

(g) Fugitive dust. No industrial or commercial operation shall be allowed to produce fugitive dust in amounts which are noticeable or appreciable outside of the property boundaries of the use.

(h) Electromagnetic, electrical interference. No commercial or industrial equipment shall be operated in such a manner as to adversely affect the operation of any off-premises electrical, radio or television equipment.

(i) Industrial and commercial wastes. All industrial and commercial operations shall confine liquid and solid wastes produced in connection with such operation within the property boundaries, and shall further ensure that no such waste, including liquid waste such as drain oil, leave the property or enter any treatment facility or natural stream courses. This shall not apply to the appropriate and proper disposal of liquid and solid wastes. (Ord. O-10 §1, 2010)

ARTICLE XXI

Landscaping

Sec. 16-21-10. General requirements.

(a) General requirements. The following requirements shall apply to all development, except lots for single-family detached residential uses:

(1) Landscaping shall be installed before building occupancy, except where seasonal limitations prohibit, in which case the landscaping shall be installed within sixty (60) days from the time planting operations can be undertaken. When seasonal conditions do not permit planting, erosion control measures shall be taken in conformance with the approved erosion control plan.

(2) The minimum landscape treatment of planting areas shall be drought-tolerant lawn, native grasses or shrub beds with no less than seventy-five percent (75%) of the ground plane within the planting area covered by living plant materials, based on mature shrub sizes and ground cover spread.

a. Plant species shall be carefully chosen and placed according to their relative water needs and adaptability to micro-climates. Plants with similar requirements shall be grouped into zones which can be translated into irrigation zones, ensuring that the area receives the proper amount of water.

b. Zones which demand the greatest amount of water shall be minimized and located only in high-use or highly visible areas. The remainder of the landscape shall be designed with plant materials which have low or very low water requirements.

c. Plants approved for landscaping in the Town are listed in the Preferred Plant List adopted by the Parks and Recreation Department.

(3) Minimum landscape densities.

Landscape Area	Single-Family Residential		Multi-Family Residential		Commercial Retail Office		Industrial	
	Trees	Shrubs	Trees	Shrubs	Trees	Shrubs	Trees	Shrubs
Open space landscape requirements (developed landscape)	1/825 s.f.	1/100 s.f.	1/825 s.f.	1/100 s.f.	1/825 s.f.	1/100 s.f.	1/825 s.f.	1/100 s.f.
Open space landscape requirements (naturalized landscape)	1/4000 s.f.	1/500 s.f.	1/4000 s.f.	1/500 s.f.	1/4000 s.f.	1/500 s.f.	1/4000 s.f.	1/500 s.f.
Foundation planting	N/A	N/A	—	1/4 l.f.	—	1/4 l.f.	—	1/4 l.f.
Buffer adjacent to single-family uses	1/40 l.f.	—	1/30 l.f.	—	1/20 l.f.	—	1/15 l.f.	—
Buffer adjacent to multi-family uses	1/30 l.f.	—	1/40 l.f.	—	1/20 l.f.	—	1/15 l.f.	—
Buffer adjacent to commercial, retail and office uses	1/20 l.f.	—	1/20 l.f.	—	1/40 l.f.	—	1/20 l.f.	—
Buffer adjacent to industrial uses	1/15 l.f.	—	1/15 l.f.	—	1/20 l.f.	—	1/40 l.f.	—
Street ROWs	1/40 l.f.	—	1/40 l.f.	—	1/40 l.f.	—	1/40 l.f.	—
Parking lot islands less than 825 s.f.	1	—	1	—	1	—	1	—
Parking lot islands less than 360 s.f.	1/180 s.f.	1/30 s.f.	1/180 s.f.	1/30 s.f.	1/180 s.f.	1/30 s.f.	1/180 s.f.	1/30 s.f.

Notes:

1. *Developed landscape* means areas dominated by irrigated turf typically found between buildings, between buildings and streets, in parks, as lawns and in formalized landscape areas. The Town reserves the right to dictate the limits of developed landscape areas.
2. *Naturalized landscape* means areas dominated by irrigated or nonirrigated native grasses typically found in areas intended to be more native in character or located between developed landscape and undisturbed native landscape. The Town reserves the right to dictate the limits of naturalized landscape areas.
3. Native areas undisturbed by development may remain as is with no additional requirements. The Town reserves the right to require additional landscape if determined beneficial by the Town.
4. Foundation plantings may be grouped, provided no building foundation is exposed at plant maturity. Trees, doors, windows or architectural elements may be utilized to break up foundation shrub plantings.
5. Portions or all required buffer landscape may not be required when adjacent to existing landscape which provides adequate buffering. The Town reserves the right to determine the need for buffer landscape in this situation.
6. Trees and shrubs may be substituted at a ratio of 1 tree to 14 shrubs. The Town reserves the right to approve or deny requests for substitutions.
7. Buffer requirements are in addition to the square footage plant density requirement.
8. Parking lot islands narrower than seven (7) feet shall receive shrub plantings at 1/30 s.f.

(4) Minimum planting distances.

	Curbs/Walks	Fencing	Steel Edger	Street Signs	Street Lights	Retaining Walls	Bottom of Swales	From Outside Edge of Public Utility Pipes
Canopy trees/ornamental trees (single stem/high branch)	3'	3'	3'	10'	15'	4'	4'	10'

Ornamental trees (clumped/low branch)	7'	5'	3'	10'	7'	4'	4'	10'
Evergreen trees	7'	7'	3'	8'	8'	6'	5'	10'
Large shrubs (5'+)	4'	3'	3'	4'	1'	3'	3'	0
Small shrubs (4'-)	2.5'	2'	2'	1'	1'	2'	2'	0
Spreading shrubs	3'	3'	2.5'	1'	1'	2.5'	2'	0

(5) Plant size and mix. Total tree and shrub counts shall be split (two-thirds [$\frac{2}{3}$] coniferous and one-third [$\frac{1}{3}$] deciduous species).

<i>Quantity</i>	<i>Min. Caliper of Deciduous Trees</i>	<i>Min. Height of Coniferous Trees</i>
10% large	3" or greater	Greater than 12'
70% medium	2¼" or 2¾"	10'
20% small	1½" to 2"	8'

All shrub beds shall be a combination of coniferous and deciduous shrubs no smaller than five-gallon size, with the exception of annuals, perennials and sub-shrub species.

(6) Plant species diversity is recommended to promote wildlife habitat creation and conservation. The following chart shall be used to create plant diversity in a landscape design. Applicants shall identify the percent of each species of plant material per plant type: trees, shrubs, flowers and grasses in chart form.

a. Recommended deciduous tree or shrub plant diversity scale.

<i>Plants</i>	<i>Maximum % of Single Species</i>
0—2	Can have 100% of one species
3—6	50% of any one species max
7—12	33% of any one species max
13—40	20% of any one species max
41+	10% of any one species max

b. Recommended evergreen tree or shrub plant diversity scale.

<i>Plants</i>	<i>Maximum Single Species Mix</i>
0—5	Can have 100% of one species
6—10	50% of any one species max
11—15	33% of any one species max
16—20+	25% of any one species max

c. Plants on adjacent property within thirty (30) feet of the subject landscape plan's property line shall be identified as part of the landscape plan. The subject landscape plan shall use different plant species if determined appropriate when arranged next to plants on adjacent property.

(7) Wildlife accessible water surfaces, such as ponds, lakes, creeks and features such as small decorative pools, waterfalls, creeks and fountains, both natural and man-made, shall be provided in landscape plans, except on lots for single-family detached and duplex residential uses. These surfaces shall be four (4) square feet of water surface for every acre in the development up to a minimum of twenty-five (25) acres. Surfaces can be in multiple bodies of water no smaller than four (4) square feet. Water surfaces should be provided from a clean water source, free of stagnation and accessible to wildlife. Water features need to meet the same standards and, in addition, have automatic fill mechanisms, drain systems and the ability to be winterized. In addition, developments are encouraged to locate the water surface or feature away from streets and heavily traveled drives.

(8) Additional miscellaneous landscaping criteria are the following:

a. All mulch bed areas adjacent to turf and property lines shall be contained by a steel edger. An edger shall not be required when adjacent to hardscape surfaces, walls, solid fences or buildings.

b. The steel edger shall be interlocking rolled-top type edger. Overlapping type edger is not permitted.

c. Minimum depth of mulch shall be three (3) inches in shrub beds, two (2) inches in ground cover and flowerbeds and three (3) inches in open nonplanted mulch areas.

d. Mulched bed areas shall include weed control fabric with the exception of flower beds.

e. Building foundations exposed to public streets, adjacent properties and public lands shall have a foundation planting bed with no exposed foundation or mulch at plant maturity.

f. Turf areas shall receive soil amendment. Amendment shall be a minimum of three and one-half (3.5) cubic yards of pure organic material per one thousand (1,000) square feet, tilled to a minimum depth of six (6) inches.

g. Finished grade along solid fences shall be at least three (3) inches below the bottom of such fences for drainage where lot line drainage swales exist or as required by engineering calculations.

h. Native areas receiving native seed shall be seeded with a mixture of warm and cool season native grasses. This seed mix is a Town standard mix as specified by the Parks and Recreation Department so that contiguous native areas between developments will contain common grasses. Native seed areas shall be established within two (2) years of planting. Establishment shall mean free of weeds with no areas larger than twelve (12) inches by twelve (12) inches of barren soil. The applicant shall be required to maintain, reseed as needed and control weeds in all identified native areas. Weed control may consist of mowing, pulling or chemical control. All seeded areas shall receive temporary automatic irrigation until established.

i. Longitudinal slope of drainage swales in turf areas shall be no less than two and one-half percent (2½%) unless approved otherwise by proper hydraulic design.

j. Longitudinal slope of drainage swales in native areas shall be no less than two percent (2%) unless approved otherwise by proper hydraulic design.

k. Prohibited plants include plants identified in the State of Colorado Noxious Weed List current at the time of application.

l. Irrigation plans are required at the building permit stage as part of the project construction plans. Such irrigation plans shall be designed to meet the watering zone requirements of the approved landscape plan.

(9) It is unlawful to fail to maintain landscaping in accordance with the plans submitted to and approved by the Town. Failure to maintain shall include, but is not limited to, failing to provide thriving conditions for the planted materials, allowing any trees or shrubs to die without replacement thereof or failing to plant all of the plant materials identified in the approved plan. (Ord. O-10 §1, 2010)

Sec. 16-21-20. Landscape buffers.

(a) Landscape buffers.

(1) When the use of property to be developed or redeveloped will conflict with the use of adjoining property, there shall be adequate screening as determined by the Town between the two (2) properties. The screen shall moderate the impact of noise, light, unattractive aesthetics and traffic. Plant material shall be incorporated in and dominate the appearance of the screen. Shrub beds shall be a combination of coniferous and deciduous shrubs no smaller than five-gallon size, with the exception of annuals, perennials and sub-shrub species. The owner of the property which is to be developed or redeveloped shall be liable for, and shall install, the buffer on the property to be developed or redeveloped.

(2) The buffer area shall be located between the property line and the use to be screened. When required, the landscape plan shall include a six-foot-high barrier (fence, hedge or wall).

(3) The landscaping in the buffer area shall meet the minimum landscape plant density chart set forth in Paragraph 16-21-10(a)(3). The landscaping requirement is in addition to the open area landscaping requirements and is determined by identifying the length of the property line or area separating the two (2) dissimilar uses. The resulting additional plants may be incorporated into the overall landscape design as long as these plants are placed between the two (2) dissimilar uses.

(b) Multi-family residential uses. The following is a list of the minimum buffer requirements for multi-family residential uses.

(1) Multi-family adjacent to single-family, duplex, triplex or fourplex housing. Minimum width of buffer to property line: ten (10) feet.

(2) All multi-family uses adjacent to commercial, office, retail, convenience centers or similar use. Minimum width of buffer to property line: fifteen (15) feet.

(3) All multi-family uses adjacent to industrial uses. Minimum width of buffer to property line: twenty (20) feet.

(c) Commercial, business and industrial uses. The following is a list of the minimum buffer requirements for commercial, business and industrial uses.

(1) Commercial, office or retail uses adjacent to single-family use. Width (minimum) of buffer to the property line: fifteen (15) feet. Six-foot-high barrier.

(2) Commercial office or retail use adjacent to all multi-family use or industrial use. Width (minimum) of buffer to the property line: ten (10) feet.

(3) Industrial use adjacent to multi-family use. Width (minimum) of buffer to the property line: fifteen (15) feet.

(4) Industrial use adjacent to single-family use. Width (minimum) of buffer to the property line: twenty (20) feet. Six-foot-high barrier.

(d) Convenience and automobile care centers and service stations.

(1) Adjacent to single-family use. Width (minimum) of buffer to the property line: fifteen (15) feet. Six-foot-high barrier.

(2) Adjacent to multi-family or industrial use. Width (minimum) of the buffer to the property line: ten (10) feet. (Ord. O-10 §1, 2010)

Sec. 16-21-30. Preservation of existing trees.

(a) Where possible, building and parking areas shall be located to preserve and promote the health of existing quality trees. The applicant shall be responsible for locating and preserving where feasible all individual trees of four-inch caliper in size or larger, and massed groups of small trees.

(b) During construction, all possible precautions shall be taken to preserve quality trees. Preservation measures shall include:

(1) Avoiding placing soil against tree trunks and maintaining natural drainage near individual trees.

(2) Restricting vehicular equipment from entering areas scheduled for preservation by providing a barrier around the outside perimeter of the tree's drip line.

(3) Avoiding covering, compacting or destroying more than one-third ($\frac{1}{3}$) of the root area within the drip line.

(4) Selecting ground covers and irrigation systems that are compatible with the water requirements of the trees to be saved. (Ord. O-10 §1, 2010)

Sec. 16-21-40. Street frontage landscaping.

(a) Along street rights-of-way, trees shall be a minimum of a two-and-one-half-inch caliper shade tree or an eight-foot minimum height coniferous tree, placed within twenty-five (25) feet of the road right-of-way and planted as per the planting density chart set forth in Paragraph 16-21-10(b)(3). Trees may be grouped, but the maximum distance between trees or groupings is sixty (60) feet, with exceptions made at entrance drives and intersections.

(b) Median areas within streets shall be designed to emphasize the use of drought-resistant plants and minimize the use of sod, the effects of deicers and snow loading. (Ord. O-10 §1, 2010)

Sec. 16-21-50. Irrigation.

(a) An automatic irrigation system is required for all landscaped areas. All irrigation systems shall be below ground, fully automated systems in compliance with all applicable building code requirements. Use of water-conserving systems such as trickle (drip) irrigation for shrub and tree planting is encouraged. Backflow control devices shall be located or screened so that they are not visible from public streets or parking lots.

(b) Approved landscape plans and irrigation plans including zone watering schedules are required at the building permit stage as part of the project construction plans. Irrigation plans shall meet the watering zone requirements of the approved landscape plan.

(c) To maximize water use efficiency, irrigation systems should be designed with a high application efficiency and with zones that correspond to the differing water requirements of planting areas. Properly applied drip and bubbler irrigation systems are noted for their application efficiencies and can be used effectively to irrigate trees and shrubs in drought-tolerant turf areas and in planting beds. Spray over walkways and roadways shall be minimized for pedestrian comfort, safety and water conservation.

(d) Irrigation shall tie to the water reuse system of the Town. (Ord. O-10 §1, 2010)

ARTICLE XXII

Fences, Hedges and Walls

Sec. 16-22-10. General provisions.

Fences, hedges and walls are subject to the following conditions and requirements:

(1) Fences and walls are subject to the applicable sections of the building code.

(2) No fence, hedge or wall may extend beyond or across a property line unless with the joint agreement of the abutting property owners. It is the responsibility of the property owner to locate all property lines.

(3) No fence, hedge or wall shall be placed nearer than twelve (12) inches from a public sidewalk.

