

900.07 LANDSCAPING AND FENCING.

Subd. 1. Landscaping.

The primary purpose of this policy is to establish minimum requirements and standards relative to landscaping, buffering and screening to be implemented concurrently with site plans approved by the City. The standards and criteria shall be used by City Staff and the Planning Commission in the review and evaluation of such plans and development proposals. The objectives of these requirements are to establish and maintain forestation of the City; to provide appropriate ground cover vegetation for controlled soil erosion; to enhance, when necessary, the natural environment, particularly in instances where the natural environment is disturbed during the course of development; and to establish standards for utilization of natural materials to achieve desired screening and buffering. This policy sets forth minimum requirements of landscaping and limitations to assure that the result is consistent with reasonable maintenance requirements on a long-term basis and to assure that the results provide an aesthetic urban environment.

Subd. 2. Minimum Standards for Each Zoning District.

A. Industrial Districts (I-1 and I-2) and Fairgrounds District (F-1).

1. One (1) tree per 1,000 square feet of gross building floor area.
2. Where industrial and fairground zoned land is adjacent to or across the street from property zoned for residential development, that project shall provide screening as follows:
 - a. Loading docks and loading berths that face a residentially zoned area shall be screened so as not to be seen from the residential area. Various deciduous and coniferous trees and/or a fencing or wall approved by the Planning Commission may be used as the screening device.
 - b. Proposed parking lots that will serve an industrial or fairgrounds use that face or abut a residentially zoned area shall be screened so as to minimize the visual impact of the large expanses of asphalt and automobiles. This screening can be accomplished by an earth berm with shrub plantings or by a hedge with various deciduous and coniferous trees or by other combinations approved by the Planning Commission.
 - c. Trees planted to satisfy the requirements of sub-paragraphs 2a and 2b above, will not be counted towards the requirement of 1 tree per 1,000 square feet of building unless otherwise specified by the Planning Commission.

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3. All trash and trash handling equipment be stored within the principal structure, in an attached structure accessible from within the principal structure, or totally screened from eye-level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structures.
 4. Light from automobile headlights and other sources shall be screened whenever it may be directed onto adjacent residential windows.
- B. B-1 (Highway Business District) and B-4 (Health Care Business District), and P (Public District).
1. One (1) tree for every one thousand (1,000) square feet of total building floor area or one (1) tree for every fifty (50) feet of site perimeter, whichever is greater.
 2. The light from automobile headlights and other sources shall be screened whenever it may be directed onto adjacent residential windows.
 3. Loading docks and loading berths that face a residentially zoned area shall be screened so as not to be seen from the residential area. Various deciduous and coniferous trees and/or a fencing or wall approved by the Planning Commission may be used as the screening device.
 4. Parking lots that serve a highway business use or health care use or public district that face or abut a residentially zoned area shall be screened so as to minimize the visual impact of the large expanses of asphalt and automobiles. This screening can be accomplished by an earth berm with shrub plantings or by a hedge with various deciduous and coniferous trees or by other combinations approved by the Planning Commission.
 5. Trees planted to satisfy the requirements of sub-paragraphs 2), 3) or 4) above, will not be counted towards the requirement of 1 tree per 1,000 square feet of building or one (1) tree per 50 feet of site perimeter unless otherwise specified by the Planning Commission.
 6. All trash and trash handling equipment shall be stored within the principal structure, within an attached structure accessible from within the principal structure, or totally screened from eye-level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structure.

7. Additional plantings shall be required for properties fronting State Highway #5. The following will be required for every 40' of frontage along Highway #5:

a. One (1) three inch (3") minimum deciduous tree.

Or

One (1) eight foot (8') minimum coniferous tree

C. B-2 General Business District and B-3 Central Business District.

1. One (1) tree for every one thousand (1,000 sq. ft.) of total building area. If landscaping can not be accommodated on site the City Council will require the plantings to be placed in a City Park or City right-of-way. Placement of such landscaping shall be approved by the City Council.

2. Any off-street parking areas that serve downtown business district establishments and face or abut a residentially zoned area shall be screened so as to minimize the visual impact of large expanses of asphalt and automobiles. This screening can be accomplished by an earth berm with shrub plantings or by a hedge with various deciduous and coniferous trees or by other combinations approved by the Planning Commission.

3. Loading docks and loading berths that face a residentially zoned area shall be screened so as not to be seen from the residential area. Various deciduous and coniferous trees and/or a fencing or wall approved by the Planning Commission may be used as the screening device.

4. All trash and trash handling equipment shall be stored within the principal structure, within an attached structure accessible from within the principal structure, or totally screened from eye-level view from public streets and adjacent residential properties. If accessory structures are proposed, they shall be constructed of the same building material as the principal structure.

5. Light from automobile headlights and other sources shall be screened whenever it may be directed onto adjacent residential windows.

D. R-1 Single Family Residential
R-2 Single Family Residential
R-3 Medium Density Residential

R-4 Mixed Residential District
R-5 High Density Residential
PUD Planned Unit Development

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1. A planting strip and/or earth berm, not exceeding a slope of 3:1, shall be placed in all newly platted residential developments that abut an arterial road as identified in the City's Comprehensive Plan.
2. In the R-1, R-2 and R-4 districts each newly platted lot shall have two (2) trees.
3. Landscaping for PUD districts shall follow the respective land-use guidelines. In other words, if the PUD contains uses consistent with R-1, R-2 or R-4 uses, the landscaping requirements applicable to those districts shall apply to the PUD.
4. R-3 and R-5 districts shall have the equivalent of one (1) landscape planting for every two dwelling units on any given property.
5. Where any multiple-family use with more than four (4) parking spaces adjoins another residential use, the off-street parking for such use shall be screened from adjoining properties by a hedge or other various plantings as approved by the Planning Committee.
6. Lights from automobiles and parking lot lights shall be screened whenever it may be directed onto residential windows to the extent that it will cause an unreasonable disturbance.

E. Landscape Requirements Applicable To All Districts.

1. Unless otherwise directed by the Planning Commission, all plantings shall be placed on the private property on which the development is taking place.
2. All areas not otherwise improved in accordance with approved site plans or subdivisions shall be sodded, seeded, or otherwise established with vegetation approved by the City, and maintained in accordance with this subdivision. All grass and vegetative plantings shall occur over a minimum of six (6) inches of topsoil borrow meeting Minnesota Department of Transportation Specification 3877, Table 3877-1. 100% of the material including soil clumps must pass a 1" sieve. Prior to sod installation, all topsoil borrow material must be approved by the City. The grading shall consist of a uniform and smooth surface. Any sags or rises shall be corrected prior to the placement of sod or seed. Further, all grass and vegetative plantings shall be completed no later than six (6) months from the date of issuance of a Certificate of Occupancy. Grass shall be clean and free of noxious weeds and pests or diseases and shall be of a species normally grown as permanent lawns and suitable to this climate.

3. All off-street parking areas over one hundred (100) stalls shall include unpaved, landscaped islands. Each landscaped island shall be 180 square feet in size (9' x 20') and shall be contained and bordered by a raised concrete curb that meets City Standards.
 - a. Landscaped islands shall be provided every two-hundred and twenty-five (225) feet or more of uninterrupted parking stalls.

Or

One (1) landscape island per 16 stalls over 100 stalls.

- b. Plant materials shall be provided for in each landscaped island at the discretion of the Planning Commission.
4. The owner shall provide the City with cash, corporate surety bond, approved letter of credit or other surety satisfactory to the City to guaranty the proper installation and growth of the approved landscape plan. The performance bond shall be furnished by the developer prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed. The performance bond shall be held by the City and must cover one full calendar year subsequent to the installation of said landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscape plan.

F. Minimum Size of Plantings

1. Unless otherwise specified herein with respect to specific zoning districts, required trees shall be of the following minimum planting size:
 - a. Deciduous trees - 2.5 inches in diameter as measured six inches above ground.
 - b. Coniferous trees - 6 feet in height.
 - c. Major shrub/berm plantings - 5 gallons.
2. Evergreen shrubs used for screening purposes including those used in conjunction with berming shall be a minimum of 24 inches in height.

G. Species

1. All trees used in site developments shall be indigenous to the appropriate hardiness zone and physical characteristics of the site.
2. All deciduous trees proposed to satisfy the minimum requirements of this policy shall be long lived hardwood species.
3. The complement of trees fulfilling the requirements of this policy shall be not less than 25% deciduous and not less than 33% coniferous.

H. Prohibited Species.

The following species shall not count towards meeting the requirements of this Ordinance:

<u>Genus</u>	<u>Species</u>	<u>Common Name</u>
Ginkgo	Biloba	Ginkgo
Acer	Megundo	Boxelder
Populus	Deltoides	Eastern Cottonwood
Populus	Nigra Italica	Lombardy Popular

Subd. 3 Fencing

- A. Definition: For purposes of this subdivision, a fence is defined as any lineal structure, including walls, hedges, or similar barriers, used to prevent access by persons or animals or prevent visual or sound transference.
- B. Building Permit Required
 1. No fence, except temporary fencing, shall be constructed without a building permit. The application shall be accompanied by a plot plan clearly describing the type, location and method of anchoring the fence.
 2. Boundary line fences shall be located entirely upon the private property of the party constructing the fence unless the owner of the property of the adjoining property agrees, in writing, that such fence may be erected on the division line of the respective properties. The persons, firms, or corporations constructing or causing the construction of such fence shall be responsible for maintaining that part of their property between fence and property line. City staff will require any applicant for a fence permit to

establish the boundary lines of his property by a survey thereof to be made by any registered land surveyor or by showing the stake markers of the surveyed lot.

C. Fencing in All Districts Shall Conform to the Following:

1. Fences in all districts shall be maintained so that the exposed outer surface shall be uniformly painted or stained in a neat and aesthetically pleasing condition.
2. No fence shall be permitted on a public right-of-way or boulevard area without special permission from the City Council.
3. No fence shall be erected on a corner lot that will obstruct or impede the clear view of an intersection by approaching traffic.
4. All snow-stop fencing may be used from November 1 to April 1. No permit shall be required for temporary fencing.
5. Any fence which is dangerous to the public safety or general welfare and health is a public nuisance and the City may commence proceedings for the abatement thereof. Electric fences may not be used as boundary fences and such material as hog wire fencing, barbed wire fencing, or snow fencing will not be allowed as permanent fencing.
6. The side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property. Abutting property owners will be notified by constructor of fence five (5) calendar days before the building permit is issued.

D. Fencing in Residential and Agricultural Districts (R-1, R-2, R-3, R-4, R-5, PD, and AG)

1. A fence may be located along the rear lot line to a maximum height of six (6) feet and to a maximum of six (6) feet along the side lot lines up to the point where it is parallel with the front edge of the house. From this point forward to the right-of-way the height of the fence shall not exceed three (3) feet. Any fence that crosses the width of the front yard shall not exceed three (3) feet in height. A variance is needed for fences exceeding the above mentioned heights.
2. Fences around dog kennels not exceeding fifty (50) square feet in size, fences around garbage cans, and garden fences will not require fence permits but shall adhere to the other regulations of this subdivision.

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- E. Fencing in Business, Industrial, Public and Fairgrounds Districts (B-1, B-2, B-3, B-4, I-1, I-2, P and F-1)
 - 1. Fences may be located along a lot line to a height of eight (8) feet. Fences over eight (8) feet in height shall require a variance.

- F. Fencing for Swimming Pools (All Districts).
 - 1. A swimming pool shall be completely enclosed with fencing from four (4) to six (6) feet in height to prevent uncontrolled access from adjacent streets and properties. A building permit issued in compliance with Subdivision B above shall be obtained before any fence is constructed.

 - 2. Notwithstanding anything to the contrary in Section 1 above, no fencing is required for an above ground pool that has both a capacity of less than 5,000 gallons of water and a water depth of less than twenty-four (24) inches.

 - 3. If the wall of an above ground swimming pool is four (4) feet or higher, no additional four (4) foot fence is needed if the ladder is removable. If the wall of an above ground swimming pool is less than four (4) feet in height, a railing may be installed on top of the swimming pool wall to create a height of four (4) feet or greater and no additional fencing will be required if the ladder is removable. Provided all other applicable building permits are obtained, no separate building permit for fencing is required for pool walls or railing placed on top of pool walls.

 - 4. No swimming pool shall be installed until all applicable building, mechanical and electrical permits are first obtained.