

The City of Northglenn Tree Ordinance

CHAPTER 9

GENERAL OFFENSES AND NUISANCE CONTROL

ARTICLE 11

NORTHGLENN NUISANCE ORDINANCE

Section 9-11-28. Dead or Diseased Trees and Shrubs.

(a)

Tree, tree limbs, shrubs and other vegetation which are dead, broken diseased, or infested by insects so as to endanger the well-being of other trees, shrubs or vegetation or constitute a hazard to people or property, are hereby declared a nuisance.

(b)

The authorized inspector shall give written notice, as provided by Section 9-11-7 and 9-11-8, to the owner or occupant of any property abutting City rights-of-way or other public property of any condition deemed unsafe caused by trees and other vegetation overhanging or projecting from such abutting property and onto or over such right-of-way or other public property which creates an unsafe condition. It shall be the duty of the authorized inspector to correct any such unsafe condition immediately upon the expiration of the notice periods specified in the Notice of Abatement.

(c)

It is unlawful and deemed a nuisance for any person, firm or corporation to cut, trim, spray, remove, treat or plant any tree, vine, shrub, hedge or other woody plants upon access controlled arterials or other public parks and greenbelts within the City of Northglenn; unless authorized or directed by an authorized inspector.

(d)

It is unlawful and deemed a nuisance for any person to injure, damage or destroy any tree, shrub, vine, hedge or other vegetation in or upon public rights-of-way or other public property within the City of Northglenn, except for any person who notifies the authorized inspector of such injury, damage or destruction and makes arrangements to repair or replace such vegetation or pay for the cost of such repair or replacement.

(e)

It is unlawful and deemed a nuisance to sell or import into the City of Northglenn or plant or cause to be planted any female cottonwood trees (*Populus* species), Boxelder (*Acer Negundo*) Siberian Elm (*Ulmus Pumila*) or Russian Olive within the City and the planting and setting out of these certain plants is declared to be a menace to public health, safety and welfare and a public nuisance.

[Source: Ord. 1093, 1994; 1306, 2002; 1336, 2003]

Section 9-11-29. Trees and Shrubs Overhanging Public Rights-of-Way.

(a)

It is unlawful and deemed a nuisance for any owner or occupant of private property to allow branches of trees, shrubs, bushes or any other plant material growing on property owned or occupied by them to:

(1)

Overhang public streets in the first 14 feet of space above the street, or in such a manner that the branches interfere with the safe and unobstructed movements of vehicles on public streets;

(2)

Encroach upon public sidewalks or overhang the first eight feet of space above public sidewalks, or otherwise interfere with pedestrian traffic on such sidewalk; or

(3)

Overhang public rights-of-way in such a manner that the branches visually obstruct motorists' view of traffic signs and traffic signals.

[Source: Ord. 1093, 1994; 1336, 2003]

CHAPTER 11
CITY OF NORTHGLENN ZONING ORDINANCE
ARTICLE 6
GENERAL REGULATIONS, ALL ZONES

Section 11-6-1. General. In all zones, no building, structure, or land shall be used and no building or structure shall be erected, structurally altered, or enlarged except as provided in this Ordinance.

(b)

On corner lots, shrubs, trees, flowers, other plants, or structures more than 30 inches above the level of the flow line of the street shall not substantially obstruct vision within a triangle measured from the point of intersection of the flow lines abutting the streets a distance of 25 feet along each such flow line.

Section 11-6-13. Landscaping. In all zone districts except Agricultural, Single-Family Residential and Open Zones the following Landscape Specifications shall apply:

(a)

No more than 33 1/3 percent of the landscaped area, exclusive of sidewalks, shall be covered with non-living material such as decorative rock or pavers. If the developer and/or owner installs a bike path according to the City of Northglenn Greenway/Trail Plan and construction specifications, the bike path shall be considered as landscaping by the Director of Community Development and shall not be included as non-living material, so that the developer may cover up to 33 1/3 percent of the remaining surface area with non-living material.

(b)

Minimum sizes of plant material:

(1)

Shade Trees: All shade trees shall be a minimum of two (2) inches in caliper. It is unlawful and deemed a nuisance to sell, allow to propagate or import into the City of Northglenn or plant or cause to be planted any female Cottonwood tree (*Populus Deltoides* Species), Box Elder (*Acer Negundo*), Siberian Elm (*Ulmus Pumila*) and Russian Olive within the City.

(2)

Evergreen Trees, Upright Junipers: Five (5) feet minimum height, with the exception of Ponderosa Pine which shall be six (6) feet in height, and Mugho Pine, which shall have a twenty-four (24) inch minimum branch spread.

(3)

Ornamental Trees: One and one-half (1-1/2) inch minimum caliper.

(4)

Shrubs, including spreading evergreens: Shall have a minimum container size of five (5) gallons. Balled and burlapped and bareroot stock shall have a minimum height of two (2) feet. Bareroot stock may be planted no earlier than March 1 and no later than May 15.

(5)

Vines, ground covers, perennials: Size shall be approved by the Department of Community Development according to availability during planting season.

(c)

Minimum Requirements for Landscaping:

(2)

A landscape plan, drawn to scale, showing the location of existing trees proposed to be removed and to be retained on the site, the location and design of landscaped areas, the varieties and sizes of trees and plant materials to be planted on the site, other pertinent landscape features, and irrigation system required to maintain trees and plant materials. No existing tree shall be removed from a site without the written approval of the Director of Community Development.

(3)

All plants shall be healthy specimens obtained from a Colorado nursery, collected from within the State of Colorado, or supplied from a nursery in one of the Northern hardiness zones as defined by the U.S. Department of Agriculture. All plants shall meet or exceed the requirements of the Colorado Nursery Act of 1965, as amended.

(4)

No artificial trees, shrubs, turf or plants shall be used to fulfill the requirements for landscaping.

(5)

The developer and/or owner shall provide at least one (1) shade tree for every forty (40) feet of street frontage, or any part thereof, and one (1) ornamental tree for each fifty (50) feet of street frontage, or any part thereof.

(6)

Any area improperly maintained shall be considered a code violation, and the developer and/or owner shall be subject to summons. If necessary, the City of Northglenn will have the area maintained and shall charge the owner of the property the total cost for such services, based on a high average of fees charged by landscape maintenance firms, and a 50 percent additional administrative charge.

(7)

Landscaping along arterial streets should be emphasized by use of more or larger plant materials or special landscape features.

(d)

"Landscaping" means and includes not only trees, grass, bushes, shrubs, flowers and garden areas, but also the arrangement of fountains, patios, decks, street furniture and ornamental concrete or stonework areas, but excludes artificial plants, shrubs, bushes or flowers.

(e)

All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing in a substantially similar manner as originally approved by the Commission and/or Department of Community Development, unless altered with the written approval of the original approving party.

(f)

Not less than 12 percent of the total lot area or the front 25 feet abutting the right-of-way, whichever is greater, shall be landscaped. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be located in the front yard area and another in one of the side yard areas. Such areas shall be encouraged adjacent to structures. Landscape plantings shall be used to define, soften, or screen the appearance of off-street parking areas from public rights-of-way. Materials to be installed should achieve a balance between low-lying and vertical shrubs and trees.

(g)

In those areas where an industrial or commercial use abuts a residential zone, the developer shall install on his property either a dense landscape screen, at least six (6) feet high or an opaque fence, no less than six (6) feet high. The landscape screen or fence shall be installed as close to the abutting residential property line as possible. In addition, at least one of the landscaped areas identified in Section 11-6-13(f) shall fall in the area where the industrial or commercial property abuts the residential property.

(a)

The purpose of this Section is to establish minimum landscape maintenance requirements for both newly constructed and existing residential properties. These minimum maintenance requirements are intended to enhance the appearance and maintain the value of residential neighborhoods.

(b)

The following requirements shall apply to all single family, two-family, townhouse, or patio home dwelling units located in any R-1, R-1-A, R-1-B, R-1-C, R-2, R-3, or PUD zone district.

(c)

For purposes of this Section, landscaping shall mean those plants, non-living materials and structures installed and maintained to enhance the appearance of a property. Landscape may include grass, live ground covers, shrubs, trees, flowers, vegetables, decks, brick or paved areas, bark or other non-living ground covers, rock gardens, pools, gazebos, arbors or some combination thereof.

[Source: Ord. 1279, 2001]

(g)

No artificial or imitation trees, shrubs, or plants, wholly or partially made or constructed of plastic, metal, or paper, shall be erected, placed, or implanted upon any property between the street and the front setback, between the street and the side setback, or, when there is no applicable setback requirement, within one hundred (100) feet of any street or highway in the City of Northglenn.

Section 12-4-2. Surface Improvements.

(7)

One street tree of one and one-half inch caliper shall be provided in residential subdivisions for each lot of 70 foot frontage or less and at least two trees for every lot in excess of 70 feet frontage. For corner lots at least one tree shall be required for each street. The subdivider shall ensure that the trees are located so as not to interfere with sight distance at driveways. The Department of Community Recreation shall furnish a list of acceptable trees.