

MEMORANDUM

AGENDA ITEM: 1

DATE: Study Session: September 22, 2025
TO: Planning Commission
FROM: Marian Duran, Senior Planner, Strategic Planning Division
RE: Code Amendments to Title 18 of the Municipal Code

I. Summary

Senate Bill 24-005 (Bill), passed in the 2024 legislative cycle, aims to promote water conservation by requiring communities to prohibit the installation of nonfunctional turf, nonfunctional artificial turf¹, and invasive species for new development and redevelopment of commercial, institutional, and industrial properties; common interest community properties (e.g., HOAs), and parkways. Per the Bill, these changes must be in effect by January 1, 2026 (see *Attachment 1 - SB24-005 Text & Attachment 2 – HB25-1113 Text for additional information*).

Draft amendments to the Unified Development Code (UDC) were presented to the Planning Commission at the August 25, 2025, Study Session. Since August 25, Staff have worked to address the Planning Commission's questions and feedback, including updating drafts to:

- Address which amendments are required to comply with SB24-005, which changes are necessary to make the required modifications work with Loveland's standards and processes, and which amendments are optional or unrelated to SB24-005.
- Consider maintenance and cost implications for developers.
- Clarify soil amendment affidavit requirements.
- Clarify applicability of requirements to redevelopment proposals and changes to approved landscape plans.
- Refine the list of recommended turfgrass species.

What We Need from the Planning Commission?

We are seeking feedback from the Planning Commission on the proposed changes to ensure:

- ✓ Staff has adequately addressed Planning Commission questions discussed at the August 25 study session.
- ✓ The City of Loveland is meeting the intent of the Bill.
- ✓ Proposed changes to the UDC align with Loveland's long-term vision, values, and environmental stewardship goals.
- ✓ Staff have considered processes implications due to proposed UDC changes.

¹ In 2025, House Bill 1113 passed, expanding the requirements of SB24-005. House Bill 25-1113 adds definitions for artificial and non-artificial turf and requires communities to adopt standards that prohibit nonfunctional turf by January 1, 2026. Due to timing of this bill, the City of Loveland has elected to incorporate these changes as part of this code update.

II. Key Points of Senate Bill 24-005

- **What:** Requires communities to update codes and processes to prohibit nonfunctional turf and nonfunctional artificial turf¹ in applicable new and redevelopment.
- **Who:** Applies to new development of commercial, institutional, industrial, common interest (HOA), street right-of-way, parking lot, medians, and transportation corridors, and certain redevelopment. Does **not** apply to existing development or private residential lots.²
- **When:** Changes must be in place by January 1, 2026.
- **Why:**
 - **Alignment with Existing Plans:** The Water Resources Team has made a deliberate investment in the Water Efficiency Plan, recognizing the long-term benefits of reducing water consumption. By allocating budget funds to this initiative, the City can mitigate the costs associated with acquiring additional water supplies. This proactive approach enables the City of Loveland to demonstrate consistent water savings and make informed decisions about future water management.
 - **Alignment with Existing Programs:** Promotion of water-efficient landscaping is not new for the City of Loveland. This initiative aligns with existing programs that promote water conservation and efficiency via turfgrass replacement and encouragement of water-wise landscaping. For example, the City's existing [Hydrozone Program](#) allows developers to receive discounted water right payments with the installation of a water-efficient landscape. Additionally, the Loveland's [Lawn Replacement Program](#), has saved an estimated 172,020 gallons of irrigation water from the installation of water-efficiency landscape projects in 2023 alone. This is complimented by the [Northern Water Grant Program](#), which Loveland HOAs and businesses can participate in, which promotes water-efficient landscaping by requiring plants with xeric to moderate water needs and prohibiting turf for grant qualifications.
 - **Water Savings:** HOAs and businesses can expect to save on water costs due to reduced consumption.
 - **Increased Resilience:** Drought-tolerant landscaping will make the city more resilient.
 - **Potential Economic Benefits:** Sustainable landscapes can increase non-residential property values and attract businesses and residents who value environmental conservation.

III. Project & Public Engagement Timeline

Below is a summary of the project's timeline and engagement touch points. Minutes from commission and board meetings, as well as feedback from the developer information sessions, are included as Attachments 3, 4, 5, and 6.

Completed Activities:

- **Project Kick-off:** January 2025
- **Let's Talk Loveland Website & Frequently Asked Questions**
(<https://www.letstalkloveland.org/landscape-changes>): April 2025 through December 2026
- **Internal Stakeholder Meetings:** May 2025, July 2025, & December 2025
- **Developer Information Sessions:** June 2025 & September 2025
- **Loveland Utilities Commission (LUC):** July 2025
- **Construction Advisory Board (CAB):** July 2025

² House Bill 25-1113, "Limit Turf in New Residential Development," will extend SB5 requirements to new and redeveloped multifamily housing and will require some action to reduce turf in other new and redeveloped residential housing by 2028. Staff will inform the Planning Commission of the City of Loveland's approach to these new requirements as they are developed.

- **Historic Preservation Commission (HPC):** July 2025
- **Planning Commission Study Sessions (PC):** August 2025 & September 2025

Upcoming Activities:

- **Planning Commission Public Hearing:** October 27
- **Council Hearings:** November 18, 2025 (1st reading) and December 2, 2025 (2nd reading)
- **Effective Date of Code Changes:** January 1, 2026

IV. August 25 Study Session Follow-Up

At the August 25 Planning Commission Study Session, several questions were raised pertaining to the Bill and its implications. These questions are summarized and answered below.

A. Address which amendments are required to comply with SB24-005

See Attachments 7, 8, 9, and 10, and section VIII Amendment Description of this memo.

B. Maintenance and cost implications for developers

Generally, changes will have varying maintenance and cost implications for developers. A summary of potential impacts is outlined below; additional information provided to staff through email and phone conversations with the developer, designer, and landscape community is included in Attachment 11.

- **Planning and installation costs:** Proposed changes require landscape plans to delineate between functional and non-functional areas, as well as group plants based on their water requirements. While this is not expected to constitute a large cost burden, it is a shift from current requirements. Additionally, should a developer choose to participate in the voluntary Hydrozone Program, developers can receive a reduction in their water right payments, which can result in significant cost savings that likely would outweigh any additional costs associated with the landscape plan.
- **Irrigation costs and maintenance:** While irrigation installation will likely be different (e.g., shift to more drip systems), overall cost is not expected to change significantly. Additionally, long-term costs associated with the irrigation systems are likely to be lower, as water use is likely to be less.
- **Plant costs and maintenance:** Initial plant cost may increase, as plants can cost more than turfgrass. That said, seeded areas can cost significantly less compared to sod. Overall costs will vary significantly depending on the site size and specific plants selected. From a maintenance perspective, maintenance will largely shift from mowing to weeding and pruning. Again, maintenance needs are variable depending on the plant material selected.

C. Clarify soil amendment affidavit requirements

Section 18.08.06.03 of the UDC outlines the soil amendment process. These changes are in alignment with section 19.06.050 of the Municipal Code, as well as the Hydrozone Program – which provides decreased tap fees for irrigation taps that include water-wise landscaping. While the proposed changes require a soil amendment affidavit to verify the soil amendment has taken place, and there will be a small cost with obtaining the affidavit from a qualified professional, there are no additional City of Loveland permitting or inspection associated costs with the proposed change.

D. Refine the list of recommended turfgrass species

The approved plant list was updated to reflect a Planning Commission recommendation. See Attachment X for the updated version with Tahoma 31 Bermuda Grass included.

V. Amendment Description

The following sections summarize the proposed amendments by amendment section and section number. The justification for each major section of code amendments is noted. For example, in many

cases, the amendments are proposed to explicitly comply with the requirements of SB24-005. In other situations, the amendments are proposed to improve clarity or usability of the UDC, to align Loveland's unique standards and processes with the required amendments. Finally, some amendments are proposed that are unrelated to SB24-005 compliance or alignment; these reflect additional opportunities to improve flexibility and modernize code requirements.

A. Definitions (Division 18.19.03)

The following **new** definitions are proposed.

Terms to Add	Proposed Definition	Justification
Artificial Turfgrass	means an installation of synthetic materials developed to resemble natural grass.	Comply with SB24-005
Common Amenities	means areas, typically under common interest community ownership, that may contain impervious surfaces and buildings for uses such as plazas, play courts, swimming pools and indoor recreation facilities. Common amenity areas may also include walkways or multi-purpose paths that provide access along the edges or through natural areas or flood fringe areas. Common amenity areas do not include features such as stormwater detention ponds, drainage channels, or floodways.	Clarify SB24-005 applicability
Common Green	means an accessible area of land within a development, typically under common interest community ownership, designated for both passive and/or recreational activities. Turfgrass within common greens is considered functional when it supports these recreational activities.	Comply with SB24-005
Common Interest Community Property	means property within a common interest community that is owned and maintained by an owners' association, such as entryways, parks, and other common amenities or elements.	Clarify SB24-005 applicability
Functional Artificial Turfgrass	is artificial turfgrass that is used for a functional purpose. This means it is located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes, which may include a playground, sportsfield, a portion of a park (e.g., dog park area, warm-up area), and the playing area of a golf course or driving range.	Comply with SB24-005
Functional Turfgrass	is turfgrass that located in a recreational use area or other space that is regularly used for civic, community, or	Comply with SB24-005

Terms to Add	Proposed Definition	Justification
	recreational purposes, which may include cemeteries; playgrounds; sports fields; picnic grounds; amphitheaters; ancillary high use portions of parks (e.g., sports team warm up areas); and the playing areas of a golf course or driving range.	
Nonfunctional Artificial Turfgrass	is artificial turfgrass that is not serving an active purpose. It includes artificial turfgrass that is not regularly used for civic, community, or recreational purposes, or that is installed only for aesthetic or maintenance purposes.	Comply with SB24-005
Nonfunctional Turfgrass	is turfgrass that is not serving a functional purpose. It includes turf located in street rights-of-way, parking lots, medians, or transportation corridors. It excludes turfgrass that is part of a water quality treatment solution required for compliance with federal, state, or local water quality permitting requirements, provided that the turfgrass is not irrigated and no herbicides are applied.	Comply with SB24-005
Parkway	means a strip of landscaped area between the sidewalk and curb. Parkways were referred to as street tree lawns in previous versions of the Unified Development Code.	Replace “Tree Lawn” to improve clarity and regional alignment. See removal section
Rock Mulch	means a decorative and functional ground cover made from crushed stone, gravel, pebbles, or other types of rocks, used to suppress weed growth, enhance soil drainage, add aesthetic appeal to landscapes, or reduce soil erosion.	Provide clarity in options for complying with SB24-005
Restoration Blend	means a mixture or blend of materials, products, or techniques used to restore something to its original or desired state. In ecological restoration, restoration blends might involve mixtures of native plant species, soil amendments, or other materials used to restore degraded or damaged ecosystems.	Provide clarity in options for complying with SB24-005
Sidewalk Cutout	means a section of sidewalk that has been removed or cut out, often to allow for tree growth or root pruning, create a driveway or curb cut for vehicle access, install utilities, such as pipes or electrical conduits, or repair or replace damaged or uneven sidewalk sections.	Provide clarity in options for complying with SB24-005

Terms to Add	Proposed Definition	Justification
Transportation Corridor	means a transportation system that includes all modes and facilities within a described geographic area, having length and width	Comply with SB24-005
Turfgrass	means continuous plant coverage consisting of grasses that, when regularly mowed, form a dense growth of leaf blades and roots.	Comply with SB24-005; note that Loveland has historically used “Turfgrass” instead of “Turf”
Water-wise Landscape	means a water- and plant-management practice that is intended to be functional and attractive and emphasizes the use of plants that require lower supplemental water, such as native and drought-tolerant plants. The practice prioritizes the following key principles: <ol style="list-style-type: none"> 1. Planning and design for water conservation, beauty, and utility; 2. Improving soil; 3. Applying efficient irrigation; 4. Limiting turf to high traffic, essential areas; 5. Selecting plants that have low water demand; 6. Applying mulch (as indicated in 18.08.02.07 (C)); and 7. Maintaining the landscape. 	Comply with SB24-005
Wood Mulch	means a layer of organic material composed of shredded, chipped, or ground wood, used to cover and protect soil in gardens, landscapes, and other outdoor areas. Wood mulch helps retain moisture, suppress weeds, regulate soil temperature, and enhance aesthetic appeal	Provide clarity in options for complying with SB24-005

The following definitions are proposed for **modification**. Note that earlier versions of the materials proposed revisions to the term “redevelopment” to establish a process for major modifications to approved landscape plans to be brought into compliance with SB24-005. After further review of Loveland’s development review procedures, the existing Administrative Variance and Major Amendment processes were determined sufficient to apply to modifications of approved landscape plans. As such, a revised definition of the term “redevelopment” is no longer necessary or proposed.

Terms to Modify	Proposed Modification	Justification
Accessory Structure	means a structure that is: <ol style="list-style-type: none"> 1. Subordinate to the use and scale of the principal building, or supportive of and incidental to an outdoor land use; 	General clean-up unrelated to SB24-005

	<p>2. Customary in connection with the principal building, other structure, or use of land; and</p> <p>3. Ordinarily located on the same lot with the principal building, other structure, or use of land.</p> <p>Examples of accessory structures include, but are not limited to: detached garages, carports, sheds, dog runs, and animal pens that are accessory to residential buildings, storage buildings that are accessory to lumberyards, and restroom facilities that are accessory to parks. The phrase “accessory structure” does not include signs.</p>	
Glare	means direct light emitting from a luminaire that causes reduced vision or momentary blindness or the reduction of visual performance or the significant disturbance of perception, as caused by the luminance or contrasts in the field of vision as determined by the Director.	General clean-up unrelated to SB24-005
Water-Efficient Landscape Plan	means a plan qualifying for the City’s dedicated irrigation meter program, as determined by the Director. Water-Efficient Landscape Plans include landscape design using hydrozone methodology that achieves an annual water budget of no greater than no greater than 15 gallons per square foot per year for functional areas and 9 gallons per square foot for non-functional areas.	Clarify terminology related to participation in the optional hydrozone program

The following definitions are proposed for **removal**.

Terms to Delete	Proposed Modification	Justification
Tree Lawn	Remove term and replace with “Parkway”	Improve clarity (replace with “Parkway”)

B. Landscape and Buffering Standards (Division 18.08.02)

Section	Summary of Proposed Amendments	Justification
18.08.02.01 Approved and Prohibited Plant Lists and 18.08.02.02 Substitution of Landscape Materials	<ul style="list-style-type: none"> References updated Approved and Prohibited Plant List Clarifies processes for approval for unlisted plants and substitution of landscape material Reinforces Wildland Urban Interface Overlay Zone standards as they relate to the approved plant list 	Comply with SB24-005 and increase options and improve clarity for complying with new standards

Section	Summary of Proposed Amendments	Justification
18.08.02.04 Identification of Landscape Areas	<ul style="list-style-type: none"> Requires functional “turfgrass areas” and functional use(s) to be identified on all landscape plans Clarifies that nonfunctional turfgrass and nonfunctional artificial turfgrass in common landscape areas is prohibited 	Comply with SB24-005
18.08.02.07 Water- Wise Landscape Requirement	<ul style="list-style-type: none"> Requires plants to be grouped based on their water requirements and irrigated accordingly Clarifies how “establishment” is measured for seeded areas 	Need to evaluate landscape plans effectively

C. Standards for Landscape Areas (Division 18.08.04)

Section	Summary of Proposed Amendments	Justification
18.08.04.01 Street Trees	<ul style="list-style-type: none"> Updates Parkway Requirements <ul style="list-style-type: none"> Remove requirement to have 75% turfgrass Require 75% water-wise landscaping, eliminating turfgrass in most situations Require parkways to have at least 3 of the 5 following: <ul style="list-style-type: none"> Water-wise landscaping Varied Rock Mulch Decorative Boulders or Hardscape Features Native Seeding or Restoration Blend Defining Planting Zones with Drip Irrigation Adds standards for the use of rock or mulch in alignment with Larimer County Urban Area Street Standards Allows nonfunctional turfgrass approval on a limited basis if no other options are feasible Provides option for Director to approve alternative surface treatment (including non-functional turfgrass if no suitable alternative is feasible) 	Provide options for parkway design since 75% turfgrass is no longer allowed
18.08.04.02 Street Trees and Plazas in DT Zone and in Neighborhood Activity Centers in Complete Neighborhoods	<ul style="list-style-type: none"> Establishes a threshold for when landscape improvements are required in these areas 	Comply with SB24-005

Section	Summary of Proposed Amendments	Justification
18.08.04.03 Parking Lots	<ul style="list-style-type: none"> Requires water-wise material for 75% of landscaped areas Requires one-foot setback for parking lot islands adjacent to parking stalls Removes stipulation that living ground cover must be irrigated Clarifies that living ground cover should be comprised of water-wise plants (not turfgrass) Adds footstep access standards 	Provide options for parking lot landscape area design since 75% turfgrass is no longer allowed

D. Landscape Elements, Maintenance & Warranties (Division 18.08.06)

Section	Summary of Proposed Amendments	Justification
18.08.06.01 Trees, Ground Covers, and Mulch	<ul style="list-style-type: none"> Clarifies that approved water-wise turfgrass species shall not be mowed unless required by Wildland Urban Interface Overlay Zone compliance 	Add best practices for maintenance
18.08.06.02 Irrigation	<ul style="list-style-type: none"> Requires temporary irrigation for at least three years for seed mix establishment, unless a shorter period is approved by the Director 	Add best practices for irrigation
18.08.06.03 Soil Amendments	<ul style="list-style-type: none"> Requires soil amendment affidavit 	Add best practices for soil amendment
18.08.06.05 Landscape Maintenance	<ul style="list-style-type: none"> Adds additional stipulations around maintenance 	Add best practices for maintenance
18.08.06.07 Required Warranty	<ul style="list-style-type: none"> Updates warranty term from two years to three years Clarifies that warranty applies to installation of seed mixes 	Align warranty to maturation timeline for water-wise plantings

E. Approved Plant List

Section	Summary of Proposed Amendments	Justification
All	<ul style="list-style-type: none"> Adds references throughout to the Wildland Urban Interface Overlay Zone 	Improve clarity
All	<ul style="list-style-type: none"> Adds additional plant material options to all sections 	Add options
Turfgrass	<ul style="list-style-type: none"> Adds a new section for “turfgrass” including additional details on water-wise, high-water use, and seed mixes 	Improve clarity and add options

F. Lots, Buildings, and Structures (Division 18.04.07)

Section	Summary of Proposed Amendments	Justification
18.04.07.06 Fences and Walls	Updates fence setbacks by height:	General clean up unrelated to SB24-005.

Section	Summary of Proposed Amendments	Justification
	<ul style="list-style-type: none"> • Adjacent to trails: 3 ft (Director approval for lesser) • Adjacent to sidewalks: <ul style="list-style-type: none"> ○ Over 4 ft tall: 2 ft or on the property line, whichever is greater ○ Under 4 ft tall: 18 in or on the property line, whichever is greater 	Increase buildable area on lots

VI. Planning Commission Direction:

This study session aims to address questions that arose at the August 25 Study Session to facilitate an informal discussion on each component of the amendment, allowing the Commission to provide direction on scheduling the amendment for a public hearing. Based on this direction, staff expect to bring forward all or portions of the amendment at the next available Planning Commission meeting for further consideration.

VII. Attachments:

Attachment 1 – SB24-005 Text

Attachment 2 – HB25-1113 Text

Attachment 3 – Construction Advisory Board Minutes 7.30.25 Minutes DRAFT

Attachment 4 – Loveland Utilities Commission - 20 Aug 2025 – Agenda/Minutes DRAFT

Attachment 5 – Historic Preservation Commission - 18 Aug 2025 – Agenda/Minutes DRAFT

Attachment 6 – Session Feedback

Attachment 7 – Loveland UDC Amendment Title 18 - Part 2 Redlined Version

Attachment 8 – Loveland UDC Amendment Title 18 - Part 3 Redlined Version

Attachment 9 – Loveland UDC Amendment Title 18 - Part 5 Redlined Version

Attachment 10 – Plant List

Attachment 11 – SB24-005 Potential Cost-Implications

Attachment 12 – Turf Regulation Approaches in Local Communities

Attachment 13 – PowerPoint Presentation