

**City of Ramsey**  
**Agenda**  
**Environmental Policy Board (EPB)**

**Monday, October 21, 2024**

**6:30 pm**

**Council Chambers, 7550 Sunwood Drive NW**

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

1. **Call to Order**
  
2. **Citizen Input**
  
3. **Approve Agenda**
  
4. **Approve Minutes**
  1. Approve Meeting Minutes Dated August 19, 2024
  
5. **Policy Board Business**
  1. Consider the Natural Resources Aspects of a Site Plan for Blanery LLC at 6591 141st Avenue NW (Project No. 24-124); Case of Blanery LLC
  2. Continue Discussion on Potential Performance Standards for Managed Natural Landscapes
  
6. **Board/Staff Input**
  
7. **Adjournment**

**Environmental Policy Board (EPB)**

**Meeting Date:** 10/21/2024

**Primary Strategic Plan Initiative:** Not Applicable

**Information**

**Title:**

Approve Meeting Minutes Dated August 19, 2024

**Purpose/Background:**

The purpose of this case is to approve the meeting minutes from the August 19, 2024, Environmental Policy Board meeting.

**Recommendation:**

Staff recommends approving the meeting minutes.

**Outcome/Action:**

Motion to approve the August 19, 2024, meeting minutes.

**Attachments**

Meeting Minutes Dated August 19, 2024

**Form Review**

**Inbox**

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 10/16/2024

**Reviewed By**

Brian Hagen

**Date**

10/16/2024 10:24 AM

Started On: 10/14/2024 01:09 PM

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

On Monday, August 19, 2024, the Environmental Policy Board (EPB) met in the Council Chambers at the Ramsey Municipal Center, 7550 Sunwood Drive N.W., Ramsey, Minnesota.

Members Present:     Acting Chairperson Laura Moore  
                            Board Member Reid Bernard  
                            Board Member Nick Burgess  
                            Board Member Thomas Hagerty  
                            Board Member Paula Houts  
                            Board Member Hassan Salami

Members Absent:     Chairperson Melissa Fetterley

Also Present:         Senior Planner Chris Anderson

**1.     CALL TO ORDER**

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

**2.     CITIZEN INPUT**

None.

**3.     APPROVE AGENDA**

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

Motion carried.   Voting Yes: Acting Chairperson Moore, Board Member Bernard, Hagerty, Burgess, Houts, and Salami.   Voting No: None.   Absent: Chairperson Fetterley.

**4.     APPROVE MINUTES**

**4.01:   Approve Meeting Minutes Dated July 15, 2024**

Motion by Board Member Hagerty and seconded by Board Member Salami to approve the regular meeting minutes dated July 15, 2024.

Motion carried.   Voting Yes: Acting Chairperson Moore, Board Member Hagerty, Salami, Bernard, Burgess, and Houts.   Voting No: None.   Absent: Chairperson Fetterley.

**5.     POLICY BOARD BUSINESS**

**5.01:   Consider Natural Resources Aspects for Parkside Townhomes Preliminary Plat**

Senior Planner Anderson presented the staff report. He stated that the City has received an application from Ramsey at COR LLC for Preliminary Plat review of a proposed townhome development located on the block bordered by Rhinestone Street, Traprock Street, 146<sup>th</sup> Avenue, and Ramsey Parkway. The purpose of this case is to review the Landscape Plan and other natural resources aspects of the project. Environmental Policy Board (EPB) members may recall this project from early in 2023. Parkside Townhomes actually received Preliminary Plat approval, however, the applicant withdrew the application for Final Plat consideration to work through some items with his builder. Preliminary Plat approval is only valid for one year, and by the time the applicant was ready to move forward, the approval had expired.

Acting Chairperson Moore asked the anticipated timing between phases.

Senior Planner Anderson replied that there is not a specific timeline, as that often depends on how quickly units sell in the first phase. He stated that the third phase, which is not part of the application, is geared more for the future once this entire block is constructed.

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

Motion carried. Voting Yes: Acting Chairperson Moore, Board Member Bernard, Salami, Burgess, Hagerty, and Houts. Voting No: None. Absent: Chairperson Fetterley.

#### **5.02: Discuss Potential Development of Performance Standards for Managed Natural Landscapes**

Senior Planner Anderson presented the staff report. He stated that in 2007, the City of Ramsey amended Chapter 30 (Nuisances) of City Code to exempt natural landscape plant materials from the eight-inch height restriction for grass and weeds. In 2023, the State of Minnesota enacted State Statute 412.925 (Native Landscapes), which specifies that statutory and home rule charter cities must allow private property owners to install and maintain managed natural landscapes on private property. In 2024, Ramsey amended Chapter 30 (Nuisances) again, reiterating that natural landscapes are exempt from the vegetative height restrictions but also specifying that an approved management plan is required. However, there are no other standards in place regarding these managed natural landscapes. He reviewed potential standards that could be considered.

Acting Chairperson Moore appreciated that there is growing interest in this, noting that she is doing several native plantings in her yard currently. She stated that she would support having a discussion related to boulevard type regulations.

Senior Planner Anderson provided details on the road right-of-way, noting that while ideally the road would be centered within that right-of-way, it is not always. He stated that on average there could be 15 feet of right-of-way on each side, but that is not always the case.

Acting Chairperson Moore commented that people should be able to do as they want with their own yard and therefore would only want to consider regulations in the boulevard, near the road. She stated that perhaps the management plan is a suggestion, as requiring that element may detract some people from wanting to pursue that endeavor. She commented that sometimes when you

start a native planting area, things often change based on what is successful and what is not. She stated that there could be guidelines on what a plan could look like, which could help keep the areas contained. She stated that when there is not a border around the native area, perhaps there is signage. She stated that she would also be interested in a regulation to keep invasives out of the natural area.

Senior Planner Anderson commented that a management plan forces a property owner to put thought into it and think about what they are going to do. He stated that some people think about a native landscape, thinking they will not need to maintain it, but commented that the first three to five years require a lot of work. He stated that he would not necessarily advocate for needing a buffer/border on a natural area, but used the example where that area may abuts another property and could begin to encroach on the neighboring property.

Board Member Salami commented that he has lived in Ramsey for almost 15 years and has noticed properties with grass/vegetation that is too tall. He stated that he has wondered if the City could intervene and cut grass or trim trees on certain properties. He also noted that some trees seem to be planted on property lines.

Senior Planner Anderson replied that there is not a setback for tree planting, noting that a tree can be planted further from the property line and then still encroach onto a neighboring property over the years. He also noted volunteer trees that pop up also. He stated that there is also nothing the City can do about things that grow from one yard to the next yard. He stated that the private property owner is responsible for cutting their grass and trimming their trees. He stated that there are stretches of City owned land that would be maintained by public works, acknowledging that the City has limited resources.

Board Member Houts asked if the City differentiates between native and natural landscape.

Senior Planner Anderson replied that the City does not, as everything falls under the umbrella of alternative landscapes.

Board Member Houts asked if the boulevard would be different than someone that has a ditch adjacent to the road.

Senior Planner Anderson replied that currently there is not a distinction but that could be something the board may wish to consider.

Board Member Hagerty stated that he favors having some type of standards and management plan. He stated that he does like the idea of a border between properties, signage, and maintenance activities. He acknowledged that there is a lot more work involved in native plant areas compared to mowing a lawn and believed that the management/standards would help people to understand that. He asked if the City has been receiving complaints and whether that is what drove this issue forward.

Senior Planner Anderson commented that the City did receive complaints about a property undergoing a native landscape, noting that property does have a management plan. He recognized that there is a strong sense of property rights in Ramsey, but that does not mean there cannot or should not be standards as well. He stated that perhaps they should incorporate the notion that this

landscape would need to be installed, as there has been interest from someone that intended to stop mowing and have their neighbor's natural landscaping blow into their yard.

Acting Chairperson Moore stated that to really do a good job to establish a native prairie you really need to start with a burn, recognizing that some yards are larger and could allow that while others could not.

Senior Planner Anderson commented that while a controlled burn would be ideal, there are many places that would not be allowed. He stated that there are alternative methods that could be used to establish the native landscaping, it just takes more effort and work, noting that it is often two or three years after the initial seeding that you would see above ground growth and therefore often looks very undesirable. He stated that is where signage would be helpful to communicate to those passing by that this is an intentional process.

Board Member Burgess asked if there are standards that exist in other communities that could be used as a starting point.

Senior Planner Anderson stated that he does have some examples from other communities that he forgot to attach to the case, noting that he can email those as a follow up.

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

- **Fall Recycling Event – September 28, 2024 (8am – 12 pm, Public Works Campus, 14199 Jasper Street)**

Senior Planner Anderson noted the upcoming event and stated that the curbside recycling event recently concluded but he did not yet have those numbers.

- **Fix It Clinic – October 5, 2024 (10am – 1pm, Public Works Campus, 14199 Jasper Street)**

Senior Planner Anderson advised of the upcoming event.

## **7. ADJOURNMENT**

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

The meeting adjourned at 7:36 p.m.

Respectfully submitted,

---

Chris Anderson  
Senior Planner

ATTEST:

---

Abdi Sahal  
Administrative Assistant

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

**Environmental Policy Board (EPB)****Meeting Date:** 10/21/2024**Primary Strategic Plan Initiative:** Promote economic growth and development.**Information****Title:**

Consider the Natural Resources Aspects of a Site Plan for Blanery LLC at 6591 141st Avenue NW (Project No. 24-124); Case of Blanery LLC

**Purpose/Background:**

The City has received a Land Use Application from Blanery LLC (the "Applicant") for a Conditional Use Permit and Site Plan for a proposed automotive body shop at 6591 141st Avenue NW (the "Subject Property"). The Applicant has a purchase agreement with the City to acquire the Subject Property, contingent upon approval of the Conditional Use Permit and Site Plan.

**Notification:**

Staff attempted to notify property owners within 350 feet of the Subject Property, as reflected in the Anoka County Property Records, of the request for a Conditional Use Permit and Site Plan for the automotive body shop, as well as the Public Hearing to be held by the Planning Commission on October 24. A notice of the Public Hearing was published in the Anoka County UnionHerald, the City's official newspaper. A proposed development sign was also placed on the Subject Property.

**Time Frame/Observations/Alternatives:****Project Overview**

The Applicant is proposing to construct a 9,600 square foot building, with ten (10) bays, on the Subject Property to operate an automotive body shop. There will be two points of access into the Subject Property, one off of 141st Avenue and the other off of Basalt Street. The Subject Property will be connected to the municipal water and sanitary sewer systems.

**Subject Property Information**

The Subject Property is approximately 0.95 acres in size. It is zoned I-1 (Light Industrial) and is guided as Business Park in the 2024 Comprehensive Plan. The surrounding parcels are of similar sizes, and they too are zoned I-1 (Light Industrial) and guided as Business Park. Motor vehicle repair is a Conditional Use in the I-1 District.

**Natural Resources Summary**

The City's Natural Resources Inventory (NRI) does not identify any native plant communities on the Subject Property. The Minnesota Land Cover Classification System classifies the Subject Property as 'Urban with Little Vegetative Cover'. There are no wetlands or floodplain on the Subject Property. There are some existing trees on the Subject Property. However, all but one are proposed for removal.

**Tree Inventory & Preservation Plan**

An inventory of existing significant trees was completed. There is a total of 292 Diameter at Breast Height (DBH) inches on the Subject Property and of those, 284 inches are proposed to be removed. Per the City's tree preservation standards, 87 DBH inches should be retained on site and, if not, reforestation would be required. Only a single tree is proposed to be preserved (8" DBH) and therefore, reforestation is required at a rate of 1.25" inches for each 1 inch removed beyond the removal threshold or \$125 per inch removed beyond the removal threshold, or a combination of the two. The Applicant is proposing to plant forty (40) DBH inches of new trees

and will pay into the Community Forestry Fund \$7,375.00. The combination of landscaping and payment satisfies the tree preservation requirements.

**Landscape Plan**

The Landscape Plan includes a combination of deciduous and coniferous trees (a mix of Swamp White Oak and Norway Spruce), as well as some decorative grasses. Species and sizes are all acceptable. Staff only had a minor comment on the Landscape Plan, and it pertains to the Landscape Summary, which indicates that thirty-five (35) shrubs are proposed. In fact, what is proposed is decorative grasses, not shrubs. While shrubs are not required, Staff has recommended incorporating some into the Landscape Plan. The only open space there will be on the Subject Property is around the perimeter of the site, which is where all trees are proposed.

**Funding Source:**

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

**Recommendation:**

Staff recommends approving the Landscape Plan and the Tree Inventory & Preservation Plan.

**Outcome/Action:**

Motion to recommend approval of the Landscape Plan and Tree Inventory & Preservation Plan contingent upon compliance with Staff's comments.

---

**Attachments**

- Site Location Map
- Site Plan
- Building Elevations
- Landscape & Tree Inventory Plan with Changemarks

**Form Review**

<b>Inbox</b>	<b>Reviewed By</b>	<b>Date</b>
Chris Anderson (Originator)	Chris Anderson	10/15/2024 02:05 PM
Brian Hagen	Brian Hagen	10/16/2024 10:25 AM
Form Started By: Chris Anderson		Started On: 10/14/2024 01:22 PM
Final Approval Date: 10/16/2024		

# Ramsey Auto Shop

Conditional Use Permit

27-32-25-44-0003

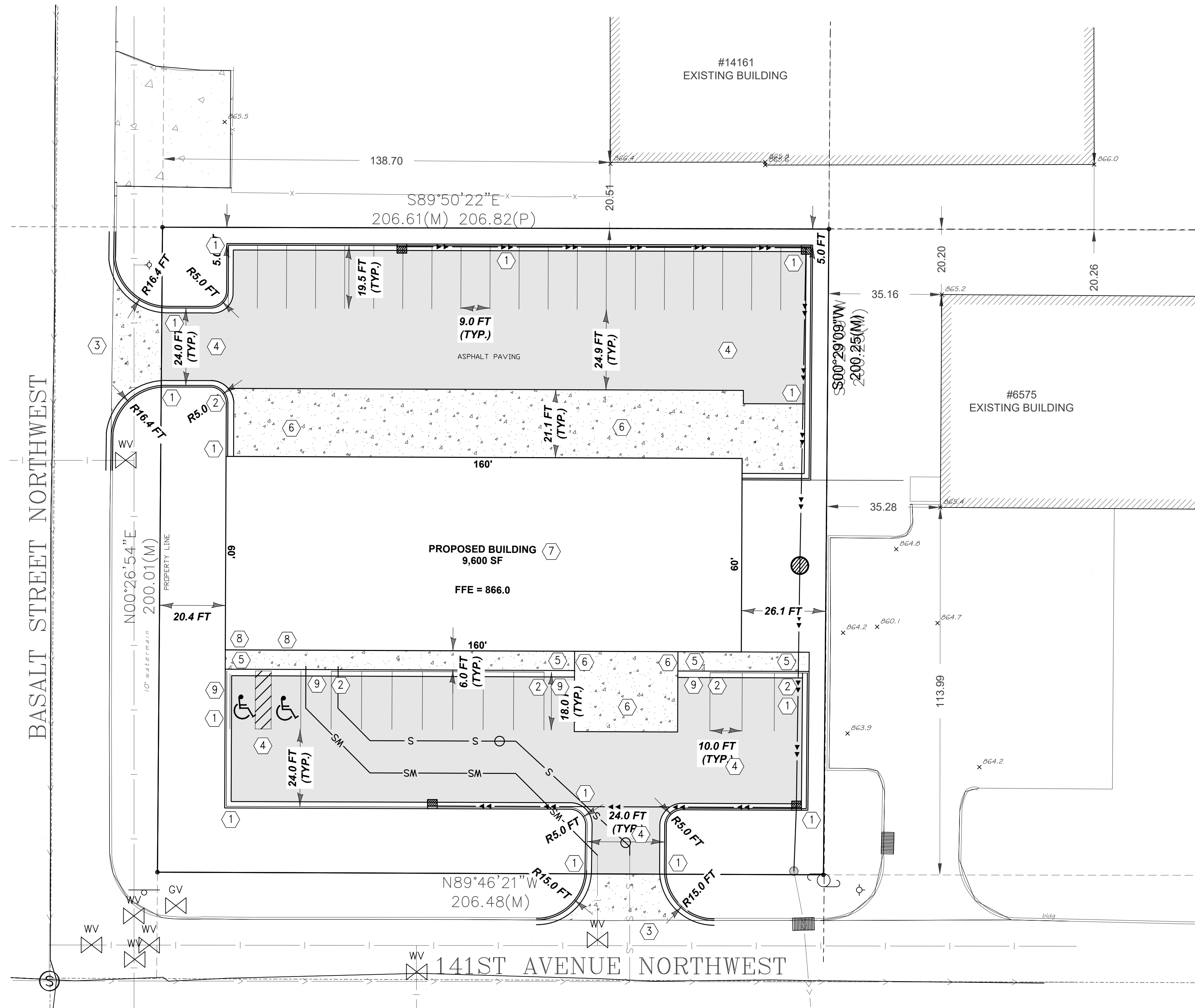
6591 141st Avenue NW, Ramsey, MN, 55303



Print Date: September 16, 2024

0 0.01 0.02 0.03 0.04 mi

F:\survey\27-52-25\6591\_141st Ave NW Ramsey\02\_Engineering - 90818A\01 CAD\05\_Sheet Files\04\_Site Plan.dwg



REFERENCE NOTES:

- ① B612 CURB AND GUTTER
- ② B612 TIPOUT CURB AND GUTTER
- ③ COMMERCIAL ENTRANCE PER CITY DETAILS
- ④ BITUMINOUS PAVEMENT PER (4/C2)
- ⑤ CONCRETE SIDEWALK PER DETAILS (1/C3) AND (3/C3)
- ⑥ CONCRETE PAVEMENT PER (2/C3) AND (4/C3)
- ⑦ PROPOSED BUILDING. SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR DIMENSIONS.
- ⑧ HANDICAP SIGN ON WALL
- ⑨ 10' TRANSITION FROM FULL-HEIGHT CURB TO 0" HEIGHT CURB.

SITE DATA:

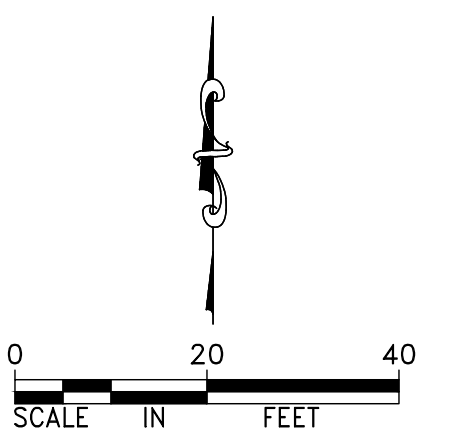
LOT AREA = 0.95 AC  
 PROPOSED IMPERVIOUS AREA = 0.73 AC  
 PROPOSED HARDCOVER = 76.5%

PARKING DATA:

STANDARD STALLS PROVIDED = 33  
 HANDICAP STALLS PROVIDED = 2  
 TOTAL PROPOSED PARKING STALLS = 35

LEGEND

- EXISTING BUILDING
- EXISTING CURB & GUTTER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING CONCRETE
- PROPOSED CONCRETE SIDEWALK
- PROPOSED BITUMINOUS PAVEMENT
- EXISTING SIGN
- PROPOSED PARKING STRIPE



DESIGNED BY: JAP	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  JEFFREY A. PRASCH, P.E.	REVISIONS
DRAWN BY: ABL		10.03.24 CITY COMMENTS
CHECKED BY: GRP		
DATE: 09.13.24 LIC. NO.: 52706		

**DEMARC**  
 LAND SURVEYING & ENGINEERING  
 7601 73RD AVENUE N, BROOKLYN PARK, MN 55428  
 PHONE: 763.560.3093 FAX: 763.560.3522  
 www.DemarcInc.com

BLANERY LLC  
 4764 ERICKSON DRIVE  
 NEW HOPE, MINNESOTA 55428

AUTO REPAIR SHOP  
 6590 141ST AVENUE NW  
 RAMSEY, MINNESOTA

SITE PLAN

PROJECT: 90818  
 SHEET NO.  
 C5 of C7

Consultant

**Certification**  
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 Architect under the laws of the State of Minnesota.

Print Name: Lon Negen

Signature: *Lon Negen*  
Date: 10/3/24 License No: 41402

**AUTO  
REPAIR  
SHOP**

**6590 141st Avenue  
NW  
Ramsey, MN 55303**

Revisions	
MARK	DATE

COMM. NO.: 240124

ARCHITECT: L D N

DATE: 10/3/24

DRAWN BY: ...

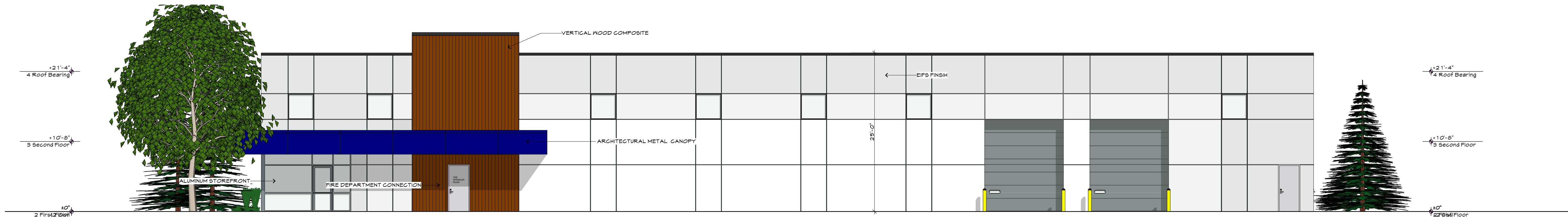
The designs shown and described herein including all technical drawings, graphics, and models thereof, are proprietary and cannot be copied, duplicated or commercially exploited, in whole or in part, without the expressed written consent of Negen & Associates, Inc. These are available for limited review and evaluation by clients, consultants, contractors government agencies vendors and office personnel only in accordance with this notice.

© 2004-2024 Negen and Associates, St. Cloud, MN 56303

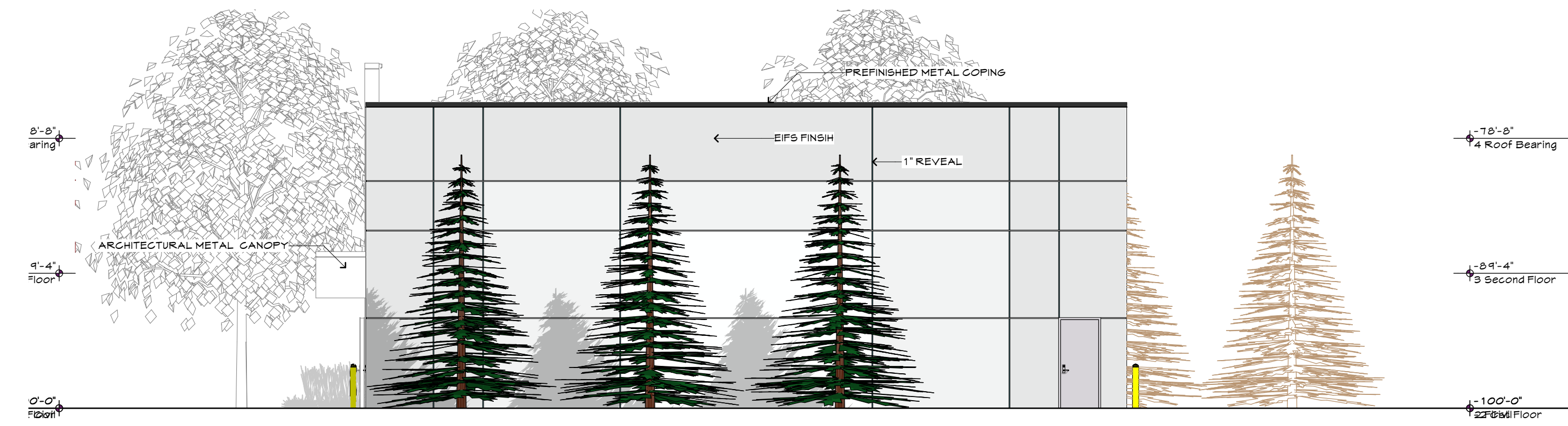
**SD2.2 City Submittal**

Exterior Elevations

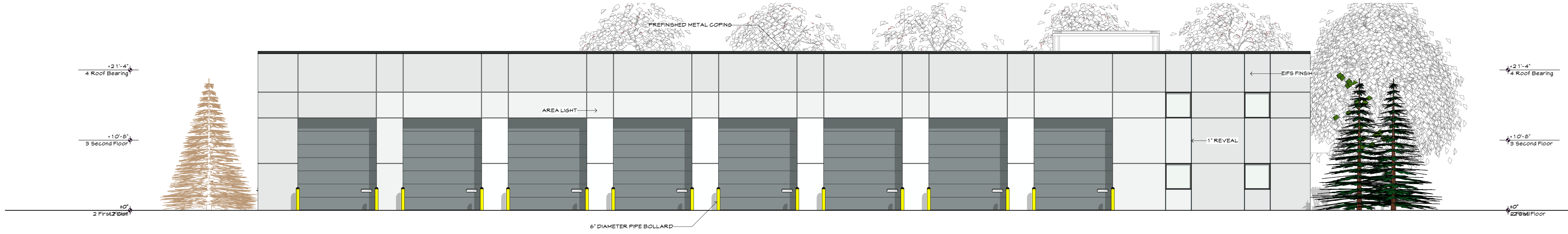
**A-201**



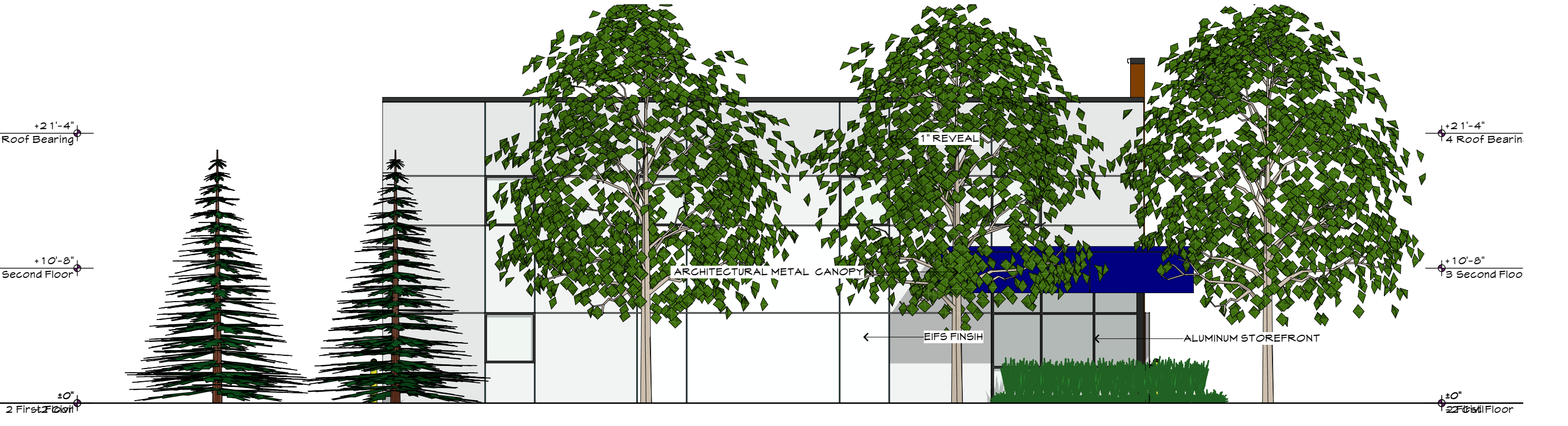
1  
A-201  
**South Elevation**  
SCALE: 1/8" = 1'-0"



2  
A-201  
**East Elevation**  
SCALE: 1/8" = 1'-0"



3  
A-201  
**North Elevation**  
SCALE: 1/8" = 1'-0"



4  
A-201  
**West Elevation**  
SCALE: 1/8" = 1'-0"

# LANDSCAPE SYMBOL LEGEND



# LANDSCAPE SUMMARY

STANDARDS	EXISTING TREE QUANTITY:	28	292"
	Trees to be removed:	18	294"
	Trees to remain:	1	8"
	Removal threshold:		20"
	Diameter:		79"
	Reforestation requirement (79"x1.25"):		99"
	Proposed:		40"
	Restoration (56x\$125.00):	\$7,375.00	

REQUIRED:	Trees:	16 (800/50)	
	Shrubs:	32 (9600/300)	
	Road frontage plantings:	12 (400/35)	

PROPOSED:	Trees:	40	
	Shrubs:	35	



# LANDSCAPING SCHEDULE

KEY	BOTANICAL / COMMON NAME	SIZE	QTY	TOTAL INCHES
<b>DECIDUOUS TREE</b>				
GB	QUERCUS BICOLOR / SWAMP WHITE OAK	2.5" BB	10	25

<b>CONIFEROUS</b>				
AP	PICEA ABIES / NORWAY SPRUCE	Ø/2.5" BB	6	15

<b>SHRUBS / PERENNIALS</b>				
CK	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' / FEATHER REED GRASS	#1 CONT.	21	
MG	MOLINA CAERULEA 'VARIEGATA' / VARIEGATED MOOR GRASS	#1 CONT.	14	

EXISTING	SIZE	COND.	STATUS	REASON
1	OAK	11"	GOOD	REMOVED MASS GRADING
2	OAK	11"	GOOD	REMOVED MASS GRADING
3	OAK	8"	GOOD	REMOVED MASS GRADING
4	OAK	6"	GOOD	REMOVED MASS GRADING
5	ELM	13"	GOOD	REMOVED MASS GRADING
6	OAK	18"	GOOD	REMOVED MASS GRADING
7	OAK	6"	GOOD	REMOVED MASS GRADING
8	MAPLE	4"	GOOD	REMOVED MASS GRADING
9	MAPLE	7"	GOOD	REMOVED MASS GRADING
10	OAK	20"	GOOD	REMOVED MASS GRADING
11	OAK	18"	GOOD	REMOVED MASS GRADING
12	ELM	6"	GOOD	REMOVED MASS GRADING
13	OAK	18"	GOOD	REMOVED MASS GRADING
14	OAK	18"	GOOD	REMOVED MASS GRADING
15	OAK	7"	GOOD	REMOVED MASS GRADING
16	OAK	7"	GOOD	REMOVED MASS GRADING
17	OAK	7"	GOOD	REMOVED MASS GRADING
18	OAK	7"	GOOD	REMOVED MASS GRADING
19	OAK	6"	GOOD	REMOVED MASS GRADING
20	OAK	8"	GOOD	REMOVED MASS GRADING
21	OAK	6"	GOOD	REMOVED MASS GRADING
22	OAK	6"	GOOD	REMOVED MASS GRADING
23	OAK	6"	GOOD	REMOVED MASS GRADING
24	ASH	6"	GOOD	REMOVED MASS GRADING
25	ASH	4"	GOOD	REMOVED MASS GRADING
26	OAK	6"	GOOD	REMOVED MASS GRADING
27	OAK	8"	GOOD	REMOVED MASS GRADING
28	OAK	15"	GOOD	REMOVED MASS GRADING
29	OAK	18"	GOOD	REMOVED MASS GRADING
30	OAK	8"	GOOD	PRESERVED MASS GRADING
31	OAK	24"	205 (10%)	284" REMOVED
32	OAK	8"	6" PRESERVED	

# LANDSCAPE PLAN NOTES

- THE CONTRACTOR SHALL CONTACT Gopher 'ONE CALL' TO VERIFY THE LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO THE INSTALLATION OF ANY PLANT OR LANDSCAPING.
- THE CONTRACTOR SHALL PROVIDE A TWO-YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTINGS. REPLACEMENT PLANT MATERIALS SHALL ALSO HAVE A TWO-YEAR GUARANTEE COMMENCING UPON PLANTING.
- ALL DISTURBED AREAS THAT ARE NOT IMPROVED WITH IMPERVIOUS SURFACE SHALL RECEIVE 4" OF TOPSOIL WITH NOT MORE THAN 35% SAND CONTENT.
- ALL DISTURBED AREAS ARE TO BE SEEDED UNLESS NOTED OTHERWISE.
- SOD TO BE STANDARD MINNESOTA GROWN. ALL SOD AREAS SHALL BE PREPARED WITH 4" OF TOPSOIL AND RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED.
- ALL PLANTS TO BE SPECIMEN GRADE AND SHALL ADHERE TO BUT IS NOT LIMITED BY THE FOLLOWING STANDARDS: ALL PLANTS TO BE MINNESOTA-GROWN AND/OR HARDY. ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC. ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES. ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING. CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT-TO-WIDTH RATIO OF NO LESS THAN 5:3.
- PLANTS MUST MEET AMERICAN STANDARD FOR NURSERY STOCK REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
- PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING.
- PLANTS TO BE INSTALLED AS PER STANDARD PLANTING PRACTICES.
- USE MINIMUM 12" LOAM PLANTING SOIL ON TREES AND 6" ON SHRUBS (SIDES AND BOTTOM OF HOLE).
- STAKING OF TREES OPTIONAL, REPOSITION IF NOT PLUMB AFTER ONE YEAR.
- WRAP ALL SMOOTH-BARKED TREES-FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1.
- OPEN THE TOP OF THE BURLAP ON BB MATERIALS, REMOVE THE POT ON POTTED PLANTS, SPLIT AND BREAK APART PEAT POTS.
- PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
- SIX INCHES OF SHREDDED HARDWOOD BARK MULCH SHALL BE USED AROUND ALL TREES WITHIN TURF AREAS.
- ALL SHRUB PLANTING BEDS (WITHIN SODDED AREAS) SHALL HAVE NEED BARRIER FABRIC, 4" OF SHREDDED HARDWOOD BARK MULCH (EXCEPT AS NOTED) AND VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING. THE EDGING SHALL BE PLACED WITH SMOOTH CURVED EDGES AND AT LEAST 4" FROM THE CENTERS OF EVERGREEN TREES. PARKING LOT ISLANDS TO BE SEEDED. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE.
- ROCK MULCH 4" DEEP SHALL BE PROVIDED IN ALL PLANTING BEDS ADJACENT TO SIDEWALKS AND DRIVEWAYS. ROCK MULCH SHALL BE RAKED, 3/4" - 1 1/2".
- ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
- THE CONTRACTOR SHALL CONTACT Gopher STATE 'ONE CALL' (1-800-252-1166) TO VERIFY THE LOCATIONS OF ALL UNDERGROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED. THE OWNER WILL NOT PROVIDE WATER FOR THE CONTRACTOR.
- NO PLANT MATERIAL SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVED BY THE ARCHITECT/CITY OF RAMSEY.



Architecture | Interior Design | Planning  
 STUDIO 700 41st Avenue North  
 St. Cloud, Minnesota USA 56303  
 TELEPHONE 320.251.3304  
 WEB www.negenarchitects.com

Consultant

**Certification**  
 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 Architect under the laws of the State of Minnesota.  
 Print Name: Lon Negen  
 Signature: *Lon Negen*  
 Date: 10/3/24 License No: 41402

# AUTO REPAIR SHOP

6590 141st Avenue NW  
 Ramsey, MN 55303

# Revisions

MARK	DATE

COMM. NO.: 240124

ARCHITECT: L D N

DATE: 10/3/24

DRAWN BY: ...

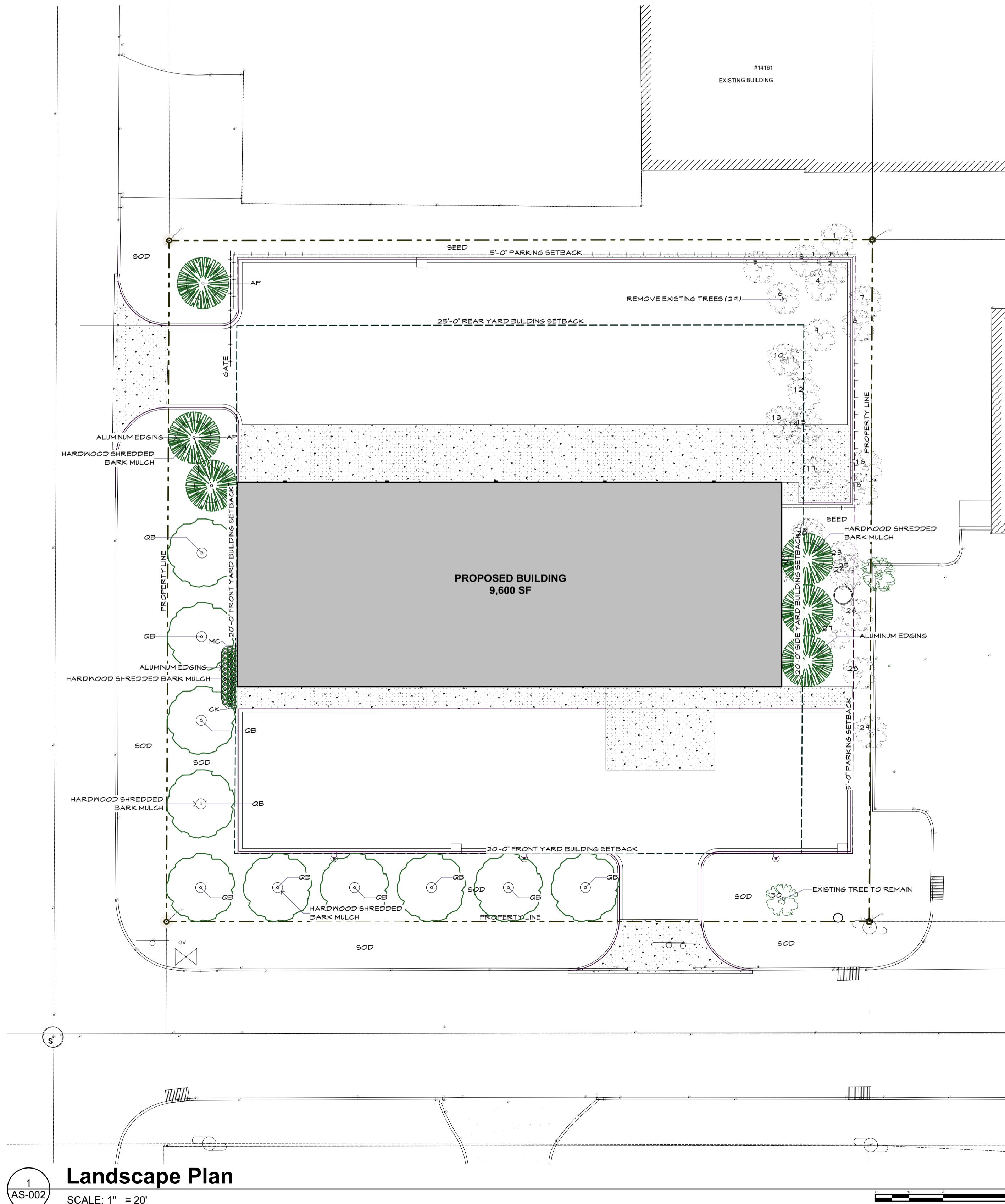
The designs shown and described herein including all technical drawings, graphics, and models thereof, are proprietary and cannot be copied, duplicated or commercially exploited, in whole or in part, without the expressed written consent of Negen & Associates, Inc. These are available for limited review and evaluation by clients, consultants, contractors government agencies vendors and office personnel only in accordance with this notice.

© 2004-2024 Negen and Associates, St. Cloud, MN 56303

# SD2.2 City Submittal

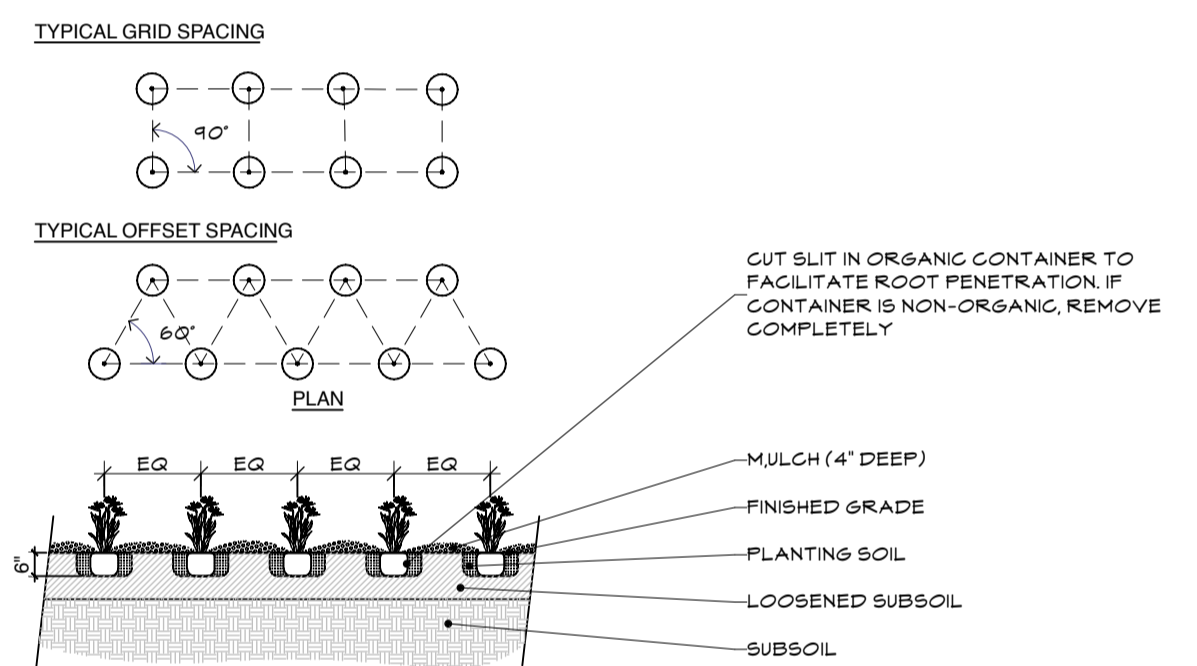
# Landscape Plan

# AS-002

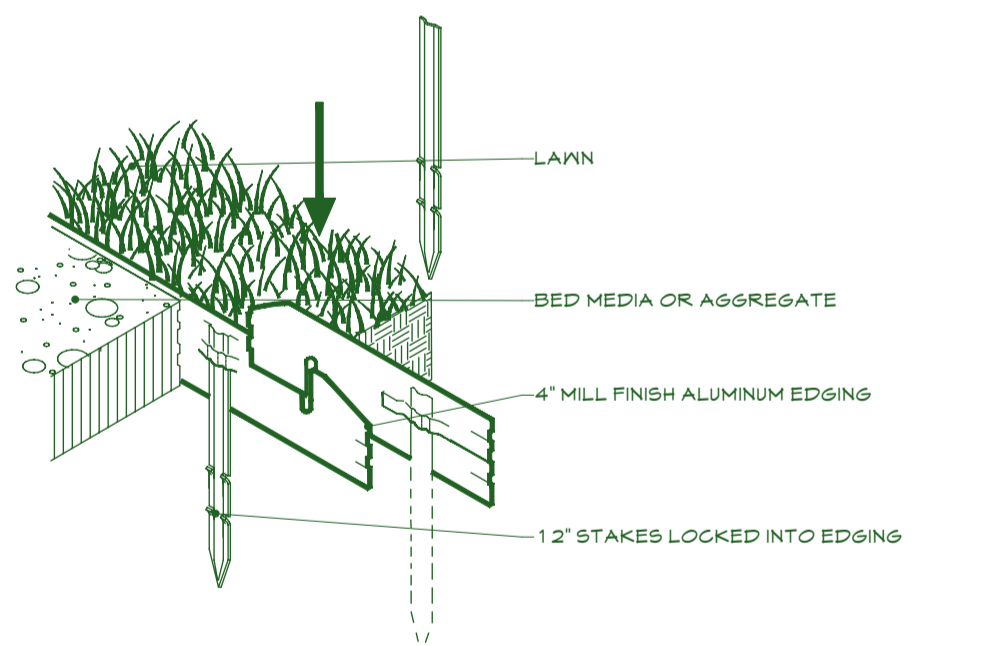


1 AS-002 Landscape Plan SCALE: 1" = 20'

2 AS-002 Deciduous Tree SCALE: 1" = 20'



3 AS-002 Perennials SCALE: 1" = 20'



4 AS-002 Aluminum Edge SCALE: 1" = 20'

## 1 - Shrubs

Created by: Chris Anderson  
On: 10/08/2024 09:22 AM

There are no shrubs proposed, decorative grasses should not be listed under shrubs. It is strongly encouraged to incorporate some shrubbery into the landscape plan. Minimum shrub size at time of installed shall be 24" in height.

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

**Environmental Policy Board (EPB)****Meeting Date:** 10/21/2024**Primary Strategic Plan Initiative:** Not Applicable**Information****Title:**

Continue Discussion on Potential Performance Standards for Managed Natural Landscapes

**Purpose/Background:**

At the August Environmental Policy Board (EPB) meeting, the Board discussed the idea of developing performance standards for natural landscapes. There did seem to be consensus among board members to consider standards within the right-of-way, but nothing really beyond that. Staff has prepared a rough draft of an ordinance amendment to assist with this discussion. There are really three (3) components to the ordinance amendment. First, simply adding several definitions to Chapter 30 (Nuisances) of City Code. Secondly, it specifically addresses information that needs to be included in a management plan. Thirdly, it attempts to identify standards that are applicable when attempting to establish and maintain a natural landscape. It's primarily this third component that Staff is seeking input from the EPB on.

**Recommendation:**

NA

**Outcome/Action:**

No action is required, this is for discussion purposes only.

**Attachments**

Rough Draft of a Potential Ordinance Amendment

Excerpt from Andover City Code

Excerpt from Bloomington Code

Excerpt from Burnsville Code

Excerpt from Lino Lakes Code

MN Board of Water and Soil Resources (BWSR) Example Ordinances

**Form Review****Inbox**

Brian Hagen

Form Started By: Chris Anderson

Final Approval Date: 10/17/2024

**Reviewed By**

Brian Hagen

**Date**

10/17/2024 12:53 PM

Started On: 10/16/2024 01:37 PM

**ORDINANCE #24-XXX**

**CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF  
MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 30 - NUISANCES**

The City of Ramsey Ordains:

Underlined text is inserted into City Code.

~~Strikethrough~~ text is deleted from City Code.

**SECTION 1. AUTHORITY**

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

**SECTION 2. AMENDMENT TO CHAPTER 30 (NUISANCE CODE).**

The following portion of Chapter 30, Section 1 (Definitions), is amended as follows:

**Sec. 30-1. – Definitions**

Managed natural landscape means a planned, intentional and maintained planting of native or non-native grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plantings. It does not include turf-grass lawns left unattended or unmaintained for the purpose of returning to a natural state.

Meadow vegetation means grasses and flowering broad-leaf plants that are native to, or adapted to, the State of Minnesota, and that are commonly found in meadow and prairie plant communities, excluding noxious weeds.

Noxious weeds shall have the meaning assigned by Minnesota Statutes, Section 18.77, Subd. 8.

The following portion of Chapter 30, Section 3 (Property Conditions), is amended as follows:

**Sec. 30-3. – Property Conditions**

- (2) Grass, weeds, or noxious growths.
  - a. All grass, weeds, or noxious growths of vegetation upon public or private property exceeding eight inches in height, ~~or whatever height specified in the appropriate zoning district,~~ excluding ~~acceptable prairie restoration plant materials~~ managed natural landscapes with an approved management plan.

1. Exemption. All ground cover vegetation located in the following areas are hereby exempt from height restrictions:
  - i. Shore impact zones;
  - ii. Bluff impact zones;
  - iii. Areas within 50 feet of a wetland or natural drainage way;
  - iv. Areas of native plant communities with approved management plans;
  - v. Significant vegetative stands identified within City Code, relating to Mississippi River Corridor Critical Area (MRCCA) Overlay District development standards;
  - vi. Any vegetation management within the MRCCA Overlay District shall comply with the requirements and standards of City Code and with any vegetation clearing permits approved by the City of Ramsey;
  - vii. Areas of steep slope where mowing is not safely possible;
  - viii. Any area that has been undisturbed by development, grading or building and remains in its original natural state.
2. All areas that have been graded or developed must maintain the property to turf grass standards unless an ~~appropriate prairie~~ approved management plan for a managed natural landscape has been accepted by the city or falls within the exemption list above.
  - i. Managed Natural Landscape Management Plan Required Information:
    - i. Name of the property owner and address of the property.
    - ii. Scaled site plan of the property (including all improvements such as structures, driveway(s), septic system, well, property lines).
    - iii. A general description of proposed vegetation types, plants, and plant succession to be used.
    - iv. Estimated transition period.
    - v. Elimination of prior/existing vegetation in advance of establishing a managed natural landscape.
    - vi. Non-native and/or invasive vegetation elimination (how, when, and frequency).
    - vii. A general description of the means to plant natural landscape plants (e.g. through transplanting or seeding by human or mechanical means).
  - ii. Managed Natural Landscape Standards:
    - i. Location (looking for direction from EPB on whether any sort of setback should be required from the street or adjacent properties). Examples could include: Not allowed in the road right-of-way, needs to be either 18” or 1 lawn mowers width of maintained edge along street edge, 1 lawnmowers swath or 3 feet back from side/rear lot lines, maybe an exemption if the property has an opaque (privacy) fence).
    - ii. Planting or replanting of the area by transplant or seeded by human or mechanical means (e.g. cannot just rely on wind, insect, or other natural means of establishing a managed landscape area).
    - iii. If the managed natural landscape is in a location likely to be seen by the public, a small sign, no larger than 12 inches by 12 inches,

and to a height not taller than 36 inches, which informs the public that a natural landscape is being established, shall be installed and maintained until less than 25% of the managed natural landscape area consists of weeds.

- iv. If more than 25% of the managed natural landscape area consists of weeds, it shall be mowed to a height not more than 8 inches at least once per year.
- v. The managed natural landscape area must be maintained at least once per year by way of mowing to a height not more than 8 inches or by burning, after securing the necessary burn permit(s) from the Ramsey Fire Department.

**SECTION 3. EFFECTIVE DATE**

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the \_\_\_\_ day of \_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Introduction date: October 8, 2024

Posting dates:

Adoption date:

Publication date:

Effective date:

## CHAPTER 4

### WEEDS, GRASSES AND OTHER HARMFUL VEGETATION

#### SECTION:

- 4-4-1: Findings; Purpose; Nuisance Declared
- 4-4-2: Definitions
- 4-4-3: Maintenance Standards
- 4-4-4: Permitting A Nuisance; Notice Requirements
- 4-4-5: Abatement Costs
- 4-4-6: Interference With City Officials
- 4-4-7: Penalties

4-4-1: **FINDINGS; PURPOSE; NUISANCE DECLARED:** Noxious weeds grass exceeding the height limits allowed under this Chapter, and other harmful vegetation create a detriment to public health, comfort and convenience of the residents of the city as well as creating a general aesthetic depreciation. The growth of such vegetation is hereby declared to be a nuisance. The purpose of this chapter is to ensure proper maintenance of noxious weeds, vegetation and grasses. The City Council finds that establishing a height limitation for certain vegetation is in the best interest of the public health, safety and welfare and is a reasonable maintenance standard. (Ord. 219A, 10-2-2001; Amended Ord. 553, 7-18-23)

4-4-2: **DEFINITIONS:** The following words shall have the meanings as specified:

**GRASS:** Any vegetative ground cover that does not include "noxious weeds" as defined by State Statute or "natural area" as defined by this chapter.

**HEAVILY FORESTED**

**AREA:** Any area that is impractical to maintain due to the density of trees.

**MANAGED NATURAL**

**LANDSCAPE:** A planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs or trees,

including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes does not include turf-grass lawns left unattended for the purpose of returning to a natural state. (Amended Ord. 553, 7-18-23)

**MEADOW**

**VEGETATION:** Grasses and flowering broad-leaf plants that are native to, or adapted to, the State of Minnesota, and that are commonly found in meadow and prairie plant communities, not including noxious weeds. (Amended Ord. 553, 7-18-23)

**NOXIOUS**

**WEEDS:** Includes all “noxious weeds” as defined by Minnesota State Statute as may be amended. (Amended Ord. 553, 7-18-23)

**ORNAMENTAL**

**PLANTS:** Grasses, perennials, annuals, and groundcovers purposely planted for aesthetic reasons. (Amended Ord. 553, 7-18-23)

**RAIN GARDEN:**

A native plant garden that is designed not only to aesthetically improve properties, but also to reduce the amount of stormwater and accompanying pollutants from entering streams, lakes, and rivers. (Amended Ord. 553, 7-18-23)

**TURF-GRASS**

**LAWN:** A lawn composed mainly of grasses commonly used in regularly cut lawns or play areas, including but not limited to bluegrass, fescue, and ryegrass blends, intended to be maintained at a height of no more than eight inches. (Amended Ord. 553, 7-18-23)

**WEED**

**INSPECTOR:** The City Administrator or his/her designee.

**4-4-3: MAINTENANCE STANDARDS:**

- A. Removal Of Noxious Weeds: All "noxious weeds", as defined by State Statute, are required to be removed within ten (10) days of notification from the city.
- B. Height Requirements: Any grasses or weeds growing upon any lot or parcel of land to a height greater than eight inches or that have gone or are about to go to seed are prohibited with the following exceptions:

- a. Managed natural landscapes provided they do not include any noxious weeds and are otherwise maintained.
- b. Wetlands and wetland buffer areas.
- c. Storm water ponds.
- d. Heavily forested areas.
- e. Parks and nature preserves.
- f. Slopes greater than 3:1.
- g. Properties within the AgP – Agricultural Preserve overlay district. (Amended Ord. 553, 7-18-23)

4-4-4:       **PERMITTING A NUISANCE; NOTICE REQUIREMENTS:** The weed inspector shall have the power to enter upon and inspect all public and private places within the city and take all reasonable precautions to prevent the commission and maintenance of public nuisances under this chapter. Whenever, during an inspection, it is determined that such a public nuisance is being maintained or exists the city shall notify, in writing, the owner/occupant of the premises of such fact and shall order that said nuisance be terminated and abated. The notice shall be served in person or by certified or registered mail, addressed to the last known address of the owner. If the property is unoccupied and the owner is unknown, the notice may be served by posting of the notice on the premises upon which the violation is located. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding ten (10) days from the date of said notice, within which the nuisance is to be abated. Such notice shall also state that in the event of noncompliance, abatement will be done by the city at the owner's expense. (Ord. 219A, 10-2-2001; Amended Ord. 383, 6-2-09)

4-4-5:       **ABATEMENT COSTS:**

- A.    Liability For Costs: If the nuisance is not abated within the period stated in the notice provided to the owner, the weed inspector may arrange for the immediate abatement of the nuisance. The owner of the premises on which such a nuisance has been abated by the weed inspector shall be personally liable for the cost to the city of the abatement, including and administrative fee in accordance with the City's fee schedule (Amended Ord. 383, 6-2-09; Amended Ord. 547, 2-7-23)
- B.    Notice Of Costs: As soon as the abatement work is completed and the costs determined, the weed inspector shall prepare a written notice to the

owner, identifying the work done and a tabulation of the costs and expenses involved, which shall be served on the owner of the property in accordance with the notice provisions stated in Section 4-4-4 of this chapter. Such notice shall further provide that if the total amount is not paid to the city within thirty (30) days the costs, expenses, and maximum allowable interest shall be collected as an unpaid special assessment pursuant to Minnesota State Statute 429.101. (Ord. 219A, 10-2-2001; Amended Ord. 383, 6-2-09)

4-4-6:           **INTERFERENCE WITH CITY OFFICIALS:** It is a misdemeanor for any person to prevent, delay or interfere with city employees or agents of the city when they are engaged in the performance of duties set forth in this chapter. (Ord. 219A, 10-2-2001)

4-4-7:           **PENALTIES:**

- A.     Financial Penalty: Upon the first abatement of a nuisance, the property shall be subject only to the costs outlined in Section 4-4-5 of this chapter. An additional financial penalty will be imposed on properties that have a second nuisance abated, as determined by the City Council. Each successive nuisance abated thereafter shall be subject to a cumulative penalty per occurrence as determined by the City Council. (Amended Ord. 383, 6-2-09)
  
- B.     Misdemeanor Penalty: Any person violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished in accordance with the provisions as defined by state law. (Ord. 219A, 10-2-2001)

## ARTICLE VI: WEEDS AND BRUSH

### § 10.37 DEFINITIONS.

The following words or terms, when used in this Article VI, shall have the following meanings, unless the context clearly indicates otherwise.

**BRUSH.** Includes parts of plants, such as but not limited to, twigs, tree and shrub branches. **BRUSH** does not include firewood and construction material.

**WEEDS.** Includes all noxious weeds as defined by the statutes of the state and all such useless and troublesome plants as are commonly known as weeds to the general public including volunteer and scrub trees or shrubs.

(1958 Code, § 163.08(1)) (Ord. 208, passed 10-15-1959; Ord. 63-23, passed 7-1-1963; Ord. 2009-3, passed 2-2-2009; Ord. 2011-16, passed 8-1-2011)

### § 10.38 NUISANCE.

(a) *Weeds and grass.* All weeds or growing grass upon any lot, parcel of land or adjacent right-of-way area in the city to a height greater than eight inches, or which have gone or are about to go to seed, are hereby declared to be a nuisance and a detriment to the good order of the city with the following exceptions:

(1) Native prairie and long grass areas shown on an approved landscape plan in accordance with § 21.301.15;

(2) Native prairie and long grasses within a defined landscape area on a single- or two-family residential parcel, provided that such defined landscape area:

(A) Occupies no more than 50% of the pervious surface area of the parcel excluding natural wooded areas, wetlands, water bodies, rain gardens, lakescaping and scenic easements;

(B) Is set back from property lines by at least five feet. The setback is not required where the defined landscape area abuts another similar private or public landscape area, a wetland, pond, lake or stream or if a fully opaque fence at least four feet in height is installed along the lot line adjoining the planned landscape area; and

(C) Is maintained at least once per year through mowing or, if appropriate permits are obtained through the City Fire Marshal, burning.

(3) Natural wooded areas;

(4) Wetlands, ponds or rain gardens;

(5) Lakescaping areas as defined in § 19.03; and

(6) Areas where mowing is prohibited by easement or law.

(b) *Brush.* All brush piles not properly stored in a closed container upon any lot or parcel of land in the city are hereby declared to be a vermin harborage and attractive nuisance and dangerous to the health, safety and good order of the city with the following exceptions:

(1) Brush piles located near the street or other specific area for pickup or collection for a period of time of less than one week;

(2) Brush accumulations from a large storm event where it is not reasonable that brush be collected in a week or less; and

(3) Brush that has fallen in natural wooded or wetland areas or yards.

(1958 Code, § 163.08(2)) (Ord. 208, passed 10-15-1959; Ord. 63-23, passed 7-1-1963; Ord. 2004-44, passed 11-15-2004; Ord. 2009-3, passed 2-2-2009; Ord. 2015-15, passed 5-18-2015; Ord. [2018-13](#), passed 6-4-2018; Ord. [2021-7](#), passed 4-26-2021)

### **§ 10.39 NOTICE.**

(a) When the owner or occupant or both permit a nuisance to exist in violation of § 10.38 of this Article VI, the Environmental Health Manager, or designated employee, shall serve a notice on the owner, occupant or agent of the owner of such lot or parcel of land ordering such person to have such brush, yard waste or weeds or long grass cut and removed, or removed within seven calendar days after the service of such notice; such notice shall also state that in the event of noncompliance, removal will be done by the city at the owner's expense. The notice of the cost of abatement shall also inform the owner of the owner's right to appeal the fee under § 1.17 of the city code.

(b) Such notice shall be deemed to be properly served if a copy thereof is:

(1) Delivered personally;

(2) Sent by first-class mail addressed to the person who is listed by the County Auditor as the owner of tax payer record. If the tax payer's address is different than the address where the violation exists, then the notice shall also be mailed to the property address where the violation exists; or

(3) If the notice is returned showing that the letter was not delivered or the property is known to be vacant, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

(1958 Code, § 163.08(3)) (Ord. 208, passed 10-15-1959; Ord. 63-23, passed 7-1-1963; Ord. 2008-15, passed 5-5-2008; Ord. 2009-3, passed 2-2-2009; Ord. 2012-2, passed 1-23-2012; Ord. 2015-15, passed 5-18-2015; Ord. [2016-24](#), passed 10-24-2016)

### **§ 10.40 ASSESSMENT.**

(a) If any person fails to comply with the notice provided in § 10.39 of this Article VI within seven calendar days after service, or if no owner, occupant or agent can be found, the Environmental Health Manager, or designated employee, shall have such brush, yard waste, long grass or weeds cut and removed or otherwise eradicated. A record showing the cost of such work attributable to each separate lot or parcel shall be delivered to the City Clerk. On or before October 1 of each year, the amount so charged, including the administrative and inspection charges due under subsections (b) and (c) below, together with interest thereon at the maximum lawful rate permitted under M.S. Chapter 429, as it may be amended from time to time, against said lot or parcel of land, together with a description of the premises and the name of the supposed owner, shall be certified to the County Auditor and shall be collected in the same manner as taxes or special assessments against said premises. The charge shall be a perpetual lien on the premises until paid.

(b) The administrative assessment charge as set forth in City Code Appendix A.

(c) An inspection charge, as set forth in City Code Appendix A, shall be due upon the mailing of the city invoice to the property owner.

(1958 Code, § 163.08(4)) (Ord. 208, passed 10-15-1959; Ord. 63-23, passed 7-1-1963; Ord. 81-18, passed 5-4-1981; Ord. 2009-3, passed 2-2-2009; Ord. 2015-15, passed 5-18-2015; Ord. [2016-24](#), passed 10-24-2016; Ord. [2019-26](#), passed 5-20-2019; Ord. [2020-40](#), passed 11-23-2020)

### **§ 10.41 PENALTY.**

Failure or neglect to cut and remove or otherwise eradicate weeds or grass or remove yard waste and brush as directed in this Article VI; failure, neglect or refusal to comply with any provision of any notice provided herein; violation of any provision of this Article VI; or resisting or obstructing the Environmental Health Manager, or designated employees and contractors in the cutting and removal,

or eradication of weeds or long grass, or removal of yard waste or brush shall be a misdemeanor. Each day on which such violation continues shall constitute a separate offense.

(1958 Code, § 163.08(5)) (Ord. 208, passed 10-15-1959; Ord. 246, passed 9-19-1960; Ord. 63-23, passed 7-1-1963; Ord. 77-68, passed 10-3-1977; Ord. 2009-3, passed 2-2-2009)

#### **§ 10.42 SEVERABILITY.**

In any case any section of this Article VI is held invalid by a court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of the Article VI shall continue in full force.

(1958 Code, § 163.08(8)) (Ord. 208, passed 10-15-1959; Ord. 2009-3, passed 2-2-2009)

## **7-1-9: Weeds And Growing Grass**

### **7-1-9-1: Purpose**

### **7-1-9-2: Maintenance Standard**

### **7-1-9-3: Declaration Of Public Nuisance**

### **7-1-9-4: Nuisance Notification**

#### **7-1-9-1: Purpose**

The City Council finds that:

- A. Diverse landscapes support biodiversity and enhance the quality of life of residents. This includes certain landscapes in the City that have been created to provide a function, such as those that capture and divert water, and other unmaintained areas that offer significant ecological benefits. There are community expectations, however, that once an area has been disturbed, landscaped, or otherwise altered, that area will continue to be maintained in a consistent manner. When vegetation in that area is not continually maintained, it becomes aesthetically unpleasing, can become invaded with noxious weeds or invasive plant species, and violates community standards. Poorly maintained property may decrease the value of adjacent properties. In addition, if vegetation is not properly maintained, the following adverse impacts on the environment or the public health, safety, and welfare may occur:
1. Undesirable vegetation and noxious weeds such as common buckthorn, garlic mustard, and Canada thistle may invade and threaten to supplant desirable vegetation;
  2. Vegetation that causes allergic reactions, such as ragweed, may develop; and
  3. Tall vegetation or overhanging branches may impair visibility along public roads.
- B. It is in the public interest to allow residents to choose the type of landscaping on their properties and to make changes in that vegetation, as long as the new vegetation does not include noxious weeds or invasive plant species. As a protection for the larger community, the change in vegetation must be properly managed and maintained and the length of the transition period must be minimized.
- C. Managed natural landscapes and pollinator lawns are acceptable landscape treatments in the City. When these plantings or lawns are started from seed, however, this requires special consideration and management because weeds will grow during the first few years during the transition and, before the new vegetation predominates, will appear like neglect. Therefore, the council finds that managed natural landscapes lawns are acceptable if these landscapes are properly established and maintained and if signage is posted describing the intended result.
- D. Establishing reasonable maintenance standards turf grass, pollinator lawns, and managed natural landscapes is in the best interest of the public health, safety, and welfare as outlined above.

The City Council enacts this Chapter to balance the public interest in diverse vegetation with the public need to ensure proper maintenance of that vegetation.

HISTORY

Adopted by Ord. [1601](#) on 10/17/2023

#### **7-1-9-2: Maintenance Standard**

The maintenance standard in this section applies to property that has been developed with a building as defined in the building code, including vacant property combined with developed property for tax purposes, and a parcel of property that has been completely or partially disturbed by demolition, grading or other means in preparation for development or redevelopment.

- A. All turf grasses, pollinator lawns and weeds must not exceed a height of 8 inches, measured from the base at ground level to the tip of each stalk, stem, blade, or leaf.
- B. This requirement does not apply to the following:
  - 1. A wetland or floodplain designated in Title 10 and required wetland buffers or those voluntarily created by a private land owner when compatible with the character of the neighborhood and the intent of Section 10-8-5: Wetland Overlay District Standards of this Code;
  - 2. A drainage pond or ditch that stores or conveys stormwater;
  - 3. An area identified as a natural area in an approved planned unit development;
  - 4. A natural woodland preserved during development or in a reforested woodland related to meeting the requirements of Section 10-8-9: Woodland Protection Standards of this Code;
  - 5. An area in which the land and vegetation appear not to have previously been graded, landscaped, mowed, or otherwise disturbed by human or mechanical means at any recent time. Determination of what constitutes this type of area will be based on a reasonable judgment of the present appearance of the area. The recent history of the area may be relevant to this determination; and
  - 6. A managed natural landscape permitted under Minnesota Statute 412.925.
- C. Managed natural landscapes may include plants and grasses in excess of 8 inches in height and which have gone to seed, but may not include any noxious weeds and must be maintained so as to not include unintended vegetation. Managed natural landscapes may not include any plantings, which due to location and manner of growth constitute a hazard to the public or may cause injury or damage to persons or property when such growth is in violation of clearance and sight line requirements. During the establishment of a managed natural landscape that is in a location likely to be seen by the public, a sign must be posted on the property that advises a managed natural landscape is being established. The sign must remain posted until weeds cover less than 25% of the area.

#### HISTORY

Amended by Ord. [1601](#) on 10/17/2023

### **7-1-9-3: Declaration Of Public Nuisance**

The following are public nuisances subject to abatement under this Chapter:

- A. Noxious weeds;
- B. Vegetation that does not meet the maintenance standard specified in this Chapter; and

C. Vegetation that violates the sight-distance standards listed in Section 10-7-6: Traffic Visibility.

HISTORY

Amended by Ord. [1601](#) on 10/17/2023

**7-1-9-4: Nuisance Notification**

- A. Notice: If a violation is found in accordance with this section, notice will be mailed to the owner and/or occupant ordering the weeds or grass to be cut and removed or otherwise eradicated within 14 days after receiving the letter.
1. The notice will also state that in event of noncompliance, removal will be done by the City at the owner's expense, and that the owner has the right to file an appeal with the City pursuant to section 1-4-7 of this Code.
  2. When no owner, occupant or agent of the owner can be found, notice shall be sent by registered mail to the person listed on the records of the county auditor as the owner
  3. Noxious weeds shall be controlled or eradicated using control best practices methods recommended by the Minnesota department of agriculture.
- B. Noncompliance With Notice: If such person fails to comply with the notice within 14 days after service, or if no owner, occupant or agent can be found, the weed inspector or designee, may have the weeds or grass cut and removed or otherwise eradicated. The records showing the cost of such work attributable to each separate lot or parcel, including an administrative fee as may be determined by the City Council, will be mailed to the property owner. The City shall collect any unpaid amounts under the provisions of Minnesota Statutes Chapter 429.101. The City may collect unpaid amounts relating solely to the elimination of noxious weeds pursuant to Minnesota Statutes Section 18.83, Subdivision 7. (Ord. 1395, 8-16-2016)
- C. Obstructing City Employees: No person shall obstruct the weed inspector or designee, in the inspection, posting, cutting, removal or eradication of weeds or grass. Each day on which such obstruction continues shall constitute a separate offense. (Ord. 1300, 5-14-2013)

HISTORY

Amended by Ord. [1601](#) on 10/17/2023

# CHAPTER 904: WEEDS AND GRASS DECLARED TO BE A NUISANCE

---

## Section

- 904.01 Definitions
- 904.02 Nuisance declared
- 904.03 Owner responsible for trimming, removal and the like
- 904.04 Notice of violations
- 904.05 Appeals
- 904.06 Abatement by city
- 904.07 Liability
- 904.08 Exclusions
- 904.09 Penalty

### § 904.01 DEFINITIONS.

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

**DESTRUCTION ORDER.** The notice served by the city weed inspector or designated city official on the property owner of the ordinance violation.

**PROPERTY OWNER.** The person occupying the property, the holder of legal title or a person having control over the property of another, such as right-of-way, easement, license or lease.

**WEEDS.** Shall be construed to mean and include not only noxious weeds as are enumerated in M.S. Chapter 18.76 to 18.88, as they may be amended from time to time, but also such useless and troublesome plants as are commonly known as weeds to the general public. The word **WEEDS** shall also be construed to mean all rank vegetative growth which exhales unpleasant or noxious odors, and also high rank vegetative growth that may conceal filthy deposits.

(Prior Code, § 904.01) (Ord. 93-09, passed 9-13-1993)

### § 904.02 NUISANCE DECLARED.

(1) Any weeds or grass growing upon any lot or parcel of land in the City of Lino Lakes in excess of eight inches in height or which have gone or about to go to seed, are hereby declared to be a nuisance and dangerous to the health and safety and good order of the city. This shall apply in zoning districts where the land is platted or developed. **DEVELOPED** shall mean that the property has been improved with the construction of buildings, parking lots or other facilities excluding underground utilities or sewer or water.

(2) It shall be unlawful to allow or permit any growth of weeds, grass, brush or other rank vegetation to a height greater than eight inches or any accumulation of dead weeds, grass or brush.

(3) In the instance where the control area is larger than one acre, the control shall be restricted to the front one acre and 20 feet on the perimeter of adjoining frontages.

(Prior Code, § 904.02) (Ord. 93-09, passed 9-13-1993)

### **§ 904.03 OWNER RESPONSIBLE FOR TRIMMING, REMOVAL AND THE LIKE.**

All property owners shall be responsible for the removal, cutting or disposal and elimination of weeds, grasses and rank vegetation or other uncontrolled plant growth on their property, which at the time of notice, is in excess of eight inches in height.

(Prior Code, § 904.03) (Ord. 93-09, passed 9-13-1993)

### **§ 904.04 NOTICE OF VIOLATIONS.**

When any conditions exist on any lot or parcel in the City of Lino Lakes in violation of the provisions hereof, it shall be the duty of the city weed inspector or his or her designee to serve a forward written notification in the form of a "Destruction Order" on the property owner, occupant or agent to have the weeds or grass cut and removed. The notice shall be served in writing by certified mail. The notice shall provide that within ten days after the service thereof, that the designated violation shall be removed by the property owner or person occupying the property, and also stating that in case of noncompliance, the same will be done by the city weed inspector at the owner's expense.

(Prior Code, § 904.03) (Ord. 93-09, passed 9-13-1993)

### **§ 904.05 APPEALS.**

(1) The property owner may appeal by filing written notice of objections with the City Council within 48 hours of the notice, excluding weekends and holidays, if the property owner contests the findings of the city. It is the property owner's responsibility to demonstrate that the matter in question is not in violation of this chapter.

(2) An appeal by the property owner shall be brought before the City Council and shall be decided by a majority vote of the Council Members in attendance and being at a regularly scheduled or special meeting of the City Council.

### **§ 904.06 ABATEMENT BY CITY.**

In the event that the property owner shall fail to comply with the "Destruction Order" within ten regular business days and has not filed a notice within 48 hours to the City Clerk of an intent to appeal, the city weed inspector may employ the services of city employees or outside contractors and remove the weeds to conform to this chapter by all lawful means.

### **§ 904.07 LIABILITY.**

(1) The property owner is liable for all costs of removal, cutting or destruction of weeds as defined by this chapter.

(2) The property owner is responsible for all collection costs associated with weed destruction, including but not limited to court costs, attorney's fees and interest on any unpaid amounts incurred by the city. If the city uses municipal employees, it shall set and assign an appropriate per hour rate for employees, equipment, supplies and chemicals which may be used.

(3) All sums payable by the property owner are to be paid to the City Clerk and to be deposited in a general fund as compensation for expenses and costs incurred by the city.

(4) All sums payable by the property owner may be collected as a special assessment as provided by M.S. § 429.101, as it may be amended from time to time.

### **§ 904.08 EXCLUSIONS.**

This chapter shall not apply to:

- (1) Natural areas which shall be defined as densely wooded areas, bogs and marshes;
- (2) Managed natural landscapes as defined in M.S. § 412.925(a)(1)-(5);
- (3) City owned and/or controlled property (city will maintain city properties the same as the norm for the area or neighborhood it is located);
- (4) Storm water pond areas;
- (5) Land used for agricultural purposes; or
- (6) Compost areas which meet the following conditions:
  - (a) The compost is in a compost box which is of adequate construction to allow for the decomposition of the material; and
  - (b) The compost is screened from view of adjacent property owners.

(Prior Code, § 904.05) (Ord. 93-09, passed 9-13-1993; Am. Ord. 10-23, passed 10-23-2023)

**§ 904.09 PENALTY.**

Any person, or firm or corporation who violates any provision of this chapter shall be guilty of a misdemeanor.

(Prior Code, § 904.06) (Ord. 93-09, passed 9-13-1993)

# Examples of Native Landscape Ordinances from Minnesota Cities

## Introduction

Many cities in Minnesota and elsewhere now allow or actively promote the use of native plants and natural or naturalized residential landscaping. Landscape types include meadow, prairie, rain gardens, lake and pond shorelines, and other natural areas. The ordinance excerpts included here show the range of approaches that cities are using. Some cities require a permit for native landscaping; others require setbacks but no permit; still others allow the practice by right.

Two important disclaimers:

1. These are summaries of or excerpts from local ordinances, not the complete ordinance. Most ordinances also include detailed prohibitions and procedures for removing weeds, brush, and other unmaintained or hazardous vegetation.
2. The ordinance excerpts were current as of December, 2019. Ordinances are likely to be amended or updated over time, so be sure to check the actual city code for the most current language.

## General Guidance

The [Minnesota GreenStep Cities](#) program maintains a list of [Model Ordinances for Sustainable Development](#). The model ordinance for [Landscaping and Maintenance of Vegetation](#) distinguishes native plantings and other alternatives to turf grass and defines edible landscaping as a substitute for lawns. The ordinance requires a plan, setbacks, and maintenance of native landscaping to address the nuisance concerns that typically accompany alternatives to turf. (Last updated in 2008, some of the references are out-of-date but the ordinance language is useful.)

## Austin

### 10.13 Grass and weeds on private property.

Subd. 1. It is unlawful for any owner, occupant or agent of any lot or parcel of land in the city to allow any noxious weeds as defined in Minnesota Statutes Sections 18.77 and 21.72 or grass growing upon any such lot or parcel of land to grow to a greater height than 8 inches.

A. The following areas and types of vegetation are exempted from this provision if managed in a manner so as not to become infested with weeds or to create a stagnant, foul-smelling condition;

1. Non-noxious weeds and grass vegetation in wetland areas;
2. Non-noxious weeds, grasses and herbaceous vegetation within 50' of designated storm water ponds or within 50' of natural or altered creeks, rivers and stream corridors, including riparian buffer strips, that convey water, provided they are cut to less than 10 inches at least once per year if located within 200' of an occupied residence or developed property;

3. Non-noxious weed and grass vegetation growing on land that has been agriculturally zoned land or has a history of being ag land, including pastures, that are fenced and contain animals, provided that a buffer zone of 10 feet between the ag land and any turf grass area will be required;
4. Temporary erosion control grasses;
5. **Maintained and weeded prairie, meadow or natural landscape vegetation** [emphasis added] that does not contain noxious weed growth and that includes the cultivation of native grasses indigenous to Minnesota provided that the property owner applies for and is issued a natural landscape permit and maintains the property in a condition sufficient to maintain the permit. Natural landscape permits are required if a proposed landscape includes native grasses that exceed or are expected to exceed 8 inches in overall height. Natural landscape permit applications shall be submitted to the Park Department. No natural landscape permits will be issued unless the following requirements are fulfilled by the owner;
  - a. They are set back not less than twenty feet from the front lot line. For the purposes of this ordinance, corner lots shall be deemed to have two front yards;
  - b. They are set back not less than five feet from the side and/or rear lot lines to provide a transition zone. No set back is required on the side or rear lot lines if (1) there is a fully opaque fence at least five feet in height installed between the native plants and the side or rear lot lines or (2) the native plants abut a neighboring Native Plant Landscape Area;
  - c. The Native Plant Landscape Area is cut at least once annually between April 15 and July 15 to a height no greater than ten (10) inches;
  - d. Turf grass is eliminated and the native plants, trees and shrubs are planted through transplanting or seed by human or mechanical means. Soil erosion should be controlled while the ground is bare of plant growth that is sufficient to inhibit erosion and is the sole responsibility of the owner or occupant;
  - e. Written authorization from the City Administrator or his/her designee is obtained for work within conservation or scenic easement areas, including planting, mowing or cutting.
6. A violation of any of the requirements set forth above will result in the revocation of the natural landscape permit by the City.
7. Grass and non-noxious weed vegetation in publicly owned parks designated as natural preserves or private property so designated by the City Council or natural undisturbed areas where the land and vegetation appears not to have been graded, landscaped or otherwise disturbed by human or mechanical means in recent time;
8. Grass and non-noxious weed vegetation on natural or altered slopes steeper than 2:1;
9. Ornamental grasses; and/ or
10. Natural wooded lots.

[\[link to code\]](#)

# Bloomington

## Chapter 10, Article VI, Weeds and Brush

### § 10.37 Definitions

**BRUSH.** Includes parts of plants, such as but not limited to, twigs, tree and shrub branches. **BRUSH** does not include firewood and construction material.

**WEEDS.** Includes all noxious weeds as defined by the statutes of the state and all such useless and troublesome plants as are commonly known as weeds to the general public including volunteer and scrub trees or shrubs.

### § 10.38 Nuisance

(a) Weeds and grass. All weeds or growing grass upon any lot, parcel of land or adjacent right-of-way area in the city to a height greater than eight inches, or which have gone or are about to go to seed, are hereby declared to be a nuisance and a detriment to the good order of the city with the following exceptions:

- (1) Native prairie and long grass areas shown on an approved landscape plan in accordance with § 19.52;
- (2) Native prairie and long grasses within a defined landscape area on a single- or two-family residential parcel, provided that such defined landscape area:
  - (A) Occupies no more than 50% of the pervious surface area of the parcel excluding natural wooded areas, wetlands, water bodies, rain gardens, lakescaping and scenic easements;
  - (B) Is set back from property lines by at least five feet. The setback is not required where the defined landscape area abuts another similar private or public landscape area, a wetland, pond, lake or stream or if a fully opaque fence at least four feet in height is installed along the lot line adjoining the planned landscape area; and
  - (C) Is maintained at least once per year through mowing or, if appropriate permits are obtained through the City Fire Marshal, burning.
- (3) Natural wooded areas;
- (4) Wetlands, ponds or rain gardens;
- (5) Lakescaping areas as defined in § 19.03; and
- (6) Areas where mowing is prohibited by easement or law.

[\[link to code\]](#)

## Burnsville

### Native Plantings Ordinance

*The City has language specifically related to native plantings in its ordinances. Native prairie or other native habitat plantings are referred to as meadow vegetation in this document. Native plants used in a typical manicured garden are not regulated by this ordinance.*

The following is a summary of the requirements of the native planting ordinance. Native plantings will be allowed as landscaping if they meet the following criteria:

- A landscape plan is submitted to the City and approved prior to the commencement of the project. More information on landscape plan requirements is listed below.
- The prior vegetation is eliminated and the native vegetation is planted through transplanting or seed by human or mechanical means.
- If weeds cover more than 25% of the planting, it must be cut to a height of no more than 8 inches at least once per year.
- The area is clearly defined by edging, fence, or similar material. A native planting that directly abuts at least a mower's width of mowed and maintained turf grass will be considered to have adequate edging.
- If on sloped ground, the native planting must have adequate erosion control measures installed while it establishes.
- The area does not extend into the public right of way.
- A sign is posted on the property in a location likely to be seen by the public, advising that a meadow or prairie is being established. This sign is required only if the planting is in an area likely to be seen by the public. This sign must be in addition to any sign permitted by the sign ordinance but must be no smaller than 10 inches square, no larger than one square foot, and no higher than 3 feet tall. The sign is no longer required when weeds cover 25% or less of the area.

### Landscape Plans for Native Plantings

The City requires residents to submit a landscape plan for their native prairie planting prior to installation. Planting plans are reviewed and approved within 10-15 business days.

[Native Planting Landscape Plan\(PDF\)](#)

[\[Link to code](#) – see Section 7-1-9]

## Minneapolis

One of the least restrictive ordinance examples is that of Minneapolis. Section 227.90 of the [Code of Ordinances](#) establishes a “right to install and maintain a managed natural landscape”, which is exempted from public nuisance regulations. Note that the ordinance applies to private parcels, not to boulevards, which do have height limits for vegetation.

(a) *In general.....* Except as part of a managed natural landscape as defined in this section, any weeds or grass growing upon any lot or parcel of land in the city to a greater height than eight (8) inches or which have gone or are about to go to seed are hereby declared to be a nuisance condition and dangerous to the health, safety and good order of the city.

(b) *Right to install and maintain a managed natural landscape.* An owner, authorized agent, or authorized occupant of any privately owned lands or premises may, consistent with this subsection and all other applicable laws, statutes, rules and ordinances, install and maintain a managed natural landscape.

### (1) *Definitions.*

*Managed natural landscape* means a planned, intentional and maintained planting of native or non-native grasses, wildflowers, forbs, ferns, shrubs or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plantings.

*Meadow vegetation* means grasses and flowering broad-leaf plants that are native to, or adapted to, the State of Minnesota, and that are commonly found in meadow and prairie plant communities, not including noxious weeds.

*Noxious weed* shall have the meaning assigned by Minnesota Statutes, Section 18.77, Subd. 8.

*Ornamental plants* means grasses, perennials, annuals and groundcovers purposefully planted for aesthetic reasons.

*Rain garden* means a native plant garden that is designed not only to aesthetically improve properties, but also to reduce the amount of stormwater and accompanying pollutants from entering streams, lakes and rivers.

*Turf-grass lawn* means a lawn comprised mostly of grasses common used in regularly cut lawns or play areas (such as but not limited to bluegrass, fescue, and ryegrass blends), intended to be maintained at a height of no more than eight (8) inches.

(2) *Findings.* The city council finds that the installation and maintenance of managed natural landscapes is beneficial to the city's environment and its residents and serves to further adopted city goals in that managed natural landscapes require fewer potentially harmful and costly inputs, improve stormwater retention, increase water quality and biodiversity, reduce greenhouse gas emissions, and provide habitat for wildlife such as birds, butterflies and other beneficial insects and species.

### (3) *Requirements.*

- a. Managed natural landscapes may include plants and grasses in excess of eight (8) inches in height and which have gone to seed, but may not include any noxious weeds and must be maintained so as to not include unintended vegetation.

- b. Managed natural landscapes may not include any plantings, which due to location and manner of growth constitute a hazard to the public or may cause injury or damage to persons or property when such growth is in violation of sections [244.1580](#) or [427.280](#).
- c. Managed natural landscapes shall not include turf-grass lawns left unattended for the purpose of returning to a natural state.

[\[link to code\]](#)

## Rochester

*Rochester's ordinance includes specific requirements for a landscape permit and for a management and maintenance plan for the transition period to the natural landscape.*

*Intent:* The City Council also determines that a variety of properly maintained landscapes in the City add diversity and a richness to the quality of life, and does not want to discourage the preservation, restoration and maintenance of diverse biologically stable natural plant communities or environmentally sound practices. The City Council finds that the establishment of native or naturalistic plant communities is an acceptable landscape treatment in the City. However, as a protection for the larger community, this change in vegetation must be properly planned, managed and maintained, and the length of transition period must be minimized or the property is likely to create a public nuisance.

*Definitions:*

Subd. 5. "Native and Naturalistic Vegetation" shall mean grasses and flowering broad-leaf plants that are native to, or adapted to, the State of Minnesota, and that are commonly found in meadow and prairie plant communities, except weeds.

Subd. 6. "Native grasses" shall mean grasses (Beach Grass, Wood Chess Grass, Sand Reed Grass, Wheat Grass, Bluestem Grass, Grama Grass, Brome Grass, Buffalo Grass, Switch Grass, Indian Grass, Wild Rye)) that existed in the area prior to European settlement.

Subd. 7. "Native plants" shall mean plants that existed in the area prior to European settlement.

Subd. 8. "Natural landscaping" shall mean the use of groups of plants native to the area.

Subd. 9. "Naturalistic landscaping" shall mean the use of native and nonnative plants.

Subd. 10. "Noxious weeds" shall mean plants so designated by the Commissioner of Agriculture pursuant to Minnesota Statute, those identified by Olmsted County, or USDA-APHIS.

Subd. 11. "Prairie" shall mean a plant community dominated by a diversity of native perennial herbaceous plants and grasses.

Subd. 12. "Regularly cut" shall mean mowing or otherwise cutting vegetation so that the dimension of the vegetation measured from the ground to the top of the vegetation(as extended upright) regardless if that is the blade of the vegetation or any other part of the plant does not exceed 12 inches in height.

Subd. 13. "Temporary Erosion Control Grasses" shall mean grasses (winter wheat, oats, annual rye or regreen) that are used as single growing season cover or nurse crops to assist in the establishment of permanent vegetation.

Subd. 14. "Traditional landscaping" shall mean the use of turf grasses and woody plants (shrubbery and trees) with defined areas for cultivation of annual and perennial plants.

Subd. 15. "Transitional period" shall mean the amount of time to change from one type of landscaping to another. The period should not extend three growing seasons for any specific area.

Subd. 16. "Turf grasses" shall mean bluegrass, fescue and ryegrass blends with non-woody vegetation interspersed with them commonly used in regularly cut lawns.

Subd. 17. "Weeds" shall mean prohibited noxious weeds as identified by the State of Minnesota Department of Agriculture, Olmsted County, or USDAAPHIS and any undesirable or troublesome plant that is horticulturally out of place exceeding the height limitations in this chapter. For the purposes of this ordinance, *Taraxacum* spp (common dandelion) is not considered a weed.

*Exemption from nuisance regulation:*

Maintained and weeded prairie, or natural/naturalistic landscape vegetation that does not contain noxious weed growth provided that the property owner applies for and is issued a natural or naturalistic landscape permit, and maintains the property in a condition sufficient to maintain the permit.

*Permit requirements:*

48.05. Natural or Naturalistic Landscape Permits. Natural or Naturalistic Landscape Permits are required if a proposed landscape includes grasses that exceed or are expected to exceed 12 inches in overall height. Permit applications shall be submitted to the Park Department.

48.06. Contents of Natural or Naturalistic Landscape Permit Application. The applications shall contain:

- A. The name and address of the applicant and the legal description of the property being permitted;
- B. A site plan for the area sought to be permitted. The scale of plan should be 1"=30' and include all adjacent properties and public streets and alleys;
- C. A general description of the vegetation types, plants and plant succession to be used; and
- D. A specific management and maintenance plan which shall include:
  - (1) The estimated transition period;
  - (2) The elimination of non-native or invasive vegetation;
  - (3) The replanting of the area by transplant or seeded by human or mechanical means;
  - (4) The maintenance of the area to a height of 12 inches or less if weeds cover more than 25% of the landscaped area equaling in excess of 144 square feet;
  - (5) The maintenance of all non-woody vegetation/grasses located in a buffer strip with a minimum distance of four feet from side and rear lot lines is to a height of 12 inches or less unless the

adjacent property owner has consented in writing that the buffer strip is not required, a copy of which is filed with the permit application; and

(6) Maintenance of all vegetation within 18 inches of any public street, walk, bikeway or alley to a height of 12 inches or less.

48.07. Issuance of Natural or Naturalistic Landscape Permit. The Park Department shall determine the completeness of the application and shall issue the Natural or Naturalistic Landscape Permit unless:

- A. The management and maintenance plan is incomplete or inconsistent with the application requirements; or
- B. The transition period for the area is longer than three growing seasons.

[\[link to ordinance\]](#)