



CITY OF CHANHASSEN

# **PUBLIC TREE POLICY**

ADOPTED ON MAY 23, 2022

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# PURPOSE

The purpose of this policy is to establish safe guidelines for the allocation of responsibility and cost regarding clean-up and removal of trees, visibility requirements for streets and driveways, permitted access across or through public property (including easements), and the protection and risk assessment of public trees in the city in order to provide for the health, safety and welfare of the public.

## STREET ROW TREES

The city has the right to remove diseased, hazard or dead trees, as well as broken or hazard limbs on trees, within the right of way (ROW) based on the assessment by the city. The city will not be responsible for removing healthy trees within the ROW or for pruning for reasons not related to public safety or operations but may do so at its discretion. Maintenance pruning will occur based on available resources. Street trees will be pruned to provide the following clearances: 14' height and 8' beyond the street pavement. In the event that the property owner disputes the ROW boundary established by the city, it will be the responsibility of the property owner to survey the lines in question.

The city will remove storm damage tree debris from within the ROW only. The city is not responsible for removing storm damaged tree debris from private property. The public is not allowed to pile tree debris in the ROW.

## PARK, OPEN SPACE, AND EASEMENT TREES

The city has the right to remove diseased, hazard or dead trees, as well as broken or hazard limbs on trees, within public parks, open spaces, and easements based on the assessment by the city. Maintenance pruning will occur based on available resources. Trees and vegetation along trails and parking lots will be pruned to provide the following clearances: 10' height and 3' beyond the trail or parking lot pavement.

In developed parks and open space (city-owned natural areas/wetlands/stormwater ponds) the responsibility for the cost of clean-up, removal and damage caused by a fallen tree is the obligation of the owner of the property from which the tree fell (referred to as the "owner of the tree") if the tree was diseased or damaged in any way that was a contributing factor in the falling of the tree and if owner of the tree knew, or should have known, of the diseased or damaged condition. In all other situations, the owner of the property on which the tree fell is responsible for cleanup, removal and other damage caused by the fallen tree.

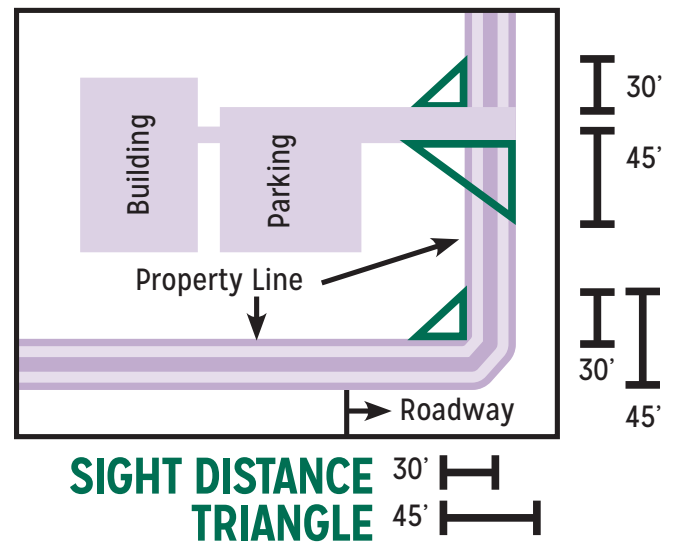
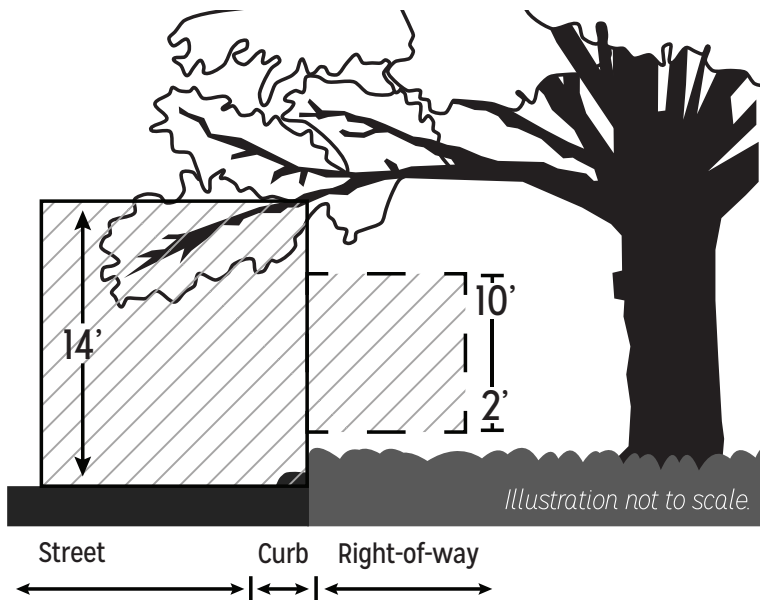
The city will not be responsible for removing non-hazard trees or for pruning for reasons not related to public safety or infrastructure performance within public property, such as city-owned outlots. Trees that are not blocking or impeding public utilities, access to public infrastructure, or the flow of water will not be pruned or removed. Overhanging or broken branches from city owned natural areas may be pruned by the neighboring property owner, up to the property line. The city will leave dead trees standing for wildlife habitat when the tree is not considered a hazard tree. (Hazard tree definition City Code Sec. 13-33)





# SIGHT TRIANGLES AND ROW SIGHT DISTANCES

To ensure public safety standards are met, no vegetation or other obstructions are allowed that inhibits, obstructs or blocks clear visibility on or along the street, to/from a driveway or private street. Vegetation may not exceed 2 feet in height from the ground or go below 10' from above within the right-of-way. All property owners shall maintain clear visibility within the sight distance triangle. (Sight distance triangle definition City Code Sec. 1-2)



## Vegetation Clearance Requirements:

- 1) Minimum 14' clearance over street.
- 2) Minimum 10' over sidewalks/trails/right-of-way.
- 3) Maximum 2' above ground within right-of-way.
- 4) No vegetation should encroach from the side into the sidewalk, trail, or roadway.
- 5) Traffic must be able to see any oncoming traffic, pedestrians, or bicycles at intersections.
- 6) No vegetation shall impede a clear view of regulatory or advisory signs (stop signs, yield signs, speed limit signs, etc.).

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## EMERGENCY TREE WORK

The city reserves the right at all times to do emergency trimming, removing, or otherwise treating of any trees or other plant growth which, in the opinion of the Public Works Director, constitute an immediate and serious threat to the public safety.

## ACCESS TO PRIVATE PROPERTY FROM PUBLIC PARKS OR TRAILS

The city will not allow access to private property from public parks or trails. Unapproved access that impacts or damages city property or infrastructure will be required to be fully restored to previous conditions.

## TREE PLANTING IN ROW AND EASEMENTS

Private trees are prohibited from being planted in the ROW or public easements. The city reserves the right to plant trees within the ROW. Encroachment agreements are required for any plantings within drainage and utility easements.

## TREE PROTECTION IN ROW

Trees within the ROW will be protected with tree fencing installed 2' outside of the edge of the dripline or other approved method during any construction or utility work by private contractors according to MNDOT standard specification 2572.

## DAMAGE TO PUBLIC TREES

It shall be unlawful for any person to cut, prune, top, damage, remove, or cause to be cut, pruned, topped, damaged, or removed, any tree or shrub in any city park, undeveloped area or other public area. Vegetation shall be protected from wildlife damage using fencing, staking, hardware cloth cylinders or other acceptable means of exclusion. Wildlife will not be euthanized or trapped due to public tree damage.

## TREE RISK AND HEALTH ASSESSMENT

The city will perform regular tree health and risk assessments to spot potential weaknesses before they become major problems. The assessments will be performed by ISA Certified Arborists who will utilize the ISA Basic Tree Risk Assessment Form. If needed, the city may seek another opinion from their Tree Services Contractor or a reputable tree service company to provide an additional assessment on a tree.

