

904. Boulevard Plantings and Structures

§904.010 STREET TRAFFIC VISIBILITY. At street intersections in all districts, except for the B-5 (General Business District), no structure (excluding mailboxes, traffic signs, lights, and utility improvements) or plantings in excess of thirty-six (36) inches above the street centerline grade (excluding trees which have no limbs lower than eight (8) feet above street centerline grade) shall be permitted within a triangular area defined as follows:

<p>corner overlapping triangles <u>INTERSECTION</u></p>	<p><u>DEFINITION OF SAFETY TRIANGLE</u> (Safety triangles shall be overlaid over each in both directions to form two with identical leg lengths on each street)</p>
<p>Intersections with Speed Limits curb or On both streets 30 mph and under</p>	<p>Beginning at the projected extensions of a pavement edge of a street and the curb or pavement edge of an intersecting street; thence twenty (20) feet along the curb or pavement edge then diagonally to a point of 85 feet from the point of beginning on the intersecting curb or pavement edge.</p>
<p>Intersections with Speed Limits curb or On both streets greater than 30 mph pavement edge</p>	<p>Beginning at the projected extensions of a of a street and the curb or pavement edge of an intersecting street; thence twenty (20) feet along the curb or pavement edge then diagonally to a point of 120 feet from the point of beginning on the intersecting curb or pavement edge.</p>

§904.020 Driveway Visibility. Where a driveway intersects a street and/or sidewalk in all districts, no structure (excluding mailboxes, traffic signs, lights, and utility improvements) or plantings in excess of thirty-six (36) inches above the street centerline grade (excluding trees which have no limbs lower than eight (8) feet above centerline street grade) shall be permitted within a triangular area defined as follows: Beginning at the projected extension of the curb or pavement edge of a street and an intersecting pavement edge or surface of a driveway, and/or the intersection of a driveway and a sidewalk; thence ten (10) feet along one curb, pavement edge, or surface edge, thence diagonally to a point of ten (10) feet from the point of beginning.

§904.030 Street, Sidewalk, and Trail Access. In all areas, limbs of trees must be at least eight (8) feet above sidewalk or trail grade and twelve (12) feet above street grade.

§904.040 BOULEVARD TREES; TREES PROTECTED. It shall be unlawful for any person to cut, break or otherwise injure or destroy or remove any boulevard tree, or to cause damage or injury thereto. Written permission from the City shall be required prior to the planting or trimming of any tree(s) in any boulevard or right-of-way. The City may, upon the request of a property owner,

authorize removal and replacement of an otherwise healthy boulevard tree determined to be a private nuisance or threat to private property if the petitioner agrees to pay the total cost of the tree and stump removal and replacement with a tree of the size and species approved by the City. When considering allowing the placement of trees in the City's boulevards or right-of-way the City will consider criteria such as the following: Tree species, size and root structure; impact on traffic visibility; proximity to sidewalks, curbing and other public improvements and the commitment of the applicant to help maintain the tree's health. (Ref. §1003.020, Code 1966; 983, 3/13/01; Ref. Ord. No. 1067; 1/12/10) Amended 1/12/10

§904.050 NEWSPAPER BOXES.

Subd. 1. Purpose. The purpose of this section is to provide for the erection or placement of newspaper vending boxes or other media vending structures within the public right-of-way, hereinafter called newspaper boxes.

Subd. 2. Newspaper vending boxes shall be a permitted use in all districts within the public right-of-way.

Subd. 3. Newspaper vending boxes shall meet the following dimensional criteria for placement within the public right-of-way.

- a) The boxes shall be set back from the corner at least fifteen (15) feet from the intersection of the curb lines. The boxes shall be set back at least five (5) feet from any driveway curb cut.
- b) The boxes shall be no more than forty-two (42) inches in height above the street grade and shall not project beyond the curbline onto the roadway.
- c) The boxes shall not be affixed or chained to traffic signs, parking meter, fire alarm box or fire hydrant, light or notice posts installed or maintained by any unit of government. The boxes shall not be placed within five (5) feet of any fire hydrant.
- d) The boxes shall not be attached to private property without the property owner's written consent.
- e) The boxes shall only be placed at the edge of public accessways such as sidewalks, bus stops, bus shelters. No box shall be placed in a public accessway so as to impede public passage to less than five (5) feet on said accessway. No box shall be placed closer than five (5) feet to any marked crosswalk or handicapped access lane.
- f) Specification for anchorage devices which require drilling into, removal of, or reconstruction of paved surfaces in public right-of-ways shall be submitted to the City Engineer for review and approval prior to installation.

Subd. 4. Use and Appearance. An unattended vending box for newspaper or other media shall be solely for distributing the newspapers or other media or messages and shall be maintained by the applicant in a state of good repair and neat appearance. In addition, the name, address, and phone number of the owner of said device or person responsible for maintenance shall be legibly displayed thereon.

(Ref. Ord. 743, 5/12/87)

Revised 8/6/01