

Ordinance No. 2024-05

An Ordinance amending section 845.030 of the Minnetonka City Code; relating to maintenance standards for lawns and managed natural landscapes

The City of Minnetonka Ordains:

Section 1. Section 845.030 of the Minnetonka City Code is amended to read as follows:

845.030. Special Provisions - Lawn Maintenance and Managed Natural Landscapes.

1. Preamble. The city council finds that diverse landscapes support a variety of living things, may provide ecological benefits, and enhance the quality of life for residents when properly maintained. ~~biodiversity and enhance the quality of life of residents. This includes certain landscapes in the city that have been created to provide a function, such as those that capture and divert water, and other unmaintained areas that offer significant ecological benefits. There are community expectations, however, that once an area has been disturbed, landscaped, or otherwise altered, that area will continue to be maintained in a consistent manner. When vegetation in that area is not continually maintained, it becomes aesthetically unpleasing, can become invaded with noxious weeds or invasive plant species, and violates community standards. Poorly maintained property may~~ become invaded with noxious weeds or invasive plant species and may decrease the value of adjacent properties. In addition, if vegetation is not properly maintained, ~~the following~~ adverse impacts on the environment or the public health, safety, and welfare may occur, including growth of noxious weeds and :

~~—a.— undesirable vegetation and noxious weeds such as common buckthorn, garlic mustard, and Canada thistle may invade and threaten to supplant more desirable vegetation;~~

~~—b.— vegetation that causes allergic reactions, such as ragweed, may develop; and~~

~~—c.— tall vegetation or overhanging branches may impair visibility along public roads.~~

~~—The city council also finds that it is in the public interest to allow residents to choose the type of landscaping on their properties and to make changes in that vegetation, as long as the new vegetation does not include noxious weeds or invasive plant species. As a protection for the larger community, however, this change in vegetation must be properly managed and maintained and the length of the transition period must be minimized.~~

~~— The council finds that~~ turf-grass lawns and managed natural landscapes meadow vegetation and pollinator lawns are both acceptable landscape treatments in the city. Areas where soil or vegetation have been altered, either historically or recently, require intentional transition to new vegetation and active maintenance to prevent the spread of weedy, noxious, or invasive plant species. ~~When these plantings or lawns are started from seed, however, this requires special consideration and management because~~

~~weeds will grow during the first few years during the transition and, before the new vegetation predominates, will appear like neglect. Therefore, the council finds that meadow vegetation and pollinator lawns are acceptable if these landscapes are properly established and maintained and if signage is posted describing the intended result.~~

– The city council enacts this ordinance to balance the public interest in diverse vegetation with the public need to ensure proper maintenance of that vegetation. The council finds that establishing maintenance standards for turf grass lawns and managed natural landscapes is in the best interest of the public health, safety, and welfare.

2. Definitions. For purposes of this section the following words have the meanings specified below.

a. “Establishment period” means the timeframe in which a landscape is intentionally managed for transition to new vegetation.

b. “Managed natural landscape” means a planned, intentional, and maintained planting of native or non-native grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes does not include lawns or wooded areas left unattended for the purpose of returning to a natural state.

ca. “Meadow vegetation” means grasses and flowering broad-leaf plants that are native to , or adapted to, the state of Minnesota or this region, and that are commonly found in woodland, meadow and prairie plant communities, not including except weeds.

db. “Noxious weeds” means those plants so designated by the state of Minnesota under Minn. Stat. § 18.79, subd. 13, ~~and~~ as amended.

e. “Ornamental plants” means grasses, perennials, annuals, and groundcovers purposely planted for aesthetic reasons.

~~–c. “Pollinator lawns” means turf grasses mixed with low growing legumes and other non-invasive perennials that produce flowers beneficial to pollinators..~~

f. “Rain garden” means a native, ~~or non-native or ornamental~~ plant garden that is designed not only to aesthetically improve properties, but also to reduce the amount of stormwater runoff and accompanying pollutants from entering water bodies.

gd. “Regularly cut” means mowing or otherwise cutting the vegetation so that it does not exceed eight~~40~~ inches in height.

he. “Turf grasses lawn” means a lawn composed mostly of grasses commonly used in regularly cut lawns or play areas, including but not limited to such as bluegrass, fescue and perennial-rye grass, ~~and low-input fescue blends,~~ which may be mixed with low-growing legumes and other non-invasive perennials that produce flowers with some

benefit to pollinators, all of which are intended to be maintained at a height of no more than eight inches.

if. “Weeds” include all poison ivy, Canada thistle, leafy spurge, garlic mustard and other noxious weeds, as well as nuisance weeds such as burdock, European bellflower, stickseed, sow thistle, and ragweed.

3. Maintenance standard. The maintenance standard in this section applies to property that has been developed with a building as defined in the building code, including vacant property combined with developed property for tax purposes, and a parcel of property that has been completely or partially disturbed by demolition, grading or other means in preparation for development or redevelopment.

a. ~~All turf-grasses, pollinator~~Maximum height. Turf grass lawns and weeds must not exceed a height of ~~eight~~10 inches, measured from the base at ground level to the tip of each stalk, stem, blade, or leaf.

~~—b.—~~ This requirement does not apply to the following:

(1) a wetland or floodplain designated in the zoning ordinance and required wetland buffers or those voluntarily created by a private land owner when compatible with the character of the neighborhood and the intent of the wetland ordinance, Section 300.23;

(2) a drainage pond or ditch that stores or conveys stormwater;

(3) a pasture that is (a) currently being used only for the exercise or feeding of domestic hoofed animals, (b) physically surrounded by a permanent fence that separates the pasture from property used for other purposes, (c) at least one-half acre in size, and (d) undeveloped with any habitable buildings; and

(4) an area in which the land and vegetation appear not to have previously been graded, landscaped, mowed, or otherwise disturbed by human or mechanical means at any time. Determination of what constitutes this type of area will be based on a reasonable judgment of the present appearance of the area. The recent history of the area may be relevant to this determination; ~~and,~~

~~—(5) an area established with meadow vegetation if:~~

~~—(a) the prior vegetation is eliminated and the new vegetation is planted through transplanting or seed established by human or mechanical means;~~

~~—(b) the area is cut at least once per year to a height of no more than 10 inches, if weeds cover more than 25 percent of the area; and~~

~~—(c) a sign provided by the city is posted on the property in a location likely to be seen by the public, advising that meadow vegetation or a pollinator lawn is being established. This sign is required only if the meadow vegetation or pollinator lawn is in an area likely to be seen by the public. Property owners must contact city staff to request~~

~~the appropriate sign, and the sign must remain posted until weeds cover less than 25 percent of the area.~~

b. Managed natural landscapes. Managed natural landscapes may include plants and grasses that are in excess of eight inches in height and have gone to seed, but may not include any noxious weeds and must be maintained. Non-noxious weeds may not cover more than 25 percent of a managed landscape area, except during the establishment period.

4. Declaration of public nuisance. The following are public nuisances subject to abatement under this chapter:

a. noxious weeds;

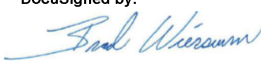
b. turf grass lawns, weeds or managed natural landscapes ~~vegetation~~ that does not meet the maintenance standard specified in paragraph 3 above; and

c. vegetation that violates the sight-distance standards in section 300.15, subd. 9(e) and section 300.28, subd. ~~2022~~ of this code.

Section 2. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

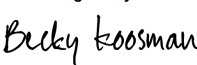
Section 3. This ordinance is effective 30 days after publication

Adopted by the city council of the City of Minnetonka, Minnesota, on May 6, 2024.

DocuSigned by:

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Brad Wiersum, Mayor

Attest:

DocuSigned by:

C8FF609054C54E1...

Becky Koosman, City Clerk

Action on this ordinance:

Date of introduction: April 8, 2024

Date of adoption: May 6, 2024

Motion for adoption: Schack

Seconded by: Wilburn

Voted in favor of: Wilburn, Calvert, Ramaley, Coakley, Foster-Bolton, Schack, Wiersum

Voted against: None

Abstained: None

Absent: None

Ordinance adopted.

Date of publication: May 23, 2024

I certify that the foregoing is a true and correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on May 6, 2024.

Becky Koosman, City Clerk