



STAFF REPORT

DATE: 2/21/2023

REGULAR

MOTION

TO: City Council
FROM: Sophia Jensen, City Planner
AGENDA ITEM: Landscape Requirements Text Amendments
REVIWED BY: Sarah Evenson - HKGi Landscape Architect

BACKGROUND:

As the City continues to develop and uses of different intensities develop side by side the City should review its standards for mitigating the impacts of a more intense use on a less intense use. One of the ways cities do this is through landscaping standards. At the September 13, 2022 workshop, the City Council directed staff to bring back to workshop screening standards that would address current concerns and add clarity to the code requirements.

At the December 13th 2022 workshop, the City Council reviewed the proposed amendments to the landscaping provisions related to screening, top soil, water, and other previously identified revisions that would aid in executing the ordinance. Council directed staff to bring forward the items related to screening for a public hearing while holding off on the top soil and watering provisions until further review is completed. The proposed amendments have also been reviewed by the City's Landscape Architect.

ISSUE BEFORE CITY COUNCIL:

Should the City Council approve the propoed text amendment to section 105.12.480 Lanscape Requirements?

PROPOSAL DETAILS/ANALYSIS

City Code Article VIII Environmental Standards provides for the City's tree preservation and landscaping standards for new development. The purpose statement for this article is as follows: materials, and provides for where landscaping should be located. In regards to perimeter landscaping that can provide a transition between uses, landscaping is required in the setback areas, and to screen parking lots from public spaces and adjacent residential properties. In addition, screening is required to provide visual and noise separation of intensive uses from less intensive uses. The City Council, Planning Commission, applicants, and staff have identified the need to update this section

STAFF REVIEW

Staff distributed the proposed amendment for staff review and received recommendations from the City's Landscape Architect HKGi.

PUBLIC COMMENT

A hearing notice was published in the Stillwater Gazette on January 13th, 2023. Staff has not received any public comment on the text amendment.

PLANNING COMISSION

The Planning Commission recommended denial of the proposed text amendment at the January 23rd 2023 Planning Commission meeting based on the following items:

- The screening text amendment (orange text) is to ambiguous.
- A defined table of requirements between uses should be incorporated.
- Further clarification of elevation of adjacent properties.
- Further clarification on screening from above language.
- Increase minimum tree height at time of planting.
- Add clarification for who determines if the screen height needs to be at the new 8ft requirement.
- Removal of the proposed language allowing the planning director to wave parking lot screening requirements.

FISCAL IMPACT

None

OPTIONS

- Approve the proposed amendments.
- Amend the proposed amendments.
- Deny the proposed amendments.

RECCOMENDATION

Staff recommends the City Council adopt the the proposed text amendments as presented.

“Move to adopt Ordinance No. 2023-04, amending the landscaping provisions in Section 105.12.480 Landscape Requirements as presented.”

AND

“Move to adopt summary of publication of Ordinance 2023-04 with approval of Resolution No. 2023-11

ATTACHMENTS

1. Proposed Text Amendment
2. Existing Code Language
3. Ordinance No. 2023-04
4. Resolution No. 2023-011
5. City Council Workshop Minutes 9-13-2022
6. City Council Workshop Minutes 12-12-2022
7. Planning Commission Minutes 1-23-2023

Text underlined orange text refers to additional screening updates based on council direction. Other updates are depicted in underlined green text. ~~Strikethrough text~~ is removed language.

105.12.480 Landscape Requirements

All development sites shall be landscaped, as provided in this section, in order to control erosion and runoff, moderate extremes of temperature and provide shade, aid in energy conservation, preserve habitat, provide visual softening of, especially, urban development, and generally enhance the quality of the physical environment within the city.

1. *Landscape plan required.* A landscaping plan is required for all new commercial, industrial, institutional, and multifamily development, all planned unit developments, and all subdivisions, with the exception of minor subdivisions, as defined in this chapter. The landscape plan shall be prepared by a certified landscape architect, shall be drawn to a scale identified on the plan, and include the following:
 1. The location, size, quantity, and species of all existing and proposed plant materials.
 2. Methods for protecting existing trees and other landscape material, consistent with LEC 105.12.470.
 3. The plant schedule shall depict the height and spread of each plant type at the time of planting and at the time of maturity.
 4. ~~Structural and ground cover materials.~~ All existing and proposed features such as buildings, structures, parking areas, pervious and imperious pavements, signs, fences, walls, enclosures, natural features, grading, property lines, easements, utilities, and driveways shall be clearly shown on the plans.
 5. Seeding, sodding, and ground cover materials
 6. Provisions for irrigation and other water supplies.
 7. Elevation view, details, and cross-sections of all required screening.
 8. ~~Special planting instructions.~~
 9. City standard plan notes and ~~drawings~~ planting details, as well as any additional planting instructions and notes.
 10. ~~Utilities and driveways shall also be clearly shown on the plans.~~
2. *Design considerations.* The following design concepts and requirements shall be considered when developing a landscape plan.
 1. To the maximum extent possible, the landscape plan shall incorporate, preserve and protect, existing significant trees and other healthy, non-invasive vegetation ~~and other vegetation~~ on the site.
 2. Landscaped areas should be of adequate size to allow for healthy proper plant growth, to a typical mature size without impeding on roads, walks, trails, buildings or other areas needed for service access or public safety. Planting areas should ~~protect plantings from vehicular and pedestrian traffic, and~~ provide adequate areas for plant maintenance.
 3. A variety of trees and shrubs should be used to provide visual interest year-round. No more than 50 percent of the required number of trees and shrubs may consist of any one species. A minimum of 25 percent of the required number of trees shall be deciduous shade trees, and a minimum of 25 percent shall be coniferous trees. Ornamental trees may be used when applied towards landscaping requirements. However, the number of trees shall not exceed 15 percent of the required amount.
 4. Final slopes greater than 3:1 will not be permitted without special treatment such as terracing, retaining walls, erosion control blankets, or special ground covers.
 5. All plant materials, except trees planted per the tree replacement schedule, shall meet the following minimum size standards in Table 6-1. Trees planted per the tree replacement schedule shall meet the minimum requirements outlined in LEC 105.12.470(c)(8)d.

Table 6-1: Minimum Size Standards for Landscape Materials

<i>Plant Type</i>	<i>Minimum Size at Planting**</i>
Trees:	
Evergreen	6 feet in height
Deciduous--shade	2.5 inches caliper, measured six inches from base
Deciduous--ornamental	2 inches caliper, measured six inches from base
Shrubs:	
Evergreen	# five container*
Deciduous	# five container*
Shrubs used for screening (evergreen or deciduous)	# five container*
* Approximately five gallons.	
**See American Standards for Nursery Stock, ANSI 260.1-2004 for exact specifications.	
* This table and its requirements do not apply to the tree replacement schedule.	

6. As an alternative to the minimum standards for landscape materials, a landscape plan prepared by a qualified professional certifying that said plan will meet the intent of this section may be submitted.
7. As a general rule, trees should be planted ten feet away from all utilities including water and sewer stubs unless approved by the city's landscape architect.
3. *Landscaping of setback areas.* All required setbacks not occupied by buildings, parking, paths or plazas shall be landscaped with turf grass, native grass, trees, shrubs, vines, perennial flowering plants, and surrounding pervious ground cover.
 1. A minimum of one tree per lot or one tree for every 50 feet of street frontage, lake shore or stream frontage, or fraction thereof shall be planted at the time of development. The total tree requirement will be whichever quantity is greater.
 1. Trees adjacent to streets shall be planted within the front yard and may be arranged in a cluster or placed at regular intervals to best complement existing landscape design patterns in the area.
 2. Salt tolerance, [species soil compatibility](#), and root structure should be considered when selecting tree species adjacent to streets, sidewalks and parking areas.
 3. Where property abuts a lake or stream, trees shall be planted at intervals of no more than 50 feet along the shoreline, except where natural vegetation is sufficient to meet this requirement.

2. In addition to the requirements of subsection (c)(1) of this section, a minimum of five trees shall be planted for every one acre of land that is disturbed by development activity. Such trees may be used for parking lot landscaping or screening as specified in subsections (d) and (e) of this section.

4. *Interior parking lot landscaping.* The purpose of interior parking lot landscaping is to minimize the expansive appearance of parking lots and provide shaded parking areas. Landscaping shall consist of planting islands, medians and borders, comprising the required planting area specified under subsection (d)(1) of this section.
 1. At least five percent of the interior area of parking lots with more than 30 spaces shall be devoted to landscape planting areas. Areas may consist of islands or corner planting beds.
 2. Shade trees shall be provided within the interior of parking lots (in islands or corner planting beds) in accordance with the following table:

Table 6-2: Minimum Required Tree Planting for Parking Lots

<i>Number of Parking Spaces</i>	<i>Minimum Required Tree Planting</i>
0—30	None required
31—100	1 tree per 10 spaces or fraction thereof
101+	1 tree per 15 spaces or fraction thereof

5. *Perimeter parking lot landscaping.* Parking areas, and especially vehicle headlights, shall be screened from public streets and sidewalks, public open space, and adjacent residential properties. Where applicable an applicant may demonstrate that distance and/or finished grades would achieve this objective, whereupon this requirement may be waived by the Planning Director. The perimeter of parking areas shall be screened as follows:
 1. With the exception of VMX area, a landscaped frontage strip at least ~~five~~ eight feet wide shall be provided between parking areas and public streets, sidewalks, or paths. If a parking area contains over 100 spaces, the frontage strip shall be increased to ~~eight~~ twelve feet in width.
 1. Within the frontage strip, screening shall consist of either a masonry wall, fence, berm, or hedge or combination that forms a screen a minimum of 3 1/2 and a maximum of four feet in height, and not less than 50 percent opaque on a year-round basis.
 2. Trees shall be planted at a minimum of one deciduous tree per 50 linear feet within the frontage strip.
 2. Alongside and rear property lines abutting residential properties or districts, screening shall be provided, consisting of either a masonry wall, fence or berm in combination with landscape material that forms a screen a minimum of four feet in height, a maximum of six feet in height, and not less than 90 percent opaque on a year-round basis. Landscape material shall include trees, planted at a minimum of one deciduous or coniferous tree per 40 linear feet along the property line.

Figure A: Example cross-section view of perimeter parking lot landscape screening.

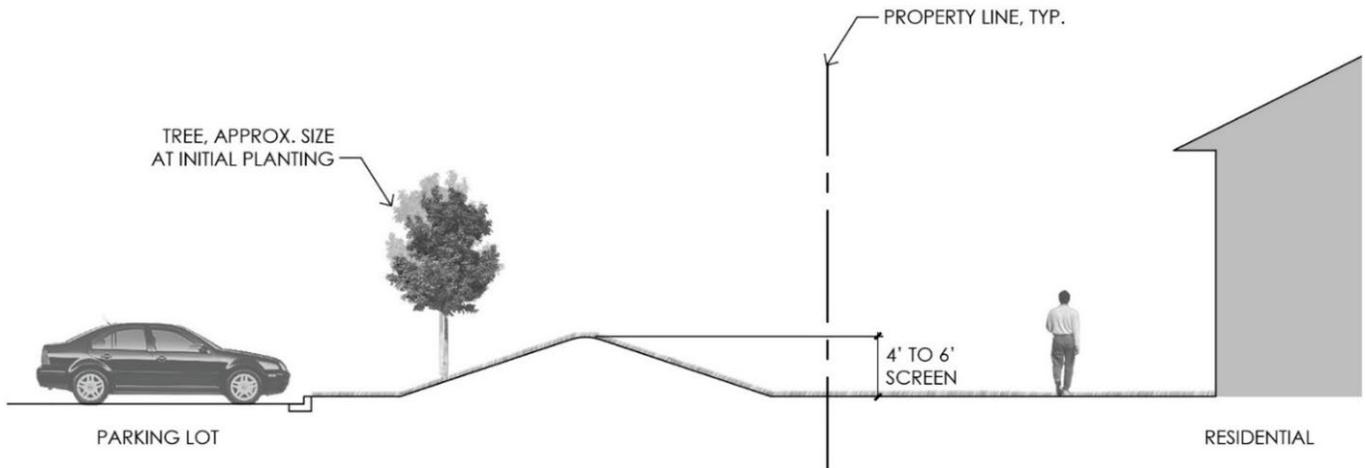
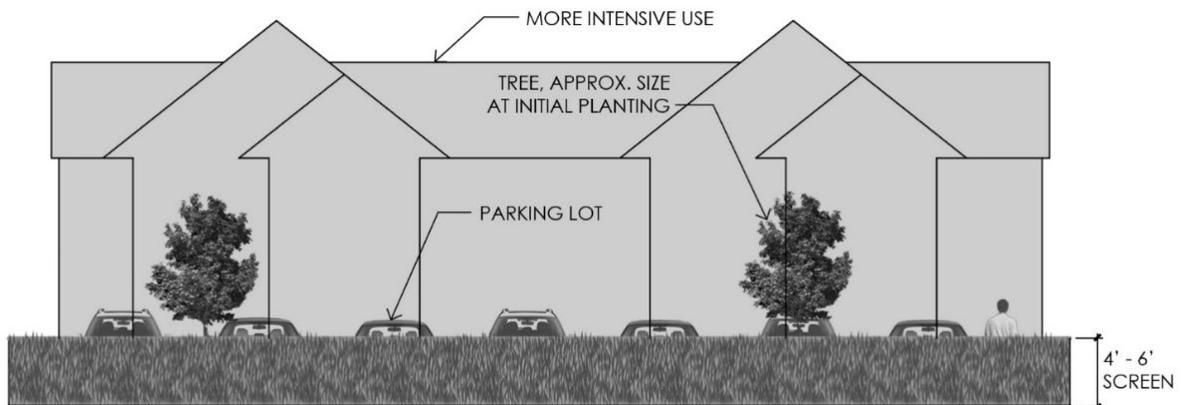


Figure B: Example elevation view of perimeter parking lot landscape screening.



6. *Screening.* Screening shall be used to provide visual and noise separation of more intensive uses from less intensive uses. Where screening is required in the city Code between uses or districts, it shall consist of either a ~~masonry~~ wall or fence, or berm in combination with landscape material that forms a screen at least six feet in height, and not less than 90 percent opaque on a year-round basis. Top of wall or fence shall be a minimum of six feet above the elevation along the property line(s) from which screening of the less intensive use is required. The City may require screening at least eight feet in height were the difference in intensity of uses is greater, such as between lots planned for development with single-family attached and detached residential development and certain service uses such as self-service storage and trade shops, automotive/vehicular uses, or industrial and extractive uses. Landscape material shall include trees, planted at a minimum of one deciduous or coniferous tree per 25 ~~40~~ linear feet along the property line.

Screening trees shall be adequately sized and offset from the property line so as not to overhang adjacent properties upon reaching mature size. Additional landscape material, such as shade trees or trellises, may be required to partially screen views from above.

Figure C: Example cross-section of screening between land uses.

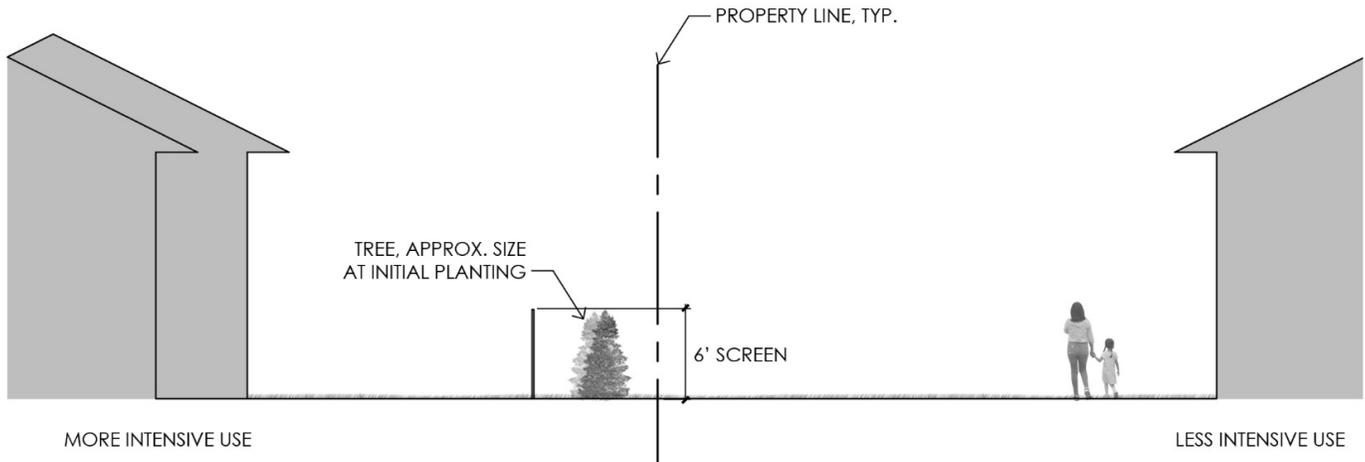
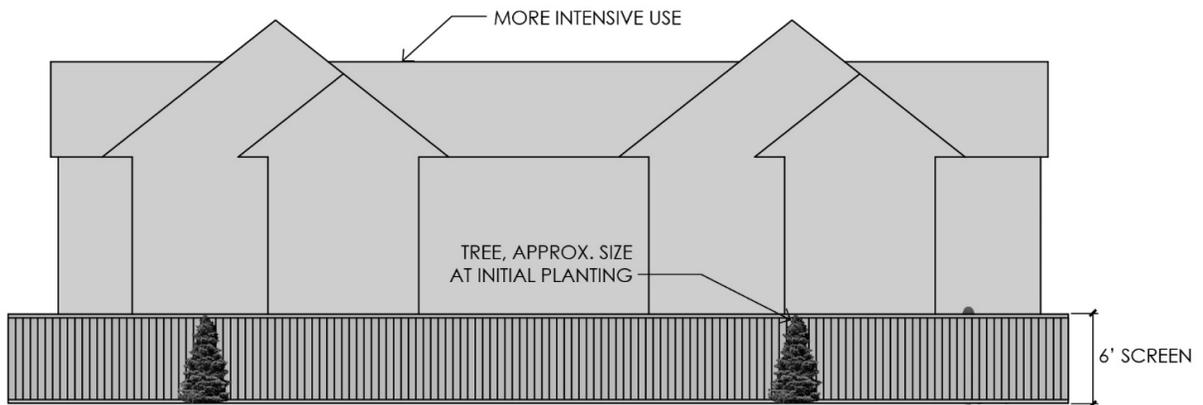


Figure D: Example elevation view of screening between land uses.



7. *Maintenance and installation of materials.* Installation and maintenance of all landscape materials shall comply with the following standards:
 1. All landscape materials shall be installed to current industry standards. Special attention must be paid to initial soil preparation, drainage, and proper initial planting of plant root mass.
 2. Irrigation or other water supply adequate to support the specified plant materials shall be provided at the time of, or immediately after, plant installation.
 3. All required landscaping and screening features shall be kept free of refuse and debris.
 4. All landscape plantings, seeded, and sodded areas shall be maintained to manage weeds and ensure establishment of intended plant materials.

5. All landscape materials shall be guaranteed for two years. Any landscape material that dies, has a dead or broken central leader, exhibits 30% or more crown death, is damaged by construction, or becomes diseased before the end of the second year after installation shall be replaced by the developer.
6. For nonresidential projects, continuing maintenance and replacement of landscape materials shall be the responsibility of the property owner, including after ~~beyond~~ two years of initial installation. Improvements identified on the landscape plan, including non-plant materials, such as fencing, shall be maintained for the life of the project for which the plan was required.
8. *Financial security.* The city will require that a financial security, in a form acceptable to the city, be provided as part of a development agreement or applicable permit to ensure compliance and performance of the landscape plan. The financial security will be released to the applicant upon verification by the city that the landscape plan was followed, and that all landscape materials are planted and in a reasonable state of health. The financial security may be used to replace any landscape materials that have become damaged or diseased after planting. Adequate security must be ~~met~~ retained to ensure performance for at least two years after the installations have been completed.

105.12.480 Landscape Requirements

All development sites shall be landscaped, as provided in this section, in order to control erosion and runoff, moderate extremes of temperature and provide shade, aid in energy conservation, preserve habitat, provide visual softening of, especially, urban development, and generally enhance the quality of the physical environment within the city.

(a) *Landscape plan required.* A landscaping plan is required for all new commercial, industrial, institutional, and multifamily development, all planned unit developments, and all subdivisions, with the exception of minor subdivisions, as defined in this chapter. The landscape plan shall be prepared by a certified landscape architect and include the following:

- (1) The location, size, quantity, and species of all existing and proposed plant materials.
- (2) Methods for protecting existing trees and other landscape material, consistent with LEC 105.12.470.
- (3) Structural and ground cover materials.
- (4) Provisions for irrigation and other water supplies.
- (5) Details and cross-sections of all required screening.
- (6) Special planting instructions.
- (7) City standard plan notes and drawings.
- (8) Utilities and driveways shall also be clearly shown on the plans.

(b) *Design considerations.* The following design concepts and requirements shall be considered when developing a landscape plan.

- (1) To the maximum extent possible, the landscape plan shall incorporate existing trees and other vegetation on the site.
- (2) Landscaped areas should be of adequate size to allow proper plant growth, protect plantings from vehicular and pedestrian traffic, and provide adequate areas for plant maintenance.
- (3) A variety of trees and shrubs should be used to provide visual interest year-round. No more than 50 percent of the required number of trees and shrubs may consist of any one species. A minimum of 25 percent of the required number of trees shall be deciduous shade trees, and a minimum of 25 percent shall be coniferous trees. Ornamental trees may be used when applied towards landscaping requirements. However, the number of trees shall not exceed 15 percent of the required amount.
- (4) Final slopes greater than 3:1 will not be permitted without special treatment such as terracing, retaining walls, or special ground covers.
- (5) All plant materials, except trees planted per the tree replacement schedule, shall meet the following minimum size standards in Table 6-1. Trees planted per the tree replacement schedule shall meet the minimum requirements outlined in LEC 105.12.470(c)(8)d.

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* Approximately five gallons. See American Standards for Nursery Stock, ANSI 260.1-2004 for exact specifications.	
* This table and its requirements do not apply to the tree replacement schedule.	

(6) As an alternative to the minimum standards for landscape materials, a landscape plan prepared by a qualified professional certifying that said plan will meet the intent of this section may be submitted.

(7) As a general rule, trees should be planted ten feet away from all utilities including water and sewer stubs unless approved by the city's landscape architect.

(c) *Landscaping of setback areas.* All required setbacks not occupied by buildings, parking, paths or plazas shall be landscaped with turf grass, native grass, trees, shrubs, vines, perennial flowering plants, and surrounding pervious ground cover.

(1) A minimum of one tree shall be planted for every 50 feet of street frontage, lake shore or stream frontage, or fraction thereof.

a. Trees adjacent to streets shall be planted within the front yard and may be arranged in a cluster or placed at regular intervals to best complement existing landscape design patterns in the area.

b. Salt tolerance and root structure should be considered when selecting tree species adjacent to streets, sidewalks and parking areas.

c. Where property abuts a lake or stream, trees shall be planted at intervals of no more than 50 feet along the shoreline, except where natural vegetation is sufficient to meet this requirement.

(2) In addition to the requirements of subsection (c)(1) of this section, a minimum of five trees shall be planted for every one acre of land that is disturbed by development activity. Such trees may be used for parking lot landscaping or screening as specified in subsections (d) and (e) of this section.

(d) *Interior parking lot landscaping.* The purpose of interior parking lot landscaping is to minimize the expansive appearance of parking lots and provide shaded parking areas. Landscaping shall consist of planting islands, medians and borders, comprising the required planting area specified under subsection (d)(1) of this section.

(1) At least five percent of the interior area of parking lots with more than 30 spaces shall be devoted to landscape planting areas. Areas may consist of islands or corner planting

beds.

- (2) Shade trees shall be provided within the interior of parking lots (in islands or corner planting beds) in accordance with the following table:

Table 6-2: Minimum Required Tree Planting for Parking Lots

<i>Number of Parking Spaces</i>	<i>Minimum Required Tree Planting</i>
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101+	1 tree per 15 spaces or fraction thereof

- (e) *Perimeter parking lot landscaping.* Parking areas shall be screened from public streets and sidewalks, public open space, and adjacent residential properties. The perimeter of parking areas shall be screened as follows:

- (1) With the exception of VMX area, a landscaped frontage strip at least five feet wide shall be provided between parking areas and public streets, sidewalks, or paths. If a parking area contains over 100 spaces, the frontage strip shall be increased to eight feet in width.
 - a. Within the frontage strip, screening shall consist of either a masonry wall, fence, berm, or hedge or combination that forms a screen a minimum of 3 1/2 and a maximum of four feet in height, and not less than 50 percent opaque on a year-round basis.
 - b. Trees shall be planted at a minimum of one deciduous tree per 50 linear feet within the frontage strip.
- (2) Alongside and rear property lines abutting residential properties or districts, screening shall be provided, consisting of either a masonry wall, fence or berm in combination with landscape material that forms a screen a minimum of four feet in height, a maximum of six feet in height, and not less than 90 percent opaque on a year-round basis. Landscape material shall include trees, planted at a minimum of one deciduous or coniferous tree per 40 linear feet along the property line.

- (f) *Screening.* Screening shall be used to provide visual and noise separation of intensive uses from less intensive uses. Where screening is required in the city Code between uses or districts, it shall consist of either a masonry wall or fence in combination with landscape material that forms a screen at least six feet in height, and not less than 90 percent opaque on a year-round basis. Landscape material shall include trees, planted at a minimum of one deciduous or coniferous tree per 40 linear feet along the property line. Additional landscape material, such as shade trees or trellises, may be required to partially screen views from above.

- (g) *Maintenance and installation of materials.* Installation and maintenance of all landscape materials shall comply with the following standards:

- (1) All landscape materials shall be installed to current industry standards.
- (2) Irrigation or other water supply adequate to support the specified plant materials shall be provided.
- (3) All required landscaping and screening features shall be kept free of refuse and debris.
- (4) All landscape materials shall be guaranteed for two years. Any landscape material that

dies or becomes diseased before the end of the second year after installation shall be replaced by the developer.

(5) Continuing maintenance and replacement of landscape materials shall be the responsibility of the property owner beyond two years of initial installation.

(h) *Financial security.* The city will require that a financial security, in a form acceptable to the city, be provided as part of a development agreement or applicable permit to ensure compliance and performance of the landscape plan. The financial security will be released to the applicant upon verification by the city that the landscape plan was followed, and that all landscape materials are planted and in a reasonable state of health. The financial security may be used to replace any landscape materials that have become damaged or diseased after planting. Adequate security must be retained to ensure performance for at least two years after the installations have been completed.

HISTORY

Adopted by Ord. [08-253](#) on 11/3/2021

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 2023-04

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY
AMENDING THE LANDSCAPE REQUIREMENTS

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title 105 Zoning; Chapter 105.12: Zoning Code, Section 480 Landscape Requirements is hereby amended by changing the following section (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

105.12.480 Landscape Requirements

All development sites shall be landscaped, as provided in this section, in order to control erosion and runoff, moderate extremes of temperature and provide shade, aid in energy conservation, preserve habitat, provide visual softening of, especially, urban development, and generally enhance the quality of the physical environment within the city.

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 4. ~~Structural and ground cover materials. All existing and proposed features such as buildings, structures, parking areas, pervious and impervious pavements, signs, fences, walls, enclosures, natural features, grading, property lines, easements, utilities, and driveways shall be clearly shown on the plans.~~
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 2. Trees shall be planted at a minimum of one deciduous tree per 50 linear feet within the frontage strip.
 2. Alongside and rear property lines abutting residential properties or districts, screening shall be provided, consisting of either a masonry wall, fence or berm in combination with landscape material that forms a screen a minimum of four feet in height, a maximum of six feet in height, and not less than 90 percent opaque on a year-round basis. Landscape material shall include trees,

planted at a minimum of one deciduous or coniferous tree per 40 linear feet along the property line.

Figure A: Example cross-section view of perimeter parking lot landscape screening.

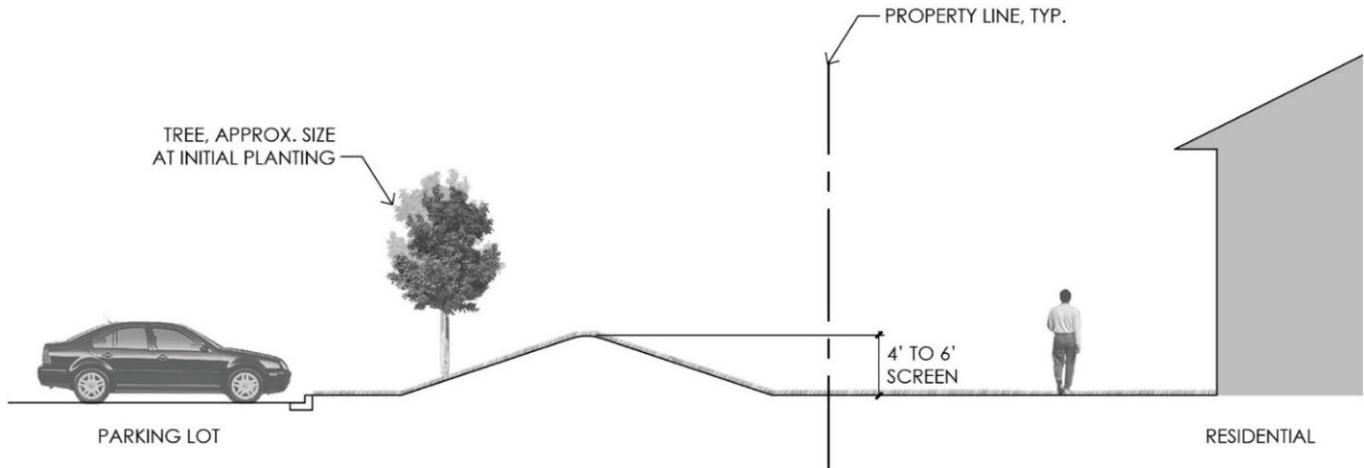
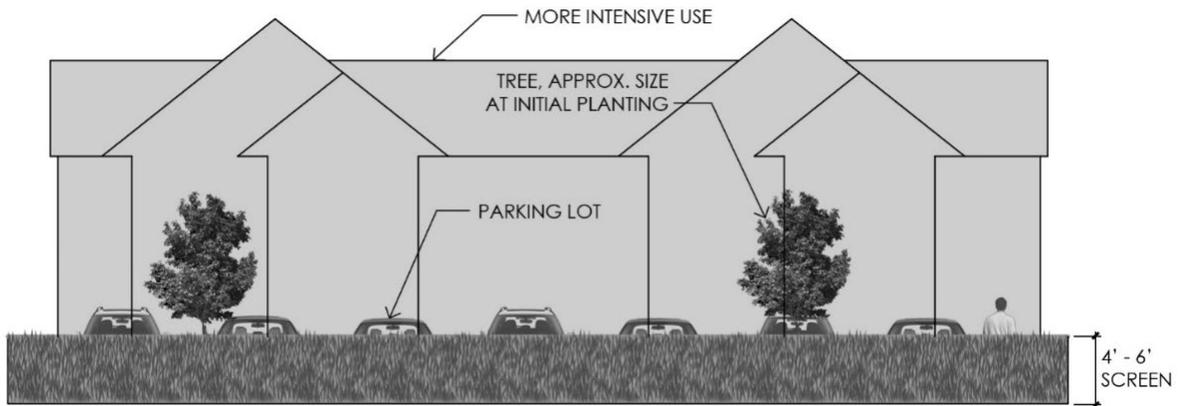


Figure B: Example elevation view of perimeter parking lot landscape screening.



6. **Screening.** Screening shall be used to provide visual and noise separation of more intensive uses from less intensive uses. Where screening is required in the city Code between uses or districts, it shall consist of either a ~~masonry~~ wall or fence, or berm in combination with landscape material that forms a screen at least six feet in height, and not less than 90 percent opaque on a year-round basis. Top of wall or fence shall be a minimum of six feet above the elevation along the property line(s) from which screening of the less intensive use is required. The City may require screening at least eight feet in height were the difference in intensity of uses is greater, such as between lots planned for development with single-family attached and detached residential development and certain service uses such as self-service storage and trade shops, automotive/vehicular uses, or industrial and extractive uses. Landscape material shall include trees, planted at a minimum of one deciduous or coniferous tree per 25 40 linear feet along the property line. Screening trees shall be adequately sized and offset from the property line so as not to overhang adjacent properties upon reaching mature size. Additional landscape material, such as shade trees or trellises, may be required to partially screen views from above.

Figure C: Example cross-section of screening between land uses.

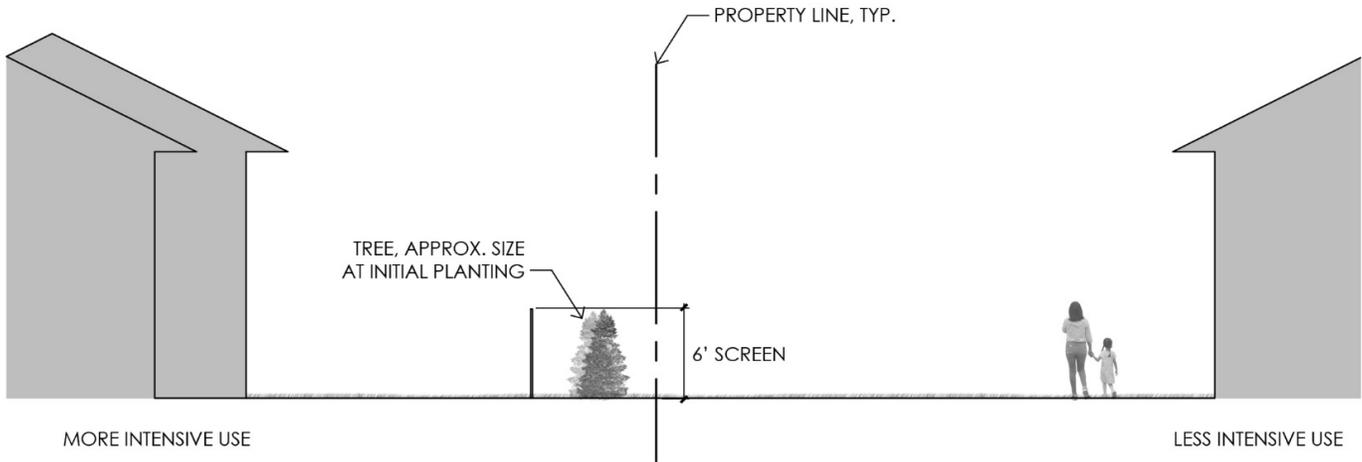
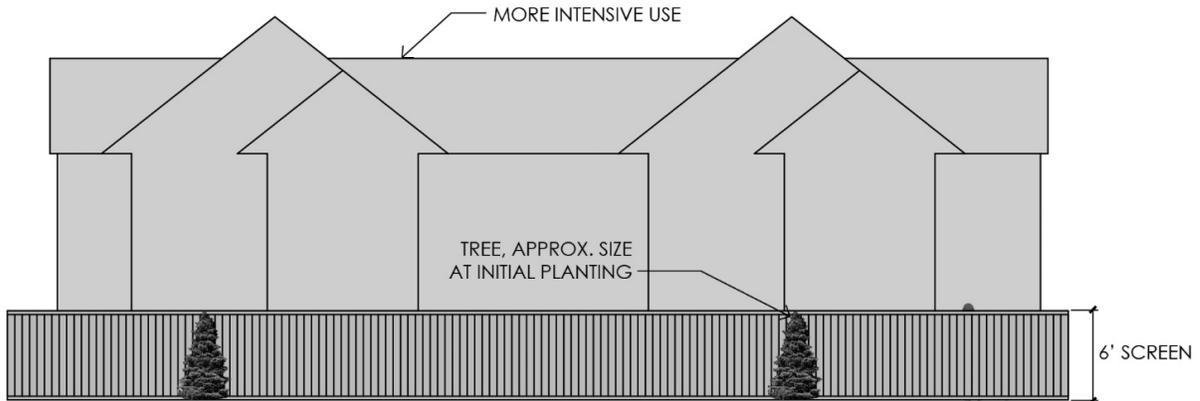


Figure D: Example elevation view of screening between land uses.



7. *Maintenance and installation of materials.* Installation and maintenance of all landscape materials shall comply with the following standards:

1. All landscape materials shall be installed to current industry standards. Special attention must be paid to initial soil preparation, drainage, and proper initial planting of plant root mass.
2. Irrigation or other water supply adequate to support the specified plant materials shall be provided at the time of, or immediately after, plant installation.
3. All required landscaping and screening features shall be kept free of refuse and debris.
4. All landscape plantings, seeded, and sodded areas shall be maintained to manage weeds and ensure establishment of intended plant materials.
5. All landscape materials shall be guaranteed for two years. Any landscape material that dies, has a dead or broken central leader, exhibits 30% or more crown death, is damaged by construction, or becomes diseased before the end of the second year after installation shall be replaced by the developer.
6. For nonresidential projects, continuing maintenance and replacement of landscape materials shall be the responsibility of the property owner, including after beyond two years of initial installation. Improvements identified on the landscape plan, including non-plant materials, such as fencing, shall be maintained for the life of the project for which the plan was required.

8. *Financial security.* The city will require that a financial security, in a form acceptable to the city, be provided as part of a development agreement or applicable permit to ensure compliance and performance of the landscape plan. The financial security will be released to the applicant upon verification by the city that the landscape plan was followed, and that all landscape materials are planted and in a reasonable state of health. The financial security may be used to replace any landscape materials that have become damaged or diseased after planting. Adequate security must be ~~met~~ retained to ensure performance for at least two years after the installations have been completed.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 2023-04 was adopted on this _____ day of _____, 2023, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 2023-04 was published on the _____ day of _____, 2023.

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

RESOLUTION NO. 2023-011

**RESOLUTION AUTHORIZING PUBLICATION OF A SUMMARY OF ORDINANCE
2023-04**

WHEREAS, the Lake Elmo City Council has adopted Ordinance No. 2023-04, an ordinance that amends Title 105 Zoning; Chapter 105.12: Zoning Code, Section 480 Landscape Requirements

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo that the City Clerk shall cause the following summary of Ordinance No. 2023-04 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 2023-04, an ordinance that amends the City Code language in the Zoning Ordinance. This ordinance alters language in the City Code to update the amenities eligible for bonus density. The following is a summary of the adopted ordinance language:

Ordinance 2023-04 includes the following elements to amend Title 105 Zoning; Chapter 105.12: Zoning Code, Section 480 Landscape Requirements for language regarding screening requirements.

The full text of Ordinance 2023-04 is available for inspection at Lake Elmo City Offices during regular business hours.

1. Amended the landscape requirements section to enhance screening requirements and make revisions that aid in executing the ordinance.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: February 21st, 2023

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

(SEAL)

**CITY OF LAKE ELMO
CITY COUNCIL WORKSHOP MINUTES
SEPTEMBER 13, 2022**

CALL TO ORDER

Called the meeting to order at 6:30 pm.

PRESENT: Mayor Cadenhead, Councilmembers Katrina Beckstrom, Dale Dorschner, Jeff Holtz and Lisa McGinn.

Staff present: City Administrator Handt, Planning Director Just and City Clerk Johnson.

Landscape Ordinance

Sarah Harding, City Landscape Architect, reviewed current City code and standards for landscape screening in various land uses. Discussion held regarding point of reference on site for screening (property line or neighboring property), opacity and topographical challenges.

Commercial Development Agreement

Planning Director Just reviewed the City's standard development agreement and potential updates for multifamily and commercial developments. Terms used by other cities were reviewed and discussion was held.

Items for Future Agenda

Administrator Handt noted that Townball Field and PUD Amenity Points would be discussed at the October worksession.

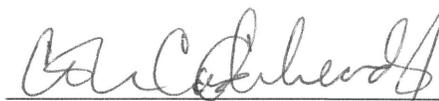
Meeting adjourned at 8:25 p.m.

ATTEST:



Julie Johnson, City Clerk

LAKE ELMO CITY COUNCIL



Charles Cadenhead, Mayor

**CITY OF LAKE ELMO
CITY COUNCIL WORKSHOP MINUTES
DECEMBER 13, 2022**

CALL TO ORDER

Called the meeting to order at 6:30 pm.

PRESENT: Mayor Cadenhead, Councilmembers Katrina Beckstrom and Jeff Holtz. **ABSENT:** Councilmember Dale Dorschner.

Staff present: City Administrator Handt, Public Works Director Powers, Fire Chief Kalis, Planning Director Just, City Planner Hetzel, City Engineer Griffin and City Clerk Johnson.

No Parking in Fields of St. Croix

City Engineer Griffin reviewed the no parking guidelines, minimum widths on residential streets. Engineer Griffin also discussed challenges experienced with narrow street widths and reviewed parking restriction guidance policy. Council consensus to accept the recommendations.

Landscaping Ordinance Updates

Planning Director Just presented draft language to address landscaping issues between new development and existing uses when one use is more intense than the other. Director Just reviewed proposed updates to the City Code Article VIII Environmental standards and answered questions regarding tree planting and maintenance. Lengthy discussion held concerning top soil. Council indicated the language regarding screening is acceptable but more work on language related to top soil and water is needed.

PUD Objectives/Requirements

City Planner Hetzel presented proposed updates to the PUD amenity table based on input from the December 6, 2022 City Council meeting. PUD objectives, minimum PUD requirements and objectives from other cities were also presented. Hetzel noted proposed additions the Lake Elmo code.

Discussion was held and consensus reached to amend language related to senior and affordable housing, remove current objective #6 relating to historic buildings, structures and landscape and to add language regarding preserving ground water.

Items for Future Agenda

Administrator Handt noted that the next workshop would be a joint session with the Parks Commission.

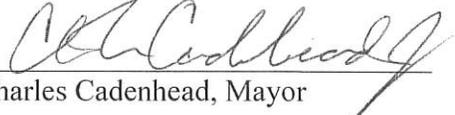
Meeting adjourned at 7:56 p.m.

LAKE ELMO CITY COUNCIL

ATTEST:



Julie Johnson, City Clerk



Charles Cadenhead, Mayor



**City of Lake Elmo Planning Commission
Meeting
City Council Chambers – 3800 Laverne
Avenue North
Minutes of Regular Meeting of
January 23, 2023**

CALL TO ORDER: Commission Chair Risner called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Risner, Rehkamp, Steil, Vrieze

COMMISSIONERS ABSENT:

STAFF PRESENT: City Planner Sophia Jensen

Pledge of Allegiance at 7:00 PM

Approve Agenda:

M/S/P: Vrieze / Steil: made a motion to approve the agenda. **Vote: 4-0, motion carried unanimously**

Approve Minutes:

M/S/P: Steil / Rehkamp made a motion to approve the 1-9-23 meeting minutes. **Vote: 4-0, motion carried unanimously.**

Public Hearing:

a)Text Amendment- Landscaping Ordinance. The City of Lake Elmo has initiated a zoning text amendment to amend the landscape requirements section of Article VIII Environmental Performance Standards.

As the City continues to develop and uses of different intensities develop side by side the City should review its standards for mitigating the impacts of a more intense use on a less intense use. One of the ways cities do this is through landscaping standards. At the September 13, 2022 workshop, the City Council directed staff to bring back to workshop screening standards that would address current concerns and add clarity to the code requirements.

At the December 13th 2022 workshop, the City Council reviewed the proposed amendments to the landscaping provisions related to screening, top soil, water, and other previously identified revisions that would aid in executing the ordinance. Council directed staff to bring forward the items related to screening for a public hearing while holding off on the top soil and watering provisions until further review is completed. The proposed amendments have also been reviewed by the City's Landscape Architect.

Revising the landscape ordinance is an item within the Planning Commission work plan for 2023.

City Planner Jensen gave presentation and answered questions.

M/S/P: Steil / Vrieze moved to open the public hearing at 7:21 PM. **Vote: 4-0, motion carried unanimously.**

No response from the public

M/S/P: Rehkamp / Steil moved to close the public hearing at 7:22 PM. **Vote: 4-0, motion carried unanimously.**

M/S/P: Steil / Vrieze moved to recommend to deny adoption of the proposed text amendment, amending the landscape provisions in Section 105.12.480 Landscape Requirements as presented **Vote: 4-0, motion carried.**

During discussion, Commissioner Steil commented that he thinks this is a good start, but it needs to be more specific to what the Planning Commission is looking for, regarding tables, and more clear-cut examples to prevent future problems any new development as this is too vague.

Commissioner Vrieze stated that the elevation requirement, the tree preservation portion and the parking lot screening is appreciated. He stated that he wants to see is having a define table showing the difference of the landscaping requirements between each zoning uses, and define “screening from above” or strike that from the language, as it is too ambiguous.

Commissioner Rehkamp concurs with Steil and Vrieze, and stated that he wants a table that addresses adjoining land-use, how it zoned and the implications of elevation and what it looks like for adjoining properties.

Commissioner Chair Risner stated that he is in agreement with much of the language, but stated that there needs to be a better definition between zones. He asked the commissioners to be very specific on facts and findings to be presented to the City Council, potentially going thru each section.

Commissioner Vrieze agrees with Risner regarding the green text is fine, but the orange text needs to be more definitive. For #6, he would like to see a defined table showing what the screen requirements are for each specific uses, and each zoning district and the definition of elevation of adjacent properties.

Commissioner Steil wants the tree height, and who determines what height is needed per each project to be more defined.

Commissioner Chair Risner doesn't think the parking lot screening requirement decision should be left up to the Planning Director as it leave too much subjugation. He believes that sentence in item #5 “whereupon this requirement may be waived by the Planning Director” should be removed and that the applicant should have to apply for a variance.

New/Unfinished Business

N/A

Communications/Updates - City Council Updates

- a) City Council Updates
 - i. Impervious Surface Text Amendment – 1/17/2023 was approved
 - ii. Conditional Use Permit – Upper 33rd St – 1/17/2023 was approved

Upcoming Meetings

- a) February 13, 2023
- b) Joint Session with City Council on February 15th 2023
- c) February 27, 2023

Meeting adjourned at 7:37 PM.

Respectfully submitted,

Diane Wendt
Permit Technician