

**CITY OF FOREST LAKE
WASHINGTON COUNTY, MINNESOTA
ORDINANCE NO. 757**

**AN ORDINANCE REPEAL AND REPLACING TITLE XV, CHAPTER 153,
SECTIONS 153.134, 153.135 153.136, 153.137, 153.138, 153.139.153.140, 153.141,
153.142 PERTAINING TO LANDSCAPING REGULATIONS**

THE CITY COUNCIL OF THE CITY OF FOREST LAKE ORDAINS AS FOLLOWS:

Section 1. Repeal and Replace. Title XV, Chapter 153 sections 153.134, 153.135 153.136, 153.137, 153.138, 153.139.153.140, 153.141, 153.142 of the Forest Lake City Code is hereby repealed and replaced as follows

153.134 PURPOSE.

The purpose of this subchapter is to establish a standard that helps to implement and regulate open space within the city by establishing a protection of privacy and 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 and reducing noise pollution; and enhancing energy conservation through natural insulation, shading, and the use of native plantings and vegetation.

153.135 LANDSCAPING REQUIREMENTS.

(A) General

- (1) Within one (1) year following the date of building temporary occupancy, all open areas of a lot surrounding or within a principal or accessory use which are not used or improved for buildings, sidewalks, required parking areas, drives, patios or similar hard surface materials shall be landscaped with a combination of overstory trees, understory trees, shrubs, flowers, and sod or equivalent groundcover material approved by the City. This requirement shall not apply to site areas preserved in a natural state. Exceptions are as follows:
 - i. Seeding of future expansion areas as shown on approved plans.
 - ii. Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - iii. Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- (2) In instances where healthy plant materials of acceptable species exist on-site prior to its development, the application of the standards in this subchapter may be adjusted by the city to allow credit for the material, provided that the adjustment is consistent with the intent of this chapter. The city may permit the seeding of areas reserved for future expansion of the development if consistent with the intent of this chapter.
- (3) The city may require additional landscaping as necessary to provide adequate screening or to provide a complete quality landscaped site.

(B) New Construction Requirements

(1) Detached single-family and two-family residential.

- i. Four trees per residential lot.
 1. Each lot shall have a minimum of two (2) overstory and two (2) understory trees.
 2. At a minimum, two (2) trees per lot shall be installed in the front and side yard if facing a street.
- ii. Establish permanent grass or groundcover within 6 months after the issuance of certificate of occupancy.
 1. During winter conditions, when plants cannot be installed due to weather, the city will issue a temporary certificate of occupancy and specify a date for landscaping to be installed during the growing season.

(2) Other than detached single-family and two-family residential.

- i. The minimum number of overstory trees shall not be less than the perimeter of the lot divided by 60. The minimum number of understory trees and shrubs shall not be less than the perimeter of the lot divided by 10.
- ii. Equivalent planting materials. The following substitutions may be made for the minimum landscape requirements:
 - (A) An equivalent of up to 50 percent of the required number of overstory trees may be substituted with the use of ornamental trees. In such case, not less than three ornamental trees shall be provided for each one required overstory tree substituted.
 - (B) An equivalent of up to 50 percent of the required number of ornamental trees may be substituted with the use of shrubs. In such case, not less than 20 shrubs shall be provided for each one required ornamental tree substituted.

153.136 LANDSCAPE PLAN REQUIRED

(A) Detached single-family and two-family residential.

- (1) A landscape plan showing all trees, shrubs, and ground cover is required at the time of submittal of a building permit.

(B) Other than detached single-family and two-family residential.

- (1) A landscape plan prepared by a licensed landscape architect is required for all commercial, multi-family residential, industrial uses, institutional uses, major subdivisions, and Planned Unit Developments and non-residential uses in residential zoning districts.
- (2) Landscape plans drawn to scale of not less than 1 inch equals 50 feet and shall show the following:
 - i. Boundary lines of the property with accurate dimensions;

- ii. Locations of existing and proposed buildings, parking lots, roads, and other improvements;
- iii. Proposed grading plan with 2 foot contour intervals;
- iv. Location, approximate size, and common name of existing trees and shrubs;
- v. A planting schedule containing symbols, quantities, common and botanical names, size of plant materials, root condition, and special planting instructions;
- vi. Mature sizes of all new and existing plant materials drawn to scale and called out on the plan by common name or appropriate key.
- vii. Locations and details of other landscape features, including berms, fences, and planter boxes;
- viii. Details of restoration of disturbed areas, including areas to be sodded or seeded;
- ix. The location and preliminary design of in-ground irrigation system for those landscape areas to ensure long term viability of the planting.
- x. Details and cross sections of all required screening.
- xi. The location, size, and type of all aboveground and underground utilities and structures with proper notation, where appropriate, as to any safety hazards to avoid during landscape installation.

(C) Minor changes to the landscape plan (change in species type) that do not result in a reduction in the net amount of plant material as specified on the approved landscape plan shall be approved by the Community Development Director. Changes to the size and/or number of plant materials of an approved landscape plan shall be considered a major change. Major changes shall only be approved by the Planning Commission.

153.137 LANDSCAPING DESIGN STANDARDS

(A) General.

- (1) Plant Selection. All planting materials used shall be of good quality and meet standards for minimum acceptable form, hardiness, quality, and size for species selected, and demonstrate adaptability to harsh urban conditions. The use of species native to the region shall be encouraged.
 - i. No more than 50% of the required number of trees shall be composed of 1 species.
 - ii. 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;

- e. Box-elder;
- f. Ash.
- g. Amur Maple.

(2) Minimum Plant Size. Plantings must be of the size indicated in this subsection, and meet the American Standard for Nursery Stock published by the American Association of Nurserymen

- i. Deciduous trees shall have a minimum caliper of 2-1/2 inches
- ii. Coniferous trees shall be a minimum of 6 feet in height.
- iii. Ornamental trees shall have a minimum caliper of 1-1/2 inches.
- iv. Shrubs
 - (1) Deciduous shrubs: three-gallon pot
 - (2) Coniferous trees: five-gallon pot

(B) Placement.

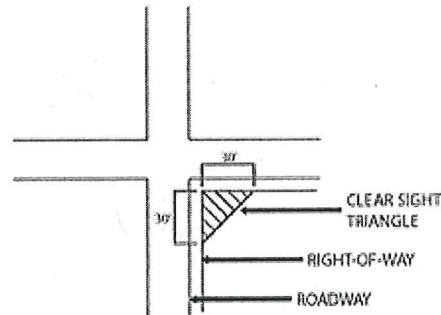
(1) Minimum Placement Requirements

- i. Plant material placement should be designed to accommodate the plant's maturity on the subject property.
- ii. Plant material placement should be designed to reduce the energy consumption needs of the development. In addition, landscaping designs shall take into account and make an effort to implement sustainable design standards, where appropriate.
 - 1. Deciduous trees should be placed on the south and west sides of buildings to provide shade from the summer sun.
 - 2. Evergreens and other plant materials should be concentrated on the north and west sides of buildings to dissipate the effect of winter winds.
 - 3. Landscaping is to be environmentally sensitive and should include native drought resistant plants and turf, and a reduced need for watering, chemical fertilizers and pest control.
- iii. Plant material shall be placed intermittently along long expanses of, fences, and other barriers to create a softening effect and to help break up long expanses of blank areas with little architectural detail.
- iv. Plant materials should be located so that no impacts occur to overhead or underground utilities, drainage, access, and utility easements, traffic flow or circulation, and emergency and maintenance access.
- v. The spacing of trees along all local and collector streets shall be no more than 30 feet apart. The spacing of trees along all arterials shall be no more than 40 feet apart.

1. Unless otherwise approved by the City Council, trees shall not be placed in the Right-of-Way.
 - vi. In NC, B-1, BP, MU-1 and MU-2 Zoning Districts Landscaping should highlight key locations like entrances, walkways, and monuments. It should be clustered in feature areas such as corners, entryways, and buffer zones. Use plant materials to create focal points at primary entrances, signage, walkways, and building perimeters
- (3) Foundation Planting. If a commercial, institutional, multi-family residential or non-residential development maintains a front and corner side yard (i.e. is not built at the property line), building foundation landscaping is required.
- i. Foundation plantings shall work in concert with transition yard plantings to frame important views, while visually softening long expanses of walls, particularly those that lack windows and/or other architectural details. Foundation plantings shall complement the materials and the form of a building.
 - ii. Foundation plantings shall be planted in accord with the requirements below:
 1. Minimum width of planting area is five feet of planting area width adjacent to building walls having an eave height of up to 20 feet.
 2. Minimum width of planting area is ten feet of planting area width adjacent to building walls having an eave height of 20 feet or more.
 3. Foundation plantings shall be installed across 75% of the length of the front facade of the building.
 4. Foundation plantings may consist of a mix of trees, shrubs, and perennials. Shade, evergreen or ornamental trees shall be spaced 1 tree for every 25 feet. These plantings may be grouped within wider foundation planting areas, but the total number of trees planted shall be no less than the amount required by a linear planting spaced 25 feet apart.
- (4) Parking lots. All parking areas in business, commercial, industrial, and mixed use and non-residential uses in residential zoning districts shall also be subject to the following standards for landscaping of islands, medians, and parking lot edges.
- i. Landscaping shall be distributed throughout the parking lot to define major vehicle and pedestrian routes, provide shade, and break up large, paved areas.
 - ii. A minimum of 1 deciduous shade tree shall be provided for each parking island.
 - iii. A landscaped area to include a mix of deciduous shade trees and understory plantings shall be provided in required parking lot setback areas.
 - iv. Landscaping shall incorporate a variety of deciduous and coniferous trees and shrubs for year-round interest, texture, shape, and seasonal color.
 - v. Edge treatments along streets and other public spaces should visually screen parked vehicles, but not completely obstruct views into and out of the parking lot.
For parking lot edges adjacent to streets, parks, or other public open space, the following shall be provided:

- a. At least 1 row of evenly spaced shade trees, appropriate to the selected species for the length of the parking lot's edge;
- b. Screening, consisting of continuous planting, alone or in combination with a decorative fence/wall or a landscaped berm.
- vi. For parking lot edges not adjacent to the public realm, soft landscaping with a variety of deciduous and coniferous trees and plantings shall be provided.
- vii. High quality privacy fencing with landscaped screening shall be required between parking lots and residential uses.
- viii. For existing parking lots that currently do not comply with the required parking lot landscaping, such landscaping shall be provided when:
 - a. A new principal building or building addition is constructed, or exterior remodeling of the principal building occurs.
 - b. Over 50% of the total area of an existing parking lot is reconstructed.
 - c. An existing parking lot under 10,000 square feet in area is expanded by 50% or more in total surface area.
 - d. An existing parking lot over 10,000 square feet in area is expanded by 25% or more in total surface area.

(5) Traffic visibility. No wall, fence, structure, tree, shrub, vegetation or other obstruction shall be permitted in any yard or setback which poses a danger to traffic by obscuring the view from any street or roadway. Visibility from any street or roadway shall be unobstructed within the triangle described as beginning at the intersection of the projected property lines of 2 intersecting streets, thence 30 feet along 1 curb, thence diagonally to a point 30 feet from the point of beginning of the other curb line, thence to the point of beginning.



- (6) Berming. Earthen berms and existing topographic features shall be incorporated into the landscape treatment of a site where there is sufficient space and when berms and existing topographic features can be combined with plant material to facilitate effective screening. Minimum unretained berm side slopes shall be maintained at no more than a 4:1 slope ratio to prevent erosion and be properly and safely maintained. Retained slopes may be implemented with the appropriate terracing necessary to reduce the need for safety railing.
- (C) Installation. All landscaping materials shall be installed in accordance with the current planting procedures established by the landscape industry. All plant materials shall be free of disease and shall be installed to sustain healthy growth.
- (D) Irrigation. Landscape design pursuant to the requirements of this section shall recognize the need for irrigation and water conservation. Sprinkler irrigation systems may be required for certain landscaped areas, as determined by a licensed landscape architect. The need for sprinkler irrigation systems shall be determined by the type of plant material and the

condition/growing medium that they are installed in. For instance, whether there is a permanent means available to water plant material, shall be a consideration. All irrigation systems shall be designed to minimize use of water. Irrigation systems, when provided, shall be maintained in good condition to promote the health of the plant materials and conservation of water.

153.138 MAINTENANCE

- (A) Required element. Landscape materials depicted on landscape plans approved by the are considered required site plan elements. As such, the owner of record, or in some instances the homeowner's association, shall be responsible for the maintenance, repair, and replacement of all landscape materials, fences, steps, retaining walls, and similar landscaping elements over the entire life of the development. Additionally, the owners and their agents are jointly responsible for keeping the landscaping in a neat, and orderly condition, free from refuse and debris.
 - (1) The owner, agent, or lessee of any real property located within the City must provide regular weeding, pruning, and other maintenance of all plantings located on said property. Plant materials that exhibit evidence of pests, disease, or damage shall be removed or replaced.
- (B) Replacement. Plants and groundcover which are required by an approved site or landscape plan and which are diseased or have died shall be replaced within 3 months of notification by the city with like kind of the original size. The time for compliance may be extended up to 9 months by the city in order to allow for seasonal or weather conditions.
- (C) Right-of-Way Removal. 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.

153.139 Securities and Guarantees.

- (A) Sureties. When landscaping or other similar improvements to property are required by this chapter, a letter of credit or cash escrow shall be supplied by the owner in an amount equal to at least 125% 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 the 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 1 full growing season after the date of installation of the landscaping. In the event construction of the project is not completed within the time prescribed by building permits and other approvals, the city may, at its option, complete the work required at the expense of the owner and the surety.
 - a. The city may allow an extended period of time for completion of all landscaping if the delay is due to conditions that are reasonably beyond the control of the developer or property owner. When extensions are granted, the city shall require such additional security as it deems appropriate and or an addendum to an existing development agreement.

(B) Guarantee. All new plants shall be guaranteed for 1 full year from the time planting has been completed. All plants shall be alive and in satisfactory growth at the end of the guarantee period or be replaced.

§ 153.140 RETAINING WALLS.

Retaining walls exceeding 4 feet in height, including staged walls that cumulatively exceed 4 feet in height require a building permit and shall be constructed in accordance with plans prepared by a registered engineer. Retaining walls shall not restrict drainage or be placed in public rights-of-way or drainage or utility easements (See Storm Water Ordinance, Chapter 151), and must be in compliance with the traffic visibility requirements. Retaining walls placed in drainage and utility easements shall require the property owner to sign an encroachment agreement or certificate of compliance and receive approval from the City Engineer, and City Council. All retaining walls shall be reviewed by the City Engineer.


Section 2. Summary Publication. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

This is a repeal and replace of the entirety of Landscaping Section of the Forest Lake City Code. Chapter 153 sections 153.134, 153.135 153.136, 153.137, 153.138, 153.139.153.140, 153.141, 153.142 which has modified the order of the subsections resulting in a code that is more user friendly with the addition of a Comprehensive Use Table that shows the entirety of all zoning districts and their corresponding permitted uses in the City.

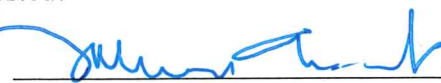
Section 3. Effective Date. This Ordinance shall be in full force and effect upon its adoption and publication as provided by law.

Passed in regular session of the City Council on the 20th day of August, 2025.

CITY OF FOREST LAKE

By: 
Blake Roberts
Its: Mayor

Attested:

By: 
Jolleen Chaika
Its: City Clerk

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