

PLANNING COMMISSION SUMMARY

ITEM: Amendment to the City of Greeley Municipal Code, Title 18 – Development Code

FILE NUMBER: CU2018-0002

PROJECT: An Ordinance Repealing Chapter 18.44 and Appendix D in their entirety, adding a new Chapter 18.44. Amending portions of Chapter 18.04.110, 18.42.030; and amending Appendix 18-B of the City of Greeley Municipal Code, all regarding Landscaping, Irrigation, Buffers, and Screening Standards

APPLICANT: City of Greeley, Community Development Department

CASE PLANNER: Marian Duran, Long Range Planner

PLANNING COMMISSION HEARING DATE: December 15, 2020

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by staff and the public, and shall then make a recommendation to the City Council regarding the proposed repeal and amendments to the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is requesting to repeal Chapter 18.44 – Landscaping and Buffering Standards and replace with Chapter 18.44 – Landscaping, Irrigation, Buffers, and Screening Standards in order to meet Greeley Comprehensive water conservation goals and City Council priorities. As a result of the changes to Chapter 18.44, Appendix D – Tree, Shrubs, and Ground Cover Lists would be repealed and definitions to the following Chapters below would also be amended (*see Attachment A - Chapter 18.44 – Proposed Amendment to Chapter 18.44 – Landscape Code, Attachment B – Proposed Amendments to Chapters 18.04 and 18.42, Attachment C – Proposed Amendments to Appendix 18-B, and Attachment C – Proposed Amendments to Appendix 18-B Definitions*).

Chapter 18.04.110 - Definitions
Chapter 18.42.030 - Definitions
Appendix 18-B – Definitions

STAFF RECOMMENDATION

Approval

BACKGROUND

The Community Development Department recommends an update to the Landscape Code, Title 18.44, with an anticipated Final Adoption date in January 2021. The last rewrite of the landscaping code was in 2009 (Ordinance No. 2009-20), which added language that supports

water-wise landscaping methods and objectives to increase water saving measures. In 2015, Ordinance No. 2015-40 adopted the Landscape Policy Plan for Water Efficiency. The Landscape Policy Plan was a cooperative project, which involved the City Manager's Office, the Water & Sewer Department, CPRD (Culture, Parks, and Recreation Department), and Community Development. The goal was to develop policies that balanced the history of water acquisition and lifestyle values of the City of Greeley, while also seeking water efficiency. The 2015 Landscape Policy Plan for Water Efficiency is a sub-element of the Greeley 2060 Comprehensive Plan,, but the Policy Plan is still in effect as part of the the Imagine Greeley Comprehensive Plan which promotes incentives, information, and training programs related to conservation through landscaping.

In the last five years, Greeley has experienced exponential growth and development that still often results in over-watering. In that time, the City has introduced new programs such as the Water Efficiency Audits, Water Restrictions, and Water Budgets to reflect how the community uses water. The Water & Sewer Department is also running a pilot program that encourages developers to implement a water-wise subdivision design.

In order to support these efforts and the 2015 Policy Plan for Water Efficiency goals, the updated code language is being proposed for Council's consideration. The revised Landscape Code includes modernized water conservation language that influences and encourages planting practices to reduce each property's overall water consumption. The update seeks to achieve City Council priorities and "Imagine Greeley: Comprehensive Plan" goals and to improve code enforcement action (*see Attachment D – Target Comprehensive Plan Objectives*).

The Landscape Code Update has been developed in-house, taking into account internal/external stakeholder comments and comments from a 15-person citizen advisory Landscape Code Update Committee. The Landscape Code Update Committee consists of landscape design professionals, including those working for developers and those active in construction and maintenance. The Committee met four times, commencing on August 28, 2020, where representatives provided input on what existing code elements work well and areas where new regulations would help achieve water efficiency goals and improve the development process.

KEY ISSUES/STAFF ANALYSIS

Article XIX, Section 19-1(b) of the Greeley Charter describes the Planning Commission's role in providing advice on land use matters to the City Council. These proposed changes are relevant for the Commission's review and recommendation for Council Consideration.

The updated landscape code language would not require single-family and two-family dwellings to convert their yards or adjacent parkway into water efficient design; instead, it promotes individual choice that allows and encourages water-wise design. For example, property owners may reduce front landscaping (including parkway) to 50% live material; the remaining property can be rock or mulch (natural/synthetic), as can all side and back yards. The “Life after Lawn” program educates property owners on how to convert their lawn to water efficient landscaping. Those who join the program and meet the 50% live material qualify for a rebate of up to \$1.00 per square foot of material that was converted. The Water Department calculates the amount of landscaping irrigable on each property in the Water Budget program – hardscape material is not included in the Water Budget calculations.

Additional changes have taken place at the subdivision stage. For example, if a developer or subdivider designs their subdivision with water-efficient landscaping, the Water & Sewer Department may reduce raw water dedication. The Water & Sewer Department is also working on a Water-Wise pilot program that reduces the raw water dedication for developers at the time of platting. Another incentive that these Landscape Code changes support and reinforce is the Shade Program run by the City Forestry Division, which is a low-cost tree-planting program. All these programs are opportunities for developers and individual property owners to receive credits or reductions, and they also help implement water conservation principles supported by this proposed set of code changes (*see Attachment A - Proposed Amendment to Chapter 18.44 – Landscape Code, Attachment B - Proposed Amendments to Chapters 18.04 and 18.42*).

The overarching changes to Chapter 18.44 are as follows.

1. The Purpose and Intent Section gives more prominence to land use compatibility and water efficiency, and promotes energy and ecological benefits at the regional, the community and neighborhood level, as well as upholding agricultural tradition and the Tree City USA designation.
2. Single-family and two-family lots are now only required to have 50% live plantings in yards visible from adjacent rights-of-way.
3. Buffer yards are not required along the entire length of the adjoining lot, but only where the most intense and differing land-uses exist. Additionally, the most intense buffer width requirement has decreased 60%, reducing the amount of land needed for buffer yards.
4. Perimeter treatment materials are reduced, although differences by street classifications remain. The language is clarified to help and helps the public understand who maintains perimeter treatments (i.e., an owners' association, metropolitan district, property owner, or a tenant).
5. Parking lots are now exempt from perimeter screening, as they already require parking lot screening. Screening for parking lots has also reduced from ten feet to eight feet. Medians are required when there are more than 100 parking spaces, with a minimum of two medians for every two bays.
6. Irrigation standards have been eliminated as code requirement and moved to a policy document, because best management practices often change with industry technology. Examples of these are rain sensors, automatic irrigation systems, subsurface and drip irrigation, irrigation audits, and temporary irrigation and hydrozones. These requirements will be in a separate landscape & irrigation policy manual developed primarily by the Water & Sewer Department.

PUBLIC NOTICE AND COMMENT

Staff also conducted an online public survey that ran from October 28 through December 3, available in both English and Spanish (*see Attachment E – Landscape Code Update Survey Results and Questions*). Staff also hosted a virtual public webinar on November 5. The meeting provided information regarding the importance of water conservation and limited water supplies, Greeley's landscape tradition, and why it is essential to continuously review the Landscape Code in order to support City water efficiency goals. There have been 85 survey responses to date. Common themes are that the public cares about water conservation and is supportive of water-efficient landscaping (*see Attachment D - Target Comprehensive Plan Objectives*).

There was a Planning Commission worksession to present the Landscape Code Update on November 10 and a City Council worksession on December 8. There were no questions or comments at the worksession, but there were later discussions through email and at the November 24th PC hearing from a Commissioner, sharing their concerns of overwatering in parkways and asked how these areas would be regulated by the City. Staff explained that subdivision applications are required to submit a landscaping and irrigation plan that illustrates perimeter a buffer yard(s) (if, required), outlots, common open space, and all parkway landscaping. The developer must install required landscaping. Perpetual maintenance is required by either the adjacent property owner or the HOA (Home Owners Association). The Community Development Department, and Water and Sewer Departments encourage the use of more xeric landscaping as part of the review of new subdivision applications. The intent and purpose of Title 18.44 is to continue the historical tradition of streetscape streets. Street trees provide shade to those that use sidewalks and provide a beautiful tree-lined promenade, which helps maintain that Tree City USA designation. The updated Code language states that each newly developed lot will be required to have one tree in the front yard and trees in parkways 35 feet apart to reduce the overcrowding of trees.

Staff also received a letter from resident on November 2, 2020, expressing opinions of how the City can take steps on water conservation, incentives, and enforcement to name a few (*see comments in Attachment F - Public Correspondence*).

A formal notice was submitted to the Tribune on December 3, 2020.

PLANNING COMMISSION RECOMMENDED MOTION

A motion that, based on the Project Summary and accompanying analysis, the Planning Commission finds that the proposed amendments to Chapter 18 of the Greeley Municipal Code as presented are necessary and appropriate to meeting the intent of the Comprehensive Plan and to clarify administration of the Development Code, and recommend approval to City Council.

ATTACHMENTS

Attachment A – Proposed Amendment to Chapter 18.44 – Landscape Code
Attachment B – Proposed Amendments to Chapters 18.04 and 18.42
Attachment C – Proposed Amendments to Appendix 18-B Definitions
Attachment D – Target Comprehensive Plan Objectives
Attachment E – Landscape Code Update Survey Results and Questions
Attachment F – Public Correspondence

REPEAL

18.44 – Landscaping and Buffers Standards

ADD

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 development density increases in designated areas, it 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 upholding 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 application 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;
 - (4) Provide a partial barrier between sidewalks and vehicular lanes; and
- (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 by vegetative canopies 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 xeriscape 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 strips; and
- (4) Amending soil pursuant to the Water Efficiency policy.

18.44.020 - Applicability of landscaping standards.

- (a) All development, except single-family and two-family dwellings, shall be classified as either major or minor development based on the following:
 - (1) Minor development.
 - a. Has a one (1) time increase of imperviousness or building gross floor area (GFA); and
 - b. Has between a five (5%) and a twenty-five (25%) percent increase for buildings or imperviousness less than 10,000 square feet; or
 - c. Has between a five (5%) and a ten (10%) percent increase for buildings or imperviousness between a minimum of 10,000 square feet and not greater than 20,000 square feet.
 - (2) Major development.
 - a. Has a twenty-five (25%) percent increase for buildings or imperviousness greater than 10,000 square feet.
- (b) Alternative compliance. In conjunction with a 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 than what is being proposed and meet 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 within existing infill sites that do not qualify or meet the threshold for a major or minor site alteration.
 - (2) A one (1) time increase of use and building gross floor area (GFA) that is less than five (5%) percent.
 - (3) Interior or exterior rehabilitation or remodeling of an existing building that does not involve the expansion of the gross floor area of a building on a lot.
 - (4) A property located within the General Improvement District (GID) pursuant to Section 18.34.220.
 - (5) A property located within the Redevelopment District Site on a case-by-case determination of the City.

18.44.030 - Landscape plan requirements.

- (a) Landscape plan requirements apply to all major developments as defined herein:
 - (1) Landscape plans shall be prepared and stamped by a Colorado registered landscape architect unless waived by the Director of Community Development.
 - (2) A certificate of occupancy shall be issued pursuant to Section 18.44.050 (b)(1).

18.44.040 - General landscaping design standards

- (a) General landscaping design standards apply to all major development as defined herein:
 - (1) Entry corridors must incorporate an architectural landscape design.
 - (2) Planting types to be incorporated into a landscaping may include shade trees, ornamental trees, non-deciduous trees and shrub, deciduous shrubs, and perennials.
 - (3) Landscaping provisions shall not be cumulative or overlapping. When more than one (1) standard applies in the same area of a lot, the Community Development Department shall determine the most restrictive landscape standard applicable to the area.

- (4) Bioswales, water quality ponds, and rain gardens. Bioswales, water quality ponds, and rain gardens may be installed and are encouraged to infiltrate 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 document and Urban Drainage Criteria Manual](#), as amended. See Figure 18.44-1 for reference.



Figure 18.44-1: Bioretention facilities

- (5) Site landscape requirements that propose stormwater and erosion control methods shall find specifications in the [Storm Drainage Design Criteria and Construction Specification](#) manual, as amended.
- (6) Shall include foundation plantings where facades are visible from adjacent rights-of-way, open space, parking lots, trails and walks, and passive recreational areas.
- (7) Minimum Plant Sizes. The minimum plant size shall be consistent with Table 18.44-1 below:

Table 18.44-1 – Minimum plant size table

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

Perennials	Volume #1 (ANSI Standards)
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**Shrubs may be substituted with large perennials (Volume #2 (ANSI standard)) or larger in size at a 3 perineal to 1 shrub ratio.*

- (b) Applies to major and minor development, and single-family and two-family dwelling as defined herein:
- (1) Bare dirt or weeds are not allowed as ground cover or landscape material.
 - a. Acceptable ground covers 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.
 - (2) Artificial turf is an acceptable ground cover, but is only permitted in yards that are not visible from the public rights-of-way.
 - (3) Landscape plantings shall be designed to establish water-efficient irrigation practices.
 - a. Water efficient, pollinator garden, and xeric landscaping shall be planted to promote water conservation.
 - b. Place xeric plants together with contrasting textures or forms 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 receive a raw water reduction on a case-by-case basis.
 - (4) Native grass shall be planted in detention and retention ponds, and in areas that will not be 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 screening mechanical equipment.
 - 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. Storm water detention areas. Placement of floatable, erodible, or any other landscape materials, which may be determined to produce pollutants that negatively affect the quality of stormwater runoff shall not be permitted near drainage, stormwater detention, or 100-year floodplain areas.

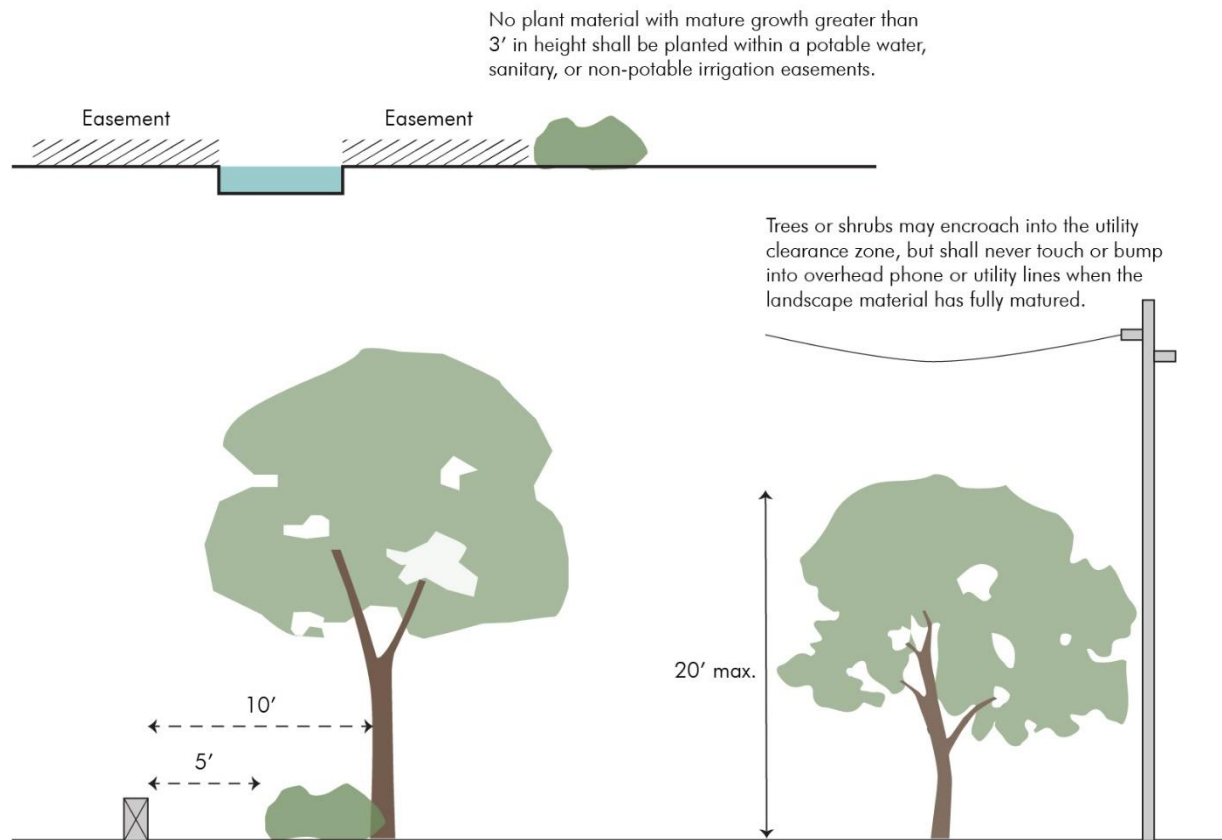


Figure 18.44-2: Utility line clearance zones

- (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. It is measured perpendicular fifteen (15) feet 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 of major street pursuant to the City's [Design Criteria and Construction Specifications](#), as amended. It must allow full view of traffic approaching on the left or the right of the minor road pursuant to Figure 18.44-3.

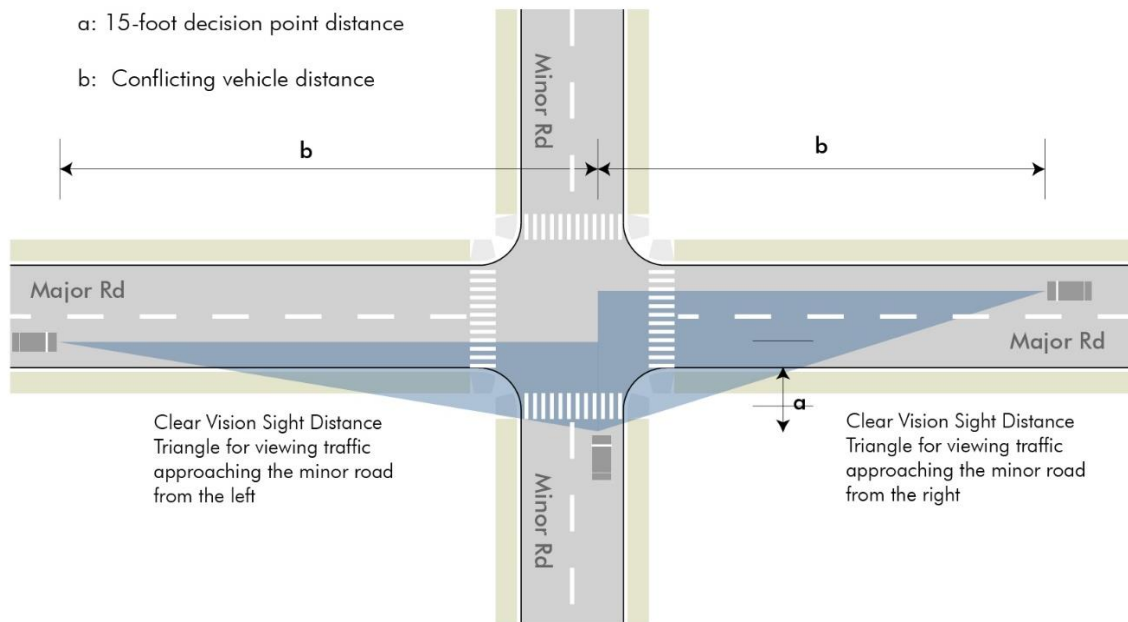


Figure 18.44-3: Clear Vision Sight Distance Triangles

- b. Landscaping proposed within the required clear vision sight distance triangle shall not be taller and shall be maintained at a height no greater than thirty (30) inches above the adjoining street level.
- (7) Right-of-way planting permit. 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 rights-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 amendments pursuant to [Title 14.08](#) and the [Water and Sewer lawn installation specifications](#).
- (c) Alternative.
 - (1) Utility easements or utility lines that conflict with required landscaping such as but not limited to, buffer yards, perimeter treatment, rights-of-way, parkway, and median standards shall require an alternative design that is equal to or greater than what is typically required by this chapter when landscape standards are encumbered by utility easements.
 - (2) Short rooting plantings such as perennials may be planted along utility easements and other utility line paths.

18.44.050 - Installation and Maintenance.

- (a) Installation and maintenance shall apply to all major, minor, and single-family and two-family dwellings as defined herein:
- (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 must have complete common open space, outlots, street trees, and perimeter treatments installed prior to the first issuance of a certificate

of occupancy or through a landscape or development agreement that includes a phasing arrangement.

- (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 development agreement, a plat, or a recorded document, and as accepted and approved by the City.
 - (3) Approval. Approved landscaped material may be inspected by the City periodically throughout the life of development.
- (c) All major and minor development.
- (1) An inspection shall be performed by the City, 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 the necessary maintenance of all on-lot, and rights-of-way landscaping, buffer yard, perimeter treatment, and screening improvements to be kept in healthy condition.
 - b. Property owners shall be responsible for the perpetual maintenance of the adjacent front parkway.
 - c. Landscape material on corner lots with a side or rear parkway shall be installed by a developer and maintained perpetually by a property owners association.
 - (3) Replacement. Failure to replace dead landscape materials within three growing seasons (spring, summer, or fall) from the date of issuance of Certificate of Occupancy, shall be considered a violation of the site plan approval and is subject to penalties pursuant to Chapter 9.18.180 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 (125%) percent 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 dwellings 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 accord with the provisions of this Chapter, within one (1) year of the issuance of the certificate of occupancy.

18.44.060 - Irrigation systems.

- (a) Irrigation systems apply to all major and minor developments, and as applicable to single-family and two-family dwellings as defined herein.
- (b) All major developments:
 - (1) Irrigation system design required. In conjunction with a landscape plan, an irrigation system design shall be submitted to be reviewed and approved by the Water and Sewer Department.
 - (2) The irrigation system shall be fully functioning automative irrigation system, which is designed to minimize overspray and is installed in accordance with Water and Sewer design standards.
 - (3) Waiver. Existing infill developments located in the Redevelopment District may request a waiver from the Community Development Director, on a case-by-case basis.
- (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 have clustering together plants with similar water requirements, and be irrigated by drip, bubbler systems, low volume spray heads, 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 it must be established within three (3) to four (4) seasons complying 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 of after establishment is complete.
- (2) Irrigation audit. An Irrigation audit shall be required following installation of the irrigation system.
- (3) Automatic irrigation. Landscaped areas shall be served by a functioning automatic irrigation system, as determined by the Greeley's Water and Sewer Department policies.
- (d) All major and minor, 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.

18.44.070 - Landscape requirements for all zoning districts.

- (a) Landscape requirements for all zoning districts apply to all major and minor development as defined herein:
 - (1) The minimum percent of the site area required to be landscaped is fifty (50%) percent of the required open space standards established in each zoning district pursuant to Chapter 18.38.
 - (2) Where landscaping is used for screening, forty (40%) percent must be non-deciduous and sixty (60%) percent deciduous.
 - (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, and 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 do not have architectural design, trash receptacles, including loading docks, and the portion of the land-use area used as outdoor display and outdoor storage areas shall be screened with landscape material on the sides visible from public rights-of-way such as sidewalks, streets, and other areas 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.
 - c. Accent special features such as main entries and corridors.
 - d. Screen parking lot landscaping, buffer yard, rights-of-way landscaping, and perimeter treatment, and shall also meet the requirements of this Chapter.
- (b) Applies to all major and minor developments, and single-family and two-family dwellings as defined herein:
 - (1) Trees required on lot. Trees shall be planted on sites pursuant to the following:
 - a. All required trees shall comply with the minimum plant material sizes listed in Table 18.44-1, Minimum plant size table.
 - b. Existing mature trees may count toward these requirements pursuant to Section 18.44.120.
 - (2) Parkway standards. Landscaping within rights-of-way shall be provided subject to the following standards:

- a. New parkway development must have fifty (50%) live landscape material.
- b. Shade trees shall be planted at a regular spacing of a minimum of thirty-five (35) feet on center, except in perimeter treatment areas and parking lot islands.
 - (1) Single-family and two-family dwelling shall have no less than one (1) tree per street frontage.
- c. Shrubs and perennials shall not be taller than thirty (30) inches from the top of curb at maturity within the clear vision sight distance triangle, in all other areas in the parkway, shrubs shall exceed thirty-six (36) inches at maturity.



Figure 18.44-4: Parkway standards

- d. Street trees and shrubs must be those species suitable for the location in which they are placed and installed after sidewalks have been completed. Street trees and shrubs must be planted pursuant to Section 18.44.040 (a)(6), clear vision sight distance triangle provisions.
 - e. Xeric grasses are encouraged in parkways.
 - f. Street trees adjacent to sidewalks and streets, with a projection and an overhanging canopy greater than two (2) feet in length, shall have an upper 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 guidelines shall be healthy at the time of planting and compatible with the local climate.

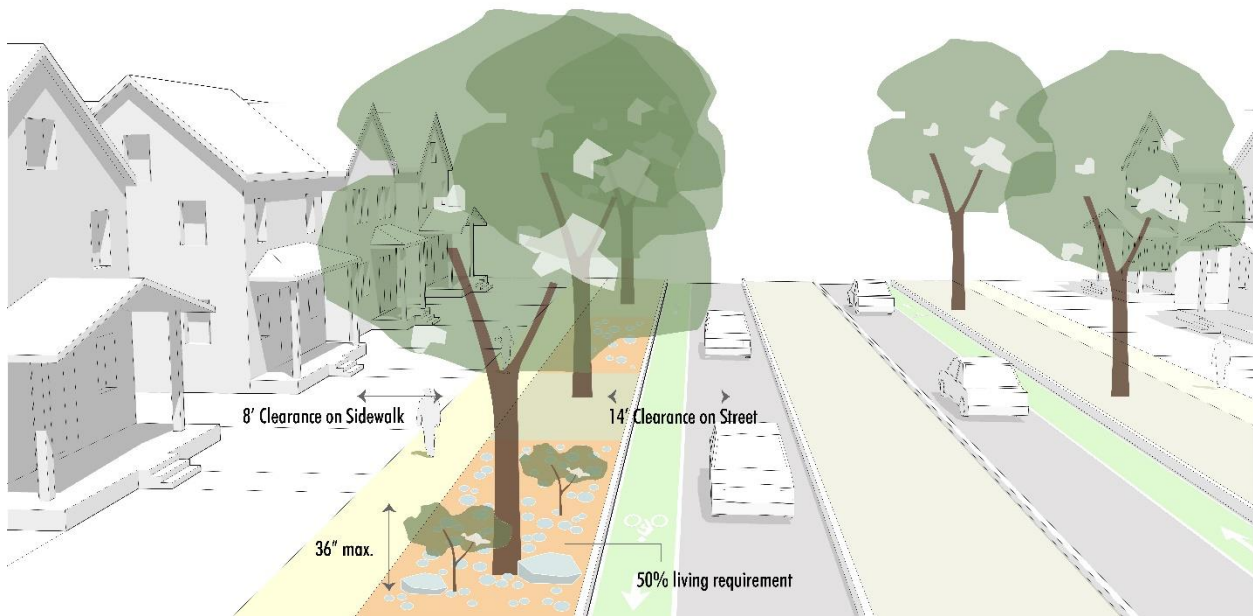


Figure 18.44-5: Tree sidewalk clearance

- (c) The following applies to all single-family and two-family dwellings only as defined herein:
- (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. Not including parkway requirements.
 - b. Additional trees, not otherwise required, are encouraged to be planted.
 - (2) A minimum of fifty (50%) percent live plantings shall be provided within all yards adjacent and visible from all rights-of-way, except for alleys, including typical and atypical lots pursuant to Figures 18.44-6 and 18.44-7.
 - a. All non-paved areas and yards not visible from adjacent rights-of-way must be landscaped with ground cover pursuant to Section 18.44.040 (b).
 - b. Driveways, walkways, patios, porches, and areas containing an accessory structure shall be included for the purposes of calculating the fifty (50%) percent landscape material requirement.

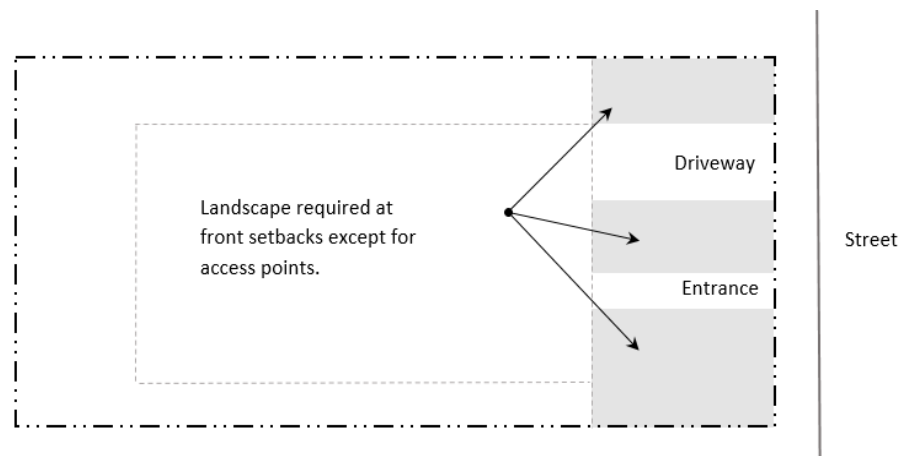


Figure 18.44-6: Typical Lot Frontage

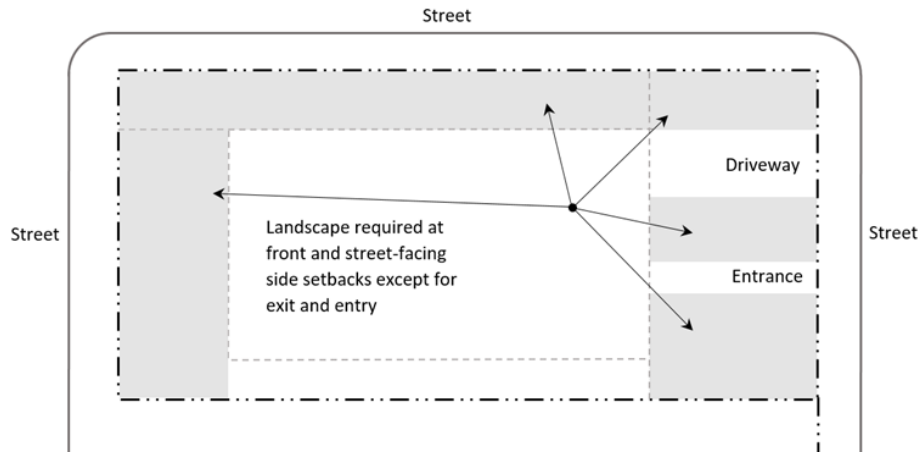


Figure 18.44-7: A-typical Lot Frontage

18.44.080 - Buffer yards standards

(a) Buffer yard standards apply to major development as defined herein:

- (1) The purpose of buffer yards is to provide a transitional effect between two (2) or more lots sharing a common property line. The buffer yard standards of this section also apply as follows:
 - a. All new development on vacant land adjacent to existing development.
 - b. New residential subdivisions are not exempt from this provision.
 - c. Oil and gas development located in non-urbanized areas shall be reviewed on a case-by-case basis.
 - d. Land uses separated by public rights-of-way, such as alleys and streets, shall not be considered adjacent for the purposes of this section.
- (2) Location of buffer yards.
 - a. Pursuant to Figure 18.44-8, buffer yards shall be located along the property line where the most intense and differing land-uses exist.
 - b. A buffer yard is required where the most intense use of abutting land uses may impact the adjacent property, such as, but not limited to a storage yard or a building development against a residency, or an open space park even with existing vegetation.
 - c. Buffer yards shall not be placed within any dedicated rights-of-way.

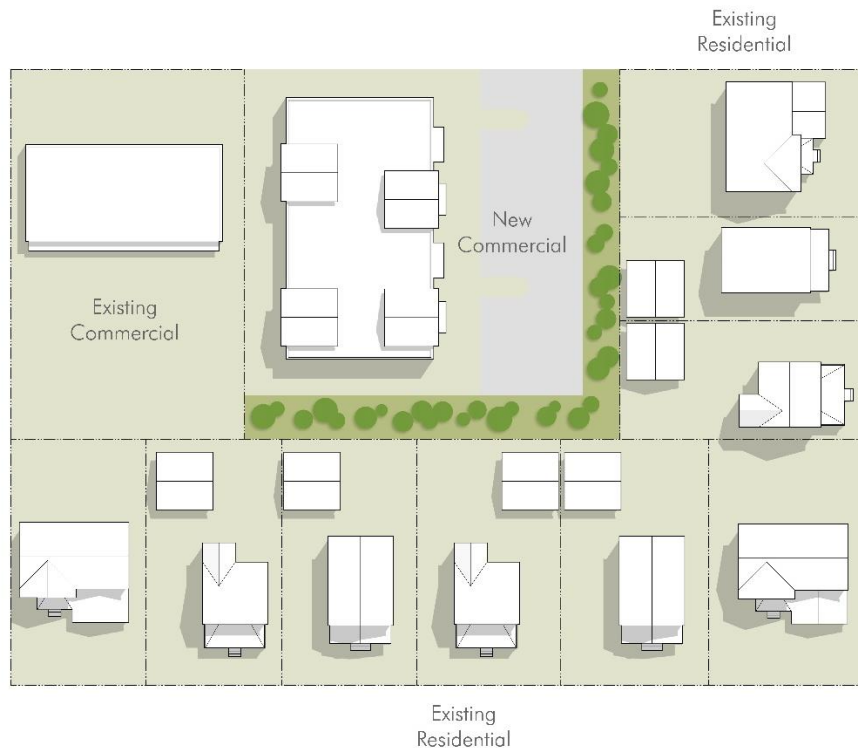


Figure 18.44-8: Buffer yard along differing land uses

- (3) Buffer yards may be interrupted, having a break, for necessary pedestrian and vehicle access.
- (4) Existing healthy vegetation within the required buffer yard area may be counted toward the required landscaping.
- (5) Landscaping requirements for buffer yards.
 - a. Non-deciduous trees are required to make up forty (40%) percent of the required trees.
 - b. In no event shall a perennial or shrub be smaller than thirty-six (36) inches in height at maturity.
 - c. Shrubs, ornamental grasses, and perennials may not be substituted for trees in the buffer unless the applicant has demonstrated to staff that the site is encumbered by utilities as described in Section 18.44.040 (b).
 - d. All plant material conversions shall be approved by the City on a case-by-case basis based on durability and appearance in the location where the materials are to be installed.
 - e. A solid wall or fencing is not required as part of a buffer yard, but if a solid wall or fence is provided, then the width of the buffer yard may be reduced by twenty-five (25%) percent.
- (6) Earthen berms are also encouraged as part of the buffer. Landscape material may be reduced by up to fifty (50%) percent if the site plan includes berming or other topographic features that achieves 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 to no greater than a 4:1 ratio for turf-grass mowing, and must have a crown width of at least two (2) feet.
 - 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.

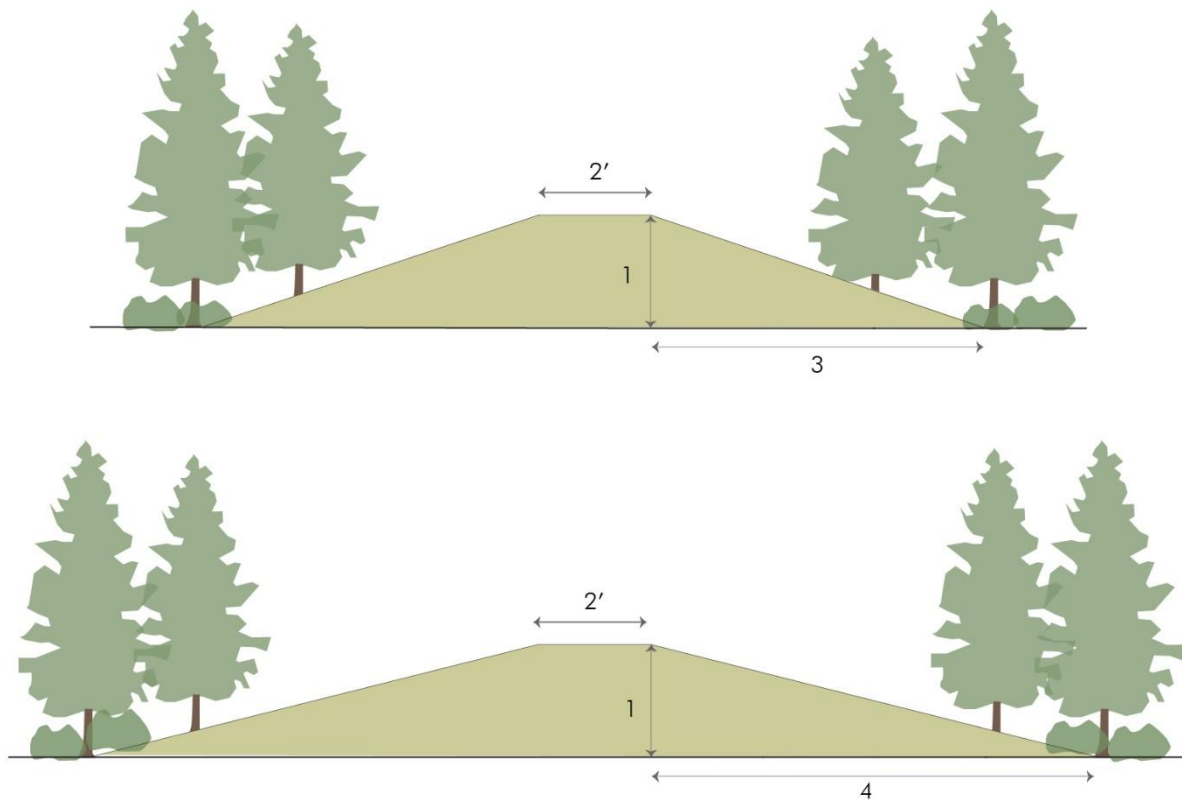


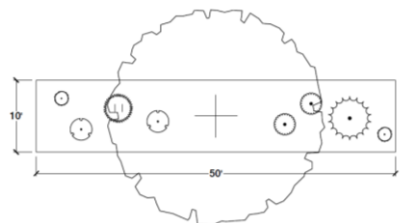
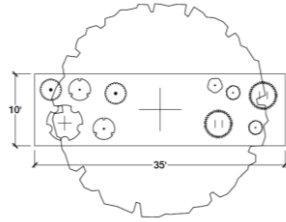
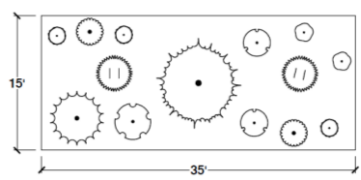
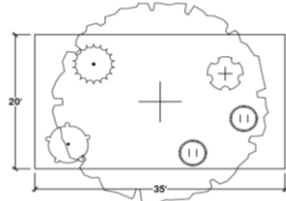
Figure 18.44-9: Earthen berms

(7) Minimum buffer yard requirements:

Table 18.44-2 – Land Use Intensity Table

Intensity	Land Use
Low-intensity use	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 development at less than 12 units per acre.
Medium-intensity use	Including but not limited to neighborhood commercial and service activities, retail operations under 3,000 gross floor area and typically do not operate 24-hours a day, restaurants (without drive-up windows), banks (without drive-up windows), convenience stores (without gasoline sales), offices (3 or more stories), multi-family development greater than 12 units per acre.
High-intensity use	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 in size.
Very-high intensity use	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 in size.

Table 18.44-3 – Minimum Buffer Yard Material and Width Table

<i>Proposed Use:</i>	<i>Adjacent Shared Use:</i>	<i>Buffer Yard Quantity/Width:</i>	<i>Example Image:</i>
No buffer yard is required when property is adjacent to another of use of the same intensity.			
Medium-intensity use	Low-intensity use	One (1) tree, eight (8) shrubs for every 50-linear feet; Minimum width: 10-feet wide	
High-intensity use	Medium-intensity use	One (1) tree, Ten (10) shrubs for every 35-linear feet; Minimum width: 10-feet wide	
Very-high intensity use	Medium-intensity use	One (1) tree, thirteen (13) shrubs for every 35-linear feet; Minimum width: 15-feet wide	
Very-high intensity use	High-intensity use	One (1) tree and five (5) shrubs 35-linear feet; Minimum width: 20-feet wide	

(8) Alternatives.

- If a development includes a vegetative water quality pond, decorative and articulated 6-foot tall solid wall, or an architectural landscape design, the property owner may request a ten (10%) percent reduction in the overall landscaping, except buffer yards and perimeter treatments.
- If the site has unique characteristics where buffering cannot feasibly be installed due to size constraints, minimal setbacks, or encumbrances a request for alternative compliance pursuant to Section 18.44.020 (b) and 18.38.140 may be granted.
- For 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, gas or propane fire pits, fireplaces, grills and outdoor heaters, decking area and that are accessible and functional to the public, is sustainable in design, and engages the community with historical perspective or monumentation. This provision must be reviewed on a case-by-case basis and approved by the Community Development Director or Designee.

18.44.090 Parking lot landscaping standards

- Parking lot landscape standards shall apply to all major and minor development as defined herein:

(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. Shall incorporate a universal design.
- c. Landscaping material such as shrubs or perennials, notwithstanding required trees, shall have a limited height of thirty-six (36) inches where vehicle visibility is necessary.
- d. The total tree count shall be no less than one (1) tree per five (5) parking lot spaces.

(2) Parking lot screening.

- a. A minimum eight (8) foot wide landscaped area, exclusive of sidewalks and utility easements, should be provided between the parking lot and street right of way to accommodate the required screening shrubs.
- b. The required landscape treatment for parking lot screening shall include, a dense hedge, berming, decorative metal fencing, and/or masonry wall.
- c. The landscape treatment shall be located at the perimeter of surface parking lots abutting street corridors not encumbering the clear vision sight distance triangle.
- d. Is encouraged to be continuous unless the placement of existing or proposed trees make continuity impossible.
- e. The parking lot screening shall have one (1) shade tree or non-deciduous tree for every thirty-five (35) feet along the same row of trees. Where space allows, earthen berms are encouraged as part of the screening standards to allow for diversity and interest in landscape design.

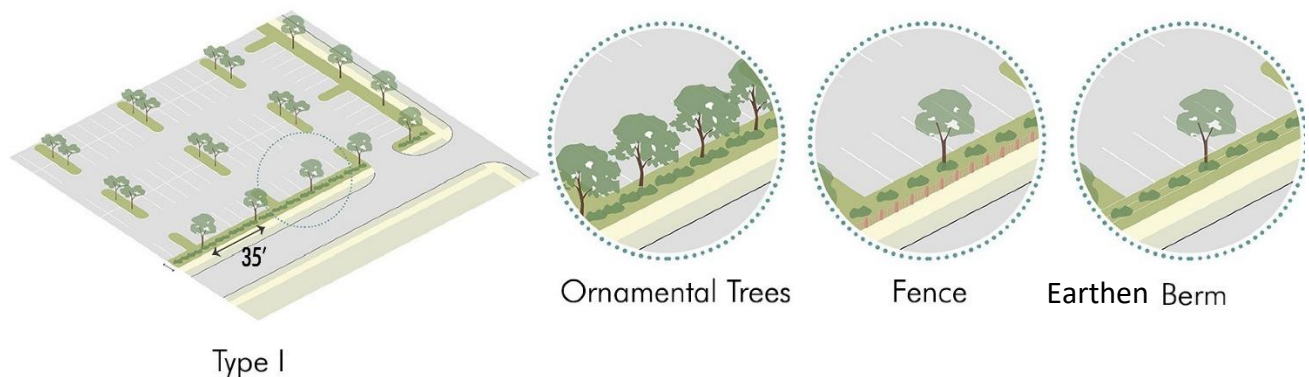


Figure 18.44-10: Parking lot screening

(3) Interior parking lot design. The following landscaping requirements shall apply to parking lots that accommodate 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 shall have high salt and chemical tolerance.
- b. Where more than fifteen (15) parking stalls are provided in a row, one parking lot island must be provided between every fifteen (15) parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every fifteen (15) spaces.



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

- c. The end of every parking aisle 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 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 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 contain no less than two (2) shade trees.
 - f. A minimum of sixty-five (65%) of the required parking lot trees shall be provided within the interior of surface parking lots.
- (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 walk, enlarged curb, or striping to avoid having vehicles park too close to the landscape curb.
 - 1. If the footstep is inside the landscape island, the setback must be concrete or an acceptable all-weather compacted material that does not float or drain into the stormwater sewer system.



Figure 18.44-12: Landscape island footstep access

- (5) Planting median. Shall be required with parking lots greater than 100 parking spaces.
 - a. Two (2) interior parking bays, a defined grouping of parking stalls, requires a continuous planting median between each two (2) bays, to prevent traffic movement across aisles pursuant to Figure 18.44-13.
 - b. All medians shall be a minimum of fifteen (15) feet wide and must 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.
- (6) Alternatives.
 - a. Parking lot entry areas may have reduction of the required landscape material by twenty (20%) percent, if the property includes large monummentation, artwork, or architectural landscape design.
 - b. Parking lot landscape screening. Landscape material may be reduced by twenty (20%) percent, if an architectural and decorative short-wall 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 ten (10%) percent of the size of the entire impervious area of a parking lot, may reduce the parking lot screening setback by one (1) foot.
- (7) Exemptions.
 - a. Exclusion areas apply to 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.
 - b. Parking lots, which require parking lot screening, shall not be subject to perimeter landscape requirements.

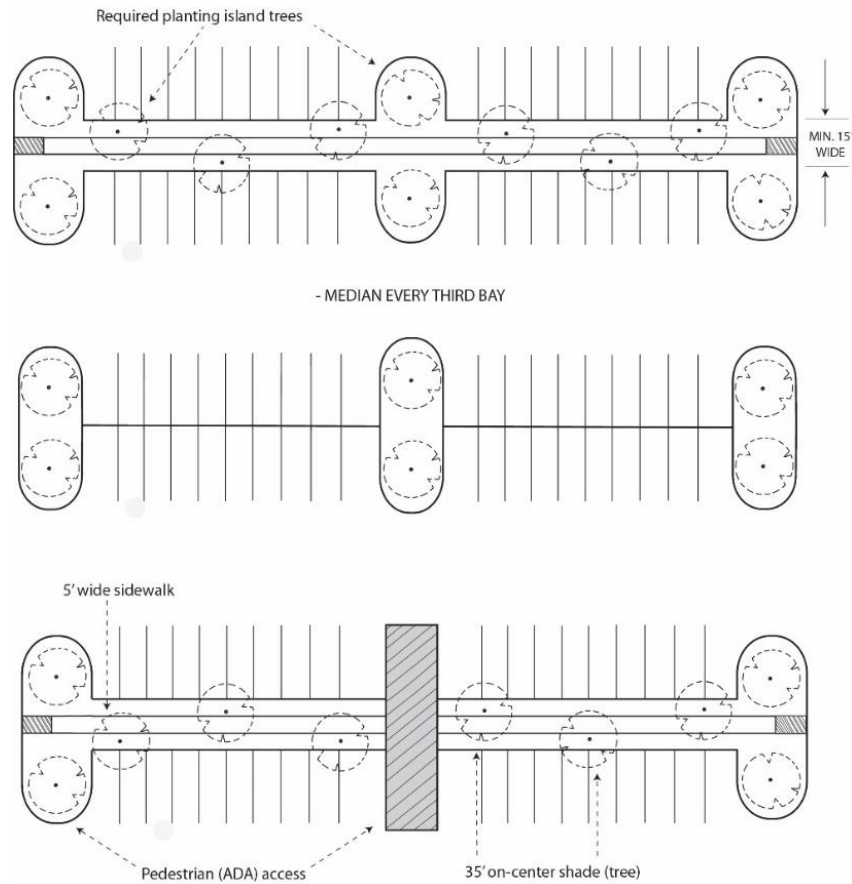


Figure 18.44-13: Example Planting Medians

18.44.100 - Perimeter treatment standards

(a) Perimeter treatment standards apply to all major development as defined herein:

- (1) If a perimeter treatment was not installed at the time of subdivision, a perimeter treatment plan shall be provided by the developer at the land use application stage, demonstrating landscaping in areas adjacent to all rights-of-way behind the walk in low density suburban areas, not including parkway standards.
- (2) Requirements. The perimeter treatment plan shall include live plantings or elements such as fencing, earthen berms, walls, and enhanced streetscape that include furnishings, lighting, or an alternative design as approved by the Community Development Director or designee.
 - 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 complimentary to adjacent sites and any surrounding perimeter treatments in the immediate area.
- (3) Subdivision entryways for major and minor developments shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs, perennials, and ground covers. Planting shall be massed and scaled as based on the entryway size and space. Landscaping should also provide detail, color, and variety to create visual interest.
- (4) 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 18.44.050 (b)(1).
- (5) Solid fences and walls included as part of a perimeter treatment shall be in accordance with Section 18.52.035.

- (6) Perimeter treatment design. Notwithstanding the parkway requirements pursuant to 18.44.070 (b)(2), perimeter treatment areas shall contain the plantings according to Table 18.44-4 or an acceptable mix of trees and shrubs that provide comparable screening, as determined by the City.
- (b) Exemptions.
- (1) A perimeter treatment is not required where parking lot screening standards apply.

Table 18.44-4: Perimeter Treatment Design Requirements

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

Note: All perimeter treatment plans shall contain 40% non-deciduous trees and shrubs.

18.44.110 - Boulevard median standards

- (a) Boulevard median standards shall apply to all major development.
- (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, ornamental grasses, and shrubs may be added to 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 non-monotonous creative aesthetic design that provides stormwater erosion control
 - (4) Proposed tree species shall be approved by the City.
 - (5) A developer, pursuant a Development Agreement, shall be responsible for installing the median and irrigation system.

18.44.120 - Alterations, replacement, and removals.

- (a) Alterations, Replacement, and Removals shall apply all major and minor development, and single-family and two-family dwellings as defined herein:
- (b) Protection, mitigation, and preservation applies to all major and minor development:
- (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 in 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 replacing dead or dying) under the provisions set in this Code is subject to penalties pursuant to 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 18.44-5, shall be given so long as the provisions of this Code section are met.
- (c) Preservation of existing trees and vegetation is the preferred means of landscaping.
 - (1) Trees that are not in the path of new structures, pedestrian access, and parking lots, shall be preserved and incorporated into the overall site design of an associated development performed by a property owner, developer or the City.
 - (2) Removal and replacement of trees shall apply to all major and minor development, and single-family and two-family dwellings:
- (d) Replacement shall be provided on-site and in the rights-of-way adjacent to the property pursuant to the minimum tree planting requirements of this Code section.
 - (1) Replacement of trees shall be of the same or similar species and tied to a previously approved landscape plan and/or to a grandfathered condition of the subject site except those species designated as noxious or prohibited species.

Table 18.44-5: Tree Credits/Debits

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

- (e) If the site design precludes incorporation of some or all existing healthy trees, then replacement shall be made as follows:
 - (1) Replacement of dead plant materials. Required landscaping that is dead shall be replaced within three seasons (summer, spring, or fall) of that same year. Replacement of vegetation shall be similar in size and type
 - (2) Only for major and minor developments. Replacement shall be provided on an adjacent site or the nearest public land, if feasible, as determined by the City.
 - (3) Only for major and minor developments. If the number of trees required for replacement cannot be feasibly mitigated on the subject site, the dollar value of the trees 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 from lack of or improper pruning;
 - (5) For preserved trees, where root protection zones have been impacted;
 - (6) For relocated trees, where relocation techniques have not been approved by the City or as part of an approved landscape plan; and
 - a. Any trees removed by the City due to sight impairment of vehicular traffic or pedestrian circulation shall not be replaced with new trees and shrubs.

Amendments and Repeals to Chapter 18

Additions to this section of the code are in ALL CAPS.

Deletions have a ~~strikethrough~~.

18.04.110 - Definitions –

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.

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.~~

18.42.030 – Definitions –

Parkway shall mean the strip of land TYPICALLY located between the sidewalk and curb, **ALSO REFERRED TO AS A TREE LAWN.**

~~Yard, front or street side shall mean that portion of a lot between the primary structure and right-of-way.~~

YARD, FRONT 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 MEANS 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 MEANS 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.

REPEAL: -Appendix 18-D—Tree, Shrub, and Ground Cover Lists

Amendments and Repeals to APPENDIX 18-B – Definitions

Additions to this section of the code are in ALL CAPS.

Deletions have a ~~strikethrough~~.

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.

AUTHORIZED SHALL MEAN HAVING OFFICIAL PERMISSION OR APPROVAL, AN EMPOWERMENT UNDER THE PROVISIONS OF CODE OR A POLICY TO PERFORM AN ACTION.

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

BIORETENTION FACILITY SHALL MEAN A LANDSCAPED STORMWATER ELEMENT DESIGNED TO CONCENTRATE OR REMOVE DEBRIS AND POLLUTION FROM SURFACE RUNOFF WATER BY MOVING WATER SLOWLY AND HORIZONTALLY AT THE SURFACE THROUGH VEGETATION USING GENTLY SLOPED SIDES, THAT CLEANSSES WATER FROM POLLUTANTS AND SOIL EROSION BEFORE IT ENTERS THE CITY'S STORMWATER SYSTEM.

BIOSWALE SHALL MEAN A LANDSCAPE ELEMENT DESIGNED TO CONCENTRATE OR REMOVE DEBRIS AND POLLUTION FROM SURFACE RUNOFF WATER. THE DESIGN OF WHICH CONSISTS OF A SWALED DRAINAGE COURSE WITH GENTLY SLOPED SIDES FILLED WITH VEGETATION, COMPOST AND/OR RIPRAP.

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.~~

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 ALLEYS.

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** ~~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 **SIGHT DISTANCE TRIANGLE** ~~zone or area~~ shall mean that area 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, pedestrian or bicyclist to avoid a collision.

DECISION POINT DISTANCE SHALL MEAN THE CLEAR VISION SIGHT DISTANCE TRIANGLE BEGINS.

DIAMETER SHALL MEAN THE SIZE OF AN EXISTING SIZE OF 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.

NON-DECIDUOUS SHALL MEAN SHRUBS OR TREES, ALSO CALLED EVERGREENS, THAT KEEP THEIR FOLIAGE YEAR-ROUND.

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 INCLUDE 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.

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 include river rock, cobble, boulders, **PATTERNED CONCRETE**, 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.**

HYDROZONES/HYDROZONE SHALL MEAN AREAS WITHIN THE LANDSCAPE DEFINED BY A GROUPING OF PLANTS REQUIRING A SIMILAR AMOUNT OF WATER TO SUSTAIN HEALTH.

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.

IRRIGATION SYSTEM SHALL MEAN AN UNDERGROUND, AUTOMATIC SPRINKLER SYSTEM OR ABOVE-GROUND DRIP SYSTEM EXPLICITLY DESIGNED FOR A METHOD OF 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, the removal and replacement of dead plants and the repair and replacement of an irrigation systems.

MAJOR DEVELOPMENT SHALL MEAN A DEVELOPMENT THAT REQUIRES AN APPLICATION FOR A PRELIMINARY SUBDIVISION, A PLANNED UNIT DEVELOPMENT, A SITE PLAN REVIEW, OR A USE-BY-SPECIAL REVIEW PROCEDURE.

MINOR DEVELOPMENT SHALL MEAN A DEVELOPMENT THAT REQUIRES AN APPLICATION FOR AN INFILL DESIGN REVIEW, A DESIGN REVIEW PROCEDURE OR A MINOR SUBDIVISION.

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 REDUCE 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 PERCENT 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.

Open space, usable **IS GENERALLY REQUIRED WITH SUBDIVISION PROCESSES, AND** 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 available to all occupants for the building for use 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 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.**

PASSIVE RECREATION AREA IS GENERALLY AN UNDEVELOPED SPACE OR ENVIRONMENTALLY SENSITIVE AREA THAT REQUIRES MINIMAL DEVELOPMENT. ENTITIES SUCH AS A THE CITY'S CULTURE, PARKS AND RECREATION DEPARTMENT MAY MAINTAIN PASSIVE RECREATION AREAS FOR THE HEALTH AND WELL-BEING OF THE PUBLIC AND FOR THE PRESERVATION OF WILDLIFE AND THE ENVIRONMENT. THE QUALITY OF THE ENVIRONMENT AND "NATURALNESS" OF AN AREA IS THE THE FOCUS OF THE RECREATIONAL EXPERIENCE IN A PASSIVE RECREATION MANNER.

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 RETURN 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 IS A STRIP OF PERVIOUS LAND.

POLLINATOR GARDENS, A POLLINATOR GARDEN, IS ONE DESIGNED FOR THE EXPRESS 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, DRIVEWAYS, WALKWAYS, PARKING LOTS, AND TURF-GRASS OR SOD AREAS. A TYPE OF BIORETENTION FACILITY DESIGNED TO PROVIDE STORMWATER GREEN INFRASTRUCTURE IMPROVEMENTS. 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 IS NOT ALLOWED TO BE COVERED BY BUILDINGS, PAVING, HEAVILY COMPACTED SURFACES OR OTHER IMPERVIOUS SURFACES, 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.

REQUIRED LANDSCAPING SHALL MEAN THE LANDSCAPING REQUIRED BY THIS CHAPTER.

RIGHTS-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 NOISE INTRUSIONS THROUGH THE USE OF PLANT MATERIALS, EARTHEN BERMS, SOLID FENCES AND WALLS, LIVING FENCES, OR ANY COMBINATION THEREOF, INTENDED TO BLOCK THAT WHICH IS UNSIGHTLY OR OFFENSIVE WITH A MORE HARMONIOUS ELEMENT.

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 ~~deciduous~~ tree planted **TO CLOSE PROXIMITY TO A STREET IN ORDER TO PROVIDE SHADE OVER THE STREET AND TO SOFTEN THE STREET ENVIRONMENT.**

Sight distance (~~see clear vision area or zone~~).

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 OR AGRICULTURAL PURPOSES.

SOLID FENCE SHALL MEAN A FENCE THAT IS OPAQUE AND PROVIDED THE FENCE IS COMPOSED OF SOLID WOOD, COMPOSITE, VINYL, OR MASONRY.

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.

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, FOR THE PURPOSES OF 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 SHADE OVER THE STREET AND TO SOFTEN THE STREET ENVIRONMENT.

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 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 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 DEVELOPED AREAS. ARTIFICIAL TURF SHALL NOT BE CONSIDERED LAWN OR TURF-GRASS.

UNIVERSAL DESIGN IS 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 NOT TYPICALLY INSTALLED FOR THE PURPOSES OF LANDSCAPING. WEED DOES NOT INCLUDE NATIVE AND NATURALIZED PLANTS, OTHER THAN DESIGNATED NOXIOUS WEEDS, GROWN IN AREAS MANAGED PRIMARILY FOR ECOLOGICAL SERVICES.

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 ONLY ROCK.

Yard shall mean **THE SPACE OR AREA OF A LOT BETWEEN A LOT LINE AND THE PRINCIPAL BUILDING (ALSO REFERRED TO AS A SIDE, REAR, OR FRONT SETBACK) WITHIN WHICH NO STRUCTURE SHALL BE LOCATED EXCEPT AS ALLOWED IN THIS CHAPTER.** ~~*Yard* shall mean that area of a lot between the property line and the foundation of a building, structure or use.~~ *Required yard* shall mean that area also described as a required setback area where construction of buildings, structures and uses is limited in placement.

~~*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 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 MEANS 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 MEANS 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.

Imagine Greeley Comprehensive Plan: Target Objectives for Landscape Code Update

1. Objective GC-3.4 Tree City - Reinforce the community's image as a "Tree City" by promoting the establishment and maintenance of tree-lined travel corridors throughout the community, taking into consideration water use, conservation strategies, and the natural environment.
2. Objective NR-1.3 Water Conservation - Promote the most efficient use of water through conservation and related practices.
3. Objective NR-2.4 Light Pollution - Minimize light trespass from developed areas and reduce sky glow to maintain night sky visibility.
4. Objective NR-2.5 Urban Heat Island Effect - Promote the use of sustainable development practices that have been demonstrated to mitigate the urban heat island effect.
5. Objective NR-3.7 Urban Forest Protect - Maintain, and expand the urban forest within and around the city.
6. Objective NR-3.8 Native Habitats Where Possible - Work to restore native prairie/grassland habitats on open lands or other natural areas.
7. Objective NR-3.9 Wildlife Habitat - Protect, maintain, and manage wildlife habitat in both natural and urban settings.
8. Objective NR-4.3 Landscaping and Plant Species - Promote the use of landscaping with species appropriate to the local climate conditions.
9. Objective NR-5.1 Education - Promote education of the public about issues of local and regional environmental concern.
10. Objective NR-5.2 Recognition - Recognize and celebrate environmental stewardship in all aspects of community life.
11. Objective PR-1.8 Streetscapes and Greenways - Design streetscapes, linear parks, greenways, and other green spaces within the city as integral elements of the park system.
12. Objective PR-2.1 Water Conservation - Ensure that new parks support best practices in water conservation and irrigation efficiency including reducing irrigated bluegrass areas unless needed for a specific activity. Integrate such strategies into existing park facilities as opportunities arise.
13. Objective PR-2.2 Planting and Landscaping - Incorporate native vegetation, natural grasslands, and low water-use plants and landscaping approaches into the design of parks, trails, and recreational facilities.
14. Objective PR-2.3 Maintenance Practices - Maintain vegetation through the application of "best management practices" including mechanical, chemical, biologic, grazing, and fire among others.

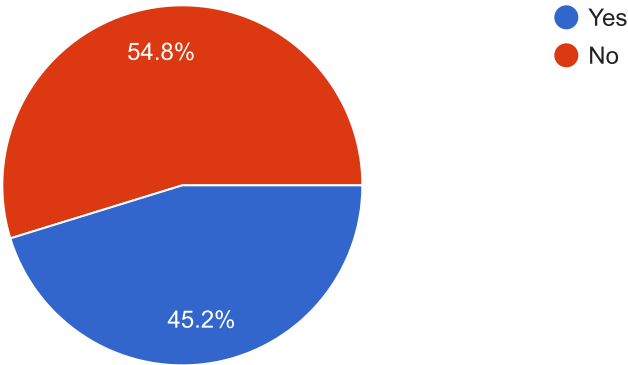
15. Objective PS-3.1 Urban Design - Enhance public safety through the use of public improvements, urban design, street furniture, lighting, and other features of the built environment.
16. Objective PS-3.2 Code Enforcement - Address behaviors that disregard public safety of others or property. When necessary, take actions to minimize more serious conditions as needed to address threats that impede community and individual safety.
17. Objective TM-1.2 Pedestrian Movements - Ensure pedestrian movement and accessibility is considered in the design and construction of all public and private development projects. Ample and safe sidewalks and other pedestrian pathways within and between developments should be provided.
18. Objective TM-1.3 Streetscape Design - Develop attractive, safe, accessible, and efficient public rights-of-way, including roadways and sidewalks. The design of such rights-of-way should vary depending on the modes accommodated, the surrounding land uses, and the character of the area or neighborhood through which it passes.
19. Objective TM-2.1 Complete Streets Plan - Program rights-of-way that fully integrate the needs of bicyclists, pedestrians, transit users, commercial vehicles and trucks, emergency service vehicles, and passenger vehicles.
20. Objective TM-2.4 Residents with Disabilities - Ensure the transportation system effectively serves people with disabilities.

Landscape Code Update Survey

84 responses

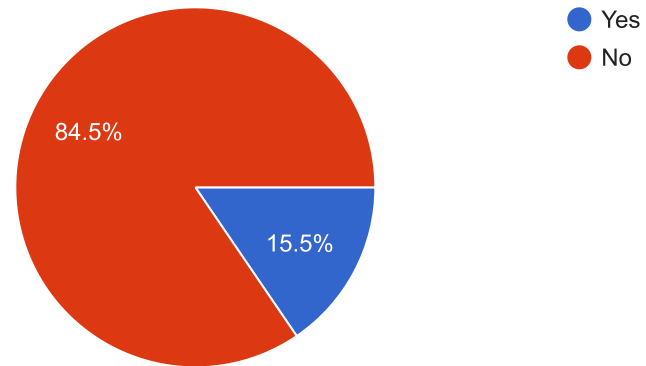
1. Have you had to use the City’s landscape code?

84 responses



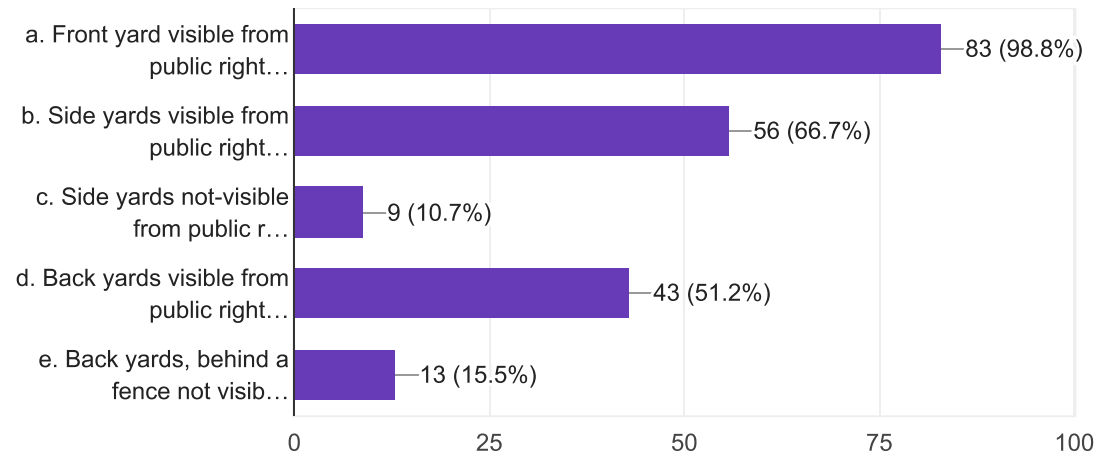
2. Currently, residential property owners are required to have a minimum of one (1) tree in their front yards. Should more than one (1) tree be required?

84 responses



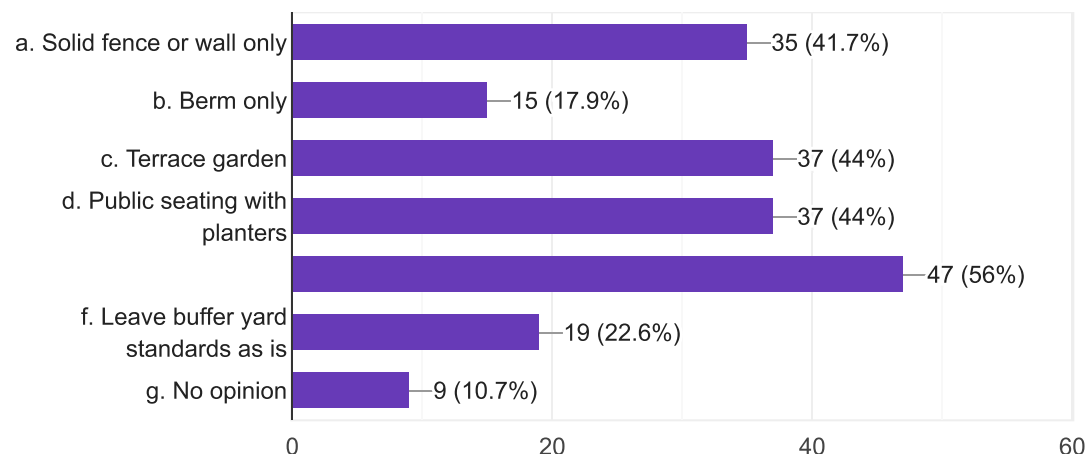
3. The City of Greeley requires residential properties to have 50% of the yard landscaped. Do you think that it is important to have landscaping in the (select all that apply):

84 responses



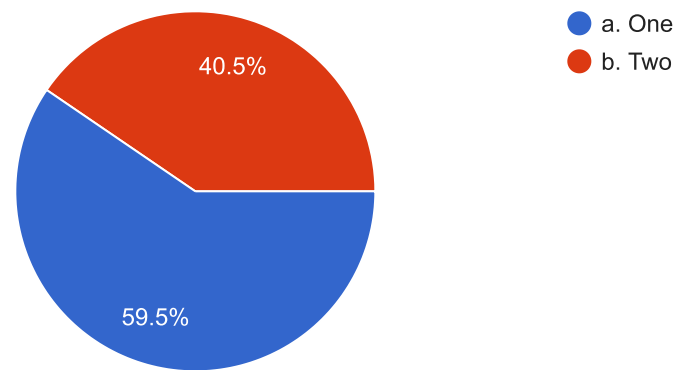
4. Zoning may allow differing land uses next to each other. In some cases, a more intense land use, such as a restaurant, is required to install a buffer yard between it and less intense land use, such as a residential property. Buffer yards are a required element of the City's Landscape Code to protect the less intense land use from the more intense land use with a combination of landscaping, wall, or fence. However, buffering material can be costly and expensive to install and maintain, especially with the amount of water needed to sustain plant species can be a lot. If the buffer can be reduced or have no landscaping, what would you choose to be a good buffering element? (select all that apply)

84 responses



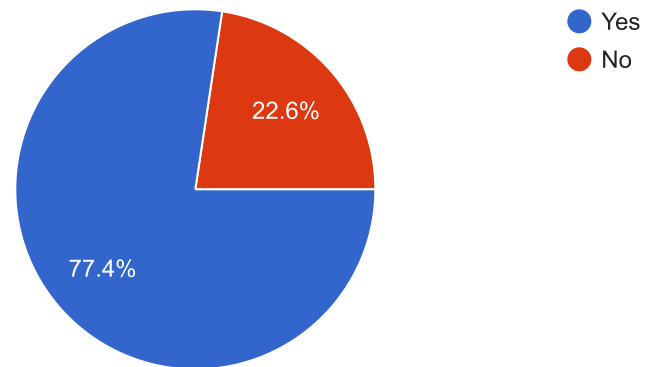
5. "Street-trees," the trees generally located on a parkway (or tree lawn) or between the sidewalk and road. They add character and esthetic appeal to a neighborhood street and reduce the summer heat in the area. Temperatures increase because of the amount of asphalt or concrete in the area due to little landscape. How many trees should be required in the parkway in front of a property, if space is available?

84 responses



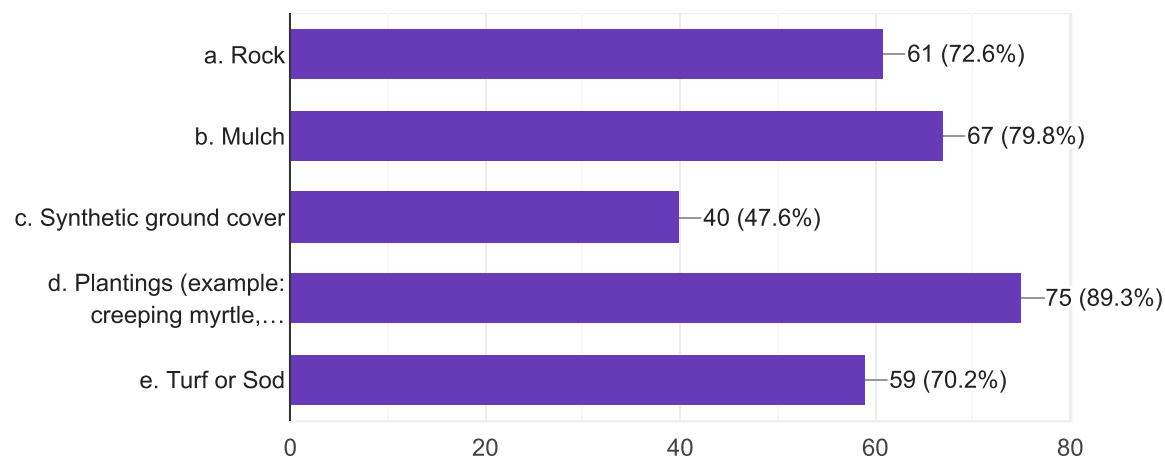
6. If the city requires a tree, would you maintain the tree in the front of your home?

84 responses



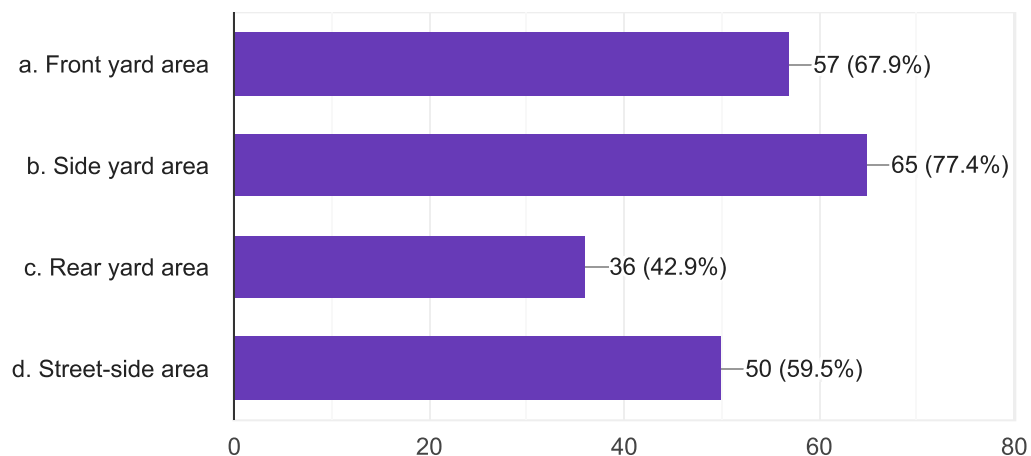
7. Weeds or bare dirt are not allowed as an official ground cover or landscape material. Instead, there are acceptable ground covers that can be counted towards the required percent of live plantings. What would you consider to be an acceptable ground cover? (select all that apply)

84 responses



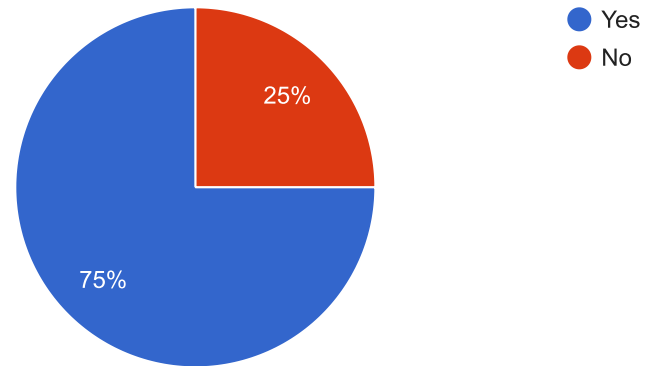
8. Xeriscape is a combination of the word "landscape" and the Greek word "xeros," which means dry; it does not mean zero or no landscaping. If you had the choice to exchange your turf-grass for a xeric garden, where on your property would you install it? (select all that apply)

84 responses



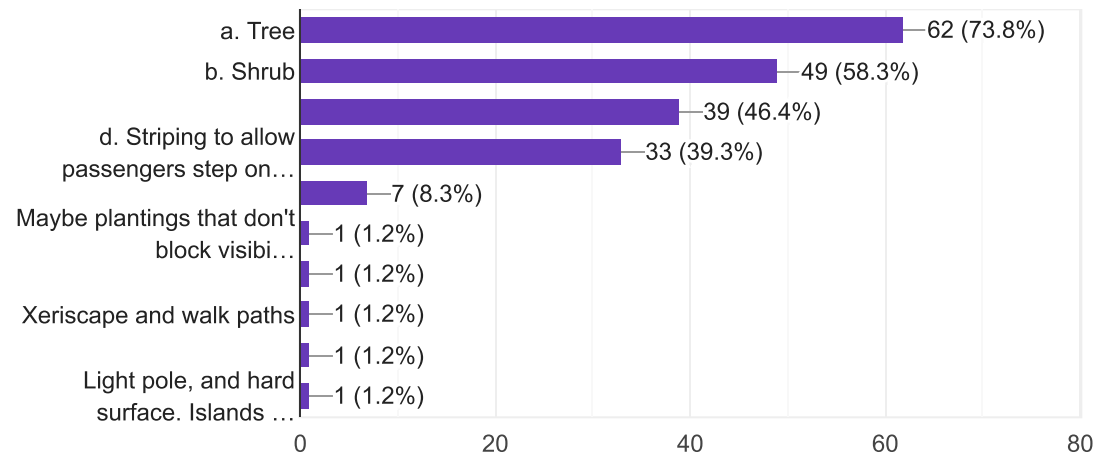
9. Have you considered replacing your sod with water-saving plants, such as xeric perennials or fescue grasses?

84 responses



10. Parking Lot landscaping is important to reduce heat and ensure that a parking lot is esthetically pleasing. Parking lots typically have islands that have shrubs and trees. What would you like to see on a landscape island? (select all that apply)

84 responses



11. Have you received any overages of the water budget, shown on your bill? If yes, please use the blank space to explain the circumstance.

84 responses

No

no

N/A

NO

Yes. Sprinkler system leak was found.

NO OVERAGES

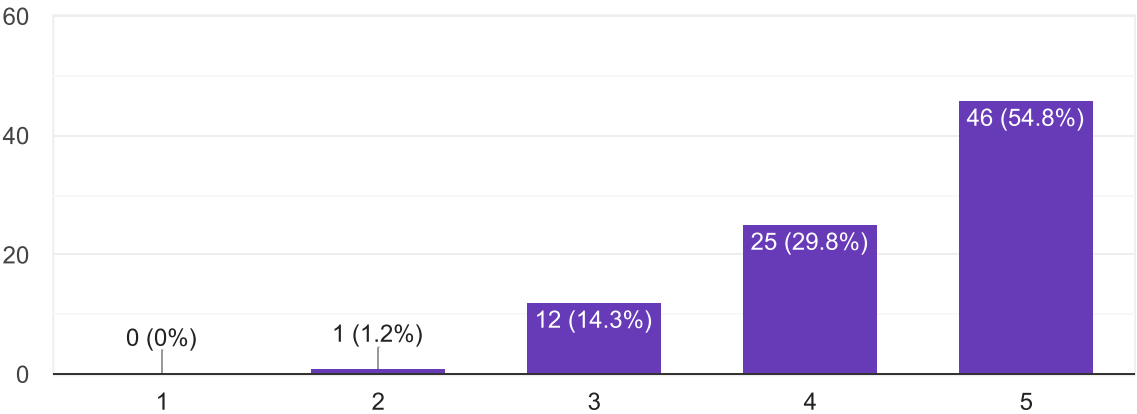
No. But we redid some landscaping and the redesign of the sprinkler system and subsequent leaks did hurt the bank account.

Green lawn through the summer is very costly. But the city code enforcers don't allow the alternative.



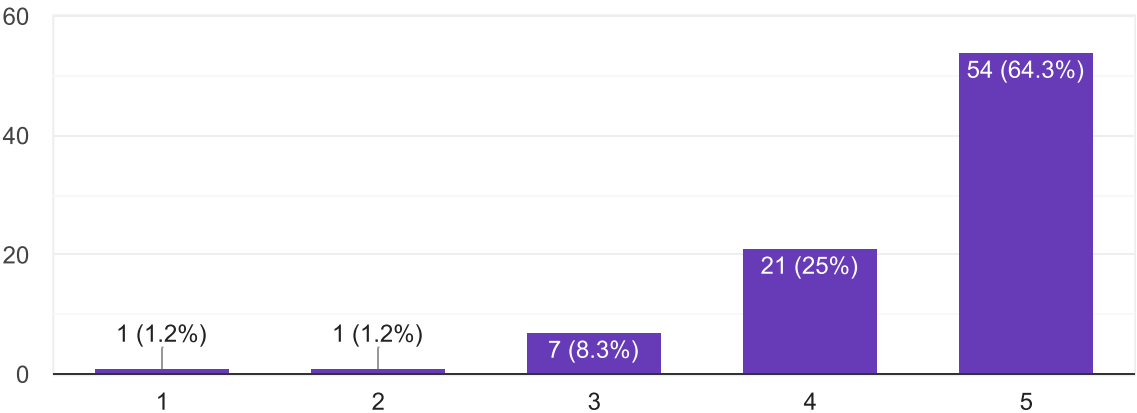
12. How important is water conservation?

84 responses



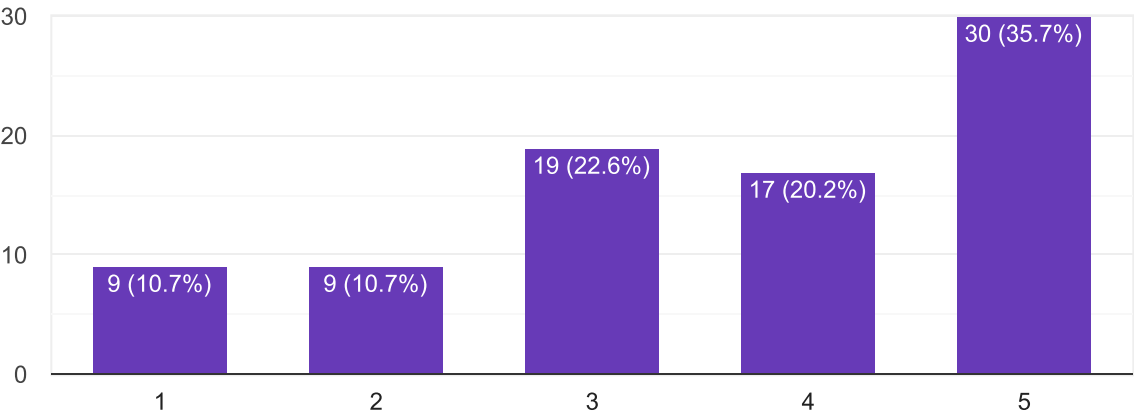
13. How important is it for you to have simplified and easy to understand landscape requirements?

84 responses



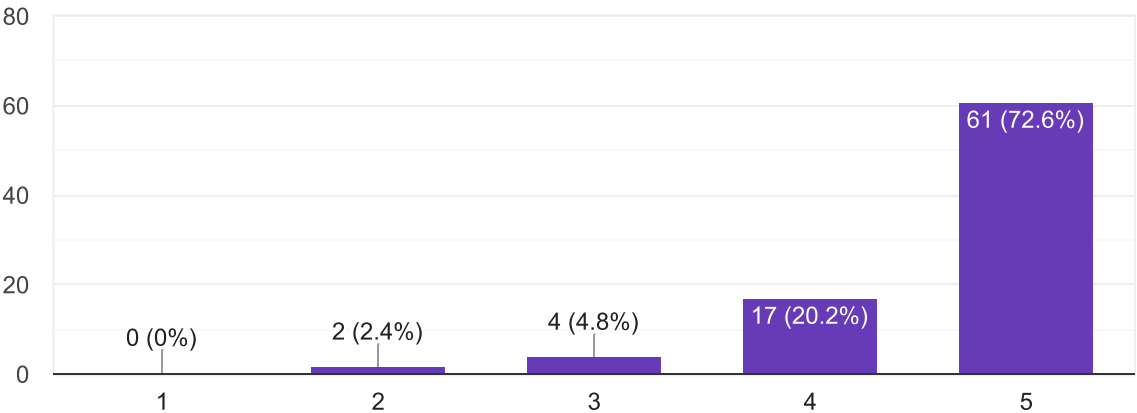
14. How important is it for you to have plant alternatives such as having artificial turf or rock gardens?

84 responses



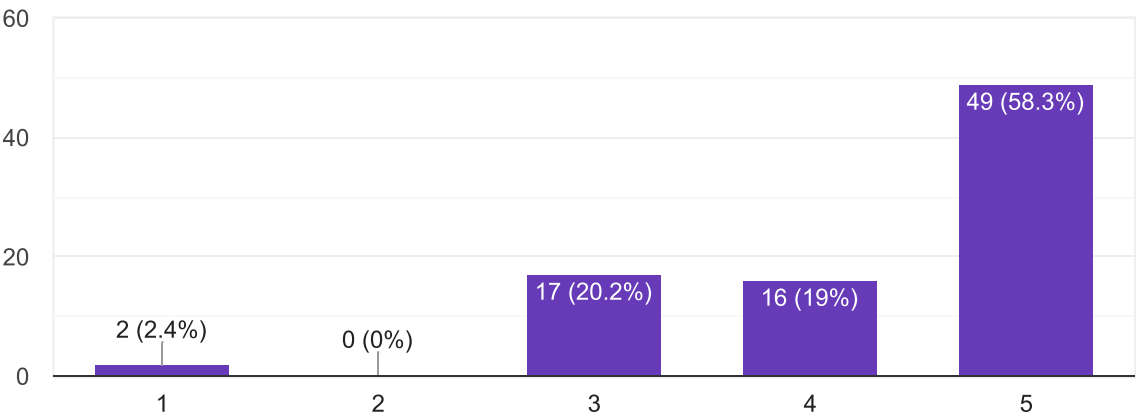
15. How important is it for you to have some flexibility in the design of your landscaping?

84 responses



16. How important is it for you to have flexibility in the amount of landscape material required on your property?

84 responses



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Google Forms

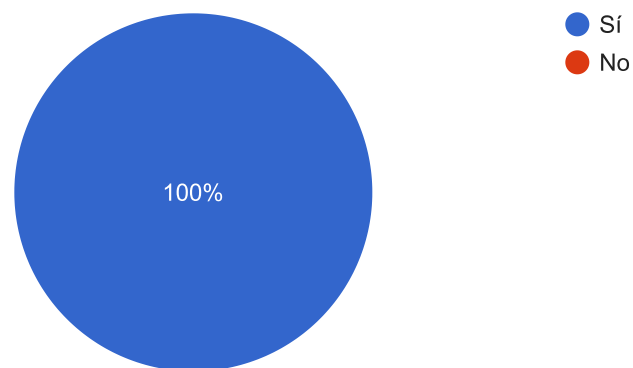


Encuesta pública para el diseño de jardines en los patios o yardas

1 response

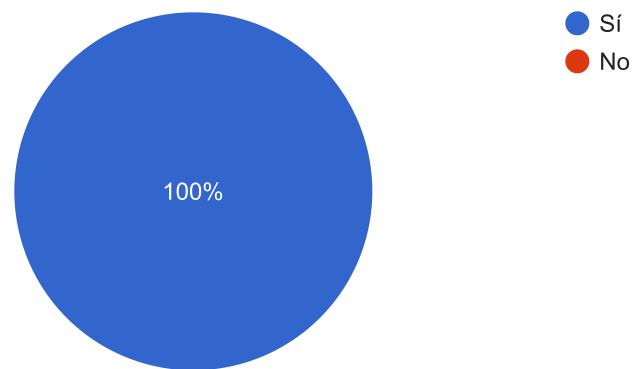
1. ¿Ha tenido que usar las normas de la ciudad de Greeley, para el diseño de jardines en su propiedad?

1 response



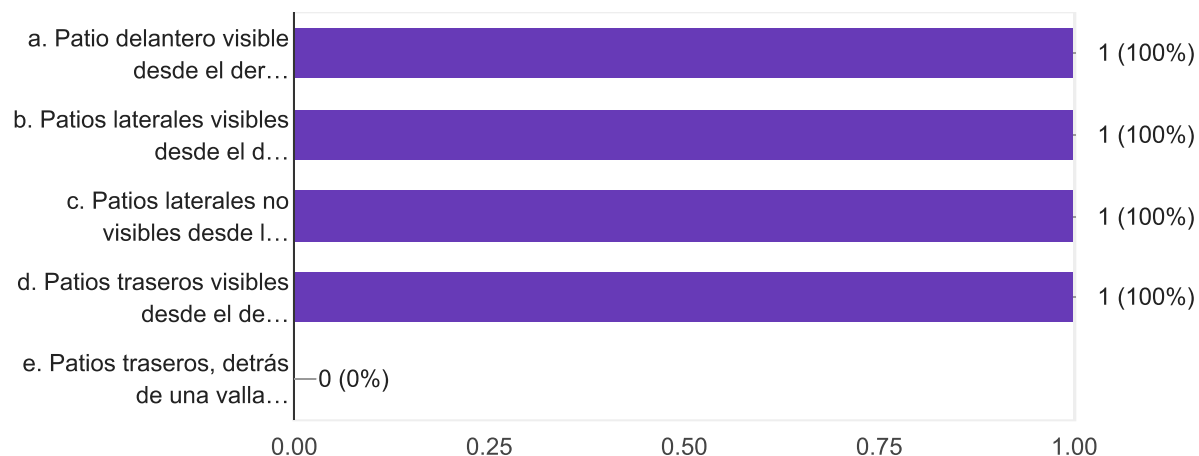
2. Actualmente, los dueños de casa deben tener a mínimo un (1) árbol en la yarda adelante ajdunto la calle. La ciudad está pensando en requerir más de un (1) árbol en su propiedad si su patio es grande o tiene un patio lateral adjunto la calle. ¿Que piensas usted, crees que esta bien requerir mas de un (1) árbol por cada propiedad?

1 response



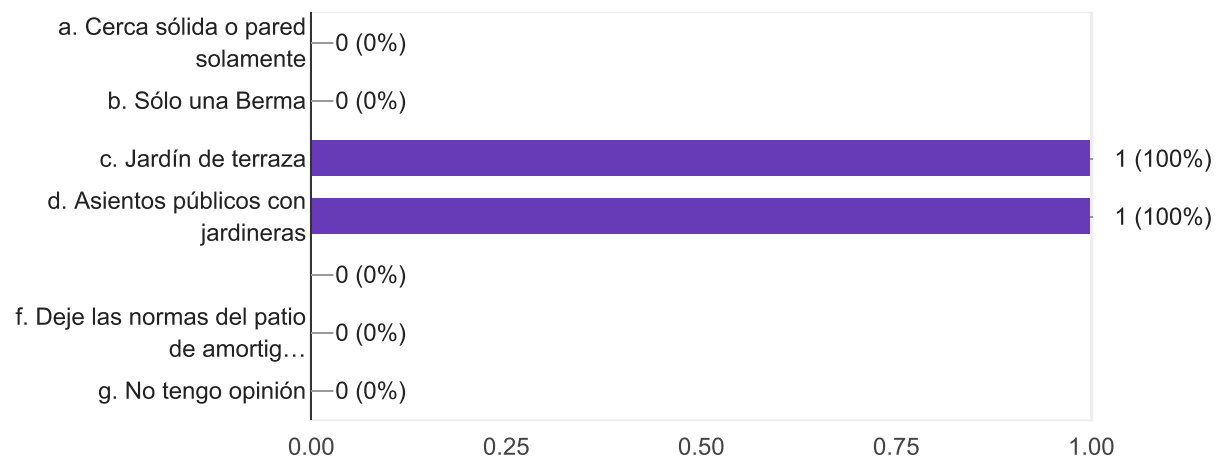
3. La ciudad de Greeley requiere que las zonas residenciales tengan 50% de las yardas con un diseño de jardín. Lo mas fácil es césped, pero se gasta mucha agua a mantenerlo. ¿Que piensas usted, que es importante tener plantas en el jardín o césped en yardas (el/los)...?(termine la frase, pero seleccione todas las respuestas que aplica):

1 response



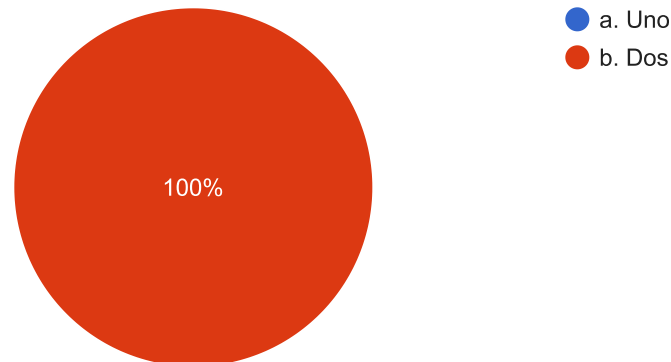
4. Las normas de zonificación permite diferentes usos en ciertas propiedades - por ejemplo residencial, comercio, o industrial. En algunos casos, un uso más intenso, como un restaurante, se requiere instalar un jardín/patio de amortiguación entre ambos terrenos. Los yardines/patios de amortiguación son necesario para proteger al propietario que tiene el uso menos intenso, por ejemplo una residencia contra un restaurante. Los usos más intensos tendrían que instalar una combinación de jardín diseñado con arbustos y arboles, con una pared o una cerca. El material que se usa para el patio/jardín de amortiguación sin embargo, puede ser costoso para instalar y mantener, especialmente con la cantidad de agua que se requiere para mantener el material. ¿Si se podría escoger otra opción enves de un yardin/patio de amortiguación, usted, qué elegiría como una alternativa? (seleccione todas las opciones que le gustaría)

1 response



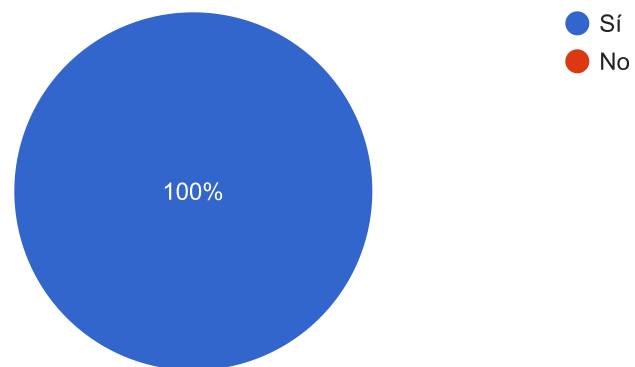
5. "Street-trees", son los árboles generalmente ubicados en el césped entre la acera (banqueta) y la calle. Esta zona se llama "parkway" en Ingles. El parkway proporciona no solamente carácter y estética para el vecindario pero reduce el calor del verano. Cuando hay pocos arboles, las temperaturas aumentan debido a la cantidad de asfalto o hormigón que existe en la zona o en el vecindario. Por lo tanto queremos saber lo siguiente: ¿cuantos árboles por casa, debería la ciudad exigir en el "parkway"?

1 response



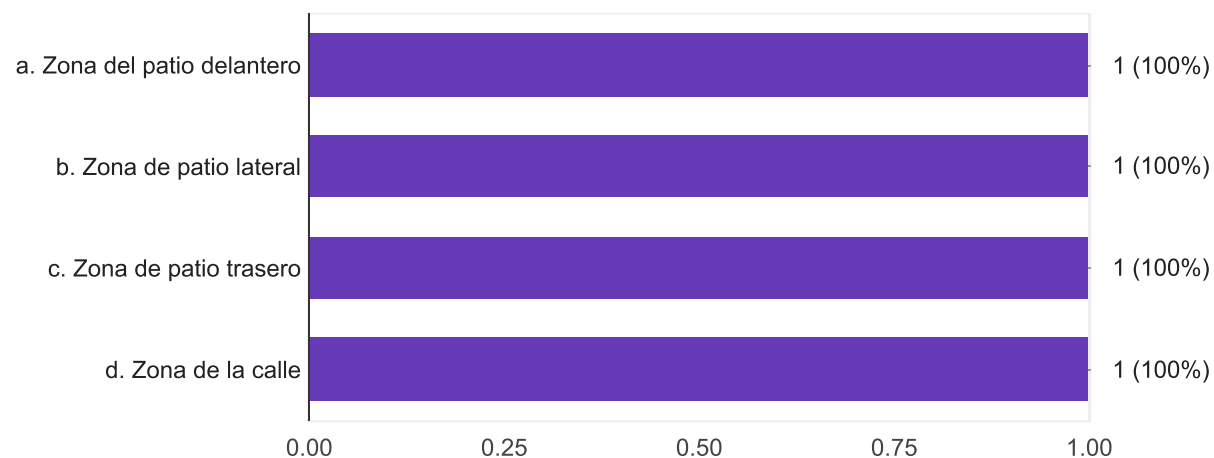
6. En caso afirmativo, ¿mantendrías el árbol en la parte delantera de su casa, es decir lo quidaría?

1 response



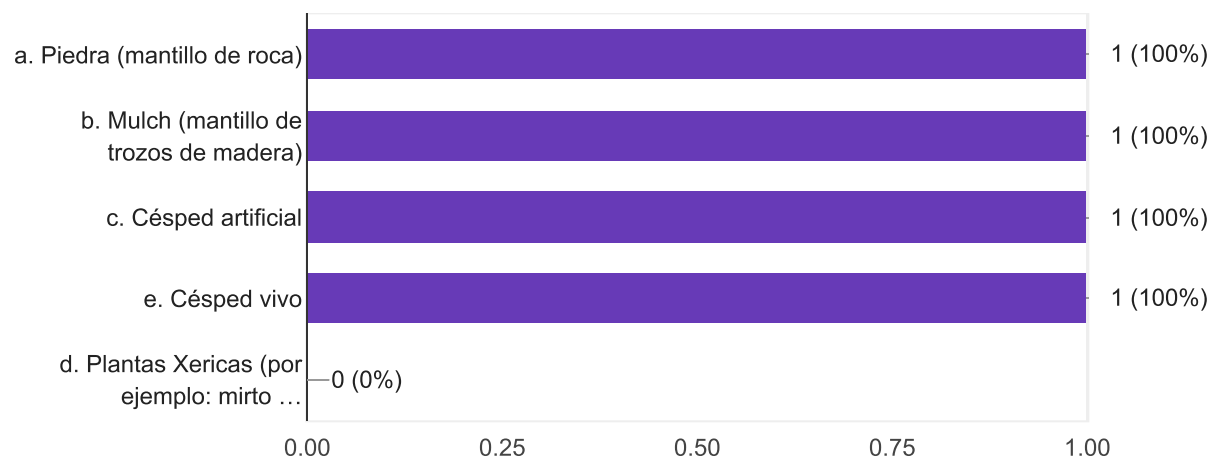
7. Xeriscape o xerico es un termino que fue inventado en Denver, Colorado. Significa dos cosas, "jardín" y la palabra griega "xeros", que significa seco. Esto no significa que un patio tenga nada vivo en el jardín. Significa que las matas en el jardín ahorran agua o usan menos agua. ¿Si tuvieras la opción de cambiar tu césped por un jardín o plantas xericas, dónde las pondrías? (seleccione todas las opciones que le gustaría)

1 response



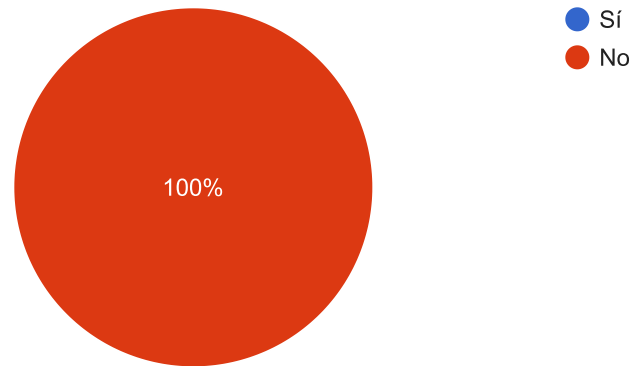
8. No se permite tener solo tierra o malas hierbas en las propiedades, tendrían que tener un jardín diseñado o por lo menos con césped. ¿En su propiedad, hay areas que le gustaría cambiar con un material alternativo? ¿De la lista abajo, cuál cubierto considerarías aceptable?

1 response



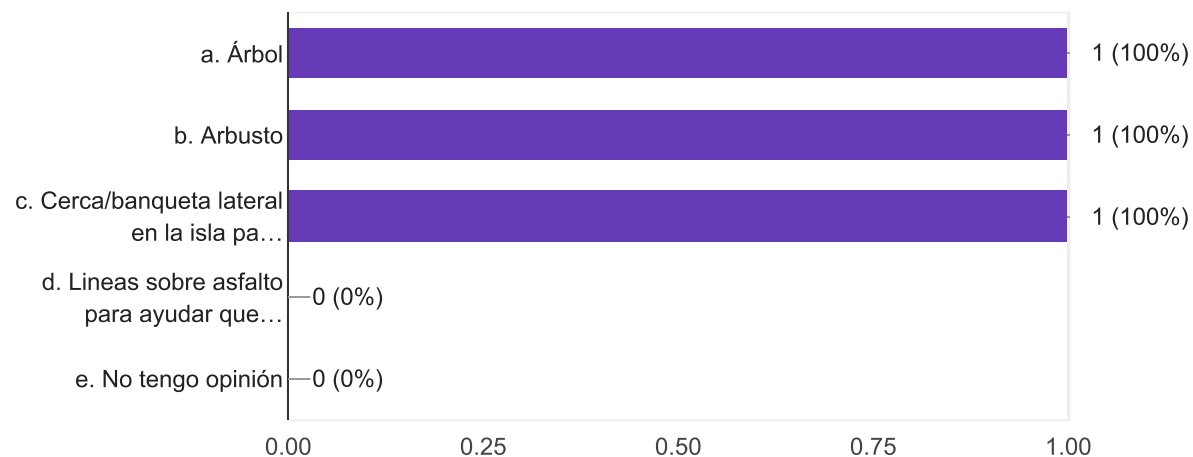
9. ¿Ha considerado reemplazar su césped por plantas que ahorran agua, como las plantas perennes xéricas o el césped gramíneas fescue?

1 response



10. Árboles y arbustos en los estacionamientos es importante para reducir el calor, pero también para asegurar que el estacionamiento sea estéticamente agradable. Los estacionamientos suelen tener islas con arbustos y árboles. ¿Qué te gustaría ver en las islas de estacionamiento?

1 response



11. ¿Ha recibido excedentes, es decir le ha salido costoso la cuenta de agua? En caso afirmativo, utilice el espacio en blanco para explicar la circunstancia [complete el espacio en blanco]

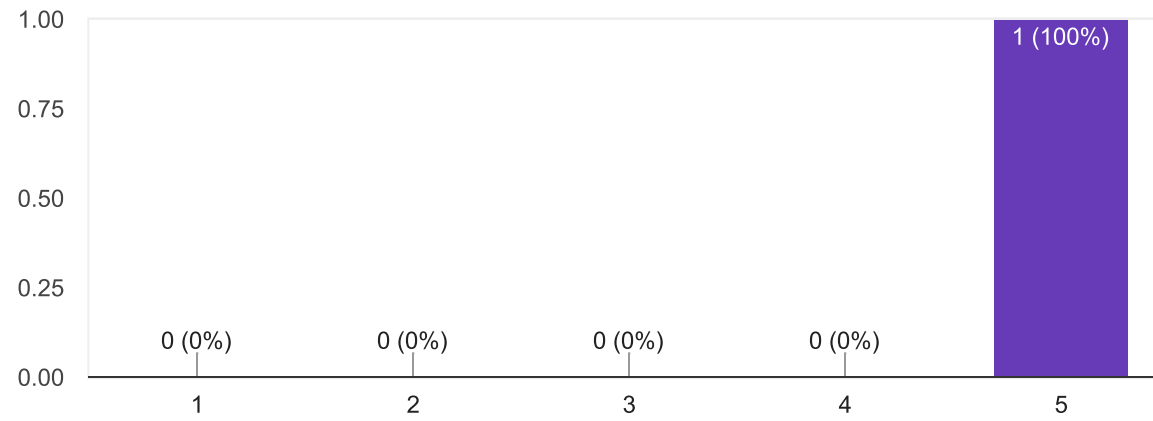
1 response

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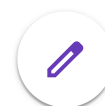
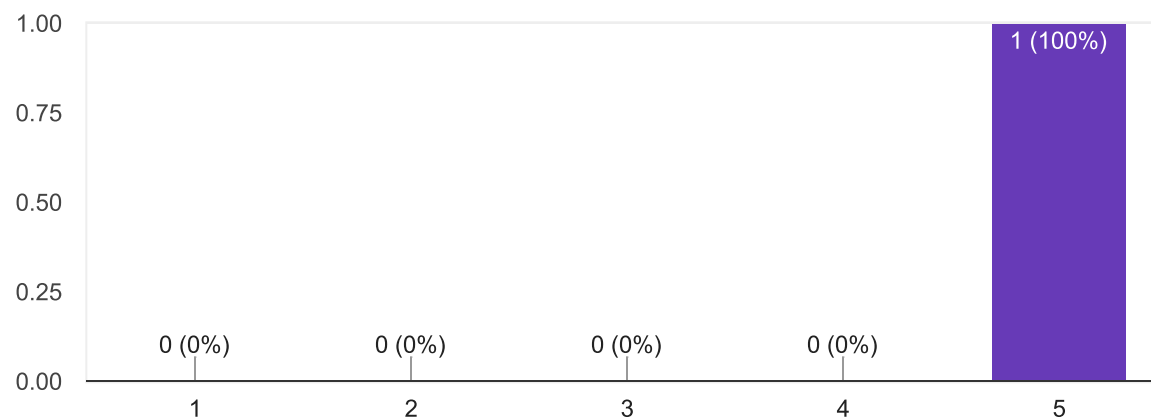
12. ¿Qué importancia tiene la conservación del agua?

1 response



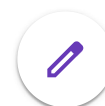
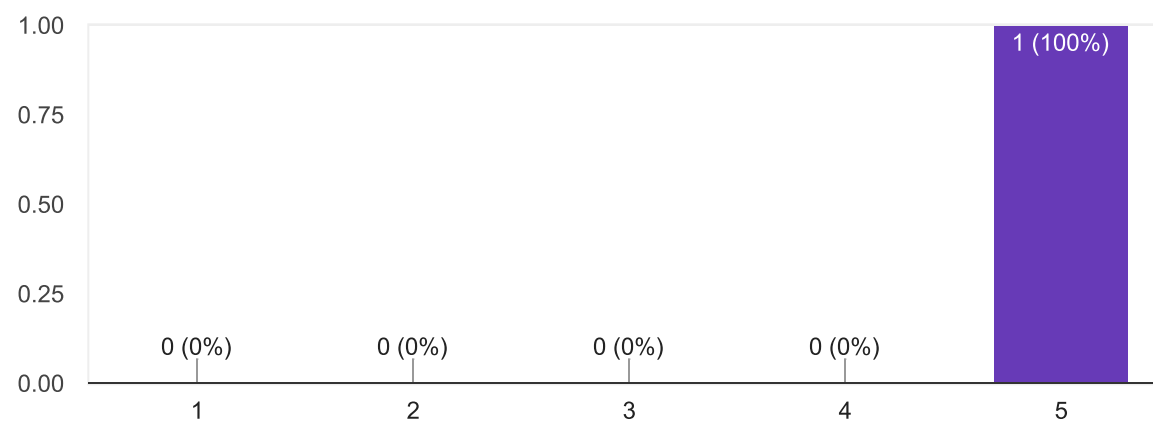
13. ¿Qué importancia tiene para usted tener requisitos de paisaje simplificados y fáciles de entender?

1 response



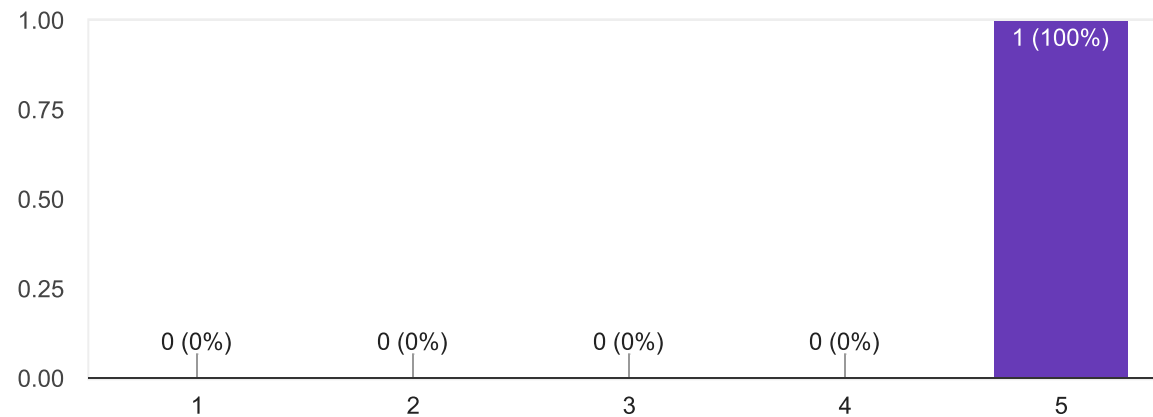
14. ¿Qué importancia tiene para usted tener alternativas de plantas como tener césped artificial o mantillo de rocas?

1 response



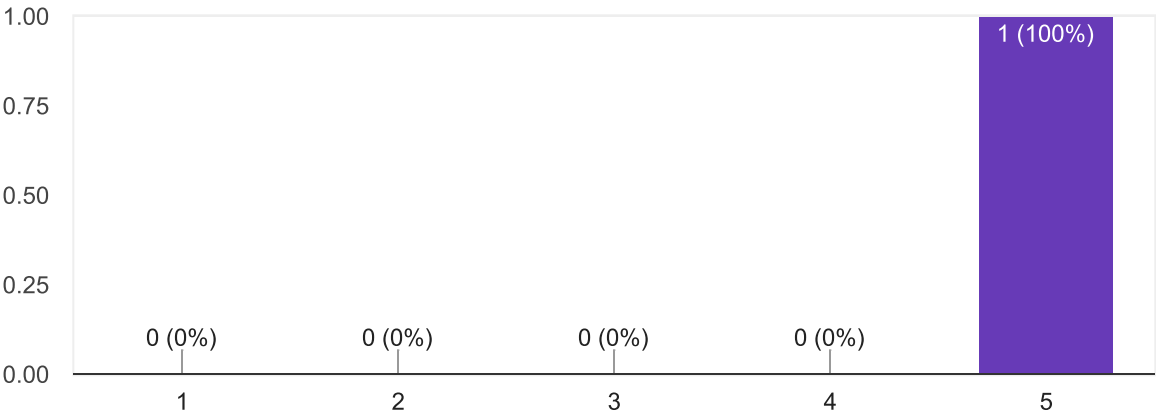
15. ¿Qué importancia tiene para usted tener cierta flexibilidad en el diseño de su jardín?

1 response



16. ¿Qué tan importante es para usted tener flexibilidad en la cantidad o porcentaje de material de jardinería requerido en su propiedad?

1 response



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Google Forms



To: Greeley Planning and Zoning, 2 Nov 2020
From: William Vetesy

Survey Recommendations:

In light of our changing population dynamics it is time as they say, to start thinking outside the box. If we are going to survive with this steady growth we need to change the way we approach our environmental/water problems. Since we are totally reliant on water that comes from the mountains and we are confronted with a changing climate those measures that reduce our water consumption have to be instituted. Of note, is the latest reading from 1 Jan to 1 Nov 2020 that indicates the total amount of rainfall / precipitation is a little more than 5 inches including snow melt. Our total for the this year will probably be less the 11 inches, which then qualifies us as a high desert. This is not a situation that is going to change. We have provided some recommendations that in all probability will upset a lot of people, but it's time to look beyond your own little yard and make the effort to help all of us to have water at a reasonable price and quantity.

Steps to be taken:

- 1. Promote the use of native drought tolerant grass. If possible provide incentives for this type of grass rather than the typical Blue Grass which requires an abundance of water. To go even further perhaps grandfather in existing Blue Grass use but for all new lawn installations require native drought tolerant grass.**
- 2. Require any new plants, shrubs or bushes be of a native drought tolerant kind that also has a high tolerance to both sun and snow. These plants will substantially reduce both the requirement and use of water. With the ever growing population in Greeley and the costs of water continuing to rise, to reduce the financial burden on Greeley Tax payer it only makes sense to require this type of personal / social change.**
- 3. Reduce the size of yard requirements or remove the grass requirement for lawns. In fact, if someone wants to reduce their yard to gravel, cement, asphalt, rocks then let them. In a visit to Phoenix I was astounded at the number of yards with just white gravel and intermittent cactus plants. This was in an area where**

these were very expensive homes and the gravel / cactus looked extremely attractive. Obviously, this reduced the amount of water the homes consumed. I would not expect a lot of Greeley Citizens to undertake this type of project, but the point here is if they want to, then they should be to set up their yard the way they would like it to be. This approach could create some problems with neighbors or HOAs, but then neighbors or HOAs don't pay your water bill. I am sure a very tact full ordinance could be written to remove any neighbors or HOA burden.

4. The enforcement of any new ordinance is always difficult and since this an issue that personally affects someone property the approach to ensuring compliance should at least be started in a very soft enforcement approach seeking a more voluntary effort by those affected by this type of change. Grandfathering and adoptive system would probably be more acceptable and only after a set period of time would it be necessary for stronger enforcement procedures i.e., citations, fines, etc.
5. When I read your survey, all I saw was a continuation of the same old approach to the city planning that has been used for many years. Nothing changes, and it appears that real innovation is not an approach that is acceptable to Greeley City Planning or the City Government. The question becomes why have a survey at all?
6. Just to let you know our home has drought tolerant grass and plants both in the front, side and back yard. We had the all the blue grass removed and replaced it with blue grama. Plants were bought thru a native plant specialist for Colorado. Our native plants have lovely flowers and are extremely resilient against rain, snow, wind and hail. I can only hope that other concern Greeley citizens would do the same.
7. If my comments seem a little harsh, I am sorry, but I think my points are of value and hopefully can be implemented.

Any questions, I can be reached at 970-330-7557

William Vetesy