



# CITY OF MERRILL

Parks & Recreation Dept. - Smith Center

1100 Marc Drive - Merrill, WI 54452

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## MARCH MEETING NOTICE

The Merrill Parks and Recreation Commission will have a meeting on **Wednesday, March 11, 2020 at 4:15 p.m.**, at the **Merrill City Hall**.

Voting members of Commission: Jean Ravn, Brian Artac, Kyle Gulke, Joan Tabor, John Vanlieshout and Dan Novitch

The following items will be included on the agenda:

1. Approve minutes from previous meeting.
2. Approve claims.
3. Public Comment
4. Discuss potential tree planting requirements for new developments/construction.
5. Continued discussion on 10 year Capital Plan
6. Review/potentially approve Skate Park Design (The Mayor's Special Skate Park Committee is invited to the meeting to provide input/feedback during the discussion).
7. Monthly reports.
8. Set date for next meeting.
9. Public comment
10. Adjournment

Submitted by

*Dan Novitch*

Dan Novitch, Chairperson  
Parks and Recreation Commission

The Merrill City Hall is accessible to the physical disadvantaged. If special accommodations are required, please contact City Hall at 536-5594.

## PARKS AND RECREATION COMMISSION

February 5, 2020

The Merrill Parks and Recreation Commission met on Wednesday, February 5, 2020 at 4:15 p.m. at the Merrill City Hall.

Members Present: Kyle Gulke, Kate Baker, Jean Ravn, Joan Tabor, Brian Artac, Dan Novitch and John Vanlieshout.

Members Excused Absent: Dan Novitch

Department Staff Present: Dan Wendorf and Dawn Smith

Visitors: City Administrator Dave Johnson, Hunter Lane from MP3

\*\*\*Motion by Artac, seconded by Baker to approve the minutes from the December meeting.

\*\*\*Carried unanimously.

\*\*\*Motion by Vanlieshout, seconded by Ravn, to approve the claims from December and January

Artac questioned what the bill was for from Block Iron. Wendorf stated for a replacement service door. Artac also questioned about the 2 bills from Becker Arena. Wendorf stated it was put on the bills twice by mistake and it was glue from the flooring.

\*\*\*Carried unanimously.

Public Comment:

The next item on the agenda was discussion and potential action on the 10 year Capital Plan. Wendorf stated that the commission will have to talk about rearranging some items on the 10 year capital plan. Wendorf stated that a couple of items that were not granted in the budget he would like to see put back on the budget for 2021. Wendorf stated that he would like to see the Solar Panels, another zero turn and a shelter with pit toilets put in at the City Forest. No decisions were made. This agenda item will be put back on the agenda for March.

The next item on the agenda was to review and approve 1-ton truck chassis bid. Wendorf stated that they received 3 bids, one from Heritage, Breman Merrill Ford and Brickners. Wendorf stated that Heritage was \$217.00 less than Brickners but he Warranty from Brickners was for 40,000 miles than Heritage and the axle weight was also a big factor in the decision. Wendorf also stated that keeping it local would also benefit the department.

\*\*\*Motion by Vanlieshout, seconded by Baker, to approve the bid from Brickners for \$31,289 for the one ton truck.

\*\*\*Carried unanimously.

The next item on the agenda was monthly reports. Wendorf stated that this weekend Badger State games would be at the City Forest both Saturday and Sunday. Wendorf also stated that the ice season is going good, no problems and was very happy to see that even with the hurdle at the beginning of the season with both the Zamboni drivers quitting, how the department pulled

together and has made the season run very smoothly. Wendorf stated that we currently have two new Zamboni drivers and both are working out very good. Wendorf asked if anyone had any questions.

The next regular meeting is scheduled for Wednesday, March 11, 2020 at 4:15 p.m. at the Merrill City Hall.

\*\*\*Motion by Ravn, seconded by Baker to adjourn at 5:05 p.m.

\*\*\*Carried unanimously.

Dawn Smith  
Recording Secretary

FEBRUARY

ACE HARDWARE	GARBAGE BAGS	1/29/2020	192628	\$49.98	55400-03-50000
ACE HARDWARE	PAINTING SUPPLIES	1/22/2020	192439	\$46.50	55200-03-40000
ACE HARDWARE	TRASH CANS	2/6/2020	19274226124	\$69.47	55400-03-40000
ACE HARDWARE	ZAR EXTERIOR POLYURETHANE	2/5/2020	19274228124	\$31.53	55200-08-91500
AMAZON	SUPPLIES FOR SUMMER EVENTS	1/7/2020	1.12034E+16	\$42.18	55300-03-41500
AMAZON	SUPPLIES FOR SUMMER EVENTS	1/6/2020		\$75.94	55300-03-41500
AMERICAN WELDING	CYLINDER RENTAL	1/31/2020	6891155	\$52.43	55200-02-15000
AMERICAN WELDING	CYLINDER RENTAL	1/31/2020	6891670	\$70.72	55200-02-15000
ATCO INTERNATIONAL	SPARKLE CLEANER	2/4/2020	132383	\$112.00	55400-03-40000
AVERY HOFF	LITTLE DRIBBLERS REF	3/3/2020	VOUCHER	\$60.00	55300-03-41000
BAJA'S	LITTLE DRIBBLERS SHIRTS	1/30/2020	17879	\$421.35	55300-03-41500
BAUMGART WASTE REMOVAL	WASTE HAULING	2/1/2020		\$148.00	55400-02-23600
CARQUEST	BATTERIES FOR FLOOR SCRUBER	1/9/2020	10846-212260	\$245.38	55400-03-50000
CHERYL HORNISHER	SECURITY DEPOSIT	2/3/2020	VOUCHER	\$100.00	10-21-7200
CINTAS	UNIFORMS JIM/JOE	1/23/2020	4040825220	\$71.18	55200-03-46000
CINTAS	UNIFORMS JIM/JOE	1/30/2020	4041362679	\$71.18	55200-03-46000
CINTAS	UNIFORMS JIM/JOE	2/13/2020	4042661454	\$71.18	55200-03-46000
CINTAS	UNIFORMS JIM/JOE	2/6/2020	4042005491	\$71.18	55200-03-46000
DAVE'S COUNTY MARKET	DISTILLED WATER	2/7/2020		\$3.96	55400-03-51500
DAVEY RESOURCE GROUP	TREEKEEPER SUBSCRIPTION	2/5/2020	914311463	\$1,800.00	55200-08-92000
ELITE RENTALS	TENT FOR BADGER STATE	1/30/2020	4678	\$665.00	CITY FOREST TIMBER SALE
ELIZABETH BREAMAN	SECURITY DEPOSIT	2/18/2020	VOUCHER	\$100.00	10-21-7200
EMMA HOFF	LITTLE DRIBBERS REF	3/3/2020	VOUCHER	\$60.00	55300-03-41000
FASTENAL	PARTS FOR SHOP	2/6/2020	111684	\$28.67	55200-03-40000
FASTENAL	PARTS FOR SHOP	2/12/2020	11759	\$42.20	55200-03-40000
FASTENAL	PARTS FOR SHOP	2/13/2020	111770	\$15.61	55200-03-40000
FOTO NEWS	ADVERTISING	1/31/2020		\$1,061.00	55400-03-41000
FOTO NEWS	ADVERTISING	1/31/2020		\$168.00	CAPITAL TRUCK PARKS DEPART
J.WENNING	ZAMBONI KNIFE	2/11/2020	98500	\$81.00	55400-03-51500
JADEN BUSH	LITTLE DRIBBERS REF	3/3/2020	VOUCHER	\$60.00	55300-03-41000
LAUREL STINE	SECURITY DEPOSIT	1/29/2020	VOUCHER	\$100.00	10-21-7200
MERRILL ACE HARDWARE	SNOW RAKE, SNOW SHOVEL	2/3/2020	1927231	\$169.54	55200-03-40000
MERRILL STREET DEPARTMENT	P-1	1/7/2020	16518	\$144.61	55200-03-50000

MERRILL WATER UTILITY	ICE RINK	3/10/2020	399-00674-00	\$109.06	55200-02-21000
MERRILL YOUTH HOCKEY	HOT CHOCOLATE	2/10/2020	VOUCHER	\$79.50	
MILWAUKEE BREWERS	SUMMER BUS TRIP	2/5/2020	914909	\$1,560.00	55300-03-41500
PIEPER ELECTRIC, INC	SURVEILLANCE CAMERAS	1/30/2020	747148	\$5,919.00	CITY FOREST TIMBER SALE
PINE RIDGE MOBIL	GAS	1/28/2020	54	\$48.00	55200-03-53000
R & R SPECILITIES	TERRY CLOTH FOR ZAMBONI	1/24/2020	175352	\$74.20	55400-03-50000
RIB MOUNTAIN GLASS	GLASS FOR HOCKEY ARENA	1/21/2020	68477	\$882.45	55400-03-50000
RIESTERER AND SCHNELL	PARTS FOR EQUIPMENT	1/23/2020	1696742	\$217.46	55200-03-50000
RIESTERER AND SCHNELL	PARTS FOR EQUIPMENT	1/22/2020	1696230	\$134.04	55200-03-50000
SERVICE MOTOR COMPANY	TIRE	1/28/2020	11396	\$490.88	55200-03-50000
SERVICE MOTOR COMPANY	PARTS FOR EQUIPMENT	1/31/2020	118	\$490.88	55200-03-50000
SILVER CREEK SERVICES	BADGER STATE GAMES	2/18/2020	167555	\$425.00	CITY FOREST TIMBER SALE
SKATE CITY FAMILY FUN CENTER	SUMMER PLAYGROUND GROUP	1/30/2020		\$50.00	55300-03-41500
SOPHIE WENDORF	LITTLE DRIBBLERS REF	3/3/2020	VOUCHER	\$60.00	55300-03-41000
SOUTHSIDE TIRE	REPLACE TIRE	2/27/2020	4100842	\$369.00	55200-03-50000
SUNRISE BROADCASTING	ADVERTISING	2/4/2020		\$174.00	55200-03-41000
VICTORY	VACUUM CLEANER	2/17/2020	11524	\$349.00	55400-08-82000
WALMART	WHISTLES FOR LITTLE DRIBBLERS	2/3/2020	3400054677	\$11.91	55300-03-41500
WALMART	SUPPLIES FOR OFFICE	2/14/2020		\$40.46	55400-03-40000
WPS	MARC	3/2/2020	0405061701*-00018	\$35.07	55200-02-22000
WPS	SMITH CENTER	2/10/2020	0405061701-00004	\$8,146.08	55200-02-21000

# 10 Year Capital Plan - Merrill Parks & Recreation Department

GREEN=FUNDED/RED=NOT FUNDED/PURPLE=OTHER FUNDING SOURCE(S)

Park/Project	Priority	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Zero turn mower replace	1	\$25,000									
Replace infield drag <b>** (engine only)</b>	2	\$2,000									
Smith Center Flooring & office improvements	1	\$15,000									
Replace dock at Ott's	2	\$15,000									
Tree Planting	2	\$10,000									
Smith Center interior LED lights (non arena)	1	\$15,000									
Solar panel installation - Smith Center	2	\$141,000									
Park 1-ton dump truck replacement	2	\$50,000									
Replace large field mower	2	\$100,000									
Re-pave Lion's Park Parking lot <b>*crack seal only</b>	2	\$60,000									
Re-pave Kitchenette Park Parking lot <b>*crack seal</b>	2	\$60,000									
Solar panel installation - Smith Center	1		\$141,000?								
Construct trail from Prairie Trails to RBT	2		\$100,000								
Zero Turn mower	2		\$20,000								
Pit Toilets at City Forest	1		\$25,000								
Construct open air shelter at City Forest	2		\$45,000								
Granite for topdressing existing trails	2		\$10,000								
Dormers over Smith Center entrances	2		\$30,000								
				<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>
Pit Toilets at Prairie Trails	1			\$25,000							
Replace large field mower	1			\$115,000							
5 year Outdoor Recreation Plan	1			\$10,000							
Re-do basketball courts at Streeter Square	2			\$35,000							
City Forest main road & parking lot reconstruct	2			\$75,000							
Lights on MARC varsity softball field	3			\$175,000							
Park 1-ton dump truck replacement	2			\$50,000							
Disc Golf course at MARC	2			\$25,000							
Tree Planting	1			\$10,000							
		<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>
Solar panel installation - Aquatic Center	1			\$20,000							





SNAKE RUN

ENTRANCE

ADVANCED BOWL

SEATING & SHADE

SEATING & SHADE

ENTRANCE

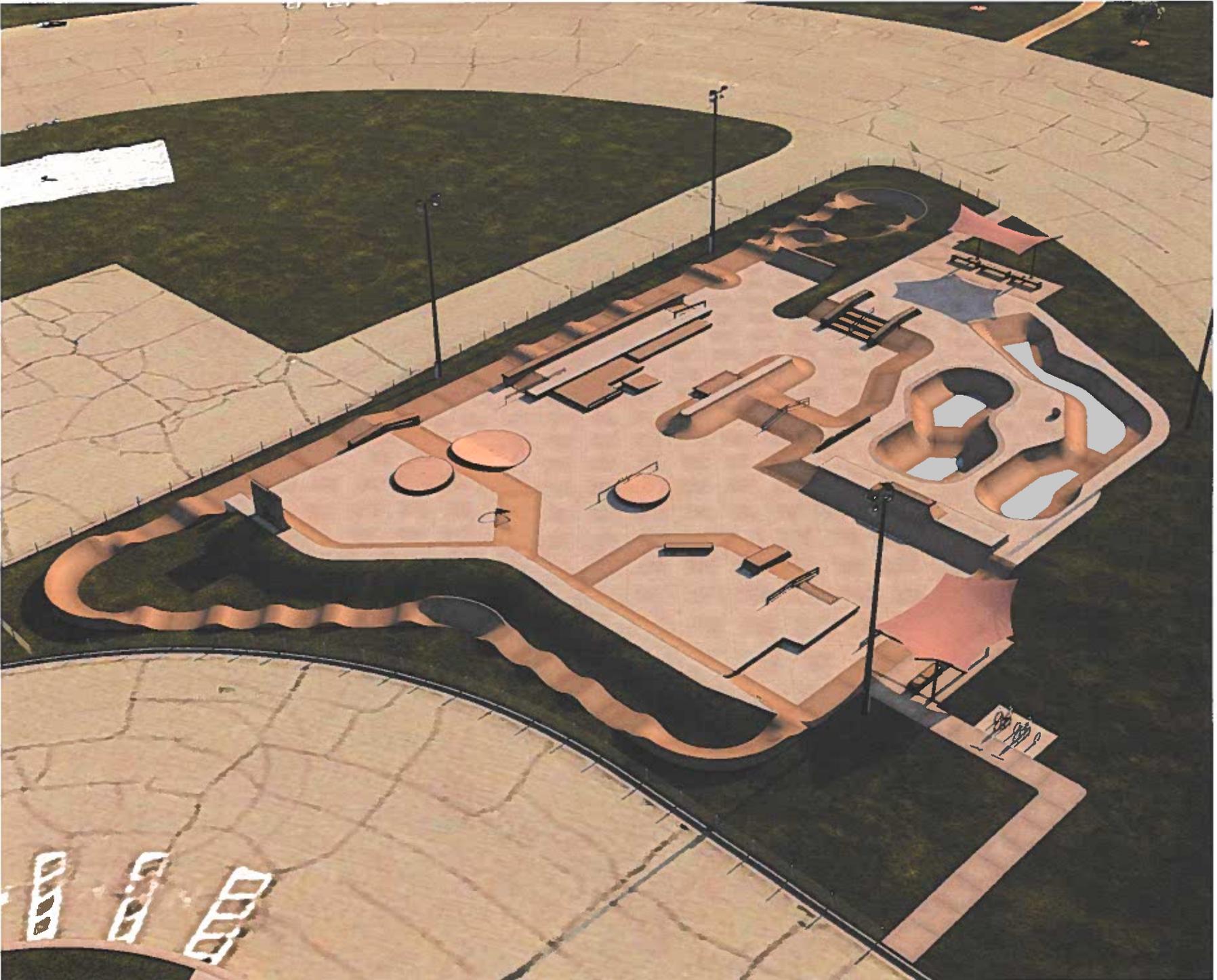
STREET ELEMENTS

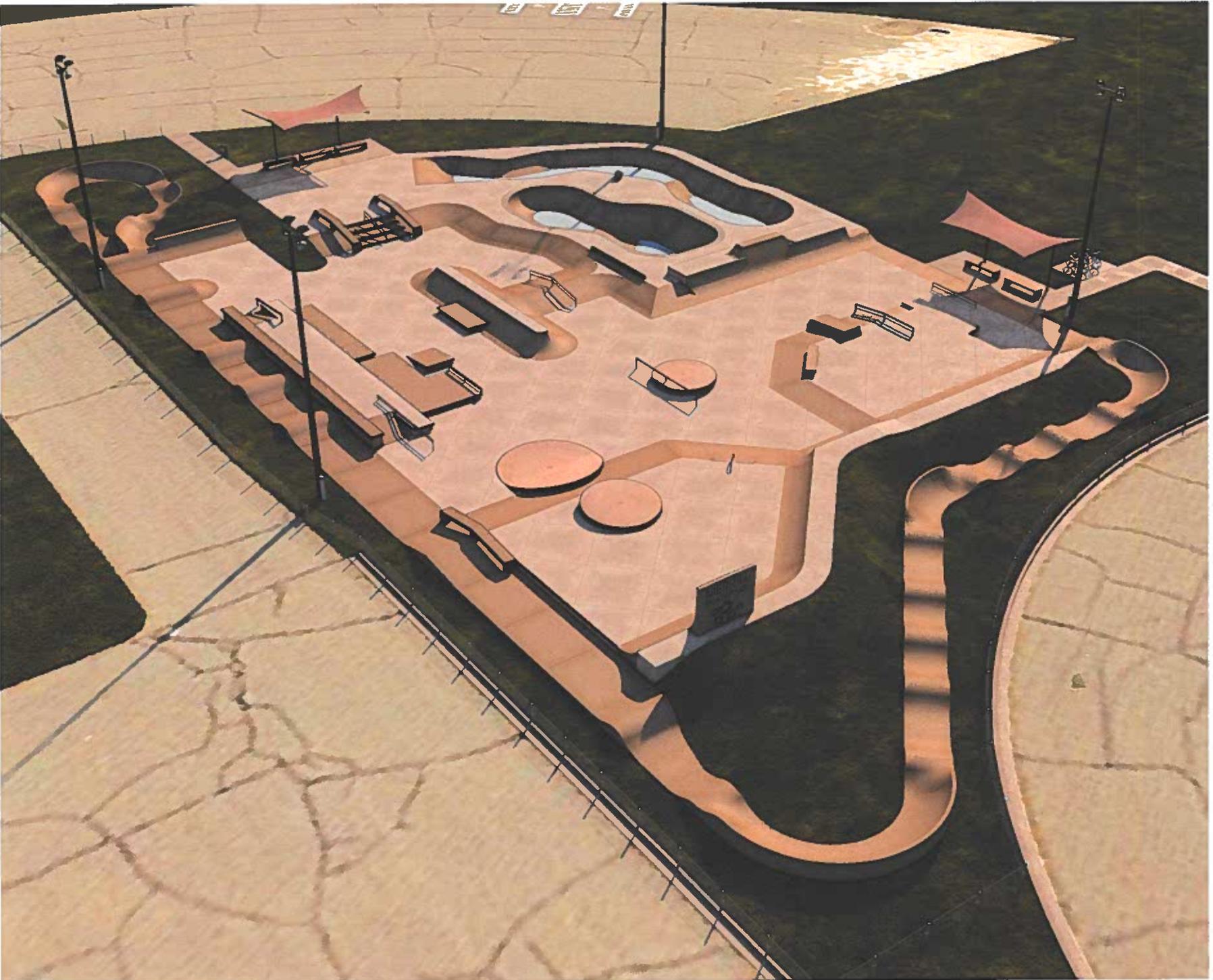
BEGINNER PUMP TRACK

SKATEABLE LOG SCULPTURE

LIGHTING

FENCE





**MERRILL SKATEPARK**  
CITY OF MERRILL, WISCONSIN



**MERRILL SKATEPARK**  
CITY OF MERRILL, WISCONSIN



**MERRILL SKATEPARK**  
CITY OF MERRILL, WISCONSIN

parcels in transit station areas, as designated in a transit station area plan, are exempt. If no transit station area plan has been adopted, the transit station area will be designated as the property within one-half mile of an existing or proposed transit station location identified on the approved Metro Transit Commission (MTC) System Plan.

In all cases any perimeter tree and parking area planting requirements must still be met in accordance with [section 21-96](#).

- (2) In transit station areas, designated mixed-use centers, NS zoning districts (for sites of 12 acres or less), and I-1 and I-2 zoning districts, the following measures may be chosen, individually or in combination, such that the measures are equal to 100 percent of any portion of the commercial tree save area not preserved as required above:

- a. Plant or replant trees at a rate of 36 trees per acre on-site.
- b. Install and maintain a living green roof on the project to be maintained in perpetuity. The owner shall submit an annual inspection and maintenance report pursuant to the tree ordinance guidelines.
- c. Undertake either off-site mitigation, or payment in lieu. Off-site mitigation and payment in lieu may not be used together to meet this requirement.

In all cases, any perimeter tree and parking area planting requirements must still be met in accordance with [section 21-96](#).

- (3) In corridors that are outside of transit station areas the following measures may be chosen, individually or in combination, such that the measures are equal in area to 150 percent of any portion of the required commercial tree save area not preserved as required above:

- a. Install and maintain a living green roof on the project to be maintained in perpetuity. The owner shall submit an annual inspection and maintenance report pursuant to the tree ordinance guidelines.
- b. Undertake either off-site mitigation or payment in lieu. Off-site mitigation and payment in lieu may not be used together to meet this requirement.

In all cases, any perimeter tree and parking area planting requirements must still be met in accordance with [section 21-96](#).

(Ord. No. 4521, § 1, 9-27-2010)

## **Sec. 21-95. - Tree save requirements for single-family development.**

- (a) *Percentage of area required.* Whenever the existing tree canopy of a single-family development site is at least ten percent of the total property area, a tree save area equal

to ten percent of the total property area must be saved during development of the site. If the existing tree canopy of the site is less than ten percent but more than five percent, a tree save area equal to ten percent of the total property area must be achieved by saving the entire existing tree canopy and planting new trees to reach the required percentage area. Single-family development sites with an existing tree canopy of less than five percent of the total property area must have a tree save area equal to five percent of the total property area, which may be achieved by saving the existing tree canopy and planting new trees.

- (b) *Tree save area method for calculation.* Square footage for existing and dedicated road rights-of-way and utility easements and for existing ponds and lakes will be subtracted from the total site area before the required percent of the tree save area is calculated. Where there are groups of trees that have areas within the group that are not expected to fill in with time, additional trees can be planted, pursuant to city approval, so that the entire area can qualify as a tree save area. A planted shade tree shall be equivalent to 2,500 square feet of saved area and new trees must be planted at a rate of 18 per acre. If root disturbance or construction activities occur within the drip line of any tree designated as protected in the tree protection plan, only the area actually being protected will be included in the calculated tree save area. Credit received for trees designated as heritage or specimen trees will be one and one-half times the actual square footage of the drip line. The city may adjust applicable land development standards to protect and preserve heritage or specimen trees.
- (c) *Criteria for new trees.* New trees planted in common open spaces to satisfy the requisite tree save area requirement must be at least three-fourths-inch caliper shade trees. New trees planted within individual lots to satisfy the requirement must be at least one and one-half inch caliper trees. Trees planted for mitigation where the existing tree canopy must be removed due to conflicting design criteria or hardship approved by the city must be planted in accordance with this section to obtain the required percentage.
- (d) *Heritage trees.* A person requesting to remove a heritage tree must obtain a permit from the city before the activities commence. Owners and persons who remove a heritage tree without a permit are subject to the civil penalties set out in [section 21-124](#). For purposes of this subsection, a landscape plan approved by the city constitutes a permit. Permits for the removal of Heritage trees will be granted only where:
- (1) The tree is located in the buildable area or yard area where a structure or improvement may be placed and there is no other reasonable location and/or preservation would unreasonably restrict use of the property.
  - (2) The tree is diseased, injured, in danger of falling, creates unsafe sight distance or conflicts with other sections of this Code or provisions of other ordinances or regulations.

- (3) One five-inch caliper tree or three two-inch caliper trees are planted in mitigation for the each healthy tree under this subsection.
- (e) *Incentives for increasing area.* Incentives for increasing tree save areas are designed to achieve the specific objective to:
- (1) Enhance the city's tree canopy in residential settings.
  - (2) Improve the overall quality of life within the larger single-family developments.
  - (3) Further the land use policies of the city, including encouragement of open spaces and the preservation of wooded sites.
  - (4) Discourage clear cutting of sites before and during construction of single-family development.
- (f) The following incentives apply to single-family development as defined by this chapter.
- (1) *Reduced yards.* For single-family development requiring a tree save area, setback requirements as specified in subsections [12.805\(3\)\(a\)](#), (b), and (c) of the zoning ordinance are reduced as follows:
    - (a) Front setbacks can be reduced to a minimum of 15 feet for all lots; front loaded garages must maintain a minimum setback of 20 feet; and
    - (b) Rear yards can be reduced to 30 feet on all internal lots. Rear yards forming the outer boundary of a project must conform to the minimum rear yard of subsection 9.025(1)(g) for the zoning district in which the development is located.
  - (2) *Density bonus.* Single-family development sites may be granted a density bonus provided the entire tree save area is dedicated to common open space. Such dedication must be to a homeowners' association or a public or private agency that agrees to accept ownership and maintenance responsibilities for the space. The density bonus is calculated as follows: the entire dedicated tree save area in acres multiplied by the maximum residential density number of the underlying zoning district.
  - (3) *Reduced lot sizes.* A development need not meet the minimum lot area and lot width requirements set forth in table [9.205](#) of the zoning ordinance if it complies with one of the following incentives:
    - (a) Sites with more than ten percent and up to 25 percent of tree save area(s) in common open space may apply the cluster provisions for lot size and lot width of that zoning category.
    - (b) Sites with greater than 25 percent of tree save area(s) in common open space, including the buffer area and where the perimeter protection is provided either by perimeter lots that meet the underlying zoning cluster provisions or by a minimum 20-foot perimeter tree save area, may apply the cluster

provisions for lot size and width of the next lower zoning category as shown in the following table and in accordance with [section 9.205\(5\)](#) of the zoning ordinance.

	R-3	R-3 Cluster	R-4	R-4 Cluster	R-5	R-5 Cluster	R-6	R-6 Cluster
Min. Lot Area	10,000	8,000	8,000	6,000	6,000	4,500	4,500	3,500
Min. Lot Width	70'	60'	60'	50'	50'	40'	40'	40'

- (g) *New supplemental plantings.* If the existing tree canopy is insufficient to meet the desired incentive level, new supplemental plantings may be used to reach the desired level. This only applies for sites that have less than ten percent existing tree canopy prior to development or for sites that have more than ten percent existing tree canopy and the entire canopy is being saved.

(Ord. No. 4521, § 1, 9-27-2010; Ord. No. 4766, § 1, 10-17-2011; Ord. No. 8093, §§ 1, 2, 8-22-16)

**Note**— Ord. No. 8093, § 2, adopted August 22, 2016, states "That this ordinance shall become effective upon its adoption, with the exception of the revised text for Section 2 I-95(f)(3)(b) that reads, "including the buffer area and where the perimeter protection is provided either by perimeter lots that meet the underlying zoning cluster provisions or by a minimum 20 foot perimeter tree save area." The revised section shall become effective on November 22, 2016."

**Sec. 21-96. - Tree planting requirements.**

- (a) **Tree planting plan.** All applications for building permits or land use permits shall include a tree planting plan. The tree planting plan shall be submitted in written/design form and shall conform to the general provisions of this section and all specifications set out in the applicable tree ordinance guidelines as issued by the city.
- (b) **Tree and soil specifications.** All trees planted pursuant to this article must be planted in amended soils as specified in the tree ordinance guidelines. The trees also must be from an approved list supplied by the city. Trees not on the list may be approved by the city on a case-by-case basis. Where trees are specified to be two-inch caliper, the minimum height shall be eight feet. If a multi-stem tree is used, it must have three to five stems and be eight to ten feet tall at the time of planting. Where three-inch caliper trees are

specified, the minimum height shall be ten feet tall, and multi-stem trees shall be ten to 12 feet tall. All trees must comply with the American Standard for Nursery Stock, published by the American Association of Nurserymen.

- (c) A minimum of 50 percent of new trees must be native species, and sites with more than 20 trees required will have to install multiple species pursuant to the tree ordinance guidelines.
- (d) Site lighting must be a minimum 30 feet away from a tree. If pedestrian scale lighting is being used, then lighting must be a minimum of 15 feet away from a tree, unless approved otherwise by the city.
- (e) Perimeter planting requirements. Requirements for perimeter planting are as follows:
  - (1) *Single-family development zones.* Trees of a minimum two-inch caliper must be planted within 20 feet of the back of the curb on new streets, and any existing streets with lot frontage, in new single-family development. Trees may be planted between the sidewalk and the curb if a minimum six-foot planting strip is provided. Spacing will be an average of 40 to 50 feet apart for large maturing shade trees, and 30 to 40 feet apart for small maturing shade trees. Where a single-family development is directly across the street from multifamily development, the spacing between trees will be an average of 40 feet. Existing two-inch caliper or greater large maturing shade trees preserved within 20 feet of the back of the curb may be counted towards the street tree requirement if they are adequately protected during construction. The city may grant a modification for other existing trees on a case-by-case basis.
  - (2) *Suburban commercial zones.* A continuous perimeter planting strip, located in the public right-of-way between the curb and sidewalk or on private property abutting the public right-of-way, with a minimum width of eight feet, shall be required. If large maturing trees are planted, each tree shall have a minimum two-inch caliper. One such tree shall be planted for every 40 feet of frontage or fraction thereof. If small maturing trees are planted, the same conditions apply, but the increment drops to 30 feet.
  - (3) *Urban zones.* Planting requirements for urban zones are as follows:
    - a. *Planting strip.* A continuous perimeter planting strip, located between the street and sidewalk, with a minimum width of eight feet, shall be required. If large maturing trees are planted, each tree shall have a minimum three-inch caliper. One such tree shall be planted for every 40 feet of frontage or fraction thereof. If small maturing trees are planted, each tree shall have a minimum two-inch caliper. One such tree shall be planted for every 30 feet of frontage or fraction thereof.

- b. *Urban retail sites.* The following options are available for urban retail development:
1. *Relocation of trees.* The number of perimeter trees required in subsection (e)(3) may be reduced by up to 50 percent if the same quantity of trees reduced are planted elsewhere on the site and at least one perimeter tree is installed.
  2. *Tree pits.* The perimeter trees required in subsection (e)(3) may be installed in tree pits with irrigation and sub-drainage as specified in the tree ordinance guidelines in lieu of a continuous perimeter planting strip. If large maturing trees are planted in the pits, each tree shall have a minimum three-inch caliper. One such tree shall be planted for every 40 feet of frontage or fraction thereof. If small maturing trees are planted in the pits, each tree shall have a minimum two-inch caliper. One such tree shall be planted for every 30 feet of frontage or fraction thereof and as long as at least one perimeter tree is installed.
- (4) *Renovated sites.* When a building permit is requested for renovation of a previously developed site where the required perimeter planting strip does not exist, trees are still required. However, in lieu of a minimum eight-foot wide planting strip, a pavement cutout equal to 200 square feet and with a minimum width of five feet may be substituted.
- (5) *Railroad or utility rights-of-way.* When a railroad or utility right-of-way separates the perimeter planting strip from a city right-of-way, the perimeter planting strip and tree planting requirements must still be met.
- (6) *Large shade trees required.* In locations without overhead power distribution lines that obstruct normal growth, 75 percent of the trees required under subsections (e) (1), (2), and (3) shall be large maturing shade trees.
- (7) *Streetscape plans.* In applicable cases where the city council has approved a streetscape plan, its provisions shall supersede those set forth in subsections (e)(2), (3) and (5).
- (f) Internal planting requirements, excluding single-family development. Requirements for internal planting, excluding single-family development, are as follows:
- (1) *Planting areas.* Whenever the impervious cover exceeds 10,000 square feet, a planting area equal to ten percent of the total impervious surface must be provided for landscape purposes and tree planting. Internal tree planting is required at the rate of one large maturing shade tree per 10,000 square feet of impervious cover or fraction thereof. This planting area must be located on private property and in urban zones shall be in addition to any perimeter planting requirements. In the mixed use development district (MUDD) and the uptown mixed use district (UMUD)

outside the I-277/I-77 loop, the planting area may equal five (5) percent of the total impervious surface. The planting requirements for UMUD zoned sites within the I-277/I-77 expressway loop are set out in subsection [9.906\(4\)\(e\)](#) of the zoning ordinance in appendix A to this Code.

- (2) *Parking areas.* Internal planting requirements for parking areas are as follows:
- a. *Suburban commercial zones.* Planting in suburban commercial zones shall be in accordance with the following:
    1. Trees must be planted so that each parking space is no more than 40 feet from a tree trunk, unless the parking lot has continuous islands running the length of the parking lot with minimum eight feet width; then the requirement will increase to 60 feet from a tree trunk.
    2. Bus and tractor-trailer lots will be required to plant trees 40 feet apart around the perimeter of the parking lot in a minimum ten-foot wide planting strip. If there is parking on the perimeter of the bus and tractor-trailer lots, bollards or wheel stops are required.
    3. Seventy-five percent of the trees planted must be large maturing shade trees except as provided in subsection (f)(2)a.4. Minimum planting area per tree shall be 274 square feet with a minimum width of eight feet. The entire planting area must contain amended on-site soil or a soil mix, as specified in the tree ordinance guidelines, to a depth of 18 inches.
    4. Where small maturing shade trees are used, the minimum planting area shall be 200 square feet, with a minimum width of eight feet. The entire planting area must contain amended on-site soil or a soil mix, as specified in the tree ordinance guidelines, to a depth of 18 inches. Small maturing shade trees may be planted where overhead power distribution lines would interfere with normal growth (normally within 25 feet of overhead power distribution lines or within the Duke Power right-of-way for overhead transmission lines).
  - b. *Urban zones.* Planting in urban zones shall be in accordance with the following:
    1. Trees must be planted so that each parking space is no more than 40 feet from a tree trunk. Trees planted must be large maturing shade trees except as provided in subsection (f)(2)b.2.
      - i. Minimum planting area per large maturing shade tree shall be 274 square feet with a minimum dimension of eight feet. The entire planting area must contain amended on-site soil, as specified in the tree ordinance guidelines, to a depth of 18 inches.
      - ii. Minimum planting area per large maturing shade tree may be

reduced to a minimum surface area and a minimum dimension of eight feet, if the entire planting area contains an approved soil mix, as specified in the tree ordinance guidelines, to a depth of 18 inches.

2. Small maturing trees may be planted where overhead power distribution lines would interfere with normal growth. Minimum planting area per small maturing tree shall be 200 square feet with a minimum dimension of eight feet. The entire planting area must contain amended on-site soil, as specified in the tree ordinance guidelines, to a depth of 18 inches.
- (3) *Renovated sites.* When a building permit is requested for the renovation of a site previously developed, internal tree planting is still required, and the minimum planting area shall be 200 square feet per tree. However, only five percent of the total impervious cover must be set aside for landscape purposes.
- (4) *Existing trees.* In meeting these internal planting requirements, credit may be given for existing trees if the following are met:
- a. The property owner must include in the tree survey referenced in [section 21-91](#) all existing trees of two-inch dbh or greater which he/she proposes to satisfy these planting requirements.
  - b. Only healthy trees and those that have been protected during the entire development period, beginning prior to the commencement of site work and continuing through to issuance of the certificate of occupancy in accordance with approved tree protection requirements, may satisfy these tree planting requirements.
  - c. If the minimum protection standards are not met, or if trees are observed by the city to be injured or threatened, it may be deemed ineligible for meeting these requirements. The city shall have the authority to modify the planting requirements of this subsection to preserve existing trees.

(Ord. No. 4521, § 1, 9-27-2010; Ord. No. 4607, 12-20-2010; Ord. No. [8093](#), § 1, 8-22-16)

**Secs. 21-97—21-120. - Reserved.**

## **ARTICLE V. - MODIFICATION, INSPECTION, ENFORCEMENT AND APPEAL**

**Sec. 21-121. - Modifications.**

- (a) If strict compliance with the standards of this chapter conflict with existing federal or state statutory or regulatory requirements, or when planting is required by this chapter and the site design, topography, natural vegetation, or other special considerations exist

ORDINANCE NO. \_\_\_\_\_

An ordinance adding Section 62.177 to the Los Angeles Municipal Code to establish a tree replacement in-lieu fee to satisfy the City's tree planting requirements when the required trees cannot be planted on-site.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Section 62.177 of the Los Angeles Municipal Code is added to read as follows:

**SEC. 62.177. ESTABLISHMENT OF TREE REPLACEMENT IN-LIEU FEE.**

(a) **Definitions.** The definitions provided in Section 62.00 of this Code along with the definitions contained in this subsection shall govern the construction, meaning and application of words and phrases used in this section.

(1) **"Board"** shall mean the Board of Public Works or its designee.

(2) **"Development Tree Planting Requirement"** shall mean the tree planting requirement under Section 12.21(G)(2)(a)(3) of this Code.

(3) **"Public Works Tree Planting Requirement"** shall mean a tree planting requirement imposed as a permit condition for the removal of a street tree under Section 62.169 of this Code, or imposed as a permit condition for the removal of a protected tree under Section 46.03 of this Code.

(b) An in-lieu fee is hereby established to cover the cost to procure, plant and provide water for three years for each tree required pursuant to a Development Tree Planting Requirement or a Public Works Tree Planting Requirement, as defined herein, when the required tree cannot be planted on-site. The in-lieu fee shall be collected by the Board and used to procure, plant and provide water for the required trees. The in-lieu fee under this section shall be as follows:

(1) In-Lieu Fee - Development Tree Planting Requirement: \$2,612 per tree.

(2) In-Lieu Fee - Public Works Tree Planting Requirement: \$1,945 per tree.

(c) Upon the approval by the Board, the in-lieu fee established in Subsection (b) may be used to satisfy a Public Works Tree Planting Requirement.

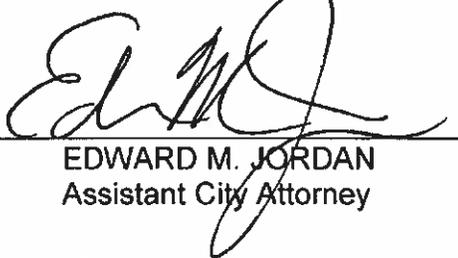
(d) Upon the approval pursuant to a Director's Decision under Section 12.21(G)(3) of this Code, the in-lieu fee established in Subsection (b) may be used to satisfy a Development Tree Planting Requirement.

(e) The In-Lieu Fee – Public Works Tree Planting Requirement established in Subsection (b) shall be reduced to \$267 per tree for any residential property with four or fewer dwelling units.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By   
EDWARD M. JORDAN  
Assistant City Attorney

Date 1/24/2018

File No. \_\_\_\_\_

M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\ORDINANCES - FINAL\LAMC 62.177 - In Lieu Fee for Tree Planting - Ordinance.docx

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

\_\_\_\_\_

\_\_\_\_\_

Ordinance Passed \_\_\_\_\_

Approved \_\_\_\_\_



## **March 2020 Parks & Recreation Director's Report**

**Parks:** We have had another month of very up and very down weather again, as we have been dealing with this most of our winter. With that comes quite a bit of snow removal for the crew. They have been doing a great job of keeping up with everything and staying on top of things. I finished meeting with all of the Townships between Tomahawk and Merrill in regards to extending the Bearskin/Hiawatha towards Merrill. I was pleased that they were all very much in support of the idea of working together to extend the trail. I have been talking with WisDOT and WDNR to keep them informed and to also make sure they guide us throughout the process, as this will ultimately be a State Trail when we hopefully see it completed. Both State entities have been very helpful and are also excited about the prospect of having this connection between the two existing trails. They understand the impact this could have on not only the communities and areas it passes through, but on a State scale as well. I met with Wausau/Marathon County's Parks & Recreation Director, Jamie Polley, on February 13<sup>th</sup> at her office in Wausau to introduce myself and talk about Parks & Recreation. The meeting was great and it was nice to network with our neighbors. It was great to discuss current issues, challenges, as well as good things our communities have in common. We ordered our new one-ton dump truck chassis after it was approved at the February City Council meeting. We are working on the dump body and hoist as well, now that we have confirmation on the type of truck it is going to be mounted on. I also ordered our new zero turn mower on 2/17/20 and we should have that in plenty of time to mow grass (anticipated delivery is April 1<sup>st</sup>). I have also been working with City Mechanics to ensure that our engine for our diamond drag is ordered and installed by the time we need it for getting fields ready. This was a City Council decision so I hope that everything works out ok by just replacing the engine. I will continue working on the remaining capital items we were allotted for this year to make sure we have time to get things done and equipment back into our fleet. Park reservations have been off to a good start. We are about on par with last year, with the one exception being increase in our newest facility – Agra Pavilion. That facility has been very popular and has been pretty consistently reserved so far in all four seasons. That is great to see and we are thankful for the RDDF in making this community amenity available to everyone to use. We are also in the process of recruiting summer seasonal workers for all of our seasonal jobs. Hopefully we can recruit enough to fill all of our spots, as this has been a trend over the past few years with not enough workers interested in working. We need to fill buildings & grounds positions, recreation/summer playground positions, and Aquatic Center positions. So if anyone knows of anyone looking for summer seasonal employment, please send them our way! I have met with Spohn Ranch Skate Parks on a few occasions, along with Heather O'Neill, to review skate park designs. I think that the plan that you have in your packets reflects a great design for our community. The plan incorporates as much as possible from all of our Skate Park Committee and Parks & Recreation Commission

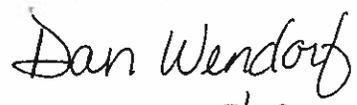
**Forestry:** If this weather continues, it is going to be a little while before I can properly inspect trees and get to them due to the depth of the snow on the boulevards. I have a list started of obvious

trees that need pruning and/or removal. As I have stated before, we could really use a “normal” spring for tree health. Gradual snow melt for water uptake and drying into early summer to allow higher oxygen contents in the soil than previous spring and fall seasons. Too much water in the soil profile robs the soil of much needed oxygen. As the snow diminishes I will be out and about a lot more inspecting trees and getting things going for the spring forestry season.

**Recreation:** Thanks to Dawn, our recreation programs are being produced and will be ready for distribution very soon. We are also thankful to the FotoNews this year for partnering with us to produce our programs. They will be handed out in all of the schools and distributed around the community and key sites. Our Little Dribblers program has come and gone again and was very successful again this year. Thank you to all of the young participants and their parents, and all of our helpers for helping make this program a success! As always we will evaluate this program to see if there are ways we can improve. Our Little Adventures Playgroup has been a success as well. This drop in toddler program on Monday Mornings has been a great way for toddlers and their caregivers to interact and come together. We hope that it continues to become even more popular as time goes on. We hosted a very successful Badger State Games weekend on 2/8-2/9 at the City Forest. The Fat Tire Bike Race entries were up nicely from last year and the numbers for our first ever Snowshoe Races were very strong. So it is great to see the popularity in our facilities and the events grow. I will continue to work with the Badger State Games organizers to try and attract more events to our community in the future. I do know that they have been amazed by how well we treat them.

**Smith Center:** By the time you read this, we will almost be ready to take the ice out (March 14<sup>th</sup> is the last day of ice). We hosted the Merrill Ice Reflections Figure Skating Show over the weekend of February 8<sup>th</sup> and 9<sup>th</sup> and as always it went very well. We had the unfortunate timing of a snow storm on February 9<sup>th</sup> right during their Sunday show but things went fairly well in spite of that. It makes it virtually impossible for us to plow the parking lot when the snow doesn't start or snow the heaviest as people are arriving or are already here. We did have some thin ice towards the east end of the rink, which is fairly common after months of usage, but we have been able to build our sheet depth to handle the rest of the season with ease. Again, it is not uncommon to have thin spots after all of that wear and tear and often times when we re-surface the ice we are shaving the top layer off and laying water down behind it. As good practice we typically have to add some make up water to those areas because just re-surfacing all of the time can sometimes lead to a net loss over time in depth in those areas. Otherwise, we have been receiving many compliments on how nice our ice was this season and we are pleased with the way the season went. After our last ice time has finished, we will turn the floor temperature up and let the ice soften a bit before beginning to remove it all and get ready for dry floor events.

Respectfully Submitted



Dan Wendorf  
Parks & Recreation Director  
City of Merrill