

ORDINANCE NO. 31

Series of 2022

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING TITLE 070 SECTIONS 070.040.050, AND 070.070.030 OF THE GLENWOOD SPRINGS MUNICIPAL CODE.

WHEREAS, the City of Glenwood Springs (“Glenwood Springs” or the “City”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Glenwood Springs Home Rule Charter; and

WHEREAS, on August 2, 2018, City Council approved a revised development code as set forth in Title 070 of the Municipal Code; and

WHEREAS, City staff identified the need for additional Code provisions to address issues that were not contemplated in the originally approved 2018 Code update, including water-efficient landscaping design requirements; and

WHEREAS, outdoor water use accounts for nearly 50% of municipal water usage during summer months in the City of Glenwood Springs; and

WHEREAS the City of Glenwood Springs Municipal Water Efficiency Plan and Drought Management Plan identify and recommend encouraging a reduction in or restricting outdoor water use as a technique for water conservation and addressing drought; and

WHEREAS, water efficient landscape requirements extend water supply and water infrastructure by enhancing efficiency, protect natural landscapes and habitats through incorporation of native plants and natural landscapes, reduce peak season water demand and per capita usage through site design standards and the application of efficient irrigation design, eliminate outdoor water waste, promote energy efficiency within landscape design, and enhance the quality of the urban environment through promotion of well-designed landscapes; and

WHEREAS, recommended amendments to the development code to address the foregoing issues are set forth on **Exhibit A** attached hereto; and

WHEREAS, on March 22, 2022, the Planning and Zoning Commission found that the recommended amendments on **Exhibit A** satisfy the Code Amendment Approval Criteria set forth in Section 070.060.040(c)d.3. and recommended adopting the amendments on Exhibit A; and

WHEREAS, the City Council finds and declares that the amendments to the development code on **Exhibit A** satisfy the Code Amendment Approval Criteria set forth in Section 070.060.040(c)d.3. and are proper and necessary to advance the public health, safety and welfare of the City’s residents.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ORDAINS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Title 070 of the Glenwood Springs Municipal Code is hereby amended as set forth in **Exhibit A** attached hereto.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED PUBLISHED BY TITLE ONLY THIS 15TH DAY OF DECEMBER 2022.

CITY OF GLENWOOD SPRINGS, COLORADO



Jonathan Godes, Mayor

ATTEST:



Ryan Muse, City Clerk

INTRODUCED, READ ON SECOND READING, AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE OF SECOND PUBLICATION THIS 5TH DAY OF JANUARY 2023.

CITY OF GLENWOOD SPRINGS, COLORADO



Jonathan Godes, Mayor

ATTEST:



Ryan Muse, City Clerk

EXHIBIT A

The following sections of the Municipal Code are amended as follows with double underlined text added and ~~strike through text~~ deleted.

070.040.050 Landscaping, Screening, and Fencing.

- (a) *Purpose.* The purpose of this Section is to ensure that landscaping, screening, and fencing is provided to:
- (1) Protect and enhance the visual appeal of Glenwood Springs;
 - (2) Contribute to high-quality development;
 - (3) Improve air quality;
 - (4) Buffer potentially incompatible neighboring land uses;
 - (5) Mitigate the environmental and visual impacts of surface parking areas; and
 - (6) *Protect residential and commercial property values.*
 - (7) Extend water supply and water infrastructure by enhancing efficiency and eliminating outdoor water waste.
- (b) *Applicability.*
- (1) *New Development and Redevelopment.* These standards shall apply to all new development or redevelopment unless otherwise exempted by Paragraph (2).
 - (2) *Exemptions.*
 - a. Single- and two-family residential uses except Subsection 070.040.050(c)(3) Water Efficient Landscape Standards, 070.040.050(d), Streetscape Requirements, Subsection 070.040.050(f)(2), Fence Standards, and Subsection 070.040.050(f)(3), Retaining Wall Standards.
 - b. Mixed-use or nonresidential uses on a lot that is less than five thousand (5,000) square feet shall be exempt from this Section.
 - c. Expansion of existing structures or uses by less than twenty-five (25) percent gross floor area provided that any existing compliant landscaping remains unaltered.
- (c) *General Landscaping Standards.*
- (1) *Minimum Landscaped Site Area.*
 - a. The minimum percentage of site area required to be landscaped is established for each zoning district in Section 070.020.020, Summary of Dimensional Standards.
 - b. Except for areas with native vegetation cover, any part of a site not used for building coverage, parking areas, driveways, sidewalks, or other site improvements shall be landscaped.
 - (2) *Type and Amount of Plant Material.*
 - a. Trees and other plant material shall be provided according to Table 040.5: Minimum Plant Material and Standards.

- b. Existing landscaping may be used to satisfy the landscaping requirements, except that preservation of existing trees shall comply with Subsection 070.040.050(c)(4).
- c. Artificial trees, shrubs, turf, or plants shall not be used to satisfy any of the requirements of this Section.
- d. Where fractional number results, the number of trees, shrubs, or perennials shall be rounded to the next highest whole number.

Table 040.5: Minimum Plant Material and Standards		
Plant Material	Minimum Amount	Species and Size Standards
Trees	One tree per 400 square feet of site area required to be landscaped in addition to those required for parking areas	Deciduous: minimum caliper 2.5 inches (understory ornamental trees may be two-inch caliper) <u>Ball and burlap trees must have burlap and cage removed prior to planting.</u>
		Evergreen: (a) minimum height of six feet; (b) shall not exceed 50 percent of total required trees; (c) if provided, ten percent of evergreen trees shall have a minimum height of ten feet. <u>(d) Ball and burlap trees must have burlap and cage removed prior to planting.</u>
		Shrub substitution: Up to 50 percent of required trees may be substituted with shrubs (above required amount) at a rate of ten shrubs = one tree. All such shrubs shall comply with the standards in this table.
Perennials	One perennial per 50 square feet of site area required to be landscaped	(a) shall be a minimum of one gallon in size; (b) shrubs (above required amount) may be substituted for perennials at a rate of one shrub = five perennials.

(3) Water Efficient Landscape Standards: The following standards shall apply to all required landscape areas:

a. Soil Amendment.

- i. Soil amendments for turf, shrubs, perennials and annuals shall be sandy loam to a depth of 6” containing at least five (5) percent organic matter by volume.
- ii. Soil amendments for trees shall be sandy loam to a depth of thirty-six (36) inches containing one to three (1-3) percent organic matter by volume. In locations with existing good soils, soil shall be turned three times the dimension of the root ball.

b. Mulch. Mulch shall be applied at a minimum depth of 4 inches with modifications as appropriate for installed plant material. Mulch shall be renewed as needed. Mulch material may be organic material including, but not limited to: wood, bark nuggets, nut shells, grass clippings, straw, compost and chopped leaves; or inorganic material including gravel, stone, pea gravel, pebbles.

c. Plant Selection and Grouping. Plant materials shall be selected for water efficiency, drought tolerance, use of native or climate adaptive species and their relationship to the Glenwood Springs regional ecology as well geologic and topographical conditions.

- i. Plants shall be selected from the water efficient Plant List as shown in **Parks and Recreation Department’s Glenwood Springs Landscaping Species Guide.**
- ii. Hydrozones required. Plants shall be grouped together by soil suitability and by water use in distinct hydrozones (very low, low, moderate and high) to increase irrigation efficiency. Plants from the same water use zone shall be grouped together on the same irrigation zones. Water use zones shall be consistent with the water smart Plant List as shown in **Parks and Recreation Department’s Glenwood Springs Landscaping Species Guide as adopted by City Council and amended from time to time. Other Colorado water smart plant lists may be approved for use and reference by the Director.**
- iii. The landscape design shall promote and preserve native and climate adaptive species and natural areas . Native species shall account for seventy-five (75) percent of provided plants and these must be drought tolerant species.

c. The total amount of high-water use zones on a property shall not exceed fifty percent of the total landscaped area. Turf grass areas designated and approved as functional turf, landscape areas dedicated to gardens and food production, and trees in tree grates, shall be excluded from the total landscaped area under this requirement.

d. The use of high irrigation plantings shall be limited to high use areas with high visibility or functional needs;

e. Plants from a high-water use zone shall not be planted on slopes or berms at a 4:1 slope or greater.

f. Turf.

- i. Very high- and high-water use turf grass is prohibited.

g. The developer of a property may submit an application to the Director requesting consideration for a waiver for functional turf that is very-high or high-water use turf grass that provides a recreational benefit to the community and meets the functional turf definition. Waiver applications must demonstrate that the turf substantially complies with the functional turf definition as indicated by:

- i. Activity type
- ii. Activity-appropriate dimensions
- iii. Number of persons served and frequency of use
- iv. Location in proximity to similar turf areas
- v. Public access and proximity to roadways
- vi. Presence of facilities and/or other recreational amenities Irrigation efficiency

~~(3)~~(4) Location of Required Plant Material.

- a. Required trees, shrubs, and perennials shall be planted in required setbacks, parking areas, and along building foundations.

- b. When planted in required setback areas or along building foundations, trees may be either uniformly spaced or placed in irregular groupings.
- c. Landscaping or other obstructions within a sight distance triangle shall comply with the height restrictions in Subsection 070.020.190(c)(5), Sight Distance Triangle Requirement.
- d. Trees shall be planted at least four (4) feet away from overhanging vehicles. (Figure 040-3)

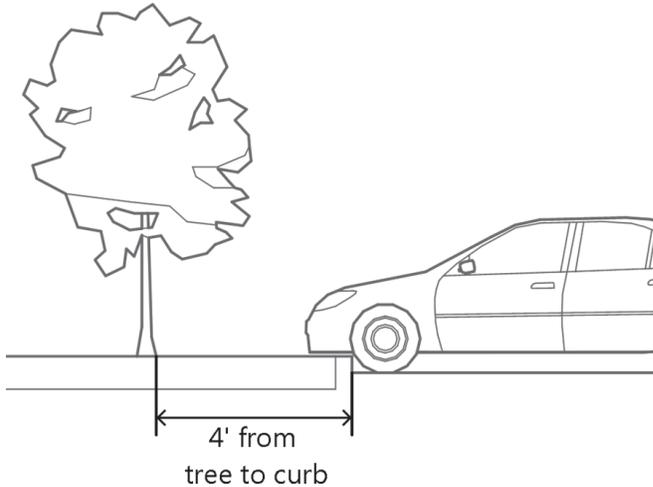


Figure 040-3: Vehicle Overhang

~~(4)~~ (5) *Credits for Tree Preservation.*

- a. *Amount of Tree Preservation Credit.*
 - 1. The number of trees preserved can be credited toward the total number of trees required for the development to meet the landscaping requirements of this Section. Credit shall be applied on a one-for-one basis, unless the Director approves an alternate ratio to encourage tree preservation.
 - 2. The Director shall determine whether or not credit shall be granted for existing trees.
 - 3. Tree species that are not acceptable to receive credit under this standard include, but are not exclusive of Siberian and Chinese Elm, Russian Olive, Tamarisk, and other species that are listed on the Garfield County Vegetation Management Department's most current noxious weed list.
- b. *Procedure for Evaluating Existing Trees.*
 - 1. Existing trees intended for preservation shall be evaluated by a licensed arborist prior to submitting and application for development, or prior to issuance of a grading or building permit. The arborist's written evaluation shall include an assessment of the likelihood of the survivability of the trees based on proximity to any grading activity on the site and recommendations for tree preservation during grading and construction activities.

2. Based on the licensed arborist's evaluation, the development may receive credit for existing trees provided that all of the following criteria are met:
 - i. The trees are each a minimum of four-inch caliper in size;
 - ii. Any grading, digging, and/or site preparation activities shall not be permitted within the drip line (Figure 040-4) of the trees intended for preservation; and

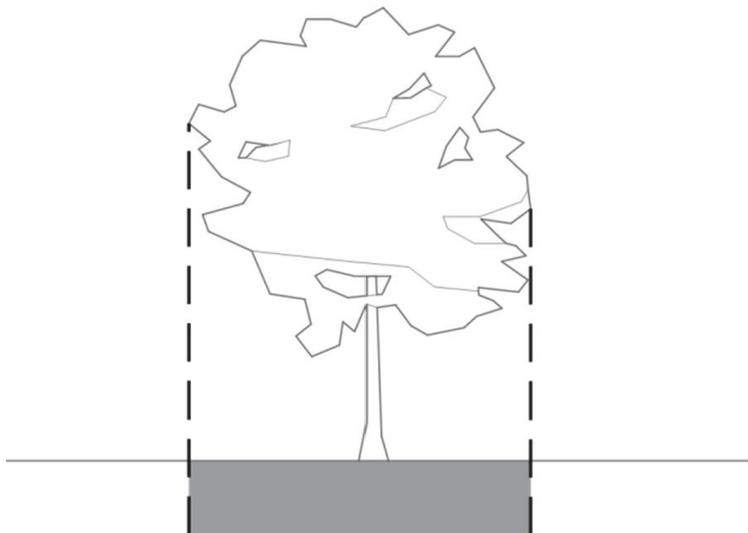


Figure 040-4: Drip Line

- iii. Trees intended for preservation shall be shown on the landscape plan with caliper size and drip line noted.

(d) *Streetscape Requirements.*

(1) *Minimum Streetscape Elements.* Streetscape elements shall be provided according to Table 040.6: Minimum Streetscape Requirements.

Table 040.6: Minimum Streetscape Requirements				
	Minimum Amount (Residential)	Minimum Amount (In the Downtown Core)	Minimum Amount (Other Mixed-Use and Nonresidential)	Other Standards
Street Trees	One tree per 75 feet street frontage	Residential: one tree per 35 feet street frontage; Mixed-Use: one tree per 50 feet street frontage	One tree per 50 feet street frontage	(a) trees shall meet City specifications pursuant to Article 090.040, Streets and Sidewalks; (b) evergreen trees are prohibited as street trees in the

				<p>planting strip;</p> <p>(c) where overhead utility lines are present, select a variety of tree that, at maturity, grows no higher than the lowest utility line;</p> <p>(d) trees shall be spaced 30 feet apart on center unless alternative spacing is approved by the Director.</p> <p><u>(e) Street trees in the downtown core shall have a maximum mature height of 40 feet unless alternative height is approved by the Director.</u></p> <p><u>(f) Ball and burlap trees must have burlap and cage removed prior to planting.</u></p>
Planting Strip	Minimum five feet in width (from back edge of curb)	Minimum five feet in width (from back edge of curb); however, the Director may waive this requirement based on existing conditions along the block face provided landscape elements are used to define the edge of the property in the absence of a planting strip.	Minimum five feet in width (from back edge of curb)	<p>(a) shall include a combination (at least two) of the following: trees <u>with max 40 foot maturity height</u>, shrubs, native <u>or climate adaptive</u> grasses, native plants, drought-tolerant or low-water plants, perennials, <u>or</u> annuals, or turf;</p> <p>(b) in the Downtown Core, grasses <u>or low-water use</u> turf may only be used for</p>

				residential or mixed-use development; (c) up to 40 percent of the planting strip may be hard surfaced with concrete, brick, composite pavers, stone, or rock-type mulch.
Amenities	None	Per Director discretion based on the needs for a particular block	None	Amenities shall be designed and installed pursuant to the streetscape manual.

(2) *Location of Street Trees.*

- a. Unless otherwise permitted in this Section, street trees shall be located within the designated planting strip.
- b. Where no planting strip is present or where utilities prevent trees from being planted in the designated planting strip, trees may be planted on the development parcel, in an area ranging from three (3) to seven (7) feet behind the property line nearest to the public right-of-way.

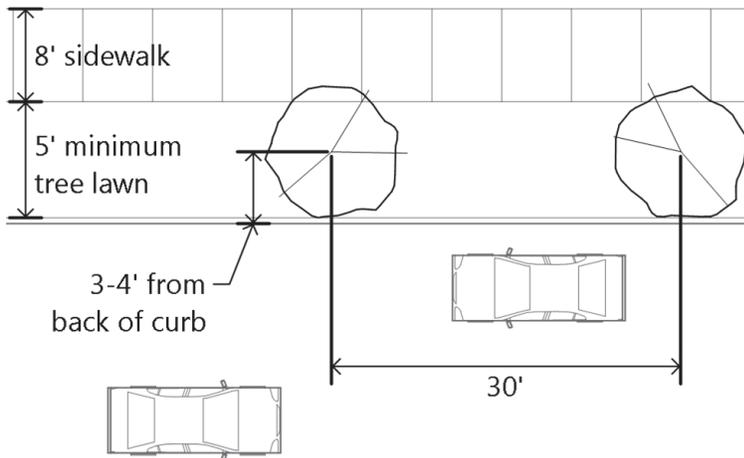


Figure 040-5: Location of Street Trees

- (e) *Parking Area Landscaping.* See Subsection 070.040.060(h)(6), Parking Area Landscaping.
- (f) *Screening, Fences, and Walls.*
 - (1) *Screening Standards.*

- a. *Credits Toward Required Landscaping.* Any landscaping provided to meet screening standards will be credited towards the overall landscaping requirements enumerated in this Section.
- b. *Screening Loading and Outdoor Storage Areas.* Loading and outdoor storage areas shall be screened from view of public rights-of-way and from adjacent residential land uses or districts using any one (1) or a combination of fences, walls, berms, or landscaping that is at least six (6) feet in height and provides a permanent, opaque, year-round screen.
- c. *Screening Refuse Containers.*
 1. *Enclosures Required.* Refuse containers shall be located within an enclosure.
 2. *Location.* Refuse container enclosures shall be located at the rear of the property to the extent practicable and shall be sited to allow for easy vehicular access such that access does not require backing movements onto public rights-of-way, with the exception of alleys.
 3. *Design and Materials.* Refuse container enclosures shall be of sufficient height to screen containers, but shall not exceed six (6) feet in height unless screening a refuse container taller than six (6) feet. Such enclosures shall be visually compatible with materials used on the primary building. In no case shall enclosures consist of chain link or corrugated metal. Refuse containers shall comply with the provisions set forth in Article 100.010.060 of the Municipal Code. (Figure 040-6)

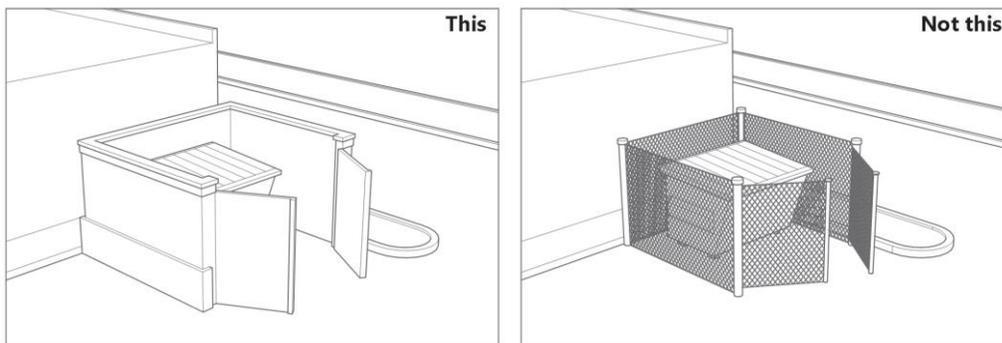


Figure 040-6: Refuse Container Enclosures

4. *Landscaping.* Landscaping shall be used to soften the appearance of the enclosure where such enclosure is located within a side yard or can be viewed from public rights-of-way.
- d. *Screening Mechanical and Utility Equipment.* All mechanical and utility equipment including but not limited to air-conditioning, heating and soft water tanks, television antennas, satellite dishes, security apparatus, transformers, and electric and gas meters shall be integrated into the building design, screened from public view or enclosed in a suitable accessory structure, pursuant to the following standards:
 1. *Location.*
 - i. Ground-mounted mechanical and utility equipment shall be located outside of sight distance triangles in order to avoid obscuring vision at intersections.

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- ii. To the extent practicable, ground mounted mechanical and utility equipment shall be located out of view of public rights-of-way, customer entrances, and other public areas.

2. *Design.*

- i. **Materials.** Materials used for screening purposes shall be wood or masonry. The use of split face concrete block is prohibited unless otherwise approved by the Director through the alternative compliance procedure.
- ii. **Ground-Mounted Equipment.** Ground-mounted mechanical and utility equipment located within view of customer entrances or public rights-of-way shall be integrated into the overall site design, the architectural design of the building, and screened from public view using one (1) or a combination of the following: (Figure 040-7)
 - a. Decorative wall, fence, or enclosure that is constructed of materials that are compatible with the overall architectural design of the development and of a height that is not less than the height of the equipment to be screened; or
 - b. Landscaping that is of sufficient height at maturity and of opacity to effectively soften and screen the equipment, and that is integrated into the overall landscaping plan.

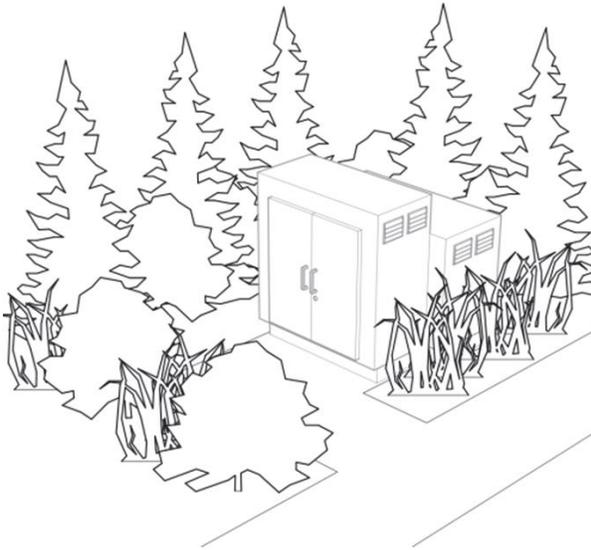


Figure 040-7: Screening Ground-Mounted Equipment

- iii. **Fire Hydrants.**
 - a. Ensure that plants and other screening mechanisms do not block access to a fire hydrant.
 - b. Setbacks shall be maintained to each side of all fire hydrants as required in the Engineering Standards.

iv. Roof-Mounted Equipment.

- a. Roof-mounted equipment shall be an integral part of the building's overall architectural design and shall be screened from view to the extent practicable from public rights-of-way, residential land uses, public parking areas, and/or adjacent properties using parapet walls or other means of screening. When reviewing the type and amount of screening, the Director shall consider the following:
 1. The proximity of the development to surrounding residential land uses and the visual impact that roof-mounted equipment may have upon those surrounding residential land uses.
 2. The number and size of roof-mounted equipment. The greater the number and/or size, the more screening may be warranted.
- b. Roof-mounted equipment shall be neutral earth toned colors that have a matte finish and that are compatible with the primary building façade. In no case shall rooftop mechanical equipment be galvanized, shiny, white, off-white, or other light colors that can be observed from a distance.

(2) *Fence Standards.*

a. *Location and Design.*

1. Fences other than those used for screening pursuant to Subsection 070.040.050(f)(1), and that are constructed within the front yard setback, along corner side lot lines, or are adjacent to a public right-of-way, shall be at least sixty (60) percent transparent.
2. Fences located in a required front yard setback shall be no more than four (4) feet in height.
3. Fences located in a required side or rear yard setback shall be no more than six (6) feet in height.
4. Fences shall conform to maximum height requirements when located within a sight distance triangle, as defined in Subsection 070.020.190(c)(5), Sight Distance Triangle Requirement.

b. *Fencing Materials.*

1. Fencing material shall be compatible with the overall site design, the primary building, and landscaping. Acceptable materials include but are not exclusive of the following:
 - i. Natural stone;
 - ii. Brick;
 - iii. Stucco;
 - iv. Wood;
 - v. Decorative concrete block;
 - vi. Metal, as in wrought iron;

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- vii. Wooden picket fences for residential applications provided the pickets or vertical slats are not more than four (4) inches apart on center; and
 - viii. Chain link provided that the chain link is vinyl coated green, brown, or black, used in conjunction with tightly spaced plant material that provides a dense screen between the fence and the adjacent public right-of-way, and is not otherwise prohibited below.
- 2. The following fencing materials are prohibited:
 - i. Except in the I1 and I2 zoning districts, chain link fencing when located in the front yard or in a side yard that is adjacent to and visible from a public right-of-way;
 - ii. Corrugated or ribbed metal;
 - iii. Corrugated plastic;
 - iv. Plastic and vinyl; and
 - v. Barbed wire.
- c. *Fencing Color.*
 - 1. Fencing shall be low reflective, and earth-toned in color.
 - 2. Fences constructed of metal, wrought iron, or similar material may be black.
 - 3. Galvanized, shiny, white, off-white, or other light colors that can be observed from a distance are prohibited except that white or off-white wooden picket fences shall be permitted for residential applications.
- (3) *Retaining Wall Standards.*
- a. *Location and Design.*
 - 1. Retaining walls shall be designed in accordance with applicable building codes, Engineering Standards, and applicable standards in Section 070.040.020, Sensitive Area Protection.
 - 2. Retaining walls shall not exceed six (6) feet in height, as measured from natural grade to the top of the wall, except for the exceptions to accommodate varying slopes as provided in Subsection 070.040.020(b)(4)g., Retaining Walls and Fencing, or when terracing is provided pursuant to Subsection 070.040.050(f)(3)b., Terracing Required.
 - 3. Retaining walls that are over four (4) feet in height shall be designed by a State of Colorado licensed structural engineer.
 - 4. Retaining walls that are over thirty (30) feet in length shall incorporate the following elements to minimize the overall mass of the wall:
 - i. Recessions and/or projections that have a minimum wall plane change of twenty-four (24) inches and have the effect of casting shadows. (Figure 040-8)

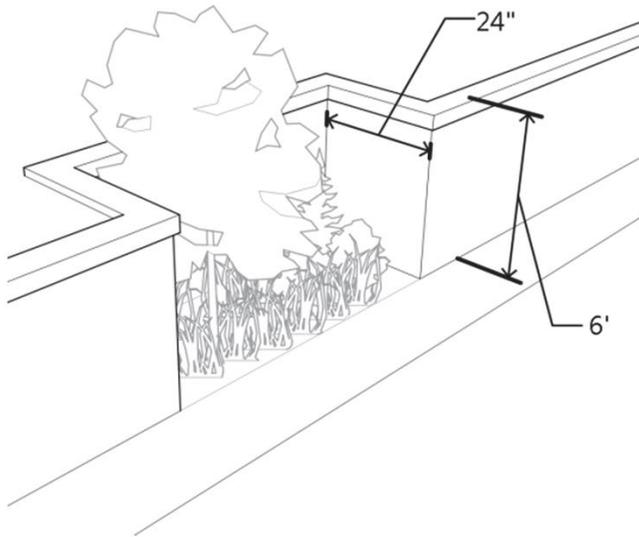


Figure 040-8: Retaining Wall Design

- ii. Landscaping at a minimum shall include trees, shrubs, ornamental grasses and/or and perennials and be of sufficient quantity to add visual interest and to minimize the impact of the structure as viewed from neighboring properties or the public right-of-way. The Director may approve alternative designs to soften retaining walls to reduce the amount of water behind such walls provided the intent of this Section is met. Alternative designs shall be processed according to Subsection 070.040.050(g)(2).
5. Retaining walls shall be designed such that the structure conforms to the existing natural terrain.
 6. Retaining walls shall conform to maximum height requirements when located within a sight distance triangle.
- b. *Terracing Required.* The Director may allow retaining walls that exceed six (6) feet in height if they are terraced to minimize visual impacts on residents, neighboring properties, and the public realm by: (Figure 040-9)
1. Limiting terracing to three (3) tiers;
 2. Providing a minimum terrace width of four (4) feet between any two (2) six-foot retaining walls with a maximum slope of 3:1 to create pockets for landscaping. The Director may approve reduced terrace depths where site constraints limit the amount of space available to accommodate the minimum required width;
 3. Access points, such as stairs, shall be incorporated into the retaining wall for the purposes of maintaining landscaping; and
 4. Permanently landscaping or re-vegetating terraces created between retaining walls to screen walls and provide visual interest unless soil conditions are determined by a licensed engineer to be unsuitable due to geologic hazards.

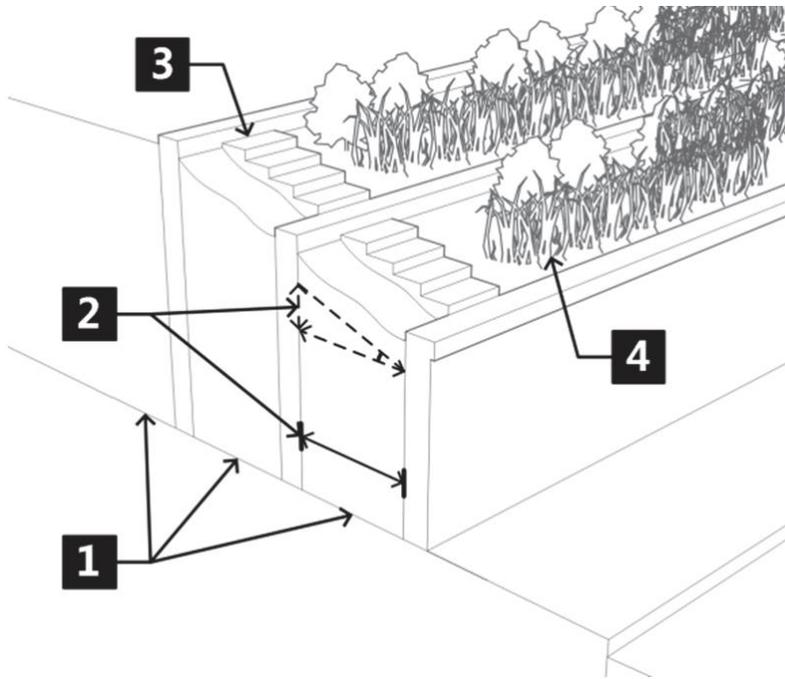


Figure 040-9: Retaining Wall Terracing

Annotations correspond with paragraph numbers in the preceding text.

c. *Materials and Color.*

1. Retaining walls shall be compatible with the overall site design, the primary building, and landscaping and shall coordinate with rock formations or exposed soil from surrounding hillsides.
2. Retaining walls shall be constructed of the following materials:
 - i. Natural stone;
 - ii. Concrete keystone blocks with integral earth-toned color; or
 - iii. Another material that meets the intent of this standard as determined by the Director.
3. When located adjacent to a public right-of-way or when visible from adjacent commercial or residential land uses, the use of railroad ties and timber is prohibited.

d. *Landscape Buffer as an Alternative.*

1. Where terracing or other mitigation measures are not feasible due to site size or other constraints, a densely landscaped buffer shall be provided as an alternative on the downhill side of the wall.
2. Appropriate spacing of vegetation and landscaping shall be determined by the Director, dependent upon the species selected; however, spacing shall be such that trees will form a dense screen within five (5) years of planting.

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3. The Director may approve alternative landscape buffer configurations and plantings where insufficient space exists to meet the above landscape buffer standards.
 4. The Director may waive the above standards for alternative landscape buffers if retaining walls will not be visible from neighboring sites, the interior of the proposed structure, and the primary street frontage; and the applicant can demonstrate that views of the retaining wall will be fully screened by the primary structure or a free-standing parking garage structure.

(g) *Landscaping Evaluation Procedure.*

(1) *Landscape Plan.*

- a. All development ~~except for single family detached houses and duplexes~~ shall provide a landscape plan generated from a qualified landscape architect, demonstrating compliance with the standards in this Section ~~shall be provided in a form established by the Director.~~ Single Family and Duplex landscape plans do not require a certified landscape architect.
- b. Review and evaluation of the landscape plan shall be pursuant to the specific application procedure pursuant to Article 070.060: Administration and Procedures.

(2) *Alternative Compliance.*

- a. For developments with severely hydrocompactive soils, especially those present around building foundations, the Director may approve landscaping and related irrigation design alternatives that meet the overall intent of this Section but that address the special characteristics of these soil types. The Director may require a statement from a licensed geotechnical engineer that specifically addresses the hydrocompactive soil issue as it relates to compliance with the requirements in this Subsection for the City to consider an alternative landscaping design.
- b. For developments where other exceptional physical limitations of either existing building location or site dimensions result in impractical or impossible application of this Section, then the Director may approve landscaping, screening, fencing, and wall alternatives that meet the intent of this Section.

(h) *Installation and Maintenance.*

- (1) *Timing of Installation.* The developer shall install all landscape improvements including operable irrigation systems prior to receiving a Certificate of Occupancy. This requirement may be modified by the Director if security is provided and the developer identifies an alternative timeframe for landscaping and/or irrigation system installation. The amount of security shall be based on itemized cost estimates of all landscaping and irrigation system improvements, as well as related labor costs. Itemizations shall be generated from a qualified landscape architect, irrigation system specialist, and/or a local or regional landscaping nursery or garden center.

(2) *Irrigation System Design.*

- a. Irrigation systems shall be professionally designed by a landscape architect or irrigation specialist.
- b. When available, raw water shall be utilized for irrigation. Irrigation systems shall be designed to prevent water from spraying on impervious surfaces adjacent to landscape areas, shall utilize drip irrigation where appropriate to minimize run-off from sprinklers, ~~and shall incorporate moisture sensors to reduce water consumption.~~
- c. A soil moisture sensing device or other irrigation management system shall be required for irrigation systems in turf areas.
- d. The landscape plan shall indicate the nature, location, and specifications of the irrigation system which shall be used. Separate irrigation circuits should be specified for different zones on the landscape plan. The landscape plan shall have sufficient detail to show that adequate irrigation will be provided to all required landscape areas and plant materials.
- e. The irrigation system shall be designed to correlate to the organization of plants into zones with similar watering requirements.
- f. Low-volume, drip, or subsurface irrigation systems shall be used in the following conditions:
 - i. In landscaped areas where any one dimension is less than six feet in width and surrounded by impervious surfaces;
 - ii. In all non-turf grass areas.
- g. Leaks, runoff, overspray prohibited. Irrigation systems shall be designed to prevent water waste, overwatering and overspray, and drainage of water onto any paved or unplanted surface.
- h. Penalty assessment fines. A person who violates any rule, regulation or order issued pursuant to this section shall be subject to the penalty assessment fines outlined below. Penalty assessment fines shall be determined within a one-year period measured from the date of any prior violation of this section:
 - i. First offense: Fifty dollar (\$50.00) fine.
 - ii. Second offense: One hundred dollar (\$100.00) fine.
 - iii. Third offense: Two hundred fifty dollar (\$250.00) fine.
 - iv. Subsequent offense: The Municipal Court may impose such fines and penalties as it is authorized pursuant to Municipal Code Section 010.020.080.

(3) *Maintenance.* The owner of the property and his/her successors, heirs, and assigns, are responsible for the proper maintenance of the landscaped area, screening, fencing, and parking lot subject to the approved landscape plan. All landscape and parking areas shall be maintained free of trash. Landscaping shall be continuously maintained, including all necessary watering, weeding, pruning, and pest control.

(4) *Protection of Existing Vegetation.*

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- a. No existing live trees with a caliper size of fourteen (14) inches or greater may be removed without approval of the Director and Parks and Recreation Director.
 - b. Planting strips or areas, walkways, fences, hedges, or walls shall be protected from vehicles and maintenance equipment by curbs, bollards, wheel stops, or other means.
- (5) *Replacement of Dead or Diseased Plant Material.* Replacement of dead or diseased plant material shall be of equivalent species or material, as specified in the approved Landscape Plan. Replacement shall occur at the time of removal or, if necessary, the next planting season. In any event, replacement shall occur within one (1) year from the time of removal.
- (6) *Maintenance of Trees in Public Right-of-Way.* Trees located within the public right-of-way or on public property shall be maintained in accordance with Section 090.050.030 of the Municipal Code.

(Ord. No. 19-2018 , § 2(Exh. A), 8-2-2018; Ord. No. 3-2019 , § 2(Exh. A), 1-31-2019; Ord. No. 15-2020 , § 2(Exh. A), 7-2-2020; Ord. No. 3-2021 , § 2(Exh. A), 5-20-2021)

The following definitions will be added to 070.070.030 – All Other Terms Defined

For the purposes of this Title, the following terms shall have the meanings set forth below unless the context clearly indicates otherwise:

070.070.030 All Other Terms Defined.

Active Programmed Recreation Turf. Grass used for recreation that is 1,500 contiguous square feet or greater; co-located with facilities; and located at least 10 feet from a street or interior-facing parking lot unless the turf area is at least 30 feet in all dimensions or immediately adjacent to an athletic field.

Athletic Field Turf. Grass used for sports or physical education that is 1,500 contiguous square feet or greater; not less than 30 feet in any dimension; and located at a school, daycare, religious institution, recreation center, senior center, park or water park. Athletic field turf may be located less than 10 feet from a street or interior-facing parking lot if the contiguous turf area is at least 30 feet in all dimensions

Designated Use Area (Landscaping). Grass designated for special use at cemeteries and mortuaries.

Functional Turf. An irrigated grass area that provides a recreational benefit to the community and is:

- a) Located at least 10 feet from a street, installed on slopes less than 25 percent and not installed within street medians, along streetscapes or at the front of entryways to parks, commercial sites, neighborhoods, or subdivisions.
- b) Active/programmed recreation turf, athletic fields, designated-use-area turf, golf course play areas, some pet relief turf, playground turf or resident area turf.

Golf Course play area. Grass in driving ranges, chipping and putting greens, tee boxes, greens, fairways and rough.

Hydrozone. Landscape zones of different water requirements that group plants together with similar water needs in the following four categories:

- a) High Hydrozone: 18 gallons/s.f./season
- b) Moderate Hydrozone: 10 gallons/s.f./season
- c) Low Hydrozone: 3 gallons/s.f./season
- d) Very Low Hydrozone: 0 gallons/s.f./season

Pet Relief Area. Grass at a property providing commercial and retail services for pets, such as veterinarian and boarding facilities. The area must not exceed 200 square feet.

Playground turf. Grass in designated play areas with playground amenities, including but not limited to slides, swings and climbing structures on homeowner association owned/managed property or at a public park, water park, school, daycare, recreation center, senior center or religious institution. Playground turf may be located less than 10 feet from a street if fenced.

Resident Area Turf. Grass up to 150 square feet per dwelling unit at multi-family residential properties, multi-family mixed use properties, or assisted living and rehabilitation centers used by tenants for recreation or leisure. May not be located in parking lots, streetscapes or other non-accessible areas

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(Ord. No. 19-2018 , § 2(Exh. A), 8-2-2018; Ord. No. 8-2020 , § 2(Exh. A), 5-7-2020; Ord. No. 15-2020 , § 2(Exh. A), 7-2-2020; Ord. No. 1-2021 , § 2(Exh. A), 2-18-2021; Ord. No. 3-2021 , § 2(Exh. A), 5-20-2021)