

**To highlight proposed changes to the UDC:**

- Red text is new or edited language.
- Black bold strikeout-out text (~~**example**~~) is language deleted.

**To add context to proposed changes, footnotes are included throughout the document. Footnotes are color coded to emphasize:**

- Black footnotes denote sections of code with no proposed changes which were removed from this draft for readability.
- Green footnotes denote proposed changes that are required by SB24-005.
- Blue footnotes denote proposed changes that are not required by SB24-005; however, which are strongly recommended to clarify processes, align with other sections of code, or improve the ability to successfully implement the SB24-005 requirements.



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# **TITLE 18 UNIFIED DEVELOPMENT CODE**

## **PART 3: SITE DESIGN AND ENVIRONMENTAL QUALITY<sup>1</sup>**

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Chapter 18.06 Site Design

Chapter 18.08 Landscaping and Buffering

### **Chapter 18.06 Site Design<sup>2</sup>**

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Division 18.06.10 Standards for Mixed-Use Activity Center Zone

Division 18.06.11 Standards for Employment Zone

#### **Division 18.06.10 Standards for Mixed-Use Activity Center Zone**

##### **18.06.10.01 Application of Division**

The standards of this Division apply within the MAC Zone. Development within the MAC Zone requires an approved Conceptual Master Plan, in accordance with Division 18.17.07, Conceptual Master Plan, followed by one or more Site Development Plans.

Effective on: 11/20/2018

##### **18.06.10.02 Balance of Land Uses**

There shall be no limit on the amount of land area within a MAC Zone that may be put to residential use; however, for projects exceeding 50 percent residential land area, the applicant must demonstrate that sufficient land area is used or zoned for commercial purposes within the project, or within a one-mile vicinity of the project, to meet future commercial needs and demands. Such evidence may consist of a market analysis or an analysis of development trends and existing and proposed land uses within the vicinity of the project.

Effective on: 11/20/2018

##### **18.06.10.03 Architectural Standards**

In addition to any other applicable standards in Division 18.04.05, Building Design Standards, commercial and mixed-use buildings in MAC zones shall include at least one significant defining architectural element or feature that conveys a sense of architectural depth and substance. Examples include substantial offsets that differentiate building masses; arcades with substantial columns; towers with roofs that extend fully around the building or feature; extensive use of decorative block; stone and/or brick finish material; deep gable roofs with substantial eaves or over hangs; or other equivalent feature.

Effective on: 11/20/2018

##### **18.06.10.04 Pedestrian Circulation**

A continuous primary pedestrian route shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building entrances. Pedestrian-auto crossings shall be concentrated at key intersections, shall be incorporated into the primary pedestrian network, and shall be clearly delineated by a change in paving materials. The primary pedestrian route shall feature

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<sup>1</sup> Chapter 18.05 Access, Circulation, Parking, and Loading, Chapter 18.07 Mobility and Utilities, Chapter 18.09 Environmental Quality, and Chapter 18.10 Oil, Gas, and Mineral Development are not included in this document since no changes are proposed.

<sup>2</sup> Division 18.06.01 Purpose and Application of Chapter to Division 18.06.09 Standards for the Enhanced Corridor Overlay Zone Division 18.06.10 Standards for Mixed-Use Activity Center Zone are not included in this document since no changes are proposed.

an adjoining landscaped area on at least one side with trees, shrubs, benches, ground covers or other such materials for no less than 50 percent of the length of the primary pedestrian route.

Effective on: 11/20/2018

#### 18.06.10.05 Surface Parking Lots

Sites with large retail surface parking lots shall place and orient outlot or pad site buildings to interrupt views of the parking lot from the street. Outparcels or pad sites shall be configured to minimize parking between the building and the street, in order to create a “building wall” along the frontage road. Where possible, landscape features (e.g., trees and shrubs, trellis, decorative wall, entry feature, etc.) shall be used to fill gaps between outlot buildings and areas where outlots are not planned. Where possible, “overflow” parking shall be placed to the side or rear of principal buildings.

Effective on: 11/20/2018

#### 18.06.10.06 Flexible Development Standards

- A. **Setbacks and Bufferyards.** Setback and bufferyard standards of this UDC may be reduced or waived for projects that orient buildings to streets to create an attractive pedestrian environment following “new urbanism” or “smart code” principles (see “The Lexicon of the New Urbanism” or “Smart Code”), as provided in this Section.
- B. **Front Setback Reduction.**
  - 1. Where front setbacks are reduced, a ~~tree lawn~~ parkway not less than four feet in width shall be provided between the outer edge of the curb and the sidewalk. Canopy trees planted not less than 30 feet on-center shall be provided in the ~~tree lawn~~ parkway. Landscaped bulb-outs and trees planted in tree grates in the sidewalk, with on-street parking, may be provided instead of a ~~tree lawn~~ parkway.<sup>3</sup>
  - 2. Residential buildings with reduced setbacks shall include features such as covered porches or front stoops and walkways between buildings and the public sidewalk. Also, garages shall be placed to the rear of the lot behind the primary structure, with side driveway or alley access.
  - 3. Setbacks to individual garages shall not be reduced to less than 20 feet.
  - 4. In evaluating proposals with reduced setbacks, consideration shall be given to existing setbacks in adjacent developed areas to avoid incompatible and/or inconsistent design conditions.

Effective on: 11/20/2018

### Division 18.06.11 Standards for Employment Zone

#### 18.06.11.01 Application of Division

The standards of this Division apply within the E Zone. Development within the E Zone requires an approved Conceptual Master Plan, in accordance with Division 18.17.07, Conceptual Master Plan, followed by one or more Site Development Plans.

Effective on: 11/20/2018

#### 18.06.11.02 Balance of Land Uses

- A. **Generally.** Not more than 40 percent of the land area within a site development plan shall be dedicated to non-primary workplace uses. Non-primary workplace uses include hotels, retail, convenience and service uses, restaurants, child care, housing or other uses intended to support and compliment primary workplace uses. For the purposes of this requirement, primary workplace uses shall include but shall not be limited to office, research, or light industrial.
- B. **Exception.** A proposed site development plan that does not meet this requirement may be permitted if within two miles of the boundaries of the proposed development, primary workplace uses exist or the zoning for such uses is in place, in an amount

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<sup>3</sup> The change of the term “tree lawn” to “parkway” in section 18.06.10.06.B is not required in SB24-005. The shift in terminology throughout the UDC is proposed to mirror the terminology used in the Larimer County Urban Area Street Standards (LCUASS). Additionally, while the change of term is not required per the bill, the shift aims to make it clearer that a traditional “lawn” (i.e., nonfunctional turfgrass) is not permitted in the planting area between the curb and sidewalk per SB24-005. All other proposed replacements of the term “tree lawn” will not be identified in reader notes.

that is sufficient to comply with the intent of the E Zone and meet the long term need for primary employment land uses anticipated by the Comprehensive Plan.

Effective on: 11/20/2018

### 18.06.11.03 Campus-Like Character

- A. **Generally.** The E Zone is intended to have a “campus-like” character with strong unifying design elements meeting the standards of this Section.
- B. **Unified Building Design.** Building design shall be coordinated with regard to color, materials, architectural form, and detailing to achieve design harmony, continuity, and horizontal and vertical relief and interest.
- C. **Unified Open Space.**
  - 1. *Generally.* Projects shall include a unifying internal system of pedestrian-oriented paths, open spaces, and walkways that function to organize and connect buildings and public gathering spaces, and to provide connections to common origins and destinations (*e.g.*, transit stops, restaurants, child care facilities, and convenience shopping centers). Open space and natural features shall serve as buffers and transitions to adjacent areas.
  - 2. *Minimum Open Space.* At least 20 percent of the gross site area within the contiguous E Zone shall be used for common open space features, such as common area landscaped buffers, parks or plaza spaces, entrance treatments, natural areas, or wetlands, but excluding any open space or landscaped areas within required building setbacks or parking lots. Areas dedicated to storm water drainage may also be counted toward meeting the open space requirement, provided that they are designed to be recreation space or an attractive site feature incorporating a natural shape or informal native landscaping.
- D. **Other Unifying Features.**
  - 1. *Entry Points.* Major project entry points shall include well-designed signage and entry features such as sculpture, plazas, special landscape clusters, etc.
  - 2. *Parking.* The visibility of surface parking lots or parking structures shall be minimized by placement to the side or rear of buildings or using landscape screening.
  - 3. *Shared Facilities.* Shared vehicular and pedestrian access, shared parking, common open space, and related amenities shall be integrated into the project’s design. The overall design and layout shall be compatible with the existing and developing character of the neighboring area.
- E. **Viewshed Protection.** Care shall be taken to minimize disruptions to adjacent neighborhood views of open spaces or natural features through the sensitive location and design of buildings, structures, and associated improvements. Visual impacts can be reduced and better view protection provided through careful building placement and consideration of building heights, building bulk, and separations between buildings.

Effective on: 11/20/2018

### 18.06.11.04 Retail and Office Uses

Sites that include more than 50,000 square feet of retail or office uses shall be designed in accordance with the standards that are set out in Section 18.06.10.03, Architectural Standards, through Section 18.06.10.05, Surface Parking Lots, inclusive.

Effective on: 11/20/2018

### 18.06.11.05 Unified Design Agreement

In the case of multiple parcel ownerships, an applicant shall make reasonable attempts to enter into cooperative agreements with adjacent property owners within the E Zone to create a shared Pattern Book and Sketch Site Plan that establishes an integrated pattern of streets, outdoor spaces, building styles, and land uses consistent with the standards in this Division.

Effective on: 11/20/2018

### 18.06.11.06 Flexible Development Standards

- A. **Setbacks and Bufferyards.** Setback and bufferyard standards of this UDC may be reduced or waived for projects that orient buildings to streets to create an attractive pedestrian environment following “new urbanism” or “smart code” principles (see

"The Lexicon of the New Urbanism" or "Smart Code"), as provided in this Section.

**B. Front Setback Reduction.**

1. Where front setbacks are reduced, a ~~tree-lawn~~ **parkway** not less than four feet in width shall be provided between the outer edge of the curb and the sidewalk. Canopy trees planted not less than 30 feet on-center shall be provided in the ~~tree-lawn~~ **parkway**. Landscaped bulb-outs and trees planted in tree grates in the sidewalk, with on-street parking, may be provided instead of a ~~tree-lawn~~ **parkway**.
2. Residential buildings with reduced setbacks shall include features such as covered porches or front stoops and walkways between buildings and the public sidewalk. Also, garages shall be placed to the rear of the lot behind the primary structure, with side driveway or alley access.
3. Setbacks to individual garages shall not be reduced to less than 20 feet.
4. In evaluating proposals with reduced setbacks, consideration shall be given to existing setbacks in adjacent developed areas to avoid incompatible and/or inconsistent design conditions.

Effective on: 11/20/2018

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## Chapter 18.08 Landscaping and Buffering

**Contents:**

**Division 18.08.01 Purpose and Application of Chapter**

**Division 18.08.02 Calculation of Landscape Requirements**

**Division 18.08.03 Standards for Bufferyards**

**Division 18.08.04 Standards for Landscape Areas**

**Division 18.08.05 Tree Preservation and Protection**

**Division 18.08.06 Landscape Elements, Maintenance, and Warranties**

### **Division 18.08.01 Purpose and Application of Chapter**

#### **18.08.01.01 Purpose of Chapter**

The purposes of the landscaping standards that are set out in this Chapter are to:

- A. Preserve, protect, and enhance the character of the City by:
  1. Ensuring that development in the City has a balance of buildings, paved areas, and landscaping that is consistent with the intended character of the zone in which the development is located;
  2. Buffering uses that tend to diminish the appearance of the community; and
  3. Creating well-landscaped, high-quality views along streets.
- B. Encourage non-vehicular modes of travel by:
  1. Creating deciduous tree-lined streets that offer shelter in summer months and solar access in winter months; and
  2. Enhancing the experience of the pedestrian.
- C. Preserve, protect, and enhance the environmental quality of the City by:
  1. Using landscape materials to clean the air, slow runoff, and prevent soil erosion by wind and water;
  2. Reducing the "heat island" effect that is created by large areas of exposed pavement;
  3. Promoting landscape designs that conserve energy and water resources;
  4. Preserving or replacing native grasses, valuable mature trees, and other desirable vegetative cover.
- D. Protect and enhance property values and land use compatibility by:
  1. Buffering street frontages and zone boundaries;
  2. Buffering certain land uses from each other; and
  3. Landscaping parking lots and open space areas.

Effective on: 11/20/2018

### 18.08.01.02 Application of Chapter

- A. **Calculations.** Division 18.08.02, Calculation of Landscape Requirements sets out the standards for calculating the landscape requirements of this Chapter.
- B. **Bufferyards.** Division 18.08.03, Standards for Bufferyards, sets out types, dimensions, and planting requirements for different types of bufferyards that are required by this UDC, and authorizes the Director to allow variations from those standards in certain circumstances.
- C. **Other Landscape Areas.** Division 18.08.04, Standards for Landscape Areas, sets out standards for street trees, plazas, parking lots, and certain other interior portions of a subject property.
- D. **Tree Preservation and Protection.** Division 18.08.05, Tree Preservation and Protection, sets out standards for preserving certain trees on-site, and for protecting trees that are designated for preservation.
- E. **Installation, Maintenance, and Warranties.** Division 18.08.06, Landscape Elements, Maintenance, and Warranties, sets out standards for how landscaping is to be installed, maintained, and warranted.
- F. **Sight Triangles.** The standards of this Chapter shall be implemented in a manner that complies with Section 18.05.02.02, Sight Triangles.

Effective on: 11/20/2018

### Division 18.08.02 Calculation of Landscape Requirements

#### 18.08.02.01 Approved and Prohibited Plant Lists<sup>4</sup>

- A. **Generally.** Only those plants on the approved plant list may be used to meet the standards of this Chapter. Plants on the prohibited plant list shall not be installed, and the City may require their removal as a condition of development approval. Applicants may request the inclusion of unlisted plants in the approved plant list, and the Director may add them based on the standards outlined in subsection B.3 below. If uncertain about City-wide use of an unlisted plant, the Director may approve proposed plants that are not on the approved plant list for use in a specific development in order to determine their suitability for use City-wide. Such plantings will be counted as “approved plants” for the purposes of the proposed development. Per Division 18.08.02.09, Fire-Wise Landscaping Requirements, not all plants on the approved plant list are suitable for use in the Wildland Urban Interface Overlay Zone.
- B. ~~Applicants may request that plants which are not listed be included on the approved plant list, and the Director may add them according to the standards in subsection B.3., below. Plants that are on neither the approved plant list nor the prohibited plant list may be installed, but are not counted towards compliance with this Chapter.~~
- C. **Approved Plant List.**
  - 1. The Director shall maintain a list of approved plants and landscaping materials including, but not limited to, attributes of height, size, caliper, and spread ~~in the following categories:~~
    - a. ~~Street Trees (deciduous trees with a mature height that is generally more than 35 feet, planted between the street side curb and the sidewalk, typically in the public right of way);~~
    - b. ~~Large Trees (deciduous trees with a mature height that is generally more than 35 feet);~~
    - c. ~~Small Trees (deciduous trees with a mature height that is generally 35 feet or less);~~
    - d. ~~Evergreen Trees (conifers or other evergreens with a mature height of more than 20 feet); and~~
    - e. ~~Shrubs (perennials or evergreens with a mature height of at least three feet).~~
  - 2. The Director may further classify the approved plant list according to:
    - a. Locations where approved plants are appropriate or not appropriate (e.g., street tree species, ~~may be identified,~~ functional and nonfunctional turfgrass, wildland urban interface (WUI), etc.); and
    - b. Level of water usage (e.g., identification of species which may be used to meet the requirements of Section

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<sup>4</sup> The proposed changes to 18.08.02.01.A to 18.08.02.01.C are not explicitly required in SB24-005. The proposed adjustments clarify processes for proposing alternatives on the City's approved plant list, to make it easier for applicants to comply with the nonfunctional turfgrass prohibition.

18.08.02.07, Water-Wise Landscaping Requirement, and Section 18.08.02.08, Irrigation Subject to Hydrozone Water Budget).

3. The Director may modify the approved plant list on ~~his or her~~ **their** own initiative or in response to requests. Plants may be added to the list if the Director finds that they are appropriate for planting in the City (or in certain locations, see subsection B.2, above), in consideration of:
    - a. Climate zone;
    - b. Growth habits;
    - c. Invasiveness;
    - d. Lifespan;
    - e. Habitat;
    - f. Hardiness (resistance to disease and harmful insects);
    - g. Leaf litter;
    - h. Structural strength; ~~and~~
    - i. Watering needs / drought tolerance;
    - j. Slope shall not exceed 4:1; and
    - k. Functional purpose (e.g., cemetery, playground, sports field, picnic ground, playing area of golf course, etc.).
  4. The Director may approve proposed plantings that are not on the approved plant list for use in a specific development, in order to determine their suitability for use in the City. Such plantings will be counted as “approved plants” for the purposes of the proposed development’s compliance with the standards of this Chapter.
- D. **Prohibited Plant List.** The following plants are not allowed in the City, and shall be removed during development or redevelopment if they are present on the subject property:<sup>5</sup>
1. Plants that are identified as noxious, invasive, or prohibited in Loveland by the United States or the State of Colorado;
  2. Nonfunctional turfgrass and/or nonfunctional artificial turfgrass on commercial, industrial, institutional, common interest community property, street right-of-way, parkways, parking lots, medians, or transportation corridors; and
  - ~~2.~~ 3. Plants that are identified on the City’s list of prohibited plants, which is maintained by the Director.

Effective on: 11/20/2018

### **18.08.02.02 Substitution of ~~Plant Types~~ Landscape Materials**<sup>6</sup>

- A. **Generally.** The ~~planting~~ landscape materials requirements of this Chapter are expressed in terms of the ~~number of large trees, small trees, evergreens, and shrubs~~ quantities and types of plant materials that must be planted within a specific area, the functional use of turfgrass and artificial turfgrass, and other landscape materials. In some circumstances, it may not be practicable to ~~plant~~ install the specified types of ~~vegetation~~ materials. In those cases, the Director may allow substitutions as provided in this Section.
- B. **Use of Equivalent ~~Plant Types~~ Landscape Materials.** The Director may allow the substitution of required ~~plants~~ landscape materials for other ~~plant types~~ materials, if the Director finds that:
1. The substitution will improve the buffering qualities of ~~the any given~~ the any given bufferyard, ~~given the nature of the use to be buffered;~~
  2. The substitution is justified by the growth habits (forms) of the proposed ~~plantings~~ materials, in that it will provide for adequate space for the trees to grow to maturity, and will not compromise the buffering effect of the bufferyard; and
  3. Unique conditions of the site (e.g., soil conditions, ~~overhead power lines~~ utility conflicts, solar orientation, wildland urban interface factors) justify the substitution.

Effective on: 11/20/2018

### **18.08.02.03 Tree Preservation Credits**

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<sup>5</sup> The proposed changes to 18.08.02.01.D. are required for compliance with SB24-005.

<sup>6</sup> The proposed changes to 18.08.02.2 are not explicitly required in SB24-005. The proposed adjustments expand the list of options beyond plants, to allow for more flexibility in complying with SB24-005 requirements. They also provide additional examples for Director-approved substitutions.

- A. **Generally.** Existing trees that are protected on a subject property, excluding existing, individual residential lots, count towards the planting requirements of this Chapter, provided that:
1. They are either:
    - a. On the approved plant list; or
    - b. Established for at least five years and not on the prohibited plant list; and
  2. They are not:
    - a. Overmature;
    - b. Diseased;
    - c. Poor in form;
    - d. Leaning heavily over buildings;
    - e. Too close to building foundations;
    - f. Damaging sidewalks and driveways; or
    - g. Impacting utilities.
- B. **Credit for Preservation of Trees.** Healthy, mature trees that are preserved on-site may count as more than one tree for the purposes of the landscaping requirements, as set out in Table 18.08.02.03, Tree Preservation Credits.

Table 18.08.02.03 Tree Preservation Credits			
DBH of Tree to be Preserved		Large Tree Credit	Landscape Area Where Credit May Be Applied
Min. Diameter	Up to, But Not Including		
none	10 inches	1	Location of preserved tree.
10 inches	15 inches	2	Location of preserved tree.
15 inches	20 inches	3	Location of preserved tree, or any other location except a street tree or bufferyard.
20 inches	no limit	5	Location of preserved tree, or any other location except a street tree or type C or D bufferyard.

Effective on: 11/20/2018

#### 18.08.02.04 Identification of Landscape Areas

- A. **Generally.** This Section sets out several different areas of a subject property in which specific quantities or techniques of landscaping may be required.
- B. **Identification of Landscape Areas in All Development Types.**
1. **Bufferyards.** Bufferyards are areas of a subject property that must be used for buffering the subject property from adjoining lots, parcels, or public rights-of-way. Bufferyards are generally situated along (or close to) property lines, outside of the public right-of-way.
  2. **~~Street Tree Lawn~~ Parkways.** ~~Street tree lawn~~ Parkways are areas of a subject property or adjoining right-of-way that are used for the planting of street trees. This landscape area may or may not be a part of the subject property. Parkways were referred to as street tree lawns in previous versions of the Unified Development Code.
  3. **Parking Lot Landscape Areas.** Parking lot landscape areas are those areas within surface parking lots that must be landscaped. Parking areas are delineated to include access aisles and off-street parking spaces, and any corners that are necessary to give the parking area a relatively regular shape, except:
    - a. Corners and other landscape areas that bound access points (the areas used for ingress / egress stacking at connections to streets).
    - b. Parking in service areas that are hidden by screen walls; and
    - c. Individual driveways that provide access to single-family detached, duplex, townhome, or multiplex development.



4. *Foundation Plantings.* Planting beds adjacent to buildings are not required, but are encouraged to add a natural element to building elevations. Such planting beds shall be given credit toward meeting open space standards in the UDC. Plant material in planting beds shall be ~~low water~~ water-wise ~~usage~~ plants, with drip irrigation.<sup>7</sup>

5. *Protected Open Spaces.* Protected open spaces are the areas of a subject property that meet the definition of open space and which are subject to an easement or dedication that restricts future development to open space uses.

6. *Turfgrass Areas.* All landscape plans for commercial, industrial, institutional, and common interest community property areas should delineate functional turfgrass areas and identify the associated functional use(s) of that turfgrass area.<sup>8</sup>

**C. Landscape Areas in Single-Family Detached, Duplex, Townhome, and Multiplex Development.**

1. *Private Lots.* Private lot landscape areas are the yards on lots that are intended for individual ownership, or, in the case of common maintenance communities or condominiums, areas around dwelling units that would be located within private lots if the subdivision were platted for fee-simple ownership.

2. *Common Landscape Areas.* Common landscape areas are those areas of land within a subject property that are either owned by a property owners' association or dedicated to the City or another governmental or non-profit entity for the purpose of maintaining the areas in their natural or landscaped condition. Bufferyards, ~~street tree lawn~~ parkways along new streets, open stormwater detention or retention facilities, recreation areas, and protected open spaces may be components of the common landscape area. The use of nonfunctional turfgrass and nonfunctional artificial turfgrass in common landscape areas is prohibited.

**D. Landscape Areas in Multifamily, Mixed-Use, and Nonresidential Development.**

1. *General Landscape Area.* General landscape areas are those areas of a subject property that are required to be landscaped or designated as open space. They may be privately owned, owned by a property owners' association, or dedicated to the City or another governmental or non-profit entity for the purpose of maintaining the areas in their natural or landscaped condition. Bufferyards, ~~street tree lawn~~ parkways along new streets, protected open spaces, open stormwater retention and detention facilities, foundation landscape areas, recreation areas, and parking lot landscape areas are components of the general landscape area.

Effective on: 11/20/2018

## 18.08.02.05 Size and Quality of Landscape Plants

A. **Generally.** In general, plant materials that are installed according to the requirements of this Chapter shall meet the standards that are set out in this Section. However, larger sizes may be required to ensure survival or to implement a condition of approval of a limited or conditional use.

B. **Minimum Size of Landscape Materials.** The minimum sizes of landscape materials used to satisfy the requirements of this Chapter are set out in Table 18.08.02.05, Minimum Size of Landscape Materials.

Table 18.08.02.05 Minimum Size of Landscape Materials <u>at Installation</u> <sup>9</sup>	
Type of Plant Material	Minimum Caliper, Height, or Container Size
Large Trees and Street Trees	2 in. Caliper
Small Trees	1.5 in. Caliper
Evergreen Trees	6 ft. Height

  

Table 18.08.02.05 Minimum Size of Landscape Materials <u>at Installation</u>	
Type of Plant Material	Minimum Caliper, Height, or Container Size

<sup>7</sup> The change of the term “low water” to “water-wise” in section 18.08.02.04.B.4 is not required in SB24-005 but is proposed for consistency with the Approved Plant List and for alignment with other sections of the UDC. All other proposed replacements of the term “low water” will not be identified in reader notes.

<sup>8</sup> The proposed changes to 18.08.02.04.B.6 and 18.08.02.04.C.2 are necessary for compliance with SB24-005.

<sup>9</sup> The addition of “at installation” for Table 18.08.02.05 is not required in SB24-005 but is proposed for clarity.

Shrub	5 gallon container minimum, except that ornamental grasses may be 2 quart containers; If used in bufferyards, estimated growth to 3 ft. in height within 3 years
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**C. Specification of Landscape Materials.**

1. All new plant material shall meet specifications of the American Standard for Nursery Stock (ANSI Z60.1) and 8 CCR § 1203-5, Rules Pertaining to the Administration and Enforcement of the Colorado Nursery Act.
2. Plant materials shall be true to name and type, and first class representatives of their species or varieties.
3. Trees shall be balled and burlapped, with the burlap wrapped in a metal wire basket. Container and bare root tree plantings are not permitted without the written permission of the Director upon good cause shown.

Effective on: 11/20/2018

**18.08.02.06 Required Biodiversity**

**A. Generally.** Diversity of the genus and species of trees and shrubs is required in order to prevent monocultures which could result in large-scale losses in the event of disease or blight.

**B. Standards.**

1. Within each category of required landscape plants (*i.e.*, large trees, small trees, evergreens, and shrubs), not more than 30 percent shall be of any one genus.
2. Each street frontage where at least six street trees are required shall include at least three general of street trees. For the purpose of this paragraph only, street trees shall include all trees that are planted within 10 feet of the public street right-of-way.
3. No more than six trees of one genus may be located within an individual cluster of trees on the subject property, with such clusters separated from each other such that the driplines of trees in different clusters are at least 100 feet apart.
4. Exceptions may be made with written permission of the Director upon good cause shown.

Effective on: 11/20/2018

**18.08.02.07 Water-Wise Landscaping Requirement**

**A. Generally.** The requirements of this Section are applied to all landscaped areas within a subject property.

**B. Plant Selection and Grouping Requirements.**

1. Plants shall be selected based on their suitability for the site. Where possible, ~~native~~ water-wise species shall be installed, protected, or preserved.<sup>10</sup>
- ~~2.~~ Plants shall be grouped based upon their water requirements and irrigated accordingly.<sup>11</sup>
- ~~2.3.~~ Not more than 50 percent of the trees and shrubs that are installed to meet the requirements of this Chapter shall be classified as high water use. Plants or trees that produce food for human consumption are not counted in this calculation.
- ~~3.4.~~ Low water Water-wise use plants (including grasses) are allowed in any location, but are required:
  - a. On slopes that are steeper than ~~25 percent~~ 4:1; and<sup>12</sup>
  - b. In areas that the Director determines are not appropriate for permanent irrigation (unless such areas are characterized by hydric soils).

**C. Mulch.** Mulch, such as bark, stone, or other materials, left loose, or other water-saving treatments applied to the soil surface

<sup>10</sup> The change of the term “native” to “water-wise” in section 18.08.02.07.B.1 is not required in SB24-005 but is proposed for consistency with the Approved Plant List and for alignment with other sections of the UDC. All other proposed replacements of the term “native” will not be identified in reader notes.

<sup>11</sup> The requirement for plant grouping in section 18.08.02.07.B.2 is not required in SB24-005 but is necessary to evaluate landscape plans effectively.

<sup>12</sup> The change in section 18.08.02.07.B.2 from “25 percent” to “4:1” is not required in SB24-005 but is proposed for clarity and consistency with other sections of the UDC.

at a depth of four inches for bark, or two to four inches for stone, shall be used for all planting areas (except turf areas) in order to help maintain soil moisture and inhibit weeds. Landscape fabric is required below non-organic materials.

- D. **Established Landscape.** A water-wise landscape area is considered established when 80 percent or more of the required planting area square footage is covered by approved living materials.<sup>13</sup>

Effective on: 11/20/2018

#### 18.08.02.08 Irrigation Subject to Hydrozone Water Budget

- A. **Generally.** The City provides cost-saving incentives for the implementation of a hydrozone landscape plan, for new landscapes, redeveloped landscapes, and retrofits to existing landscapes. Participation in the hydrozone landscape plan incentive program is voluntary.
- B. **Relationship to Water Budget Program.** Submittal of a qualifying hydrozone landscape plan is a requirement of the City's voluntary water budget program that is designed to protect the City's water resources by encouraging the design, installation, and maintenance of hydrozone landscapes in which plantings are grouped by hydrozone and are subject to an annual water budget. *See Chapter 19.06, Loveland Municipal Code.*
- C. **Applications.**
1. Hydrozone landscape plans shall be designed for and secure a dedicated irrigation meter (under provisions established by the City's Water Division) that provides irrigation water to landscape areas governed by the program.
  2. Hydrozone landscape plans shall be provided as a component of standard landscape plan submittals.
- D. **Plan and Hydrozone Standards.** A complete and appropriately detailed landscape plan and irrigation plan shall demonstrate compliance with the standards of this Chapter and this Section.
1. Landscape and irrigation plans must satisfy standards specified by this Division, including soil amendment requirements and landscape / irrigation design requirements. Landscape plans shall clearly demonstrate compliance with program requirements, including the identification of hydrozones, specification of plant lists with Evapo-Transpiration ("ET") or Kc-values and indication of plant spacing.
  2. Planting areas must be organized into distinct hydrozones according to their microclimatic needs and water requirements. Plants with similar water usage shall be grouped into distinct hydrozones. High water use hydrozones shall be separated from low and very low water use hydrozones by moderate water use hydrozones whenever possible.
  3. A water budget that is based on submitted landscape and irrigation plans must demonstrate the requirements of Chapter 19.06.050.F.1, Loveland Municipal Code.
  4. Irrigation system design shall be based on a maximum irrigation period (window) of not more than 16 hours of operation per day, excluding subsurface irrigation of trees, shrubs, and other plantings.
  5. Irrigation systems shall be provided with automatic rainfall shut-offs to limit the unnecessary application of irrigation water.
  6. ET irrigation system controllers (or similar controllers) may be utilized to ensure that irrigation water is provided efficiently based on the moisture needs of landscape plantings.
  7. Landscape and irrigation system design and operation shall comply with requirements specified in Chapter 19.06, Loveland Municipal Code.
- E. **Preparation of Plans.** Unless waived by the Director for good cause shown, irrigation plans shall be prepared and signed by a Professional Engineer, Landscape Architect, or by a designer that is certified by the Association of Landscape Contractors of Colorado (CLT-E Certification), the Irrigation Association (CID Certification), or similar certifying program approved by the Director.

Effective on: 11/20/2018

#### 18.08.02.09 Fire-Wise Landscaping Requirement

- A. **Generally.** Landscaping on properties in the Wildland Urban Interface Overlay Zone, as depicted in Appendix E, [Exhibit 4](#) shall comply with the risk reduction requirements in Appendix O of the adopted Fire Code.

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<sup>13</sup> The addition of section 18.08.02.07.D is not required per SB24-005, however is proposed to add additional clarity around establishment requirements if installing water-wise landscape materials in non-functional turf areas.

Ord. 6636 §38, 09/05/2023

Effective on: 9/19/2023

**Division 18.08.03 Standards for Bufferyards<sup>14</sup>****Division 18.08.04 Standards for Landscape Areas****18.08.04.01 Street Trees**

A. **Generally.** Street trees must be installed in street rights-of-way in locations approved by the Director (in consideration of location of utilities, street lights, sight distance triangles, and other engineering considerations) or within 10 feet of street rights-of-way with approval by the Director in cases where the Director determines that it is impractical to plant the street trees within the right-of-way. Street trees shall be located and spaced in accordance with the standards of this Section.

B. **Tree Lawn Parkways and Sidewalk Cutouts.** Street trees shall be installed in tree lawns parkways and / or sidewalk cutouts.

1. *Spacing.* Street trees shall be planted on 35-foot centers, with variations allowed to avoid public utilities, sight triangles, and curb cuts.

2. *Alternative Character.* The linear spacing of street trees may be altered based on the character of the streetscape. The Director may approve a clustered spacing of street trees for developments with meandering sidewalks, or in corridor overlay zones and PUDs that stipulate an informal street character or along frontages to ensure visibility of commercial properties.<sup>15</sup>

3. **Tree Lawn Parkways.** The following requirements apply ~~to tree lawns parkways:~~<sup>16</sup>

a. Street trees shall be installed in tree lawns parkways, unless otherwise approved by the Director.

~~b. The groundcover in tree lawns shall be a minimum of 75 percent turfgrass, or other surface treatments as follows:~~

~~1. In locations where on-street parking is allowed adjacent to the tree lawn:~~

~~a. The Director may approve 75 percent vegetative groundcover, other than turfgrass, (see Appendix A: Approved Plant List) if such groundcover will not impede pedestrian access to the sidewalk, and is of a type or in a location such that it will not be damaged by pedestrian traffic; or~~

~~b. The Director may approve rock or organic mulch in combination with live plant material, provided the rock and / or mulch is installed over a weed barrier, the depth of the rock and mulch below the street curb and sidewalk is sufficient to contain the material, and the rock size and / or form of mulch will not impede pedestrian access to the sidewalk.~~

~~2. In tree lawns adjacent to streets where on-street parking is prohibited, the Director may approve 75 percent plant material (see Appendix A: Approved Plant List) consisting of a combination of low water usage, low growing shrubs and groundcover other than turfgrass.~~

~~3. In approving any of the alternative surface treatments set out in subsection B.3.b.i. through B.3.b.iii., inclusive, above, the Director shall first determine that such treatment provides visual continuity with, and is functionally appropriate within, the surrounding context.~~

b. All unimproved ground surfaces shall be planted or otherwise protected from erosion. Except in the DT zone, 75 percent of all landscape areas along the lot frontage shall be covered with established living materials within three years after planting. The landscape design for the parkway must include at least three of the following six elements:

1. Water-wise Shrubs and Groundcovers. Select and install low water use shrubs and groundcovers adapted to the local climate and soils, reducing the need for supplemental irrigation after establishment.

2. Defined Planting Zones with Efficient Irrigation. Design planting areas with defined water-use zones and provide efficient permanent irrigation (e.g., drip systems) tailored to each zone's needs.

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<sup>14</sup>Division 18.08.03 Standards for Bufferyards is not included in this document since no changes are proposed.

<sup>15</sup> The additional text in section 18.08.04.01.2 for alternative character approvals is not required SB24-005 but is proposed to improve flexibility for applicants.

<sup>16</sup> Substantive changes to 18.08.04.01.B.3. are necessary for compliance with SB24-005 as the UDC previously required 75 percent nonfunctional turfgrass. The proposed standards are intended to provide flexibility and options for applicants to comply with living material standard. The proposed standards do not allow nonfunctional turfgrass in most situations but provide a pathway for Director approval where no other viable alternative exists.

3. Seeding or Restoration Blend. Application of a low-growing seed mix, water-wise grass, or restoration blend approved by the local agency to encourage resilient, low-maintenance vegetative cover.
4. Varied Rock Mulch. Use decorative rock or gravel mulch to enhance visual interest and reduce evaporation.
5. Wood Mulch. Use wood mulch to keep plant roots cool, prevent soil from crusting, minimize evaporation and reduce weed growth.
6. Hardscape Features. Includes natural hardscape features that contribute to visual structure or pedestrian access, without increasing water use. No rock cobble or hardscape feature shall impede any pedestrian access or vehicle entry and exit and shall maintain a minimum 18-inch setback from sidewalks and from curbs and roadways where curb-side parking is permitted.

c. The following standards apply to the use of rock mulch and wood mulch when included as elements in parkways:

1. The use of rock mulch and wood mulch shall be installed over a weed barrier.
2. The depth of the rock mulch and wood mulch below the street curb and sidewalk shall be sufficient to contain the material
3. The size and form of rock mulch and wood mulch shall not impede pedestrian access to the sidewalk or pose a hazard to pedestrians.
4. Rock mulch within 18 inches of roadways shall be 2"- 4" rock cobble only.
5. Rock mulch and wood mulch within 18 inches of roadways and sidewalks shall be properly compacted and installed to prevent migration of material into the right-of-way or sidewalk.

d. Parkways located in the Wildland Urban Interface Overlay Zone, as depicted in Appendix E, Exhibit 4 shall comply with the risk reduction requirements in Appendix O of the adopted Fire Code. Materials such as wood mulch and certain plant species are not permitted.

e. The Director may approve nonfunctional turfgrass on a limited basis to maintain safety, drainage, or if no suitable alternative is feasible.

f. In approving any of the surface treatments specified in subsection B.3.b through B.3.e., inclusive, above, the Director shall first determine that such treatment provides visual continuity with, and is functionally appropriate within, the surrounding context and does not pose a hazard or accessibility impairment to pedestrians, bicyclists, or vehicles.

~~e. g.~~ Generally, street trees shall be centered within the width of ~~tree-lawn~~ parkways that are eight feet wide or less; however, street trees may be planted closer to lot lines if such locations would provide:

1. Equal or greater area for healthy root growth; and
2. A preferable arrangement with regard to spacing from underground or overhead utilities.

4. Sidewalk Cutouts. In the alternative to ~~tree-lawn~~ parkways, sidewalk cutouts are allowed in the DT zone, the E zone, the MAC zone, and neighborhood activity centers within complete neighborhoods. Sidewalk cutouts shall be of sufficient size to support healthy tree growth.

5. Root Barrier. A root barrier is required along all concrete sidewalks, curbs, and driveways.

6. Technical Installation Specifications. The City Engineer is authorized to develop technical specifications for the installation of street trees.

### C. **Setbacks.**

1. The trunks of street trees shall be set back from sidewalks, buildings, and structures as follows:

- a. Driveways and alleys: 15 feet.
- b. Buildings, utilities, and other structures (except fences): 10 feet

2. Street trees shall be planted so that:

- a. Their eventual growth can be reasonably controlled so as to avert interference with or obstruction of any improvements installed for public benefit; and
- ~~b. Nearby overhead and underground utilities such as water, wastewater, gas, communications, and electrical, will not be disrupted or materially affected by branches or roots.~~

3. No street trees that are more than 25 feet in height at maturity shall be planted under or within 10 feet of any overhead power line, except street light or service lines.

D. **Maintenance.** The owner of property abutting the right-of-way of any street, alley, sidewalk, parkway, or other public place shall maintain and care for all shrubs, vegetation, and trees on such abutting right-of-way in accordance with Loveland Municipal Code Chapter 16.28 and Chapter 12.32, unless an alternative maintenance arrangement is approved in an agreement or plan

acceptable to the Director. Maintenance responsibilities include, but are not limited to:<sup>17</sup>

1. Keeping parkways and sidewalks free of litter, debris, weeds, and obstructions.
2. Repairing or replacing damaged landscape materials, mulch, gravel, or other approved surface materials; and
3. Maintaining plantings, groundcover, and other improvements in a safe and orderly condition.

Ord. 6636 §39, 09/05/2023

Effective on: 9/19/2023

#### **18.08.04.02 Street Trees and Plazas in DT Zone and in Neighborhood Activity Centers in Complete Neighborhoods**

- A. **Purpose.** The street tree and plaza standards for the DT zone and in neighborhood activity centers in complete neighborhoods are intended to set a minimum landscape standard that emphasizes those elements most important to the creation of a pedestrian-friendly environment that can support a variety of uses and building forms.
- B. **Applicability.**
1. Street trees and ~~tree-lawn~~ parkway landscaping improvements (subsection C., below) shall be required in the DT zone and in neighborhood activity centers within complete neighborhoods when:
    - a. There is new construction of primary structures;
    - b. Renovations of a value of greater than 25 percent of the assessed valuation of the building are undertaken;
    - c. The footprint of an existing building is expanded by more than 25 percent; ~~or~~
    - d. The building changes from a residential use to a non-residential use; or
    - e. More than 50 percent of the aggregate commercial, industrial, institutional, or common area landscape area is disturbed.<sup>18</sup>
  2. The standards of subsection D., below, shall apply to plazas in the DT zone and in neighborhood activity centers within complete neighborhoods.
  3. The requirements of this Section shall not apply when building improvements or modifications do not increase the gross floor area (e.g., facade renovations, the construction of external stairwells or porches, or the installation of awnings).
- C. **Street Trees.**
1. *Location.*
    - a. Street trees shall be located between the curb and the main pedestrian pathway, unless otherwise approved by the Director to respond to available right-of-way, sight triangles, or utility conflicts.
    - b. Street trees shall be provided along all street frontages of a lot.
  2. *Spacing.* Street trees shall be planted on 35-foot centers, with variations allowed to avoid public utilities, sight triangles, and curb cuts.
  3. *Width and Sidewalk Clearance.*
    - a. The location used for the installation of street trees shall be a minimum of 10 feet in width in situations associated with new construction of sidewalks. The Director may reduce this width based on site constraints. The installation of trees should utilize design practices such as interconnecting tree soil from planting bed to planting bed.
    - b. A minimum sidewalk horizontal clearance of six feet shall be maintained.
  4. *Species.* Street trees shall be of a family, genus, and species approved by the Director for such use.
  5. ~~Tree lawns~~ Parkways. In instances where a ~~tree-lawn~~ parkway is provided, the ground cover in the ~~tree-lawn~~ parkway shall be low growing and durable so as not to prevent or interfere with people using curbside parking and exiting from vehicles onto the ~~tree-lawn~~ parkway. The use of rock or stone (except stepping stones or pavers) in the v is not allowed.
  6. *Maintenance of Existing Trees.* Existing mature street trees shall be maintained. Diseased or dying trees shall be removed by the property owner and replaced with new trees in accordance with these provisions by the end of the following planting season.

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<sup>17</sup> The additional text for maintenance responsibilities in section 18.08.04.01.D is not required SB24-005 but is proposed to provide clarity on maintenance expectations in accordance with proposed parkway landscape material options in 18.08.04.01.C.

<sup>18</sup> The proposed change to 18.08.04.02.B.1.e is necessary for compliance with SB24-005.



- D. **Plazas.** Living landscape elements that cover not less than two percent of the plaza area shall be provided in public plaza spaces that are larger than 500 square feet. Such elements are not required to be installed in permeable ground surfaces (i.e., they may include such elements as planter boxes, potted plants, or hanging baskets).
- E. **Maintenance.** Maintenance of street trees shall be the responsibility of the adjacent property owner, unless the applicant has provided for an alternative perpetual maintenance arrangement that is acceptable to the Director (*e.g.*, via a property owners' association or special district).

Effective on: 11/20/2018

### 18.08.04.03 Parking Lots

- A. **Generally.** Areas within parking lots shall be landscaped to mitigate expansive hard surfaced areas, to slow stormwater runoff, to improve parking lot appearance, and to reduce heat build-up.
  - 1. This section applies to any surface parking lot that contains more than:
    - a. 75 parking spaces in the DT zone;
    - b. 30 parking spaces in the neighborhood activity center of a complete neighborhood; or
    - c. 15 parking spaces in all other zones or areas.
  - 2. The landscaping required by this Section shall be installed in parking lot islands. and in corners of parking lots that cannot be used for parking spaces due do geometric constraints. Such corners shall be delineated by the extension of the back line of the parking spaces that form the corner.
- B. **Planting Area Requirements.**
  - 1. At least one large tree and five shrubs shall be planted in the interior of the parking lot for every 15 parking spaces, and at least 75 percent of landscaped areas within a parking lot shall be covered with established living materials within three years of installation. Fractions shall be rounded up to the nearest whole number.<sup>19</sup>
  - 2. Where parking lot islands are required, they shall be the same dimensions as the parking stall. Double rows of parking shall provide parking lot islands that are the same dimension as the double row.
  - 3. A minimum of one large tree shall be provided in each parking lot island. If the island extends the width of a double row, then two large trees shall be provided.
  - 4. Parking lot islands and landscaped areas shall be at least six inches above the surface of the parking lot and protected with concrete curbing, except where designed specifically for the absorption of stormwater. Such islands and landscape areas shall be property drained and irrigated in accordance with this UDC.
  - ~~5. At least 75 percent of landscaped areas within a parking lot shall be covered with living materials within three years of installation.~~
  - 6. 5. Parking lot islands shall be designed to allow plant materials to survive and flourish given harsh conditions, and the need to store snow during the winter which includes snow storage.<sup>20</sup>
  - 7. 6. Parking lot islands adjacent to a parking stall shall have an additional one-foot setback from the parking surface.<sup>21</sup>
- C. **Parking Lot Island Arrangement.**
  - 1. A parking lot island shall be installed at each corner of the parking lot that cannot be used for parking spaces due to geometric constraints. Such corners shall be delineated by the extension of the back line of the parking spaces that form the corner.
  - 2. Parking lot islands shall be installed on the ends of parking rows and entry drives to separate parking from drive aisles.
  - 3. A parking lot island shall be provided between every 15 contiguous parking spaces, unless a clustered design is approved per subsection C.4, below.
  - 4. Clustering of landscaping in larger, consolidated parking lot islands can be provided in lieu of individual parking lot islands

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<sup>19</sup> Changes to 18.08.04.03.B.1 to 18.08.04.03.B.5 are necessary for compliance with SB24-005 as the UDC previously required 75 percent nonfunctional turfgrass in parking lot landscaped areas.

<sup>20</sup> The proposed change in section 18.08.04.03.B.6 change is not required by SB24-005 but is proposed to provide clarity on parking lot landscape design consideration for harsh conditions, which may include, but are not limited to snow storage.

<sup>21</sup> This change is not required by SB24-005 but is proposed to provide additional pedestrian clearance for entering/exiting vehicles to improve the survival rates of plantings in parking lots areas.

as set forth in subsection C.3 above. Landscaping arranged in a cluster design shall be placed in centralized locations or along areas of pedestrian activity. The number of interior parking lot trees required in subsection B.1, above, shall be met regardless of the parking lot island design.

D. **Additional Planting Requirements Based on Parking Spaces.** In addition to the planting area requirements of subsection B, above, an additional large tree shall be provided for every additional 10 parking spaces in excess of the minimum required parking. The additional landscaping can be distributed throughout the interior of the entire parking lot or within 10 feet of the perimeter of the parking lot. Any additional trees required by this subsection shall not count toward other landscaping requirements.

E. **Large Surface Parking Lots.**

1. For the purposes of this subsection, a large surface parking lot is a stand-alone surface parking lot that contains more than 200 parking spaces.
2. Large surface parking lots shall be divided into smaller modules by using landscaping separators that comply with the following standards:
  - a. Each module shall contain a maximum of three drive aisles or 200 parking spaces, whichever results in a smaller module.
  - b. Landscape separators shall be parallel to the parking rows.
  - c. The first landscape separator in a large surface parking lot shall contain a pedestrian walkway. The walkway shall be located in front of an entrance into the building unless an alternate location meeting the intent of this subsection is approved by the Director.
  - d. Additional landscape separators with a pedestrian walkway shall be provided in a parking area at a rate of one separator with a walkway for every two separators without a walkway.
  - e. The pedestrian walkway shall connect to the perimeter sidewalks. Where the pedestrian walkway crosses a drive-aisle, the pedestrian crossing shall emphasize and place priority on pedestrian access and safety. The material and layout of the pedestrian crossing shall be continuous as it crosses the drive-aisle and shall be distinguished through the use of raised or striped crosswalks or special pavement treatments such as scored concrete, colored concrete, pavers, brick or other similar materials.
  - f. Landscape separators with a pedestrian walkway shall be a minimum of 22 feet in width. Landscape separators without a pedestrian walkway shall be a minimum of 10 feet in width.
  - g. Pedestrian walkways within a landscape separator shall be a minimum of seven feet wide.
  - h. Trees required in parking lot islands attached to the landscape separator can be installed within the separator. In such case, the parking lot islands shall be landscaped with shrubs complying with subsection B.5, above.
  - i. Landscaped separators shall be designed according to the illustration below unless an alternate design meeting the intent of this section is approved by the Director.
  - j. Landscape separators shall have at least one large tree for every 35 linear feet along the length of the separator.
  - k. The living groundcover for landscape separators shall be ~~irrigated grass or mulch~~ water-wise landscape material (not nonfunctional turfgrass) and shall comply with subsection B.55, above.<sup>22</sup>
  - l. Plantings with a mature height of six inches or more shall not be planted within two feet from the back of the curb to avoid conflicts with vehicle overhang.

F. **Footstep Access.**<sup>23</sup>

1. Parking lot islands, other perimeter landscape areas adjacent to a parking stalls, or right-of-way areas adjacent to parking stalls, shall have an additional one-foot setback from the curb or parking surface to provide a footstep for pedestrian access from the vehicle.
  - a. The footstep may be accomplished by a wider sidewalk, enlarged curb or striping on the parking surface in addition to the stall width and striping.
  - b. If the footstep is inside the parking lot island, it must be concrete or an acceptable all-weather compacted material

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<sup>22</sup> Changes to 18.08.04.03.E.2.k are necessary for compliance with SB24-005 as the UDC previously irrigated grass in large parking lot landscape separators.

<sup>23</sup> Changes to 18.08.04.03.F are not required by SB24-005 but are proposed to provide additional pedestrian clearance for entering/exiting vehicles to improve the survival rates of plantings in parking lots areas.



that does not float or drain into the stormwater sewer system.

Effective on: 11/20/2018

## Division 18.08.05 Tree Preservation and Protection<sup>24</sup>

## Division 18.08.06 Landscape Elements, Maintenance, and Warranties

### 18.08.06.01 Trees, Ground Covers, and Mulch

- A. **Trees.** Trees shall be planted in locations that allow for their full mature growth, and that will avoid obstruction of the visibility of traffic control devices.
- B. **Ground Cover.** All unimproved ground surfaces shall be planted or otherwise protected from erosion. Except in the DT zone, 75 percent of all landscaped areas shall be covered with ~~living ground cover~~ established living materials<sup>25</sup> within three years after planting.
- C. **Mulch.** All planting areas for trees and shrubs (except tree grates) shall be mulched to a depth of at least four inches.
- D. **Turfgrass.** Approved water-wise turfgrass species present in stormwater systems and other landscaped areas shall not be regularly mowed, unless required for wildfire urban interface (WUI) compliance.<sup>26</sup>

Effective on: 11/20/2018

### 18.08.06.02 Irrigation

- A. **Generally.** All areas that are planted with live plants (except areas that are left in natural condition) shall be equipped with an irrigation system that will provide sufficient water to maintain the plants in a healthy condition. The system shall be meet the standards of this Section. A City inspector will observe a test of the irrigation system prior to issuance of a certificate of occupancy or acceptance of public improvements, whichever occurs earlier. Where the City approves phased installation of landscapes, the installation of irrigation systems may also be phased accordingly.
- B. **Plans.** Site development plans containing hydrozone plans shall show the type of irrigation in each landscape area or irrigation zone (e.g., pop-up or drip) and the point of connection to the water supply (including tap size). All other site development plans shall include notes regarding irrigation in compliance with this Section.
- C. **Irrigation System Requirements.** Irrigation based on the size of the irrigated area and the landscape type are as follows:
  - 1. Whenever there are 2,000 sf. or more of planting areas on a subject property, whether or not the planting areas are contiguous, the subject property shall have an underground, permanent irrigation system capable of meeting the typical watering requirements of all the plant materials on the subject property.
  - 2. Whenever there are less than 2,000 sf. of planting areas on a subject property, there shall be at least one reliable water source available during the growing season. The hose bib or other water source shall be within not more than 50 feet from the border of the planting areas.
  - 3. If there are areas of the subject property that require watering ~~only~~ to establish plantings (e.g., areas planted with native seed mixes or water-wise grasses), a temporary irrigation system for the establishment period ~~is permitted~~ is required for a minimum of three years from planting, unless a shorter period is approved by the Director.<sup>27</sup>
- D. **Irrigation System Design.**<sup>28</sup>
  - 1. Irrigation systems must be designed, operated, and maintained to prioritize water conservation and water efficiency. Systems shall be designed to water deeply and infrequently to develop greater drought tolerance.
  - 1. 2. Irrigation systems shall be designed to avoid overspray onto non-planted and impervious surfaces.

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<sup>24</sup> Division 18.08.05 Tree Preservation and Protection is not included in this document since no changes are proposed.

<sup>25</sup> The change in section 18.08.06.01.B is not required by SB24-005 but is proposed to provide clarity and consistency of terms across the code.

<sup>26</sup> The change in section 18.08.06.01.D is not required by SB24-005 but is proposed based on feedback from the development community about maintenance best practices for water-wise turfgrass species, which typically grow taller and are less tolerant to routine mowing.

<sup>27</sup> The change in section 18.08.06.02.C is not required by SB24-005 but is proposed to support the establishment water-wise plantings.

<sup>28</sup> The changes in section 18.08.06.02.D are not required by SB24-005 but are proposed to align with the intent of the bill, and the need for temporary irrigation for the establishment of seed mix areas, which are permitted in non-functional turf areas.



2. ~~3.~~ Sprinkler systems shall be designed to minimize overspray.
3. ~~4.~~ Subsurface and/or drip irrigation systems should be used for shrubbed areas.
5. If installing water-wise seed mix, temporary irrigation shall be installed and maintained for the entire seed mix area for the establishment period of the seed mix, a minimum of three years or as approved by the Director.

E. **Irrigation System Maintenance.** All irrigation systems shall be maintained in good working order.

Effective on: 11/20/2018

#### 18.08.06.03 Soil Amendments<sup>29</sup>

- A. **Generally.** For any development project, before installation of any plant materials, s Soil amendments that are appropriate for the site conditions and landscape design shall be provided. The landscape installer must certify that soil amendments have been installed in a manner consistent with the requirements of Municipal Code Section 19.06.050 and in accordance with the requirements of this Section and ~~in accordance~~ with submitted plans.
- B. **Requirements.**
  1. Soil amendments that are appropriate for the intended plant materials, design of the site, and soil conditions shall be selected and installed.
  2. For groundcovers, soil shall be tilled and amendments incorporated to a minimum depth of six inches. The following schedule specifies the minimum soil amendment requirements per 1,000 square feet of landscape area:
    - a. ~~Bluegrass and~~ High-Water Plantings: 3 cubic yards
    - b. ~~Shrubs, Perennials and~~ Moderate ~~to Low Water~~ Plantings: 2 cubic yards
    - c. ~~Xeric and Very~~ Low-Water Plantings: 1 cubic yard or comparable treatment
    - d. Very low, Dryland and native grassland re-establishment areas: no required treatment
  3. A soil amendment affidavit consistent with the requirements of Municipal Code Section 19.06.050 shall be required for the area to be planted.

Effective on: 11/20/2018

#### 18.08.06.04 Visibility of Fire Hydrants

The visibility of fire hydrants shall not be obstructed by landscaping. No plants which will mature to a height of six inches or more should be planted within three feet of a fire hydrant.

Effective on: 11/20/2018

#### 18.08.06.05 Landscape Maintenance

- A. **Generally.** All living plants required by this UDC or shown on an approved landscape plan shall be maintained in a live and healthy state.
- B. **Plant Replacement.**
  1. Generally, dead or unhealthy plants shall be immediately replaced with the size and type of plants required on the site development plan and by this Chapter.
  2. However, replacement of plants may be delayed up to nine months whenever the City determines that:
    - a. Extenuating circumstances, beyond the owner's control, prevent the immediate replacement of the dead or unhealthy plants, and
    - b. The owner agrees to replace the dead or unhealthy plants within a time established by the City.
- C. **Landscape Structures.** All fences, walls and similar structures shall be maintained in good condition. Chipped paint, missing fence pieces, leaning or fallen portions of a fence, or other signs of deterioration shall be immediately repaired, refinished, or replaced as appropriate.
- D. **Sight Triangles.** All trees, shrubs, and other plant materials located within clear sight triangles shall be trimmed in accordance

<sup>29</sup> Changes in section 18.08.06.03 are not required per SB24-005, however are proposed to align with the Municipal Code, as well as provide more clarity on the soil amendment requirements for developers and staff to promote soil health for water-wise planting establishment.

with the requirements of Section 7 of the City of Loveland Street Standards

- E. Maintenance.** Trees and vegetation, irrigation systems, fences, walls, and other landscape elements shall be considered as elements and infrastructure of the development in the same manner as parking, building materials and other site details. The landowner or successors in interest shall be responsible for maintaining all landscaping elements in good condition.<sup>30</sup>

Effective on: 11/20/2018

#### 18.08.06.06 Invasive Species, Disease, and Pests

- A. **Invasive Species.** All invasive species shall be removed from property proposed for development, substantial improvement, or redevelopment. Developed property shall be kept free of invasive species.
- B. **Disease and Pests.** Any tree that, because of an epidemic disease (e.g., Dutch Elm Disease) or insect infestation (e.g., Mountain Pine Beetle), poses a threat to other trees or plants in the community shall be treated so as to control the spread of the problem organism.

Effective on: 11/20/2018

#### 18.08.06.07 Required Warranty

- A. **Generally.** Landscaping that is installed or protected according to this Chapter shall be guaranteed according to the standards of this Section. This warranty is in addition to the maintenance of the landscaping shown on an approved landscape plan, as required by Section 18.08.06.05, [Landscape Maintenance](#).
- B. **Required Warranty.**
1. *Term.* The owner shall guarantee all plant material to be in healthy condition (free of dead or dying branch tips; bearing foliage of normal density, size, and color; and closely matching adjacent specimens of the same species) for a term of ~~two~~ three years. The warranty term commences on the date of acceptance of installed plant materials, including installation of seed mixes. When work is accepted in parts, the warranty terms extend from each acceptance to the terminal date of the guarantee of the last acceptance.<sup>31</sup>
  2. *Guarantee.* During the required warranty term, the owner shall replace, without cost to the City, all plants determined by the City to be dead or in a condition that does not meet the standards of this Chapter. Replacements shall be made within a specified planting period, as soon as weather conditions allow. Replacements shall meet the minimum specifications of the materials replaced.
- C. **Extension of Warranty Term.** Replacement plants shall be guaranteed for a new warranty term for the duration specified in subsection B.1. In the event that a replacement plant dies or is not in a healthy condition during or at the end of said new warranty term, the City may require that a different genus, species, or type of plant material be installed.

Effective on: 11/20/2018

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<sup>30</sup> The change in section 18.08.06.05.E is not required by SB24-005 but is proposed to provide additional clarify regarding maintenance responsibilities for all landscape elements. This also reflect feedback from developers and staff on the importance of long-term maintenance, especially in nonfunctional turf areas.

<sup>31</sup> The changes in section 18.06.06.07.B are not required by SB24-005 but are proposed to align with the establishment timeline for water-wise plants and seed mixes, which is generally three years instead of two.