



AGENDA

TREE BOARD

REGULAR MEETING
June 18, 2024
5:00 PM
Oakdale City Council Chambers

1. CALL TO ORDER

2. CALL OF ROLL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

5. APPROVAL OF MINUTES

- a. March 19, 2024 Regular Meeting

6. OPEN FORUM

- a. Advisory Body Training – General Topics, Presented by City Administrator Chris Volkers, City Clerk Sara Ludwig, and City Attorney Jim Thomson
- b. Oakdale Zoning Code Update Project – Trees and Landscaping

7. TREE BOARD REVIEW

a. OLD BUSINESS

- i. Tree City USA Growth Award*

b. NEW BUSINESS

- i. 2024 Scott Carver Buckthorn Removal Event*
- ii. Tree Trek at Oakdale Park Reserve*
 - (a) 2024 Guided Tours
 - (b) Physical Improvements
 - (c) Map

6. OTHER

- i. Staff liaison update(s)*
- ii. Board Member update(s)*
- iii. Council liaison update(s)*

7. ADJOURNMENT

*Items marked with an asterisk have no accompanying materials.

**The next regular Tree Board meeting is scheduled for
September 17, 2024 @ 5PM in the Council Chambers at Oakdale City Hall.**

**REGULAR MEETING MINUTES
OAKDALE TREE BOARD
City of Oakdale
March 19, 2024**

CALL TO ORDER

A regular meeting of the Oakdale Tree Board was held Tuesday, March 19, 2024 at the Oakdale City Hall, Oakdale, Minnesota. The meeting was called to order by Chair Nick Kantola.

CALL OF ROLL

On a call of the roll, the following Tree Board Members were present:

Nick Kantola
Glen Giacoletto
Michael Bender
Dallas Pierson
Mike Saarela
Marge Sagstetter

Also Present: Deb Moeller, Washington County Master Gardner Liaison
Kevin Wold, Fire Chief / Acting Public Works Director
Mayor Zabel

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A MOTION WAS MADE BY BOARD MEMBER PIERSON, SECONDED BY BOARD MEMBER SAGSTETTER TO APPROVE THE AGENDA AS PRESENTED.

6 AYES – Motion carries

APPROVAL OF MINUTES

Board Member Giacoletto noted a misspelling of his last name on page five.

A MOTION WAS MADE BY BOARD MEMBER PIERSON, SECONDED BY BOARD MEMBER SAGSTETTER TO APPROVE THE MINUTES FOR JANUARY 16, 2024 AS AMENDED.

6 AYES – Motion carries

OPEN FORUM

Board Member Bender brought up a video received from former City Forester Loren Cota about a group in Canada that manages a food forest and the risks involved. The risks included one person or group taking all of the fruit, or someone killing all the plants and trees. There was discussion about possibly adding a food forest to the work plan for consideration. Vice Chair Sagstetter provided context on the original intent of the current forest garden in the Nature Preserve stating it was intended to be long-term rewilded with minimal updates and maintenance.

OLD BUSINESS

a) Forester Vacancy

Fire Chief / Acting Public Works Director Kevin Wold gave an update on the City Forester vacancy, noting there has been some restructuring within the Public Works division, and the City is creating an exclusive City Forester position. Once that position is filled, they will be the staff liaison to the Tree Board.

In response to Board Member Sagstetter's question about a target hire date, Chief Wold stated the posting should go up in the next two weeks on the City website and other public works and forestry sites.

b) 2024 Pete Graske Arbor Day Tree Giveaway Update

Chair Kantola reported that a few of the decided-upon trees were not available so the final selections include the Blue Beech, the Ohio Buckeye, the Bur Oak, and the Zestar Apple.

Chief Wold noted that there is a new online registration platform through OpenGov which will make the day-of check-in process much smoother.

In response to Vice Chair Sagstetter's question about having a Washington County Master Gardener informational table at the event, Chief Wold confirmed that will be accommodated.

In response to Vice Chair Sagstetter's question about offering a small tree or shrub to residents who visit the Master Gardener table, Chief Wold stated that he will discuss the option with Mr. Cota.

Vice Chair Sagstetter reminded the group that registration opens on April 1st and the actual event is on April 27th.

c) Tree City USA Growth Award

Board Member Bender stated he highlighted D6, D8, E13, E16, E17, and E23 from the [Tree City USA Growth Award Activities](#) list as possible Growth Award activities for the Tree Board to look into. Vice Chair Sagstetter noted that several of these activities align with ones she had highlighted.

In response to Vice Chair Sagstetter's question about an update on the Growth Award, Chief Wold said the City is still waiting to hear back on the application and was unsure of the timeline.

Chair Kantola would like to find out if the City's Arbor Day Tree Giveaway event counts as a tree festival.

Vice Chair Sagstetter had questions about A12 – Continuing Education as far as the points being per person or continuing education as a collective whole.

The Board Members agreed that Vice Chair Sagstetter and Board Member Bender would come up with a proposal for the 2024 award year and bring it forward at the next meeting.

Board Member Giacoletto was interested in looking into E21 – Tree Care Workshops as a possibility for points. Chair Kantola was also in favor of E23 – Youth Education. Vice Chair Sagstetter added that Washington County Master Gardener Liaison Deb Moeller already has an annual Junior Master Gardener event and could focus on little seedling trees one year.

d) 2024 Work Plan Approval

Vice Chair Sagstetter asked if the desire to fill the Tree Board vacancy should be on the 2024 Work Plan. It was determined that responsibility falls to the City Council and should not be included.

Vice Chair Sagstetter proposed a correction to remove “leaves” from under the Scott Carver Buckthorn Removal, item (4) and replace it with “Buckthorn Only”.

Board Member Pierson suggested a tree care workshop to help residents identify buckthorn.

In response to Vice Chair Sagstetter’s question about amending the work plan throughout the year, Chair Kantola confirmed that is possible.

Chair Kantola suggested adding to the Scott Carver Buckthorn Removal, item (6) – “buckthorn identification and removal course”.

In response to Vice Chair Sagstetter’s question about facilitating collaboration with other advisory bodies, Mayor Zabel said that if it is a specific project the Chair can coordinate with the Council Liaison who can coordinate with the City Council and City staff to figure out the best path to go forward.

Vice Chair Sagstetter mentioned the promotion of the tree trek and nature preserve as an opportunity to partner with the Parks and Recreation Commission. Chair Kantola asked how the Tree Board could facilitate a conversation about that initiative. Mayor Zabel noted that promotion of the tree trek is an internal Communications staff function.

In response to Chair Kantola’s question about adding tree trek programming led by Vice Chair Sagstetter and Board Member Bender, Mayor Zabel stated that would likely fall under the Recreation Department, but the Chair can reach out to the Council Liaison to get the conversation started. Additionally, the Chair can reach out to the Oakdale Wellness 50+ group to see if there is interest, and then if there is, work with the Council Liaison and City staff on next steps.

Chief Wold added that once the new City Forester position is filled that person will be able to guide the Board Members appropriately as questions arise.

A MOTION WAS MADE BY BOARD MEMBER PIERSON, SECONDED BY BOARD MEMBER GIACOLETTO TO APPROVE THE WORK PLAN AS AMENDED WITH ITEM (6).

6 AYES – Motion carries

TREE BOARD MINUTES
MARCH 19, 2024
PAGE FOUR

NEW BUSINESS

a) 2024 Jane Klein Memorial Spring Planting Event

Chief Wold reported that the event is Saturday, May 18th from 9:00 AM to noon, in the area of Oakdale's Goose Pond Park around 40th St N.

Vice Chair Sagstetter would like to ensure that the students of Tartan and North High Schools are provided with the correct information as there was a miscommunication for the event last year.

In response to Board Member Saarela's question about inviting Jane Klein's husband, Mayor Zabel offered to extend the invitation.

b) Tree Trek Improvements

Chief Wold stated that the Tree Trek improvements will be one of the first things that the new City Forester addresses.

c) Tree Board Applicants Update

Chief Wold reported that one applicant did not fill the residency requirement and the other applicant withdrew.

Vice Chair Sagstetter asked for clarity on the residency requirement. Mayor Zabel explained that there is not explicit language in the City Code, but past Councils have made that their preference. The only commission he was aware of that has an exception to the residency requirement is the Economic Development Commission, and the only exception is business owners or people who work for businesses in Oakdale.

OTHER

a) Staff Liaison Update(s)

Chief Wold stated that staff continues to work on the Emerald Ash Borer (EAB) project.

Board Member Bender asked about keeping track of the number of ash trees that the City removes as it relates to one of the Tree City USA Growth Activities, D6 – Planting-to-Removals Ratio. Chief Wold noted that everything is mapped out and tracked as far as removals and replanting within the City.

In response to Board Member Pierson's question about a discount program through the City for the treatment of EAB, Chief Wold confirmed. Mayor Zabel explained that residents do not need to apply for the discount as the City has a contract with Rainbow Treecare. Residents can reach out to Rainbow Treecare to get their tree treated and the discount is automatically applied.

In response to Board Member Saarela's question about the mild winter increasing the spread of EAB, Board Member Pierson stated that insect replication is high because the cold did not kill them off.

b) Commissioner Update(s)

Vice Chair Sagstetter reported on the two-day Shade Tree Short Course taken at Bethel University.

Vice Chair Sagstetter shared that the Landscape Revival event is on June 1st at Rockpoint Church in Lake Elmo.

Chair Kantola reminded residents to keep an eye on their trees due to the recent tumultuous weather, and water trees as soon as it is safe to turn the outside spigots back on. Board Member Bender added to water by the drip line versus near the trunk.

In response to Vice Chair Sagstetter's question about when residents should be putting the tree bags on their trees, Chair Kantola said as long as the soil is dry and thawed, residents can water them.

Vice Chair Sagstetter pointed out that a number of tree bags were left over from last year's Arbor Day Tree Giveaway event.

C) Council Liaison Update(s) – Mayor Zabel filled in for Council Member Willenbring.

Mayor Zabel stated that lots of development is happening in the City, and the Tree Board Members are invited to the Development Tour on May 7th.

ADJOURNMENT

A MOTION WAS MADE BY BOARD MEMBER PIERSON, SECONDED BY VICE CHAIR SAGSTETTER TO ADJOURN THE MARCH 19, 2024 REGULAR MEETING OF THE TREE BOARD.

6 AYES – Motion carries

MEETING ADJOURNED.

Respectfully submitted,

Sara Ludwig, City Clerk



TREE BOARD MEMO

To:	Oakdale Tree Board
Meeting Date:	June 18, 2024
Request(s):	Advisory Body Training – General Topics
Prepared/Presented:	Christina M. Volkers, City Administrator Sara Ludwig, City Clerk Jim Thomson, City Attorney

BACKGROUND

As directed by the City Council and requested by many advisory body members, training will be provided by City Administrator Chris Volkers, City Clerk Sara Ludwig, and City Attorney Jim Thomson to cover the following content.

- Robert’s Rules of Order
- Open Meeting Law
- General Conduct
- Communications
- Other Relevant Information

This training is intended to provide each advisory body member with information and resources to be successful in fulfilling their role. Accompanying this memo are the presentation slides.

Attachment

Tree Board Training Presentation Slides

TREE BOARD TRAINING

June 18, 2024



Thank you Board Members!

We value your commitment and contributions!



Agenda

- City Information
- Boards and Commissions 101
- Meeting Information
- Legal Information
- Communications
- Next Steps



City Information



The City's Mission Statement and Core Values

Mission Statement:

To Meet the Evolving Community-Wide Needs of our Citizens Through the Delivery of Top-Notch Municipal Services in a Fiscally Responsible Manner

Core Values:

- Respect
- Responsibility
- Sustainability
- Excellence
- Integrity
- Innovation



Oakdale City Council



Mayor
Kevin Zabel

Liaison to
Environmental
Management Commission

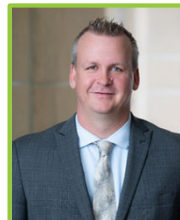
Term Ends:
January 4, 2027



Council Member
Noah Her

Liaison to Economic
Development
Commission

Term Ends:
January 6, 2025



Council Member
Jake Ingebrigtsen

Liaison to
Planning
Commission

Term Ends:
January 6, 2025



Council Member
Andy Morcomb

Liaison to Parks
and Recreation
Commission

Term Ends:
January 4, 2027



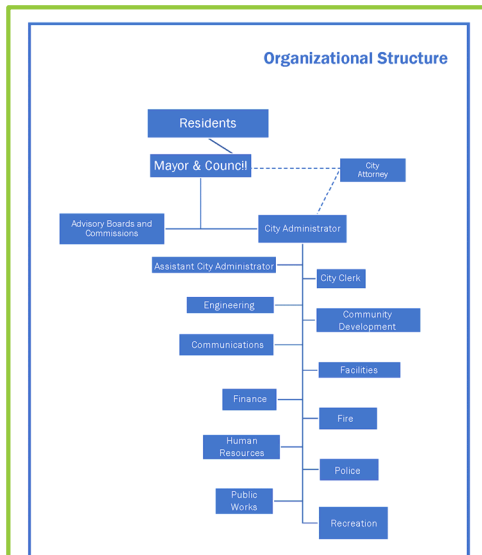
Council Member
Susan Willenbring

Liaison to
Tree Board

Term Ends:
January 4, 2027



City Organization Chart



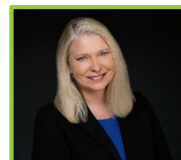
City Staff Leadership



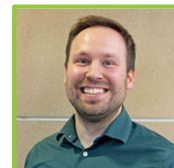
City Administrator
Chris Volkers



Community Development Director
Andy Gitzlaff



Communications Manager
Lori Pulkrabek



Finance Director
Kyle Stasica



Fire Chief / Acting Public Works Director
Kevin Wold



Human Resources Director
Melanie Lee



Police Chief
Nick Newton



Recreation Superintendent
Julie Williams

Positions to be filled: Assistant City Administrator; City Engineer; Public Works Director



Questions?



Boards and Commissions 101



Advisory Bodies

- Tree Board
- Planning Commission
- Parks and Recreation Commission
- Economic Development Commission
- Environmental Management Commission



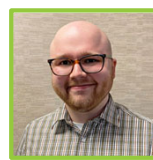
Staff Liaisons



Planning Commission
City Planner
Luke McClanahan



Parks and Recreation Commission
Recreation Superintendent
Julie Williams



Economic Development
Commission
Community Development
Specialist
Max Lohse



Environmental Management
Commission
Community Development
Specialist
Hannah Dunn



Parks Superintendent
Jeff Koesling

Position to be filled:
• City Forester as Tree
Board Staff Liaison



Why does the City have advisory bodies?

- Advise the City Council
- Meaningful participation by residents



What are the guiding documents?

1. City Code
2. City Policy
3. Handbook



What do advisory bodies do?

- Report/Comment
- Recommend
- Act



Advisory body work can be initiated by:

- Board/Commission
- City Council
- City Administrator



What is a Work Plan?

- A work plan guides and focuses the work of the advisory body during its monthly meetings and throughout the year
- It can detail annual, ongoing items or provide a roadmap for specific projects



What advisory bodies don't do:

- Direct work of City staff
- Take responsibility for financial performance of any City facility or program
- Speak on behalf of the City or advisory body without permission/discussion



Special Roles

- Commission/Board Chair
- Commission/Board Vice Chair
- Staff Liaison
- Council Liaison
- Ex-Officio Member



Annual Calendar for Advisory Bodies

- First Meeting – Vote for Officers
- January / February – Appreciation Event with the City Council and Discussion of Annual Work Plan
- July – New Member Orientation; New Terms Begin
- 4th Quarter Annually – Develop Annual Work Plan



Advisory Body Meetings: What You Need to Know



Meetings 101

- Types of meetings?
- When and where are meetings?
- Who takes the minutes?
- Are they recorded?



Key Components of Minutes

- Meeting name, date, time, place
- Attendance
- Approval/corrections of previous minutes
- Motions made
- Summary of what happened
- Other actions
- Record what was done, not what was said



Agenda

- Who creates the Agenda? – Staff liaison in consultation with Chair
- Preparedness – Review the agenda and related materials prior to the meeting
- Order of Business – Must follow agenda



Agenda cont.

Header:

Type: REGULAR MEETING
Date: June 18, 2024
Time: 5:00 PM
Place: Oakdale City Council Chambers

Body:

1. CALL TO ORDER
2. CALL OF ROLL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
6. OPEN FORUM
7. TREE BOARD REVIEW
 - a. OLD BUSINESS
 - b. NEW BUSINESS
8. OTHER
 - i. Staff liaison update(s)
 - ii. Board Member update(s)
 - iii. Council liaison update(s)
9. ADJOURNMENT



Attendance & Recruitment

- Attendance is important to perform the work of the commission or board
- Chronic absences may lead to member removal
- Current board members, City Council, City staff, and staff liaisons all play a role in recruiting members
- Ideally, the advisory body rosters remain full



Quorum

- Quorum is the minimum number of voting members that must be present to conduct business
- A quorum must be present in order for an advisory body to conduct business
- If a quorum is present at the beginning of a meeting, the quorum must be maintained for the advisory body to continue to conduct business



Ethical and Respectful Conduct

Avoid:

- Speaking over or cutting off another individual
- Insulting, disparaging, or putting down people or their ideas
- Bullying other members by displaying a pattern of belittling
- Demeaning, judging, or patronizing comments
- Chair must maintain this order



Ethical and Respectful Conduct

Strive to:

- Use Robert's Rules of Order
- Treat people with courtesy, politeness, and kindness
- Encourage others to express their opinions and ideas
- Listen to what others have to say
- Recognize differences



Standards of Appearance and Etiquette

- Business casual dress is appropriate
- Speak clearly into microphone
- Do not speak until called upon by Chair
- Remain quiet when "On Air" sign is turned on prior to the start of the meeting and after adjournment



Questions?



Legal



Robert's Rules of Order

[The Basics of Robert's Rules of Order](#)



Role of a Chairperson

- The Chair presides at all official meetings and generally ensures that the group reviews and acts upon the items on the agenda
- The Chair is expected to ensure that decisions are made in a timely manner, yet be careful not to limit discussion – assuring that both members of the public and board and commission members have an opportunity to be heard



Open Meeting Law

- Prohibits action from being taken at a secret meeting
- Ensures the public's rights to be informed
- Allows the public an opportunity to present its views to the public body



Open Meeting Law cont.

- 1983 Court Decision defined “meeting” as a gathering of a quorum or more of the City Council at which they discuss, decide, receive information as a group on matters relating to City business
- “Electronic gatherings” did not exist in 1983



E-Devices and Open Meetings

- Do emails (during or outside meetings) even matter?
- A conflict in opinions:
 - **NO:** *O’Keefe v. Carter*, No. A12-811 (Minn. App. Dec. 31, 2012) (unpublished)
 - **YES:** IPAD Advisory Opinion No. 09-020



O’Keefe v. Carter

- Email exchanges are not “meetings”
 - 1983 Court decision “appears to assume” that the law applies only to in-person meetings
 - Statute on remote participation in meetings requires that the public be able to “hear all discussion.” Legislature assumed that a meeting involves only oral communications.
 - Open Meeting Law does not apply to written communications, like email



IPAD Advisory Opinion No. 09-20

- Emails among members of joint powers board (Metro Gang Strike Task Force) concerning need for and contents of press release DID violate the Open Meeting Law



ADVICE on Open Meetings

- Don't rely on *O'Keefe*
- With respect to the OML, treat emails (or tweets or text messages) like phone calls
- Do not engage in email conversations, serial or otherwise, between more than one other commission member
- Even a "one-way" email can quickly turn into a series of emails
- Work through the staff liaison
- Emails between commission members will almost always be public data



Data Practices Act

- “Government data” is not limited to a particular physical form or storage media – it applies to electronic data
- If a communication relates to performance of official duties, it is government data, whether it is an email, text, tweet, or voicemail
- “Government data” doesn’t depend on location – it can apply to data on personal devices



Data Practices Act cont.

- Property Complaint Data
 - The identities (names, addresses, and other identifying information) of persons who register complaints with the City concerning violations of State laws or local ordinances concerning the use of real property are **private**



Conflict of Interest

- Any member who has a financial interest in, or who may receive a financial benefit as a result of, any advisory body action
- Commissioners may not participate in matters in which they have a personal financial interest
- If you have a conflict of interest...
 - Disclose the conflict of interest to the group
 - Abstain from discussing or voting on the matter



Gifts

- Members may not receive gifts from any “interested person” in conjunction with their advisory body duties



Communications



City Communication

- Sign up for City of Oakdale emails to keep up with community and City events and happenings!
- Follow the City on social media!
 - City of Oakdale Facebook account at www.facebook.com/cityoakdalemn
 - Oakdale Recreation Facebook account at www.facebook.com/oakdalefun
 - Oakdale Fire Department Facebook account at www.facebook.com/OakdaleFD
 - City of Oakdale Twitter/X account at www.twitter.com/oakdalemn
 - Oakdale Police Department Twitter account at www.twitter.com/OakdaleMN_PD
 - City of Oakdale Instagram account at www.instagram.com/oakdaleminnesota
 - City of Oakdale YouTube account at <https://www.youtube.com/@CityOfOakdaleMN>
 - City of Oakdale LinkedIn account at www.linkedin.com/company/oakdalemn
 - City of Oakdale NextDoor account at <https://nextdoor.com/agency-detail/mn/oakdale/city-of-oakdale-1>



City Council Communication

Ways to stay informed regarding the Oakdale City Council:

- Follow them on Facebook
- Council Meeting Minutes or YouTube video
- Annual Work Plan
- Council Liaison Updates
- Annual Appreciation Event / Dinner for Advisory Bodies
- Reach out to Council Liaison



Communication with the Public

- Communicating with the public helps promote the advisory body's work
- Note these tips:
 - Ensure that decisions of the advisory body will be based on the information shared and resulting group discussion during the meetings
 - Ensure that any comments by the member do not represent the group as a whole



Social Media

- Engage with the City's social media content by reposting and sharing relevant items to help the City reach additional audiences
- Support the work of the City and its Advisory Bodies



Next Steps



Next Steps

- Encourage people with diverse backgrounds to apply to the Tree Board
- As a Tree Board Member, review Chapter 22 of the City Code of Ordinances
- Annual mandatory training for new commissioners
- For additional support, reach out



TO: Tree Board
FROM: Max Lohse, Community Development Specialist
DATE: June 18, 2024
SUBJ: Oakdale Zoning Code Update Project – Trees and Landscaping

BACKGROUND

A priority of the City of Oakdale's 2040 Comprehensive Plan is to "Modify the...Zoning and Subdivision Ordinance...to facilitate the achievement of the City's development and redevelopment goals" (Chapter 2 - Land Use, Goal 2, Policy 3). Beyond helping fulfill the goals of the Comprehensive Plan, updating the City's Zoning and Subdivision Ordinance will modernize it and improve its overall user friendliness. The last substantial set of updates to the City's Zoning Ordinance was completed in 2007 and 2008.

In March 2024, the City hired HKGi, a Twin Cities-based planning and urban design firm, to assist in updating the City Code. Staff is collaborating with HKGi to evaluate the City Code and diagnose existing issues. The project will emphasize updates to the City's Subdivision and Zoning chapters, which govern what land uses are allowed in Oakdale and what site features and amenities should be present.

As a part of the Code Update, City staff is exploring updates to the City's landscaping requirements and the tree preservation ordinance. The City's landscaping requirements are laid out in the City of Oakdale Code of Ordinances, Chapter 25, Article 18, Sections 25-175 and 25-152; the tree preservation ordinance is found in Chapter 22, Articles 3-5. Copies of each relevant code section are included as attachments.

Given the tree board's depth of experience with trees and natural resources, City staff is requesting that the Tree Board provide input as to what issues / standards the project team should consider when examining code sections that pertain to landscaping and tree preservation. To facilitate discussion, a presentation is attached that provides background on the relevant code sections and offers questions for discussion.

TREE BOARD DIRECTION

It is requested that the Tree Board provide feedback on areas of the City Code that pertain to trees and landscaping that may need updating.

Attachment

Excerpt of the City of Oakdale Code of Ordinances, Chapter 25, Article 18
Excerpt of the City of Oakdale Code of Ordinances, Chapter 22, Articles 3-5
Oakdale Zoning Code Update Project – Trees and Landscaping Presentation

CHAPTER 25: ZONING

ARTICLE 18. GENERAL BUILDING AND PERFORMANCE REQUIREMENTS

Sec. 25-151 Purpose.

The purpose of this Article of the Zoning Ordinance is to establish general development performance standards. These standards are intended and designed to assure compatibility of uses; to prevent urban blight, deterioration and decay; and to enhance the health, safety and general welfare of the residents of the community.

Sec. 25-152 Multiple-Family Housing, Commercial and Industrial Site Reviews.

(a) Screening:

- (1) All commercial and industrial principal and accessory uses which are situated within seventy-five (75) feet of a R-1, R-2, R-3, or R-4 District shall be screened from such District by a wall or fence of not less than 100% opacity and up to ten (10) feet in height above the level of the R-1, R-2, R-3, or R-4 property at the District boundary. Such wall or fence shall be set back from the property line at least five (5) feet. In the setback area shall be planted a combination of coniferous and deciduous plants and, possibly, vines in order to soften the appearance of the fence or wall for the affected residential area. Walls or fences of lesser heights or planting screens may be permitted by the City Council if there is a finding that the nature or extent of the use being screened is such that a lesser degree of screening will as adequately promote and protect the use and enjoyment of the properties within the adjacent R-1, R-2, R-3, or R-4 District, or if there is a finding that a screening of the type required by this Ordinance would interfere with the provision of adequate amounts of light and air to same said properties.
- (2) All required screening devices shall be designed so that they are architecturally harmonious with the principal structures on the site and they shall be properly maintained so as not to become unsightly, hazardous or less opaque than when originally constructed.

(b) Landscaping:

- (1) All exposed ground areas surrounding or within a principal or accessory use including street boulevards, which are not devoted to drives, sidewalks, patios, other such uses shall be landscaped. All landscaped areas shall be kept neat, clean and uncluttered. No landscaped areas shall be used for the parking of vehicles or the storage or display of materials, supplies or merchandise.
- (2) Landscaping shall include:

- (a) Tree planting at the rate of at least one (1) per 800 square feet; or
 - (b) Combination of berming and trees or shrub planting; or
 - (c) Berming with low ground cover; slopes shall be no greater than one (1) foot in elevation per two horizontal feet.
- (3) If any parking is provided in front of the building, the landscaped front yard shall be at least twenty-five (25) feet deep. This landscaped area shall be bermed to a minimum height of three (3) feet, the slope to be three (3) feet horizontally for one (1) foot vertically, to the maximum.
- (4) The front yard shall be planted with shade trees at the rate of one tree per 800 square feet of front yard. The berm shall be sodded or planted with some other ground cover.
- (5) The trees in all landscaped areas shall be at least 1-1/2 inch caliper; conifers shall be at least five (5) feet in height. Exterior storage, where permitted, shall be subject to proper screening as approved by the Community Development Director.
- (c) **Access, Circulation, and Parking:** Traffic movements to, from, and within the site will be reviewed to ensure public safety and to preserve the function of the public roadways.
- (d) **Lighting:**
- (1) Glare, whether direct or reflected, as differentiated from general illumination, shall not be visible beyond the limits of the site from which it originates.
 - (2) No light which is flashing, revolving or otherwise resembles a traffic control signal shall be allowed in any area where it could create a hazard for passing vehicular traffic.
 - (3) Parking areas in commercial and industrial developments shall be adequately lit for the safety of vehicular and pedestrian movements.
- (e) **Surface Water Ponding:** If the site is over one acre in size, and the subdivision doesn't provide a regional basin in conformance with the requirements of Appendix C of the Oakdale Surface Water Management Plan, on-site ponding and infiltration will be required to comply with Appendix C. The developer / property owner shall enter into a Maintenance Agreement for the ponding area and have the agreement recorded against the property. (Ord. 800, 4/28/15)
- (f) **Storage – Displays:** All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user, shall be stored within the confines of a 100% opaque wall or fence which screens the storage from view of the public right-of-way. Merchandise which is offered for sale as described heretofore may be displayed beyond the confines of a building in any Commercial District, but the area occupied by such outdoor display shall not constitute a greater number of square feet than 10% of the ground floor area of the building housing the principal use, unless such merchandise is of a type customarily displayed outdoors such as automobiles and garden supplies. No storage of any type shall be permitted within the one-half of the required front or side street setback nearest the street nor within any required interior side or rear setback.

(h) **Landscaping:**

- (1) All areas of land other than that occupied by building and/improved surfaces (parking areas and driveways) shall be landscaped by a professional landscape architect. The surface shall include sod and/or mulch and/or rock material in planting beds. There shall be a minimum one (1) tree per 800 square feet of the landscaped green area.
- (2) In addition, the minimum number of overstory trees along the boulevard shall be one overstory tree per 50 linear feet of lot frontage. If the preferred landscaping technique is to cluster the boulevard trees instead of one (1) tree per 50 feet, it may be deemed allowable if it is determined workable by the Design Review Committee. Other understory trees, shrubs, flowers and ground covers needed to complete any landscape treatment shall be included in addition to the required minimum of overstory trees.
- (3) All trees used in site developments shall be indigenous to the appropriate hardiness zone and physical characteristics of the site. All deciduous trees proposed to satisfy the minimum requirements of this policy shall be long-lived hardwood species. It is the responsibility of the owner to ensure to the longevity and maintenance of all plantings. If any plantings were to die within a year of construction, the owner will need to replace such plantings to be in compliance with the Design Standards.
- (4) The complement of trees fulfilling the requirements of this policy shall be not less than 25 percent overstory deciduous and not less than 25 percent coniferous. Oaks to be 20% of required landscaping trees. For difficult soil conditions or unique sites, oak and evergreen trees can be reduced up to 1/4 of their specified percentage (i.e. oaks 20% reduced 1/4 to net 15%). All trees selected for landscaping must specify a minimum of two variety's of each species.
- (5) All area not otherwise improved in accordance with approved site plans shall be sodded. ***Exceptions*** are as follows:
 - (a) Seeding of future expansion areas as shown on approved plans.
 - (b) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - (c) Areas designated as open space or future expansion areas properly planted and maintained with prairie grass.
 - (d) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- (6) Slopes and Berms. Final slope grades steeper than the ratio of 3:1 will not be permitted without special landscaping treatments such as terracing, retaining walls, ground cover or engineered surface treatment. Berming used to provide screening of parking lots shall be 3 feet in height and shall have a maximum slope ratio of 3:1.

- (7) Woodland Preservation Credit. Credit for the retention of existing trees meeting the species, size and location requirements of this ordinance may be used to satisfy the minimum number requirements set forth in this ordinance.
- (8) Parking Lot Requirements.
 - (a) Parking lots are required to landscape five (5) percent of the parking lot surface area within the parking setback. The landscaped area could be in the form of landscape islands or as setback areas that are incorporated into the parking lot. Landscape islands shall be a minimum width of 16 feet and with a minimum surface area of 260 square feet. The landscaped area must adhere to the size and material requirements of this ordinance.
 - (b) Parking lots shall be screened from the public right-of-way. Such screening shall be 80 percent opaque and a maximum height of 3 feet. The screen may be:
 - (1) Plant materials.
 - (2) Wood, concrete, masonry or ornamental iron, or a combination of these materials.
 - (c) On a corner lot, and at entrances, nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 2-1/2 and 10 feet above the centerline grades of the intersecting streets within a triangular area 30 feet from the intersecting street right-of-way lines.
- (9) Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
 - (a) 1 1/2 inch minimum size on all deciduous trees.
 - (b) Ornamental trees shall be a minimum of 1-1/2 inches in diameter.
 - (c) Evergreen trees must have a minimum height of 6 feet.
 - (d) Potted shrubs shall be in a 5 gallon pot or larger.
 - (e) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.
- (10) Landscape plans and screening plantings shall be completed within one year from the date of building permit.

- (i) **Site Lighting:** All exterior lighting shall be designed and arranged to direct illumination away from adjacent properties. All exterior lighting shall be arranged and designed to illuminate directly below or inboard of the property lines of the property such that the point source of light is not directly discernable by pedestrian or vehicular traffic in the public right of way. Site lighting shall

CHAPTER 22 TREES

Article I	Declaration of Policy and Purpose
Article II	Application
Article III	Tree Preservation Requirements
Article IV	Tree Replacement Schedule
Article V	Incentives for Tree Preservation
Article VI	Disease Control/Tree Trimming
Article VII	Tree Board

ARTICLE I. DECLARATION OF POLICY AND PURPOSE

Sec. 22-01. Purpose. The City Council has determined that there are many trees growing on public and private premises within the city, the loss of which would substantially depreciate the value of public and private premises, and impair the safety, good order, general welfare and convenience of the public. The City Council desires to protect the integrity of the natural environment and finds that trees, and in particular the scenic Oak, do so by providing for better air quality, scenic beauty and noise buffer; by protection against wind and water erosion, storm water run off, and severe weather conditions; and by providing habitat for birds and other wildlife. Additionally, the City Council finds that mature trees take many years to replace and such trees protect privacy and provide enhancement of property values.

The City Council hereby declares its intention to protect and preserve existing trees and to provide regulations relating to the cutting, removal or killing of trees, with the consequent damage and destruction of the wooded and forested areas of the city, to promote the orderly development of such areas and thereby minimize public and private losses; to insure the maintenance of the natural vegetation and topography; to encourage protection and preservation of the natural environment and beauty of the city; to encourage a resourceful and prudent approach to urban development of wooded areas which provides for minimal tree loss and mitigation of tree removal resulting from development; to provide an objective method to evaluate a development's impact on trees and wooded areas and identify whether and how the impact may be reduced; to provide incentive for creative land use and good site design which preserves trees while allowing development in wooded areas with mitigation or tree removal and destruction; to control and prevent the spread of fatal diseases affecting trees and the insect pests and vectors which carry such diseases; and to provide for enforcement and administration thereby promoting and protecting the public health, safety, and welfare.

No clear cutting of significant woodland areas shall be permitted except pursuant to a duly authorized and approved permit or development plan consistent with the provisions of this chapter.

ARTICLE II. APPLICATION

These guidelines shall apply to the following site activities in the city not governed by Section 25-175 - Design Standards:

1. All sites of new development,
2. All sites of new building construction,
3. All sites for which application for a city grading permit is being made.

Sec. 22-02. Definitions. The following terms, as used in this section shall have the meanings stated:

- **Builder:** Any person or entity to which a building permit is issued.
- **Canopy of a Tree:** The horizontal extension of a tree's branches in all directions from its trunk
- **Coniferous/Evergreen Tree:** A woody plant which, at maturity, is at least twelve (12) feet or more in height, having foliage on the outermost portion of the branches year-round.
- **Construction Area:** Any area in which movement of earth, alteration in topography, soil compaction, disruption of vegetation, change in soil chemistry, or any other change in the natural character of the land occurs as a result of site preparation, grading, building construction or any other construction activity.
- **Deciduous Tree:** A woody plant which, at maturity, is at least fifteen (15) feet or more in height, having a defined crown, and which loses leaves annually.
- **Developer:** Any person or entity that undertakes to improve a parcel of land, by platting, grading, installing utilities, or constructing any building thereon. For purposes of these guidelines, a developer does not include a builder as defines herein.
- **Diameter:** The length of a straight line measured through the trunk of a tree at 54 inches above the ground.
- **Drip Line or Root Zone of a Tree:** An imaginary vertical line that extends from the outermost branches of a tree's canopy to the ground
- **Forester:** A person holding a Bachelor's degree in forestry from an accredited four-year college of forestry.
- **Landscape Architect:** A person licensed by the State of Minnesota as a Landscape Architect.
- **Nurseryman:** A person licensed by the State of Minnesota as a Nurseryman.
- **Significant Tree:** A healthy tree measuring a minimum of eight inches in Diameter for hardwood Deciduous Trees or a minimum of 12 inches in Diameter for softwood Deciduous Trees measured at 54 inches above the ground, and a minimum of 12 feet in height for Coniferous/Evergreen Trees. Some examples of significant deciduous trees include but are not limited to the following:

Hardwood Deciduous $\geq 8''$		Softwood Deciduous $\geq 12''$
Ironwood	Ash	Cottonwood
Catalpa	Hickory	Poplars/Aspen
Oak	Birch	Silver Maple
Maple (hard)	Basswood	Box Elder
Elm	Walnut	Willow

- **Significant Woodland:** A grouping or cluster of Coniferous and/or upland Deciduous Trees, occupying 500 or more square feet of property, which are comprised predominantly of a single species of Deciduous Trees between four inches and twelve inches in Diameter or Coniferous Trees between four feet and twelve feet in height.

ARTICLE III. TREE PRESERVATION REQUIREMENTS

Sec. 22-03. Developments. Unless otherwise determined by the City Council, the following process for preserving trees shall be required for new development in any zoning district; new building construction in any zoning district; any existing commercial, industrial or institutional

building to be expanded by ten (10) to fifty (50) percent of its size, where an approved tree preservation plan is not on file with the city; and any site for which application for a city grading permit is being made.

1. Developers are required to do the following:
 - (a) Prepare a Tree Preservation Plan that shall be incorporated on the grading plan.
 - (b) Implement the Tree Preservation Plan prior to and during site development.
 - (c) Submit a performance guarantee for compliance with the Tree Preservation Plan.
 - (d) Comply with the city's Tree Replacement Schedule.
2. The Tree Preservation Plan shall be submitted with preliminary plat plans in accordance with Chapter 21 (Subdivision Regulations) of the City Code, as part of the landscape plan as required under Chapter 25 (Land Use Regulations/Zoning) of the City Code, or as part of the application for a grading permit as required under Chapter 5 (Building Regulations) of the City Code.
3. The Tree Preservation Plan must be certified by a Forester, Landscape Architect, or Nurseryman retained by the developer.

Exception - If the land alterations are undertaken on an occupied parcel for the construction of an accessory building or addition to the existing structure and less than 6 significant trees are affected, the owner or contractor can provide the Tree Preservation Plan.

4. The Developer shall be responsible for implementing the Tree Preservation Plan prior to and during site grading and plan development.
5. The Tree Preservation Plan shall include the following items:
 - (a) The name(s) and address(es) of property owners and Developers.
 - (b) Delineation of the buildings, structures, or impervious surfaces situated thereon or contemplated to be built thereon.
 - (c) Delineation of all areas to be graded and limits of land disturbance.
 - (d) Size, species, and location of all significant trees and significant woodlands located within the area to be platted or within the parcel of record. For significant woodlands and large wooded sites, a representative sample may be used to determine the number of significant trees outside the limits of land disturbance.
 - (e) Identification of all significant trees and significant woodlands on all individual lots. (The developer shall be required to submit a list of all lot and block numbers identifying those lots, along with the Tree Preservation Plan).
 - (f) Measures to protect significant trees and significant woodlands.
 - (g) Identification of all Significant Trees and Significant Woodlands proposed to be removed within the construction area.
 - (h) Size, species, and location of all replacement trees to be planted on the property in accordance with the Tree Replacement Schedule.
 - (i) Signature of the person preparing the plan.
6. Measures proposed to protect Significant Trees and Significant Woodlands shall include:

- (a) Installation of snow fencing, silt fence, or polyethylene laminate safety netting placed at the drip line of significant trees and significant woodlands to be preserved.
 - (b) Identification of any oak trees requiring pruning between April 15 and July 1; any oak trees so pruned shall be required to have any cut areas sealed with an appropriate tree wound sealant.
7. Measures to protect significant trees and significant woodlands may include, but are not limited to:
- (a) Installation of retaining walls or tree wells to preserve trees.
 - (b) Placement of utilities in common trenches outside of the drip line of significant trees, or use of tunneled installation.
 - (c) Prevention of change in soil chemistry due to concrete washout and leakage or spillage of toxic materials, such as fuels or paints.
 - (d) Use of tree root aeration, fertilization, and/or irrigation systems.
 - (e) Transplanting of significant trees into a protected area for later moving into permanent sites within the construction area.
 - (f) Therapeutic pruning.
8. The Tree Preservation Plan will be reviewed by city staff to assess the best overall design for the project taking into account significant trees and significant woodlands and ways to enhance the efforts of the developer to mitigate damage to significant trees and significant woodlands. The developer is encouraged to meet with staff prior to submission of the preliminary plat application or prior to application for the grading permit, whichever is sooner, to determine the placement of buildings, parking, driveways, streets, storage and other physical features which result in the fewest significant trees and significant woodlands being destroyed or damaged.
9. Significant trees and significant woodlands removal shall be in accordance with the city-approved tree preservation plan. The plan should remove no more than 25% of the total number of significant trees and significant woodlands which were existing prior to the preliminary plat as a result of the following construction activities, approved by the city as a part of a preliminary plat:
- (a) Site grading.
 - (b) Installation of public utilities including sanitary sewer, storm sewer, water, natural gas, electrical service, and cable TV.
 - (c) Construction of public streets.
 - (d) Construction/grading of drainageways.
 - (e) Filling of any area.
 - (f) Any other activity within the construction area.

Where practical difficulties or practical hardships result from strict compliance with the provisions of this paragraph, city staff may permit the removal of up to an additional 5% of the significant trees and significant woodlands without requiring a variance approval by the City Council.

10. Significant trees and significant woodlands may be removed on individual lots for site grading, utility hook-ups, buildings, parking lots, driveways, storage areas, recreational

areas, private streets, or similar site improvements. Significant trees and significant woodlands removal shall be in accordance with the city-approved tree preservation plan. The plan should remove no more than 30% of the total significant trees and significant woodlands that existed prior to the preliminary plat on individual lots in completing these site improvements. Where practical difficulties or practical hardships result from strict compliance with the provisions of this paragraph, city staff may permit the removal of up to an additional 5% of the significant trees and significant woodlands without requiring a variance approved by the City Council.

11. If any significant tree or significant woodland indicated to be saved on the Tree Preservation Plan is destroyed or damaged, the Tree Replacement Schedule will be enforced by the city (see Article 4).
12. The developer shall provide the required performance guarantee outlined in Section 22-07 following approval of the Tree Preservation Plan and prior to any construction and/or grading. The performance guarantee may be included as part of any "performance guarantee" required in conjunction with design standards, site plans, grading, and landscape plans of the City Code.
13. The proposed grading plan shall be submitted to the city at least five working days prior to the issuance of grading permit, to ensure compliance with the approved Tree Preservation Plan. All sites shall be staked, as depicted in the approved grading plan, before grading is to commence. The city shall inspect the construction site prior to the beginning of the grading to ensure that protective fencing and other protective measures are in place. No encroachment, grading, trenching, filling, compaction, or change in soil chemistry shall occur within the fenced areas protecting the root zone of the trees to be saved.
14. The tree protection measures shall remain in place until all grading, construction, and restoration has been completed.
15. After grading, construction, and restoration has been completed a forester, nurseryman, or landscape architect retained by the developer, shall:
 - (a) Certify in writing to the city that the Tree Preservation Plan was followed.
 - (b) Certify in writing to the city that the tree protection measures were installed.
 - (c) Indicate which significant trees and significant woodlands remain and which have been destroyed or damaged.
 - (d) Submit a plan for city review identifying where replacement trees, if required, will be integrated into the approved landscape plan, or another plan, as required by the city.

Sec. 22-04. Building. The following process for preserving trees shall be required of all builders.

1. An individual lot Tree Preservation Plan be submitted no later than the application for a building permit. The plan shall be consistent with the original tree preservation plan for the plat, where said plan exists.
2. The builder will be responsible for implementing the Tree Preservation Plan prior to and during construction.
3. The individual lot Tree Preservation Plan must be provided by the builder and include:
 - (a) The name(s) and address(es) of property owners and builders.
 - (b) Delineation of all areas to be graded, limits of land disturbance, and buildings to be situated thereon.

- (c) Size, species, and location of all significant trees and significant woodlands within the lot.
 - (d) Identification of all significant trees and significant woodlands proposed to be removed within the Construction Area.
 - (e) Measures to protect significant trees and significant woodlands.
 - (f) Signature of the person preparing the plan.
4. Measures proposed to protect significant trees and significant woodlands shall include:
- (a) Installation of snow fencing, silt fence, or polyethylene laminate safety netting placed at the drip line of significant trees and significant woodlands to be preserved.
 - (b) Identification of any oak trees requiring pruning between April 15 and July 1; any oak trees so pruned shall be required to have any cut areas sealed with an appropriate tree wound sealant.
5. Measures to protect significant trees and significant woodlands may include, but are not limited to:
- (a) Installation of retaining walls or tree wells to preserve trees.
 - (b) Placement of utilities in common trenches outside of the drip line of significant trees or use of tunneled installation.
 - (c) Prevention of changes in soil chemistry due to concrete washout and leakage or spillage of toxic materials such as fuels or paints.
 - (d) Use of tree root aeration, fertilization, and/or irrigation systems.
 - (e) Transplanting of Significant Trees into a protected area for late moving into permanent sites within the Construction Area.
 - (f) Therapeutic pruning.
6. The Tree Preservation Plan will be reviewed by city staff to assess the best available layout of buildings and driveways that will result in the fewest significant trees and significant woodlands being destroyed or damaged.
7. Significant tree and significant woodlands removal shall be in accordance with the city-approved Tree Preservation Plan for the lot. The plan should remove no more than 20% of the total number of significant trees and significant woodlands that existed upon the lot prior to the issuance of the building permit. Where practical difficulties or practical hardships result from strict compliance with the provisions of this paragraph, the city staff may permit the removal of up to an additional 5% of the significant tree and significant woodlands without requiring a variance approval by the City Council.
8. At least three (3) working days prior to construction or grading, builders shall be required to request approval of on-site (installed) tree protection measures by the city.
9. The city will continue to monitor the tree protection measures at the time of routine inspections.
10. The tree protection measures shall remain in place until all grading and construction activity is terminated.
11. If any significant tree indicated to be saved on the Tree Preservation Plan is destroyed or damaged the Tree Replacement Schedule will be enforced by the city (see attachment for guidelines on tree replacement).

12. The city will inspect the building site in order to determine compliance with the approved Tree Preservation Plan. The city will determine that:
- (a) Compliance has been met, or
 - (b) Alternative mitigation measures have been implemented, or
 - (c) Appropriate tree replacement measures have been approved by the city.
13. The builder shall provide the required performance guarantee outlined in Section 22-07 following approval of the Tree Preservation Plan and prior to any construction and/or grading. The performance guarantee may be included as part of any "performance guarantee" required in conjunction with design standards, site plans, grading, and landscape plans of the City Code.

ARTICLE IV. TREE REPLACEMENT SCHEDULE

Sec. 22-05. General Requirements. Developers and builders will be required to replace all significant tree and significant woodlands that were indicated on the Tree Preservation Plan to:

- (a) Be saved, but which were ultimately destroyed or damaged and,
- (b) Be replaced, in accordance with the tree preservation requirements.

These replacement trees shall be in conjunction with any other landscape requirements of the city.

Sec. 22-06. Significant Tree Replacement. Where replacement of a significant tree is required, the developer or builder shall be responsible for furnishing and installing the number and size of tree(s) identified in Category A, Category B, or Category C of the following schedule:

Tree Replacement Schedule				
Size of Tree Damaged or Destroyed		Number of Replacement Trees		
		Category A	Category B	Category C
1	Coniferous - 12' to 24' high	1	2	4
2	Coniferous - 24' or higher	2	4	8
3	Hardwood deciduous 8" - 20" diameter	1	2	4
4	Hardwood deciduous greater than 20" diameter	2	4	8
5	Softwood deciduous 12 - 24" diameter	1	2	4
6	Softwood deciduous greater than 24" diameter	2	4	8
		Size of Replacement Trees		
	Deciduous Trees	Not less than 3" in diameter	Not less than 2.5" in diameter	Not less than 2" in diameter
	Coniferous Trees	Not less than 10' in height	Not less than 8' in heights	Not less than 6' in height
Type of Replacement Trees Replacement trees shall be of a species similar to the trees which are lost or removed and shall include those species and diversity as determined by City Council resolution.				
Source of Replacement Trees Replacement trees shall consist of "certified nursery stock" or state inspected transplant stock as defined by Minnesota Statutes 18.46.				

Sec. 22-07. Location of Replacement Trees. Replacement trees shall be planted on the subject property in appropriate soil types and in a space large enough to accommodate the natural growth of the planted species. If the site can not accommodate the required replacement trees, those remaining to be planted shall be located other property owned by the developer/builder located within the city, or on property owned by the city. The city shall determine the location of the placement of trees on city property.

Sec. 22-08. Agreement to Replace Trees - Security. The builder, developer, owner shall be responsible to remove and restore any replacement tree which is not alive or healthy, one (1) year after the date that the last replacement tree has been planted. Any tree removed shall be replaced with a new healthy tree of the same size and species in place of the removed tree within eight months of removal. The builder, developer, owner shall provide security to the city for the performance of its obligations pursuant to this article as follows:

- (a) **Form.** The security may consist of a bond, letter of credit, cash, or escrow deposit, all in such form and substance as shall be approved by the City Council.
- (b) **Amount of Security.** The amount of security, unless modified by the City Council, shall be as follows:

Developers: A \$1,000 security for each lot with at least one significant tree plus 125% of the estimated cost to furnish and plant the replacement trees ("estimated cost"). The estimated cost shall be at least as much as the reasonable amount charged by nurseries for the furnishing and planting of the replacement trees. The estimated cost shall be subject to approval by the city. In the event the estimated cost submitted by the applicant is not approved by the city, the city shall have the right in its sole discretion to determine the estimated cost.

Builders: A \$1,000 security for tree replacement requirements.

- (c) **Release of Security.** The \$1000 per lot developer security will be released for the lots that have secured a builders security on a quarterly basis. The tree replacement security shall be retained for at least one (1) year after the date that the last replacement tree has been planted or, if no replacement trees were required, six months after the certificate of occupancy has been issued. The city may release the security at that time unless the city, upon inspection, finds that any of the replacement trees have died or are unhealthy or if there was any encroachment upon the protective fencing surrounding any tree to be saved. The city may retain that portion of the security equal to the cost of:

- 1 - Removing dead or unhealthy trees and planting replacement trees, or
- 2 - Replacing a tree which protective fencing had been encroached upon.

ARTICLE V. INCENTIVES FOR TREE PRESERVATION

Sec. 22-09. Incentives for Tree Preservation. The City Council declares it necessary and appropriate to provide incentives to assist the developer or builder in meeting or exceeding the tree preservation requirements. The available incentives include:

- (a) **Front and/or Rear Yard Setbacks** - City staff may approve administrative variances to the front or rear yard set back on individual lots to conserve significant trees and/or significant

woodlands provided the amount of the variance does not exceed a five foot deviation from the minimum setback requirements for the lot.

- (b) **Development Density Credits** - A bonus of up to ten (10) percent in the development density or lot coverage of portions of a site may be allowed by the City Council to conserve significant trees and/or significant woodlands. The City Council, in determining the reasonableness of the increase in the density or intensity of land use, shall consider the following factors:
- (1) The location, amount, and proposed use of open space,
 - (2) The location, design and type of dwelling units,
 - (3) The physical characteristics of the site, and
 - (4) The relationship of the proposed dwelling units to nearby developments.
- (c) **Wetland mitigation banking credits** - The City Council to conserve significant trees and/or significant woodlands may provide wetland mitigation banking credits in relation to the number, percentage, or acreage of trees preserved.

OAKDALE ZONING & SUBDIVISION CODE UPDATE – TREES & LANDSCAPING

Oakdale Tree Board Meeting – June 18, 2024



Introductions

- Community Development Department staff is conducting an update of the City's Zoning and Subdivision Code
- Staff is collaborating with HKGi, a Twin Cities-based planning firm, to help update the code.
 - HKGi is leading the diagnosis process for the Code
 - HKGi will lead on updating some articles, staff on others

What is the Code Update?

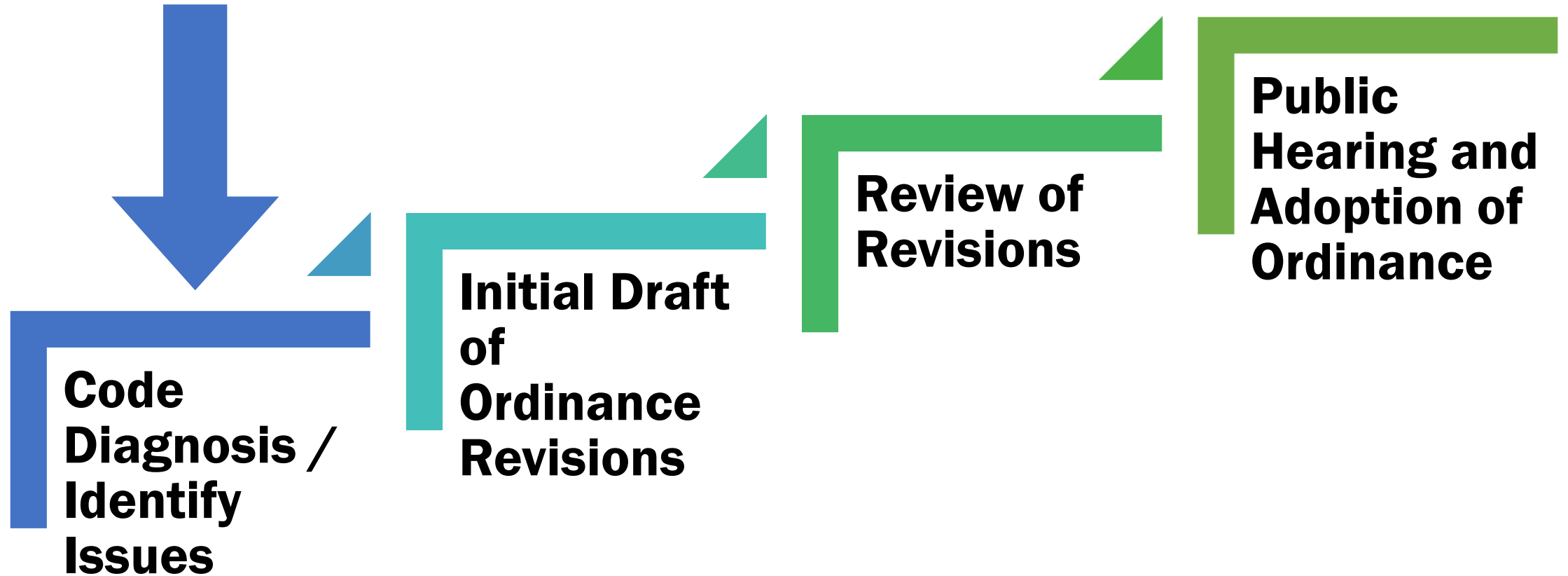
- **Zoning and Subdivision Code**

- A collection of City ordinances that guides what land uses are allowed in Oakdale, where they can be built, and sets requirements for lots and buildings.

- **Objectives**

- Update and modernize select chapters / sections
- Align the Code with the Comprehensive Plan and other plans (Glenbrook SAP, Pedestrian and Bicycle Plan)
- Improve user-friendliness
- Ensure consistency with state statutes, federal laws, and judicial rulings

Where Are We?



What's in the Trees Chapter (Chapter 22)?

- **Tree Preservation**
 - Intends to protect and preserve existing trees
 - Requires replacement of trees according to schedule (pictured next slide)
 - Three separate site activities that prompt tree preservation - building, development, and grading / utility work
 - Requirements and criteria differ somewhat between each prompt
 - Can include building expansions under certain circumstances
 - Significant Woodlands also required to follow preservation standards
 - Woodland - "...Grouping or cluster of [trees]... which are comprised predominately of a single species of deciduous trees between four inches and twelve inches in diameter or coniferous trees between four feet and twelve feet in height."
- **Disease Control / Tree Trimming / Tree Board**
 - Not within the scope of the Zoning and Subdivision Code Update

Tree Replacement Schedule

Tree Replacement Schedule				
Size of Tree Damaged or Destroyed		Number of Replacement Trees		
		Category A	Category B	Category C
1	Coniferous - 12' to 24' high	1	2	4
2	Coniferous - 24' or higher	2	4	8
3	Hardwood deciduous 8" - 20" diameter	1	2	4
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5	Softwood deciduous 12 - 24" diameter	1	2	4
6	Softwood deciduous greater than 24" diameter	2	4	8
		Size of Replacement Trees		
	Deciduous Trees	Not less than 3" in diameter	Not less than 2.5" in diameter	Not less than 2" in diameter
	Coniferous Trees	Not less than 10' in height	Not less than 8' in heights	Not less than 6' in height
<p>Type of Replacement Trees Replacement trees shall be of a species similar to the trees which are lost or removed and shall include those species and diversity as determined by City Council resolution.</p>				
<p>Source of Replacement Trees Replacement trees shall consist of "certified nursery stock" or state inspected transplant stock as defined by Minnesota Statutes 18.46.</p>				

Findings – Trees (Chapter 22)

- The prompts and requirements for tree replacement are not always clear
 - Building, development, and grading / utilities are treated as different situations that are not well defined
 - The amount of allowed tree removals varies depending on whether the prompt is considered a development, building, or grading / utilities
 - E.g., 25% of trees for development, 20% for building
 - Building expansion criteria is not clear
- The tree replacement schedule is difficult to understand
- Tree diversity standards are not considered

What are the Landscaping Requirements?

- **Chapter 25, Article 18 (General Building), Sec. 25-175**
 - General landscaping requirements
 - e.g., one tree required for each 800 ft of landscaping, one overstory tree per 50 linear feet of lot frontage, etc.
 - Parking lot landscaping regulations
 - Indigenous / hardiness zone requirements
 - Minimum plant sizes
- **Chapter 25, Article 18 (General Building), Sec. 25-152**
 - Some overlapping landscaping requirements

Findings – Landscaping Requirements

- Consider basing tree planting requirements on percentage of disturbed area or building size
 - Currently calculated as one tree for every 800 square feet of landscaped green area
- Landscaping requirements currently do not distinguish between multifamily and non-residential
 - Consider changing to separate standards
- Consider adding specific provisions on residential native plantings
- Eliminate redundant sections regarding landscaping requirements

DISCUSSION QUESTIONS

Discussion Questions – Trees

1. What are your thoughts on the tree replacement schedule? How can we make it easier to understand?
2. Are there any trees that we should discourage in tree replacement plans?
3. Should there be tree diversity standards?
4. What site activities should prompt the tree preservation ordinance?
5. Anything else to consider?

Discussion Questions – Landscaping

1. What is your experience with landscaping requirements for new developments in Oakdale?
2. What should we look for in improving our landscaping requirements? Is anything out-of-date?
3. Should we look at different standards for multifamily and non-residential properties?
4. How should we approach native vegetation?
5. Anything else to consider?

Next Steps

- Staff and HKGi to finish code diagnosis
- Discuss findings with City Council and Planning Commission
- Public engagement
- Begin drafting ordinance revisions