

**ORDINANCE NO. 2024 - 53**

**AN ORDINANCE UPDATING THE LANDSCAPING AND SCREENING STANDARDS AND DEFINITIONS SECTION TO CORRESPOND WITH OTHER CITY CODE CHANGES RELATED TO MANAGED NATURAL LANDSCAPES, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.**

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

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**CHAPTER 21: ZONING AND LAND DEVELOPMENT**

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**ARTICLE III: DEVELOPMENT STANDARDS**

**DIVISION A: GENERAL STANDARDS**

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§ 21.301.15 LANDSCAPING AND SCREENING.

(a) *Purpose and intent.* The city recognizes the health, safety, aesthetic, ecological and economic value of landscaping and screening. The provisions of this section are intended to:

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(12) Reduce the potential for criminal and illegal activities;~~[-and]~~

(13) Prevent conflicts with utilities~~[-];~~ and

(14) Improve and sustain ecosystem health across the city.

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(c) *Landscaping standards.*

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(5) ~~[Native Prairie and Long Grasses]~~Managed Natural Landscapes. As defined in § 21.601, t[F]hese [plants]landscapes are allowed as specified in Chapter 10, Article VI ~~[Weeds and Brush], subject to the following standards: [-See definition in code section 10.37]~~

(A) Access and Obstruction. Managed natural landscapes that abut sidewalks, trails, paths, curb, or streets must not obstruct or impede pedestrian access. Rain gardens may not encroach into the public right of way or utility easements without written approval from the issuing authority.

(B) Height restrictions. All managed landscapes must meet the following height requirements:

(i) Clear view triangle area, as defined in § 21.601.

(ii) Abutting curb lines and sidewalks - See § 21.301.15(f)(6).

(iii) Fire hydrant and utility clear zone - See § 21.301.15(f)(5).

(C) Thatch. Thatch, as defined in § 21.601, must be cleared at least once per year through mowing, burning, or other appropriate means. A burning permit must be issued by the City Fire Marshal.

(D) Standing water restrictions. All managed natural landscapes that are rain gardens must be free of all standing water within 48 hours from the end of the most recent rainfall.

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(f) *Restrictions.* The following restrictions on landscaping and screening apply to protect the public health, safety and welfare.

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(5) *Fire hydrant and utility clear zone.* The area three feet in radius around all fire hydrants, fire hose connections and utility boxes must be kept free of any trees, shrubs or other landscaping feature that could impede access to or use of the hydrant, fire hose connection or utility box.

(A) The three-foot, circular setback around all fire hydrants, fire hose connections, and utility boxes must be maintained to a height of 8 inches or lower.

(B) From the street to the fire hydrant, a path no less than three feet wide must be maintained to a height of 8 inches or lower.

(C) The fire hydrant must be clearly visible from the street from all drivable directions.

(6) Adjacent curb lines and public sidewalks. Plants may not extend over the edge of curbs, public sidewalks, or alleys. All grasses, sedges, flowering broad leaf plants, forbs, and ferns must not exceed 4 feet in height within 5 feet of any public sidewalk, multiuse path, or adjacent roadways. This height restriction excludes trees.

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ARTICLE VI: DEFINITIONS

§ 21.601 DEFINITIONS.

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**MANAGED NATURAL LANDSCAPES.** Planned, intentional and maintained plantings of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes do not include turfgrass lawns left unattended for the purpose of returning to a natural state.

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**MEADOW VEGETATION.** Grasses and flowering broad-leaf plants native that are native to, or adapted to, the state of Minnesota, and that are commonly found in meadow and prairie plant communities, not including noxious weeds.

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**ORNAMENTAL PLANTS.** Grasses, perennials, annuals, and groundcovers purposely planted for aesthetic reasons.

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**THATCH.** The accumulation of dead plant material, including stems, roots, and plant foliage.

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**VOLUNTEER WOODY VEGETATION.** Woody plants, such as trees or shrubs, that appear spontaneously or unintentionally in a specific area without deliberate human planting or cultivation.

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Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Mayor

ATTEST:

APPROVED:

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Secretary to the Council

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City Attorney