

13.06.070 - Landscape regulations.

- (a) Intent. This Section is intended to ensure that all developments provide landscape improvements to achieve the following goals:
- (1) To create attractive, shaded environments.
 - (2) To create continuity along streets, internal vehicular access drives and pedestrian routes.
 - (3) To soften and mitigate negative visual impacts.
 - (4) To preserve the healthy, mature trees existing throughout the Town.
 - (5) To ensure the plant materials have a high success rate of survival.
 - (6) To abate soil erosion and stabilize steep slopes.
 - (7) To encourage reasonable water conservation practices.
 - (8) Landscape design, installation and maintenance should promote the following:
 - a. Water conservation.
 - b. Compatibility with the surrounding indigenous setting.
 - c. Promotion of horticultural and maintenance practices best suited to the specific location conditions.
 - d. Creative design solutions that contribute to the unique local character of the community.
 - e. Species diversity.
- (b) Applicability. All developments requiring site plan approval and/or streetscape landscaping shall submit a landscaping plan evidencing compliance with this Section.
- (c) Types of landscaping required. Six (6) types of landscaping may be required for each developed parcel:
- (1) Streetscape landscaping;
 - (2) Parking lot perimeter landscaping;
 - (3) Parking lot interior landscaping;
 - (4) Site perimeter landscaping; and
 - (5) Additional areas to be landscaped.
 - (6) Residential roadway buffer for single-family and duplexes, according to Paragraph 13.07.030(3) of this Code.

If landscaping for parking lot perimeter and site perimeter are required in such a way that they overlap on any given site, the greater of the two (2) requirements shall apply.

- (d) Preservation of existing trees and shrubs.
- (1)

To the maximum extent feasible, buildings shall be located on a lot in such a manner as to preserve healthy, mature existing trees and shrubs according to the conservation standards in Section 13.10.110 of this Title.

- (2) Credit toward landscaped areas required by this Section shall be given for all preserved trees and shrubs in accordance with Section 13.10.110 of this Title.
- (e) Xeriscape principles. Xeriscape is a method of landscaping that promotes water conservation and is a combination of seven (7) basic landscaping principles, as identified below. The following principles shall apply to all required landscaped areas:
- (1) Develop a plan that addresses the physical site characteristics of the property, the needs of those using the property and the best water-conserving methods.
 - (2) To increase plant health and conserve water, add soil amendments such as compost or other organic amendments, as needed by the site and the type of plants used.
 - (3) Limit turf to useful spaces and determine which grasses will best serve your needs. If an area is intended for appearance only, rather than for active recreational enjoyment, other ground cover plants may be more appropriate and may be irrigated more efficiently.
 - (4) Select trees, shrubs and ground covers based on their adaptability to the Town's climate and soils. Additionally, group plants of similar water needs together to minimize water waste.
 - (5) Irrigate efficiently with properly designed systems and by applying the right amount of water at the right time.
 - (6) Use mulches to reduce evaporation, discourage weed growth and keep the soil cool.
 - (7) Maintain the landscape by properly mowing, weeding, pruning and fertilizing.
- (f) Xeriscape requirements.
- (1) Due to excessive watering requirements, seed mixtures or sod containing large percentages of Bluegrass or other traditional turf grasses are to be limited in use. Traditional turf grasses are defined as Bluegrass (*Poa pratensis*) and turf type tall fescue (*Festuca arundinacea*) and cultivars thereof.
 - a. Traditional turf grasses shall only make up fifteen percent (15%) of any required on-site landscaping for commercial and industrial uses. Where commercial uses include residential or recreational components, such as, but not limited to, assisted living, schools and daycares, the Planning Director may approve a greater amount of turf grass area. The applicant must demonstrate that the additional turf grass areas are being used in high-traffic areas, such as, but not limited to, athletic fields, children's play areas, parks and courtyards.
 - b. Traditional turf grasses are prohibited for use on any interior parking lot landscaping.
 - (2)

Preferred turf grasses include Buffalo Grass (*Buchloe dactyloides*) and Blue Grama (*Bouteloua gracilis*). Other native seed and seed blends will be considered that satisfy the requirements of this Section. There is no limitation on the use of preferred turf grass species.

(g) Plant material specifications.

- (1) Plant materials shall be selected from the Town's recommended plant list. Species not included in the recommended plant list may be submitted for consideration, so long as the species is not on the excluded list. All plants shall meet or exceed the plant quality and species standards of the American Standard for Nursery Stock ANSI Z60.1-2004, as amended. Selected plant materials shall be healthy and shall be nursery-grown and adapted to the local area. Artificial plant materials are prohibited within landscaped areas; this includes synthetic turf.
- (2) All plant materials must meet the following requirements:
 - a. Deciduous shade trees: between 2-inch caliper and 2½-inch caliper (measured six [6] inches above the ground).
 - b. Ornamental and flowering trees: between 1½-inch caliper and 2-inch caliper (measured six [6] inches above the ground).
 - c. Evergreens: between six (6) feet tall and eight (8) feet tall (measured to mid-point of most recent year's growth).
 - d. Shrubs: five-gallon container (two [2] to three [3] feet in height for deciduous, eighteen- to twenty-four-inch spread for junipers, or as provided by the American Standard for Nursery Stock ANSI Z60.1-2004, as amended).
- (3) Landscaping shall be provided in a sufficient variety of species to ensure the continued appeal of a project in those instances where a particular species is killed through insect or disease activity.
- (4) To the maximum extent practicable, landscaping shall include well-adapted, drought-tolerant vegetation, which generally requires less water and landscape maintenance.
- (5) Due to excessive watering requirements, seed mixtures or sod containing traditional Bluegrass, fescue or ryegrass cultivars are discouraged. Native grasses (such as Blue Grama and Buffalo Grass) are encouraged as replacements.

(h) Planting standards.

- (1) Landscaping shall comply with the planting standards as provided in the Town's Public Works Technical Reference Manual, as amended.
- (2) Plant materials shall be spaced appropriately to allow adequate room for the plant at maturity.
- (3)

Tree pits and cutouts must meet the criteria set forth in the Town's Public Works Technical Reference Manual, as amended.

- (4) Landscaping shall be protected from vehicles by the placement of wheel stops, curbs or other acceptable means, approved by the Town.
 - (5) All trees shall be spaced appropriately from light poles, signs, structures, etc.
 - (6) Trees shall not be eliminated through the location of light poles in parking lot islands and within the parking lot perimeter landscaping.
- (i) Nonliving landscape material standards.
- (1) Artificial landscape materials, including, for example, plastic trees, shrubs and synthetic turf, are prohibited within landscaped areas. For athletic or recreation facilities at public or private schools or Town-owned property, synthetic turf may be used, if approved by the Town. Use of artificial landscape materials may be considered for large-scale, private, recreational facilities, as approved by the Town.
 - (2) Nonliving landscape materials for ground cover may consist of bark, wood chips, wood shavings, rocks, stones or other materials approved during the site plan process.
 - (3) Wood mulch shall consist of natural cedar fiber mulch and shall be applied a minimum of four (4) inches in depth, installed over a base of geotextile fabric.
 - a. No geotextile fabric shall be used in areas of perennial flower and ground cover plantings.
 - b. Natural cedar fiber mulch shall be installed over areas of perennial flower and ground cover plantings to a depth of two (2) inches.
 - (4) Rock or stone shall be two (2) to six (6) inches in size and a minimum depth of three (3) inches installed over a base of geotextile fabric.
- (j) Irrigation requirements.
- (1) All landscaped areas shall be served by a functioning automatic irrigation system, except on individual single-family residential lots.
 - (2) Landscaped areas in excess of five thousand (5,000) square feet shall have a properly designed irrigation system providing full coverage to all turf and plant material areas from rotary/gear-drive sprinklers, pop-up and surface spray sprinklers, bubblers, drip or trickle irrigation, as appropriate for the area to be landscaped. Residential landscaped areas less than five thousand (5,000) square feet may be irrigated by hand, so long as an adequate water source, such as outdoor hose bibs, is within fifty (50) feet of the landscaped area.
 - a. Landscape plantings are to be grouped according to water needs.
 - b. Trees, shrubs and plantings in bed areas shall be irrigated by drip, bubbler systems, low volume spray heads or subsurface irrigation systems, which may include the product Netafim or approved equivalent. Subsurface irrigation systems are strongly encouraged

due to their efficiency and minimized runoff potential.

- c. High-water-use turf areas, which may include Bluegrass, Fescue or other high-water-use turf, may be irrigated using pop-up or rotary/gear-drive sprinklers. Pop-up heights on sprinkler heads should be adequate to clear the grass height when extended.
 - d. The use of subsurface irrigation for alternative low-water-use turf grass areas, which may include Buffalo Grass, Blue Grama or other low-water-use turf, is encouraged.
 - e. Temporary or permanent irrigation must be provided to native grass areas for establishment in order to assist in complying with the re-vegetation standards as provided in the Storm Drainage and Environmental Criteria Manual, as amended. Temporary irrigation for establishment of native vegetation may be installed above ground and removed immediately after establishment is complete, or in any case, no longer than one (1) year.
 - f. Undeveloped lots planned for development, roadways and/or other capital improvement projects may not require temporary or permanent irrigation as determined by the Department of Engineering.
- (3) Irrigation systems shall be designed and maintained to minimize overspray and runoff onto adjacent impervious surfaces, such as roadways, sidewalks and parking lots.
- (4) Rainfall or soil moisture sensors, check valves, pressure reducers, water-efficient sprinkler heads, which may include Hunter MP Rotators or approved equivalent, and flow sensor valves are all desirable to reduce unnecessary water usage.
- (k) Maintenance requirements.
- (1) All plantings shall be maintained in a healthy and attractive manner, as determined by the Town. Maintenance shall be conducted by the property owner of record, the property owner's agent or tenant or a homeowners' association which has assumed landscape maintenance responsibility. All ornamental landscaping shall be maintained free from disease, pests, weeds and litter. Maintenance shall include, but not be limited to, watering, fertilizing, weeding, cleaning, mowing, edging, mulching, pruning, trimming, spraying, cultivating or other maintenance as needed and in accordance with acceptable horticultural practices. Areas of native or naturalized landscape are exempt from this level of maintenance. Acceptable maintenance of native plants includes, but is not limited to, removal of dead or diseased plants, weed control and seasonal mowing.
 - (2) Dead plant materials shall be removed and replaced with healthy planting materials of comparable size and species that meet the original intent of the approved landscape design within forty-five (45) days of their death, unless seasonal conditions prohibit removal and replacement. In such case, the removal and replacement shall occur within a reasonable period of time approved by the Town.

- (3) Nonliving landscape materials such as rock, stone, bark chips and shavings which no longer cover the area in which they were originally deposited shall be regularly replenished to maintain the full coverage to a minimum depth of three (3) inches for rock mulches and four (4) inches for wood mulch.
 - (4) Landscaping structural features (e.g., fencing, walls, planter boxes) and site furnishings shall be maintained in a sound, structural and attractive condition.
 - (5) Irrigation systems are to be monitored and adjusted periodically to ensure that the water demands of all plant materials are being met.
 - (6) Irrigation system repairs shall be made within seven (7) days of discovery of damage, unless seasonal conditions prohibit repairs.
 - (7) Landscaped areas shall be free from trash and debris.
 - (8) Failure to replace dead landscape materials within a reasonable period of time, as specified in Paragraph (2) above, shall be considered a violation of the site plan approval and is subject to the enforcement and penalty provisions of this Title.
- (l) Minimum site landscaping standards.
- (1) All portions of a property that are not occupied by structures or water bodies or surfaced by streets, roads, driveways, sidewalks, parking areas or other vehicular use areas, trails or paths are required to be landscaped according to this Section.
 - (2) No commercial, vertical mixed-use or industrial development shall allocate less than fifteen percent (15%) of the developed area for landscaping, except for development in the Historic Center and Pikes Peak Center, which are subject to the provisions contained within the Greater Downtown District standards and guidelines. Development within the Town Center and Twenty Mile Center may count public plazas in the calculation.
 - a. At maturity, at least seventy-five percent (75%) of the landscaped area shall have a ground cover of living plant material, including, but not limited to, trees, shrubs, ground cover, turf or seed and other recognized perennial ground covering plant materials. Deciduous tree canopies shall not be included in the calculation.
 - b. The remaining percentage of the area required to be landscaped may be covered with bark, wood chips, wood shavings, rock, stones or other materials (not including exposed gravel) approved during the site plan process.
 - c. *Vertical mixed-use*, in this context, shall be defined as a single building with both commercial and residential uses, where the first floor is a minimum of seventy-five percent (75%) commercial uses. Upper floors may be any combination of residential and commercial uses.
- (3)

No multiple-family development shall allocate less than forty-five percent (45%) of the developed area for landscaping, except for development in the Historic Center and Pikes Peak Center, which are subject to the provisions contained within the Greater Downtown District standards and guidelines. Development within the Town Center and Twenty Mile Center may count public plazas in the calculation.

- a. Sixty percent (60%) of the landscaped area must be used for passive and/or active recreation. The remaining, up to forty percent (40%), of the landscaped area will be used to fulfill other landscaping requirements as described in this Section.
 - b. At maturity, at least seventy-five percent (75%) of the landscaped area shall have a ground cover of living plant material, including, but not limited to, trees, shrubs, ground cover, turf or seed and other recognized perennial ground covering plant materials. Deciduous tree canopies shall not be included in the calculation.
 - c. The remaining percentage of the area required to be landscaped may be covered with bark, wood chips, wood shavings, rock, stones or other materials (not including exposed gravel) approved during the site plan process.
- (4) Landscaping shall be arranged to ensure that landscaping material at maturity will not interfere with or damage property on adjacent properties and rights-of-way.
- (5) In all required landscaped areas, except within public rights-of-way and residential roadway buffers, one (1) tree and five (5) shrubs shall be planted for each one thousand five hundred (1,500) square feet of lot area not covered by a building or required parking.
- a. Ten (10) shrubs may be substituted for one (1) tree when approved during the site plan process. An administrative finding that strict compliance with the tree requirement cannot be reasonably accomplished on site, and is not the result of a self-imposed hardship, will be required.
 - b. One (1) ornamental grass in a five-gallon container or three (3) ornamental grasses in one-gallon containers may be substituted for one (1) shrub.
 - c. A mix of deciduous and evergreen trees is required to provide color and screening in winter months. A minimum of twenty-five percent (25%) and a maximum of fifty percent (50%) shall be evergreen trees.
 - d. The landscaping materials required by these provisions shall be distributed throughout the areas to be landscaped in such a manner as to avoid an overmassing of plant materials or, except where desirable, to obstruct views.
- (6) Landscaping proposed in the public right-of-way to fulfill a standard of this Section for on-site landscaping shall not be permitted.
- (m) Streetscape landscaping.
- (1)

The intent of this Subsection is to create a uniform street landscape character and to reinforce the pedestrian environment established along streets and internal vehicle access drives.

(2) General requirements.

- a. The streetscape landscaping scheme at intersections shall be interrupted to address site distance triangles.
- b. Site distance triangles shall be maintained and are to be designed based upon projected traffic level and speeds.

(3) Streetscape plantings.

- a. Streetscape and median landscaping shall be in compliance with the Town's Construction Specifications and Design Considerations for Parks, Trails and Streetscapes, as amended.
- b. Additional requirements may be required, as outlined in this Subsection.
- c. No trees or groups of trees shall be farther apart than forty (40) feet.
- d. Mainstreet through downtown. For sites along Mainstreet, between Twenty Mile Road on the west and Pine Drive on the east, deciduous shade trees shall be spaced thirty-five (35) lineal feet on center and shall be between two-and-one-half-inch caliper and three-inch caliper. Trees shall be planted in straight alignment with the right-of-way. Other plantings shall be reviewed and approved through the site planning process.
- e. Twenty Mile Road. For sites along Twenty Mile Road, between Stage Run and Parker Road, streetscape landscaping shall be in compliance with the adopted Town's Twenty Mile Road Treescape Master Plan, as amended.
- f. Parker Road. For sites along Parker Road, streetscape landscaping shall be in compliance with the Town and Colorado Department of Transportation (CDOT) approved plan.
- g. Other arterial or collector streets. For other arterial or collector streets, streetscape landscaping shall be in compliance with the Town's Construction Specifications and Design Considerations for Parks, Trails and Streetscapes, as amended.
- h. Private roadways and internal vehicular access drives. Street trees and other plant materials shall be subject to the criteria set forth in this Section and shall be approved during site plan. Primary access drives are encouraged to provide a formal landscape character.

(n) Residential roadway buffer landscaping.

- (1) These standards shall apply to all residential subdivisions adjacent to highway, arterial and collector roadways. For additional information on residential buffer standards, see Section 13.07.030 of this Code.

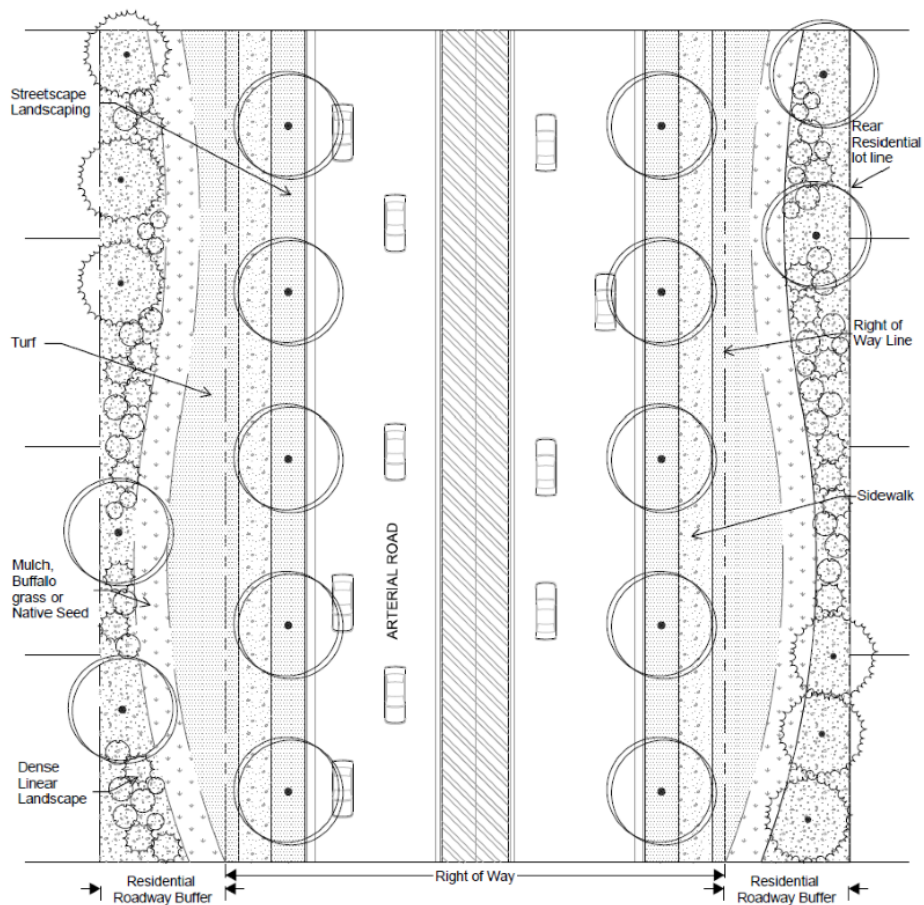
(2) Landscape design.

- a.

Residential development that is adjacent to highway, arterial and collector roadways shall provide for minimum residential roadway buffer widths per Schedule 13.07.030A located in Section 13.07.030 of this Code.

- b. Streetscape landscaping may not be used to meet residential roadway buffer landscaping requirements.
- c. To conserve water, a dense linear landscape layout is encouraged. See Schedule 13.06.070A below. Extensive use of traditional turf is discouraged.

Schedule 13.06.070A



- d. Native seed mixtures may be used in residential roadway buffers but may not be used directly adjacent to public sidewalks or within two hundred (200) feet of corners, intersections and subdivision entrances.
- e. Residential roadway buffers may include trees, shrubs, other plant materials, earthen berms, landscape walls and fences, or other hardscape elements.
- f. At a minimum, the residential roadway buffer shall provide for one (1) tree and five (5) shrubs for every thirty (30) linear feet of required buffer length. All minimum plant material standards required by Paragraph (g)(2) above apply with the following exception:

Sixty percent (60%) of required shrubs must have a minimum mature height and spread of forty-eight inches (48") and shall meet this standard within three (3) years.

g. If the residential roadway buffer widths are less than the minimum required by Schedule 13.07.030A, because of buffer reallocation, as provided by Subsection 13.07.030(4), then enhanced landscaping in those areas is required as follows:

1. Minimum buffer widths that fall below the minimum width by five (5) feet or less shall provide for one (1) tree and seven (7) shrubs for every 30-linear-foot section of the residential roadway buffer length that falls below the minimum; and
2. Minimum buffer widths that fall below the minimum width by six (6) feet or more shall provide for one (1) tree and ten (10) shrubs for every 30-linear-foot section of the residential roadway buffer length that falls below the minimum.

h. A minimum of fifty percent (50%) of required trees must be evergreen to provide year-round screening and color. Trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization. No trees or groups of trees may be farther apart than thirty-five (35) feet.

(o) Parking lot perimeter landscaping.

- (1) The intent of this Subsection is to establish a landscaped edge and visual buffer to screen auto grillwork where parking is adjacent to roadways, residential uses, noncompatible uses and open space.
- (2) All parking areas with five (5) or more parking spaces shall comply with this Subsection.
- (3) Parking lots adjacent to a public or private roadway shall:
 - a. Provide a buffer a minimum of ten (10) feet in width measured from back of sidewalk or curb, whichever is greater. When hardscape elements, such as walls or other architectural elements, are proposed as a buffering technique, this width may be reduced to no less than six (6) feet, as approved by the Planning Director.
 - b. Be screened to minimize the visual impact of parking lots, especially from the grills and headlights of vehicles parked along the roadway.
 - c. Use buffering techniques that may include trees, shrubs, other plant materials, walls, fences, earthen berms or a combination of these elements. When hardscape elements such as fences and screening walls are proposed, architectural elements, materials, colors and designs shall conform to or complement the predominant materials, colors and elements of the building.
- (4) Parking lots adjacent to residential zones.
 - a.

Parking lots adjoining residential zones or within twenty-five (25) feet of a property zoned for residential uses shall, at a minimum, provide the following standards. This standard does not apply to areas within the Greater Downtown District and areas zoned for mixed use with a residential component.

1. A twenty-five-foot-wide buffer area shall be provided.
 2. The buffer shall include either plant material or a screening wall a minimum of four (4) feet in height intended to buffer the view of parked cars and reduce the impact of headlights on nearby development.
 3. Such screening shall be for the entire length of the parking lot.
 4. Screening materials shall provide a minimum opacity of seventy-five percent (75%) during the summer months.
 5. Plant materials used for such screening purposes shall be sufficient in size to meet this standard within five (5) years of planting.
- b. Buffering techniques may include trees, shrubs, other plant materials, screening walls, fences, earthen berms or a combination of these elements to achieve the above criteria.
- c. Buffers between parking lots and adjoining residential uses within the Greater Downtown District and mixed uses with a residential component shall be evaluated and approved by the Planning Director.
- (5) Parking lots adjacent to sites with similar uses. Parking lots adjacent to similar uses (as defined by commercial development adjacent to commercial development or commercial development adjacent to a mixed-use development with residential above the street-level floor) shall provide for a buffer a minimum width of eight (8) feet from the property line or lease line. This standard may be reapportioned between properties or reduced, as approved during the site plan review process. The following standards shall apply when determining the appropriateness of a reduction:
- a. Orientation of buildings on adjacent lots (e.g., where are the access points into the buildings?).
 - b. Internal circulation drive on adjacent lots.
 - c. Whether adjacent lots have been developed or are vacant.
 - d. Compliance with an approved plan. Landscape plans shall take into consideration plant materials that are either pre-existing or have been approved by the Town on adjacent lots.
- (6) Parking lots adjacent to parking lots. Parking lots adjoining another parking lot shall provide a buffer a minimum of eight (8) feet. This standard may be reduced or waived as approved during the site plan review process when a shared parking agreement is proposed, in

accordance with Section 13.06.050 above. The following standards shall apply when determining the appropriateness of a reduction:

- a. Orientation of buildings on adjacent lots (e.g., where are the access points into the buildings?).
 - b. Internal circulation drive on adjacent lots.
 - c. Whether adjacent lots have been developed or are vacant.
 - d. Compliance with an approved plan. Landscape plans shall take into consideration plant materials that are either pre-existing or have been approved by the Town on adjacent lots.
- (p) Parking lot interior landscaping.
- (1) The intent of this Subsection is to reduce the scale of surface parking lots and maximize shaded areas within the parking lot.
 - (2) A minimum area equal to ten percent (10%) of the total area covered by the parking lot shall be allocated to landscaped islands. The area covered by the parking lot shall include parking stalls and circulation aisles with parking stall access, but exclude access drives, loading areas and similar access features.
 - a. Parking lot interior landscaping shall not be applied to:
 1. Commercial developments requiring fewer than eighty (80) parking spaces.
 2. Industrial developments requiring fewer than one hundred twenty (120) parking spaces.
 3. Multiple-family developments requiring fewer than twenty (20) parking spaces.
 4. Development within the Historic Center and Pikes Peak Center Districts with fewer than thirty (30) parking spaces.
 - b. Interior landscaped islands shall not satisfy any portion of the minimum fifteen-percent landscaping requirement for the total site.
 - (3) Parking blocks, as required in Section 13.06.050 above, shall be separated by landscape islands.
 - (4) Each landscape island shall, at a minimum, meet the following standards:
 - a. Landscaped islands shall be at least the size of one (1) full-sized parking space (one hundred sixty-two [162] square feet) and have no dimension fewer than nine (9) feet.
 - b. One (1) tree and five (5) shrubs shall be planted for each incremental one hundred sixty-two (162) square feet. For each incremental fifteen (15) square feet, an additional shrub shall be planted. One (1) tree may be substituted for ten (10) shrubs when approved during the site plan process.
 - c.

Evergreens in parking islands shall not exceed a spread greater than nine (9) feet wide at maturity.

- d. All trees shall be located at least four (4) feet from the curb or edge of an island.
- e. Shrubs and ground cover must be planted at sufficient density to completely cover the landscaped area within five (5) years of initial planting.
- f. Raised curbs shall delineate the outer dimensions of landscape islands to minimize vehicle overhang of the island. Where raised curbs are not present, wheel stops shall be used.
- g. Pedestrian walkways may be incorporated into landscape islands, so long as the required width of both is provided.
- h. Site distance triangles adjacent to drive lanes shall be maintained and are to be designed based upon projected traffic level and speeds.

(5) Biofiltration of stormwater runoff is encouraged for landscaped islands within parking lots.

(q) Site perimeter landscaping requirements.

- (1) The intent of this Subsection is to establish minimum requirements for plantings around the perimeter of a site.
- (2) Site perimeters shall be landscaped according to the standards shown in Schedule 13.06.070B below.
- (3) Of the amount of trees required by Schedule 13.06.070B below, a minimum of forty percent (40%) and a maximum of sixty percent (60%) of the trees shall be evergreen to be consistent with the local ecology and provide year-round color.
- (4) Trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization. Informal groups shall be a minimum of five (5) trees for each grouping to achieve massing in a manner which limits obstruction of significant views and/or screens objectionable views.



Schedule 13.06.070B
Site Perimeter Landscaping Standards

<i>Proposed</i>	<i>Shares Property Line Boundary With:</i>	<i>Minimum Amount of Site Perimeter Trees and Landscaping*</i>
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Commercial, public, institutional and civic	Existing nonresidential use	1 tree and 5 shrubs for each 40 lineal feet of edge
	Existing residential or public open space use	1 tree and 5 shrubs for each 25 lineal feet of edge
Industrial	Existing nonresidential use	1 tree and 5 shrubs for each 40 lineal feet of edge
	Existing residential or public open space use	1 tree and 5 shrubs for each 25 lineal feet of edge
Multiple-family	Existing nonresidential use	1 tree and 5 shrubs for each 30 lineal feet of edge
	Existing residential or public open space use	1 tree and 5 shrubs for each 40 lineal feet of edge

*All fractional requirements shall be rounded up.

(r) Additional areas to be landscaped.

- (1) The intent of this Subsection is to use landscaping to provide for beautification and to soften and mitigate negative visual impacts.
- (2) For areas that are not landscaped for other purposes, such as streetscapes, parking lot perimeters and parking lot interiors, additional landscaping may be required to:
 - a. Buffer between dissimilar uses and activities.
 - b. Buffer between open space, parks and plazas.
 - c. Break up the massing of blank walls and large buildings.
 - d. Accent special features such as main entries and corners.
- (3) Plant material shall be located at building corners and along all commercial and multiple-family residential building sides, except where building sides are covered by an overhang, porch or other weather protection features.
- (4)

All land areas not covered by buildings, streets, paved areas, preserved natural areas or other planned and approved spaces shall be planted with living plant materials, mulches and rock/cobble materials.

- (5) Site entryways shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs and perennials and ground covers. Planting shall be massed and scaled as appropriate for the entryway size and space. Landscaping should provide detail, color and variety to create visual interest at the entryways into the site.

(Ord. 3.147.6 §§2, 3, 5, 2018; Ord. 3.326 §2, 2017; Ord. 1.467 §32, 2015; Ord. 3.231.2 §1, 2014; Ord. 3.284 §2, 2011; Ord. 3.01.87 §1, 2008)

13.10.110 - Tree and shrub conservation and replacement.

- (a) Intent. The intent of this Section is to facilitate the preservation of existing trees and shrubs and the replenishment of tree and shrub stock to the maximum extent possible throughout the Town. These actions are intended to contribute to the health, safety and welfare of the Town by decreasing flooding, soil erosion, air pollution and noise, improve aesthetics and preserve property values. Tree and shrub preservation and replenishment will contribute to establishing and reinforcing a positive identity for the Town.

- (b) Applicability.

- (1) This Section shall apply to all property located in the Town, except as otherwise provided by this Section.
- (2) This Section shall not apply to:
 - a. Single-family lots contained within a final plat for single-family lots that have been approved.
 - b. Activities with minor effects on trees and shrubs, including, but not limited to, pruning, home gardening and landscape maintenance of individual homes or businesses.
 - c. Commercial arboricultural or horticultural activities, including, but not limited to, planting or managing/harvesting forest or tree crops.
 - d. Trees and shrubs damaged by adverse weather conditions.
 - e. Trees and shrubs which are diseased, as verified to the Town by an arborist or horticulturist.
 - f. The thinning of trees or shrubs in a heavily treed or shrubbed area for the purpose of preserving or enhancing the health of the remaining stand of trees or shrubs, consistent with good forest management practices, such as those published by the Colorado State Forest Service and by the Rocky Mountain Chapter of International Society of Arboriculture.
 - g. All trees which must be removed because of death, disease, hazardous condition or

emergency work to protect life, limb or property.

- h. All trees and shrubs that are listed under the Colorado Noxious Weed Act as a noxious weed species.

The Planning Director, with a recommendation from the Parks and Recreation Department, may waive all or a portion of the provisions of this Section, based upon the criteria set forth above in Subparagraphs (b)(2)b.-h.

- (c) General conservation standard. To the maximum extent practicable, existing trees on a development site or in a right-of-way shall be saved upon development of any property, unless it can be demonstrated that site restrictions necessitate their removal. Site restrictions shall not include self-inflicted hardships.
- (d) Landscaping credit for preserved trees. Existing trees preserved in the development of a site shall be credited, as outlined below, for required landscaping based on the size, location, condition and species of the preserved tree, as outlined in Subsection (f) below.
- (e) Tree and shrub removal.
 - (1) Unauthorized removal of significant trees and vegetation. No person shall remove, damage or destroy any deciduous tree which is six (6) inches or greater in caliper, measured four and one-half (4½) feet above ground level, any coniferous tree with greater than an eight-foot height, or any shrub mass over five (5) feet in height and forming a continuous mass of vegetation covering an area greater than one hundred (100) square feet in the Town. Removal of any tree or shrub mass without the approval of a tree conservation plan shall be unlawful and punishable, as prescribed in Subsection (i) below.
 - (2) Tree conservation plan required for removal. If no reasonable alternatives to removal are available, the person desiring to remove a tree shall submit a tree conservation plan for approval by the Planning Director, with a recommendation from the Parks and Recreation Department, as specified in Paragraph (3) below.
 - (3) Tree conservation plan.
 - a. Any land proposed for subdivision or site plan application not intending to preserve all trees within the site or any tree or group of trees or shrub masses at or above the size specified in Paragraph (1) above shall be required to submit a tree conservation plan. This plan shall contain the following information:
 - 1. The location, caliper or height and species of all deciduous trees, all coniferous trees and all shrub masses on the site which are equal to or greater in size than the trees specified in Paragraph (1) above.
 - 2. The location, size and species of all trees and shrubs to be preserved and those to be removed or relocated as follows:

- a) Subdivision preliminary plan. The tree conservation plan shall classify, on a map and in tabular form, trees and shrubs to be impacted by infrastructure or construction in one (1) of three (3) categories: "preserve," "relocate" or "remove." Combinations may be used if a final determination can be made only as a result of final engineering. Group identification may be used to show trees to be preserved.
 - b) Subdivision or site plan. The tree conservation plan shall classify, on a map and in tabular form, trees and shrubs as "preserve," "relocate" or "remove."
3. Specifications for the relocation/ transplanting of existing trees and shrubs. All trees and shrubs designated as "relocate" shall be transplanted in accordance with standards and procedures set forth by the International Society of Arboriculture ("ISA"), or the Tree Care Industry Association ("TCIA").
 4. Specifications for the protection of trees and shrubs during construction. Trees and shrubs designated as "preserve" on the conservation plan shall be protected from damage caused by construction-related activities in accordance with specifications set forth by the ISA or the TCIA.
 5. Proposed grade changes or other potentially injurious work adjacent to trees and shrubs designated for preservation with specifications for maintaining ground drainage, minimizing root damage and maintaining or improving aeration around such plantings.
 6. The location, size and species of all trees and shrubs to be planted, including replacement trees and shrubs, as specified in Paragraph (f)(1) below.
 7. Existing and proposed water source for the trees and shrubs and potential sources for replacement and relocated trees and shrubs.
 8. Such other information that the Town deems essential, including, but not limited to, planting details, construction protection measures, plant sources, off-site impacts and other details deemed appropriate by the Town.
- b. The information provided in the tree conservation plan may be combined with the required landscape plan for the site plan or subdivision plat, but the information described above must be clearly depicted on the landscape plan.
- (4) Approval of tree conservation plan.
- a. Tree removal or relocation shall be allowed only after approval of the Planning Director, with a recommendation from the Parks and Recreation Department, of a tree conservation plan in accordance with the following criteria:
 1. The intended use of the property and feasible alternatives which would preserve existing trees and shrubs.
 - 2.

The existing topography, proposed changes in the topography and proposed landscaping.

3. The extreme physical hardship imposed which would result in the reasonable use denied to the applicant as a result of plan denial.
 4. The effect of the proposed tree removal upon the stabilization of soil, ponds, streams and gulches.
 5. Historical value of the tree(s).
 6. Good horticultural and arboricultural practices.
 7. The effect of the proposed tree or shrub removal on the deadening and absorption of sound.
 8. The likelihood that the proposed action will adversely affect the control of flooding or soil erosion.
 9. The impact of such action on surrounding property or persons, including views, shade, wind, noise and wildlife habitat.
 10. The consistency of the proposed action with the purpose of this Section.
- b. The Town shall field verify the location, size, condition and species of trees shown on the tree conservation plan.
 - c. The applicant may appeal to the Town Council the final action made by the Planning Director concerning a tree conservation plan. The applicant shall initiate this appeal to the Town Council in a written report outlining the nature of the appeal within ten (10) working days of the Planning Director's final action. The Town Clerk will schedule the appeal request for the next available date on the Town Council's agenda. The applicant's report shall be submitted no later than ten (10) working days prior to the Town Council's meeting on the appeal. The Town Council, after a review of the record created by the Planning Director, may approve, approve with conditions or deny the appeal.
 - d. The Planning Director shall inform the Town Council of any final action on a tree conservation plan at a public meeting within fifteen (15) working days of such final action or at the next regular Town Council meeting, whichever occurs last. At this public meeting, the Town Council, upon the affirmative vote of a majority of its members, may exercise its authority to call up a tree conservation plan application to be heard by the Town Council. When exercising its call-up authority, the Town Council shall be the final decision-making body on the application, and the final action of the Planning Director shall be deemed to be a recommendation to the Town Council. The Town Council shall consider the application as provided in this Subsection and shall take the action outlined in this Subsection.
- (f) Replacement of trees and shrubs.

- (1) The tree conservation plan shall include a plan for the replacement of all trees and shrubs proposed for removal. The plan shall clearly identify the trees and shrubs to be preserved, the trees and shrubs to be removed and the replacement trees and shrubs. Any trees and shrubs to be relocated shall be noted along with the new location. Replacement trees and shrubs shall be provided in the following quantities:
 - a. Replacement requirements will be based on a monetary value placed on the trees and shrubs to be removed, using methods and formulas established by the Council of Tree & Landscape Appraisers and published in the "Guide for Plant Appraisals" (available through the International Society of Arboriculture), as amended, in conjunction with species ratings and other information obtained through the "Species Rating and Appraisal Factors Guide" published by the Rocky Mountain Chapter of the International Society of Arboriculture (ISA), as amended. The applicant shall hire a Registered Consulting Arborist from the American Society of Consulting Arborists ("ASCA"), or an ISA Certified Arborist for determination of the monetary value for trees and shrubs applicable under this Section, either of which shall be required to provide documentation of qualifications upon request by the Town.
 - b. Credit for relocated trees/shrubs. Trees and shrubs proposed for relocation shall be credited at fifty percent (50%) of the replacement plant requirement. Relocated trees shall be maintained by the landowner for a period of two (2) years after relocation, at which time the Town shall view the vitality of the tree or shrub species following relocation. If the tree or shrub is determined by the Parks, Recreation and Open Space Director or designee to be more than fifty percent (50%) deceased, it will be subject to the replacement schedule of this Section following application of the fifty-percent-relocation credit.
- (2) The requirements for replacement trees and shrubs may be satisfied by a fee in lieu of the value of the required replacement plant, paid to the Town, or by planting trees and shrubs of appropriate value, as provided by Paragraph (1) above, elsewhere, if one (1) of the following conditions is met:
 - a. Structural damage will occur in all locations on the lot on which the trees or shrubs could be relocated.
 - b. Existing site improvements, easements or proposed public improvements make tree or shrub replacement impossible in all locations on the lot on which the tree or shrub could be relocated.
- (3) The adequacy of the tree conservation plan with regard to replacement and relocated trees and shrubs shall be determined based upon the following criteria:
 - a. Positive criteria:

1. A species that is long lived.
 2. A species that is adaptable for its intended use and location.
 3. The hardiness of the tree or shrub, including, but not limited to, resistance to wind and storm damage, adaptability to climate changes and the characteristics of the soil.
 4. A species with good aesthetic value, including year-round and seasonal coloration, flower and fruit types and tree or shrub shape.
 5. A low incidence of exfoliating bark, branch drop and pruning.
 6. The protection of buildings from wind, sun and other climatic considerations.
 7. The encouragement of wildlife.
 8. The suitability of size at maturity to the tree's function and location.
 9. The ability to reduce soil erosion.
 10. The ability to reduce noise.
 11. The ability to survive low water conditions.
 12. A species that is listed as a preferred species in the Town's Preferred Plant List, as adopted in the Construction Specifications and Design Considerations for Parks, Trails and Streetscapes, as amended.
- b. Negative criteria:
1. Susceptibility to insect and disease problems, or sensitivity to air or water pollution.
 2. A species that is listed as an excluded species in the Town's Excluded Species List, as adopted in the Construction Specifications and Design Considerations for Parks, Trails and Streetscapes, as amended.
- (g) Tree protection during development.
- (1) Prior to the start of construction, all trees and shrubs on the site shall be clearly identified in the field as either "preserve," "relocate" or "remove" by the property owner. Town staff shall verify the identification of trees and shrubs according to the approved tree conservation plan. Tree or shrub removal or replacement shall not commence until the landowner has obtained written verification of the field identifications in accordance with the approved tree conservation plan within thirty (30) days of written notification of field staking. Trees and shrubs to be saved may be identified in groups.
 - (2) During development or razing activity, the landowner shall cause to be installed effective protection around all tree preservation areas and shall further install mechanisms such as tree wells (dependent upon species), retaining walls or other structures necessary to protect individual trees and shrubs designated for preservation. Such protective measures shall be

specified on the tree conservation plan and shall be designed and installed in a manner consistent with good horticultural practices and subject to the approval of the Planning Director, with a recommendation from the Parks and Recreation Department.

(3) The Town shall field verify all locations, sizes and quantities of replacement or relocated trees and shrubs prior to the warranty period acceptance of public improvements associated with the development. If no public improvements are involved, verification shall occur prior to the issuance of a certificate of occupancy. Warranty period acceptance or certificates of occupancy shall not be authorized until written verification of compliance with the tree conservation plan is obtained from the Town.

(4) Any replacement or relocated tree or shrub which dies within one (1) year of written verification of compliance shall be replaced within one (1) year or the next growing season with the same approved size and species of the tree or shrub which died.

(h) Acts harmful to trees and shrubs.

(1) No person shall abuse, mutilate or otherwise damage any tree or shrub located on public property, including those located in the public right-of-way. However, nothing in this Section shall be construed to prevent reasonable and proper trimming of trees and shrubs located on public or private property by authorized persons in accordance with accepted arboricultural and horticultural practices.

(2) No person shall attach any sign, notice, placard, electrical wire or other injurious device to any tree or shrub located on public property or within a public right-of-way, nor shall any person cause any substance harmful to trees or shrubs to come in contact with them, or prevent water and oxygen from reaching their roots.

(i) Violations.

(1) Enforcement of any provision of this Section shall be in accordance with Section 13.03.040 of this Title.

(2) The removal or destruction of each tree and shrub in violation of the provisions of this Section for each day the violation has occurred in violation of an approved tree conservation plan by the Town shall be considered a separate offense.

(3) In addition to the remedies described in this Section, the Town may refuse to issue any building permits or certificates of occupancy until the violation is cured.

(Ord. 1.467 §§34, 35, 2015; Ord. 3.01.88 §1, 2008)