

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2021

CASE NO. CU2018-0002

AN ORDINANCE REPEALING CHAPTER 18.44 AND APPENDIX 18-D IN THEIR ENTIRETY, ADDING A NEW CHAPTER 18.44, AMENDING PORTIONS OF CHAPTER 18.04.110 AND 18.42.030, AND AMENDING APPENDIX 18-B OF THE CITY OF GREELEY MUNICIPAL CODE, ALL REGARDING LANDSCAPING, IRRIGATION, BUFFERS, AND SCREENING STANDARDS

WHEREAS, it becomes necessary to update the Greeley Municipal Code from time to time to adopt zoning codes and development standards that continue to align with public values and Council priorities; and

WHEREAS, amending the Landscaping Standards of the City's Development Code in this manner will update those elements of the Code relative to Council priorities and the support of water-efficient practices; and

WHEREAS, more specifically, the updates provided hereby advance numerous adopted Council goals and policies, including the following: implementing City Council's Vision for 2040 and the corresponding 3-Year Priorities, including those defined as a. Greeley Water: History, Heritage, Innovation; b. A Dynamic and Resilient Economy; c. Your Home is Here; d. We Are Greeley Proud; e. Operational Excellence; implementing the Comprehensive Plan (*Imagine Greeley*); supporting the Landscape Policy Plan for Water Efficiency (Ordinance No. 40, 2015); including user-friendly language that clarifies processes and standards and minimizes the potential for confusion; revising infill development standards to encourage adaptive reuse of existing buildings and minimize requirements for minor site improvements; simplifying landscape provisions for residential properties by requiring improvements only in areas that are visible from public rights-of-way; and, encouraging holistic design alternatives, reducing the amount of landscape material in buffers to ensure the long-term viability of plant material, and allowing for creative solutions by providing options for landscape enhancements (including hardscape, walls, and berms); and

WHEREAS, the Planning Commission conducted public hearings on December 15, 2020, and January 12, 2021 to review and consider the proposed changes, and recommended adoption by City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. That Chapter 18.44, Landscaping and Buffering Standards, of the Greeley Municipal Code be and hereby is repealed.

Section 2. That Appendix 18-B contained in Title 18, Development Code, be and hereby is repealed.

Section 3. That the Greeley Municipal Code be amended by adding a new chapter 18.44, to read as shown in Appendix A.

Section 4. That section 18.04.110 contained in Chapter 18.04, Subdivision of Land, be amended to amend the definitions for *buffer* and *perimeter treatment plan* to read as shown in Appendix A.

Section 5. That section 18.42.030 contained in Chapter 18.42, Off-Street Parking and Loading Standards, be amended to read as shown in Appendix A.

Section 6. That Appendix 18-B contained in Title 18, Development Code, be amended to add, amend or delete definitions in alphabetical sequence as shown in Appendix A.

Section 7. This ordinance shall become effective on the fifth day following its final publication as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2021.

ATTEST:

CITY OF GREELEY

City Clerk

Mayor

APPENDIX A
**ORDINANCE REPEALING CHAPTER 18.44 AND APPENDIX 18-D IN THEIR
ENTIRETY, ADDING A NEW CHAPTER 18.44, AMENDING PORTIONS OF
CHAPTER 18.04.110 AND 18.42.030, AND AMENDING APPENDIX 18-B OF THE CITY
OF GREELEY MUNICIPAL CODE, ALL REGARDING LANDSCAPING,
IRRIGATION, BUFFERS, AND SCREENING STANDARDS
GREELEY MUNICIPAL CODE**

Section 1. That Chapter 18.44, Landscaping and Buffers Standards, be and hereby is repealed.

~~Chapter 18.44 — Landscaping and Buffering Standards~~

~~18.44.010 — Purpose and intent.~~

~~These standards are intended to establish landscaping regulations that:~~

- ~~(1) — Improve the aesthetic appearance of setback areas, common open space areas, public rights of way and off street vehicular parking areas;~~
- ~~(2) — Promote compatibility between land uses of different intensities;~~
- ~~(3) — Promote the use of generally accepted landscape design principles;~~
- ~~(4) — Protect public health, safety and welfare by minimizing the impact of all forms of physical and visual pollution, controlling soil erosion, screening unsightly areas, preserving the integrity of neighborhoods and enhancing pedestrian and vehicular traffic and safety;~~
- ~~(5) — Promote water conservation through the use and incorporation of low water adaptive vegetation and by using water conservation principles;~~
- ~~(6) — Promote shaded, tree lined streets within all areas of the City;~~
- ~~(7) — Maintain the City's standing as a "Tree City USA"; and~~
- ~~(8) — Implement Comprehensive Plan policy of reducing "heat islands."~~

~~18.44.020 — Application.~~

~~(a) — The maintenance provisions of this Chapter shall apply to all properties.~~

~~(b) — All other provisions of this Chapter shall apply to:~~

- ~~(1) — All development applications and building permit applications which require a landscape plan as part of the submittal requirements.~~
- ~~(2) — Existing properties when one (1) or more of the following occur:~~
 - ~~a. — When there is a change in ground floor gross floor area as outlined in Section 18.44.070 of this Chapter.~~
 - ~~b. — When there is a change of use as defined in Section 18.44.030 below.~~
 - ~~c. — When there is a significant change in landscaping as defined in Section 18.44.030.~~
 - ~~d. — When there is a change in parking, circulation or drainage.~~
 - ~~e. — When there is an increase in noise or lighting.~~
- ~~(c) — Upon such increase or change, the existing landscaping shall be upgraded as provided in the Landscaping Upgrade Table in Section 18.44.070 if such landscaping does not already meet the requirements of this Chapter.~~
- ~~(d) — In order to provide greater flexibility in designated urban renewal areas, redevelopment projects shall be reviewed on a case by case basis for compliance with this Chapter. The Community Development Director shall have the authority to waive one (1) or more of the provisions contained herein if it can be demonstrated by the applicant of a redevelopment project that the intent of the provisions would be adequately met with an alternative landscape design.~~

~~(e) Exemptions.~~

- ~~(1) Permit for interior or exterior rehabilitation or remodeling of an existing building which does not involve any change in the gross floor area of the building or change of use shall be exempt from the provisions herein.~~
- ~~(2) The accessory and temporary uses listed in Chapter 18.52 shall be exempt from the provisions of this Chapter.~~
- ~~(3) Pursuant to Section 18.34.220, property located within the General Improvement District #1 (GID) shall be exempt from the provisions herein.~~
- ~~(4) Temporary, seasonal and nonconforming land uses shall be exempt from buffer yard requirements.~~

~~18.44.030 Definitions.~~

~~The following words, terms and phrases shall have the meanings defined as follows:~~

~~*Acceptable street tree* shall mean a tree that has been approved by the Public Works Director or his or her designee for planting in the right of way.~~

~~*Berm* shall mean a mound of earth, higher than grade, used for screening or buffering, definition of space, noise attenuation and decoration in landscaping.~~

~~*Buffer* shall mean to promote separation and compatibility between land uses of different intensities. The term *buffer* may also be used to describe the methods used to promote compatibility, such as a landscape buffer.~~

~~*Buffer yard* shall mean that area intended to provide buffering between land uses of different intensities through the use of setbacks, landscaping, berms, fences, walls or a combination thereof.~~

~~*Change of use* shall mean a use that substantially differs from the previous use of a building or land and which may affect such things as parking, drainage, circulation, landscaping, building configuration, noise or lighting. A change of ownership which does not include any of the factors listed above shall not be considered a change of use.~~

~~*Clear vision zone* shall mean that area in which the City requires maintenance in order to preserve the sight distance and safety of motorists, pedestrians and bicyclists by requiring an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle to avoid a collision.~~

~~*Common area.* See *Open space, common*.~~

~~*Coniferous* shall mean cone bearing trees and shrubs with needle like leaves, such as pines, spruces and firs.~~

~~*Deciduous* shall mean a plant with foliage that is shed annually.~~

~~*Electric fence* as used in this Chapter shall mean any fence using, carrying or transmitting an electrical current for any purpose, except an electric or radio transmission dog or cat fence not meant to detain any person or animal except the dog or cat wearing the transmission collar.~~

~~*Evergreen* shall mean a plant with foliage that persists and remains green year round.~~

~~*Gross floor area (GFA)* shall mean the total area of a building measured by taking the outside dimensions of the building at each floor level, or from the center lines of walls separating two (2) buildings and excluding areas used exclusively for the service of the building such as mechanical equipment spaces and shafts, elevators, stairways, escalators, ramps, loading docks, cellars, unenclosed porches, attics not used for human occupancy, any floor space in accessory buildings, or areas within the building which are intended for the parking of motor vehicles.~~

~~*Ground cover* shall mean those materials that typically do not exceed one (1) foot in height used to provide cover of the soil in landscaped areas and shall include river rock, cobble, boulders, grasses, flowers, low growing shrubs and vines and those materials derived from once living things, such as wood mulch. In no event shall weeds be considered ground cover.~~

~~*Hardscape, hardscaped or hardscaping*, as used in this Chapter, shall mean the use of rock, mulch, gravel, pavers and/or other nonliving material in place of living plant material in a required landscape area.~~

~~*High intensity use*, for the purposes of this Chapter, shall mean a use expected to have a significant effect on adjacent properties as determined in the Required Buffer Yard Table.~~

~~*Irrigation system* shall mean an underground, automatic sprinkler system or aboveground drip system designed specifically for the vegetation it waters in order to provide a permanent, or temporary for the purpose of establishing trees, method of watering landscape areas.~~

~~*Landscape area* shall mean the area of required open space, according to the zoning district provisions in which the property is located, that is not allowed to be covered by buildings, paving or other impervious surface, whether within a lot, outlot or tract or within a public right of way, and shall not include any legally established area for storage or outdoor display.~~

~~*Lawn* shall mean an area of land planted with grass maintained at a low, even height. Artificial turf shall not be considered lawn or turf.~~

~~*Live plantings* shall mean trees, shrubs, perennials and live ground cover which are in healthy condition.~~

~~*Lot or site* shall mean that portion of land designated as a unique parcel by legal subdivision and shall include lots, outlots and tracts.~~

~~*Low intensity use*, for the purposes of this Chapter, shall mean a use expected to have a limited effect on adjacent properties as determined in the Required Buffer Yard Table.~~

~~*Low water adaptive plants* shall mean those plants which have, or can adapt to, low levels of irrigation water.~~

~~*Maintain or maintenance of landscaping*, as used in this Chapter, shall mean but not be limited to regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, the removal and replacement of dead plants and the repair and replacement of an irrigation system.~~

~~*Medium intensity use*, for the purposes of this Chapter, shall mean a use expected to have a moderate effect on adjacent properties as determined in the Required Buffer Yard Table.~~

~~*Mixed use*, as used in this Chapter, shall mean having both residential and nonresidential uses within one (1) building.~~

~~*Multi family*, as used in this Chapter, shall mean a building containing more than two (2) dwelling units.~~

~~*Multi use*, as used in this Chapter, shall mean having a mix of uses on one (1) lot.~~

~~*On lot landscaping* shall mean landscaping located on a privately owned lot, outlot or tract.~~

~~*Opacity* shall mean the degree or extent that light is obscured.~~

~~*Open fence* shall mean a fence that is at least seventy five percent (75%) transparent. See also *solid fence*.~~

~~*Open space, common* shall mean an area permanently set aside for the common use and enjoyment of residents or occupants of a development or members of a homeowners' association, which open area may be formally landscaped and/or left with natural vegetation cover and which may include swimming pools and other recreational leisure facilities; areas of scenic or natural beauty and habitat areas; hiking, riding or off street bicycle trails; and landscape areas adjacent to roads which are in excess of minimum required setbacks. Common open space may also be referred to as *common area*.~~

~~*Open space, private or on lot* shall mean an outdoor area not intended for habitation, directly adjoining a dwelling unit or building, which is intended for the private enjoyment of the residents or occupants of the adjacent dwelling unit or building and which is defined in such a manner that its boundaries are evident. Private or on lot open space may include lawn area, decks, balconies and/or patios.~~

~~*Open space, required* shall mean that portion of a lot or site not allowed to be covered by any structure or impervious surface, such as sidewalks or driveways, except when such impervious surface is counted toward usable open space.~~

~~*Open space, usable* shall mean that portion of a lot excluding the required front yard area which is unoccupied by principal or accessory buildings and available to all occupants for the building for use for recreational and other leisure activities normally carried on outdoors. The area shall be unobstructed to the sky and shall have a minimum dimension of fifty (50) feet and a minimum area of six thousand (6,000) square feet. Usable open space shall also include recreational facilities as determined in Chapter 18.38.~~

~~*Ornamental tree* shall mean a deciduous tree planted primarily for its ornamental value or for screening and which will typically be smaller than a shade tree.~~

~~*Outlot* shall mean a tract of land platted in a subdivision for a specific purpose which shall be shown on the face of the plat. Specific purposes may include, but are not limited to, drainage areas, storm water detention or retention areas, parks, open space, future development or land areas reserved for other public facilities. For an illustration of types of uses for outlots, see Figure 18.44 1.~~

Figure 18.44 1: Types of Uses for Outlots

~~*Parkway* shall mean the strip of land located between the sidewalk and the curb. Also referred to as a *tree lawn*.~~

~~*Perennials* shall mean nonwoody plants that continue to live and grow from year to year, which may die back to the ground each year but continue to grow on a yearly basis. Perennials shall also include cold weather bulbs and tubers and ornamental grasses that return each year and shall count toward ground cover requirements.~~

~~*Perimeter treatment* shall mean improvements, such as landscaping and fencing, intended to provide visual and noise protection for the outer edges of developments which border arterial or major collector streets. Perimeter treatment is typically established at the time of new subdivision development.~~

~~*Perimeter treatment plan* shall mean a design for the installation and perpetual maintenance of perimeter treatment areas.~~

~~*Pocket park* shall mean a park less than ten (10) acres in size, but larger than one-half (1/2) acre in size, meant to serve the recreational needs of adjacent and nearby residents.~~

~~*Required landscape area* shall mean the land within a property boundary which is not covered by any approved building, paving or structure. *Required landscape area* shall also include the land between the street curb and public sidewalk (in the case of a detached sidewalk) or the land between the public sidewalk and property line (in the case of an attached sidewalk) that is adjacent to a lot or outlot.~~

~~*Required landscaping* shall mean the landscaping required by this Chapter.~~

~~*Right of way landscaping* shall mean landscaping located within the public or private right of way adjacent to a privately owned lot, outlot or tract, including parkways.~~

~~*Screening* shall mean a method of reducing the impact of visual and/or noise intrusions through the use of plant materials, berms, fences and/or walls, or any combination thereof, intended to block that which is unsightly or offensive with a more harmonious element.~~

~~*Setback, front or street side* shall mean the area extending from the front yard to the rear yard, which separates the lot from an adjacent street. See also *Yard, front or street side*, below.~~

~~*Shade tree* shall mean a deciduous tree planted primarily for its high crown of foliage or overhead shade and which typically reaches a height of at least forty (40) feet.~~

~~*Shrub* shall mean a woody plant which consists of a number of small stems from the ground or small branches near the ground and which may be deciduous or evergreen.~~

~~*Significant change of landscaping* as used in this Chapter shall mean one (1) or more of the following:~~

- ~~a. Altering fifty percent (50%) or more square feet of required landscape area in any or each of the front yard, side yard, street side yard or public or private right of way;~~
 - ~~b. Removing any tree in any or each of the front yard, street side yard or public or private right of way;~~
- ~~or~~

- ~~e. Converting any or each of a front yard, side yard, street side yard or public or private right of way from "traditional" to "xeric", as defined herein.~~

~~Sod or turf grass shall mean a commonly accepted blend of grasses for the Colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn.~~

~~Solid fence shall mean a fence that is at least seventy five percent (75%) opaque. See also Open fence.~~

~~Street tree shall mean a tree planted in close proximity to a street in order to provide shade over the street and to soften the street environment.~~

~~Traditional landscaping shall mean the use of nonxeric plants that typically require more water to survive and may include, but is not limited to, using bluegrass or bluegrass mix turf as the primary ground cover.~~

~~Tree shall mean a large woody plant having one (1) or several self supporting stems or trunks and numerous branches and which may be deciduous or evergreen.~~

~~Tree lawn shall have the same meaning as parkway.~~

~~Turf or sod shall mean a commonly accepted blend of grasses for the Colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn. Artificial turf shall not be considered lawn or turf.~~

~~Very high intensity use, for the purposes of this Chapter, shall mean a use expected to have a very significant effect on adjacent properties as determined in the Required Buffer Yard Table.~~

~~Weed shall mean any plant which is typically not installed for the purposes of landscaping; which is not typically propagated by the horticultural or nursery trades; or which presents a particularly noxious allergenic or growth characteristic.~~

~~Xeric landscaping shall mean the use of low water plants in place of plants that typically require more water to survive and include, but are not limited to, plants identified in Appendix 18D as having a low water requirement. Xeric landscaping does not mean the same as hardscaping as defined herein.~~

~~Yard, front or street side shall mean that portion of a lot between the primary structure and right of way. A yard may contain more land area than a setback area.~~

~~Yard, required shall mean that portion of a yard that also lies within the required setback area.~~

~~18.44.040 General provisions.~~

- ~~(a) It shall be unlawful for any person to fail to maintain, install, remove or alter landscaping contrary to the provisions herein. Failure to maintain, install, remove or alter required landscaping under the provisions of this Code shall be a violation of this Code and shall be subject to the sanctions for code infractions contained in Chapter 1.33 of this Code and any other sanctions permitted by law.~~
- ~~(b) Landscaping shall be provided to enhance open space, recreation areas, building foundations, areas of low visual interest, and screen and shade streets and sidewalks, parking and loading areas.~~
- ~~(c) These landscaping provisions are not intended to be cumulative or require multiple or overlapping landscape areas, screening areas, buffer yards or perimeter treatments. When more than one (1) such standard applies, that standard which results in the higher landscaping, screening or buffering requirement shall apply.~~
- ~~(d) Alternative compliance may be considered on a case by case basis.~~
- ~~(e) Utility easements or other permanent obstacles which conflict with required screening, buffer yards, perimeter treatment, right of way, parkway or median standards may require greater or alternative designs to address such conflicts.~~
- ~~(f) Effect of landscaping on permit and occupancy approvals.~~
- ~~(1) Construction or development of a site shall not be undertaken until a landscape plan meeting the requirements of Chapter 18.16, Submittal Requirements, has been approved by the City. The landscape plan shall be designed in conjunction with the drainage plan for the subject property in such a manner as to maximize storm water runoff absorption.~~

- ~~(2) All perimeter treatment landscaping and associated irrigation shall be installed pursuant to an approved landscape plan prior to issuance of any building permit.~~
- ~~(3) Prior to issuance of a certificate of occupancy, all on lot landscaping and irrigation shall be installed, if required pursuant to an approved landscape plan.~~
- ~~(4) In the case of building envelopes, common area landscaping and irrigation shall be installed around the perimeter of the building envelope, halfway to the adjacent building envelopes, pursuant to an approved landscape plan prior to issuance of a certificate of occupancy.~~
- ~~(5) In the case of usable or common open space landscaping in common areas between lots, all landscaping and irrigation shall be completed prior to issuance of a building permit or as otherwise approved by the City in a Development Agreement or phasing plan.~~
- ~~(6) If weather prevents the required landscaping from being installed, the property owner or designee shall provide a financial guarantee, in a form acceptable to the City, in the amount of one hundred twenty five percent (125%) of the materials and installation of all remaining landscaping to be completed, and an estimate of such costs, prior to issuance of a building permit or certificate of occupancy.~~
- ~~(7) When phasing development, a proportionate share of landscaping acceptable to the City, as outlined in an approved Development Agreement or Planned Unit Development (PUD) Plan, shall be installed and maintained with each phase based on the size of the proposed phase and shall be considered completed for the purposes of these regulations when such proportionate share of landscaping has been installed prior to issuance of a building permit.~~
- ~~(g) General irrigation requirements.~~
 - ~~(1) An underground irrigation system shall be installed and maintained for all common area improvements, such as outlots, median boulevards, tree lawns, screening, buffer yards and perimeter treatment areas, in order to provide irrigation for all plant materials, consistent with the nature of the plant's irrigation needs.~~
 - ~~(2) Sprinklers shall be placed so as not to throw water onto adjacent paved or hardscaped surfaces.~~
 - ~~(3) Green Industry Best Management Practices for the Conservation and Protection of Water Resources in Colorado, prepared by Green Industries of Colorado (GreenCo), and kept on file in the City's Water Department, are guidelines for the conservation of water resources and protection of water quality and are strongly encouraged to be followed.~~
 - ~~(4) All multi family, commercial, industrial, mixed use and institutional properties shall install rain sensors. Refer to the City's Water and Sewer Department Standards for more information.~~
- ~~(h) Except plant materials installed by a homeowner on his or her property or adjacent right of way, all plant materials shall conform to the specifications of the American Association of Nurserymen (AAN) for No. 1 grade and shall have all wire and twine removed prior to planting. All trees shall be balled and burlapped or equivalent. Grass sod shall be clean and free of weeds and noxious pests or diseases. Plant materials which are known to be intolerant of the area in which they are proposed to be installed, or whose physical characteristics may be injurious to the public, shall not be specified for use.~~

~~18.44.050 Measuring landscape material.~~

~~The following guidelines shall be used to measure areas covered in live plantings to ensure that landscape materials are measured as accurately and equitably as possible. For the purpose of determining what portion of a lot or right of way is landscaped with live plantings other than turf, Table 18.44-1 below provides square footage credit for various types of plants.~~

Table 18.44-1: Vegetation Credit Table

<i>Type of Plant Material</i>	<i>Credit in Square Feet</i>
Evergreen tree (at least 25 ft tall at maturity) [†]	100
Shade tree	50

Ornamental tree	25
Large shrub (Type 3) (more than 8 ft tall at maturity)	50
Medium shrub (Type 2) (4-8 ft tall at maturity)	25
Small shrub (Type 1) (less than 4 ft tall at maturity)	10
Columnar deciduous or evergreen tree	25
Columnar evergreen shrub (less than 8 ft tall at maturity)	10
Evergreen ground cover	25
Perennial plant and ground cover, bulb/tuber and ornamental grass ²	5

¹Dwarf trees or tree varieties with a mature width of less than 10 feet shall count as 25 square feet.

²Large ornamental grass, over 4 feet tall at maturity, shall count as 10 square feet.

(b) To determine how much of a required yard is landscaped with live plantings, the following steps shall be taken to determine the size of the required yard. These steps can also be found in Table 18.44-2.

- (1) Measure the required yard length and width;
- (2) Multiply the yard length times the width to find the required yard area;
- (3) Measure the driveway length and width;
- (4) Multiply the driveway length times the width to find the driveway area;
- (5) Measure and multiply the length times the width of any walkways on site, such as leading from the driveway to the front door of the house, to find the walkway area;
- (6) Subtract the driveway and walkway areas from the required yard area. The difference will be the square footage of the required yard that must contain landscape material.

(c) To determine how many plantings are needed to meet the fifty percent requirement:

- (1) Divide square footage of required yard that must be landscaped by two (2). This will give the minimum square footage of plantings that is needed to cover one half (1/2) the required yard ("minimum square feet of plantings");
- (2) Using Table 18.44-1 above, figure the square footage of the plant material already on site. Also include square feet of sod, if any.
- (3) If less than the minimum square feet of plantings, additional living plant material shall be added, based on the square footage credit in Table 18.44-1.

Table 18.44-2: Example of How to Calculate Landscaped Area

	<i>Length</i>	<i>Width</i>	<i>Length x Width</i>	<i>Calculations</i>
Required yard	25 ft	55 ft	25 x 55 = 1,375 sq ft	1,375
Driveway area	25 ft	20 ft	25 x 20 = 500 sq ft	-500 = 875 sq ft
Walkway area	15 ft	3 ft	15 x 3 = 45 sq ft	-45 = 830 sq ft
Total planting area	830 square feet			

<i>Type of Plant</i>	<i>Square Feet of Plant</i>	<i>Quantity</i>	<i>Plants x Quantity</i>
Blue Spruce (evergreen tree)	100	1	100
Spring Snow Crabapple (ornamental tree)	25	1	+25
Sea Green Juniper (evergreen ground cover)	25	6	+150
Potentilla (small shrub)	10	6	+60
Iris (bulb/tuber)	5	10	+50
Little Bluestem (ornamental grass)	5	10	+50
Total plant area	435 square feet		

Divide the total plant area by the total planting area then multiply by 100 to find the percent of live plant coverage:

$$435 \text{ square feet} \div 830 \text{ square feet} = 0.52 \times 100 = 52\%$$

~~18.44.060 Maintenance of landscape areas.~~

- (a) ~~The property owner shall be responsible for maintenance of all on lot landscaping. This shall include a requirement for the maintenance of landscaping to preclude interference with any part of a sidewalk, parkway or roadway. In the event the property is not owner occupied, upon credible written evidence provided by the property owner that the tenant has accepted responsibility for landscape maintenance (such as written in the lease), the tenant shall be held jointly responsible for the maintenance of all on lot and right of way landscaping.~~
- (b) ~~Except for perimeter treatment areas, the property owner adjacent to the parkway or right of way shall be responsible for the perpetual maintenance of the parkway or right of way, unless an owners' association has agreed in writing to perpetually maintain the parkway or right of way. This shall include a requirement for the maintenance of landscaping to preclude interference with any part of a sidewalk, parkway or roadway. Any changes to landscaping within parkways or rights of way must meet the requirements of this Chapter.~~
- (c) ~~Maintenance of the perimeter treatment shall be the responsibility of the developer until an owners' association is established. Thereafter, the owners' association shall maintain the perimeter treatment in perpetuity.~~
- (d) ~~All common open space shall be maintained by an owners' association in perpetuity.~~
- (e) ~~The developer, owners' association, property owner and/or tenant, as required by this Chapter, shall be responsible for the installation and maintenance of all on lot and right of way landscaping, buffering, perimeter treatment and screening improvements in a healthy condition.~~
- (f) ~~Detention areas not accepted by the City for dedication shall be maintained by an owners' association.~~
- (g) ~~Notwithstanding the above provisions, owners of property within an area governed by an owners' association may be held jointly and severally responsible for common areas, detention pond areas and/or perimeter treatment areas if the owners' association becomes inactive or defunct.~~

Table 18.44-3: Responsibility for Installation and Maintenance

	<i>Perimeter Treatment</i>		<i>Buffer Yard</i>		<i>Right-of-Way Landscaping (not as part of perimeter treatment)</i>		<i>On-Lot or On-Site Landscaping</i>		<i>Common Areas</i>		<i>Detention Pond</i>	
	Install ation	Mainten ance	Install ation	Mainte nance	Install ation	Mainte nance	Install ation	Mainte nance	Install ation	Mainten ance	Install ation	Mainten ance
Devel oper	X (see note 1)		X (see note 1)		X (only if transfer red by Develo		X (see note 1)		X (see note 1)		X (see note 1)	

					ment Agree ment)							
Build er					X (only if transfer red by Develo pment Agree ment)		X		X			
Owner s' Associ ation		X			X (only if transfer red by Develo pment Agree ment			X		X		X
Proper ty Owner		X (if Owners' Assn defunct —see §18.44.0 60(g))	X	X (if on site)	X	X	X	X		X (if Owners' Assn defunct —see §18.44.0 60(g))		X (if Owners' Assn defunct —see §18.44.0 60(g))

Note 1: In cases where the property owner is the same as the builder or developer, the property owner is responsible for installation of all landscaping.

18.44.070—General landscape standards for all properties.

- (a) ~~The following standards shall ensure that landscaping is used to improve the aesthetic quality of a development or site in addition to providing a functional purpose and year-round interest and/or screening.~~
- (b) ~~No landscaped area shall be used for commercial display, storage purposes and/or parking of vehicles.~~
- (c) ~~Weeds or bare dirt are not an allowed ground cover or landscape material either on lot or in the right of way.~~
- (d) ~~Commercial-grade fabric weed barrier with minimum six-inch overlap at seams is recommended in landscape areas that contain rock, gravel, mulch or similar nonliving material.~~
- (e) ~~To ensure adequate drainage and that nearby plants and trees receive adequate water, plastic shall not be placed under rock, gravel, mulch or similar nonliving material.~~
- (f) ~~Where dissimilar materials abut one another, edging shall be installed to separate the materials.~~
- (g) ~~In order to promote efficient irrigation and maintenance measures, berms shall not exceed a slope of three (3) to one (1) and shall be graded to appear as smooth, naturalistic forms.~~
- (h) ~~Landscaping shall be designed to meet the minimum clear vision zone as defined in Subsection 18.44.140(e) of this Chapter.~~
- (i) ~~When applicable, the City's Entryway Master Plan shall be incorporated into landscape plans (refer to the Entryway Master Plan, which can be found in the City's Planning office, for further information).~~
- (j) ~~Location, size and species of landscape material.~~
 - (1) ~~The species, location and spacing of trees and shrubs planted in public rights-of-way and on all sites except for permitted uses in the R-E, R-L, R-M and H-A Zoning Districts shall be subject to approval by the Public~~

Works Director or his or her designee. Trees, shrubs and ground cover installed in public rights of way in the R-E, R-L, R-M and H-A Districts shall be consistent with the provisions contained herein.

- (2) Evergreen trees shall not be located in the public right of way unless prior written approval has been obtained by the Public Works Director or his or her designee.
- (3) Trees and shrubs shall be planted so that at maturity they do not interfere with utility service lines and traffic safety.
- (4) Trees planted near public sidewalks shall be installed in such a manner as to prevent physical damage to sidewalks, curbs, gutters, pedestrian ways, bike paths and other public improvements.
- (5) Adjustments to the number and placement of street trees may be allowed to accommodate existing or proposed utilities, curb cuts, streetlights or traffic control devices.
- (6) When the applicant presents evidence that the placement of trees and/or shrubs as required in this Chapter would not be practical or feasible, a portion of the trees and shrubs may be located in alternative locations on the same lot, subject to approval by the Community Development Director or designee. If required trees cannot be located on lot due to site constraints, the applicant shall pay to the City cash in lieu of the required trees based on a schedule maintained by the Planning Division for the cost of labor and materials.
- (7) In no event shall trees be planted in a landscape area less than six (6) feet in width, nor shall a landscape area be inadequate in size to allow for the installation and healthy growing condition of trees and/or shrubs.
- (8) The first ten (10) feet of landscaping parallel to the street edge shall not include any part of any building or structure, or any paved area except pedestrian sidewalks or paths, or vehicular driveways which may intersect the right of way at a point which is perpendicular to the right of way and which shall be the minimum width necessary to provide vehicular or pedestrian access.
- (9) A protective tree grate, at least three (3) feet in diameter, shall be provided when trees are planted in paved areas such as plazas or sidewalks.
- (10) Low water vegetation selected from the Tree, Shrub and Ground Cover Lists found in Appendix 18-D is encouraged in the design of landscape plans.
- (11) The size of landscape elements and materials shall meet minimum standards and be consistent with the size of the project and any existing streetscape. Minimum plant sizes are as follows:

Table 18.44-4: Minimum Plant Size

<i>Plant Type</i>	<i>Plant Size</i>
Shade trees	2" caliper, measured 1' above ground
Ornamental trees	1½" caliper, measured 1' above ground
Evergreen trees	6' in height
Shrubs	5 gallon
Perennials and ornamental grasses	1 gallon

- (12) Monoculture, or the extensive use of a single species of trees or shrubs, shall be limited to minimize the potential for disease or pests to strike a particular species resulting in significant same species loss and shall be limited to the following:

Table 18.44-5: Maximum Use of Same Species

<i>Number of Trees on Site</i>	<i>Maximum % of Same Species</i>
10—19	50%
20—39	33%

40—59	25%
60 or more	15%

Table 18.44-6: Tree Credit/Debit

<i>Caliper at 4½ Feet Above Ground</i>	<i>Number of Tree Credits/Debits</i>
20+ inches	equal to 4 trees
13—19 inches	equal to 3 trees
8—12 inches	equal to 2 trees
2—7 inches	equal to 1 tree
Less than 2 inches	equal to ½ tree

~~(k) Required landscaping.~~

- ~~(1) At least fifty percent (50%) of any required yard, excluding driveway and walkway to the front door, shall contain live plantings.~~
- ~~(2) At least fifty percent (50%) of any parkway or right of way planting area, excluding driveways and public sidewalks, shall contain live plantings.~~
- ~~(3) All yards not covered by an approved building, driveway, walkway or other permanent structure shall be landscaped.~~
- ~~(4) Areas visible from a public right of way or adjacent property are required to be landscaped in accord with the provisions of this Chapter. Yards not visible from the right of way or adjacent property must be kept free from weeds and shall not be bare dirt.~~
- ~~(5) When there is a change in gross floor area, change of use, significant change in landscaping, change in parking, circulation or drainage, or when there is an increase in noise or lighting, landscaping that does not meet the provisions of this Chapter shall be upgraded according to the Landscape Upgrade Table below.~~

Table 18.44-7: Landscaping Upgrade

<i>Proposed Change</i>	<i>Landscaping Area Upgrade</i>
0—25% change in ground floor GFA*; or change in use with no increased GFA; or change in parking, circulation or drainage	Upgrade existing landscape area by 25% of required landscaping
26—50% change in ground floor GFA	Upgrade existing landscape area by 50% of required landscaping
Over 50% change in ground floor GFA	Upgrade existing landscape area by 100% of required landscaping
Any significant changes, as defined in this Chapter, in front yard, street side yard and/or right of way landscape area	Upgrade front and street side landscape area and/or right of way landscape area by 100% of required landscaping**

~~* For the purposes of this table, outdoor display area shall be treated as gross floor area (GFA).~~

~~** All areas having a significant change must be upgraded to meet the provisions of this Chapter.~~

- ~~(6) The amount of landscaping necessary to satisfy the percentage of upgrade shall be calculated by first determining the total amount of landscaping required under the full provisions of this Code. The upgrade percentage shall then be applied to the total to determine the extent of the required upgrade.~~
- ~~(7) The landscaping upgrades required in the Landscaping Upgrade Table shall be accomplished in the following order of priority, unless otherwise stated herein:
 - a. Right of way landscaping;
 - b. Landscaping in required buffer yards based on Section 18.44.110 of this Chapter;
 - c. Front and street side setback landscaping;
 - d. Landscaping within the interior of parking areas; then
 - e. Other landscaping interior to the site.~~
- ~~(1) Removal and replacement of landscaping.~~
 - ~~(1) Existing healthy trees and shrubs shall be preserved and incorporated into the overall site and landscape design to the maximum extent practicable. Existing trees may be credited toward minimum tree planting requirements as follows:
 - a. Existing healthy trees may be credited toward tree planting requirements of this Section according to the Tree Credit/Debit Table in Table 18.44-6 above. Tree credits shall be given as long as all other provisions and the intent of this Code are met. Fractional caliper measurements shall be attributed to the next lowest category.
 - b. No credit shall be given for existing preserved trees which are:
 - 1. Not located on the actual development site;
 - 2. Not properly protected from damage during the construction process;
 - 3. Prohibited species under the caliper size of thirteen (13) inches measured four and one-half (4½) feet above the ground; or
 - 4. Dead, dying, diseased or infested with harmful insects.~~
 - ~~(2) All trees to be removed from a multi-family (more than four [4] units), institutional, commercial, industrial or mixed-use property, whether on lot or in the right-of-way must be replaced on lot or in the right-of-way, as appropriate, unless otherwise stated in this Chapter. Cash in lieu shall be paid to the City for trees to be removed that cannot be replaced on lot or in the right-of-way due to site constraints or overcrowding of landscaping based on the Tree Credit/Debit Table in Table 18.44-6. Cash in lieu shall be determined by a cost estimate based on a schedule maintained by the Planning Division for labor and materials of trees meeting the minimum size requirements.~~
 - ~~(3) A permit to remove or install any tree, hard surface or other permanent improvement in the public right-of-way shall be obtained from the City prior to the commencement of the removal or installation within the right-of-way.~~
 - ~~(4) No tree located in the public right-of-way shall be removed without prior written approval of the Public Works Director or his or her designee.~~
 - ~~(5) If trees or shrubs are required to be removed by the City due to sight impairment of vehicular traffic or pedestrian circulation, such trees and/or shrubs shall not be replaced with new trees and/or shrubs without written approval from either the Community Development Director or his or her designee if the new tree or shrub would be located in the public right-of-way or if the new tree or shrub would be located on lot.~~
 - ~~(6) Prior to the installation of turf grass and/or other plant materials in areas that have been compacted or disturbed by construction activity, such areas shall be thoroughly loosened, and organic industry accepted, certified weed-free soil amendment (compost) shall be thoroughly incorporated into the soil of such areas at a rate of at least four (4) cubic yards of soil amendment per one thousand (1,000) square feet of turf grass and/or area to be planted to a depth of at least six (6) inches. In addition, prior to installation of any turf grass and/or other planted area, all foreign waste materials, including concrete, plastic, wire and the like,~~

along with rocks larger than three (3) inches, shall be removed from the top six (6) inches of soil. In the case of new development, the developer shall affirm and certify, in writing, that the turf grass and/or planted areas that have been completed or disturbed by construction activity have been installed according to these standards or that legally binding commitments have been made to install such soil amendment prior to installation of such turf grass and/or other plant materials.

~~18.44.080 Storm water detention.~~

- ~~(a) When feasible, storm water detention shall be designed as a part of an integrated plan within the development by incorporating multiple shallow detention areas into landscape areas and open space and by utilizing landscape areas to reduce the amount of runoff entering the detention ponds, rather than having one (1) large, deep detention pond.~~
- ~~(b) Detention areas not dedicated to the City shall be maintained by an owners' association.~~
- ~~(c) Detention ponds shall be designed and constructed to create a natural appearing or decorative feature, and may also include an outdoor recreational amenity, such as a soccer field.~~
- ~~(d) Detention ponds may count toward required open space and/or usable open space as follows:~~
 - ~~(1) Detention areas that are designed as an outdoor recreational amenity for a neighborhood shall count toward usable open space.~~
 - ~~(2) Integrated detention areas intended to count toward the usable open space requirement shall be landscaped with a turf sod or seed mix and plantings to blend in with surrounding landscaped areas, pocket parks or buffer yards.~~
 - ~~(3) Trickle channels or dry riverbeds shall be designed with the intent of appearing natural, using materials such as cobble, river rock or boulders and an underdrain.~~
 - ~~(4) In the case of one (1) or more large detention ponds to be counted as open space, but not necessarily usable open space, other types of sod or seed mix, excluding clump grasses, which will tolerate occasional fluctuating water levels, are permissible.~~
- ~~(e) Turf shall have a permanent form of irrigation.~~
- ~~(f) Low water grasses shall have a temporary, or permanent if determined by the City as necessary, form of irrigation until landscaping is established.~~
- ~~(g) Trees or shrubs shall not be planted in an area that shall have the effect of reducing the volume of the pond below the rated capacity.~~
- ~~(h) The City may accept detention areas on a case by case basis upon successful establishment of landscaping as determined by the Public Works Director or his or her designee.~~

~~18.44.090 Landscape provisions for single and two family residential.~~

~~In addition to other requirements of this Chapter, the following provisions shall apply to single and two-family residential uses and R-MH, R-L, R-M and R-E zoned property.~~

- ~~(1) If not previously installed, all required on lot and right of way landscaping, excluding perimeter treatment, shall be installed in accord with the provisions of this Chapter, within one (1) year of the issuance of the certificate of occupancy, by the home owner.~~
- ~~(2) One (1) acceptable street tree per residential lot street frontage is required. If utilities or other obstacles make placement of a street tree in the right of way not feasible, a shade tree shall be installed in the front yard.~~

~~18.44.100 Landscape provisions for multi-family, institutional, commercial, industrial and mixed use.~~

~~In addition to other requirements of this Chapter, the following provisions shall apply to multi-family, institutional, commercial, industrial and mixed use properties and properties zoned R-H, C-L, C-H, I-L, I-M or I-H.~~

- ~~(1) All required on lot and right of way landscaping shall be installed, prior to the issuance of the certificate of occupancy, by the developer unless otherwise provided in an approved development agreement. For~~

existing properties which require a building permit, all required on lot and right of way landscaping shall be installed by the property owner prior to issuance of a certificate of occupancy or issuance of a sales and use tax license.

(2) — Required plantings:

- a. — ~~The right of way or parkway shall consist of acceptable shade trees planted between the curb and sidewalk, or within ten (10) feet of the back of the sidewalk in the case of an attached sidewalk, at a regular spacing of thirty five (35) feet on center for shade trees and twenty five (25) feet on center for ornamental trees.~~
- b. — ~~Where trees are not already required pursuant to this Chapter, one (1) additional shade or evergreen tree shall be provided for every two thousand (2,000) square feet or fraction thereof of common open space. Two (2) ornamental trees may be substituted for each shade or evergreen tree. Lakes or other water areas may be excluded for purposes of calculating required tree quantities.~~

(3) — Irrigation:

- a. — ~~An irrigation system design shall be submitted as part of any required landscape plan. The irrigation system must meet a minimum distribution uniformity requirement, as set by the Water and Sewer Department, through an irrigation audit performed by the Water and Sewer Department or by a certified irrigation auditor prior to issuance of an occupancy certificate.~~
- b. — ~~Rain sensors shall be installed as part of the irrigation system.~~

18.44.110 — Buffer yard and screening standards.

- (a) — ~~These standards are intended to ensure that land uses of different intensity levels are buffered from one another through landscaping and other types of screening.~~
- (b) — ~~Buffer yards shall be located on site, along the outer perimeter of a lot or parcel, or in an outlot and may be required along all interior property lines for buffering purposes. Buffer yards shall be the minimum required.~~
- (c) — ~~Only those structures used for buffering and/or screening purposes shall be located within a buffer yard. The buffer yard shall not include any paved area, except for pedestrian sidewalks or paths or vehicular access drives which may intersect the buffer yard at a point which is perpendicular to the buffer yard and which shall be the minimum width necessary to provide vehicular or pedestrian access.~~
- (d) — ~~If a newly developing property is adjacent to a vacant or agricultural property of a different zone or in the County, then, as a minimum, standard Buffer Yard Type A shall be required of the newly developing property until the adjacent property is developed, at which time the developer of the adjacent vacant property shall be responsible for providing any remaining portion of required buffer yard, based on the intensity levels of the land uses.~~
- (e) — ~~If a newly developing property is adjacent to a lot that is developed, that portion of the buffer yard which has not previously been provided on the developed lot shall be required of the newly developing property.~~
- (f) — ~~Land uses which are separated by a major collector or arterial street shall not be considered "adjacent" to each other for the purposes of buffer yards.~~
- (g) — ~~Land uses within the same development are not intended to be buffered from one another unless the intensity levels warrant buffering.~~
- (h) — ~~Walls used for buffering purposes shall meet the provisions of Section 18.44.140 below.~~
- (i) — ~~Fences used for buffering purposes shall be solid fences and meet the provisions of Section 18.44.140.~~
- (j) — ~~Buffer yards used as an alternative for building articulation shall be Type C and shall extend the entire length of the wall to be screened.~~
- (k) — ~~In no event shall a buffer yard contain less than one (1) shade tree, one (1) ornamental tree or Type 3 shrub and two (2) Type 1 shrubs.~~
- (l) — ~~In the case of a nonconforming use, the buffering requirements shall be based on the nature of the nonconforming land use, rather than the underlying zoning district.~~

- ~~(m) If City staff determines that the buffer yard requirement would cause crowding of trees or shrubs to the extent of harming the health of the plant material, the Community Development Director may allow a reduction of the buffer yard requirements by relocation of required planting material elsewhere on lot or cash in lieu of the required number of plantings.~~
- ~~(n) Existing plant material.~~
 - ~~(1) The preservation of existing, healthy trees in buffer yards shall be allowed as a substitute for the required plant materials as provided for in the Tree Credit/Debit Table in Section 18.44.070 of this Chapter, unless such trees are considered noxious or interfere with any existing utilities.~~
 - ~~(2) When existing trees are located in only a part of the buffer yard, the number of trees or shrubs required may be reduced in proportion to the percentage of the area of the buffer yard occupied by existing trees.~~
- ~~(o) How to determine the required buffer yard.~~
 - ~~(1) From Table 18.44 8 below, determine whether the proposed use is a "low," "medium," "high" or "very high" intensity.~~
 - ~~(2) From Table 18.44 8, determine the intensity level of the adjacent land uses.~~
 - ~~(3) Determine the required buffer yard type pursuant to Table 18.44 9 below based on the information provided by the Land Use Intensity Table (Table 18.44 8).~~
 - ~~(4) To determine the total number of plants required, divide the linear footage of each side of the property requiring a buffer by one hundred (100). Dimensions less than or greater than one hundred (100) linear feet shall be required to provide plants based on a proportionate linear footage amount. When the number of plants required on the Buffer Yard Types Table results in a fractional amount, the fractional amount shall be rounded up to the nearest whole number. The plants required in a buffer yard shall be distributed along the length of the buffer. Groupings of plants are encouraged.~~
 - ~~(5) The Base Standard in Table 18.44 10 below describes the standard buffer yard required for each type of buffer. The minimum required width is that width which has a plant multiplier of 1.00. The width of a buffer yard may vary, based upon the Buffer Yard Types Table, and the plant materials required in such a buffer shall be adjusted based on the width and related plant multiplier. For example, the base standard for Buffer Yard Type A is a fifteen foot wide buffer containing one (1) shade tree, one (1) ornamental tree or large shrub and five (5) shrubs per one hundred (100) linear feet. The addition of a six foot masonry wall will allow reduction of the required amount of plant materials by fifty percent (50%). The addition of a three foot berm or six foot fence will allow reduction of the required plant materials by twenty five percent (25%). Other options not listed on the Buffer Yard Types Table, such as the combination of a berm and a wall, may be evaluated by the Community Development Director as an equivalent design to those provided in the Buffer Yard Types Table.~~
- ~~(p) Land use intensity categories.~~
 - ~~(1) If the particular land use is listed in Table 18.44 8 below, use the intensity category for that use.~~
 - ~~(2) If the use is not listed in the Land Use Intensity Table, use the zoning district which most closely relates to that particular land use to determine the intensity category.~~
 - ~~(3) For multi-use developments on a single lot, the intensity category for the use nearest a property line shall determine the buffering requirements for that yard.~~
 - ~~(4) For mixed use structures, that use which is of the higher intensity shall be used to determine the buffer yard type where that use is adjacent to a different use.~~
 - ~~(5) The intensity category for land uses in PUDs shall be evaluated based on the use which is most similar.~~
 - ~~(6) If the height of the proposed building on a newly developing or redeveloping property exceeds the allowable height in the subject zoning district through the use of a performance option or variance, the buffer yard shall be increased to the next highest buffer yard level.~~

Table 18.44-8: Land Use Intensity

<i>Land Use or Zoning District</i>	<i>Intensity Category</i>
Single family, two family, townhouse dwellings, vacant property, open space, pocket parks, bed & breakfasts	Low—residential and institutional
Multi family dwellings, boarding and rooming houses, mobile home communities, libraries, museums, public or quasi public buildings, dormitories, fraternities, sororities, group quarters, SROs, cemeteries, columbariums, churches, emergency shelters, missions, schools	Medium—residential and institutional
Hospitals, regional and community parks, adult schools	High—institutional
Correctional facilities, gravel and mineral extraction	Very High—institutional
C L District: permitted uses	Low—commercial
C L District: design review uses	Medium—commercial
C L District: use by special review uses	Medium—commercial
C H District: permitted uses; design review uses	Medium—commercial
C H District: use by special review uses	High—commercial
I L District: permitted uses; design review uses	High—industrial
I L District: use by special review uses	Very High—industrial
I M District: permitted uses; design review uses	High—industrial
I M District: use by special review uses	Very High—industrial
I H District: permitted uses; design review uses	High—industrial
I H District: use by special review uses	Very High—industrial

Table 18.44-9: Required Buffer Yards

	<i>Low—Residential & Institutional</i>	<i>Medium—Residential & Institutional</i>	<i>High—Institutional</i>	<i>Very High - Institutional</i>	<i>Low—Commercial</i>	<i>Medium—Commercial</i>	<i>High—Commercial & Industrial</i>	<i>Very High—Industrial</i>
<i>Low—Residential & Institutional</i>	None	A	C	D	B	C	D	E

<i>Medium-Residential & Institutional</i>	A	None	C	D	B	C	D	E
<i>High-Institutional</i>	D	C	None	B	D	C	B	B
<i>Very High - Institutional</i>	E	D	B	None	D	C	B	B
<i>Low-Commercial</i>	B	B	B	D	None	B	C	D
<i>Medium-Commercial</i>	C	C	C	C	B	None	B	C
<i>High-Commercial & Industrial</i>	D	D	B	B	B	B	None	C
<i>Very High - Industrial</i>	E	E	B	B	C	C	B	None

Table 18.44-10: Buffer Yard Types

<i>Type – Base Standard (plants per 100 linear feet)</i>	<i>Width Option*</i>	<i>Plant Multiplier**</i>	<i>Wall Option (6')</i>	<i>Fence Option (6') or Berm Option (3')</i>
Buffer Yard A: 1 shade tree 1 ornamental tree or Type 3 shrub 5 Type 1 shrubs	10' = 15' = 20' = 25' =	1.25 1.00 0.90 0.80	0.5	0.75
Buffer Yard B: 2 shade trees 2 ornamental trees or Type 3 shrubs 1 evergreen tree 5 Type 2 shrubs	10' = 15' = 20' = 25' = 30' =	1.25 1.00 0.90 0.80 0.70	0.5	0.75
Buffer Yard C: 3 shade trees 2 ornamental trees or Type 3 shrubs 3 evergreen trees 6 Type 2 shrubs 9 Type 1 shrubs	15' = 20' = 25' = 30' = 35' = 40' =	1.25 1.00 0.90 0.80 0.70 0.60	0.65	0.8
Buffer Yard D: 4 shade trees 4 ornamental trees or Type 3 shrubs 3 evergreen trees 25 Type 3 shrubs	20' = 25' = 30' = 35' = 40' = 45' =	1.25 1.00 0.90 0.80 0.70 0.60	0.75	0.85

Buffer Yard E:	25' =	1.25		
5 shade trees	30' =	1.00		
6 ornamental trees or Type 3 shrubs	35' =	0.90		
4 evergreen trees	40' =	0.80	0.75	0.85
30 Type 3 shrubs	45' =	0.70		
	50' =	0.60		

Shrubs: Type 1: 1'—4' tall at maturity; Type 2: 4'—8' tall at maturity; Type 3: over 8' tall at maturity

* BASE STANDARD for each type of buffer yard is that width which has a plant multiplier of 1.00.

** Plant multipliers are used to increase or decrease the amount of required plants based on providing a buffer yard of reduced or greater width, or by the addition of a wall, berm or fence. Fencing used for buffer yard purposes shall be at least 75% solid. Refer to Appendix 18-I for buffer yard illustrations.

Figure 18.44 2: Example Buffer Yard

18.44.120—Parking lot landscaping standards.

- (a) ~~The following provisions shall apply to all parking lots containing at least six (6) parking spaces.~~
- (b) ~~Landscaped areas within parking lot interiors shall be located in such a manner as to divide and break up the expanse of paving.~~
- (c) ~~Landscape areas shall be protected from vehicular encroachment by the use of curbing. In the event it is not feasible to place curbing in front of vehicle parking, wheel stops shall be placed to prevent damage to any planting areas by vehicular overhang and to create an edge for the parking area.~~
- (d) ~~Shrubs and hedges shall be planted so as not to interfere with adjacent sidewalks.~~
- (e) ~~Parking lot screening.~~
 - (1) ~~Parking lots shall be screened from view from adjacent properties and rights of way.~~
 - (2) ~~Parking lot screening shall be at least three (3) feet high and provide at least sixty percent (60%) opacity year round for at least seventy five percent (75%) of the frontage.~~
 - (3) ~~Parking lot screening shall be located in an area at least ten (10) feet wide, except as provided for through an approved administrative variance.~~
 - (4) ~~Screening shall consist of landscape plantings, berming, fencing, walls or a combination thereof and shall be subject to meeting all clear vision provisions of Subsection 18.44.140(c) below.~~

Figure 18.44 3: Screening to 60% Opacity

- (f) ~~Landscape islands and medians.~~
 - (1) ~~Parking rows shall contain either a landscape island on each end of the row or a median between adjacent rows or a combination of both.~~
 - (2) ~~There shall be no more than fifteen (15) parking spaces in a continuous row on one (1) side without being broken by a landscape island. The Community Development Director may waive this requirement and permit a maximum number of twenty (20) continuous spaces if the alternative parking lot design facilitates the flow of traffic, takes into consideration the lot configuration and otherwise meets the intent of these standards.~~
 - (3) ~~Landscaped medians which have parking on both sides are permitted as an alternative to individual landscape islands. Pedestrian pathways across landscaped medians are required.~~
 - (4) ~~The minimum inside curb to inside curb dimensions of a landscape island shall be six (6) feet in width and nineteen (19) feet in length, or equal to the length of a parking stall if other than a standard stall dimension is used.~~

- (5) ~~The minimum inside curb to inside curb dimension of the width of a landscape median shall be six (6) feet without a sidewalk. Additional width shall be added to accommodate any sidewalk within the median so that planting areas are at least six (6) feet wide.~~
- (6) ~~Landscape islands shall contain a minimum of one (1) shade or ornamental tree per parking row, shrubs and living ground cover with a mature height of three (3) feet or less. Rock and mulch may be placed around the live plantings but shall not exceed fifty percent (50%) of the landscape island.~~
- (7) ~~Landscape medians shall contain a minimum of one (1) shade or ornamental tree per three (3) parking spaces, shrubs and living ground cover with a mature height of three (3) feet or less. Rock and mulch may be placed around the live plantings but shall not exceed fifty percent (50%) of the landscape median.~~
- (8) ~~Pedestrian pathways are required across all landscape islands and medians.~~

Figure 18.44 4: Parking Lot Islands (top) and Medians (bottom)

(g) ~~Additional parking lot landscaping.~~

- (1) ~~For every one thousand six hundred (1,600) square feet of parking area and access drives, one (1) two-inch caliper shade tree, or the equivalent from the following chart, shall be provided in and around the parking area. For example, a four thousand square foot parking area may use one (1) three-inch caliper shade tree. Alternatives may be made using two (2) two and one half inch caliper shade trees, three (3) two-inch caliper shade trees or three (3) one and one half inch caliper ornamental trees. Equivalents or substitutions that result in a fractional number shall be counted as one (1) additional tree.~~
- (2) ~~For the purposes of computing the total area of the interior of any parking lot, all areas within the perimeter of the parking lot shall be counted, including planting islands, curbed areas, corner areas, parking spaces and all interior driveways and aisles except those with no parking spaces located on either side. Landscaped areas situated outside of the parking lot may be counted toward meeting the interior landscaping requirement if such areas provide shade in the parking lot and if approved by the City.~~

Table 18.44 11: Tree Equivalents for Parking Areas

<i>Tree Equivalents for Parking Areas</i>	
2" caliper shade tree	1,600 square feet of parking area
2½" caliper shade tree	2,500 square feet of parking area
3" caliper shade tree	4,000 square feet of parking area
1½" caliper ornamental tree	1,400 square feet of parking area
6' evergreen tree	50% of required 2" caliper trees

18.44.130 ~~Perimeter treatment.~~

- (a) ~~Perimeter treatment shall be provided for all new development.~~
- (b) ~~A perimeter treatment plan shall be submitted for approval for all new developments, except for individual single family or two-family dwellings which are not being approved as part of a subdivision application.~~
- (c) ~~Landscaping is a required perimeter treatment element. Fencing, berms or walls may also be incorporated as a perimeter treatment element.~~
- (d) ~~Perimeter treatment plantings and elements shall be located between the roadway and property line as part of the streetscape, or in an outlot if more than one (1) lot or building envelope is being developed, owned and maintained by an owners' association (see Figure 18.44 5 below).~~

Figure 18.44 5: Perimeter Treatment for Residential and Institutional Next to Major Collector or Arterial Roadway

- ~~(e) The design of a perimeter treatment plan shall give consideration to any existing perimeter treatments adjacent to the subject property and provide a design that ties in or is compatible with existing perimeter treatments.~~
- ~~(f) Perimeter treatment plans for community entryways, as identified in the City's Entryway Master Plan, shall be designed to meet the established major collector or arterial entryway standards.~~
- ~~(g) Perimeter treatment shall be maintained in perpetuity by an owners' association.~~
- ~~(h) Required perimeter treatment shall be installed concurrent with other site infrastructure improvements, as per Section 18.04.1195, prior to building permit issuance. Fences and walls included as part of a perimeter treatment shall meet the provisions of Subsection (j) below.~~
- ~~(i) Perimeter treatment areas shall contain the following plantings or an acceptable mix of trees and shrubs that provide comparable screening as determined by staff.~~
 - ~~(1) Residential and institutional uses adjacent to major collector or arterial streets shall include the following plantings for every one hundred (100) linear feet as part of the perimeter treatment (not including street trees):~~
 - ~~a. One (1) shade or ornamental tree;~~
 - ~~b. One (1) evergreen tree; and~~
 - ~~c. Three (3) large shrubs (at least eight [8] feet tall at maturity) and four (4) medium shrubs (four [4] to eight [8] feet at maturity) or twelve (12) small shrubs (less than four [4] feet at maturity), or any combination of shrubs that provides an equivalent amount of screening.~~
 - ~~(2) Residential and institutional uses adjacent to highways, freeways or expressways shall include the following plantings for every one hundred (100) linear feet as part of the perimeter treatment:~~
 - ~~a. Three (3) shade trees;~~
 - ~~b. Two (2) ornamental trees;~~
 - ~~c. Two (2) evergreen trees; and~~
 - ~~d. Eight (8) large shrubs (at least eight [8] feet tall at maturity) or twelve (12) medium shrubs (four [4] to eight [8] feet tall at maturity).~~

Figure 18.44 6: Perimeter Treatment for Residential and Institutional Next to Highway, Freeway or Expressway

- ~~(3) Commercial or industrial uses adjacent to major collector or arterial streets shall include the following plantings for every one hundred (100) feet as part of the perimeter treatment (not including street trees):~~
 - ~~a. Five (5) medium shrubs (four [4] to eight [8] feet tall at maturity); and~~
 - ~~b. Ten (10) small shrubs (less than four [4] feet tall at maturity).~~

Figure 18.44 7: Perimeter Treatment for Commercial and Industrial Next to Major Collector or Arterial Roadway

- ~~(4) Commercial or industrial uses adjacent to highways, freeways or expressways shall include the following plantings for every one hundred (100) feet as part of the perimeter treatment:~~
 - ~~a. Three (3) shade trees;~~
 - ~~b. One (1) evergreen tree; and~~
 - ~~c. Three (3) large shrubs (at least eight [8] feet tall at maturity) and five (5) medium shrubs (four [4] to eight [8] feet tall at maturity).~~
- ~~(j) Fencing and walls as a part of perimeter treatment.~~
 - ~~(1) A single fence or wall design used in perimeter treatment plans shall not be continued longer than fifty (50) feet without variation or creating the appearance of variation by using changes in height, different~~

~~(2) Where posts or columns are used to create variation, they shall protrude a minimum of six (6) inches from the adjacent plane of the fence along the street side, and a maximum of one (1) foot above the adjacent fence, such columns not to exceed seven (7) feet in height. When fences are articulated, landscaped areas on the street side of the fence shall be contained in an outlot and maintained by the owners' association.~~

~~18.44.150 Boulevard median standards.~~

- ~~(1) Unless utilities prevent otherwise, shade trees shall be planted at a regular spacing of thirty five (35) feet on center. Ornamental trees may be substituted based on the rates provided in the Tree Credit/Debit Table in Section 18.44.070 of this Chapter.~~
- ~~(2) Evergreen trees are permitted as long as the median is of sufficient width to prevent the mature evergreen trees from overhanging the median.~~
- ~~(3) Xeric plants, decorative rocks and boulders, perennials, ornamental grasses and shrubs may be added to the median design but shall not substitute for any shade trees, unless utilities prevent trees from being planted in the median.~~
- ~~(4) Unless otherwise approved in writing by the Public Works Director or his or her designee, tree species shall be selected from the Tree, Shrub and Ground Cover Lists found in Appendix 18-D to this Title.~~
- ~~(5) The location of all trees, shrubs and other material shall meet the City's Clear Vision Standards provided in Section 18.44.140 above.~~
- ~~(6) The developer shall be responsible for installing the median and irrigation and providing a perpetual maintenance mechanism for the median.~~

~~Figure 18.44 10: Example of Boulevard Median Landscaping~~

~~Appendix 18 D Tree, Shrub, and Ground Cover Lists~~

~~*Key: M = Moist Ad = Adaptable D = Dry A = Acceptable NA = Not Acceptable~~

[illegible]

<i>CRATAEGUS crusgalli</i> / Cockspur Hawthorn												
<i>CRATAEGUS crusgalli inermis</i> / Thornless Cockspur Hawthorn												
<i>CRATAEGUS mollis</i> / Downy Hawthorn												
<i>CRATAEGUS phaenopyrum</i> / Washington Hawthorn												
<i>KOELREUTERIA paniculata</i> / Golden Rain Tree												
<i>MALUS species</i> / Crabapple (varieties resistant to fire blight: Dolgo Royalty, Radiant, etc.)												
<i>MORUS alba</i> / Chapparral (fruitless variety)												
<i>POPULUS tremuloides</i> / Aspen												
<i>PRUNUS maaackii</i> / Amur Chokecherry												
<i>PRUNUS padus</i> / Mayday Tree												
<i>PRUNUS virginiana</i> / Shubert or Canada Red Chokecherry												
<i>PYRUS calleryana</i> / Bradford, Aristocrat, Redspire Pear												
<i>QUERCUS gambelii</i> / Gambel Oak												
<i>SOPHORA japonica</i> / Japanese Pagoda Tree												
<i>SYRINGA</i> / Japanese Tree Lilac												
<i>TILIA cordata</i> / Littleleaf Linden Greenspire												

EVERGREEN TREES

*Key: M = Moist Ad = Adaptable D = Dry A = Acceptable NA = Not Acceptable

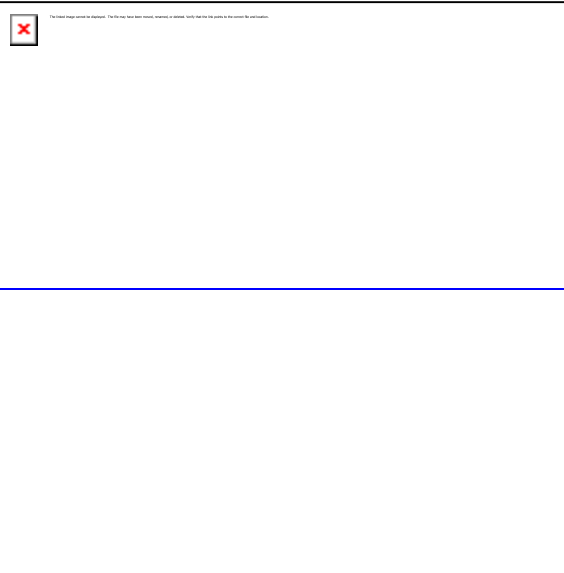
Plant Name	Height			Width			Water*			Street Tree*	
	10'–20'	20'–40'	40'–60'+	6'–15'	15'–30'	30'–40'	M	Ad	D	A	NA

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Plant Name	Height			Width			Water	
	1' - 4'	4' - 8'	8' - 12'+	1' - 4'	4' - 8'	8' - 12'+	Moist	Dry
ACER glabrum 'Compacta' / Dwarf Acer Maple								
ACER glabrum 'Rocky Mountain Magic'								
AMELANCHIER / Serviceberry (various)								
AMORPHICA / mulberry, False Indigo								
ARONIA / chokeberry varieties								
ARTEMISIA / Sage varieties								
BIBBERIS / thorned gaultheria varieties								
CARAGANA arbuscula / Peashrub varieties								
CARYOPHYLLUS / dianthus / Thymus / Spirea								
CEROCARPUS / lonicera / Little Leaf Mountain Mahogany								
CEROCARPUS latifolius / Currant Mountain Mahogany								
CEROCARPUS monticola / Mahogany								
CHRYSOETHAMNUS / Rabbitbrush								
CORDUS sericea / Dogwood varieties								
CORDUS alba / Variegated Dogwood								
COTONASTER spinosa / Crabapple Cotoneaster								
COTONASTER divaricata / Spreading Cotoneaster								

~~DECIDUOUS SHRUBS~~

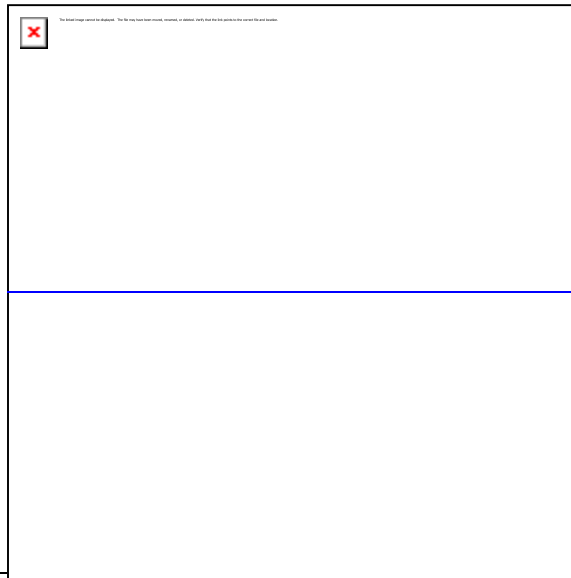
Plant Name	Height		Width		Water	
	1' - 4'	4' - 8'	8' - 12'+	1' - 4'	4' - 8'	8' - 12'+ Moist Adaptable
COTONEASTER lucida/Peking Cotoncaster						Dry
EUONYMUS alatus/Burning Bush						
EUONYMUS alatus 'Compacta'/Dwarf Burning Bush						
FALLUGIA paradoxa/Apache Flame						
FORSYTHIA/Forsythia varieties						
HIBISCUS syriacus/Althea/Rose of Sharon						
HIPPOPHAE rhamnoides/Sea Buckthorn						
HYDRANGEA paniculata/ PeeGee Hydrangea						
KOLKWITHIA amabilis/Beauty Bush						
LIGUSTRUM vulgare/Privet varieties						
LONICERA/Honeysuckle varieties						
MAHONIA aquifolium/Oregon Grape Holly						
PEROVSKIA stipulifolia/Russian Sage						
PHILADELPHUS/Mockorange varieties						
PHYSCARPUS sp./Ninebark varieties						
POTENTILLA fruticosa/Potentilla varieties						
PRUNUS americana/American Plum						
PRUNUS besseyi/Western Sand Cherry						
PRUNUS cistena/Purpleleaf Plum						
PURSHIA tridentata/Bitter Antelopebrush						



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DECIDUOUS SHRUBS

[illegible]



~~EVERGREEN SHRUBS~~

[illegible]

Section 3. The Greeley Municipal Code shall be amended to add a new Chapter 18.44, Landscaping, Irrigation, Buffers and Screening Standards.

Chapter 18.44
Landscaping, Irrigation, Buffers and Screening Standards

18.44.010 - Purpose and intent

- (a) As the City of Greeley's local population grows and density increases, the City must protect a natural sense of place and character through the preservation, protection, and enhancement of the existing natural and planted landscapes, as well as uphold Greeley's agricultural tradition and "Tree City USA" designation that holistically furthers the goals of the [Comprehensive Plan](#).
- (b) Aesthetics and walkability. These standards enhance the aesthetic condition of Greeley's communities, along its thoroughfares and in its public spaces by:
 - (1) Using landscape material to define the hierarchy of roadways visually and to provide shade;
 - (2) Coordinating the public frontage with the private frontage;
 - (3) Preserving and protecting the aesthetic qualities that contribute to Greeley's unique character and the economy that such qualities attract;
 - (4) Providing visual screening, where appropriate; and
 - (5) Reducing visual pollution from the built environment and increasing separation between incompatible uses.
- (c) Health and safety. These standards enhance the health, safety, welfare, and quality of life in Greeley's communities, along its thoroughfares, and in its public and private spaces by promoting the installation of trees and landscaping to:
 - (1) Improve air quality;
 - (2) Provide seasonal shade and temperature regulation to moderate the urban heat island effect;
 - (3) Limit glare created by exterior lighting; and
 - (4) Provide a partial barrier between sidewalks and vehicular lanes.
- (d) Environment and energy. These standards promote ecological benefits at the regional, community, and lot level by:
 - (1) Conserving energy and other limited resources used in buildings through strategic shading and windbreaks;
 - (2) Intercepting precipitation to reduce stormwater runoff and its associated costs;
 - (3) Preserving and protecting sensitive natural land or features, open areas, wildlife habitat, and waterways;
 - (4) Mitigating erosion and sedimentation, which negatively impact streams and rivers; and
 - (5) Restoring soils and surrounding land disrupted as a result of construction or grading.
- (e) Water Efficiency. These standards uphold [Greeley's Landscape Policy Plan for Water Efficiency](#), promoting responsible stewardship of Greeley's limited water resources for the benefit of present and future generations by:
 - (1) Conserving water through water-smart landscape design which utilizes water-efficient and drought-tolerant principles;
 - (2) Encouraging efficient irrigation practices and the use of native and climate-adapted plants;
 - (3) Reducing high water-use turf and omitting it from impractical areas such as steep slopes and narrow landscaped strips of land; and
 - (4) Amending soil pursuant to the Greeley's Landscape Policy for Water Efficiency.

18.44.020 - Applicability of landscaping standards

- (a) For the purposes of this Chapter, all development, except single-family and two-family dwellings, shall be classified as either minor or major development, based on the following Table 18.44-1:

Table 18.44-1 – Minor and Major Development

<u>Minor Development</u>			<u>Major Development</u>		
<u>≥ 5 % to < 25% increase in gross floor area of an existing structure.</u>	<u>OR</u>	<u>≥ 5 % to < 25% increase in existing impervious area on an existing lot or parcel.</u>	<u>≥ 25 % increase in gross floor area of an existing structure.</u>	<u>OR</u>	<u>≥ 25 % increase in existing impervious area on an existing lot or parcel.</u>
<u>No landscape improvements are required if there is less than a 5% increase in the gross floor area of an existing structure or less than a 5% increase in the impervious area on an existing lot or parcel.</u>					

- (b) Alternative compliance. In conjunction with a land-use development application, the City may waive one (1) or more of the provisions contained herein, if the applicant or developer proposes modifications and alternatives to the required landscape design and materials, which are equal or greater in design to what is being proposed and meets the purpose and intent of this Chapter.
- (c) Exemptions. The landscaping requirements of this Chapter shall not apply to the following:
- (1) A change of use for existing structures or sites that do not qualify or meet the threshold for major or minor development, as defined in Table 18.44-1 above.
 - (2) An increase of less than 5% of the gross floor area of an existing structure or an increase of less than 5% of an impervious area on an existing lot or parcel.
 - (3) Interior or exterior rehabilitation or remodeling of an existing building or structure that does not involve an increase in the GFA.
 - (4) A property located within the General Improvement District (GID) pursuant to Section 18.34.220.
 - (5) A property located within the Redevelopment District on a case-by-case basis and approved by the Community Development Director or Designee.

18.44.030 – Definitions.

American National Standards Institute (ANSI) shall mean the standards by said organization that helps development in the U.S. have an equitable and open process that serves industry and the public good, having a consensus in standards development; ANSI's essential requirements.

Architectural landscape design shall mean the design of outdoor areas, landmarks, and structures to achieve environmental, social-behavioral, or aesthetic outcomes. It involves the systematic design and general engineering of various structures for construction and human use, using existing social, ecological, and soil conditions and processes in the landscape to produce desired landscaping.

Artificial turf shall mean any of the various synthetic fibers made to resemble natural grass.

Berm shall have the same meaning as Earthen Berm.

Bioretention facility shall mean a landscaped stormwater element designed to concentrate or remove debris and pollution from surface water runoff by moving water slowly and horizontally at the surface

through vegetation using gently sloped sides that cleanse water from pollutants and soil erosion before it enters the City's stormwater system.

Bioswale shall mean a channeled depression or trench that receives rainwater runoff (as from a parking lot) and has vegetation (such as grasses, flowering herbs, and shrubs) and organic matter (such as mulch) to slow water infiltration and filter out pollutants.

Buffer shall mean to promote separation and enhance compatibility between land uses of different intensities.

Buffer yard shall mean that area intended to provide buffering between land uses of different intensities through the use of setbacks, landscaping, earthen berms, solid fences, walls, applicable bioretention facilities, or a combination thereof. Unlike a perimeter treatment, a buffer yard is located on the rear yard or interior side yard of a lot and is not adjacent to streets or alleyways.

Caliper shall mean the diameter or circumference of a tree.

Certificate of Occupancy (C.O.) shall mean a written certificate provided by the City signifying the subject building/structure (property) has complied with City standards allowing for use and occupancy.

Change of use shall mean a use that differs from the previous use of a building or land and which may affect such things as parking, drainage, circulation, landscaping, building configuration, noise, or lighting. A change of ownership that does not include any of the factors listed above shall not be considered a change of use.

Clear vision zone or area shall mean that area in which the City requires maintenance to preserve the sight distance and safety of motorists, pedestrians, and bicyclists by requiring an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian, or bicyclist to avoid a collision.

Decision point distance shall mean where the clear vision sight distance triangle begins.

Diameter shall mean the size of an existing tree as measured through the tree trunk at 6-inches above ground level from the uppermost root flare.

Earthen berm shall mean a landscaped mound of earth, higher than a grade, used for screening or buffering, defining space, attenuating noise, or landscaping an area.

Foundation plantings shall mean live plantings located immediately around the foundation of a building façade that reflects the structure's formal geometry.

Ground cover shall mean those materials that typically do not exceed one (1) foot in height used to provide a cover of the soil in landscaped areas, which may include a combination of, but not limited to include river rock, cobble, boulders, concrete pavers, grasses, flowers, low-growing shrubs, and vines, or other materials derived from once-living things, such as wood mulch. In no event shall weeds be considered ground cover.

Impervious shall mean any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, paved parking and driveway areas, compacted areas, sidewalks, and paved recreation areas.

Irrigation system shall mean an underground, automatic sprinkler system or above-ground drip irrigation system explicitly designed for watering vegetation.

Landscape plan shall mean a scaled graphic plan showing the treatment of all open space areas, parking lots, parking areas, areas adjacent to the public right-of-way, perimeter treatment, and other landscaped areas.

Landscaping shall mean any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to fountains, reflecting pools, screening walls, solid fences, and benches.

Lawn shall mean a stretch of open, turf-grass covered land; artificial turf shall not be considered lawn or turf-grass.

Living fence shall mean a permanent hedge tight enough and strong enough to serve almost any of the functions of a manufactured fence, but it offers agricultural and biological services.

Maintenance of landscaping shall mean, as it pertains to this Chapter, but not be limited to regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, removing and replacing dead plants, and the repair and replacement of irrigation systems.

Mulch shall mean a natural planting material such as pine straw, coconut fiber, ground pine post peeling, or tree bark used to control weed growth, reduce soil erosion and water loss.

Native grass shall mean a native Colorado grass.

Non-deciduous shall mean shrubs or trees, also called evergreens, that keep their foliage year-round.

Open space, required, shall mean that portion or percentage defined by the zoning standards of a lot required to be open and unobstructed. The area must not be covered by any structure or impervious surfaces, such as sidewalks or driveways, except for required amenities and identity features, if amenities and identity features are required pursuant to subdivision and multi-family standards.

Open space, usable shall mean that portion of a lot or site excluding the required front yard area, which is not covered by any building and is available to all occupants of the building or site for recreational and other leisure activities that are usually and customarily carried on outdoors. The area shall be unobstructed to the sky and shall have a minimum dimension of fifty (50) feet and a minimum area of six thousand (6,000) square feet. Usable open space may also include outdoor patios and plazas, and recreational facilities, as determined in Chapter 18.38. Usable open space shall not include the required setback area from oil and gas facilities, rights-of-way, platted or built trails or sidewalks, parking lots, or occupied buildings.

Ornamental tree shall mean a deciduous tree planted primarily for its ornamental value or for screening, which is typically smaller than a shade tree from approximately fifteen (15) to twenty-five (25) feet in height.

Outlot shall mean a tract of land platted in a subdivision for a specific purpose, which shall be shown on the face of the plat. Specific purposes may include but are not limited to drainage areas, stormwater detention or retention areas, parks, open space, future development, or land areas reserved for other public facilities.

Parking bay shall mean a group of parking stalls or vehicle parking spaces to accommodate fifteen (15) or more vehicles.

Parkway shall mean the strip of land typically located between the sidewalk and the curb, also referred to as a tree lawn.

Passive recreation area shall mean an undeveloped space or an environmentally sensitive area that requires minimal maintenance. Entities such as the City's Culture, Parks, and Recreation Department may maintain passive recreation areas for the health and well-being of the public and the preservation of wildlife and the environment. The quality of the environment and the "naturalness" of an area is the focus of the recreational experience in a passive recreation area.

Perennials shall mean non-woody plants, which may die back to the ground each year but continue to grow on an annual basis. Perennials shall also include cold weather bulbs and tubers, and ornamental grasses that grow each year and shall count toward ground cover requirements.

Perimeter treatment shall mean improvements, such as landscaping and fencing, intended to provide visual and noise protection for the outer edges of developments that border arterial or major collector streets. Perimeter treatment is typically established at the time of new subdivision development.

Perimeter treatment plan shall mean a design for the installation and perpetual maintenance of improvements intended to provide visual and noise protection for the outer edges of developments, which border arterial or major collector streets. Perimeter treatment also provides an attractive and varied streetscape for people traveling along thoroughfares. Perimeter treatment is generally located on the fringes of a lot facing public rights-of-way, unlike a buffer yard that screens against directly adjacent uses

Permeable shall mean a material that allows liquids or gases to pass through it.

Pervious shall mean a surface that allows water to pass through; a surface that presents an opportunity for precipitation to infiltrate into the ground

Planting median shall mean an area in the approximate center of a city street, road, or state highway that is used to separate the directional flow of traffic or the center of two parking bays that provide vegetation and pedestrian accessibility to the principal building structure by way of a paved sidewalk.

Pollinator Gardens shall mean gardens designed for the purpose of providing habitat for or attracting bees, butterflies, moths, hummingbirds, or other beneficial creatures that transfer pollen from flower to flower, or in some cases, within flowers.

Rain garden shall mean a soil-absorption or filter system designed to be depression storage or a planted hole that allows water filtration and absorption of rainwater runoff from impervious urban areas, such as roofs and driveways, walkways, parking lots, and turf-grass or sod areas. It is a type of bioretention facility designed to provide stormwater infrastructure improvements with vegetation. Typically shallow vegetative depressions with gentle slide slopes designed as individual stormwater receiving areas or linked to conveyance systems. Soils may or may not be amended in these facilities.

Required landscaping area shall mean the area of required open space, according to the zoning district provisions in which the property is located, that is not allowed to be covered by buildings, paving, heavily compacted surfaces, or other impervious.

Right-of-way landscaping shall mean landscaping located within the public or private rights-of-way adjacent to a privately owned lot, outlot, or tract, including parkways.

Screening shall mean a method of reducing the impact of visual and/or noise intrusions through the use of plant materials, earthen berms, solid fences and/or walls, or any combination thereof, intended to block that which is unsightly or offensive with a more harmonious element.

Shade tree shall mean a woody plant, usually deciduous, that generally grows with one main trunk and has a canopy that screens and filters the sun in the summer and winter, respectively.

Single-family Dwelling shall mean a building or a portion of a building consisting of one or more rooms including living, sleeping, eating, cooking, and sanitation facilities arranged and designed as permanent living quarters for one family or household; may be attached to one or more than other dwelling units by one or more vertical walls and may have no more than one dwelling unit on any one lot. Whether within a lot, outlot, or tract within a public right-of-way, surfaces shall not include storage or outdoor display in any legally established area.

Site plan shall mean a plan set of drawings that property owner, builder, or contractor uses to make improvements to a property through graphic representation, whether computer-generated or hand-drawn.

of the arrangement of buildings, parking, drives, landscaping, and any other structure that is part of a development project.

Sod shall mean the grass and the part of the soil beneath it held together by its roots or another piece of thin material typically used as a lawn.

Soil amendments are elements added to the soil, such as compost, natural fertilizer, manure, or chemical fertilizer, to improve its capacity to support plant life.

Solid fence shall mean a fence that is opaque and made with solid wood, composite, vinyl, or masonry.

Stamped (Sealed/Signed) documents shall mean technical drawings or documents prepared under and authorized by a licensed professional for City reviews and permitting legal records verifying authority, professional liability, and qualifications to practice.

Streetscaping or streetscape shall mean, as it pertains to this Chapter, the rehabilitation, preservation, and beautification of those exterior elements of a designated property visible from a street, including elements and landscaping within a front or street-side setback and/or the public right-of-way.

Street tree shall mean a tree planted in close proximity to a street to provide canopy shade over the street and soften the street environment.

Tree shall mean a large woody plant with one (1) or several self-supporting stems or trunks and numerous branches and may be deciduous or evergreen.

Tree lawn shall have the same meaning as the Parkway.

Turf-grass shall mean a blend or mix of grasses most tolerant to the Colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn in urbanized areas. Artificial turf shall not be considered lawn or turf-grass.

Two-Family Dwelling shall mean a house with two families or a building connected by a common wall or parcel where there are two units. For example, a duplex is a two-family dwelling.

Universal design shall mean the design of buildings, products, or environments, to make them accessible to all people, regardless of age, disability, or other factors. The term "universal design" was coined by the architect Ronald Mace to describe the concept of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of their age, ability, or status in life.

Urban heat island shall mean an urban area that is significantly warmer than its surrounding rural areas due to land surface modifications such as development and other human activities. The temperature difference is usually more significant at night than during the day.

Utility line clearance zones shall mean the minimum clearance horizontal or vertical standard determined by the utility holder. Obstructions and encroachments are prohibited.

Weed shall mean any plant not typically propagated by the horticultural trades and not typically installed for landscaping purposes or that presents a particularly noxious allergenic or growth characteristic. A seed does not include native and naturalized plants, other than designated noxious weeds, grown in areas managed primarily for ecological services.

Xeric landscaping or Xeriscape was coined by Denver Water in 1981 to help make water-efficient landscaping an easily recognized concept. Xeriscape is a combination of the word "landscape" and the Greek word "xeros," which means dry. For the purposes of defining it in this Chapter of the Code, it shall mean the use of low-water or very low-water plants in place of plants that typically require more water to survive and include, but are not limited to, plants having a low or very low water requirement. Xeric landscaping does not mean the same as hardscaping or the use of rocks or rock mulch.

Yard shall mean that area of a lot between the property line and the foundation of a building, structure, or use.

Yard, front shall mean that portion of a lot between the front façade of a primary structure and the right-of-way. A yard may contain more land area than a setback area. On a corner lot, space or area adjacent to the shorter street rights-of-way shall be considered the front yard.

Yard, interior side shall mean an open-space area between the interior side property line and the building setback line, extending between the front building setback line and the rear building setback line.

Yard, rear shall mean the space or area of a lot between the rear property line and the principal building, extending the lot's full width, and measured perpendicular to the building at the closest point to the rear property line.

Yard, street-side shall mean the area extending between the front yard and the rear yard or rear street yard and situated between the side street property line and the face of the principal building, which is parallel to, or most nearly parallel to, the side street property line.

18.44.040 - Landscape plan requirements.

- (a) Construction or development of a site shall not be undertaken until a landscape plan meeting the requirements of Chapter 18.16, Submittal Requirements, has been approved by the City. The landscape plan shall be designed in conjunction with the drainage plan for the subject property in such a manner as to maximize stormwater runoff absorption.
- (b) Landscape plans shall be prepared and stamped by a Colorado registered landscape architect unless waived by the Community Development Director or Designee
- (c) For phased development, a proportionate share of landscaping acceptable to the City, as outlined in an approved Development Agreement or Planned Unit Development (PUD) Plan, shall be installed and maintained with each phase based on the size of the proposed phase and shall be considered completed for the purposes of these regulations when such proportionate share of landscaping has been installed prior to issuance of a building permit.

18.44.050 - General landscaping design standards

- (a) General landscaping design standards apply to all major developments
 - (1) Planting types to be incorporated into a ' 'site's landscape plan shall include a mix of shade trees, ornamental trees, non-deciduous trees and shrubs, deciduous shrubs, and perennials.
 - (2) Landscaping provisions shall not be cumulative or overlapping. When more than one (1) standard applies, the most restrictive landscape standard shall apply.
 - (3) Bioswales, water quality ponds, and rain gardens are encouraged and may be installed to filter runoff from parking lots, streets, civic spaces, and other impervious surfaces.
 - a. Bioretention facilities such as bioswales, water quality ponds, and rain gardens that are integrated into, or part of, a stormwater system shall adhere to the [Storm Drainage Design Criteria and Construction Specification manual](#), as amended. See Figure 18.44-1 for reference.



Figure 18.44-1: Bioretention facilities

- (4) Stormwater and erosion control methods shall comply with the [Storm Drainage Design Criteria and Construction Specification](#) manual, as amended.
- (5) All on-lot landscaping shall include foundation plantings where facades are visible from adjacent rights-of-way, open space, parking lots, trails and walks, and passive recreational areas.
- (6) Minimum Plant Sizes. The minimum plant size shall be consistent with Table 18.44-2 below:

Table 18.44-2 – Minimum plant size table

<u><i>Plant Type</i></u>	<u><i>Plant size (Minimum)</i></u>
<u>Shade trees</u>	<u>2-inch diameter caliper, measured 6-inches above ground from the uppermost root flare</u>
<u>Ornamental trees</u>	<u>1½ - inch diameter caliper, measured 6-inches above ground from the uppermost root flare</u>
<u>Non-deciduous trees</u>	<u>6-foot in height</u>
<u>Shrubs</u>	<u>Volume #5 (ANSI Standards)*</u>
<u>Perennials</u>	<u>Volume #1 (ANSI Standards)</u>

*Shrubs may be substituted with large perennials (Volume #2 (ANSI standard)) or larger at a ratio of three (3) perennials to one (1) shrub ratio.

- (b) For all major and minor developments, and single-family and two-family dwellings.

- (1) Bare dirt or weeds are not allowed as ground cover or landscape material.
 - a. Acceptable ground cover or an approved synthetic ground cover shall be kept free of weeds.
 - b. Synthetic or non-plant ground covers shall not be counted towards the required live plantings coverage pursuant to 18.44.080 (a)(1).
- (2) Artificial turf is an acceptable ground cover that is only permitted in yards that are not visible from public right-of-way.
- (3) Landscape plantings are encouraged to be designed using water-efficient irrigation practices.
 - a. Water-efficient, drought-tolerant, pollinator gardens and xeric landscaping are encouraged to be planted together to promote water conservation.
 - b. Plants with contrasting textures or forms should be grouped to improve the aesthetic appearance of a yard and promote further water conservation.
 - c. Residential subdivisions that incorporate xeric planting designs in parkways, outlots, and common open space areas, may request a raw water reduction subject to review and approval by the Water and Sewer Department.
- (4) Native grass or native grass seed shall be planted in detention and retention ponds and areas not highly trafficked by pedestrian activity.
- (5) Utility line clearance zones.
 - a. Landscaping shall not obstruct or grow into fire hydrants, water meter pits, utility boxes, public traffic signs, sidewalks, or utility boxes except to comply with the requirement to screen mechanical equipment, pursuant to 18.44.080 (a)(4).
 - b. Easements. No plant material with mature growth greater than three (3) feet in height shall be planted within potable water, sanitary, or non-potable irrigation easements.
 - c. Meters, mains, and services. No shrubs shall be planted within five (5) feet or trees within ten (10) feet of potable and non-potable water meters, fire hydrants, sanitary sewer manholes, or potable water, sanitary sewer, and non-potable irrigation mains and services pursuant to Figure 18.44-2.
 - d. Overhead lines. Trees or shrubs may encroach into the utility clearance zone but shall never touch or bump into overhead phone or utility lines when the landscape material has fully matured. Shorter ornamental trees with a maximum height of twenty (20) feet are typically acceptable but shall follow service provider guidelines.
 - e. Stormwater detention areas. Placement of landscape materials that are determined to produce pollutants that may negatively affect the quality of stormwater runoff shall not be permitted near drainage, stormwater detention, or 100-year floodplain areas.

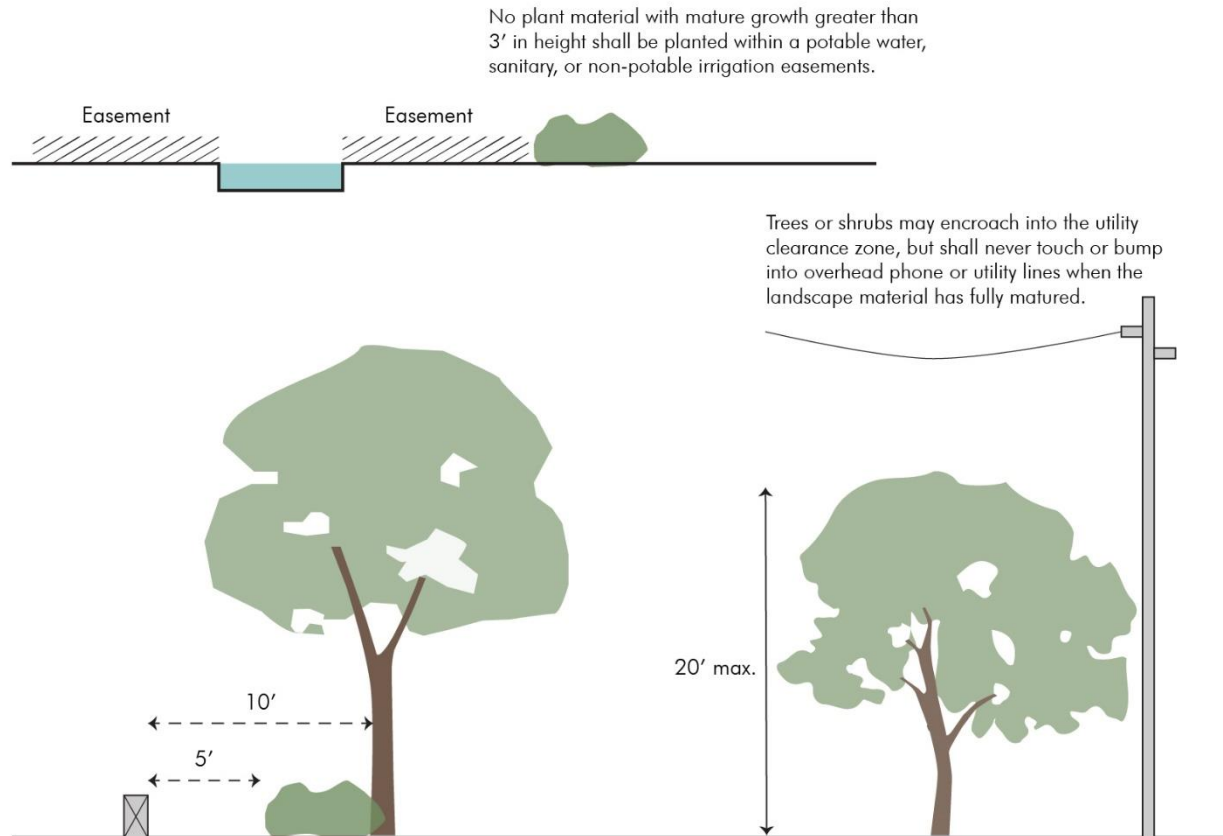


Figure 18.44-2: Utility line clearance zones

- (6) Clear vision sight distance triangle. For safety and visibility purposes, a sight distance triangle shall be created and maintained in which no landscape materials, earthen berms, or other visual obstructions are present. The clear vision sight distance triangle shall have a fifteen (15) foot decision point distance, and a conflicting vehicle distance measurement measured fifteen (15) feet perpendicular from the projected flow line of the intersecting street, driveways, and alleys.
 - a. The conflicting vehicle distance measurement is dependent on the street classification and speed allowance of the street pursuant to the City's [Design Criteria and Construction Specifications](#), as amended. It must allow full view of traffic approaching the left or the right of the minor road pursuant to Figure 18.44-3.

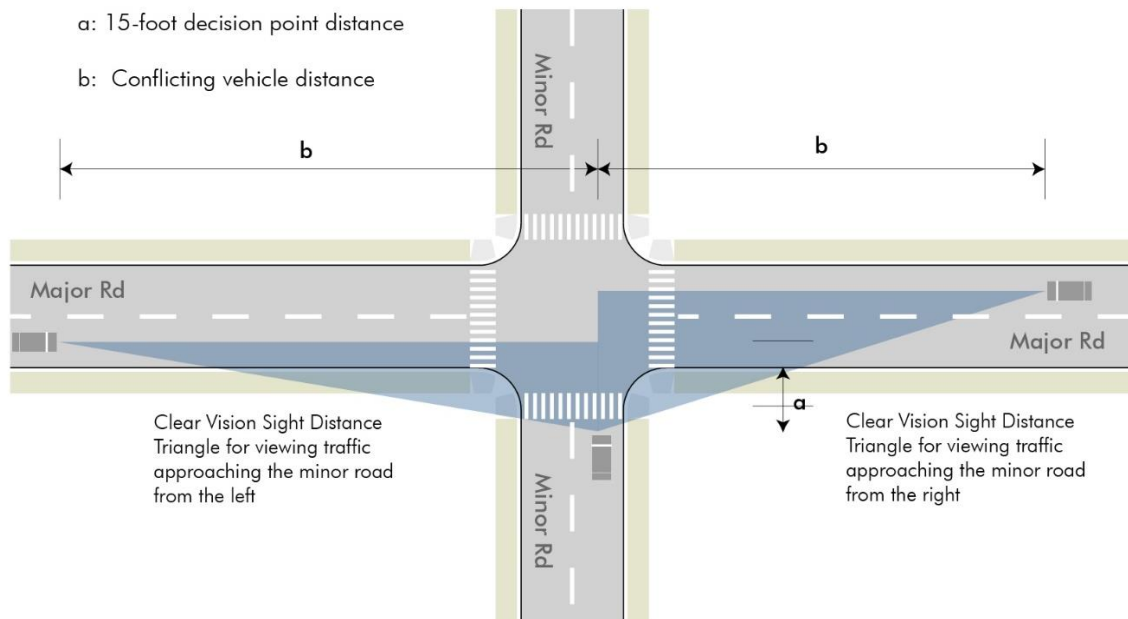


Figure 18.44-3: Clear vision sight distance triangles

- b. Landscaping proposed within the required clear vision sight distance triangle shall be maintained at a height no greater than thirty (30) inches above the adjacent street level.
- (7) Right-of-way landscaping. A right-of-way planting permit shall be required for any trees and landscape material with a mature height of over eighteen (18) inches planted within a public right-of-way.
- (8) Prior to the installation of turf-grass and/or other plant materials in areas that have been compacted or disturbed by construction activity, such areas shall follow soil amendment procedures pursuant to [Title 14.08](#) and the [Water and Sewer lawn installation specifications](#).
- (c) Alternatives.
 - (1) Utility easements or utility lines that conflict with required landscaping, such as, but not limited to buffer yards, perimeter treatment, right-of-way landscaping, parkway landscaping, foundation plantings, and median standards, shall require an alternative design that is equal to or greater than what is required by this Chapter.
 - (2) Short rooted plants such as perennials and grasses may be planted along utility easements and other utility line paths.

18.44.060 - Installation and maintenance

- (a) Installation and maintenance requirements shall apply to all major and minor developments and single-family and two-family dwellings.
- (b) All major development.
 - (1) Required installation and inspections. Prior to the issuance of a certificate of occupancy, the following provisions shall be executed:
 - a. A stamped letter of substantial completion shall be provided by a licensed landscape architect or a certified irrigation auditor.
 - b. All subdivision landscape installation shall be complete including, but not limited to, installation of all common open space, outlots, street trees, and perimeter treatments and

- shall be installed prior to the issuance of the first certificate of occupancy or through a landscape plan or development agreement that includes a phasing plan.
- (2) All landscaped areas, including but not limited to bioretention facilities, bioswales, rain gardens, detention areas, common open space areas, medians, and perimeter treatments, shall be maintained in perpetuity by a homeowner or business association unless otherwise noted in a City-approved development agreement, a recorded plat, or a recorded document.
 - (3) Approval. Installed landscape material may be inspected by the City periodically throughout the life of a development.
- (c) All major and minor developments.
- (1) An inspection shall be performed by the City or by a licensed landscape architect or a certified irrigation auditor for all new and changed landscape material.
 - (2) Perpetual maintenance.
 - a. The developer, owners' association, property owner and/or tenant, as required by this Chapter, shall be responsible for maintaining all on-lot, right-of-way landscaping; all buffer yard(s), perimeter treatment, and screening improvements. All landscape improvements shall be kept in a healthy condition.
 - b. Property owners shall be responsible for the perpetual maintenance of the adjacent front parkway unless otherwise maintained by a homeowner or business association.
 - c. Landscape material on corner lots with a side or rear parkway shall be installed by a developer and maintained perpetually by a property owner or property 'owners' association.
 - (3) Replacement. Failure to replace dead landscape materials within three (3) growing seasons (spring, summer, or fall) from the date of issuance of a certificate of occupancy shall be considered a violation of the site plan approval and is subject to penalties pursuant to Chapter 9.18.180 and Chapter 1.33 of the Municipal Code.
- (d) Exceptions. If weather prevents the required landscaping from being installed, collateral in the form of a Financial Security Agreement, acceptable to the City, in the amount of one hundred twenty-five percent (125%) of the cost of materials and installation is to be provided to the City and approved prior to issuance of the certificate of occupancy.
- (1) Single-family and two-family dwellings. If not previously installed, all required on-lot and rights-of-way landscaping, excluding perimeter treatment and buffer yards, shall be installed in accordance with the provisions of this Chapter within one (1) year of the issuance of the certificate of occupancy.

18.44.070 - Irrigation systems

- (a) Irrigation system requirements apply to all major and minor developments and as applicable to single-family and two-family dwellings.
- (b) All major developments.
 - (1) Irrigation system design required. In conjunction with a landscape plan, an irrigation system design shall be submitted, reviewed, and approved by the Water and Sewer Department.
 - (2) The irrigation system shall be a fully functioning automatic irrigation system, designed to minimize overspray and installed in accordance with Water and Sewer design standards.
 - (3) Waiver. Existing infill developments located in the Redevelopment District may request a waiver from irrigation requirements. The waiver may be reviewed on a case-by-case basis and approved by the Community Development Director or Designee.
- (c) All major and minor developments.
 - (1) The irrigation system shall include the following:

- a. Subsurface and drip irrigation. Trees, shrubs, and plantings in bed areas, such as landscape islands, shall be designed to group plants with similar water requirements and be irrigated by drip, bubbler systems, low volume spray heads and/or subsurface irrigation systems.
- b. Temporary irrigation. A temporary irrigation system is only allowed where native grass has been installed on an undeveloped lot or part of a developed lot, an outlot, retention or detention pond, and landscaping shall be established within three (3) to four (4) growing seasons, and shall comply with the re-vegetation standards as provided in the [Storm Drainage Design Criteria and Construction Specification](#), as amended.
- c. After native grass is established, the temporary irrigation must be removed within three (3) months after establishment is complete.
- (2) Irrigation audit. An irrigation audit shall be required following the installation of the irrigation system.
- (3) Automatic irrigation. Landscaped areas shall be served by a fully-functioning automatic irrigation system, as determined by Storm Drainage Design Criteria and Construction Specification, as amended.
- (d) All major and minor developments, including new single-family and two-family dwellings.
 - (1) Minimize overspray. Irrigation systems shall be designed and maintained to minimize overspray and runoff onto adjacent impervious surfaces, such as roadways, sidewalks, and parking lots.

18.44.080 - Landscape requirements for all zoning districts

- (a) Landscape requirements for all zoning districts apply to all major and minor developments.
 - (1) The minimum site area required to be landscaped is fifty percent (50%) of the required open space, as established for each of the zone districts pursuant to Chapter 18.38.
 - (2) Where landscaping is used for screening, a minimum of forty percent (40%) must be non-deciduous plant materials.
 - (3) Any part of a site not used for building coverage and main entrances, parking areas, driveways, sidewalks, or other site improvements shall be landscaped.
 - (4) All utility and ground-mounted electrical equipment planned and existing equipment, including but not limited to electric transformers, switch gearboxes, cable television boxes, telephone pedestals, and boxes, shall be screened with landscape material on the sides visible from the public rights-of-way that are not used for service access.
 - (5) Trash enclosures that are not architecturally integrated, trash receptacles, loading docks, and any outdoor storage areas shall be screened with landscape material on all sides visible from public rights-of-way such as sidewalks, streets, and other properties from which the property is visible.
 - (6) For streetscapes, parking lot perimeters, and parking lot interiors, additional landscaping beyond the minimum standards may be required in order to:
 - a. Buffer dissimilar uses and activities;
 - b. Break up the massing of blank walls and large buildings; and
 - c. Accent special features such as main entries and corridors.
- (b) For all major and minor developments and single-family and two-family dwellings.
 - (1) Trees required on-lot. Trees shall be planted pursuant to the following:
 - a. All required trees shall comply with the minimum plant material sizes listed in Table 18.44-2, Minimum plant size table.
 - b. Existing mature trees may count toward these requirements pursuant to Section 18.44.130.

- (2) Parkway standards. Landscaping within rights-of-way shall be provided subject to the following standards:
- a. Parkway development must have fifty percent (50%) live landscape material.
 - b. Shade trees shall be planted at a regular spacing of a minimum of thirty-five (35) feet on center.
 - (1) Single-family and two-family dwellings shall have no less than one (1) tree per street frontage.



Figure 18.44-4: Parkway standards

- c. Street trees and shrubs shall be those species suitable for the location in which they are planted and installed after sidewalks have been completed. Street trees and shrubs shall be planted pursuant to Section 18.44.050 (a)(6), clear vision sight distance triangle provisions.
 - d. Xeric landscaping and native grasses are encouraged in parkways.
 - e. Street trees adjacent to sidewalks and streets shall have a height clearance of eight (8) feet above sidewalks and fourteen (14) feet above streets.
- (3) If existing healthy vegetation is retained on-site, it may be counted toward the landscape requirements pursuant to provisions of this Chapter.
- (4) All landscape materials planted pursuant to the provisions of these requirements shall be healthy at the time of planting and compatible with the local climate.

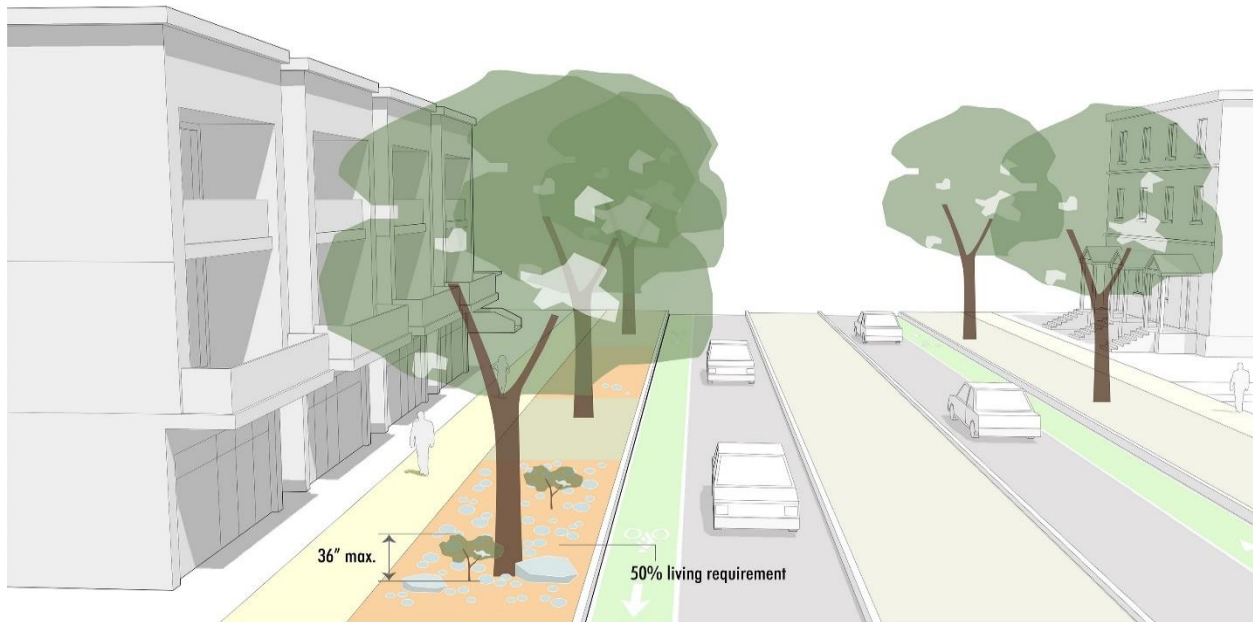


Figure 18.44-5a: Tree sidewalk clearance – urban



Figure 18.44-5b: Tree sidewalk clearance - residential

(c) For all single-family and two-family dwellings.

- (1) A minimum of one (1) tree shall be planted on all single-family and two-family lots as follows:
 - a. One (1) tree shall be planted on-lot in the front yard; this requirement is in addition to the required parkway planting requirements.
 - b. Additional trees, not otherwise required, are encouraged to be planted in other parts of the residential property, where feasible.

- (2) A minimum of fifty percent (50%) live plantings shall be provided within all yards adjacent to visible from all rights-of-way, except for alleys, including typical and atypical lots pursuant to Figures 18.44-6 and 18.44-7.
- All non-paved areas and yards not visible from adjacent rights-of-way must be landscaped pursuant to Section 18.44.050 (b).
 - Driveways, walkways, patios, porches, and areas containing an accessory structure shall be excluded for the purposes of calculating the fifty percent (50%) landscape material requirement.

Figure 18.44-6: Typical Lot Frontage

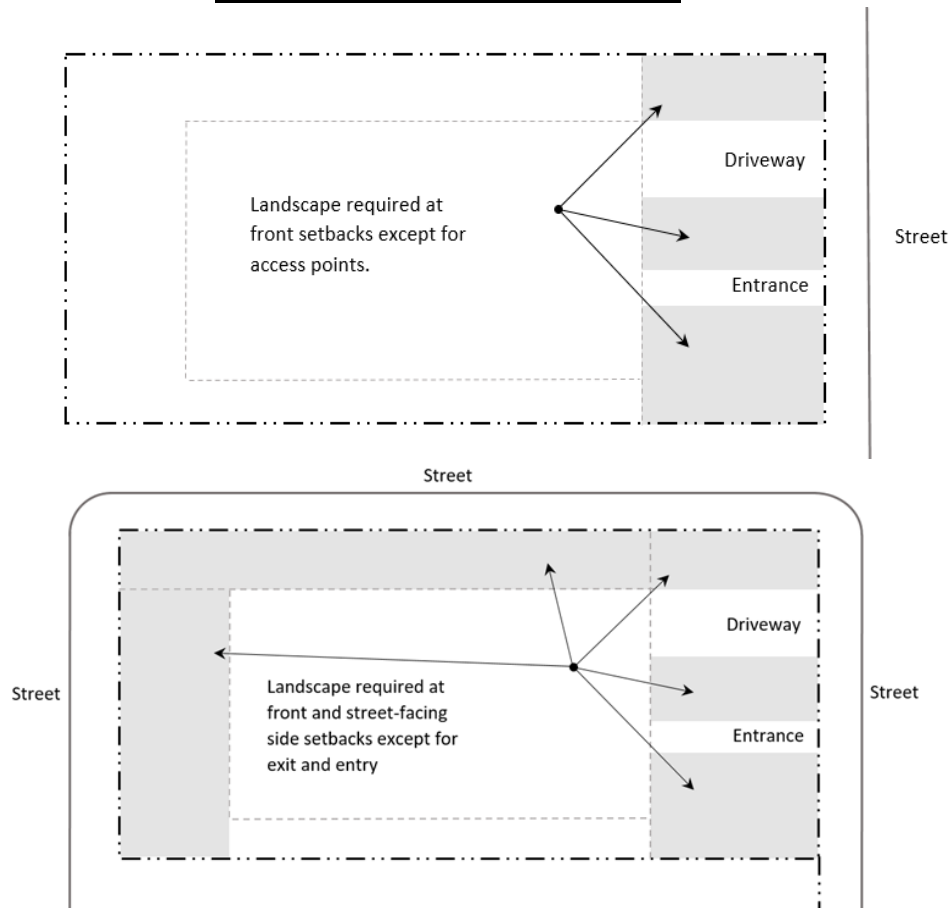


Figure 18.44-7: A-typical Lot Frontage

18.44.090 - Buffer yards standards

- (a) Buffer yard standards apply to all major developments.
- The purpose of buffer yards is to provide a landscaped barrier for dissimilar uses for a transitional effect between two (2) or more lots sharing a common property line. The buffer yard standards of this section apply as follows:
 - All new development on vacant land adjacent to existing development.
 - New residential subdivisions are not exempt from this provision.
 - Requests for reductions to landscape requirements for oil and gas sites located in non-urbanized areas may be approved by the Community Development Director or Designee on a case-by-case basis.

- d. For the purposes of this section, land uses separated by public rights-of-way, such as alleys and streets, shall not be considered adjacent.
- (2) Location of buffer yards.
- Pursuant to Figure 18.44-8, buffer yards shall be located along the property line where the most intense and differing land-uses exist.
 - A buffer yard is required where abutting land-uses may impact the adjacent property, such as but not limited to a storage yard or a commercial or industrial building development against a residency or an open space park.
 - Buffer yards shall not be placed within any dedicated rights-of-way.



Figure 18.44-8: Buffer yard along differing land uses

- Buffer yards may be interrupted, having a break, for necessary pedestrian and vehicle access.
- Existing healthy vegetation within the required buffer yard area may be counted toward the required landscaping.
- Landscaping requirements for buffer yards.
 - Non-deciduous trees are required to make up a minimum of forty percent (40%) of the required trees.
 - Perennials or shrubs used towards buffer requirements must be no smaller than thirty-six (36) inches in height at maturity.
 - Shrubs, ornamental grasses, and perennials may not be substituted for trees in the buffer yard unless the applicant has demonstrated to staff that the site is encumbered by utilities as described in Section 18.44.050 (b).
 - All plant material conversions shall be reviewed on a case-by-case basis based on durability and appearance in the location where the materials are to be installed and may be approved by the Community Development Director or Designee.

- e. A solid wall or fencing is not required as part of a buffer yard, but if a solid wall or fence is provided that is at a minimum of 6-feet in height, then the width of the buffer yard may be reduced by twenty-five percent (25%)
- (6) Earthen berms are also encouraged as part of the buffer. Landscape material may be reduced by up to fifty percent (50%) if the site plan includes berming or other topographic features that achieve the intent of this section and are designed to complement adjacent properties.
 - a. Earthen berms shall have a slope with a horizontal to vertical ratio of no less than 3:1 ratio and no greater than a 4:1 ratio for turf-grass mowing and shall have a crown width of at least two (2) feet. See Figure 18.44-9 below.
 - b. All berms, regardless of size, shall be stabilized with grasses, especially at the crown.
 - c. Berms proposed to be placed along street rights-of-way shall be designed and constructed to provide adequate sight distances at intersections and shall not impair the safe operation of vehicles.

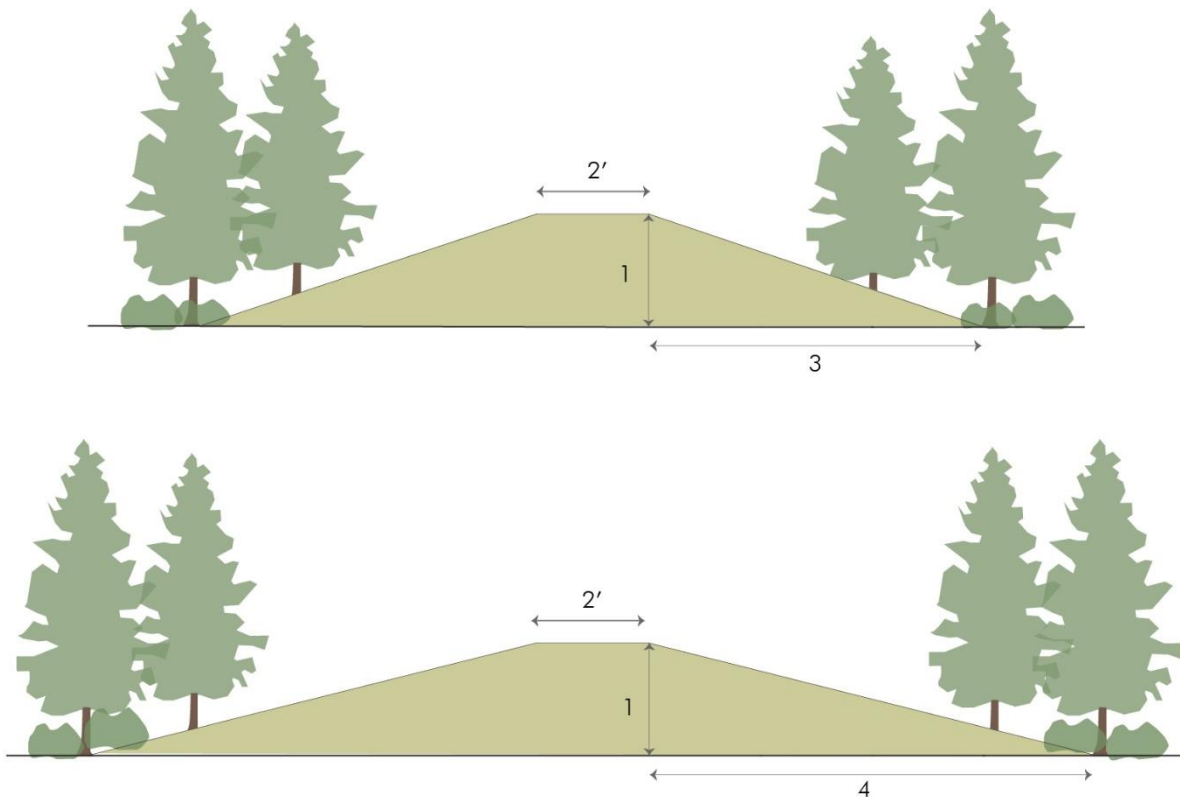


Figure 18.44-9: Earthen berms

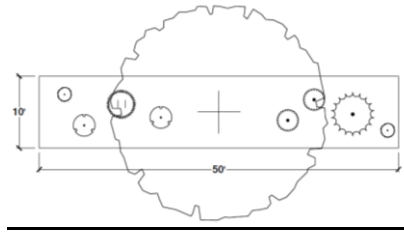
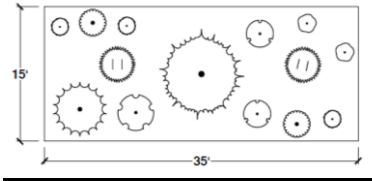
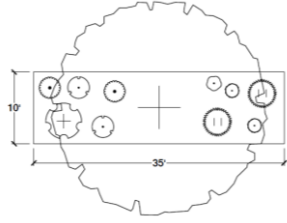
- (7) Minimum buffer yard requirements.
 - a. The land-use intensities listed in Table 18.44-3 identifies the intensity for the proposed land use and adjacent land uses.
 - b. The minimum buffer yard requirement on Table 18.44-4 identifies the buffer yard requirement for the proposed land use adjacent to those land uses identified in Table 18.44-3

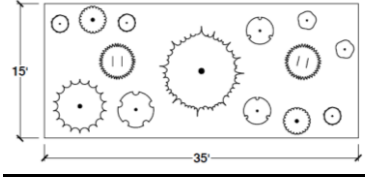
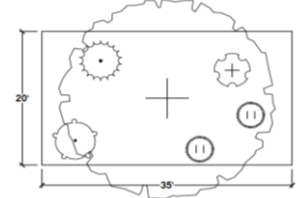
Table 18.44-23– Land-use intensity table

<u>Intensity</u>	<u>Land Use</u>
------------------	-----------------

<u>Low-intensity use</u>	Including but not limited to offices (2 stories or less), churches, schools, public facilities including recreational fields, community swimming pools, and similar facilities, daycare facilities, single-family, two-family, and multi-family developments of less than 12 units per acre.
<u>Medium-intensity use</u>	Including but not limited to neighborhood commercial and service activities, retail operations under 3,000 square feet gross floor area and typically do not operate 24-hours a day, restaurants (no drive-up window services), banks (without drive-up windows), convenience stores (without gasoline sales), offices (3 or more stories), multi-family developments greater than 12 units per acre.
<u>High-intensity use</u>	Including but not limited to commercial activities that typically operate 24-hours, vehicle repair shops, service stations, drive-up window restaurants, and banks, car washes, hotels and motels, shopping centers, as well as light manufacturing activities and research facilities; or any commercial or industrial property that has a gross floor area greater than 3,000 square feet gross floor area.
<u>Very-high intensity use</u>	Including but not limited to heavy-industrial uses, heavy manufacturing, truck terminals, mobile home sales, vehicle sales, heavy equipment sales, facilities involving outdoor storage and outdoor commercial recreation establishments; commercial or industrial properties typically greater than 20,000 square feet gross floor area.

Table 18.44-4 – Minimum buffer yard material and width table

<u>Proposed Use:</u>	<u>Adjacent Shared Use:</u>	<u>Buffer Yard Quantity/Width:</u>	<u>Example Image:</u>
No buffer yard is required when a proposed development is adjacent to another developed property with the same use and intensity.			
<u>Medium-intensity use</u>	<u>Low-intensity use</u>	One (1) tree and eight (8) shrubs for every 50-linear feet; <u>Minimum width:</u> 10-feet wide	
<u>High-intensity use</u>	<u>Low-intensity use</u>	One (1) tree and thirteen (13) shrubs for every 35-linear feet; <u>Minimum width:</u> 15-feet wide	
<u>High-intensity use</u>	<u>Medium-intensity use</u>	One (1) tree and ten (10) shrubs for every 35-linear feet; <u>Minimum width:</u> 10-feet wide	

<u>Very-high intensity use</u>	<u>Medium-intensity use</u>	<u>One (1) tree and thirteen (13) shrubs for every 35-linear feet;</u> <u>Minimum width: 15-feet wide</u>	
<u>Very-high intensity use</u>	<u>High-intensity use</u>	<u>One (1) tree and five (5) shrubs</u> <u>35-linear feet;</u> <u>Minimum width: 20-feet wide</u>	

(8) Alternatives.

- a. If a development includes a vegetated water quality pond, decorative and articulated 6-foot tall solid wall, or an architectural landscape design, the property owner may request a ten percent (10%) reduction in the overall landscape requirement, except for buffer yards and perimeter treatments.
- b. If the site has unique characteristics where buffering cannot be feasibly installed due to size constraints, minimal setbacks, or easement encumbrances, a request for alternative compliance pursuant to Section 18.44.020(b) and 18.38.140 may be granted.
- c. Infill sites only. A buffer yard may be replaced with two (2) or more public space concepts such as, but not limited to outdoor seating areas and dining with landscaping, wood, gas or propane fire pits, fireplaces, grills, and outdoor heaters or decking areas that are accessible and functional to the public, sustainable in design, and allows for community engagement. Requests for this buffer yard replacement provision shall be reviewed on a case-by-case basis and may be approved by the Community Development Director or Designee.

18.44.100 Parking lot landscaping standards

- (a) Parking lot landscape standards shall apply to all major and minor developments.
- (b) Parking lots shall adhere to the setback standards pursuant to Chapter 18.38 - Zoning District Development Standards.
 - (1) General parking lot landscape standards:
 - a. Landscaping must accommodate a two (2) foot vehicle curb overhang.
 - b. Landscape shall incorporate a universal design.
 - c. Landscaping material such as shrubs or perennials, but excluding required trees, shall have a limited height of thirty (30) inches where vehicle visibility is necessary.
 - d. The total on-lot tree count shall be no less than one (1) tree per five (5) parking lot spaces.
 - e. The required landscape treatment for parking lot screening may include a living fence, berming, decorative metal fencing, and/or masonry wall.
 - (2) Parking lot screening.
 - a. A minimum eight (8) foot wide landscaped area, exclusive of sidewalks and utility easements, shall be provided between the parking lot and street right-of-way to accommodate the required plantings.

- b. The landscape treatment shall be located at the perimeter of surface parking lots abutting street corridors and shall not encumber the clear vision sight distance triangle.
- c. A minimum of one (1) shade tree or non-deciduous tree shall be planted for every thirty-five (35) linear feet. Where space allows, earthen berms are encouraged as part of the screening to allow for diversity and interest in landscape design. A minimum of six (6) shrubs shall be planted between every tree. A mix of evergreen and deciduous shrubs is encouraged.

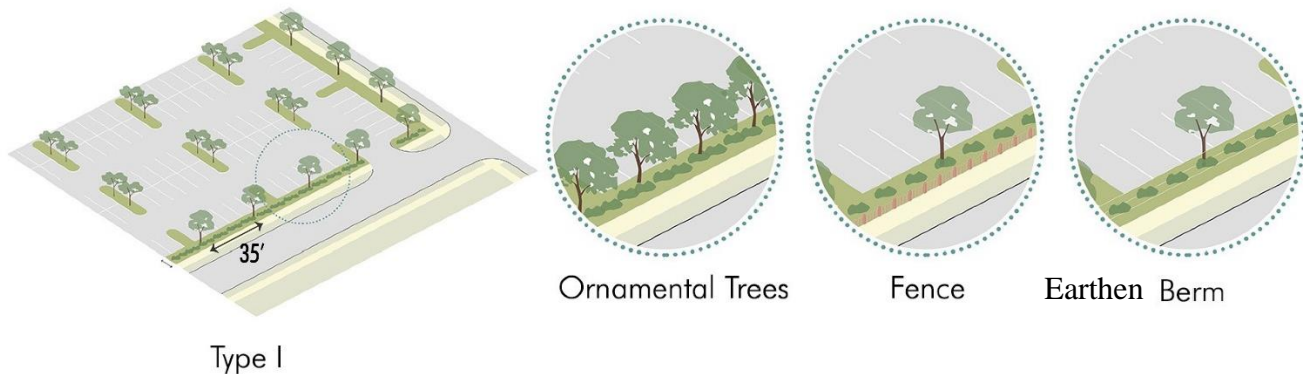


Figure 18.44-10: Parking lot screening

- (3) Interior parking lot design. The following landscaping requirements shall apply to parking lots with fifteen (15) or more parking spaces to provide pervious surfaces within a parking lot.
 - a. Parking lot islands shall include curb cuts that direct runoff into pervious areas. Plants within these pervious areas shall have high salt and chemical tolerance.
 - b. Where more than fifteen (15) parking stalls are provided in a row, one (1) parking lot island shall be provided. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but at no time shall the total number of islands be less than the required amount of one (1) island for every fifteen (15) spaces.



Figure 18.44-11: Single row and double row parking lot islands

- c. The end of every parking row shall have a landscaping island.
 - d. Standard size vehicle parking.
 - i. Single row parking lot islands. The minimum size of a parking lot island must be nine (9) feet wide by nineteen (19) feet long and contain no less than one (1) shade tree.
 - ii. Double row parking lot islands. The minimum size of a parking lot island must be nine (9) feet wide by thirty-eight (38) feet long and shall contain no less than two (2) shade trees.
 - e. Compact vehicle parking.
 - i. Single row parking lot islands. The minimum size of a parking lot island shall be eight (8) feet wide by sixteen (16) feet long and shall contain no less than one (1) shade tree.
 - ii. Double row parking lot islands. The minimum size of a parking lot island shall be eight (8) feet wide by thirty-two (32) feet long and shall contain no less than two (2) shade trees.
- (4) Footstep access.
- a. Landscape islands shall have an additional twelve (12) inch setback from an adjacent curb to provide a footstep for pedestrian access from the parking stall pursuant to Figure 18.44-12.
 - b. The footstep access may be accomplished with a wider sidewalk, enlarged curb, or striping to avoid having vehicles park too close, and pedestrians step on landscape material.
 - 1. If the footstep is inside the landscape island, it shall be constructed of concrete or an acceptable all-weather compacted material.

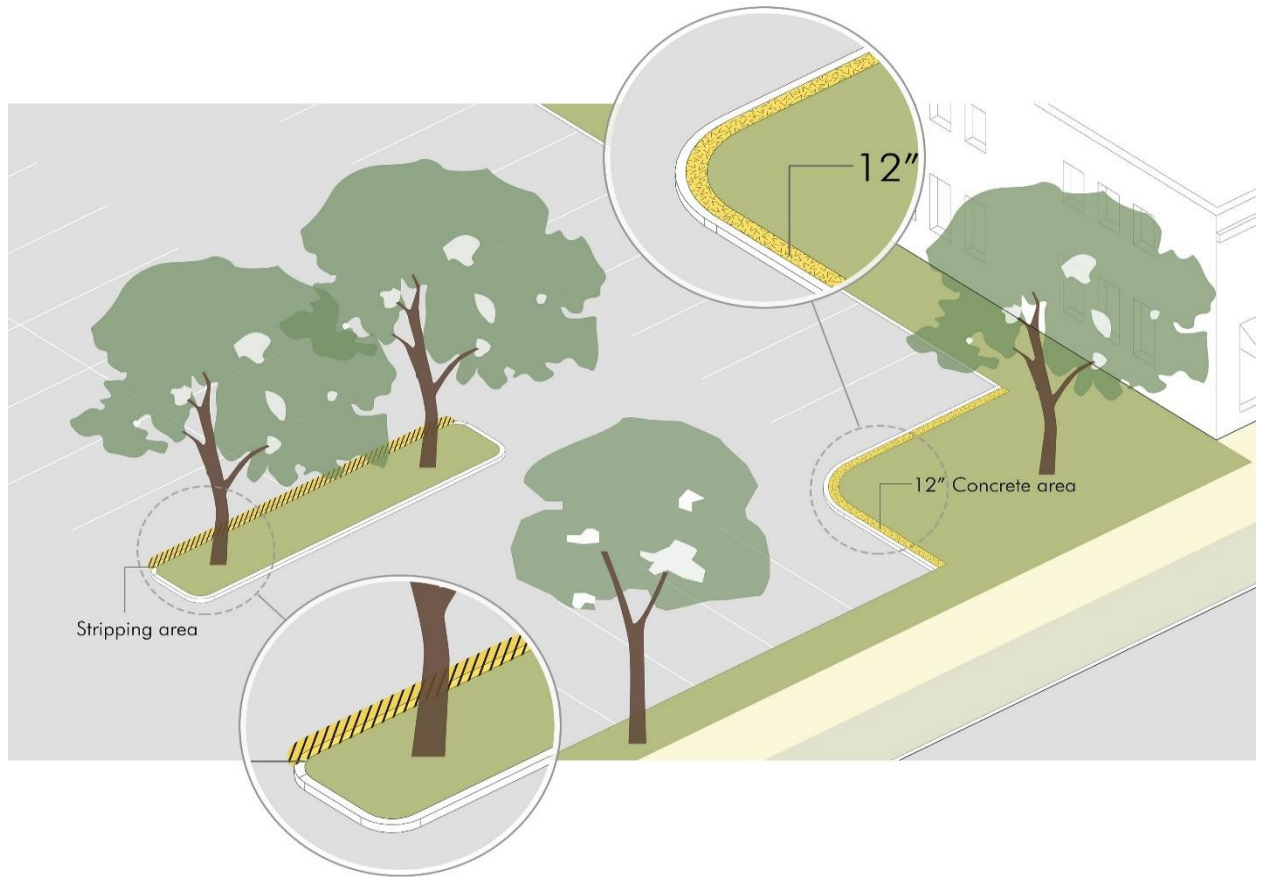


Figure 18.44-12: Landscape island footstep access

- (5) Planting median. Shall be required in parking lots with greater than 100 parking spaces:
- a. For every two (2) parking bays, a continuous planting median is required to provide pedestrian accessibility and additional shading for large parking lot surfaces, pursuant to Figure 18.44-13.
 - b. All medians shall be a minimum of fifteen (15) feet wide and shall include a five (5) foot sidewalk.
 - c. All planting medians shall contain defined breaks, as necessary, to provide pedestrian circulation between bays of parking. The bays shall allow for handicap accessibility from one side of the planting median to the other and onto any sidewalk located within the planting median.

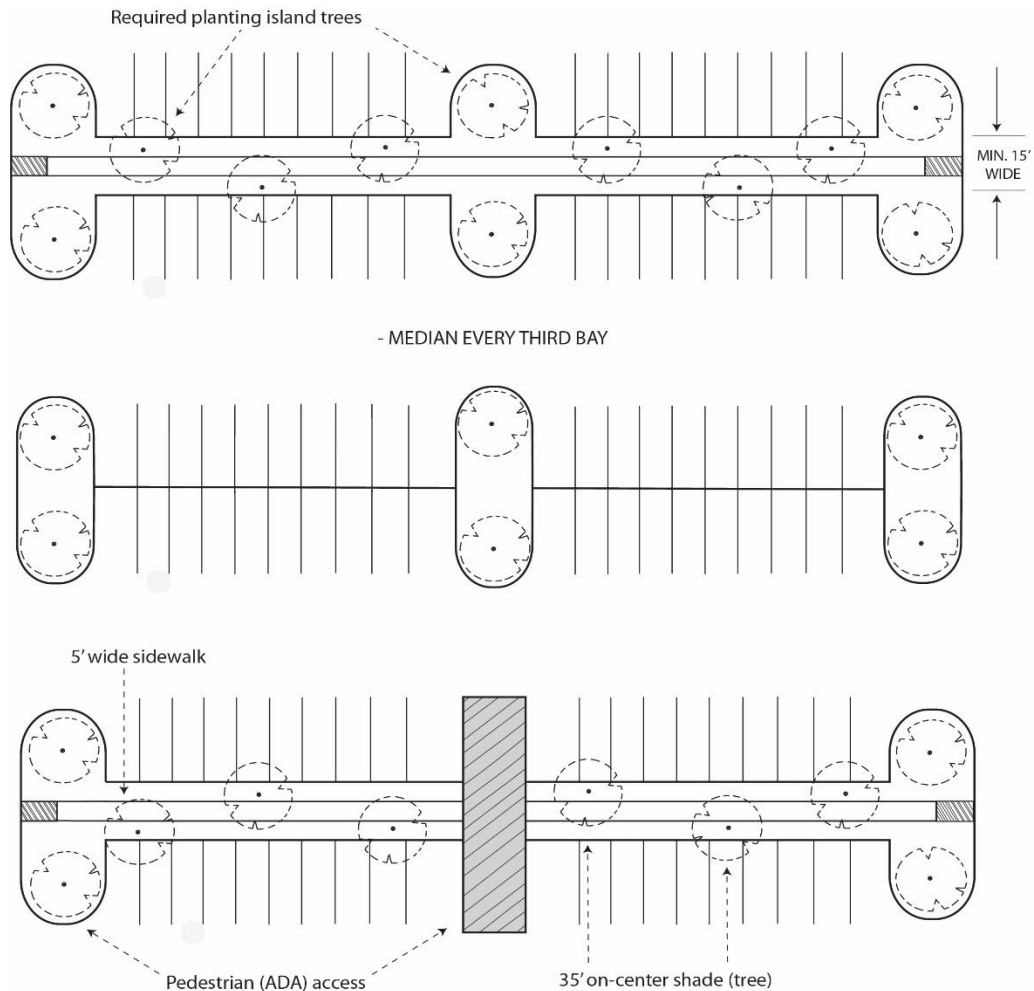


Figure 18.44-13: Example Planting Medians

(6) Alternatives.

- a. Parking lot entry areas may request a twenty percent (20%) reduction of the required landscape material if the property includes large monumentation, artwork, or architectural landscape design and may be approved on a case-by-case basis by the Community Development Director or Designee.
- b. Parking lot landscape screening. Landscape material may be reduced by twenty percent (20%), if an architectural and decorative short-wall or earthen berm no greater than thirty-six (36) inches in height is included in the overall design of the landscape screening treatment.
- c. Parking lots that include a bioretention facility that is greater than ten percent (10%) of the size of the entire impervious area of a parking lot may request a reduced parking lot screening setback by up to one (1) foot.

(7) Exemptions.

- a. Residential complexes or commercial centers that share a parking area or that have property lines adjacent to an alley or areas that abut an alley may be exempted from these requirements, and may be approved on a case-by-case basis by the Community Development Director or designee.

18.44.110 - Perimeter treatment standards

(a) Perimeter treatment standards.

A perimeter treatment plan shall be submitted for all new developments, except for individual single-family or two-family dwellings that are not being approved as part of a subdivision application. The perimeter treatment plan shall include landscaping in areas adjacent to all rights-of-way, landscaping behind the sidewalk, as well as any parkway plantings.

- (1) Requirements. The perimeter treatment plan shall include all landscaping improvements such as live plant material and elements such as fencing, earthen berms, walls, and enhanced streetscape that include furnishings, lighting, and any alternative design requests. Alternative design requests may be approved by the Community Development Director or Designee on a case-by-case basis.
 - a. The plantings and elements required in perimeter treatments shall include the area between the edge of the roadway against the property line as part of the streetscape or along the edge of an outlot or common open space area facing rights-of-way.
 - b. The perimeter treatment shall be complementary to adjacent sites and any surrounding perimeter treatments in the immediate area.
- (2) Subdivision entryways shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs, perennials, and ground covers. Plantings shall be massed and scaled based on the entryway size and space. Landscaping should also be designed to provide detail, color, and variety to create visual interest.
- (3) Required perimeter treatment shall be installed concurrent with other site infrastructure improvements, as per Section 18.04.1195, and prior to the issuance of a certificate of occupancy pursuant to Section 18.44.060 (b)(1), or as specified in a Development Agreement or PUD plan.
- (4) Solid fences and walls included as part of a perimeter treatment shall be in accordance with Section 18.52.035. All walls shall include top-of-wall and bottom-of-wall dimensions at five-foot intervals.
- (5) Perimeter treatment design. Notwithstanding the parkway requirements pursuant to 18.44.080 (b)(2), perimeter treatment areas shall contain the plantings according to Table 18.44-5, or a good mix of trees shrubs that provide comparable screening, as determined by the City.

(b) Alternatives.

- a. For sites with unique characteristics or site constraints that may make where perimeter treatment difficult to install due to size, reduced setbacks, or easement encumbrances, a request for alternative compliance pursuant to Section 18.44.030(b) and 18.38.140 may be submitted for review and may be approved on a case-by-case basis by the Community Development Director or designee.

(c) Exemptions.

- (1) Parking lots that require parking lot screening shall not be subject to perimeter landscape requirements.

Table 18.44-5: Perimeter treatment design requirements

<u>Use Type</u>	<u>Street Classification</u>	<u>Type - Base Standard (plants per 100 linear feet)*</u>	<u>Minimum Width of Perimeter (in feet)</u>
<u>Residential/Institutional</u>	<u>Collector</u>	<u>4 trees</u> <u>14 shrubs</u>	<u>10</u>
<u>Residential/Institutional</u>	<u>Arterial</u>	<u>4 trees</u> <u>16 shrubs</u>	<u>20</u>
<u>Residential/Institutional</u>	<u>Highways/ Expressways/ Freeways</u>	<u>4 trees</u> <u>24 shrubs</u>	<u>30</u>
<u>Commercial/Industrial</u>	<u>Collector/Arterial</u>	<u>3 trees</u> <u>5 shrubs</u>	<u>10</u>
<u>Commercial/Industrial</u>	<u>Highways/ Expressways/ Freeways</u>	<u>4 trees</u> <u>10 shrubs</u>	<u>15</u>

** All perimeter treatment plans shall contain forty percent (40%) non-deciduous trees and shrubs.*

18.44.120 - Boulevard median standards

- (a) Boulevard median plan shall be submitted for all new developments, except for individual single-family or two-family dwellings which are not being approved as part of a subdivision application or land use application.
- (1) A cross-section and planting plan of the proposed boulevard median to be landscaped shall be included with the land use application.
 - (2) Xeric plants, decorative rocks and boulders, perennials, grasses, and shrubs may be included in the median design.
 - (3) Plant groupings shall be designed in association with the mulch of choice. When mulches are mixed, it is encouraged to incorporate a creative design that provides stormwater erosion control
 - (4) Proposed tree species shall be approved by the City.
 - (5) The developer, pursuant to a Development Agreement, shall be responsible for installing the median landscaping and irrigation system.

18.44.130 - Alterations, replacement, and removals

- (a) Alterations, replacement, and removals shall apply to all major and minor development and single-family and two-family dwellings.
- (b) Protection, mitigation, and preservation apply to all major and minor developments.
- (1) Protection of wildlife habitat and/or linkages to wildlife habitat. The preservation and protection of healthy specimen trees, masses of smaller, healthy trees, and trees in common open spaces and passive recreational areas is preferred.
 - (2) Unauthorized removal and replacement, modifications, deviations, or alterations to the approved landscape plans, or failure to install and maintain plant material (including replacement of dead or dying plant material) is prohibited and subject to penalties in Chapter 9.18.180 of the Municipal Code.
 - (3) Mitigation plan.

- a. A tree inventory and report shall be prepared by a certified arborist to evaluate each tree for its mitigation value.
- (4) Tree credits, pursuant to Table 18.44-6, shall be given so long as the provisions of this Code section are met.
- (c) Preservation of existing trees and vegetation is preferred.
 - (1) Trees that are not in the path of new structures, pedestrian access, or parking lots shall be preserved and incorporated into an associated development's overall site design.
- (d) Removal and replacement of trees shall apply to all major and minor developments and single-family and two-family dwellings.
 - (1) Replacement shall be provided on-site and in the rights-of-way adjacent to the property pursuant to the minimum tree planting requirements Chapter.
 - (2) Replacement of trees shall be of the same or similar species and tied to a previously approved landscape plan and/or to an existing condition of the subject site, except for those species designated as noxious or prohibited species.

Table 18.44-6: Tree Credits/Debits

<u><i>Diameter caliper of tree</i></u>	<u><i>Tree credit/debit</i></u>
<u>≤ 2-inches to 20-inches</u>	<u>1</u>
<u>≥20-inches</u>	<u>3</u>

- (e) If the site design precludes incorporation of some or all existing healthy trees, then replacement shall be made as follows:
 - (1) For all major and minor developments.
 - a. Replacement shall be provided on an adjacent site or the nearest public land, if feasible, as determined by the City.
 - b. Suppose the number of trees required for replacement cannot be feasibly mitigated on the subject site. In that case, the trees' dollar value as cash-in-lieu, including the estimated cost of installation, shall be provided to the City.
- (f) No credit shall be granted for trees which are:
 - (1) Defined as non-native invasive plants or prohibited species as determined by the City;
 - (2) Dead, dying, diseased, or infested with harmful insects;
 - (3) Not located on the actual development site;
 - (4) Irreparably damaged due to improper pruning;
 - (5) Preserved trees, where root protection zones have been impacted;
 - (6) Relocated without approval by the City or as part of an approved landscape plan; Trees removed by the City due to sight impairment of vehicular traffic or pedestrian circulation shall not be replaced with new trees and shrubs.

Section 4. Section 18.04.110 of the Greeley Municipal Code is hereby amended to read as follows:

18.04.110 - Definitions

The following words, terms and phrases, when used in this Chapter, shall have the meanings defined as follows:

Accessory building or structure shall mean a detached building or structure located upon the same lot as the principal building or structure to which it is related and which is incidental to and customarily found in connection with such principal building or structure and which is not to be used for human habitation.

Administrative Review Team (ART) shall mean the City staff review team consisting of representatives of City departments involved with development and land use activities within the City and its long-range planning areas.

Alley shall mean a minor way used primarily for vehicular service access to the back of properties adjacent to a street and which is not intended to be used for primary access to a property. An *alley* shall not be considered a *street*.

Appeal shall mean a review of a final decision by a higher authority.

Applicant shall mean the owners or lessees of property, their agents or persons who have contracted to purchase property, or the City or other quasi-governmental entity that is proposing an action requiring review and approval by one (1) or more of the sections in this Chapter. An *applicant* may subsequently become the developer once approval is granted and, in this case, the terms shall be interchangeable.

Base flood shall mean a flood having a one-percent chance of being equaled or exceeded in any year. This term is used interchangeably with the terms *intermediate regional flood*, *one-hundred-year flood*, *one-percent flood* and *area of special flood hazard*.

Block shall mean a group of lots within the defined and fixed boundaries of a subdivision and usually being an area surrounded by streets or other features, such as parks, railroad rights-of-way or municipal boundary lines.

Buffer shall mean to promote separation and enhance compatibility between land uses of different intensities ~~within or adjacent to a development, or along roadways or other public areas, through the use of setbacks, natural vegetation, berms, fences, walls or a combination thereof. The term *buffer* may also be used to describe the methods used to promote compatibility, such as a landscape buffer.~~

Building shall mean any structure built for the shelter or enclosure of persons, animals or property of any kind, excluding fences or walls.

Building envelope shall mean the area in which a building or structure is constructed or placed in a development and in which the land area beyond the envelope is under the common ownership of all property owners within the development.

Building, principal shall mean the primary building on a lot or a building that houses the principal use.

Center line (of public right-of-way) shall mean a line running midway between the bounding right-of-way lines of a street or alley. For the purposes of calculating signage, the *center line* shall mean the apparent center line of the road determined by finding the point midway between the outer edges of the road surface.

City shall mean the City of Greeley, Colorado.

City Manager shall mean the City Manager or the City Manager's designee or other official, or body or agency, designated by the Charter or ordinance to act on behalf of the City of Greeley, Colorado.

Commission shall mean the Planning Commission of the City of Greeley, Colorado.

Comprehensive Plan shall mean the Comprehensive Plan of the City of Greeley, Colorado, as provided for in the City Charter and which provides for the future growth and improvement of the community, for the preservation of historic and natural resources and for the general location and coordination of streets and highways, recreation areas, public building sites and other physical development.

Cul-de-sac shall mean a local street of no more than five hundred (500) feet in length, with one (1) open end and the other end terminating in a vehicular turnaround.

Dedication shall mean setting aside property for a specific purpose, including, but not limited to streets, utilities, parks and trails.

Development shall mean any construction or activity which changes the basic character or use of land on which construction or activity occurs, including but not limited to any non-natural change to improved or unimproved real estate, substantial improvements to buildings or other structures, mining, dredging, filling, grading, paving, extraction or drilling operations.

Development concept master plan shall mean a scoping master plan intended to illustrate future land uses and related densities and intensities, architectural intent, extensions of street systems and other public facilities and utilities.

Development or subdivider's agreement shall mean a written instrument, for the purposes of specifying all improvements to be constructed by the subdivider, as well as the timetable for construction of such improvements, any special conditions of construction and construction cost estimates.

Dust abatement plan shall mean a plan intended and designed to control dust during the construction or development of property.

Easement shall mean a right granted by a property owner permitting a designated part or interest of the property to be used by others for a specific use or purpose.

Floor area, gross shall mean the total area of a building measured by taking the outside dimensions of the building at each floor level, or from the center lines of walls separating two (2) buildings and excluding areas used exclusively for the service of the building, such as mechanical equipment spaces and shafts, elevators, stairways, escalators, ramps, loading docks, cellars, unenclosed porches, attics not used for human occupancy, or any floor space in accessory buildings or areas within the building which are intended for the parking of motor vehicles.

Legal description shall mean a land description recognized by law, including the measurements and boundaries.

Lot shall mean a parcel of land, established by a subdivision plat, having a minimum width of at least twenty (20) feet which shall be located on either a public right-of-way or on a legal and perpetual access and which is occupied or designed to be occupied by one (1) or more principal buildings, structures or uses.

Minor subdivision shall mean a subdivision procedure that may be used for division of a parcel of land into not more than ten (10) lots or building envelopes which are intended for residential use; or into not more than six (6) lots which are intended for commercial or industrial use; or for the creation of lots not less than eighty (80) acres in size, the plat of which does not propose new streets or municipal financial participation in any public improvements required as a result of said proposed plat. A *minor subdivision* may also be used for the aggregation of not more than ten (10) parcels into one (1) or more parcels, the dedication and/or

vacation of easements, the division of a parcel of land into lots for existing townhouse dwellings and for adjustments in lot lines.

Oil and gas operations shall mean exploration for oil and gas, including the conduct of seismic operations and the drilling of test bores; the siting, drilling, deepening, recompletion, reworking or abandonment of an oil and gas well, underground injection well or gas storage well; production operations related to any such well, including the installation of flowlines and gathering systems; the generation, transportation, storage, treatment or disposal of exploration and production wastes; and any construction, site preparation or reclamation activities associated with such operations.

Outlot shall mean a tract of land platted in a subdivision for a specific purpose which shall be shown on the face of the plat. Specific purposes may include, but are not limited to drainage areas, stormwater detention or retention areas, parks, open space or land areas reserved for other public facilities.

Parcel shall mean a unit or contiguous units of land in the possession of, or recorded as the property of, any person, partnership, joint venture, association, corporation or other legal entity.

Perimeter treatment plan shall mean a plan ~~designed for the installation and perpetual maintenance of improvements~~ intended to provide visual and noise protection for the outer edges of developments which border arterial or major collector streets. Perimeter treatment also provides an attractive and varied streetscape for people traveling along thoroughfares. Perimeter treatment is generally located on the fringes of a lot facing public rights-of-way, unlike a buffer yard that screens against directly adjacent uses. Said plan shall include materials, techniques and sizes of buffering treatments, such as landscaping, fencing, screen walls, berms or a combination thereof sufficient to provide adequate buffering. The perimeter treatment plan may be incorporated into and shown on the landscape plan.

Plat shall mean a subdivision map or plan of property.

Plat, correction shall mean a plat prepared for the purposes of correcting one (1) or more technical errors in an approved plat.

Plat, filing shall mean a subdivision map used in conjunction with a Planned Unit Development, to identify the legal boundaries of a lot or grouping of lots.

Plat, final shall mean a completed map of a subdivision setting forth fully and accurately all legal and engineering information, survey certification and any accompanying materials as required by this Chapter.

Plat, lot line adjustment shall mean a monumented survey illustrating existing and proposed lot lines and existing improvements in proximity to said lot lines.

Plat, preliminary shall mean a proposed subdivision map and any accompanying materials as required by this Chapter, which provide sufficiently detailed information so that preliminary agreement as to the form and content of the plat, within the objectives of this Chapter, may be reached between the subdivider and the City.

Public improvement shall mean any improvement required by this Chapter for which the City or a quasi-public agency agrees to assume responsibility for maintenance and operation, or which may affect an improvement for which the City or a quasi-public agency is already responsible. Such facilities include, but are not limited to, streets, parks, trails, drainage facilities, water and sewer facilities, gas, electricity, telephone, cable television and other utility facilities.

Public structure, activity or purpose shall mean a structure, activity or purpose owned or operated by a governmental agency or by a nonprofit corporation with tax-exempt status under the federal Internal Revenue Code, if the nonprofit corporation makes the structure or facility available for the use of all members of the public without regard to membership status.

Replat shall mean the minor subdivision procedure which may be used for boundary or lot line adjustments to legally subdivided lots, or to correct errors in surveys or plats.

Right-of-way shall mean a right granted by a property owner and which is intended to be occupied by a street, sidewalk, railroad, utilities and other similar uses.

Stormwater management plan shall mean a plan for the management of stormwater drainage and control prepared in conformance with the regulations for stormwater management, adopted by the Colorado Department of Public Health and Environment; and further, including a plan for erosion and sediment control pursuant to the requirements of Chapter 9.18 of this Code, including its references. Refer to the City's *Storm Water Drainage Design Criteria Manual* for additional information.

Street shall mean a way for vehicular, pedestrian or bicycle traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.

Street, arterial shall mean those streets that permit relatively unimpeded traffic movement throughout the City and connecting to outside communities.

Street, arterial major shall mean those arterial streets designed to carry traffic volumes greater than twenty thousand (20,000) vehicles per day when the property which the arterial street serves is fully developed, and which permit rapid and relatively unimpeded traffic movement throughout the City, connecting major land use elements as well as connecting to outside communities.

Street, arterial minor shall mean those arterial streets designed to carry traffic volumes greater than fifteen thousand (15,000) vehicles per day when the property which the arterial street serves is fully developed, and which permit relatively unimpeded traffic movement and are intended for use on routes where four (4) moving lanes and one (1) turn lane are required but where a major arterial cross-section is not warranted.

Street, arterial parkway multi-modal shall mean those streets designed to carry traffic volumes greater than thirty-five thousand (35,000) vehicles per day when the property which the arterial street serves is fully developed and which permit rapid and relatively unimpeded traffic movement regionally and throughout the City, with emphasis on multi-modal connections.

Street, collector shall mean those streets that collect and distribute traffic between arterial and local streets and serve as main connectors within the City, linking one (1) neighborhood with another and which carry traffic with an origin or destination within the community.

Street, collector major shall mean those collector streets designed to carry traffic volumes greater than ten thousand (10,000) vehicles per day when the property which the collector serves is fully developed, and which permit relatively unimpeded traffic movement and are intended for use on those routes where four (4) moving lanes are required but where a larger classified street is not warranted.

Street, collector minor shall mean those collector streets designed to carry traffic volumes greater than three thousand five hundred (3,500) vehicles per day, which collect and distribute traffic between arterial and

local streets and which serve as main connectors within communities, linking one (1) neighborhood with another.

Street, local shall mean those streets which provide direct access to adjacent property and which carry traffic with an origin or destination within the immediate neighborhood.

Street, local commercial/industrial shall mean those local streets designed to carry traffic volumes of up to five thousand (5,000) vehicles per day and which provide direct access to adjacent property.

Street, local low volume shall mean those local streets designed to carry traffic volumes of up to five hundred (500) vehicles per day and which provide direct access to adjacent property, serving large residential lots with a minimum lot size of two (2) acres.

Street, local major shall mean those local streets designed to carry traffic volumes greater than one thousand five hundred (1,500) vehicles per day and which provide parking, bike lanes and direct access to adjacent property.

Street, local residential shall mean those local streets designed to carry traffic volumes of up to one thousand five hundred (1,500) vehicles per day and which provide direct access to adjacent property.

Structure shall mean anything constructed or erected on the ground, the use of which requires a more or less permanent location on the ground and including, but not limited to, walls, retaining walls, fences, parking lots, parking slabs and oil and gas production facilities.

Subdivider or developer shall mean any person, partnership, joint venture, association or corporation, or other legal entity who or which shall participate as owner, promoter, designer, builder or sales agent in the planning, platting, development, promotion, sale or lease of a subdivision.

Subdivision shall mean the division of a lot, tract or parcel of land into two (2) or more lots, tracts or parcels, or other division of land in compliance with the requirements of this Chapter.

Townhouse dwelling shall mean a dwelling in a building which contains two (2) or more dwellings, each of which is individually owned, along with the land area which constitutes the lot on which the townhouse dwelling is situated. To qualify as a townhouse dwelling, the structure must comply in all respects with applicable Building Codes and each dwelling unit must be separated by a fire wall, if required by applicable City codes.

Tract shall mean a parcel or parcels of land intended to be further subdivided before development at some point in the future, but which may be initially created as tracts through a subdivision process.

Use shall mean the type of activity for which land or a building or structure is designated, arranged or intended and also means the activity which regularly takes place upon the land or in a building or structure on the land. Not all uses shall be considered legal or permitted uses.

Vacation shall mean the legal abandonment of a right granted by a property owner, which was intended for a particular purpose, such as for streets or utility lines.

Section 5. Section 18.42.030 of the Greeley Municipal code is hereby amended to read as follows:

18.42.030 – Definitions

The following terms as used in this Chapter shall have the following meanings:

All-weather surface shall mean a ground surface covered with bricks, concrete precast paver units, concrete, asphalt or asphaltic or rubber mixture which may include compacted sand or gravel as an ingredient and which creates a hard surface. A graded natural surface or one covered with rolled stone or overlaid with noncompacted gravel shall not be considered an *all-weather surface*.

Driveway shall mean an improved concrete or asphalt path, either as one (1) solid pad or two (2) wheel strips, leading directly to one (1) or more City-approved parking spaces constructed with a concrete, asphalt or similar all-weather surface.

Driveway, angled shall mean a driveway which diverges from the approved driveway access at an angle for the purpose of creating access to a legal parking space, and which does not increase the width of the existing driveway at the street, curb or sidewalk.

Driveway extension shall mean an area adjacent and parallel to an existing driveway for the purpose of expanding the parking area in front of a garage.

Gross floor area (GFA) shall mean the total area of a building measured by taking the outside dimensions of the building at each floor level, or from the center lines of walls separating two (2) buildings and excluding areas used exclusively for the service of the building such as mechanical equipment spaces and shafts, elevators, stairways, escalators, ramps, loading docks, cellars, unenclosed porches, attics not used for human occupancy, any floor space in accessory buildings, or areas within the building which are intended for the parking of motor vehicles.

Oversized commercial vehicle shall mean a vehicle weighing at least eight thousand (8,000) pounds and used in conjunction with a business. Oversized commercial vehicles include, but are not limited to, semi tractors with or without trailers, tow trucks and utility service trucks.

Oversized vehicle, for the purpose of this Chapter, shall mean a vehicle exceeding one (1) ton or two thousand (2,000) pounds.

Parking shall mean the parking or leaving of an operable, licensed vehicle, current in its registration, for a temporary period.

Parking areas or lots shall mean areas designed, used, required or intended to be used for the parking of motor vehicles, including driveways or access ways in and to such areas, but excluding public streets and rights-of-way.

Parking, shared shall mean the development and use of parking areas on two (2) or more separate properties for joint parking use by the land uses on those properties.

Parking slab shall mean a paved parking space located off-street and designed to accommodate one (1) or more standard-sized motor vehicles.

Parking space shall mean a space or stall delineated by striping within a parking area established in conformance with this Code.

Parking space, storage shall mean a space for the storage of operable, licensed vehicles, current in registration, including recreational vehicles or equipment, for a period of thirty (30) days or longer.

Parking structure shall mean a parcel of land devoted to a multistory structure for the primary purpose of containing parking spaces.

Parkway shall mean the strip of land typically located between the sidewalk and curb, also referred to as a tree lawn.

Recreational equipment shall mean equipment intended for outdoor recreational use, including but not limited to snowmobiles, jet skis, all-terrain vehicles (ATVs), canoes and boats and including the trailers for transporting such equipment (see also *recreational equipment, major* and *recreational equipment, minor*).

Recreational equipment, major shall mean boats that exceed eighteen (18) feet in length, utility trailers that exceed the dimensions of five (5) feet by eight (8) feet and enclosed utility trailers that exceed the dimensions of five (5) feet by eight (8) feet and are more than three (3) feet in height.

Recreational equipment, minor shall mean boats that are eighteen (18) feet or less in length, utility trailers that are five (5) feet by eight (8) feet in size or less, canoes, snowmobiles, jet skis, all-terrain vehicles (ATVs) and similar small and low-profile outdoor recreational equipment.

Recreational vehicle shall mean a vehicle which is designed, intended and used for purposes of temporary living accommodation for recreation, camping and travel use, including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes, horse trailers and bus campers. For the purposes of this definition, neither a pop-up trailer nor a truck topper accessory (also known as a camper shell) which is not higher than eight (8) inches above the truck cab when installed shall be considered a recreational vehicle. A horse trailer used primarily for transport of horses and/or livestock to or from the site it is stored upon shall not be considered a recreational vehicle under this definition.

Structure shall mean anything constructed or erected on or in the ground, the use of which requires a more or less permanent location on or in the ground, and including, but not limited to, walls, retaining walls, fences, parking lots, parking slabs and oil and gas production facilities.

Yard, front or street side shall mean that portion of a lot between the primary structure and right-of-way. shall means the space or area of a lot between every point on the front of a principal building and the front property line of the site, typically adjacent to the street, which extends the full width of the site, and measured perpendicularly to the building at the closest point to the front property line. On a corner lot, space or area adjacent to the shorter street rights-of-way shall be considered the front yard.

Yard, rear shall mean the space or area of a lot between the rear property line of the principal building and the rear property line of the site, extending the full width of the site, and measured perpendicular to the building at the closest point to the rear property line.

Yard, interior side shall mean an open-space area between the interior side property line and the building setback line, extending between the front building setback line and the rear building setback line.

Yard, side street shall mean the area extending between the front yard and the rear yard or rear street yard and situated between the side street property line and the face of the principal building which is parallel to, or most nearly parallel to, the side street property line.

Section 6. Section 18.04.110 of the Greeley Municipal Code is hereby amended in part to add, amend or delete the following definitions in alphabetical sequence to read as follows:

APPENDIX 18-B – Definitions

The following words, terms and phrases, when used in this Code, shall have the meanings defined as follows:

American National Standards Institute (ANSI) shall mean the standards by said organization that helps development in the use have an equitable and open process that serves industry and the public good, having a consensus in standards development; ANSI's essential requirements.

Architectural landscape design shall mean the design of outdoor areas, landmarks, and structures to achieve environmental, social-behavioral, or aesthetic outcomes. It involves the systematic design and general engineering of various structures for construction and human use, using existing social, ecological, and soil conditions and processes in the landscape to produce desired landscaping.

Artificial turf shall mean any of the various synthetic fibers made to resemble natural grass.

Berm shall mean a mound of earth, higher than grade, used for screening, definition of space, noise attenuation and decoration in landscaping have the same meaning as earthen berm.

Bioretention facility shall mean a landscaped stormwater element designed to concentrate or remove debris and pollution from surface water runoff by moving water slowly and horizontally at the surface through vegetation using gently sloped sides that cleanse water from pollutants and soil erosion before it enters the city's stormwater system.

Bioswale shall mean a channeled depression or trench that receives rainwater runoff (as from a parking lot) and has vegetation (such as grasses, flowering herbs, and shrubs) and organic matter (such as mulch) to slow water infiltration and filter out pollutants.

Buffer shall mean to promote separation and enhance compatibility between land uses of different intensities, within or adjacent to a development, or along roadways or other public areas through the use of setbacks, natural vegetation, berms, fences, walls or a combination thereof. The term buffer may also be used to describe the methods used to promote compatibility such as a landscape buffer.

Buffer yard shall mean that area intended to provide buffering between land uses of different intensities or along roadways or other public rights of way through the use of setbacks, landscaping, earthen berms, solid fences, walls, applicable bioretention facilities or a combination thereof. Unlike a perimeter treatment, a buffer yard is located on the rear yard or interior side yard of a lot and is not adjacent to streets or alleyways.

Caliper shall mean the diameter or circumference of a tree.

Certificate of occupancy (C.O.) shall mean a written certificate provided by the city signifying the subject building/structure (property) has complied with city standards allowing for use and occupancy.

Clear vision zone or area ~~zone or area~~ shall mean that area which the City requires maintenance of in order to preserve the sight distance and safety of motorists, pedestrians, and bicyclists by requiring an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian or bicyclist to avoid a collision.

Decision point distance shall mean where the clear vision sight distance triangle begins.

Diameter shall mean the size of an existing tree as measured through the tree trunk at 6-inches above ground level from the uppermost root flare.

Earthen berm shall mean a mound of earth, higher than grade, used for screening or buffering, the definition of space, noise attenuation, and decoration in landscaping.

Foundation plantings shall mean live plantings located immediately around the base of the foundation of a building façade that reflects the formal geometry of the structure.

Ground cover shall mean those materials that typically do not exceed one (1) foot in height used to provide cover of the soil in landscaped areas, which and shall may include a combination of, but not limited to ~~include~~ river rock, cobble, boulders, concrete pavers, grasses, flowers, low-growing shrubs and vines and those materials derived from once-living things, such as wood mulch. In no event shall weeds be considered ground cover.

Impervious shall mean any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, paved parking and driveway areas, compacted areas, sidewalks, and paved recreation areas.

Irrigation system shall mean an ~~automatically or manually controlled sprinkler system that supplies water to support vegetation~~ underground, automatic sprinkler system or above-ground drip system explicitly designed for watering vegetation.

Landscaped area shall mean an area for the planting of trees, shrubs, ground cover or a combination thereof and which is defined by an edge strip material or the adjacency of sod or lawn area.

Landscape plan shall mean a scaled graphic plan showing the treatment of all open space areas, parking lots, parking areas, areas adjacent to the public right-of-way, perimeter treatment, and other landscaped areas, ~~which may include any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to, fountains, reflecting pools, screening walls, fences and benches. The landscape plan may include a perimeter treatment plan as defined in these definitions and shall delineate species, size and location of all landscape elements.~~

Landscaping shall mean any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to; fountains, reflecting pools, screening walls, solid fences, and benches.

Lawn shall mean a stretch of open, turf-grass covered land; artificial turf shall not be considered lawn or turf-grass.

Living fence shall mean a permanent hedge tight enough and strong enough to serve almost any of the functions of a manufactured fence, but it offers agricultural and biological services.

Maintenance of landscaping shall mean, as it pertains to Chapter 18.44, but not be limited to, regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, removing and replacing of dead plants, and the repair and replacement of ~~an~~ irrigation systems.

Mulch shall mean a natural planting material such as pine straw, coconut fiber, ground pine post peeling, or tree bark used to control weed growth, reduce soil erosion and water loss.

Native grass shall mean a native colorado grass.

Non-deciduous shall mean shrubs or trees, also called evergreens that keep their foliage year-round.

Open space, required shall mean that portion or percentage defined by the zoning standards of a lot required to be open and unobstructed. The area must not be covered by any structure or impervious surface, such as sidewalks or driveways, with the exception of required amenities and/or identity features, if amenities or identity features are required pursuant to subdivision and multi-family standards.

Open space, usable shall mean that portion of a lot or site excluding the required front yard area, which is not covered by any unoccupied by principal or accessory buildings and is available to all occupants of the building or site for recreational and other leisure activities that are normally customarily carried on outdoors. The area shall be unobstructed to the sky and shall have a minimum dimension of fifty (50) feet and a minimum area of six thousand (6,000) square feet. Usable open space ~~shall may~~ also include outdoor patios and plazas and recreational facilities, as determined in Chapter 18.38. Usable open space shall not include the required setback area from oil and gas facilities, rights-of-way, platted or built trails or sidewalks, parking lots, or occupied buildings.

Ornamental tree shall mean a deciduous tree planted primarily for its ornamental value or for screening and which will typically be smaller than a shade tree approximately fifteen (15) to twenty-five (25) feet in height.

Outlot shall mean a tract of land platted in a subdivision for a specific purpose, which shall be shown on the face of the plat. Specific purposes may include, but are not limited to, drainage areas, ~~storm water~~ stormwater detention or retention areas, parks, open space, future development, or land areas reserved for other public facilities.

Parkway shall mean the strip of land typically located between the sidewalk and the curb, also referred to as a tree lawn.

Parking bay shall mean a group of parking stalls or vehicle parking spaces to accommodate fifteen (15) or more vehicles.

Passive recreation area shall mean an undeveloped space or an environmentally sensitive area that requires minimal maintenance. Entities such as the city's culture, parks, and recreation department may

maintain passive recreation areas for the health and well-being of the public and the preservation of wildlife and the environment. The quality of the environment and the "naturalness" of an area is the focus of the recreational experience in a passive recreation area.

Perennials shall mean non-woody plants, which may die back to the ground each year but continue to grow on an annual basis. Perennials shall also include cold weather bulbs and tubers and ornamental grasses that grow each year and shall count toward ground cover requirements.

Perimeter treatment plan shall mean a plan designed for the installation and perpetual maintenance of improvements intended to provide visual and noise protection for the outer edges of developments, which border arterial or major collector streets. Perimeter treatment also provides an attractive and varied streetscape for people traveling along thoroughfares. Perimeter treatment is generally located on the fringes of a lot facing public rights-of-way, unlike a buffer yard that screens against directly adjacent uses. Said plan shall include materials, techniques and sizes of buffering treatments, such as landscaping, fencing, screen walls, berms or a combination thereof sufficient to provide adequate buffering. The perimeter treatment plan may be incorporated into and shown on the landscape plan.

Permeable shall mean a material that allows liquids or gases to pass through it.

Pervious shall mean a surface that allows water to pass through; a surface that presents an opportunity for precipitation to infiltrate into the ground

Planting median shall mean an area in the approximate center of a city street, road, or state highway that is used to separate the directional flow of traffic or the center of two parking bays that provide vegetation and pedestrian accessibility to the principal building structure by way of a paved sidewalk.

Pollinator gardens shall mean gardens designed for the purpose of providing habitat for or attracting bees, butterflies, moths, hummingbirds, or other beneficial creatures that transfer pollen from flower to flower, or in some cases, within flowers.

Rain garden shall mean a soil absorption or filter system designed to be depression storage or a planted hole that allows water filtration and absorption of rainwater runoff from impervious urban areas, such as roofs and driveways walkways, parking lots, and turf-grass or sod areas. It is a type of bioretention facility designed to provide stormwater infrastructure improvements with vegetation. Typically shallow vegetative depressions with gentle slide slopes designed as individual stormwater receiving areas or linked to conveyance systems. Soils may or may not be amended in these facilities.

Required landscape area shall mean the area of required open space, according to the zoning district provisions in which the property is located, that are not allowed to be covered by buildings, paving, heavily compacted surfaces or other impervious

Right-of-way landscaping shall mean landscaping located within the public or private rights-of-way adjacent to a privately owned lot, outlot, or tract, including parkways.

Screening shall mean a method of reducing the impact of visual and/or noise intrusions through the use of plant materials, earthen berms, solid fences and/or walls, or any combination thereof, intended to block that which is unsightly or offensive with a more harmonious element.

Shade tree shall mean a woody plant, usually deciduous, that normally grows with one main trunk and has a canopy that screens and filters the sun in the summer and winter, respectively.

Sight distance (see clear vision area or zone).

Single-family dwelling shall mean a building or a portion of a building consisting of one or more rooms including living, sleeping, eating, cooking, and sanitation facilities arranged and designed as permanent living quarters for one family or household; may be attached to one or more than other dwelling units by one or more vertical walls and may have no more than one dwelling unit on any one lot. Whether within a lot, outlot, or tract within a public right-of-way, surfaces shall not include storage or outdoor display in any legally established area.

Site plan shall mean a ~~plan~~ set of drawings that property owner, builder, or contractor uses to make improvements to a property through graphic representation, whether computer-generated or hand-drawn, of the arrangement of buildings, parking, drives, landscaping, and any other structure that is part of a development project. ~~showing the boundaries of a site and the location of all buildings, structures, uses and principal site development features proposed for a specific parcel of land.~~

Sod shall mean the grass and the part of the soil beneath it held together by its roots or another piece of thin material typically used as lawn.

Soil amendments are elements added to the soil, such as compost, natural fertilizer, manure, or chemical fertilizer, to improve its capacity to support plant life.

Solid fence shall mean a fence that is opaque and provided the fence is composed of solid wood, composite, vinyl, or masonry.

Stamped (sealed/signed) documents shall mean technical drawings or documents prepared under and authorized by a licensed professional for city reviews and permitting legal records verifying authority, professional liability, and qualifications to practice.

Streetscaping or streetscape shall mean, as it pertains to chapter 18.44, rehabilitation, preservation, and beautification of those exterior elements of a designated property which are visible from a street, including elements and landscaping within a front or street-side setback and/or the public right-of-way.

Street tree shall mean a tree planted in close proximity to a street in order to provide ~~canopy~~ shade over the street ~~to provide shade~~ and to soften the street environment.

Tree shall mean a large woody plant with one (1) or several self-supporting stems or trunks and numerous branches and may be deciduous or evergreen.

Tree lawn shall have the same meaning as the parkway.

Turf-grass shall mean a blend or mix of grasses most tolerant to the Colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn in urbanized areas. Artificial turf shall not be considered lawn or turf-grass.

Two-family dwelling shall mean a house with two families or a building connected by a common wall or parcel where there are two units. For example, a duplex is a two family dwelling.

Universal design shall mean the design of buildings, products, or environments, to make them accessible to all people, regardless of age, disability, or other factors. The term "universal design" was coined by the architect Ronald Mace to describe the concept of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of their age, ability, or status in life.

Urban heat island shall mean an urban area that is significantly warmer than its surrounding rural areas due to modifications of land surfaces such as development and other human activities. The temperature difference is usually more significant at night than during the day.

Utility line clearance zones shall mean the minimum clearance horizontal or vertical standard determined by the utility holder. Obstructions and encroachments are prohibited.

Weed shall mean any plant not typically propagated by the horticultural trades and ground cover or shrub which is typically not typically installed for the purposes of landscaping; which is not typically propagated by the horticultural or nursery trades; or which presents a particularly noxious allergenic or growth characteristic. Weed does not include native and naturalized plants, other than designated noxious weeds, grown in areas managed primarily for ecological services.

Xeric landscaping or xeriscape was coined by Denver Water in 1981 to help make water-efficient landscaping an easily recognized concept. Xeriscape is a combination of the word "landscape" and the Greek word "xeros," which means dry. For the purposes of defining it in this chapter of the code, it shall mean the use of low-water or very low-water plants in place of plants that typically require more water to survive and include, but are not limited to, plants having a low or very low water requirement. Xeric landscaping does not mean the same as hardscaping or the use of rocks or rock mulch.

Yard, front or street side, for the purposes of Chapter 18.36, shall mean that portion of a lot between the primary structure and right-of-way. A yard may contain more land area than a setback area.

Yard, front shall mean that portion of a lot between the front façade of a primary structure and the right-of-way. A yard may contain more land area than a setback area. On a corner lot, space or area adjacent to the shorter street rights-of-way shall be considered the front yard.

Yard, interior side shall mean an open-space area between the interior side property line and the building setback line, extending between the front building setback line and the rear building setback line.

Yard, rear shall mean the space or area of a lot between the rear property line and the principal building, extending the lot's full width, and measured perpendicular to the building at the closest point to the rear property line.

Yard, street-side shall mean the area extending between the front yard and the rear yard or rear street yard and situated between the side street property line and the face of the principal building which is parallel to, or most nearly parallel to, the side street property line.