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

**LANDSCAPE
PLAN
L1.1**

PLANT SCHEDULE						
DECIDUOUS TREES						
GB	3	GINKGO TREE MALE NON-FRUITING	Ginkgo biloba	B & B		2.5" Cal
KC	5	KENTUCKY COFFEETREE	Gymnocladus dioica	B & B		2.5" Cal
SKH	3	SKYLINE HONEYLOCUST	Gleditsia triacanthos 'Skycole'	B & B		2.5" Cal
SHRUBS						
ALC	24	ALPINE CURRANT	Ribes alpinum	5 gal		24" HGT 48" o.c.
Ck	32	Karl Foerster Feather Reed Grass	Calamagrostis x acutiflora 'Karl Foerster'	5 gal		36" o.c.
LN	8	LITTLE DEVIL NINEBARK	Physocarpus opulifolius 'Little Devil'™	5 gal		24" HGT 48" o.c.
CONIFEROUS SHRUBS						
TY	3	TAUNTON YEW	Taxus x media 'Taunton'	5 gal		18" SPRD 48" o.c.
PERENNIALS						
AJS	33	AUTUMN JOY SEDUM	Sedum x 'Autumn Joy'	1 gal		18" o.c.
WC	92	WALKERS LOW CATMINT	Nepeta x faassenii 'Walkers Low'	1 gal		24" o.c.
GROUND COVERS						
	SM 1	196 sf	STONE MULCH CRUSHED GRAY ROCK 1/4" MINUS 3" DEPTH			
	SOD	17,694 sf	TURF SOD			
	Seed 4	8,916 sf	WETLAND SEED MIX REFER TO SPEC SECTION 32-9219	BWSR SEED MIX 34-261 RIPARIAN SOUTH AND WEST		



Plotted: 04/17/2023 9:22 AM W:\2023\23024\CADD\DATA\LANDSCAPE.dwg Sheet File:L1.1 - LANDSCAPE PLAN

L1.1 LANDSCAPE PLAN.pdf V1 - Changemark Notes (7 Notes)

1 - Planter Bed Plantings

Created by: Chris Anderson
On: 04/21/2023 03:06 PM

For the west and east beds (the longer beds), Each planter bed shall include the following:
2 trees each (Ginkgo biloba is acceptable).
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. Sunwood Drive planter beds must include 1'x1' precast pavers along back of curb (see beds on south side of road).

For the middle bed (shorter), it can be one tree (again, Ginkgo is acceptable) with approximately half of the above listed quantities for perennials and decorative grasses.

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

2 - Planter Bed Mulch

Created by: Chris Anderson
On: 04/21/2023 03:25 PM

All planter beds along Sunwood Drive shall have mink mulch (matches mulch of all other beds along Sunwood Drive).

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

3 - Trees along Zeolite St

Created by: Chris Anderson
On: 04/21/2023 03:27 PM

Normally, trees would be required along Zeolite St as part of this project. However, Zeolite will be reconstructed by the City in 2024 so it doesn't make sense to install these trees as part of this project. Instead, the Development Agreement will specify an equivalent cost that shall be paid to the city, which will be used to install the street trees as part of the street reconstruction project.

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

4 - Shrub Size

Created by: Chris Anderson
On: 04/21/2023 03:30 PM

Shrubs shall be a minimum of 24 inches in height or width, depending on growth characteristics. Modify table accordingly for taunton yew.

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

5 - Drinking Water Supply Management Area

Created by: Chris Anderson
On: 04/21/2023 03:41 PM

This site is within a Drinking Water Supply Management Area (DWSMA) and within a 10-year capture zone. Ponding is not allowed. Please work with our Engineering Department on how to address stormwater management requirements.

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

6 - Planter Bed

Created by: Chris Anderson
On: 04/28/2023 11:58 AM

Lengthen this planter bed so it is 55 feet long and add a second ginkgo tree to it.

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

7 - Soil Amendents in Planter Beds

Created by: Chris Anderson
On: 04/28/2023 11:58 AM

Each tree within the planter beds along Sunwood Drive shall have no less than ½ cubic yard 'Plaisted's Growers Mix' incorporated into the parent soil immediately surrounding each tree, at a rate of 25% Plaisted's soil to 75% native or parent soil.

Plaisted's Grower's Mix
<https://plaistedcompanies.com/horticultural-mixes/>

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

1 - City Approval Required

Created by: Chris Anderson
On: 04/21/2023 03:20 PM

Modify this note to specify that any deviation from the approved species requires city approval prior to installation.

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

2 - 2-year Warranty Period

Created by: Chris Anderson
On: 04/21/2023 03:22 PM

The Development Agreement will require a warranty period of 2-years from the date of landscape inspection approval by the city.

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

3 - Irrigation System

Created by: Chris Anderson
On: 04/21/2023 03:23 PM

Any irrigation system installed shall contain a rain sensor and some form of water efficient technology such as a weather compensating smart controller. Modify note accordingly.

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

4 - Planter Bed Irrigation

Created by: Chris Anderson
On: 04/21/2023 03:35 PM

There is an existing irrigation line in place along Sunwood Drive. This irrigation line shall be used for the planter beds along Sunwood Drive (it shall not be used for internal site irrigation). Coordinate with City Staff for use of this existing irrigation line.

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

5 - Topsoil

Created by: Chris Anderson
On: 04/21/2023 03:37 PM

All disturbed areas not otherwise improved with impervious surfacing, shall be finished with four (4) inches of topsoil with not more than 35% sand content. A topsoil inspection is required prior to installing sod and plantings.

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

Environmental Policy Board (EPB)

5.3.

Meeting Date: 05/15/2023

By: Chris Anderson, Community Development

Information

Title:

Zoning Code Update

Purpose/Background:

As the Environmental Policy Board (EPB) knows, City Staff is in the process of rewriting the City's Zoning Code. Attached to this case are the current drafts of the Landscaping and Tree Preservation sections (both with the markups and the 'clean' versions). Staff has also created a separate chapter for Shade Tree Diseases and Pests. Much of the language in this new chapter was simply moved from the Tree Preservation section. However, Staff has also added new language, including a paragraph summarizing the intent of the standards, standards for tree contractors (licensing requirement), a declaration of what constitutes a tree nuisance, specific standards that would support issuance of a 'Notice to Take Action', and preventative measures. Staff has forwarded this draft to the City Attorney for review and comment. As of the writing of this case, Staff has not received a response from the City Attorney.

The EPB has reviewed iterations of both the Landscaping and Tree Preservation sections previously. Staff took the feedback from the EPB's last meeting to finalize the drafts of both of these sections and wanted to provide one last opportunity to review. This is the first opportunity the EPB has to review the Shade Tree Diseases and Pests chapter and, as can be seen, it's still in a fairly rough draft format, at least until there is feedback from the City Attorney. As with the other sections, any feedback from the EPB would be welcomed.

Action:

Based on discussion.

Attachments

- Landscaping Section with Markups
 - Landscaping Section 'Clean'
 - Tree Preservation Section with Markups
 - Tree Preservation Section 'Clean'
 - Shade Tree Diseases and Pests
-

Form Review

Inbox	Reviewed By	Date
Brian Hagen	Brian Hagen	05/11/2023 11:31 AM
Form Started By: Chris Anderson		Started On: 05/09/2023 02:31 PM
Final Approval Date: 05/11/2023		

Sec. 117-364. Landscaping.

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

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

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

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

(c) 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 50 feet of frontage lot, planted in the boulevard	1 inch caliper — deciduous 56 foot height — conifer
R-1 Residential (MUSA) — SF Detached Homes	Overstory Deciduous and/or Coniferous trees	2 trees per dwelling, planted in the boulevard (or front yard depending on available space)	1 inch caliper — deciduous 5 foot height — conifer
R-1 Rural Developing	Overstory Deciduous and/or Coniferous trees	2 trees per dwelling, planted in the front yard	1 inch caliper — deciduous 5 foot height — conifer

- 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
Deciduous Tree	1 inch caliper
Coniferous Tree	5 feet in height
Ornamental Tree	1 inch caliper

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

(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:

1. Determine ratio of impervious area (including stormwater ponds below the 100-year flood elevation) to entire site.
2. Multiply the impervious area/site area ratio by the square footage of the pervious area to calculate the required canopy cover square footage for the project area.
3. The following formula shall be utilized to determine the average canopy cover of a species: $[(\text{Minimum} + \text{Maximum Spread}) \div 4]^2 \times \pi \times (0.65 \text{ for preferred species or } 0.50 \text{ for acceptable species, as identified in the Ramsey Tree Book})$.
4. 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 [\(the percentage is applied to the total number of trees and shrubs for the proposed development\)](#):

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.

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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)

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 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 includes lists of preferred, acceptable, and prohibited trees and shrubs.
- (d) *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.
 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.](#)
- (7) *Planting requirements for the R-1 Residential District.*

Zoning District	Planting Type	Minimum Number Required
R-1 Residential (MUSA) — Villas	Overstory Deciduous and/or Coniferous trees	1 tree per lot, planted in the boulevard
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)
R-1 Rural Developing	Overstory Deciduous and/or Coniferous trees	2 trees per dwelling, planted in the front yard

- 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.

(8) 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: $[(\text{Minimum} + \text{maximum spread}) \div 4]^2 \times \pi \times (0.65 \text{ for preferred species or } 0.50 \text{ for acceptable species, as identified in the Ramsey Tree Book})$.

(9) Planting requirements for business, employment, and COR districts (B-1, B-2, B-3, Neighborhood Business, H-1, E-1, E-2, 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, 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:
1. Determine ratio of impervious area (including stormwater ponds below the 100-year flood elevation) to entire site.
 2. Multiply the impervious area/site area ratio by the square footage of the pervious area to calculate the required canopy cover square footage for the project area.
 3. The following formula shall be utilized to determine the average canopy cover of a species: $[(\text{Minimum} + \text{Maximum Spread}) \div 4]^2 \times \pi \times (0.65 \text{ for preferred species or } 0.50 \text{ for acceptable species, as identified in the Ramsey Tree Book}).$
 4. 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. *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.
- d. *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. 1 tree per every ten parking spaces.
 2. Every overstory tree planting shall be provided with a planting area of at least 162 square feet (equivalent of a 9 foot x 18 foot parking stall).
 3. Acceptable ground cover materials include sod, mulch, and other natural ground cover. Landscaping rock and plastic underlayment is prohibited in planting islands.
- e. *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 for the proposed development):

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**, 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 **fifty** percent from the stated minimum requirement.
 - 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.~~

~~(d)~~ *Administration.*

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

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

Sec. 117-325. Landmark trees.

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

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

Sec. 117-326. Public trees.

- (a) *Authority.* The city shall have the right, but does not have the obligation, to plant, prune, maintain and remove trees, plants and shrubs within the public right-of-way of all streets, alleys, ~~avenues, lanes,~~ squares, parks, and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such ~~public grounds areas.~~
- (b) *Removal of public trees.* No trees, brush, vines, shrubs and/or ground cover are to be removed by anyone, including adjacent landowners or agents of any landowner, from any city-owned land, greenways or access corridors from greenways without the ~~written~~ permission of the city.
- (c) *Storage upon public land.* No person shall deposit, place, store, or maintain upon any public ~~place~~ land of the ~~municipality~~ city any stone, brick, sand, concrete, vehicles, equipment, toxins, animals, tree carving, or other materials which may impede the free passage of water, air, or fertilizer to the roots of any tree growing therein, except by written ~~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;

- (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 as defined herein, 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.~~~~

~~c.—An evaluation of "potentially dangerous" means that a hazard to the public will exist in the near future. The property owner will be notified and should remove the future hazard as soon as possible.~~

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

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

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

~~(1) The provisions of this division are not intended to prohibit agriculture, silviculture, horticulture, or nursery operations within the city.~~

~~(2) The provisions of this division are intended to prevent the spread of disease or infestation of trees within the city. Authorization may be obtained to remove certain trees to prevent the transmission of disease or infestation and to alleviate potentially hazardous trees that may cause injury to persons or property.~~

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

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.
- (b) *Intent and Objectives.* The intent of this division is to 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 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:
- (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 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 by establishing visual screening and buffering noise, glare and heat abatement;
 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 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) *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, squares, parks, and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such 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 land of the city any stone, brick, sand, concrete, vehicles, equipment, toxins, animals, tree carving, or other materials which may impede the free passage of water, air, or fertilizer to the roots of any tree growing therein, except by written permission of the city.
- (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 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.

(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, as described in subsection (b) of this section, a tree preservation plan shall be submitted to and approved by the city.

(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.

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

(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.

(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 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;
- (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;

(d) *Tree protection measures.*

- (1) 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 to be preserved.
- (2) 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.
- (3) Silt barriers or similarly effective erosion control barriers shall be required in any area where erosion or siltation may cause damage to protected trees.
- (4) 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.
- (5) All open trenching is prohibited. Utility installation within the dripline of protected trees, during construction or thereafter, can only occur using trenchless methods.
- (6) 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.

(e) *Removal threshold.*

- (1) Within residential developments, no more than 60 percent of the inches of existing significant tree DBH shall be removed.
- (2) Within business and employment developments, no more than 70 percent of the inches of existing significant tree DBH shall be removed.
- (3) Significant trees removed for water quality treatment ponds, public trails and sidewalks, and arterial and collector streets as defined herein, or that are considered invasive species, are considered exempt from the removal threshold calculation.

- (f) Reforestation/restitution requirement. If a development exceeds the removal threshold specified in (e) 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 (**caliper**) of new trees or provide the city with \$125.00 in restitution.
- (g) Reforestation/restitution plan.
- (1) If the total number of **significant** tree inches **to be removed** exceeds the removal threshold, the developer shall provide a reforestation plan, 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:
 - 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 **section 117-364 (Landscaping)**.
 - c. No more than 25 percent of the **reforestation** trees shall be from any one species.
 - d. **Replacement** trees in the reforestation plan may count toward the **trees required by the city's landscaping regulations**.
 - e. Restitution, if applicable, shall be paid in cash to the city prior to the release of the final plat mylars for recording 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.

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

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Shade Tree Diseases and Pests

Purpose/Intent. The City Council has determined that the health of the community forest, including both public and private trees, faces threats from certain lethal diseases and pests, including but not limited to, Oak Wilt, Dutch Elm Disease, and Emerald Ash Borer. Without proper preventative and control measures in place, the loss of trees from these epidemics would result in substantial depreciation of property values, could significantly reduce wildlife habitat and the beneficial wildlife corridor linkages, and detract from the city's rural character. In addition to, and in accordance with, Minn. Stats. 18G and Minn. Stats. 89.54-89.64, the provisions of this chapter are adopted as an effort to control and prevent the spread of these shade tree diseases and pests.

Definitions

Shade tree means a woody perennial grown primarily for aesthetic or environmental purposes.

Diseased tree means any diseased or insect infested tree that poses a threat to other trees in the city.

Tree Contractors

Any person, firm, or corporation that provides tree care, tree trimming, or removal of trees, limbs, branches, brush, or shrubs for hire must be registered with the Minnesota commissioner of Agriculture under Minn. Stat. § 18G.07.

License Required. It shall be unlawful for any individual partnership or corporation to conduct, as a business for profit, the cutting, trimming, pruning, removing, spraying or otherwise treating trees, shrubs or vines in the city without having secured a license from the city to conduct such business.

Application for a license under this chapter shall be made on a form approved by the city and shall include, among other things, the name and address of the applicant, the number of and names of employees of the applicant, and a description of vehicles and equipment used for the business, including license plate numbers if applicable. It shall also include proof compliance with Minn. Stat. § 18G.07.

Insurance Requirements. No license or renewal of a license shall be granted, nor shall the same be effective, until the applicant has filed with the city a certificate of insurance evidencing the holding of liability insurance and the limits required by Minnesota Statutes and proof of workers' compensation insurance. The city shall be named and the insurance provided shall include the city as an additional party insured. Said policy shall provide that it may not be canceled by the insurer except after ten (10) days written notice to the city and, if such insurance is so canceled and the licensee fails to replace the same with another policy conforming to the provisions of this chapter, said license shall be automatically suspended until such insurance has been replaced.

License Fee. The annual license fee shall be determined by the city's annual Fee Schedule.

Nuisances Declared. The following are considered public nuisances as their conditions represent a threat to the health of the community forest. The city may submit a wood sample to a laboratory, such as the University of Minnesota's Plant Disease Clinic, to confirm the presence of the disease or pest.

- (a) Any elm tree or part thereof infected to any degree with Dutch Elm Disease fungi (either *Ophiostoma ulmi* or *Ophiostoma novo-ulmi*), or which harbors any elm bark beetle

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(*Hylurgopinus rufipes*), European elm bark beetle (*Scolytus multistriatus*), or banded elm bark beetle (*Scolytus schevyrewi*), collectively referred to as elm bark beetles.

- (b) Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material not properly covered and sealed or from which the bark has not been removed or sprayed with an effective insecticide for elm bark beetles; except that the stockpiling of uncovered bark bearing elm wood shall be permitted during the months of October through March.
- (c) Any tree, or part thereof, within the Red Oak family (northern red oak, northern pin oak, pin oak, and black oak), infected to any degree with the oak wilt fungus (*Bretziella fagacearum*). This includes any diseased material that is potentially spore producing (PSP).
- (d) Any tree, or part thereof, within the White Oak family (white oak, bur oak, swamp white oak, and chinkapin oak) that poses a threat of transmission of the oak wilt fungus to other trees of the same species through grafted roots.
- (e) Any ash tree (*Fraxinus* spp.) or part thereof, infected to any degree with Emerald Ash Borer (EAB), *Agrilus planipennis*.

Nuisance trees ~~Disease or pest infested trees~~. Any tree located within the city, which is determined by a certified arborist to be a nuisance tree, as defined above, ~~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 nuisance tree or part thereof. ~~which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is infected with Oak Wilt or Dutch Elm Disease~~
- (b) An evaluation of "imminent danger" means that the hazard to the public is immediate. If the property owner cannot be contacted or refuses to remove the hazard, the city will initiate action immediately.
- (c) An evaluation of "potentially dangerous" means that a hazard to the public will exist in the near future. The property owner will be notified and should remove the future hazard as soon as possible.

The city shall have the right to cause the removal of any ~~dead or diseased~~ nuisance tree(s), as defined above, 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 the property owner(s) to comply with such provisions, the city shall have the authority to remove such nuisance trees and charge the cost of removal to the property owner.

- (1a) **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~~ in accordance with the following provisions, to prevent the spread of disease or insects to public trees and the community forest at large ~~places~~.

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Issuance of a notice to take action shall be based on one (or more) of the following:

- (1) For Oak Wilt, laboratory confirmation of the presence of the Oak Wilt fungi or, within the Red Oak family, visual confirmation of an Oak Wilt fungal spore pad.
- (2) For Dutch Elm Disease, laboratory confirmation of the presence of the Dutch Elm Disease fungi or visual confirmation of elm bark beetle galleries.
- (3) For Emerald Ash Borer, confirmation of EAB galleries underneath the bark.

The notice to take action shall include the following information:

- (1) ~~Such notice shall describe~~ Specify 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.
- (2) 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.
- (3) The notice ~~of violation shall state the specific violation and indicate whether immediate enforcement will be sought or if 30 days will be allowed~~ the timeline to correct and remove the ~~violation~~ nuisance tree(s).
- (4) 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](#).

Preventative measures. When managing nuisance trees, as defined in [XXXX](#) above, preventative measures are generally more cost effective for property owners than control measures. Hence, the following measures, either individually or in conjunction, shall be implemented:

- (a) If pruning or removal of oak trees must be conducted during the 'High Risk' timeframe (April through July), the cut surface shall be immediately treated with a water-based paint, wound sealer, or shellac to minimize the potential introduction of Oak Wilt.
- (b) If a property owner desires to retain Oak Wilt infected wood from the Red Oak family, DED infested elm wood, or EAB infested ash wood on site, the following measures shall be implemented:
 - (1) Cut the wood into firewood sized pieces and stack neatly to allow for drying.
 - (2) Cover the stacked wood with 4-6 mil thick clear plastic tarp and completely bury edges of tarp into the ground to trap any elm bark beetles or emerald ash borers under the covering and to prevent sap feeding beetles from accessing the diseased oak wood.
 - (3) Plastic tarp can be removed after the growing season following the year of removal.