



SECTION 27. - LANDSCAPING REGULATIONS

1. - Purpose.

The purpose of this section is to establish a landscaping standard to regulate landscaping requirements within the City of East Bethel. Landscaping regulations will have many benefits to the city including establishing a protection of privacy and a buffer between different land uses, increasing and maintaining property values, creating an urban forest thereby controlling the urban heat island effect, preventing or reducing soil erosion, sedimentation, and storm water runoff, improving air quality, reducing noise pollutions, and enhancing energy conservation through natural insulation and shading.

2. - Landscape plan.

A landscape plan is required for all subdivisions, townhouse developments, commercial, industrial, and other non-residential uses in residential zoning districts.

Landscape plans shall be prepared by a landscape architect. Landscape plans shall be drawn to scale of not less than one inch equals 50 feet and shall show the following:

- A. General. Name and address of developer/owner, name and address of architect/designer, date of plan preparation, date and description of all revisions, name of project/development, scale of plan, north point indication.
- B. Site analysis. Boundary lines of property with dimensions based upon certified survey, name and alignment of proposed and existing adjacent on-site streets, location of all utility easements and rights-of-way, location of existing and proposed buildings, topographic contours at two foot contour intervals, location of parking areas, water bodies, proposed sidewalks, and percent of site not covered by structures.
- C. Landscape data. A planning schedule table shall contain the following information: symbols, quantities, common names and botanical names, size of plant materials, root specifications, and special planting instructions.
- D. Details of planting beds and foundation plantings.
- E. Locations and details of other landscape features including berms, fences, planter boxes, parking islands, and other landscape improvements.
- F. Delineation of both sodded and seeded areas indicated in square footage.
- G. Location and details of irrigation systems.
- H. Where landscape or manmade materials are used to provide required screening from adjacent and neighboring properties, a cross section shall be provided at a legible scale illustrating the perspective of the site from the neighboring property and property line elevation.

3. - Minimum landscaping requirements.

In instances where healthy plant materials of acceptable species exist on site prior to its development, the application of the standards in this section may be adjusted by the city to allow credit for such material provided that such adjustment is consistent with the intent of this section. The city may permit the seeding of areas reserved for future expansion of the development if consistent with the intent of this chapter.

- A. New subdivisions.

1) Single-family (R-1 and R-2).

- a) A minimum of two boulevard trees per lot shall be planted prior to the issuance of a certificate of occupancy.

- b) Lots created after the adoption of [this] Ordinance [No.] 203 shall establish groundcover approved by staff throughout the yard within one year after the issuance of the certificate of occupancy.
- c) When abutting an existing subdivision with an overall density greater than one unit /two acres, additional landscaping shall be placed on all abutting sides and must include the minimum following:
 - (1) A double row of plantings to include one overstory deciduous shade tree, and one coniferous tree, appropriately spaced; and
 - (2) One understory shrub appropriately spaced.

B. Single-family (RR).

- 1) A minimum of two boulevard trees per lot shall be planted prior to the issuance of a certificate of occupancy.
- 2) Lots created after the adoption of [this] Ordinance [No.] 203 shall establish groundcover approved by staff in the front yard within one year after the issuance of a certificate of occupancy.

C. Townhouse residential (R-2), business districts (B-1, B-2, and B-3), light industrial (I), and non-residential uses in residential districts.

- 1) One overstory deciduous shade tree for every 2,000 square feet of total building floor area, or one coniferous tree for every 2,000 square feet of total building floor area.
- 2) One understory shrub for every 300 square feet of total building floor area.
- 3) The city may require additional landscaping as necessary to provide adequate screening or to provide a complete quality landscape treatment of the site.

D. Planned business overlay district (PBD) and city center (CC) district.

- 1) Each site development shall introduce a flowering plant "theme" as part of the overall landscape plan and shall be implemented to compliment the building and site plan.
- 2) Traffic islands and/or general parking islands, where deemed appropriate, shall be landscaped.
- 3) There shall be a landscaped yard adjacent to the building which shall represent a minimum of 30 percent of the building footprint.
 - a) Such landscaped yard shall be a minimum of 30 feet in depth when adjacent to building front and side yards.
 - b) A landscaped yard credit may be given to a site plan which contains exterior sculptures, fountains, decorative walks, additional ponds beyond those required for storm drainage purposes, courtyards, decorative accent lighting for the building. Such credit shall be approved by the community development department on a case-by-case basis depending upon the nature and scope of such a facility proposed for credit.
- 4) Groundcovers used in lieu of grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within 12 months after planting.
- 5) All new overstory trees shall be balled and burlapped or removed from the growing site by a tree spade. Deciduous trees shall have a minimum caliper of 2½ inches. Coniferous trees shall be a minimum of six feet in height. Ornamental trees shall have a minimum caliper of 1½ inches. Shrubs shall be consistent in size to what a 24-inch pot would normally contain.
- 6) All site areas not covered by buildings, sidewalks, parking lots, driveways, patios, or similar hard surface materials shall be covered with sod or an equivalent groundcover approved by the city. This requirement shall not apply to site areas preserved in a natural state.
- 7) Townhouse development, commercial, industrial and non-residential uses in residential districts: In order to provide for adequate maintenance of landscaped areas, an underground sprinkler system shall be provided as part of each new development where municipal water

is available, except areas to be preserved in a natural state and private areas of townhouse residential developments.

- 8) No more than 50 percent of the required number of trees shall be composed of one species. Due to various ecological and maintenance related concerns, no required tree shall be any of the following:
 - a) A species of the genus (elm), except those bred to be immune to Dutch Elm Disease;
 - b) Common buckthorn;
 - c) Russian olive;
 - d) Black Locust; or
 - e) Box-elder.

Additional trees may be restricted from specific locations due to ecological and maintenance related issues. It is the responsibility of the landowner and/or applicant to confirm with the city whether or not a specific tree species is appropriate.

4. - Landscape design.

- A. Plant materials used shall demonstrate adaptability to harsh urban conditions including salt spray, stormwater runoff, and reflected pavement glare and heat.
- B. Where safety and maintenance become an issue, plant materials should be free from hazards such as thorns, fruit, nuts, or seeds.
- C. Plant materials shall be located so that no impacts occur to overhead or underground utilities, traffic flow or circulation, and emergency and maintenance access.
- D. All vegetation shall be appropriately protected by planters or other features as necessary. Plants shall be rated for USDA Zone 3 hardiness.

5. - Maintenance of landscaping.

- A. The owner and their respective agents shall be jointly and severally responsible for the maintenance of all landscaping in a condition presenting a healthy, neat, and orderly appearance, and free from refuse and debris.
- B. Plants and groundcover which are required by an approved site or landscape plan and which are diseased or have died shall be replaced with like kind and size within three months of notification by the city. However, the time for compliance may be extended up to nine months by the city in order to allow for seasonal or weather conditions.
- C. Plantings placed upon public rights-of-way or major easements are subject to removal by the city or utility company if required for maintenance or improvement of the utility. Trees on utility easements containing overhead wires shall not exceed 15 feet in height and shall be the property owner's responsibility to maintain.

6. Landscape guarantee.

All new plants and groundcover shall be guaranteed for one full year from the time planting has been completed. All plants and groundcover shall be alive and in satisfactory growth at the end of the guarantee period or be replaced.

7. - Retaining walls.

Retaining walls exceeding four feet in height, including staged walls that cumulatively exceed four feet in height, must receive a certificate of compliance and be constructed in accordance with plans prepared by a registered engineer. Plans shall be submitted to the city building department for review and approval. Retaining walls shall not impede drainage.

8. - Landscaping letter of credit or cash escrow required.

When landscaping or other similar improvements to property are required by this section, a letter of credit or cash escrow shall be supplied by the owner in an amount equal to at least 150 percent of the approved estimated landscaping costs. The letter of credit or cash escrow, with security satisfactory to the

city, shall be conditioned upon reimbursement of all expenses incurred by the city for engineering, legal, or other fees in connection with making or completing such improvements. The letter of credit or cash escrow shall be provided prior to the issuance of any building permit and shall be valid for a period of time equal to one full growing season.

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Please contact **East Bethel City Hall** with any questions in regards to this ordinance.

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