

River Heights City

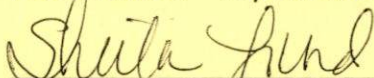
River Heights City PLANNING COMMISSION AGENDA

Tuesday, February 22, 2022

Notice is hereby given that the River Heights Planning Commission will hold its regular meeting beginning at **6:30 p.m.**, anchored from the River Heights City Office Building at 520 S 500 E. Attendance can be in person or through Zoom.

- 6:30 p.m. Pledge of Allegiance
- 6:35 p.m. Adoption of Previous Minutes and Agenda
- 6:40 p.m. Chairman Comments
- 6:45 p.m. Public Comment on Agenda Items
- 6:50 p.m. Consideration of a Tree Ordinance
- 7:10 p.m. Review Brochure for Park Strip Maintenance
- 7:30 p.m. Consider Consolidating Subdivision Review Requirements
- 7:40 p.m. Adjourn

Posted this 17th day of February 2022



Sheila Lind, Recorder

To join the Zoom meeting:

<https://us02web.zoom.us/j/82302242802?pwd=KzBQQmRDNWRaOU93cIVCL280UWcxUT09>

Attachments for this meeting and previous meeting minutes can be found on the State's Public Notice Website (pmn.utah.gov)

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

River Heights City

River Heights City Planning Commission
Minutes of the Meeting
February 22, 2022

Present: Commission members: Noel Cooley, Chairman
Heather Lehnig
Lance Pitcher
Cindy Schaub, electronic
Troy Wakefield

Councilmember Blake Wright
Recorder Sheila Lind
Tech Staff Councilmember Chris Milbank

Others Present: David Thunell

Motions Made During the Meeting

Motion #1

Commissioner Lehnig moved to “approve the minutes of the February 8, 2022, Commission Meeting with corrections, as well as the evenings agenda.” Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub, and Wakefield in favor. No one opposed.

Proceedings of the Meeting

The River Heights City Planning Commission met at 6:30 p.m. in the Ervin R. Crosbie Council Chambers on February 22, 2022.

Pledge of Allegiance

Adoption of Prior Minutes and Agenda: Minutes for the February 8, 2022, Planning Commission Meeting were reviewed with a couple corrections made.

Commissioner Lehnig moved to “approve the minutes of the February 8, 2022, Commission Meeting with corrections, as well as the evenings agenda.” Commissioner Pitcher seconded the motion, which carried with Cooley, Lehnig, Pitcher, Schaub, and Wakefield in favor. No one opposed.

Chairman Comments: Commissioner Cooley reviewed some things he learned at the land use seminar he attended: 1. They need to make sure the words in the ordinance really say what they intend to say and that they can be understood. 2. If an application for a land use request meets the city’s ordinance, they are bound to accept it. 3. They also need to be careful on what they require from applicants in a way that it won’t be construed as a taking, which means it must be in the public’s best interest, it must meet the requirements of the ordinances, and that it benefits the public as a whole. He brought a book he received at the training and encouraged the commissioners to check it

45 out. It contained examples of situations that have happened in other cities. He pointed out that the
46 city's code allows "3 or more" dogs with a kennel permit, which doesn't set a limit. If the commission
47 is concerned about keeping the number of dogs down, they need to consider changing this wording
48 in the code. He asked that they consider a discussion on this at a future meeting.

49 Public Comment on Agenda Items: There was none.

50 Consideration of a Tree Ordinance: Commissioner Cooley had asked David Thunell to attend
51 and answer the questions: Why does the city need a tree ordinance and what does being a Tree City
52 USA do for the community. David Thunell introduced himself as a board-certified arborist, who owns
53 and operates a tree business. He informed that about two years ago he, Mark Malmstrom and Dane
54 Gyllenskogg presented to the council about being a Tree City USA. At that time the council agreed to
55 create a tree board and asked him to be the director. Being a Tree City USA entails a commitment to
56 sustain and uphold the urban forest. There are four main standards that need to be met before
57 becoming a Tree City USA: 1. Form a tree board, 2. Establish a tree care ordinance so there are no
58 questions on city trees in city limits, 3. Maintain a forestry program with an annual budget of \$2/per
59 capita. The city already spends this much on leaf clean up, and other things that happen yearly on a
60 regular basis. 4. Proclaim and observe Arbor Day with a celebration. Last year they had a tree
61 planting demonstration. As director of the tree board he is planning on something this year,
62 sponsored by his company. Thus, the only thing left is to adopt an ordinance.

63 David Thunell had made some adjustments to the sample tree ordinance. Public Works
64 Director Clayton Nelson incorporated these changes and put it all in the format of the city's
65 ordinance.

66 Commissioner Cooley asked about the number of people on the tree board. He was told that
67 currently there are four (himself, Mark Malmstrom, Dane Gyllenskogg and Councilmember Chris
68 Milbank). It was recommended that there be five members so there could be a tie breaker. Mr.
69 Thunell explained that the city doesn't have a lot of trees; most belong to property owners. The
70 board would help the public works department by directing in tree maintenance. It was decided that
71 they could add PWD Nelson to their board, which would bring the number to five.

72 Commissioner Schaub suggested a few changes and asked for clarifications. Discussion was
73 held on private property trees becoming a nuisance on public property.

74 Commissioner Wakefield asked specifically about 400 E 600 S. One of their trees fell down
75 and smashed their garage. One tree is remaining, which he felt posed another potential hazard.
76 David Thunell said if the tree board deemed the tree as a nuisance, the owner would be required to
77 have the tree taken down.

78 Councilmember Milbank asked about including verbiage concerning the budget of \$2/per
79 capita in the ordinance. David Thunell said the stipulations don't require this to be stated in the
80 ordinance. It's only required to be included in the city's budget. Mr. Milbank agreed it might be
81 restrictive and may complicate things to have it embedded in the code. They agreed to leave it out.

82 Commissioner Wakefield asked the benefit of becoming a Tree City USA. David Thunell said
83 there are grants available. It also encourages citizens to come together in support of urban canopy.

84 Discussion was had on whether they should consider listing trees in the ordinance.

85 Commissioner Cooley asked how much of a hurry they needed to be in to get the ordinance done.

86 David Thunell said the deadline to submit the application was December 31 of each calendar year.

87 He suggested the tree ordinance could reference the city's current Tree Planting Guide, rather than
88 list trees in the code itself. Mr. Cooley suggested adding a reference to the guide and then reviewing

it one more time before a public hearing. He asked Commissioner Schaub to draft some reference language. She agreed and will run it past Mr. Thunell.

Councilmember Wright brought up 7-11-8b and asked them to consider if they want to allow the tree board director the ability to impose financial burdens on citizens. He suggested this type of action should probably come from the City Council. They discussed a process of sending requests, which would include a timeline of what needed to be done before the city steps in to take care of the job. Councilmember Wright pointed out instances where citizens were required to expend money they weren't planning on (such as connecting to the sewer). He felt there should be provisions for the city to work with residents to make payments, like they had done in the past. Commissioner Schaub will work in some verbiage to cover this.

Review Brochure for Park Strip Maintenance: Commissioner Cooley said past Councilmember Nancy Huntly had gone through the city code and compiled everything to do with sidewalks and park strips. While he felt this brochure was something for the Council to figure out, he suggested the last paragraph be added to the city code.

Councilmember Wright explained that Councilmember Huntly made an effort to compile some information, based on a council discussion. After doing so, she wondered if there were conflicts within the code. The idea was that this compilation would be a starting place to find the conflicts.

Commissioner Cooley said he hadn't found anything in the code related to the last paragraph, which stated: "The City will provide sidewalk removal and reinstallation; costs of root or tree removal are the responsibility of the homeowner." He asked for someone on the Commission to go through the code to see if this language was already included and to bring some wording for their consideration. Commissioner Lehnig volunteered.

Consider Consolidating Subdivision Review Requirements: Commissioner Cooley and Councilmember Wright felt there were unneeded duplicate meetings in the subdivision process and suggested combining some of the steps. He asked the commissioners to look at the subdivision ordinance to see what they might be able to combine, however, they don't want to change any of the requirements. He said developers should prove they have read the subdivision ordinance either by obtaining a copy from the city office or downloading it from the city's website. He planned to review their recommendations for consolidating the subdivision process at their next meeting.

Recorder Lind informed there will be a Kennel Conditional Use Permit review at the next meeting, as well.

Commissioner Schaub asked if the tree ordinance would go to the city attorney for his blessing before its adopted. Councilmember Wright felt it could be given to him after the Commission was finished and before the Council's review.

The meeting adjourned at 7:45 p.m.

Sheila Lind, Recorder

Noel Cooley, Commission Chair

TITLE 7

CHAPTER 11

TREE CITY USA

SECTION:

- 7-11-1: Purpose
- 7-11-2: Definitions
- 7-11-3: Authority
- 7-11-4: Tree Advisory Board
- 7-11-5: Tree Planting and Care Standards
- 7-11-6: Prohibition Against Harming Public Trees
- 7-11-7: Adjacent Owner Responsibility
- 7-11-8: Certain Trees Declared a Nuisance
- 7-11-9: Violations and Penalty
- 7-11-10: Appeals
- 7-11-11: Savings and Repeal
- 7-11-12: Severability

7-11-1: PURPOSE

To enhance the quality of life and the present and future health, safety, and welfare of all citizens, to enhance property values, and to ensure proper planting and care of trees on public property, the City Council herein delegates the authority and responsibility for managing public trees, creates a Tree Advisory Board, establishes practices governing the planting and care of trees on public property, and makes provision for the emergency removal of trees on private property under certain conditions.

7-11-2: DEFINITIONS

As used in this Article, the following words and phrases shall have the meanings indicated:

DAMAGE: Any injury to or destruction of a tree, including but not limited to: uprooting; severance of all or part the root system or main trunk; storage of material on or compaction of surrounding soil; a substantial change in the natural grade above a root system or around a trunk; surrounding the tree with impervious paving materials; or any trauma caused by accident or collision.

NUISANCE: Any tree, or limb thereof, that has an infectious disease or insect; is dead or dying; obstructs the view of traffic signs or the free passage of pedestrians or vehicles; or threatens public health, safety and welfare.

PARK STRIP: The area along a public street between the curb and the sidewalk; or if there is no curb or sidewalk, the unpaved portion of the area between the street right-of-way line and the paved portion of the street or alley.

PUBLIC PROPERTY: All grounds and rights-of-way (ROWs) owned or maintained by the City.

Public tree – any tree or woody vegetation on city-owned or city-maintained property or rights-of-way.

~~PUBLIC TREE:~~ (add)

TOP or TOPPING: The non-standard practice of cutting back of limbs to stubs within a tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

7-11-3: AUTHORITY

A. Delegation of authority and responsibility: The Director of the Public Works Department and/or his designee, hereinafter referred to as the "Director", shall have full authority and responsibility to plant, prune, maintain and remove trees and woody plants growing in or upon all municipal streets, rights-of-ways, city parks, and other public property. This shall include the removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease.

B. Coordination among city departments: All city departments will coordinate as necessary with the Director and will provide services as required to ensure compliance with this Ordinance as it relates to streets, alleys, rights-of-way, drainage, easements and other public properties not under direct jurisdiction of the Director.

C. Interference: No person shall hinder, prevent, delay, or interfere with the Director or his agents while engaged in carrying out the execution or enforcement of this Ordinance.

7-11-4: TREE ADVISORY BOARD

The City Council hereby creates a "Tree Advisory Board," hereinafter referred to as the "Board."

A. Duties: The Board shall act in an advisory capacity to the Director and shall:

1. Coordinate and promote Arbor Day activities;
2. Review and update a five-year plan to plant and maintain trees on city property;
3. Support public awareness and education programs relating to trees;
4. Review city department concerns relating to tree care;
5. Submit an annual report of its activities to the city council;
6. Assist with the annual application to renew the Tree City USA designation;
7. Develop of a list of recommended trees for planting on city property, and a list of prohibited species; and
8. Other duties that may be assigned by City Council.

B. Membership: The Board shall consist of ^{five} four members approved by City Council. Members of the Board will serve without compensation.

One member shall be a city council member and one member of the board shall be the public works director.

of the board

city

C. Term of office: Board members shall be appointed for three-year staggered terms. If a vacancy shall occur during the term of any member, a successor shall be appointed by City Council.

D. Officers: The Board shall annually select one of the members to serve as chair, may appoint a second member to serve as vice-chair, and may appoint a third member to serve as secretary.

E. Meetings: The Board shall meet annually. All meetings shall be open to the public. The Board chair may schedule additional meetings as needed.

7-11-5: TREE PLANTING AND CARE STANDARDS

A. Standards: All planting and maintenance of public trees shall conform to the American National Standards Institute (ANSI) A-300 "Standards for Tree Care Operations" and shall follow all tree care Best Management Practices (BMPs) published by the International Society of Arboriculture.

B. Requirements of franchise utility companies: The maintenance of public trees for utility clearance shall conform to all applicable utility industry standards.

C. Preferred species list: The Director shall maintain an official list of desirable tree species for planting on public property in two size classes: Ornamental (20 feet or less in height at maturity) and Shade (greater than 20 feet at maturity). Trees from this approved list may be planted without special permission; other species may be planted with written approval from the Director.

D. Planting distances: The Director shall develop and maintain an official set of spacing requirements for the planting of trees on public property. No tree may be planted within the visibility triangle of a street intersection or within ten (10) feet of a fire hydrant.

E. Planting trees under electric utility lines: Only trees listed as Ornamental trees on the official city tree species list may be planted under or within fifteen (15) lateral feet of any overhead utility wire.

7-11-6: PROHIBITION AGAINST HARMING PUBLIC TREES

A. It shall be unlawful for any person, firm or corporation to damage, remove, or cause the damage or removal of a tree on public property without written permission from the Director.

B. It shall be unlawful for any person, firm or corporation to attach any cable, wire, signs, hammock, slackline, or any other object to any street, park, or public tree.

C. It shall be unlawful for any person, firm or corporation to "top" any public tree. Trees severely damaged by storms or other causes, where best pruning practices are impractical may be exempted from this provision at the determination of the Director.

D. Any person, firm, corporation, or city department performing construction near any public tree(s) shall consult with the Director and shall employ appropriate measures to protect the tree(s), according to procedures contained in the Best Management Practices (BMPs) for "Managing Trees During Construction" published by the International Society of Arboriculture.

E. Each violation of this section as determined and notified by the Director shall constitute a separate violation, punishable by fines and penalties under Section 9, in addition to mitigation values placed on the tree(s) removed or damaged in violation of this section.

7-11-7: ADJACENT OWNER RESPONSIBILITY

A. The owner of land adjacent to any city street or highway, when acting within the provisions of this Ordinance, may plant and maintain trees in the adjacent park strip area. Property owners are responsible for the reasonable and routine maintenance of trees and other landscaping in the adjacent park strip area.

B. No property owner shall allow a tree, or other plant growing on his or her property or within the adjacent park strip to obstruct or interfere with pedestrians or the view of drivers, thereby creating a hazard. If an obstruction persists, the Director shall notify the property owner to prune or remove the tree or plant. If the owner fails to comply with the notice, the City may undertake the necessary work and charge the cost to the property owner.

7-11-8: CERTAIN TREES DECLARED A NUISANCE

A. Any tree, or limb thereof, on private property determined by the Director to have contracted a lethal, communicable disease or insect; to be dead or dying; to obstruct the view of traffic signs or the free passage of pedestrians or vehicles; or that threatens public health, safety, and welfare is declared a nuisance and the City may require its treatment or removal.

B. Private property owners have the duty, at their own expense, to remove or treat nuisance trees on their property. The City may remove such trees at the owner's expense if the owner does not comply with treatment and/or removal as specified by the Director within the written notification period.

7-11-9: VIOLATIONS AND PENALTY

Any person, firm or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each offense.

7-11-10: APPEALS

Appeals to decisions by the Director, the Tree Advisory Board, or penalties imposed after violations of this ordinance, shall be heard by City Council.

7-11-11: SAVINGS AND REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

7-11-12: SEVERABILITY

Should any word, sentence, clause, paragraph, or provision of this Ordinance be held to be invalid or unconstitutional the remaining provisions of this Ordinance shall remain in full force and effect.

Possible Brochure Information



Property Owner Maintenance of Park Strips & Sidewalks

As specified in City Code, property owners in River Heights are responsible for maintaining the park strip adjacent to their properties and for keeping the sidewalk clear. The following sections are intended to help residents understand their responsibilities:

Snow Removal-

River Heights City Code 7-1-4 requires the removal of snow on sidewalks:

"Failure to Remove Unlawful: It shall be unlawful for the owner, occupant, lesser, or agent of any property, abutting on a paved sidewalk, to fail to remove, or have removed from such paved sidewalk, all hail, snow, or sleet hereon within a reasonable time after such snow, hail, or sleet has fallen."

When removing snow, residents may not place the snow in the gutter or onto the city street. For additional regulations please see the city code.

7-2-3: SIDEWALKS AT EXISTING CONSTRUCTION Installation and repair of sidewalks shall be governed as set forth below.

A. Damage: When any citizen, contractor or person damages the sidewalks, curbs or gutters of the City, that individual or person shall repair and/or replace the same within a reasonable time at their own cost pursuant to specification set forth by the city. Any expenses incurred by the City in providing specifications or inspecting the same shall also be paid by said citizen, contractor or person. If the City damages any sidewalks, curbs or gutters, the same shall be repaired and/or replaced by the City within a reasonable amount of time at no cost to the property owners.

B. Age and General Wear: Each year the City may, at its cost, select certain sidewalks, curbs, or gutters for replacement and/or repair when the same have deteriorated due to age and general wear and tear and how and when such repairs or replacements will occur. If a property owner requests a sidewalk repair that is not selected by the City, the City may choose to participate in the repair. In such cases, the City may participate up to 50% of the cost.

C. Specifications: The City, through its engineering or building department, and/or its retention of outside engineering consultants, shall provide specifications for sidewalks, curbs and gutters, inspection for such construction and replacement or repair and approval thereof. (6-2016, 9-27-16)

7-2-4: PLACEMENT AND COMPENSATION River Heights City reserves the right to negotiate the placement and compensation arrangements described in the above paragraphs. All of the above requirements regarding sidewalks shall also apply to side yards where the side yard is adjacent to a public or private street. (2-2005, 10-12-05)

7-3-2: PERMIT REQUIRED

A. Basis for Issuance: Any person desiring to perform work of any kind in a public way within the city, shall make application for a permit. The decision by the city to issue a permit shall include, among other factors determined by the city, the following:

3. The damage or disruption, if any, of public or private facilities, improvements or landscaping previously existing in the public way;

7-3-7: COMPLIANCE WITH SPECIFICATIONS, STANDARDS, TRAFFIC CONTROL REGULATIONS; SITE PERMITTEE IDENTIFICATION

- A. Compliance Required: The work performed in the public way shall conform to the requirements of the engineering regulations, design standards, construction specifications and traffic control regulations of the city, copies of which shall be available from the public works supervisor, kept on file in the office of the city recorder and be open to public inspection during office hours.

7-10-2 CONFLICTING PROVISIONS In the event of a conflict, the provisions requiring higher standards shall supersede and take precedence over all other infrastructure construction standards and specifications contained in this code and/or city ordinances. (Ord. 03-08-26, 8-26-2003; amd. 2005 Code)

10-6-2: SPECIAL PROVISIONS. Front yards and side yards of all dwellings which front on public streets must be landscaped, except that up to twenty five percent (25%) of the front yard or side yard which faces on a public street may be devoted to driveways and off-street parking. (Ord., 1-22-2002)

10-15-6: LANDSCAPING RIGHTS-OF-WAY

All streets either public or private shall provide a planted landscaped strip to city specifications, and be perpetually maintained by the adjacent property owner. Plantings within the right-of-way or park strip will not count towards meeting the performance landscape requirements of 10-15-5.

A. Street trees shall be planted within the park strip along both sides of all streets every thirty (30) feet on center. If no park strip exists, trees shall be planted adjacent to the roadway edge, where a park strip would exist, if possible. Tree size and species shall be approved by the city. (1-2015, 6-23-15)

B. Residential park strips shall be planted with live plant material to a minimum of fifty percent (50%). When calculating park strip coverage percentage areas, plants may be measured at mature spread excluding street trees. Shrubs and other plant material located within the park strip should not exceed three (3) feet in height at maturity. Potential hazardous plant material containing thorns or spikes shall be prohibited in the park strip.

C. Stone, gravel, mulch, or other decorative hardscape materials shall consist of less than fifty percent (50%) of the park strip area. Decorative boulders and similar features shall be less than eighteen (18) inches in height. Poured concrete, asphalt or other similar solid surface paving is prohibited within the park strip with the exception of driveway approaches (not to exceed 28' in width) and adjacent commercial uses.

D. Landscaping and any other surface material located within the right-of-way between the edge of traveled way and the property shall not be used for the storage, sale, or display of merchandise without the written permission of the city.

E. All park strips (the area between the property line and street that is not hardscape) adjacent to the front, side or rear yard of a lot shall be landscaped and maintained by the owner of the property immediately adjacent to the park strip. The landscaping and maintenance of the park strip shall be at

the expense of the adjacent property owner. (Ord. 0-01-13, 1-11-2005, eff. retroactive to 11-26-2002) (2-2019, 5-28-19)

F. The landscaping and maintenance of areas adjacent to the street surface shall be the responsibility of the adjacent property owner. (2-2019, 5-29-19)

10-15-7: STREET TREES River Heights City encourages the planting of trees within city parking strips and near streets.

A. Acceptable Trees: Only shade trees shall be planted in parking strips or planted within 5 feet adjacent to a city street.

1. The following classifications describe general shade tree characteristics appropriate for an available space.

a. Class I Trees - These are small trees which normally do not reach a height or spread greater than 25 feet with a small trunk diameter. They are authorized for planting in parking strips that are a minimum of four feet wide. Typical spacing between Class I trees is twenty-five feet. Many Class I trees are small enough to be planted beneath overhead utility lines.

b. Class II Trees - This group consists of medium sized trees which may reach a height of 40 to 70 feet, a moderate trunk diameter and a spread of 15 to 40 feet. These trees are not for planting under power lines or in parking strips less than six feet wide. Typical spacing between Class II trees is thirty to forty feet.

c. Class III Trees - Many of these trees are long-lived and attain a height of 50 to 90 feet, a large trunk diameter and a spread of 30 to 70 feet. When selecting a tree from this class, there must be ample room to accommodate it at maturity. These trees are not for planting under power lines or in parking strips less than 10 feet wide. Typical spacing between Class III trees is 40-60 feet.

2. In most instances, Class I Trees are the most appropriate for parking strips in River Heights. In all cases, root barriers are recommended. No trees will be allowed in parking strips which are less than 4 feet in width. No trees shall be planted within 15 feet of a fire hydrant.

3. NOTE: The River Heights Tree Selection and Planting Guide brochure contains a list of trees within each class that are appropriate for our climate. This brochure is available at the City Office.

B. Tree Placement within a Parking Strip: Trees shall be planted in the central space between the sidewalk and the curb or roadway to allow the maximum amount of growing space and reduce the potential for damage to sidewalks and curbs.

C. Trees Prohibited within Parking Strips or Near a City Street: The planting of fruit or nut-bearing trees shall be prohibited in parking strips and within 5 feet adjacent to a city street. A list of trees prohibited for planting along streets or within park strips is found in the River Heights Tree Selection and Planting Guide brochure.

D. Parking Strip Tree Maintenance: The immediately adjacent property owner is responsible for watering, pruning and maintaining trees located in city parking strips.

E. Maintenance of Trees Near Sidewalks and Streets: Pruning trees is required so that any overhang is at least seven (7) 8 feet above the elevation of the adjoining sidewalk or and 10' 14 above street to keep a clear view and not interfere with service vehicles. (2-2019, 5-28-19)

F. Parking Strip Tree Remediation or Removal for Public Safety, damage to street, curb and gutter, sidewalk, or Interference of Storm Water Drainage:

1. Remediation efforts that preserve street trees will always be considered before removal. As an addendum to the Application to Remediate or Remove a Parking Strip Tree, the City or the property owner may submit, at their expense, a design or plan of action to be considered by the City Engineer Arborist. Remediation efforts may include but are not limited by the following:

a. The cutting away of damaging tree roots and the placement of a root barrier adjacent to the replaced or repaired sidewalk, curb or road structure.

b. The raising of the adjacent sidewalk grade over the damaging tree roots.

c. The reinforcement of the sidewalk adjacent to the damaging tree roots.

d. The pruning or removal of hazardous tree branches.

2. Remediation efforts must always take into account tree health and maturity. Remediation efforts that will potentially weaken a tree such that the health of the tree will be compromised or the tree becomes a risk for falling will not be considered.

3. To obtain assistance from the City, property owners must submit an Application to Remediate or Remove a Parking Strip Tree at the City Office. On a case-by-case basis, the City will consider the following factors in reviewing and prioritizing applications:

a. Effects on public safety

b. Effects on storm water drainage

c. Order of request

d. City budget ability

4. If remediation efforts have been exhausted or failed, The City reserves the right to remediate or remove trees from city parking strips at any time to preserve public safety or proper storm water drainage. (30-2008, 9-23-08)

PARKING STRIP TREE LIST

The following are suitable for use as street trees in River Heights. Species and cultivars (a contraction of cultivated varieties) are included for their superior qualities as street trees. Before planting, careful consideration should be given to existing soil conditions, availability of water, mature size of the tree and overhead obstructions (utility lines, lights, etc.). This list is recommendations only; other species and cultivars may be appropriate. Avoid trees with 1) wide weeping canopies. 2) make sure the species does not sucker heavily or quickly out grow its planting area. Some examples are:

quaking aspen, sumac, poplar, cottonwood, silver maple, and willows. 3) Avoid trees that produce large messy fruit or seeds such as horse-chestnut, and some crabapples. 4) Avoid trees that require an acid soil or are intolerant of soil compaction and/or urban conditions for example: birches and flowering dogwoods. 5) Avoid small trees that will never get a tall crown, unless the crown can be contained within the parking strip.

PARKING STRIPS 4-6' WIDE AND/OR UNDER UTILITY LINES

Canada Red Choke Cherry (*Prunus virginiana* 'Schubert')

Washington Hawthorn (*Crataegus phaenopyrum*)

Spring Snow Crab (*Malus* 'Spring Snow')

Harvest Gold Crabapple (*Malus* 'Hargozam')

Snowdrift Crab (*Malus* 'Snowdrift')

Professor Sprenger Crab (*Malus* 'Professor Sprenger')

Yellowwood (*Cladrastis kentukea*)

Canyon Maple (*Acer grandidentatum*)

Katsuratree (*Cercidiphyllum japonicum*)

Japanese Tree Lilac (*Syringa reticulata*)

Goldenraintree (*Koelreuteria paniculata*)

Globe Norway Maple (*Acer platanoides* 'Globosum')

Leprechaun Ash (*Fraxinus pennsylvanica* 'Johnson')

Hedge Maple (*Acer campestre*)

Lavalle Hawthorn (*Crataegus x lavallei*)

Flowering Pear (*Pyrus calleryana*)*

Eastern Redbud (*Cercis canadensis*)

Moraine Sweetgum (*Liquidambar styraciflua* 'Moraine')

PARKING STRIPS 6-10' WIDE

American Linden (*Tilia americana*)

Littleleaf Linden (*Tilia cordata*)*

Norway Maple (*Acer platanoides*)*

Bur Oak (*Quercus macrocarpa*)

English Oak (*Quercus robur*)

Gambel Oak (*Quercus gambelii*)
Chinkapin Oak (*Quercus muehlenbergii*)
Swamp White Oak (*Quercus bicolor*)
Sawtooth Oak (*Quercus acutissima*)
Turkey Oak (*Quercus cerris*)
Sycamore Maple (*Acer pseudoplatanus*)
Tatarian Maple (*Acer tataricum*)
Trident Maple (*Acer buergerianum*)
Moraine Sweetgum (*Liquidambar styraciflua* 'Moraine')
Serviceberry (*Amalanchier arboretum*)
Hackberry (*Celtis occidentalis*)
Amur Corktree (*Phellodendron amurense*)
European Hornbeam (*Carpinus betulus*)
Green Ash (*Fraxinus pennsylvanica*)
White Ash (*Fraxinus americana*)*
Crimean Linden (*Tilia x euchlora*)
Silver Linden (*Tilia tomentosa*)
Thornless Honeylocust (*Gleditsia triacanthos inermis*)*
Ginkgo (*Ginkgo biloba*)
Kentucky Coffeetree (*Gymnocladus dioica*)
Bloodgood London Planetree (*Platanus x acerifolia* 'Bloodgood')
Green Vase Zelkova (*Zelkova serrata*)
European beech (*Fagus sylvatica*)*

PARKING STRIPS WIDER THAN 10'

Fewer constraints for trees in planting strips this wide although trees with wide weeping canopies and/or those that are weak wooded should be avoided. *Several good cultivars available. Native species and/or drought tolerant.

What to do if your sidewalk is damaged, can't be repaired, and needs replaced?

Some sidewalk is too damaged for repair and must be replaced, as it has become a tripping hazard. Most of the very damaged sidewalk in River Heights is caused by tree roots (and can be avoided by planting sidewalk friendly trees in or next to park strips).

If your sidewalk needs repair, you should contact the City to arrange a repair schedule. The City will remove damaged sidewalk. The homeowner is responsible for taking care of problem roots or tree. After the roots or tree that caused the sidewalk damage are removed, the City will install new sidewalk. Removal of roots or trees and assuring that remaining trees or those planned to be planted will not again damage the sidewalk are the responsibility of the homeowner. A certified arborist can provide assurance that a root or tree problem has been fixed and will not continue to damage new sidewalk. After this assurance is provided, the City will install new sidewalk. The City will provide sidewalk removal and reinstallation; costs of root or tree removal are the responsibility of the homeowner.

How to avoid sidewalk damage

Don't drive on your sidewalk!

Check out the River Heights City tree guide and follow its suggestions for trees that are suitable for planting in park strips.