

## ARTICLE 2.

### Community Design Principles and Development Standards

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## **Community Design Principles and Development Standards**

### **Sec. 2.1. General provisions.**

1. Applicability. All development applications and building permit applications shall comply with the applicable standards contained in this Article
2. Relation to zone district standards (Section 3.5). In the event of a conflict between a standard or requirement contained in Section 3.5 and this Article, the standard in Section 3.5 shall prevail.

### **Sec. 2.2. Vision and intent.**

1. The intention of the Town in enacting this Article is to clearly describe the Town's vision and to create a vital, cohesive, well-designed community in order to enhance its small-town character and further the citizens' goals as identified in the *Frederick Comprehensive Plan* ("Comprehensive Plan"). Preservation of the Town's small-town character was stated as one (1) of the most important goals in the Comprehensive Plan.
2. When describing the Town during the Comprehensive Plan process, the townspeople most valued the following qualities which contribute to the Town's "wholeness":
  - a. Walkable and pedestrian oriented;
  - b. Variety of housing types;
  - c. Orderly, grid-pattern, tree-lined streets;
  - d. Safe and secure;
  - e. Houses face the streets with garages less predominant in the back;
  - f. One- and two-story buildings;
  - g. Friendly, opportunity to know one's neighbors and care for one another;
  - h. Rural, unique natural setting with mountain views;
  - i. No excessive traffic;
  - j. Quiet, slower paced environment;
  - k. Town-wide activities;
  - l. Cultural heritage.

### **Sec. 2.3. Design elements.**

1. One (1) of the greatest challenges facing small towns is the successful integration of new development with the original town pattern. Suburban development patterns which have included numerous cul-de-sacs and limited street connections have often separated communities and created enclaves of the original towns. In order to maintain the Town's unique, small-town character and clearly describe the Town's vision, the following design elements have been set forth within this Article.
2. Compact urban growth. As the community grows from the original Town limits, it is important to maintain a continuity of density, diversity and interconnectedness. Urban development should occur adjacent to the Town's core so that the community's prime agricultural land and natural areas are preserved and public infrastructure and utilities are used as efficiently as possible.
3. Neighborhood design. New developments should help create neighborhoods, rather than residential subdivisions adjacent to one another. Neighborhoods should be organized around a strong center which may include elements such as common open space, civic and commercial or mixed uses. Strong consideration should be given to pedestrian movement, the character of streets and sidewalks as inviting public space, and the interconnectedness of the streets within the neighborhood and as they connect to the rest of the community. In addition, new neighborhoods should have a variety of housing sizes and types that help to create a distinct identity rather than a monotonous replication of styles
4. Lots and blocks, streets and sidewalks. The layout of lots and blocks should be designed to continue the Town's existing block pattern to form a grid or modified grid pattern that is adapted to the topography, natural features and environmental considerations. The streets should be tree-lined and interconnected in order to create a comprehensive transportation network that facilitates the movement of pedestrians, cars, and bicycles.
5. Parks and open space. New developments shall use natural open spaces and developed public space (such as parks and plazas) to organize and focus lots, blocks, and circulation patterns, protect natural areas and quality agricultural land, and to create an identity for each neighborhood.
6. Site design, architecture and landscaping. One (1) of the fundamental intentions of this Code is to encourage innovative, quality site design, architecture, and landscaping in order to create new places that can be integrated with the existing community and reflect the traditional patterns of the region. Illustrations throughout this Code, are intended to provide a visual description of the Town's design intentions.
7. Environment. New developments should be designed to fit within the environment. To the greatest extent feasible, sites should be designed to preserve natural areas and the plants and wildlife inhabiting those areas. In addition, new developments are encouraged to consider the environmental consideration in Section 2.20.2.b and to conserve all natural resources.
8. Water conservation. As the State grows, increasing pressure will be placed on the limited supply of water resources. Town residents have emphasized the importance of preserving the quality and quantity of water. All new development is encouraged to use raw water for irrigation and to incorporate water-saving measures in building design and landscaping. Developments are required to use storm water management techniques that address water quality as well as quantity.

**Sec. 2.4. Compact urban growth.**

1. Intent. The Town has adopted a compact urban growth policy that will encourage and direct development to take place within areas contiguous to existing development in the community. This policy will accomplish several goals, including:
  - a. Improving air quality by reducing vehicle miles traveled and by promoting alternatives to the private automobile;
  - b. Preserving natural areas and features, particularly in the periphery of the Town;
  - c. Making possible the efficient use of existing infrastructure and cost-effective extensions of new services;
  - d. Encouraging in-fill development and reinvestment in built-up areas of the Town; and
  - e. Promoting physical separation from neighboring communities to help each maintain its individual identity and character.
2. General provisions.
  - a. The Town has established a Comprehensive Plan and adopted a cooperative planning area policy by Ordinance 571, Uniform Baseline Standards for Weld County, Firestone, Frederick and Dacono, dated September 7, 1998. The purpose of these documents is to direct growth within the established planning area. No development shall be approved unless it is located within the established planning area and is consistent with the Town of Frederick Comprehensive Plan Land Use Map, adopted April 20, 2006.
  - b. The Town has established the following land use designations within the planning area to ensure the community grows in a way that enhances its special qualities and maintains a continuity of density, diversity, and interconnectedness:
    - (1) Rural Residential;
    - (2) Low Density Residential;
    - (3) Medium Density Residential;
    - (4) High Density Residential;
    - (5) Mixed Use Residential;
    - (6) Neighborhood Commercial;
    - (7) Downtown Commercial;
    - (8) Mixed Use Highway 52 Commercial;
    - (9) Community Commercial;
    - (10) Employment;
    - (11) Regional/Corridor Commercial;
    - (12) Light Industrial;
    - (13) Public/Quasi-Public;
    - (14) Parks and Open Lands;
    - (15) Community Separator.

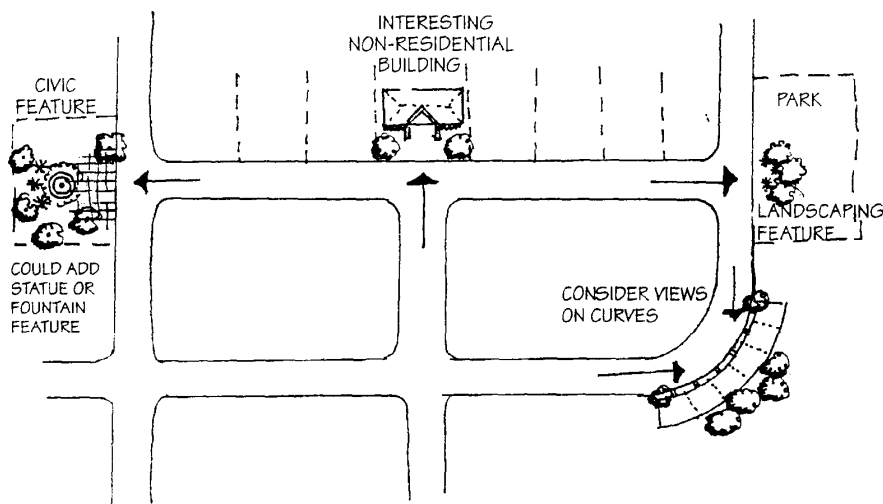
## **Sec. 2.5. Neighborhood design principles.**

1. Intent. The community design principles are to be considered in every development proposal. The Town's goal is to expedite the planning review process by clearly outlining the Town's expectations for new development. The intent of this Article is to encourage the creation of viable neighborhoods that interconnect with each other and integrate new projects into the existing community, thereby strengthening the original town. The neighborhood layout should consider the street, lot, and block pattern of the original town, as well as solar orientation, topography, sensitive wildlife and vegetation, drainage patterns, and environmental and regional climate issues. Further, the edges of neighborhoods should be formed by features shared with adjacent neighborhoods such as major streets, changes in street pattern, greenways, or natural features such as streams and major drainage or riparian corridors. New streets, bikeways, sidewalks, paths, and trails should connect to existing adjacent neighborhoods.
2. Neighborhood structure. Following is a summary of essential elements to consider integrating into new neighborhoods:
  - a. Street, sidewalk and trail connections within new neighborhoods that connect to adjacent existing neighborhoods and strengthen the connection to the existing town.
  - b. Streets that encourage pedestrian activity by creating an inviting atmosphere through attention to the details of landscaping and tree locations, sidewalks, lighting, and building architecture.
  - c. A mixed-use neighborhood center located for easy access.
  - d. A variety of housing types, sizes, densities and price range that are well integrated.
  - e. A variety of land uses that are well-integrated and a transition of intensity. Nonresidential uses, larger buildings and attached multi-family housing should be encouraged to be located near commercial centers with a transition to smaller buildings closer to low density neighborhoods.
  - f. Pedestrian and bike connections throughout all neighborhoods.
  - g. Parks, open space, public plaza, and greens that are well integrated into the neighborhood.
  - h. Street trees placed in new developments at regular intervals and placed directly adjacent to sidewalks. See Figure 2-8, Section 2.14.6(1)(a).
  - i. Architectural, landscaping, and site design elements of new developments as outlined in this Article.
  - j. Art in public places in coordination with the Frederick Arts Commission.
3. General provisions. The following principles are contained in the original "old town" of Frederick. The Comprehensive Plan identifies them as contributing to the community's small-town character. Although the size of individual development proposals will vary, projects will be evaluated with consideration to these neighborhood design principles and the context within

which a project is located. Failure to incorporate these design principles into a project may cause for denial of the project by the Board of Trustees.

- a. Each neighborhood has a center and an edge. It is important that every neighborhood have activity centers that draw people together. Use natural and man-made features such as a drainage way, major roadways, and ditches to define neighborhood edges. Buildings or other features located at gateways entering a neighborhood shall mark the transition into and out of the neighborhood in a distinct fashion using massing, additional height, contrasting materials, and/or architectural embellishments to obtain this effect.
- b. Mix of types of dwelling units. A mix of dwelling unit types shall be distributed throughout the development. (Refer to Section 2.17 for additional housing requirements.)
- c. Focal points. Focal points, or points of visual termination, shall generally be occupied by more prominent, monumental buildings and structures that employ enhanced height, massing, distinctive architectural treatments or other distinguishing features, as well as landscape features. See Figure 2-1.

**Figure 2-1  
Focal Points**



- d. Public space as development framework. Public space is used to organize blocks and circulation patterns and to enhance surrounding development. Public open space must be functional and easily accessible and shall be designed to organize the placement of buildings to create an identity for each neighborhood. Buildings should face public open space to allow for casual surveillance.
  - e. Design streets as public spaces.
4. Buildings shall define streets through the use of relatively uniform setbacks along each block. The streetscape shall also be reinforced by lines of shade trees planted in the right-of-way landscape strip and may be further reinforced by walls, hedges, landscaping, or fences which define front yards.
  5. On a lot with multiple buildings, those located on the interior of the site shall relate to one another both functionally and visually. A building complex may be organized around features such as

courtyards, greens, or quadrangles which encourage pedestrian activity and incidental social interaction. Smaller, individualized groupings of buildings are encouraged. Buildings shall be located to allow for adequate fire and emergency access.

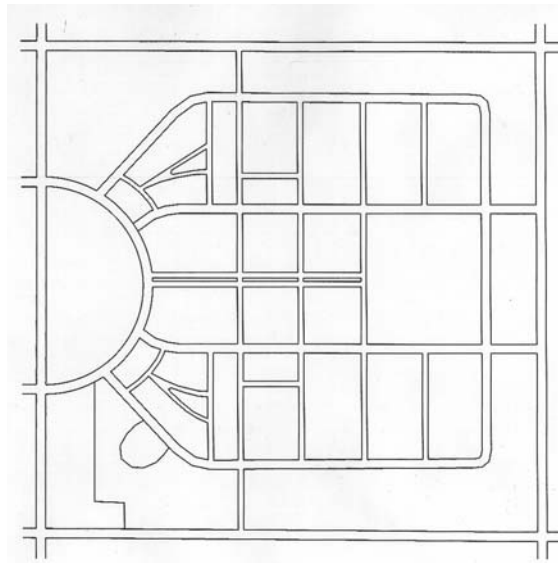
- a. Order rather than repetition. The orderly arrangement of design elements can unify a space even when the elements are not the same. The location of sidewalks relative to streets, building setbacks and orientation, and the placement of trees can all help create an overall impression of unity even though each home or building has a distinct character.
  - b. Use human proportion. Buildings shall be considered in terms of their relationship to the height and massing of adjacent buildings, as well as in relation to the human scale. (In a small town, this means generally one-, two- and three-story buildings.)
  - c. Define the transition between the public and private realm. Buildings shall be located to front towards and relate to public streets or parks, both functionally and visually, to the greatest extent possible. Wherever possible, buildings shall not be oriented to front towards a parking lot.
  - d. Encourage walking and bicycling. Sites shall be designed to minimize conflicts between vehicles, bicycles and pedestrians. Pedestrian and bicycle access and connections shall be designed to make it safe and easy to get around on foot and by bicycle.
  - e. Neighborhoods shall have a mix of activities available rather than a purely residential land use. Neighborhood residents shall have convenient access to parks, schools, open space, trails, and services.
  - f. Fit within the environment rather than on top of it. New developments shall be designed to respond to the natural environment, fit into the setting and protect scenic view corridors. Key design considerations shall include a site layout that responds to natural features both on- and off-site, the size of structures and materials used in the development, and the transition between the development and the surrounding landscape.
  - g. Encourage a variety of dwelling types in every neighborhood. Housing types and the size of lots shall be varied to enable people to remain in the neighborhood as their needs change.
  - h. Housing types and styles that reflect the architecture of the region. Familiar architectural styles shall play an important role in developing an architectural identity for neighborhood dwellings. New homes shall be designed consistent with the architectural principles outlined in Section 2.17 of this Article.
6. The Planning Commission and Board of Trustees will evaluate each proposal based on these principles and the context within which a project is located. The principles are intended to be specific enough to guide development, but not to preclude creative design solutions. Applicants must substantially conform to the design principles unless it can be demonstrated that an acceptable alternative meets one (1) or more of the following conditions:
- a. The alternative better achieves the stated intent;
  - b. The intent will not be achieved by application of the principle in this circumstance;

- c. The effect of other principles will be improved by not applying the principle; and/or
- d. Strict application or unique site features make the principle impractical.

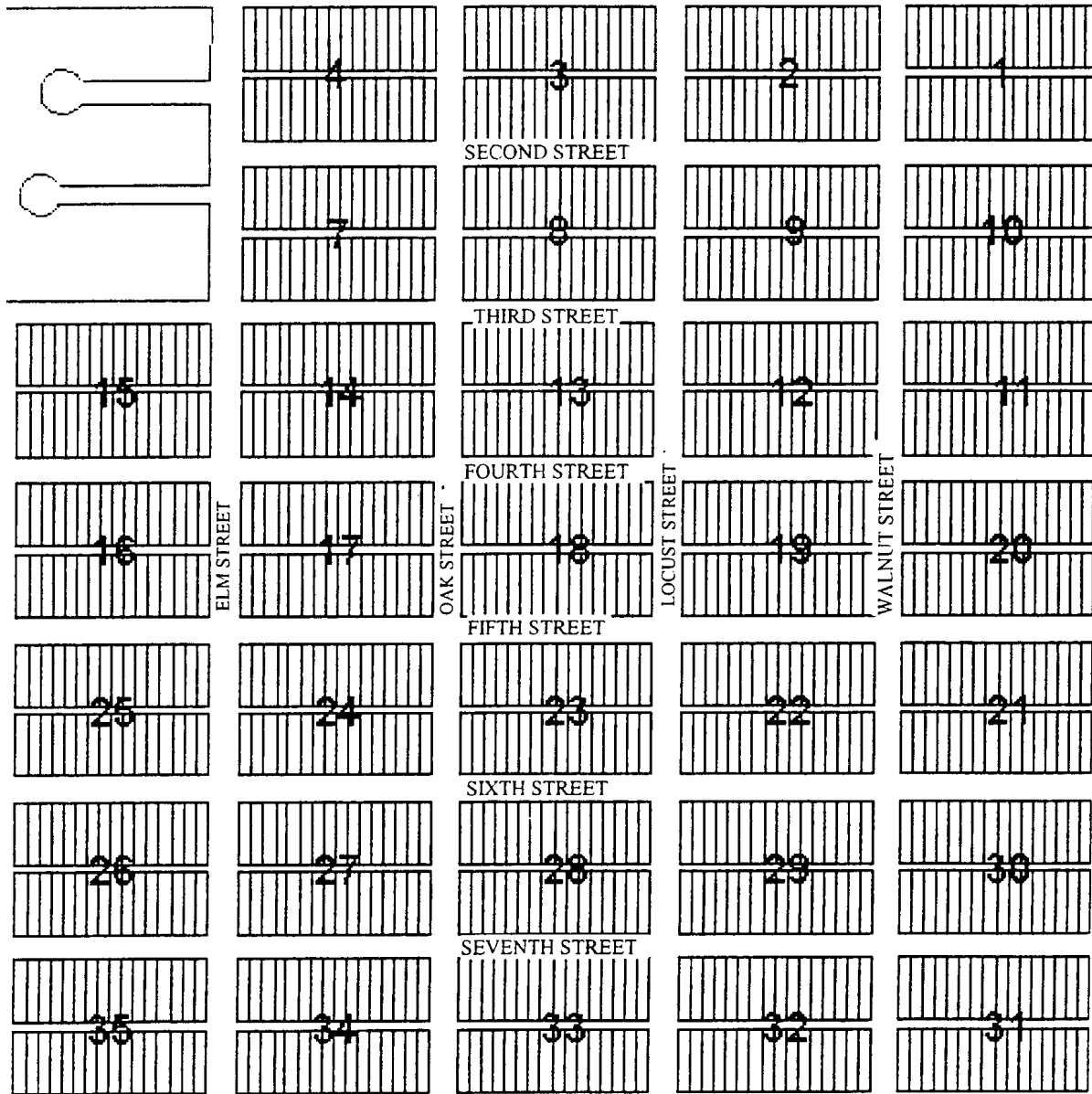
**Sec. 2.6. Lots and blocks.**

- 1. Intent. The intent of the block and lot standards is to continue the Town's existing block pattern in a manner that is compatible with site-specific environmental conditions.
- 2. General provisions.
  - a. Blocks (exclusive of rural subdivisions). Streets shall be designed to create blocks that consider interconnectedness, topography, solar orientation, views and other design features. The length of blocks in "Old Town" Frederick is typically four hundred (400) feet. (Refer to Figure 2-3 for an example.) Thus, to the greatest extent possible, blocks shall be designed to have a length of between three hundred (300) feet and seven hundred (700) feet (nonresidential streets). The lengths, widths and shapes of blocks shall be determined with due regard to the following:
    - (1) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
    - (2) Need for convenient access, control, and safety of vehicular and pedestrian traffic circulation.
    - (3) Limitations and opportunities of topography.

**Figure 2-2  
Example of Modified Grid Pattern**



**Figure 2-3  
Old Town Frederick  
Block Map**

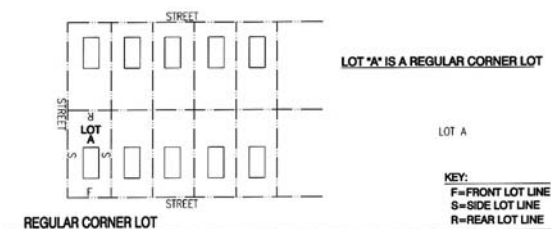


The typical block is 400' x 270'. The typical street width is 50' and alley width is 20'. Lots are typically 125' x 25'.

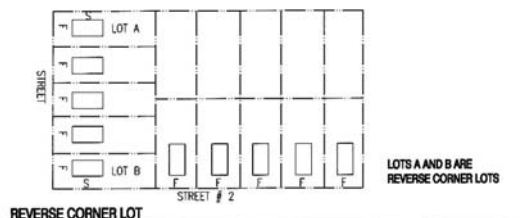
- b. Lot dimension and configuration.
- (1) Lot size, width, depth, shape, and orientation and minimum building setback lines shall conform to Article 3 and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy, and view.
  - (2) Depth and width of properties shall be adequate to provide for off-street parking, landscaping, and loading areas required by the type of use and development contemplated.

- (3) Lot frontage. All lots shall have frontage that is either adjacent to or directly accessible to a street. The required street frontage is defined in Section 3.5. Flag lots are prohibited unless otherwise approved by the Board of Trustees.
- (4) Corner lots. Corner lots for residential use shall have extra width to accommodate side elevation enhancements, such as porches and bay windows, the required building setback, and utility easements on both street frontages. For a corner lot, the front of the lot is defined as the side having the shortest street frontage. Both sides abutting a street shall maintain a front yard setback. See Figure 2-4.

**Figure 2-4A  
Regular Corner Lot**

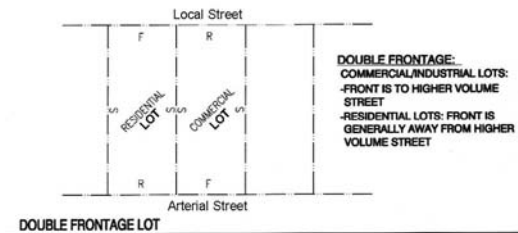


**Figure 2-4B  
Reverse Corner Lot**



- (5) Double frontage.
  - (a) Double frontage lots for residential shall not be permitted.
  - (b) A planting screen easement of at least ten (10) feet in width, across which there shall be no vehicular right of access, shall be required along the property line of residential lots abutting an arterial or collector street. See Figure 2-5.
  - (c) Residential lots adjacent to arterial streets. When residential lots are adjacent to, and the houses do not face an arterial street (i.e., rear yards abut the street), they shall be a minimum of one hundred fifty (150) feet deep and direct access to the arterial street shall be prohibited, except for existing nonconforming situations on unplatted parcels. The rear setback to the house shall be a minimum of seventy-five (75) feet. When houses face the arterial street or are side-loaded relative to the street, the front or side setback to the house, respectively, shall be a minimum of fifty (50) feet. These setbacks do not apply for mixed-use dwelling units in the C-D and C-H52 zone districts. Additional buffering techniques must also be applied such as those outlined in Section 2.15.

**Figure 2-5  
Double Frontage Lot**



- (6) Side lot lines. Side lot lines shall be substantially at right angles or radial to road right-of-way lines or centerlines.
- (7) Residential lot access to adjacent street.
  - (a) Driveway access to a local street from a single-family detached residential lot shall be limited to one (1) driveway curb-cut or driveway access of no greater than thirty (30) feet in width.
    - i. A circular drive in which each access to the local street is less than ten (10) feet in width, separated by at least thirty (30) feet and which is constructed as an integral part of the overall architectural design of the single-family residence may be considered as a single driveway access.
  - (b) Driveway access to a local street from a single-family detached residential lot shall be greater than fifty (50) feet from the intersection of the local street and a collector street or one hundred twenty-five (125) feet from the intersection of the local street and an arterial street as measured from the intersecting right-of-way lines.
- (8) Multi-family residential, commercial, business and industrial lot access to adjacent street.
  - (a) Driveway access to a local or collector street from a multi-family residential, commercial, business, or industrial lot shall be greater than one hundred twenty-five (125) feet from any street intersection as measured from the intersecting right-of-way lines;
  - (b) Driveway access to an arterial street from a multi-family, commercial, business, or industrial lot shall be not less than two hundred fifty (250) feet from any intersection on the arterial street, or from another commercial, business, or industrial lot's access as measured from the intersecting right-of-way lines, or driveways;
  - (c) At the sole option of the Town Engineer, driveway access to a local street, collector street or arterial street from a multi-family residential, commercial, business, or industrial lot shall be as determined by a traffic study approved by the Town.

**Sec. 2.7. Streets.**

- 1. Intent. The intent of the street standards is to establish a safe, efficient, attractive transportation system that promotes all modes of transportation and is sensitive to the environment. In the recent past, streets have been designed primarily to promote the efficient movement of traffic

2. General provisions. The local street system of any proposed development shall be designed to be safe, efficient, convenient and attractive, and consider the use by all modes of transportation that will use the system. Streets should be an inviting public space and an integral part of community design. Local streets shall provide for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them. All streets should interconnect to help create a comprehensive network of public areas to allow free movement of cars, bicycles, and pedestrians.
  - a. Street connections. All streets shall be aligned to join with planned or existing streets consistent with the intent of the approved *Transportation Map* of the Comprehensive Plan. All streets shall be designed to bear a logical relationship to the topography of the land. Intersections of streets shall be at right angles unless otherwise approved by the Town. Street intersections shall be separated by not less than one hundred twenty-five (125) feet as measured from the intersecting right-of-way lines.
  - b. Tree-lined streets. All streets shall be lined with trees on both sides with the exception of rural roads and alleys.
  - c. Street layout. The street layout shall form an interconnected system of streets primarily in a grid or modified pattern adapted to the topography, unique natural features, environmental constraints, and peripheral open space areas. The street layout shall emphasize the location of neighborhood focus points, other internal open space areas, gateways, and vistas. The use of cul-de-sacs and other roadways with a single point of access shall be minimized. The integration of traffic-calming features within and adjacent to residential areas shall be utilized when appropriate. To the greatest extent possible, streets shall be designed to have a maximum length of seven hundred (700) feet, from intersection to intersection.
  - d. Controlling street access. A strip of land between a dedicated street and adjacent property shall not be reserved for the purpose of controlling access to such street from such property.
  - e. Visibility at intersections.
    - (1) No shrubs, ground cover, berms, fences, structures or other materials or items greater than thirty (30) inches in height shall be planted, created or maintained at street intersections within the site distance triangle, as defined in the Design Standards and Construction Specifications, Town of Frederick, December 13, 2007.
    - (2) Trees shall not be planted in the site distance triangle, as defined in the Design Standards and Construction Specifications, Town of Frederick, December 13, 2007.
  - f. Pedestrian crossings at street intersections and mid-block. Pedestrian crossings shall be accessible to handicapped individuals, and mid-block crossings may be required.
    - (1) Blocks exceeding five hundred (500) feet in length shall provide a pedestrian and bicyclist access route through the center of the block.
  - g. Horizontal alignment. Please refer to Section 502 in the Design Standards and Construction Specifications, Town of Frederick, December 13, 2007.

- h. Vertical alignment. Please refer to Section 503 in the Design Standards and Construction Specifications, Town of Frederick, December 13, 2007.
- i. Access.
  - (1) Access to all subdivisions shall be from a public street system.
  - (2) Each new subdivision shall have at least two (2) means of access to the subdivision from the public street system. The two (2) means of access shall separately connect to the public street system.
  - (3) Private/individual driveways shall not be permitted to have direct access to collector streets, arterial streets, or state highways.
- j. Street right-of-way dedication. The full width of right-of-way for all public streets being platted must be dedicated to the Town. In cases where the perimeter streets have a portion of the proposed right-of-way on an adjacent property, the following standards will apply:
  - (1) The subdivider shall either:
    - (a) Purchase the other one-half ( $\frac{1}{2}$ ) of the proposed right-of-way property for the Town at the appraised fair market value and then dedicate the right-of-way to the Town; or
    - (b) If the landowner of the proposed right-of-way property is unwilling to sell the proposed right-of-way property to the subdivider for its appraised fair market value, the subdivider shall pay for the cost of an appraisal for the proposed right-of-way property and legal fees for the Town Attorney to complete the condemnation process.
  - (2) The subdivider shall finalize an agreement with the Town which guarantees the construction of the street to Town standards.
- k. Perimeter streets. When a street is dedicated which ends on the plat, the street right-of-way must be dedicated to the boundary of the plat.
- l. Intersections. Intersections shall meet the following requirements unless otherwise approved by the Board of Trustees:
  - (1) Intersections shall be provided at the following minimum offsets:
    - (a) State highway (principal arterial): In accordance with the State Highway Access Code;
    - (b) Arterial: Six hundred sixty (660) feet;
    - (c) Collector: Two hundred fifty (250) feet;
    - (d) Local: One hundred twenty-five (125) feet.
  - (2) No more than two (2) streets shall intersect at one (1) point.
  - (3) Streets shall intersect at ninety-degree angles.
- m. Street names.
  - (1) Names of new streets shall not duplicate names of existing streets. However, new streets which are extensions of, or which are in alignment with, existing streets shall bear the names of such streets.
  - (2) Street names shall follow the requirements of the Municipal Code, Chapter 11, Article III, Section 11-57.
- n. Street standards. The width of street right-of-way and the design of the street it contains shall conform to the minimum standards outlined in the Town of Frederick Design Standards and Construction Specifications, December 13, 2007. However, additional

right-of-way and street width may be required based upon special development requirements, including but not limited to additional parking needs, sight distances, and requirements for auxiliary lanes. Street cross-sections and the street designation (arterial, collector, local, rural local) within or adjacent to a development may be modified by the Town upon the recommendation of an approved development traffic study or Town-wide Transportation Master Plan.

(1) General design standards.

(a) The maximum length of a cul-de-sac is identified in the International Fire Code.

(b) No outlet (Dead End) streets are prohibited.

(c) Driveway curb cut width is limited to:

i A maximum of thirty (30) feet in residential zones.

ii A maximum of thirty (30) feet in non-residential zones.

## **Sec. 2.8. Parking.**

1. Intent. The intent of this Section is to provide adequate parking for motor vehicles while minimizing the visual impact of parking lots and structures.

2. General provisions.

a. In all zone districts, off-street parking facilities for the storage of self-propelled motor vehicles for the use of occupants, employees, and patrons of the building or structures hereafter erected, altered, or extended shall be provided and maintained as herein prescribed.

b. Surface. All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete, or similar materials as may be approved by the Town Engineer.

c. Integrate parking lots with surroundings. Parking lots shall not dominate the frontage of pedestrian-oriented streets, interfere with designated pedestrian routes, or negatively impact surrounding neighborhoods. The pedestrian character of streets and buildings shall be maximized through continuity of buildings and landscape frontage.

d. Location. Parking lots shall be located to the rear or side of buildings or in the interior of a site whenever possible.

e. Landscaping. Parking lots shall be landscaped, screened, and buffered as provided in Sections 2.14 and 2.15.

f. Share-access. Where feasible, parking lots shall share access drives with adjacent property having similar land uses.

g. Off-street parking design. Any off-street parking area shall be designed so that vehicles may exit without backing onto a public street unless no other practical alternative is available. Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks or strike against or damage any wall, vegetation, utility, or other structure.

- h. Circulation area design. Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area.
  - i. Lighting. All parking area lighting shall be full cutoff-type fixtures installed perpendicular to the ground. Any light used to illuminate parking areas or for any other purpose shall be so arranged as to reflect the light away from nearby residential properties, and away from the vision of passing motorists. All lighting will meet the standards outlined in Section 2-19.
  - j. Shared off-street parking. When there are opportunities to support parking demand through shared off-street parking for compatible uses (such as a movie theater and an office building), a parking study and shared parking agreement shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.
  - k. Adjacent on-street parking in C-D and C-N . In order to promote a pedestrian scale and encourage a perception of safety in the C-D Downtown Commercial and C-N Neighborhood Commercial zoning districts, parking may be satisfied using adjacent on-street parking or shared rear-lot parking areas. A parking study and shared parking agreement shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.
  - l. Parking shall be screened from view of streets as provided by Section 2.15.
3. Paved off-street parking requirements. Paved off-street parking shall be provided according to the minimum requirements as specified in Table 2-1.

**Table 2-1  
MINIMUM OFF-STREET PARKING REQUIREMENTS**

<b>PRINCIPLE USE</b>	<b>REQUIRED PARKING SPACES</b>	<b>ADDITIONAL REQUIREMENTS</b>
<b>1. Residential uses</b>		
Single family dwelling	2 per dwelling unit	Plus 1 guest space of on-street parking per dwelling
Accessory dwelling unit	1 per bedroom up to 2 spaces	
Two-, three-, four-, townhome, and multi-family dwellings:		
Efficiency or one-bedroom	1.5 per dwelling unit	Plus .25 guest spaces per unit. For multi-family developments with garages for every dwelling unit, the number of required physically disabled parking spaces is based on the number of shared guest parking spaces.
Two-bedroom	1.75 per dwelling unit	
Three-bedroom	2 per dwelling unit	
35% or more of units restricted to occupancy by the elderly (60 years and older)	.5 per dwelling unit restricted for the elderly	
Group home	1 per 4 beds	
Manufactured Homes in R-MH1 Zone	1.5 per manufactured home site; 1 space must be within 100 feet of each site for the exclusive use of its occupants	Plus .25 guest spaces per unit.
Manufactured Homes in R-MH2 Zone	2 per manufactured home lot	
<b>2. Institutional/Civic/Public Uses</b>		
Emergency services	Parking Study	
Church or place of worship and assembly	1 per 4 seats	
Community facilities	Parking study	
Golf course	4 per hole + spaces required for accessory uses	
Post office, other public buildings	1 per 150 sq. ft.	
Schools		
Kindergarten, elementary, and intermediate	2 per classroom	
High	1 per 4 students at design capacity	
College, vocational training, and technical training	1 per 2 enrolled students + 1 per 2 employees	
Transit facilities	Parking study	
<b>3. Business/commercial/retail uses</b>		
Hospitals	1 per 2 in-patient beds + 1 per 250 sq. ft. of outpatient clinics and service areas.	Bassinets are excluded.
Offices		
Medical, dental office and clinics	1 per 250 sq. ft.	
All other offices	1 per 300 sq. ft.	
General retail sales and	1 per 300 sq. ft.	Plus vehicle stacking spaces per

rentals, personal service shops, financial institutions, and other consumer services (not otherwise listed in this Table)		Section 3.4.2.b(9) for uses with drive-in facilities.
Grocery store (supermarket) and large (25,000 sq. ft. or more) retail sales	1 per 250 sq. ft.	
Retail sales – furniture, appliances, and other large customer goods	1 per 500 sq. ft.	
Convenience store	1 per 200 sq. ft. of convenience store/food sales	Plus vehicle stacking spaces per Section 3.4.2.b(9).
Beauty, barber, and nail salons	1 per 100 sq. ft.	
Motor vehicle sales or rental	1 per 40 sq. ft. + 1 per 500 sq. ft. of outdoor display area	
Motor vehicle repair, accessory installation, similar uses	2 per service bay + 1 per employee	
Automobile service stations	1 per gas pump + 1 per 2 employees	Plus convenience store parking requirements for buildings over 200 square feet.
Car wash	1 per 200 sq. ft. of sales, office, or lounge area	Plus vehicle stacking spaces as per Section 3.4.2.b(9).
Boarding and rooming houses	1 per guest room + 1 per dwelling unit	
Child care centers	1 per each 6 persons of licensed capacity	
Automated teller machines	0 for drive-through ATM, 2 per ATM with no drive-through	Plus vehicle stacking spaces as per Section 3.4.2.b(9).
Funeral homes	1 per each 4 occupant capacity	Plus vehicle stacking spaces as per Section 3.4.2.b(9).
Veterinary hospitals, clinics	1 per 400 sq. ft.	
Accommodations:		
Hotel	1 per guest room	+75% of required parking for accessory restaurants, meeting spaces, offices, and etc.
Motel	.75 per guest room	
Bed and breakfast	1 per guest room + 1 per dwelling unit	
Business service establishments	1 per 400 sq. ft.	
Laboratories, research facilities	1 per 400 sq. ft. or 1 per 3 employees, whichever is greater	
Commercial laundries	1 per 400 sq. ft.	
Catering establishment	1 per 400 sq. ft.	
Health and membership clubs	1 per 300 sq. ft.	
Entertainment facilities and	1 per 4 seats	

theaters		
Restaurants	1 per 100 sq ft. including outdoor seating areas	1 per 75 sq. ft. for restaurants with bar seating areas, including outdoor seating areas
Restaurants (Fast Food) with drive-through facility	1 per 75 sq. ft. including outdoor seating areas	Plus vehicle stacking spaces per Section 3.4.2.b(9).
Bars, taverns, nightclubs	1 per 75 sq. ft. including outdoor seating areas	
Broadcasting studio	2 per 3 employees + 1 per 4 (fixed or movable) seats in studio having greatest seating capacity	
<b>4. Industrial Uses</b>		
Warehouse, self-storage	1 per 100 storage units inside fenced area + 5 outside fenced area near office	
Heavy equipment sales, rental, repair	See Table 2-2	
Special trade contractor shops, machine shops, publishing plants	See Table 2-2	
Warehouse, transfer stations, storage facilities	See Table 2-2	
Wholesale trade	1 per 300 sq. ft. of office or administrative space + 1 per 1,000 sq. ft. of additional gross floor area	
Industrial, manufacturing	See Table 2-2	
<b>5. Agricultural Uses</b>		
Agritainment	Parking Study	
<b>6. Other Uses Not Prohibited by Law or this Land Use Code and Not Otherwise Listed in this Table</b>		
	As required for most similar use or Parking Study	

Uses subject to off-street parking Table 2-2 shall provide the following cumulative minimum number of off-street parking spaces:

<b>Table 2-2 REQUIRED OFF-STREET PARKING STANDARDS</b>	
<b>Activity</b>	<b>Number of Spaces Required</b>
Office or administrative area	1 per 300 sq. ft.
Indoor sales area	1 per 200 sq. ft.
Outdoor sales or display area (3,000 square feet or less)	1 per 750 sq. ft.
Outdoor sales or display area (over 3,000) square feet	
Motor vehicles/equipment sales	1 per 2,000 sq. ft.
Other sales/display	1 per 1,000 sq. ft.
Indoor storage/warehousing/vehicle service/manufacturing area	
1 – 3,000 square feet	1 per 250 sq. ft.
3,001 – 5,000 square feet	1 per 500 sq. ft.
5,001 – 10,000 square feet	1 per 750 sq. ft.
Over 10,001 square feet	1 per 1,250 sq. ft.

- a. Parking Studies. Several use classifications or specific uses listed in Table 2-1 above have widely varying parking demand characteristics, making it impossible to specify a single off-street parking standard. Upon receiving a development application for a use subject to this subsection, the Planning Director shall apply the off-street parking specified for the listed use that is deemed most similar to the proposed use or shall establish minimum off-street parking requirements on the basis of a parking study prepared by the Applicant. The parking study shall include estimates of parking demand based on recommendations published by the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by Staff, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability shall be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.
4. Location of spaces.
    - a. Off-street parking facilities for residential uses shall be provided and located on the same lot as the building they are intended to serve.
    - b. Residential
      - (1) Required off-street parking in residential zones shall not lie within the front yard setback nor within any required side yard setback adjacent to a street. Driveway spaces within these setbacks can not be counted for required off-street parking.
      - (2) Except within a garage or in conjunction with an approved affordable housing project, tandem parking is not allowed to meet required off-street parking requirements.
      - (3) Garages or required off-street parking spaces shall meet the setbacks outlined in Section 3.5, Density and Dimensional Standards.
    - c. Non-residential
      - (1) The location of required off-street parking facilities for other than residential uses shall be within seven hundred (700) feet of the building they are intended to serve when measured from the nearest point of the building or structure.
  5. Accessible parking and passenger loading for the physically disabled.
    - a. Accessible parking spaces shall be required for all retail, office, business, industrial, and institutional uses, as well as multi-family units.
    - b. Accessible parking spaces shall be appropriately marked with a freestanding sign, in conformance with the *Manual on Uniform Traffic-Control Devices*, using the standard uniform words and/or symbols that signify the space as parking for the physically disabled only. Van accessible spaces shall have a sign located below the accessible sign indicating the space to be van-accessible.
    - c. Accessible parking spaces shall be located as close as possible to the nearest accessible building entrance.
    - d. Number of accessible parking spaces:

<b>Table 2-3</b>	
<b>ACCESSIBLE PARKING SPACES</b>	
<b>Total Number of Parking Spaces in Off-Street Parking Area</b>	<b>Minimum Required Number of Accessible Parking Spaces</b>
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total
1,001 and over	20 plus 1 for every 100 over 1,000

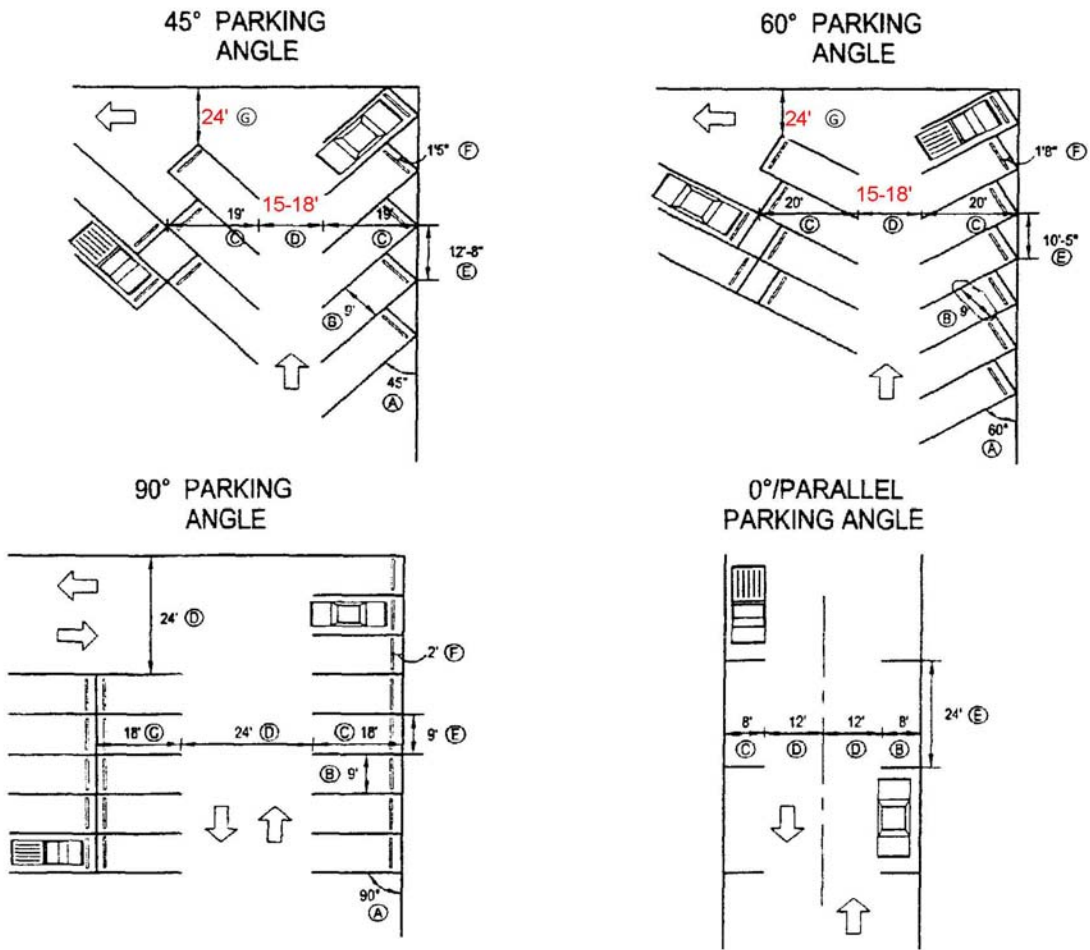
For every eight (8) accessible parking spaces, there must be at least one (1) van-accessible space. If there is only one (1) accessible parking space, that space must be van-accessible.

- e. Facilities providing medical care and other services for physically disabled persons shall provide the following:
    - (1) Outpatient units and facilities (including but not limited to medical clinics and offices): Ten percent (10%) of the total number of off-street parking spaces.
    - (2) Units or facilities that specialize in treatment or services for persons with mobility impairments (including but not limited to physical therapy clinics): Twenty percent (20%) of the total number of off-street parking spaces.
6. Parking space dimensions.
- a. Parking stall dimensions. Parking stalls for automobiles shall meet the following standards. All dimensions represent the minimum requirement for any required parking space.

<b>Table 2-4</b>						
<b>PARKING STALL DIMENSIONS</b>						
<b>Parking Angle (A)</b>	<b>Stall Width (B)</b>	<b>Stall to Curb (C)</b>	<b>Aisle Width (D)</b>	<b>Curb Length (E)</b>	<b>Overhang (F)</b>	<b>Drive Aisle (G)</b>
45E	9'	19'	15-18'	12' 8"	1' 5"	24'
60E	9'	20'	15-18'	10' 5"	1' 8"	24'
90E	9'	18'	24'	9'	2'	
0E(parallel)	8' *	8' *	12'	24'	0'	

\*Except along local streets where 7' is permitted.

Figure 2-6  
Parking Angles



- b. Accessible parking space dimensions.
    - (1) Accessible parking spaces must be nine (9) feet by eighteen (18) feet with a four-foot-wide access aisle.
    - (2) Van-accessible spaces must be nine (9) feet by eighteen (18) feet with an eight-foot-wide access aisle, adjacent and parallel to the space.
    - (3) Parking spaces for the physically disabled that are parallel to a pedestrian walk which meets Americans with Disabilities Act standards may have the same dimensions as those for standard vehicles.
    - (4) Slope. Accessible parking spaces and access aisle widths shall be level with surface slopes not exceeding 1:50 in all directions.
  - c. Drive lanes used as primary access by emergency response vehicles shall be a minimum of twenty-four feet (24') wide.
    - (1) The primary access will be determined in conjunction with the Frederick-Firestone Fire Protection District through the site plan process.
7. Bicycle parking spaces. Commercial, industrial, civic, employment, multi-family and recreational uses shall provide bicycle facilities to meet the following standards:
- a. A minimum number of bicycle parking spaces shall be provided, equal in number to two percent (2%) of the total number of automobile parking spaces provided by the development, but not less than one (1) space.
  - b. For convenience and security, bicycle parking facilities shall be located near building entrances. Within downtown commercial areas, however, a grouping of spaces shall be utilized as directed by the Town.
  - c. Bicycle parking facilities shall utilize the inverted U facilities.
8. Parking restrictions for excess weight vehicles, recreational vehicles and utility trailers.
- a. Please refer to Chapter 8, Article III, Sections 8-41 and 8-42 of the Frederick Municipal Code.

**Sec. 2.9. Sidewalks, walkways, multi-use pathways, and trails.**

- 1. Intent. The intent of the standards for sidewalks, walkways, multi-use pathways, and trails is to assure a safe, convenient, and attractive pedestrian/bicycle system that minimizes conflicts between vehicles, bicycles, and pedestrians.
- 2. General provisions.
  - a. Interconnected network. A pedestrian network that interconnects all dwelling units, nonresidential uses, and common open space shall be provided throughout each development. This network is made up of sidewalks, walkways, multi-use pathways, and trails. Sidewalks shall be separate and distinct from motor vehicle circulation to the greatest extent possible. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping, and other street furniture where appropriate.
  - b. Sidewalks required. Sidewalks are required along streets as outlined in the Design Standards and Construction Specifications, Town of Frederick, December 13, 2007.

- c. Sidewalk width.
  - (1) Sidewalks adjacent to roadways shall meet the standards as outlined in the Design Standards and Construction Specifications, Town of Frederick, December 13, 2007.
- d. Sidewalk location.
  - (1) Sidewalks shall be located within the right-of-way unless otherwise authorized by the Board of Trustees.
- e. Sidewalk materials.
  - (1) The acoustic, thermal, visual, and tactile properties of sidewalk paving materials shall be appropriate to the proposed functions of pedestrian circulation. Sidewalks shall be constructed of concrete, brick, slate, colored/textured concrete pavers, concrete containing accents of brick, or some combination thereof that is compatible with the style, materials, colors, and details of the surrounding buildings. Asphalt shall not be used for sidewalks.
  - (2) Sidewalks must be constructed of approved materials of sufficient strength to support light maintenance vehicles. If used as a secondary emergency access, sidewalks must also be able to support a fire truck (seventy-five thousand [75,000] lbs.). Please refer to the Design Standards and Construction Specifications, Town of Frederick, December 13, 2007 for additional sidewalk construction standards.
- f. Sidewalk installation. Sidewalks and related improvements shall be installed or constructed by the subdivider in accordance with plans and specifications approved by the Town and, after installation or construction, they shall be subject to inspection and approval by the Town. All required improvements shall be completed in accordance with the officially established grades.
- g. Accessibility. Sidewalks and plazas shall meet Americans with Disabilities Act standards.
- h. Walkways. Walkways are essentially sidewalks that are not within a dedicated street right-of-way. Walkways may be found in both residential and non-residential developments. The essential purpose of a walkway is to provide a dedicated path of foot travel.
  - (1) Walkways through a subdivision block shall be not less than eight (8) feet in width, shall be within a dedicated easement not less than twenty (20) feet in width, and shall be flanked with appropriate landscaping and lighting.
  - (2) Walkways along non-residential buildings and within parking lots shall be raised and curbed, where suitable. A direct pedestrian connection to building entries, public space and parking areas shall be provided from public sidewalks.
  - (3) Walkways adjacent to non-residential uses shall be a minimum of five (5) feet in width.
  - (4) Walkways shall be constructed of the same materials as sidewalks, except that walkways internal to asphalt surfaced parking lots may be of asphalt construction. Walkways crossing driveways in parking lots shall be clearly delineated by a change in pavement color or texture or paint striping.
- i. Lighting. All sidewalks and other pedestrian walkways shall have appropriate lighting, using poles and fixtures consistent with the overall design theme for the development.

- j. Multi-use pathways (bikeways). Multi-use pathways shall be provided to link internal open space areas with peripheral open space areas and shall connect to multi-use pathway routes throughout the community. Multi-use pathway routes shall be designated between residential areas and commercial and employment centers and schools.
  - (1) Multi-use pathways on local streets may be delineated by painted "bicycle only" lanes.
  - (2) Sidewalks that may be used as a multi-use pathway are required on arterial and collector streets. All other multi-use pathways shall be a minimum of eight (8) feet wide and shall be of concrete construction or, where approved by the Board of Trustees, compressed gravel. Asphalt paving is prohibited.
  - (3) Bicycle parking shall be provided at the entry to internal and peripheral open space areas.
  
- k. Trails. Trails shall be provided within and surrounding open space areas and connecting open space areas.
  - (1) Trails shall be a minimum of eight (8) feet in width and shall be of concrete construction.
  - (2) A trail may be flanked on one (1) side by a soft surface path a minimum of four (4) feet in width.
    - (a) The soft surface path shall be constructed with a minimum depth of eight (8) inches of compressed gravel, crowned, and compacted with edging to contain trail material.

**Sec. 2.10. Easement and utility standards.**

- 1. Utility easement width. Utility easements shall measure ten (10) feet on each side of abutting rear lot lines. On subdivision perimeter rear lot lines adjacent to unsubdivided property, utility easements shall measure ten (10) feet in width. In the event that the location of utility easements adjacent to rear property lines is unsuitable for use by utility companies due to drainage, irrigation ditches, or other obstructions, the subdivider shall provide like-width easements adjacent to said areas of obstruction. Side lot line easements, where necessary, shall measure ten (10) feet in full width; five (5) feet on either side of a lot line is acceptable. Front lot line easements shall measure ten (10) feet in width. Easements may be more or less than widths stated if the specific utility indicates in writing a width other than those required by this Code. Utility easements shall be subject to the approval of the Town or applicable utility company.
  
- 2. Multiple installations within easements. Easements shall be designed so as to provide efficient installation of utilities. Public utility installations shall be located as to permit multiple installations within the easements. The developer will establish final utility grades prior to utility installations.
  
- 3. Underground utilities. Telephone lines, electric lines, cable television lines, and other like utility services shall be placed underground. The subdivider shall be responsible for complying with the requirements of this Section, and shall make the necessary arrangements, including any construction or installation charges with each utility provider for the installation of such facilities. Transformers, switching boxes, meter cabinets, pedestals, ducts, and other facilities necessarily appurtenant to such underground utilities shall be placed underground or on the surface but not on utility poles. Screening or fencing may be required for above ground facilities. Electric transmission and distribution feeder lines and necessary appurtenances thereto may not be placed above ground unless they are carrying greater than 115 kV. Such facilities shall be placed within

easements or public streets, as therein provided, or upon private easements or rights-of-way provided for particular facilities.

4. Street lighting. Street lighting and associated underground street lighting supply circuits shall be installed by the Developer per the specifications included in the Town of Frederick Design Standards and Construction Specifications, December 13, 2007. A photometric plan is required to be included with the construction plans for all subdivisions and any other new development.
5. Pedestrian trail lighting. Pedestrian lighting is required for all pedestrian trails and trail connections that are not adjacent to and illuminated by roadway lighting. Such lighting shall be of a type and character that provides for both safety and aesthetic concerns. Pedestrian lighting along an arterial or collector street shall have light poles and fixtures conforming to planned or existing street lighting unless approved otherwise by Planning and Engineering staff. At a minimum, pedestrian lighting shall be provided at intersections of pedestrian trails, and at intersection of trails with roadways.

**Sec. 2.11. Parks and open space.**

1. Intent. The intent of the parks and open space requirements is to ensure that a comprehensive, integrated network of parks and open space is developed and preserved as the community grows in accordance with the parks and open space policies, goals, the adopted Comprehensive Plan, and the provisions of the Land Use Code (as amended).

- a. Lands dedicated for Parks and Open Space are separate, distinct, and cannot count toward other public dedication requirements or the minimum Landscape Design requirements set forth elsewhere in this Code. Lands for parks and open space are dedicated at time of subdivision, or re-subdivision as applicable, and installed as part of the development infrastructure.
- b. Due to the nature of growth in the community, and prior to approval of a park or series of park lands, a park and recreational activity study may be required by Town Staff to determine the type of park facilities and development needed to support the neighboring population and community need.

A park and recreational activity study includes assessing the user needs for parks and open space areas based on local conditions, including community values, availability of land, financial resources, maintenance capabilities, and a desired level of services the community wishes to achieve. To determine specific parkland needs for park development within the Town of Frederick, several analytical methods are to be used when planning a park site; including:

- (1) Recreation demand (based on demographics of the existing and proposed community);
- (2) National trends and standards;
- (3) Land availability and code requirements;
- (4) Current ratio of parkland to population;
- (5) Analysis of present recreation participation levels in sports and leisure activities;
- (6) Recreational facility needs (play and practice time requirements for sports leagues);
- (7) Physical and geographical constraints and opportunities for existing and proposed parks and open space areas.

2. Parks shall consist of lands dedicated to active and passive recreation consisting of landscaped lands with irrigated turf grasses, forbs, shrubs, and trees and generally include a majority of the following: landscape improvements; topography; ponds; lakes; creeks or streams; sports fields; amphitheaters; works of art; leisure activities; hobbies; structured and unstructured education; historic or cultural features; fitness; lighting; parking; recreational amenities; architectural features; gathering spaces, plazas, etc., as noted in the recreational activity study, this Code, or directed by the Town. Parks may be public or private. Parks shall be sized in accordance with the recreational activity study, or constitute no less than sixty percent (60%) of the area required for dedication as parks and open space within the development, unless otherwise noted in this Code.

3. Open space shall consist of lands maintained in native vegetation and used for buffering or habitat preservation and may include lands dedicated to agricultural purposes. Irrigation is applied as necessary to maintain the plant material and intended use. Human activity and recreational use of open space areas are minimal and subject to approval of by the Planning Director or Board of Trustees as applicable. Open Space may be public or private. Open space does not include lands set aside for oil and gas facilities.

4. Minimum landscape requirements for all parks: All public and private parks shall be designed to be visually interesting, socially relevant, promote health, public safety, and provide pertinent recreational opportunities and amenities for all ages and abilities. All plants shall be carefully chosen to provide for seasonal interest, texture, variety, drought tolerance, zone hardiness, and to promote year round use. With the exception of turf grasses, no one species may exceed twenty five percent (25%) of the total plant palette. Parks shall be designed to minimize water demand, maintenance, the need for chemical fertilizers, and maintain all applicable site triangle requirements. Portions of parks may be used for water storage or storm water management as approved by the Town.

a. In addition to meeting the minimum requirements of Section 2.14 Landscape Design Requirements of the Land Use Code, at minimum, all parks shall provide the following:

(1) General requirements for Parks.

(a) All required and approved vegetation shall be maintained in healthy condition. Dead or diseased plants shall be removed immediately and replaced by the next growing season. New Plants shall meet minimum size requirements.

(b) Plant material adjacent to or within sidewalks, pathways, trails, plazas, and other routes or gathering spaces shall maintain sidewalk clearance requirements for accessibility per the provisions of the Americans with Disabilities Act.

(c) All minimum site triangle requirements as defined in the Town of Frederick Design Standards and Construction Specifications, December 13, 2007, shall be maintained for public safety.

(d) Water, water taps, and an irrigation system shall be provided by the developer of sufficient size, quantity and configuration to provide for the park landscaping, function, and uses.

(e) All approved and required landscaping improvements, amenities, and features shall be maintained, repaired, and replaced by the owners association or assigns, as necessary to maintain the park as approved by the Town. Deviations from or modifications to the approved plans require prior approval by the Town.

- (f) Parks, trails, landscaping, irrigation, water taps, and other required and approved amenities, shall be installed prior to issuance of forty-percent (40%) of the building permits for structures within the subject filing, phase, or subdivision as applicable and defined in the MOAPI, unless otherwise approved or required by the Board of Trustees as part of the Final Plat documents. Building permits shall be withheld until the public improvements are installed, inspected, and approved by Town Staff.
- (g) The developer shall provide a detailed cost estimate and post a minimum financial guarantee, as approved by the Town, of one hundred percent (100%) of the total cost of the required and approved public improvements for all parks, trails, landscaping, seeding, reclamation, irrigation, structures, features, and other required and approved public amenities, including utilities, labor, equipment, mobilization, and applicable ancillary costs for installation of the approved landscape plan as shown in the approved Final Plat documents.

(2) Trees

- (a) Street and perimeter trees: Street and perimeter trees shall be provided at fifty (50) foot intervals around the edge of the park and placed to avoid conflicts with lighting, parking, and access while buffering or framing views or uses, and defining recreational space(s).
- (b) Site and shade trees. At minimum, site and shade trees shall be provided at one (1) site and shade tree per three-thousand (3,000) square feet of landscaped park area, placed to define space, shade, or highlight activities. Trees shall also be placed to shade a minimum of fifty percent (50%) of the sites hard-scape (sidewalks, pathways, plazas, tennis or basket ball courts, parking areas, etc.) at mature spread during summer months and block winter winds. Site and shade trees shall be both evergreen and deciduous trees.
- (c) Ornamental and specimen trees. At minimum, each park shall provide one (1) ornamental or specimen tree for every ten thousand (10,000) sq. ft. of landscaped park area. Ornamental and specimen trees may replace site trees at a ratio of one (1) to ten (10) up to a maximum of twenty-five percent (25%) of the total site trees within a park. Ornamental and specimen trees are both evergreen and deciduous trees.
- (d) Buffer and screening trees. Additional trees may be required to buffer and screen park activities from nuisances, unsightly views, or intensive uses as directed by Town staff. Buffering and screening trees are both evergreen and deciduous.
- (e) Prohibited trees.
  - i. In addition to any tree that is listed by the State of Colorado as noxious or invasive, the following trees are prohibited in the Town of Frederick: Russian olive (*Elaeagnus angustifolia* L.), Lombardy poplar (*Populus nigra italica*), Siberian elm (*Ulmus pumila* L.), Boxelder Maple (*Acer negundo*), and Cotton bearing cottonwoods (*Populus alba*).
  - ii. Ornamental trees and fruit trees with low branches such as crabapple, hawthorn and fruit trees shall not be permitted adjacent to public rights-of-way or near paths or walkways. These trees are likely to cause sidewalk clearance problems in the future. Fruit trees or fruit bearing ornamental trees may be approved by Town staff on a case-by-case basis.

- (f) Tree size.
  - i. Size: The minimum planting sizes on all required trees shall be two-inch (2") caliper deciduous trees, one and one-half inch (1½") caliper ornamental trees, six-foot-tall (6') evergreen trees. Multi-trunk trees shall have three (3) or more canes, and be six inches (6") in diameter measured four inches above ground and a minimum of five feet (5') in height. When landscaping more than an acre of land area, fifty percent (50%) of the required deciduous trees may be one (1) to one and one-half (1½) inch caliper (distributed throughout the site), if previously authorized by Town staff and as noted in the approved landscape plan.
- (3) Shrubs.
  - (a) Street shrubs. Street and perimeter shrubs, ornamental grasses and flowers shall be provided at a minimum ratio of five (5) shrubs for every perimeter tree, clustered into planter beds and distributed to enclose the park, buffer or frame views or uses, define recreational space, and preserve view triangle requirements.
  - (b) Site shrubs. Massing and the judicious use of shrubs is required. At minimum, site shrubs shall be provided at a ratio of one-hundred and fifty (150) site shrubs per acre clustered within planter beds and strategically placed to define space, highlight activities, and guide patrons through the park.
  - (c) Buffer and screening shrubs. Additional shrubs may be required to buffer and screen park activities from nuisances, or block unsightly views and intensive uses as directed by Town staff.
  - (d) Prohibited shrubs. In addition to any shrub that is listed by the State of Colorado as noxious or invasive, poisonous shrubs are prohibited in the Town of Frederick.
  - (e) Shrub size.
    - i. The minimum planting sizes on all required shrubs shall be five gallon container. When landscaping more than an acre of land area, fifty percent of the required shrubs may be two and one-half (2½) gallon container distributed throughout the site, if previously authorized by Town staff and as noted in the approved landscape plan.
- (4) Turf grass, ground cover, ornamental grass, etc. The amount of turf grass shall be determined by the intended use of the park as noted in the recreational activity study, or as directed by the Town staff.
  - (a) Turf areas shall be naturalized, avoiding rectangular shapes and forms, unless required for a specific sports activity, as determined in the recreational activity study. Turf grasses shall be avoided in heavily shaded areas and on slopes that exceed a rise to run ratio of one to four (1:4). Turf grasses shall be drought tolerant and shall meet applicable requirements as noted in the adopted Design Standards and Construction Specifications (Adopted August 23, 2007, as amended).
  - (b) Massing and the judicious use of perennial ground cover and perennial flower beds are required and shall cover no less than one-half (1/2) of the minimum required shrub / planter bed area. These areas should generally be clustered with shrub beds. The use of native and drought tolerant species is encouraged.

- (c) Prohibited forbs and ground cover. In addition to any plant that is listed by the State of Colorado as noxious or invasive, poisonous plants are prohibited in the Town of Frederick.
  - (d) Size and Maintenance:
    - i. Container plants. The minimum planting sizes on all required containerized ornamental grasses shall be five gallon container. When landscaping more than an acre of land area, fifty percent of the required ornamental grasses may be two and one-half (2½) gallon container distributed throughout the site, if previously authorized by Town staff and as noted in the approved landscape plan.
    - ii. Seeding. Seeding shall be installed in accordance with the applicable standards as outlined in the Design Standards and Construction Specifications for the Town of Frederick adopted December 13, 2007.
- (5) Pathways and gathering spaces. Pathways shall provide for multiple uses and may consist of soft and hardened landscaped materials appropriate to the anticipated intensity of use and per the requirements of the Town. The construction materials for pathways and gathering area shall have a solar reflective index of no less than twenty-nine (29 SRI). In addition, these improvements shall use permeable materials and construction methods as feasible.
- (a) Pathways. Pathways shall provide for multiple users and link public sidewalks to uses within the park. Pathways shall meander to ensure visual interest. The frequency of the meander shall allure pedestrians with sweeping curves and strategic landscaping rather than creating a zigzag effect.
  - (b) To the greatest extent feasible, pedestrian and bike paths shall be separate and distinct.
  - (c) Pathways shall use different surface materials or treatments for different users (i.e. bikes, pedestrian, etc). Intersections involving pedestrians, bicycle, or vehicular crossings shall receive special surface treatments to ensure safety and pedestrian convenience. Intersections and crossings within the park are encouraged to function as a node of activity or mini-plaza. Surface materials may consist of concrete, stamped and colored concrete, compacted crushed aggregate, cobble stone, brick, or approved alternate and shall vary according to the level and type of service and the function of the pathway, as approved by the Town staff.
  - (d) Pathways shall be a minimum of eight feet (8') wide. Sidewalks shall meet the Standards as outlined in the Design Standards and Construction Specifications for the Town of Frederick adopted December 13, 2007.
  - (e) Pathways and gathering spaces shall also meet accessible route requirements per the provisions of the Americans with Disabilities Act, as amended.
  - (f) Trail corridors may be seeded to native grasses as appropriately integrated with adjacent improvements.
  - (g) Gathering spaces. Informal gathering spaces shall be provided and defined by landscaping, plant materials, topography and may include recreational amenities. At minimum, these spaces shall include seating areas, lighting, walls, raised planter beds, or water features and be defined by a combination of planting and architectural elements.

- (6) Organic and rock mulch, cobbles, and gravel.
  - (a) Organic Mulch. All planter beds shall maintain a minimum of three inches (3") of organic wood mulch at all times. In some instances gravel or rock mulch may be utilized, if approved by Town staff, based on the design intent, site circumstances, and to meet the requirements of the code.
  - (b) Organic mulch rings extending a minimum of eighteen inches (18") from the tree trunk shall be maintained at a depth of three inches (3") for all trees not located within planter beds.
  - (c) Rock mulch, cobbles, and gravel. The use of rock mulch, cobbles, and gravel for planter bed material, or for surface treatments in park areas is to be avoided. However, rock mulch, cobbles, and gravel may be permitted on a case-by-case basis and only for special circumstances.
- (7) Planter beds. All shrubs, flowers and ground cover shall be contained within planter beds.
  - (a) Planter beds shall maintain a minimum depth of three inches (3") of organic mulch.
  - (b) Planter beds shall be edged and designed to contain all plantings at mature sizes (the canopy of shade and street trees are excepted).
- (8) Topography and water quality. Parks shall have topography to provide visual interest, buffer views and nuisance noise, define space, and provide for seasonal recreational activities, as applicable. The use of walls, boulders, berms, and other materials is encouraged. Parks shall also provide for storm water management, detention, retention, and improve water quality for storm water run-off.
- (9) Parks and storm water management. Parks may be designed in combination with storm water management features, provided recreational amenities and improvements are integrated into the storm water management system, and as approved by the Board of Trustees at Final Plat. In no event shall more than forty percent (40%) of a park land area be dedicated to storm water management, unless approved by the Board of Trustees.
- (10) Parking. Adequate parking is required for all anticipated activities, uses, park population and park service area as approved by the town and in accordance with the approved recreational activity study.
- (11) Lighting. Street, node, activity, walkway, and conflict lighting is required. Lighting shall meet the requirements of Section 2.19.
- (12) Recreational and architectural amenities. Plazas, recreational fields, works of art, architectural features, walls, water features, and topographic changes are required, as appropriate to the use and function of the park.
  - (a) Size, scope, quantity, and quality of the site features shall be installed as approved or required by the Town.
- (13) The location and size of parks and open spaces shall be defined at Preliminary Plat and finalized at Final Plat.

5. Types of parks and open space by use and zoning district. Non-residential developments shall be required to provide for a plaza or pocket park and contribute to a neighborhood or community park in proximity to the development.

- a. Plazas. Plazas are typically found in the commercial zoning districts such as a commercial or industrial area to serve as a gathering place for people. A plaza is usually bordered by civic or private buildings. Plazas may range from very active places with

adjacent complementary uses such as restaurants and cafes, to quiet areas with only seating, formal landscape plantings and amenities such as fountains or public art. Developers are responsible for developing and maintaining the appropriate amenities for each plaza. Plazas shall also provide for multiple and seasonal uses. Amenities associated with the plaza may count toward the minimum required open space as a cash-in-lieu contribution for required parks and open space within an industrial or commercial development as approved by the Board of Trustees.

- b. Pocket parks. Shall be located in medium to high density residential or mixed-use commercial zoning districts (R-2, R-3, C-N, C-H52, and C-E).
- (1) Pocket parks provide places within walking distance of dense residential units for young children's supervised play and unstructured activities for neighborhood residents, or urban relief. At a minimum, a pocket park shall include live ground cover, shrubs, trees, irrigation, lighting, and a plaza space plus one (1) of the following: playground equipment, contemplative garden, fountain, art work, or other active or passive recreation opportunities for the neighborhood.
  - (2) The minimum size pocket park is 2,000 square feet of net park area for each 200 units or 20,000 sq. ft. of gross commercial space. The size or number of Pocket parks shall increase proportionally (i.e. 400 units shall require either a 4,000 sq. ft. Pocket Park or two 2,000 sq. ft. pocket parks, etc.). Projects with less than two hundred (200) units or twenty thousand (20,000) square feet. of commercial area shall provide a pocket park meeting the minimum size requirements or demonstrate that they are within one-quarter ( $\frac{1}{4}$ ) mile of a neighborhood park. If credit is taken for proximity to a neighborhood park, the developer shall provide a cash-in-lieu equivalent for its pro-rata share of the cost of land and improvements for the required pocket park (i.e. provide twenty-five percent (25%) of a pocket park for fifty (50) units).
  - (3) The land and amenities of a pocket park may be added to a centrally located neighborhood park. The pocket park amenities placed in a neighborhood park must be within one-quarter ( $\frac{1}{4}$ ) mile of the sub-neighborhood's two hundred (200) residences served. For example a neighborhood park serving a neighborhood of four hundred (400) residences or commercial development with 40,000 sq. ft. shall have two (2) pocket park amenity pods, located to conveniently serve each of the sub-neighborhoods, or the land area may be added to a neighborhood park, as approved by the Board of Trustees in the Preliminary and Final Plat.
  - (4) Pocket parks and plazas shall be integrated into the neighborhood design and be accessible to pedestrians, bicyclists, and emergency services.
  - (5) Within the R-MH1 zone, a landscaped recreational pocket park shall be installed for every thirty (30) dwelling units, as approved by Town staff.
- c. Neighborhood parks. A neighborhood park shall be located in each quarter section and within residentially zoned developments (R-1, R-2, R-3, and residential planned unit developments (PUD)). Neighborhood parks are places for recreation and social gatherings that are within walking distance of most residents.
- (1) These parks include multiple-use lawn areas, picnic areas, playground equipment, court game facilities and community gardens consisting of four (4) to six (6) acre neighborhood parks centrally located within the neighborhood.
  - (2) Every residential development shall provide land for a neighborhood park. If approved by the Board of Trustees at preliminary and final plat, the developer

- may provide a cash-in-lieu contribution for a six (6) acre park to serve the development.
- (3) Developers providing land shall submit a conceptual design for the park to demonstrate that it meets the intent of Article 2, Community Design Principles and Development Standards, and the Frederick Comprehensive Plan at preliminary plat and a final design at final plat.
  - (4) Neighborhood parks shall be developed by the applicant and maintained by the Home Owners Association, or approved equivalent.
- d. Community parks. Community parks serve the residents of several neighborhoods. Community parks are to be located on or near arterial streets at the edge of residential areas or in nonresidential areas to minimize the impact of organized recreational activities such as lighted ball fields. Community parks are permitted in the Public Zoning District. Community parks shall be centrally located within the greater development, and may be located to serve several smaller developments. In general, a community park shall be developed in each section of land, or as noted in the Parks and Open Space component of the Comprehensive Plan.
- (1) Community parks shall be developed by the applicant and may be maintained by the Town, if approved by the Board of Trustees.
- e. District parks. District parks serve the residents of the entire Town, as well as people who live outside of the community. District parks provide recreational opportunities such as fishing, canoeing and wildlife viewing. Developers of district parks shall submit a conceptual design and a recreational activity study to demonstrate that it meets the needs of the community, the Comprehensive Plan and Land Use Code. Refined plans shall be submitted at preliminary plat and a final design is submitted at final plat. District parks may be developed in conjunction with other jurisdictions, special districts, or entities and shall be maintained by a special district, the Town, or other entity, as approved by the Board of Trustees.
- f. Trails. Trails are permitted in all zones. The trail system shall link neighborhoods, parks, schools, open spaces, employment centers, community facilities and neighboring communities and thus provide important transportation connections, as well as recreational opportunities and access.
- (1) Developers shall provide trails as designated in the Parks and Open Space Component of the Comprehensive Plan, as well as connections to the Town's existing or proposed trail system and destinations within the neighborhood.
  - (2) Developers shall contribute a proportional share for the construction of any trail that is adjacent to or serviced by the proposed development.
- g. Regional open space. The Town's regional open space system includes: Godding Hollow drainage, Bulrush Wetlands and Wildlife Preserve, Frederick Recreation Area, Bella Rosa Golf Course, floodplains, drainage ways, natural areas, natural area buffer zones, wetlands, subsidence areas, agriculture preservation areas and lands of archeological or historic significance. Access is generally limited to trails, educational signs and similar low impact improvements, though additional improvements may be completed.
- h. Storm drainage detention facilities. Up to forty percent (40%) of the storm drainage detention facilities, including storm water facilities, may function as portions of parks and open space areas for active and passive recreation, trail corridors, or habitat enhancement

areas if designed appropriately and approved by the Town. For storm drainage facilities to be credited toward the open space dedication requirements these areas must function as a multi-use facility providing for active recreation with trails, educational signage and other improvements, as approved by the Board of Trustees at the time of Preliminary Plat and Final Plat. To count as open space, in addition to meeting the requirements of Section 2.14:

- (1) At minimum (2) two of the four (4) side slopes (fifty percent (50%)) of the storm drainage facility shall not exceed 1:4 slope if used as park space.
- (2) Access and recreational facilities must meet ADA requirements if used as park space.
- (3) Features shall be included for passive and active recreation, including but not limited to, ball fields, play structures, fitness parks, educational centers, structured and unstructured opportunities for learning and recreation, etc.

6. Ownership and maintenance of Parks. Ownership and maintenance of public parks shall be determined by the Town at Final Plat.

- a. Generally, the owners association or assigns shall own parks. If approved by the Board of Trustees neighborhood parks, community parks, district parks, and public trails may be owned by the Town. Maintenance of parks and open space shall be the responsibility of the owners' association. Maintenance of trails shall be determined on a case-by-case basis.
- b. Landscaped outlots and private recreational facilities shall be owned and maintained by a homeowners' association or assign.
- c. Environmentally sensitive, archaeological, and historic resources may be dedicated to the Town and maintained by the Town if approved by the Board of Trustees.
- d. Conservation areas set aside as part of a rural subdivision shall be owned and maintained by the owners' association or assigns.
- e. Storm water detention and retention areas that also function as parks shall be owned and maintained by the owners' association or assigns. Storm water facilities owned by the Town shall be maintained by the Town.
- f. Areas designated as park lands shall be maintained according the designated function of the area. In addition, a mechanism to assure that maintenance will be funded in perpetuity shall be in place at the time of the Final Plat, as approved by the Town.
- g. Parks protection and preservation. Areas designated as parks shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and remain as park space in perpetuity. They may be dedicated to the public or held in private ownership. Appropriate ownership will be determined through the review process in cooperation with the landowner. Future use may include recreational activities as approved by the Town.

7. General provisions for Open Space.

- a. Open space should serve as urban relief and preserve natural areas, habitat, vegetation and may allow for compatible recreational uses. Open space, such as the Godding

Hollow drainage way and developed parks and plazas, shall be used to organize and focus lot, block, and circulation patterns and to enhance surrounding development. Street, block, lot, and building patterns shall respond to the views, landscape, and recreational opportunities provided by the open space.

- (1) Minimum requirements for open space. All open space areas shall provide the following:
  - (a) Native vegetation or agricultural lands generally preserved as a contiguous parcel or land area.
  - (b) Appropriate fencing to enclose the area.
  - (c) Signage defining the allowable uses for the property.
  - (d) Open space areas shall also include a continuous land area, significant resources such as flood plains; natural water bodies; natural areas; wildlife and native plant habitat; important wetlands or watershed lands; stream corridors; passive, low-impact activities; areas with little or no land disturbance; and, or trails for non-motorized activities, or as approved by the Board of Trustees.
  
- b. Public access. Areas designated as public open space shall be both visibly and physically accessible to the community. Public access shall be provided to all public open space, natural and developed, directly from the Public Street and trail system. In some instances areas may be closed to the public or open by appointment only, as necessary to preserve the integrity and properly manage the resource.
  - (1) Open space and trail areas shall have a minimum of seventy-five (75) feet of street frontage unless otherwise authorized approved by the Board of Trustees.
  
- c. Street frontage for public open space. Development adjacent to public open spaces shall integrate the open space into the design and avoid enclosing open space with buildings and back yards to the greatest extent feasible.
  
- d. Buffering. Appropriate buffering and setbacks shall be used between environmental resources and proposed development to ensure that the proposed development does not adversely affect the resource. Developers shall provide an open space buffer zone around all natural areas unless otherwise authorized by the Board of Trustees. The size of the buffer zone shall be in accordance with studies prepared by a qualified wetland or wildlife ecologist (as applicable) employed by the Town and paid for by the developer.
  
- e. Open space uses. Uses designated within the open space shall be appropriate to the context and character of the site and the intensity of the proposed development.
  
- f. Ownership and maintenance of open space. Ownership and maintenance of public open space shall be determined by the Town on a case-by-case basis at Final Plat.
  - (1) Generally, the home owners' association or business owners' association or assigns shall own and maintain public and private open space. Maintenance of trails shall be determined on a case-by-case basis.
  - (2) Landscaped outlots and private recreational facilities shall be owned and maintained by a homeowners' association or assigns.
  - (3) Environmentally sensitive, archaeological, and historic resources may be dedicated to the Town and maintained by the Town if approved by the Board of Trustees.
  - (4) Conservation areas set aside as part of a subdivision within the Residential Estate Zoning District shall be owned and maintained by the owners' association.

- (5) Storm water detention and retention areas that also function as open space shall be owned and maintained by a homeowners' association or assigns.
- (6) Areas designated as open space shall be maintained according the designated function of the area. For areas that remain in private ownership, a mechanism to assure that maintenance will be funded in perpetuity shall be in place at the time of the Final Plat, as approved by the Town.
- (7) Open space protection. Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and remain open in perpetuity. They may be dedicated to the public or held in private ownership. Appropriate ownership will be determined through the review process in cooperation with the landowner. Future use may include recreational or agricultural activities if approved by the Town as determined in the annexation agreement, conservation easement, or other Town sanctioned process.

8. Open space requirements.

- a. Open space requirements are intended to provide a unified network of public and private facilities to serve as recreational and social outlet and urban relief. Public land dedication requirements are identified in Section 2.12. Additional land dedication is required for schools as outlined in Section 2.14. Open space includes both private and public lands as follows:
  - (1) Areas within the community designated for the common use of the residents of an individual development and/or the community at large including conservation easement;
  - (2) Areas designated for preservation and protection of environmental resources, including floodplains, natural drainage ways and wetland areas;
  - (3) Areas impacted by subsidence;
  - (4) Areas designated for agricultural preservation;
  - (5) Water bodies in excess of one acre in surface area; and
  - (6) Areas of archeological and historic significance.
- b. Open space shall not include the following:
  - (1) The area within the minimum required one hundred fifty (150) foot lot line setback around all oil and gas production facilities as noted in Article 9;
  - (2) Disconnected remnants of land created by division of sites into lots or parcels that do not qualify as functional open space, unless approved by the Board of Trustees;
  - (3) Private yards whether on a residential or commercial site;
  - (4) Tree lawns in street rights-of-way; or
  - (5) Required parking lot landscaping associated with residential uses, except parking specifically designated for access to open space areas or trail head.
  - (6) Sidewalks, parking areas, driveways, roads, tree lawns, concrete pads, storage areas, public rights-of-way whether landscaped or not, building footprints, emergency access routes, oil and gas roads, or storm water facilities (unless otherwise noted in the Code).

9. Amount of open space required by development. The amount of functional open space required in each development will be based on the density of the development, the recreational requirements of the anticipated users and the anticipated opportunities for public recreation within walking distance of the site (one-quarter [ $\frac{1}{4}$ ] mile), the Comprehensive Plan, and the findings of

the recreational study noted in Section 2.11.1.a of the Land Use Code. To the extent practical, subdivision parks and open space shall be oriented to maximize views of significant natural features, parks, community buildings, and open space while promoting energy efficiency and resource conservation.

- a. General provisions. The land area dedicated as parks and open space within subdivision developments shall not be credited toward the minimum landscape requirements or landscape area for site, lot, or parcel specific development as noted in Section 2.14 of the Land Use Code.
- b. Each development shall provide an internal pedestrian way or trail system and any applicable trails designated on the Parks and Open Space Map of the Comprehensive Plan.
- c. All residential developments shall dedicate a minimum of twenty percent (20%) of the net land area for public parks, trails, open space or other similar purposes at the time of subdivision (excluding road rights-of-way).
  - (1) Estate zones. The developer shall provide a minimum of twenty percent (20%) of the net land being subdivided as functional open space, which may include agricultural land, natural areas, storm water facilities (if in compliance with Section 2.14.10), floodplains, subsidence areas, trails, and lands dedicated for other similar purposes, excluding roads.
  - (2) Single-family residential developments zoned R-1 or R-MH1. The developer shall provide:
    - (a) A minimum of twenty percent (20%) of the net land being subdivided as functional open space which may include: pocket parks, plazas, trails, recreational amenities, homeowner' association-owned landscaped areas (excluding parking lots), ponds, lakes, storm water facilities (if in compliance with Section 2.14.10), natural areas, and amenities for residents or other similar purposes;
    - (b) One (1) centrally located pocket park for every two hundred (200) residential units;
    - (c) The land for one (1) neighborhood park within a one-quarter-mile radius of the proposed homes; or a fair-share, cash-in-lieu contribution for the cost of the neighborhood park that will serve the development.
  - (3) Multi-family residential developments zoned R-2 or R-3 or zones that allow for residential development. The developer shall provide:
    - (a) A minimum of twenty-five percent (25%) of the net land being subdivided as functional open space which may include: pocket parks, plazas, trails, recreational amenities, homeowner' association-owned or landowner-owned landscaped areas (excluding roads, drives, and parking lots), natural areas and amenities for residents or other civic purposes;
    - (b) One (1) centrally located pocket park for every two hundred (200) residential units;
    - (c) The land for one (1) neighborhood park within a one-quarter-mile radius of the proposed homes; or a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development.
- d. All commercial and industrial developments shall dedicate a minimum of twelve percent (12%) of the gross land area for public parks, trails, open space and other civic purposes at the time of subdivision (excluding road rights-of-way).

- (1) Commercial and industrial developments. The developer shall provide:
        - (a) A minimum of twelve percent (12%) of the gross land being subdivided as functional public or private open space, which may include: plazas, trails, landscaped areas (excluding roads, drives, and parking lots), recreational amenities, natural areas, ponds, lakes, and other similar purposes. Additional open space may be required for functional trails, pathways, buffers, and gateways to provide contiguity between existing and planned facilities, or meet the other applicable requirements of this Code, or as directed by the Town; and
        - (b) Within an Industrial subdivision a pocket park will count toward the land dedication and shall be included within or adjacent to the development (see Section 2.11).
    - e. Planned unit developments (PUD). The developer shall provide:
      - (1) A minimum of twenty-five percent (25%) of the gross land area shall be being developed as common functional open space within a residential development; or fifteen percent (15%) in a commercial or Industrial PUD, which may include: pocket parks, trails, owners' association-owned areas (excluding roads and parking lots), natural areas, ponds, lakes, storm water facilities, and amenities for residents, patrons, and other civic purposes;
      - (2) One (1) centrally located Pocket Park for every two hundred (200) residential units;
      - (3) Land for one (1) neighborhood park within a one-quarter-mile radius of the proposed homes; or a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development; and
      - (4) Up-graded amenities such as parks improvements and features, landscaping, lighting, fountains, etc. shall be of a quality and quantity that exceeds the standard park amenity requirements by a minimum of twenty-five percent (25%).
10. Parks and Open Space Plans Master Landscape Plans. Master Landscape Plans shall be provided for all parks, open space and landscape areas. All land development applications with the exception of plot plan applications for individual single-family residences shall be accompanied by an appropriate landscape plan. In addition to meeting the requirements of Section 2.11 Parks and Open Space as well as Section 2.14 Landscape Requirements, the following information shall be included in the landscape plans for Sketch, Preliminary Plat, and Final Plat.
- a. A conceptual parks, open space, and landscape plan shall be submitted with the subdivision sketch plan. The intent of the conceptual open space plan is to identify the resources on a site and show how they are integrated into the overall design for the project, parks and open space and the neighborhood. This information shall be included on the Sketch Plan map or combined with the landscape plan. At minimum, the conceptual open space plan shall contain the following:
    - (1) A verbal and graphic description of the design intention and how the open space will function; and
    - (2) Specific information required on the conceptual plan as listed in Table 2.5.
  - b. A Preliminary Parks, Open Space and Landscape Plan shall be submitted with the subdivision Preliminary Plat. The intent of the preliminary open space plan is to discuss the details of how the open space will be used to organize the overall project design, illustrate how it will function in the overall neighborhood and define long-term maintenance requirements and responsibilities. Information included on the preliminary

landscape plan shall be legible and clearly illustrated at and appropriate scale. The preliminary open space and ecological characterization plan shall contain the following:

- (1) A description of the design intention and how the proposal is consistent with the purpose and intent of this Section;
- (2) Applicants shall provide a draft master parks, open space, and landscape management plan to be submitted for review and approval with the preliminary plat and preliminary landscape plan; and
- (3) Specific information required on the preliminary plan as listed in Table 2-5.

c. Final parks, open space, and landscape plan shall be submitted with subdivision Final Plat. The intent of the final open space is to ensure that all phases of the final open space plan are consistent with the preliminary open space plan as approved during the Preliminary Plat; or for a PUD development, to identify the resources on the site and discuss the details of how the open space will be used to organize the overall project design, to illustrate how it will function in the overall neighborhood and define long-term maintenance requirements and responsibilities. Information shall be included on the final landscape plan shall be legible and clearly illustrated at and appropriate scale. The final open space and ecological characterization plan shall contain the following:

- (1) A description of the design intention and how the proposal is consistent with the recreational activity study (if required), Comprehensive Plan, ecological conditions of the site, and provisions of this Code;
- (2) Appropriate documentation (i.e., warranty deed, homeowners' association documents, conservation easement and open space management plan) that shows who will own and maintain the open space. Applicants shall provide a master parks, open space, and landscape management plan to be submitted for review and approval with the final plat and final landscape plan;
- (3) Specific information required on the final plan listed in Table 2-5.

**Table 2-5**

**PARKS AND OPEN SPACE MASTER LANDSCAPE PLAN**

<b>Information Required</b>	<b>Sketch</b>	<b>Preliminary</b>	<b>Final</b>
Scale, north arrow, site boundary	Y	Y	Y
Existing and proposed streets, pathways, and parking areas	Y	Y	Y
Existing and proposed utilities and easements		Y	Y
Existing contours (2' intervals) – may use USGS for concept plan		Y	Y
Existing and proposed site features, including ditches, trees, shrubs and native ground covers and any drainage ways on the site. Indicate which plants will be preserved and method of preservation and which will be removed.	Y	Y	Y
Delineate floodplains, wetlands, wildlife habitat, threatened endangered flora and fauna, archaeological/historic areas or other resources and prominent views and how they will be preserved and integrated into the overall site design	Y	Y	Y
Note all ecological functions provided by the site and its features (i.e. water quality or storage, sensitive flora or fauna (if any), feeding, watering, nesting, roosting, perching, cover, times/seasons area is used and the "value" of the biome (if any)	Y	Y	Y
Show all existing and proposed bank, shoreline and high water mark of any perennial stream or body of water on the site	Y	Y	Y
Illustrate how the open space network, pedestrian and bicycle circulation, and auto access (if any) (both private and public) will function within the proposed development and linkages to the existing neighborhood or planned facilities.		Y	Y
Show how the property will relate to other existing and proposed neighborhood parks and trails in the area	Y	Y	Y
Indicate and the method of irrigation		Y	Y
Define areas to designate as visual relief, passive or active recreation natural buffers, open space, and park land.	Y	Y	Y
Detail if they will be public or private		Y	Y
Indicate how open space (i.e., parks, trails, natural areas, etc.) will be phased and developed, including erosion control, re-vegetation, irrigation and weed management, and the installation of amenities both during and after construction		Y	Y
Describe the design intention		Y	Y
Provide a recreational activity and service study with recommendations		Y	Y
Conceptual design of neighborhood park and its uses	Y		
Preliminary design of neighborhood park		Y	
Final design of neighborhood park			Y
Park development phasing plan and proposed triggers (if applicable)			Y
Provide detailed construction drawings and details, specifications, and cost estimates for all proposed improvements.			Y
Provide a maintenance plan, with irrigation, fertilizer, and other applicable specifications and requirements for the establishment, vitality, and longevity of the park and its amenities.			Y
Provide parks plan drawings that meet the requirements of Section 2.14.9 of the Land Use Code.			Y

**Sec. 2.12. Public sites and dedication requirements.**

The developer shall dedicate public sites for open space or other civic purposes in accordance with the following requirements:

1. Percentage dedication. Dedication of such sites and land areas to the Town, or to the public, which dedication shall be a minimum of twelve percent (12%) of the total gross area of the land within the proposed subdivision at the time of subdivision. All residential subdivisions shall dedicate an additional eight percent (8%) of the total gross area at the time of subdivision. This land dedication will be credited toward the overall open space required for each subdivision; or
2. Cash-in-lieu of dedication. At the option of the Board of Trustees, the subdivider shall pay cash-in-lieu of land dedication in those cases where dedication of land is not the preferred alternative. Such payment shall be based on the fair market value of the entire property, to be determined after completion of the platting process. Such payment shall be held by the Board of Trustees for the acquisition of sites and land areas by the Town. At the option of the Board, the subdivider may meet the dedication requirements of this Section through a combination of cash-in-lieu and land dedication.

**Sec. 2.13. Fair contribution for public school sites.**

The subdivider shall dedicate or convey land for a public school site to the St. Vrain Valley School District RE-1J, hereinafter "School District," or in the event the dedication of land is not deemed feasible or in the best interests of the School District as determined by the Superintendent or designee of the School District, the subdivider shall make payment in-lieu of land dedication or conveyance. The amount of contribution of either land or payment in-lieu of land shall be determined pursuant to the tables set forth in this Section.

1. Exemptions from fair contributions for public school sites. The following uses shall be exempt from the fair contributions for public school sites requirements:
  - a. Construction of any nonresidential building or structure.
  - b. Alteration, replacement, or expansion of any legally existing building or structure with a comparable new building or structure which does not increase the number of residential dwelling units.
  - c. Construction of any building or structure for limited-term stay or for long-term assisted living, including but not limited to bed and breakfast establishments, boarding or rooming houses, family care homes, group care homes, halfway houses, hotels, motels, nursing homes, or hospices.
  - d. Construction of any residential building or structure classified as housing exclusively for older persons, pursuant to the Federal Fair Housing Act, as amended.
2. Land dedication. In the event the fair contribution for public school sites includes the dedications of land, prior to recording the final plat the following items shall be completed by the subdivider:

- a. The subdivider shall convey to the School District, by general warranty deed, title to the land slated for dedication, which title is free and clear of all liens, encumbrances and exceptions (except those approved in writing by the School District), including, without limitation, real property taxes, which will be prorated to the date of conveyance or dedication.
  - b. The subdivider shall provide to the Town proof of the dedication or conveyance.
  - c. At the time of dedication or conveyance, the subdivider shall provide a title insurance commitment and policy in an amount equal to the fair market value of the dedicated property.
  - d. The public improvement agreement (MOAPI) for the subdivision shall provide for the installation of the streets adjacent to the school site, the installation of water, sewer and other public utilities to the school site, and overlot grading of the school site.
3. Cash in-lieu of land dedication. In the event the fair contribution for public school sites includes payment in-lieu of the dedication of land, prior to the issuance of any building permit for any residential dwelling unit not otherwise exempt under Subsection (1) above, the subdivider shall pay to the School District, on behalf of the Town, the cash to be paid in-lieu of land dedication.
  4. School planning standards and calculation of in-lieu fees.

<b>SINGLE-FAMILY</b> <i>School Planning Standards</i>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.22	525	10	0.42	\$53,984	
		22					
Middle Level	100	0.10	750	25	0.33	\$53,984	
		10					
High School	100	0.11	1200	50	0.46	\$53,984	
		11					
<b>Total</b>		<b>43</b>			<b>1.21</b>	<b>\$53,984</b>	<b>\$65,360</b>
Single-Family Student Yield is 0.43							\$654 per Unit

<b>DUPLEX/TRIPLEX FAMILY</b>							
<i>School Planning Standards</i>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.20	525	10	0.38	\$53,984	
		20					
Middle Level	100	0.09	750	25	0.30	\$53,984	
		9					
High School	100	0.09	1200	50	0.38	\$53,984	
		9					
<b>Total</b>		<b>38</b>			<b>1.06</b>	<b>\$53,984</b>	<b>\$57,005</b>
Single-Family Student Yield is 0.38							\$570 per Unit

<b>MULTI-FAMILY</b>							
<i>School Planning Standards</i>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.15	525	10	0.29	\$53,984	
		15					
Middle Level	100	0.06	750	25	0.27	\$53,984	
		6					
High School	100	0.06	1200	50	0.08	\$53,984	
		6					
<b>Total</b>		<b>27</b>			<b>0.64</b>	<b>\$53,984</b>	<b>\$39,717</b>
Single-Family Student Yield is 0.27							\$397 per Unit

<b>CONDO/TOWNHOUSE</b>							
<i>School Planning Standards</i>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.07	525	10	0.13	\$53,984	
		7					
Middle Level	100	0.04	750	25	0.13	\$53,984	
		4					
High School	100	0.04	1200	50	0.17	\$53,984	
		4					
<b>Total</b>		<b>15</b>			<b>0.43</b>	<b>\$53,984</b>	<b>\$23,393</b>
Single-Family Student Yield is 0.15							\$234 per Unit

<b>MOBILE HOME School Planning Standards</b>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.16	525	10	0.30	\$53,984	
		16					
Middle Level	100	0.09	750	25	0.30	\$53,984	
		9					
High School	100	0.09	1200	50	0.38	\$53,984	
		9					
<b>Total</b>		<b>34</b>			<b>0.98</b>	<b>\$53,984</b>	<b>\$52,892</b>
Single-Family Student Yield is 0.34							\$529 per Unit

**Sec. 2.14. Landscape design.**

1. Intent. The intent of the landscape design requirements is to preserve the Town's special character, and integrate new development into the community by promoting quality landscape design that:

- a. Reinforces the identity of the community and each neighborhood;
- b. Provides tree-lined and landscaped streets;
- c. Anchors new buildings and development into the landscape;
- d. Provides tree canopies and landscaping within paved areas;
- e. Is environmentally sensitive by preserving existing trees, using water conservation techniques, planting native species (when appropriate), and enhances valuable habitat;
- f. Promotes health, wellness, community vitality, interest, public safety and physical comfort;
- g. Provides for structured and non-structured recreation and urban relief; and
- h. Reduces energy and resource consumption.

2. General provisions. All land development or redevelopment applications shall be accompanied by an appropriate site analysis and landscape plan. Building permit applications for individual single-family residences will not require landscape plans. However, all landscaping within the community shall comply with these regulations.

- a. All final and approved landscape plans shall be developed and stamped by a professional Landscape Architect Certified by the State of Colorado, or approved equivalent. Landscaping improvements conducted by the property owner on single family lot is exempt from this requirement.
  - (1) Landscaping improvements on a single family lot shall not alter the drainage pattern or amount of storm water run-off determined by the approved subdivision grading plan.

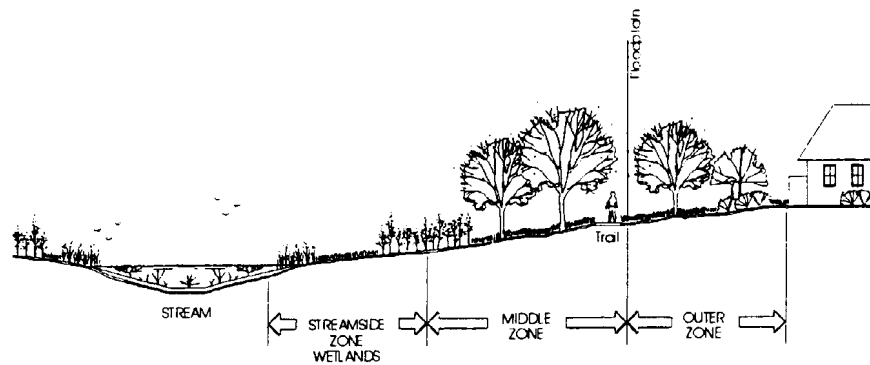
- b. All approved and required landscaping shall be installed as stipulated in the MOAPI for common space, open areas, tree lawns, etc., and prior to final acceptance. For lot specific development, such as single family residential, multi-family, commercial, industrial or other developments, all landscaping shall be installed prior to Temporary Certificate of Occupancy or Certificate of Occupancy, or final inspection unless prior arrangements are approved by Town staff. In no event shall landscaping be delayed beyond the beginning of the next growing season or seven months from temporary occupancy. Phasing of the landscaping may be approved by Town staff in some instances. Landscaping improvements conducted by the property owner on a single family lot is exempt from this requirement.
  - (1) A detailed cost estimate for the installation and all applicable improvements including labor, equipment, and mobilization for all amenities shall be required.
  - (2) The financial guarantee may be in the form of an escrow held by the Town or other assurity as approved by the Town. The value of the financial guarantee shall be for one hundred twenty-five (125%) of the total cost for the installation of the landscaping.
- c. The Town reserves the right to conduct compliance inspections to verify compliance with code requirements. In addition, the Town reserves the right to enforce these provisions in accordance with the adopted Land Use and Municipal Codes, as amended.

### 3. Design Principles..

- a. Landscape plans shall use the following design principles to promote the desired character of the community, connectivity, and enhance the aesthetic while maximizing reductions in energy and resource consumption and minimizing maintenance requirements:
  - (1) Well-planned site design using appropriate building orientation, building materials, thematic design, and planting schemes that incorporate climatic and micro-climatic conditions to promote the wise use of water and energy resources;
  - (2) Appropriate site and building materials, plant, and turf selection and placement to minimize energy, resource consumption, and maintenance requirements;
  - (3) Maintain soil moisture and reduce evaporation through the maximum use of layered landscaping such as organic mulch, ground cover, shrubs, forbes, and over-story landscaping;
  - (4) Zoning of plant materials according to microclimatic needs and water requirements;
  - (5) Improvement of the soil as needed to promote plant health and longevity;
  - (6) Efficient irrigation systems with weather and rain gauges to minimize resource consumption, waste, and maximize efficient water use;
  - (7) Proper plant maintenance, care, and irrigation schedules;
  - (8) Safe and healthy landscapes that provide for alternative modes of transportation. Landscapes shall provide access to all ages and abilities and reduce opportunities for illicit activity or behavior. Landscaping at pedestrian and vehicle intersections shall meet view triangle requirements as noted in the Town of Frederick Design Standards and Construction Specifications (adopted December 13, 2007);
  - (9) Encourage the use of permeable construction materials and systems that minimize storm water runoff and maximize infiltration while reducing the potential for non-point source groundwater pollution, including incorporating storm water detention into the landscape design;

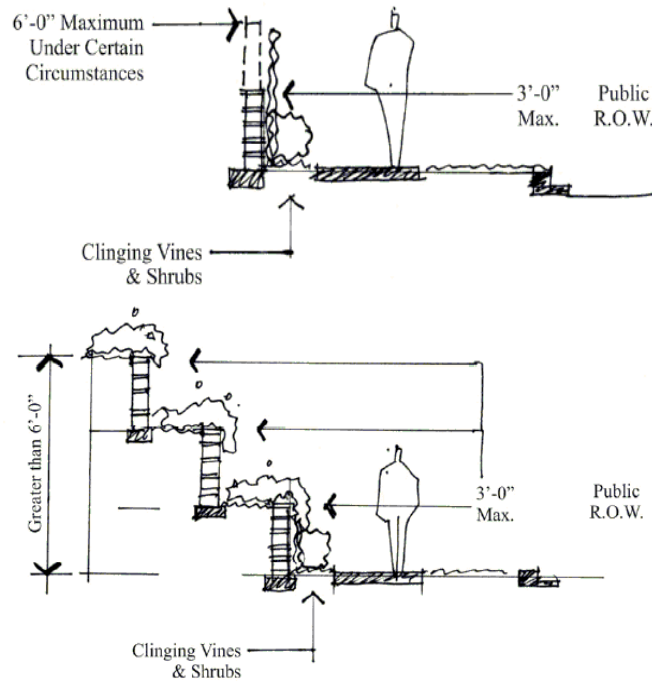
- (10) Seasonal variation in interest, as well as framing and buffering of views, and the careful placement of over story and under story materials to block winter winds and summer sun.
- (a) All landscape shall strive to maximize use of native species. Where native plant material is not appropriate for the intended use, plant species that are regionally adapted and noninvasive may be used.
  - (b) Landscapes shall consist of a variety of plant species to enhance biodiversity. No one plant species may make up more than twenty-five percent (25%) of the non-grass plant materials on site.
  - (c) Buildings and parking areas shall be located to preserve and promote the health of existing vegetation, environmental resources, and natural drainage ways. No healthy tree or shrub shall be removed without good cause. This requirement is not intended to prevent removal of unhealthy plants in conjunction with development.
  - (d) Landscaping shall be placed to provide summer shade and limit winter shade and wind on walks and streets.
  - (e) A combination of plantings, berms, walls, and fences shall be used as appropriate to buffer adjacent uses, sensitive habitat, and transition between elevation changes (see Figures 2.7 (a) and (b)).
  - (f) All areas disturbed by construction shall be reseeded to prevent erosion. Native, non-invasive grasses shall be used for re-vegetation where practical. Weed control is the responsibility of the landowner or approved designee.
  - (g) All parks and open space shall be developed, landscaped, and maintained as noted in Section 2.11 of this code.

**Figure 2-7(a)**  
**Sensitive Habitat Buffers**



Use buffers to protect the physical integrity of riparian ecosystems. Preserve vegetation and trees in streamside zone and middle zone. Encourage grass and landscaping in outer zone to filter runoff from backyards, parking areas, roads, etc.

**Figure 2-7(b)**  
**Transition between uses**



Use a combination of berming, buffering, plantings, fencing and walls to integrate transitions between land uses.

4. Landscaping for new construction.
  - a. Landscaping. Landscaping shall anchor structures in the landscape through the use of trees, shrubs and groundcover. The size, intensity, and density of plantings shall be appropriate to the size and context of the improvements and as required in this Code.
  - b. Screening. Integrate adjacent land uses of different intensities through a combination of berming, plantings and fencing. Use opaque screening only when necessary to mitigate the impact of noise, light, unattractive aesthetics, and traffic. A fence or wall shall not be the only screening material used (see Figure 2-7(b)).
  - c. Transition and buffering. Use landscaping to provide a transition from developed, managed landscape to more natural vegetation and buffer intensive uses from less intensive uses (see Figure 2-7(b)).
  - d. Comfort. Provide a tree canopy by installing shade trees within and adjacent to paved areas and incorporate landscaping into parking areas as necessary to minimize heat gain during the summer and minimize the effect of winter winds. Paved areas should utilize a white or light color to minimize heat gain (solar reflective index of no less than twenty-nine (29 SRI)).
  - e. Environmentally sensitive areas. Improvements within environmentally sensitive areas shall minimize disturbances and enhance the amenity.

- g. Character. Improvements shall be an integral part of the overall site design for each property. Improvements shall be designed to enhance the character of neighborhoods.
  - h. Interconnectivity. Landscaped areas shall be configured to maximize their interconnectivity with the site, natural areas, and landscaped areas in adjacent developments. Small isolated islands of landscaping should be avoided except as required in parking lots and for screening along roadways.
  - i. Definition of space. Landscaping shall create functional open space integration of outdoor rooms appropriate to the location and purpose of the open space within the development. This can be accomplished through a combination of plantings, design features, fencing, and berms and with the use of natural features on the site.
  - j. Enhancement of natural features. Landscaping shall enhance natural features, drainage ways, and environment resources while achieving maximum reductions in energy and resource consumption by shading areas from summer sun, blocking winter winds, and providing for infiltration of precipitation to minimize water runoff and improve water quality.
  - k. Site maintenance. All landscape improvements shall be designed for mature landscapes and shall provide appropriate visibility and safety for cars, pedestrians, etc.
  - l. Design hierarchy. Site development and subdivisions shall incorporate elements of gateway, path, and destination into the design of landscapes that support a hierarchy of space. Gateways are entries that provide transition from one space to another. Pathways are routes that lead to a destination. Destination includes nodes of activity or focal points that may include a bench along a path, plaza, or park, or entry to building.
  - m. Service areas. Parking areas, service entrances, recycling, refuse containers and dumpsters, utility boxes, and loading areas shall be screened from view from adjacent properties, public roads and rights-of-way, and other offsite view corridors to the greatest extent feasible while providing for public health and safety in accordance with Section 2.15 of the Land Use Code.
  - n. Fences and Walls. Fences and walls shall conform to the requirements of Section 2.16 of the Land Use Code.
  - o. Gateway Development Standards. Developments adjacent to arterial streets such as Highway 52, Highway 119, Colorado Boulevard, Aggregate Boulevard, Bella Rosa Parkway, and Tipple Parkway shall conform to the Gateway Landscape Standards in this Code.
  - p. Natural amenities. Where a site abuts a natural amenity such as a flood plain, trail corridor, park, or other open space, the landscape plan shall compliment the natural character or planned and integrity of the amenity and landscaping.
5. Plant materials.
- a. The minimum planting sizes on all required landscaping shall be two-inch (2") caliper deciduous trees, one-and-one-half-inch (1½") caliper ornamental trees, six foot (6') tall evergreen trees and five (5) gallon shrubs. Perennials shall be one (1) gallon container

size. Ground covers and vines shall be spaced to provide for eighty percent (80%) ground plane coverage within two (2) growing seasons. Multi-trunk trees shall have three (3) or more canes, and be six inches (6") in diameter measured four inches (4") above ground at a minimum of five feet (5') in height.

- (1) When landscaping more than an acre of net land area, forty (40) percent of the required deciduous trees may be one (1) to one and one-half (1½) inch caliper (distributed throughout the site), while shrubs may be two and one-half (2½) gallon container (distributed throughout the site), if previously approved by Town staff and as noted in the approved landscape plan.
- (2) Required plant materials shall be grown in a recognized nursery in accordance with proper horticultural practice. Plants shall be healthy, well-branched vigorous stock with a growth habit normal to the species and variety and free of diseases, insects, and injuries. Plantings within the Public lands (rights-of-way, tree lawns, etc.) shall be subject to inspection by Town staff prior to acceptance. Unacceptable plant stock shall be rejected.
- (3) All plants shall conform to standards for measurements, grading, branching, quality, ball and burlapping as stated in the *American Standard for Nursery Stock*, and the Colorado Nursery Act (CNA).
- (4) Organic mulches shall be applied over a weed control barrier at one (1) cubic yard per eighty (80) square feet and maintained at a minimum depth of three (3) inches and contained within an edging.
  - (a) Inorganic mulches and decorative rock shall be used as an ornamental feature in a limited area and contained by edging.
- (5) Irrigation. All required landscaping shall be irrigated as required for plant establishment, health, and maintenance. Irrigation systems shall be zoned appropriate to the type and scope of the landscape improvements and plant requirements, including but not limited to landscaping within the right-of-way. Irrigation systems shall be capable of supporting multiple zones and settings, including adjusting for weather conditions and water restrictions. All irrigation systems shall be connected to a back flow prevention device.
  - (a) Use of non-treated water for irrigation is encouraged if a permanent, suitable supply is available.
  - (b) Temporary irrigation may be used to establish and maintain ground cover and plantings within natural areas, or areas set aside for later development, as approved by the Town.
  - (c) Developer shall provide water taps, irrigation improvements, and dedicate water as needed to supply the landscaping.
- (6) Guarantee of installation. Required landscape improvements shall be installed prior to issuance of a certificate of occupancy or final inspection for all structures. If weather conditions prevent installation, the developer shall post a financial guarantee for the installation of the improvements, based on an estimate of the total cost for installation plus twenty-five percent (125%). The total cost of installation shall include all required labor, materials, and all necessary activities required for installation of the approved landscaping. This guarantee shall be released upon completion of two growing seasons after initial approval of the installation by the Town.
- (7) Maintenance. In order to provide for the ongoing health and appearance of required and approved landscape improvements, all landscaping shall be maintained in good health and replaced by the landowner or occupant as necessary. All property owners or occupants shall be responsible for

maintenance of landscaping within the portion of the public right-of-way between the back of the curb or street pavement and the adjacent property.

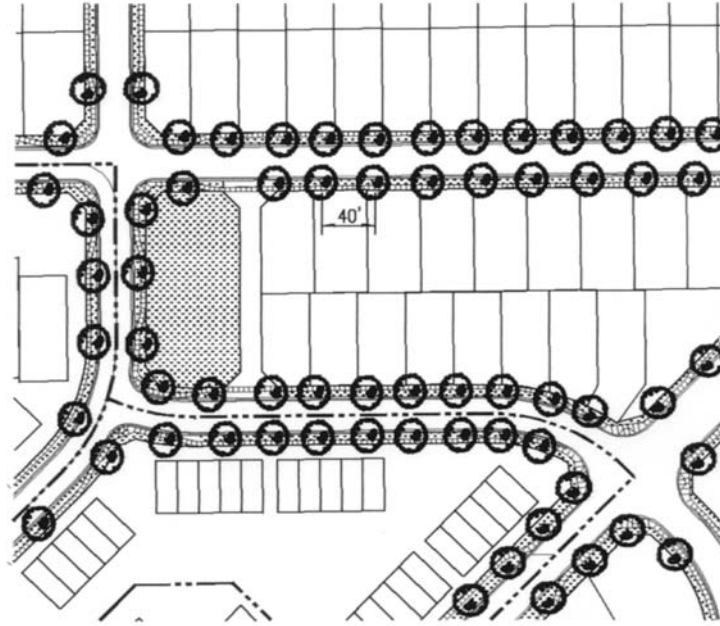
- (a) Trees and vegetation, irrigation systems, fences, walls and other landscape elements shall be considered as elements of the project in the same manner as parking, building materials and other site details. The applicant, landowner, or successors in interest shall be jointly and severally responsible for the regular maintenance of all landscaping elements in good condition. All landscaping shall be maintained free from disease, pests, weeds and litter, and all landscape structures such as fences and walls shall be repaired and replaced periodically to maintain a structurally sound condition, or when so directed by the Chief Building Official or Community Service Officer according to Municipal Code Chapter 7, Article II.
  - (b) Any portion of existing landscaping that is renovated and requires an irrigation system or issuance of a plumbing permit for an irrigation system shall comply with these regulations. Renovations include expansions and rehabilitation of landscape materials and components installed prior to the adoption of these regulations.
  - (c) Landscaping shall not encroach upon sidewalks or street rights-of-way and trimmed, pruned, and maintained to meet accessible route requirements of the Americans with Disabilities Act.
  - (d) The Town reserves the right to conduct compliance inspections to verify compliance with code requirements.
  - (e) The Town reserves the right to enforce these regulations in accordance with the provisions of the Land Use and Municipal Codes, as amended.
- (8) Prohibited plant materials. In addition to any plant that is listed by the State of Colorado as noxious or invasive, the following species are prohibited in the Town: Russian olive, Lombardy poplar, Siberian elm, Boxelder maple and Cotton bearing cottonwoods.
- (a) The Board of Trustees may consider cotton-bearing cottonwood on a site specific basis for restoration projects along riparian corridors, such as along Godding Hollow, Bulrush Wetland, Boulder Creek, etc.
  - (b) Poisonous plants are prohibited.

6. Landscaping design standards. All landscapes shall conform to the following design standards:

- a. Rights-of-way. Landscaping within the right-of-way and required common open space, the developer or assigns shall provide:
  - (1) Street trees: Deciduous or ornamental tree street tree shall be planted, by the developer, within the tree lawn portion of the right-of-way with adequate spacing to allow for the mature spread of the trees.
    - (a) Spacing requirements. Unless otherwise noted in this Code, street trees shall be spaced within the tree lawn, sufficient for mature growth and to avoid conflicts with lighting. For calculating the minimum required number of street trees, there shall be one (1) tree for every forty (40) linear feet of road frontage or curb, unless otherwise specified by this Code (see Figure 2-8).
      - i. In the Estate District, street trees may be planted in irregular clusters within the front yard setbacks.
      - ii. Street trees are not required in the Agricultural Zone.

- iii. Street trees along parks and open space shall conform to the requirements of Section 2.11.4(a).

Figure 2-8  
Spacing of Street Trees



Provide one tree for every 40' of block frontage or portion thereof. Space trees to account for mature spread.

- (b) Collector and local streets: The developer shall install tree lawns with live groundcover, including a combination of grass, flowers, shrubs, street trees, and mulch. The developer shall also install an automatic irrigation system that conforms to requirements noted in the Town of Frederick Design Standards and Construction Specifications (adopted December 13, 2007, as amended).
- (c) Arterial streets: The developer shall install tree lawns with live groundcover, including a combination of grass, flowers, street trees, planter beds, ornamental structures, paving and one (1) shrub for every one hundred fifty (150) square feet of landscape area clustered into planting beds. The developer shall also install an automatic irrigation system that conforms to the Town of Frederick Design Standards and Construction Specifications (adopted December 13, 2007, as amended).
- (d) Landscaping for required common open space shall be provided by the developer. Landscaping shall be appropriate to the use and function of the area and include trees, shrubs, groundcover, irrigation (where necessary) and paving in conformance with the Town of Frederick Design Standards and Construction Specifications (adopted December 13, 2007, as amended).
- (e) Each development shall provide a mechanism for long-term maintenance of common open space and arterial and collector street right-of-way landscaping, such as a homeowners or business owners association and covenants.

- b. Utilities. Landscape and utility plans shall be coordinated. The following sets forth minimum dimension requirements for the most common tree and utility separations. Exceptions to these requirements may occur where utilities are not located in their standard designated locations, or as approved by the Town. Tree and utility separations shall not be used as a means of avoiding the planting of required street trees.
  - (1) Forty (40) feet between shade trees and streetlights and fifteen (15) feet between ornamental trees and streetlights.
  - (2) Fifteen (15) feet between trees and water, sewer mains, and gas collection lines.
  - (3) Six (6) feet between trees and water, sewer, and gas service lines.
  - (4) Street trees on local streets planted within five (5) feet of underground utility easements may root near underground utilities. Additional conduit may be required to minimize damage to trees when servicing underground utility lines.
  
- c. Irrigation. An underground automatic irrigation system shall be installed to meet the requirements of the planted material. Such systems shall be zoned appropriately for the planted material and serviced by a controller capable of accommodating water restrictions and weather conditions, installed by the developer, and zoned appropriately for the planted material, except:
  - (1) Certified Xeriscape landscaping which does not require any irrigation for survival.
  - (2) Trees and other plants used to landscape a residential local street parkway abutting lots for single-family detached dwellings.
  
- d. Water Conservation. All landscaping plans shall be designed to incorporate water conservation materials and techniques through application of Xeriscape landscaping principles. Xeriscape landscaping principles do not include or allow artificial turf or plants, mulched (including gravel) beds or areas without landscape plant material, paving of areas not required for walkways, plazas or parking lots, bare ground, weed covered or infested surfaces or any landscaping that does not comply with the standards of this Section of the Code.
  
- e. Parks and Open Space. See also Section 2.11 of the Land Use Code.
  
- f. Parking areas and parking lot landscaping standards. Parking lot landscaping is intended to break up large expanses of pavement, create shade, buffer views of parking lots from adjacent streets and development, block winter winds, and enhance the overall appearance of each project.
  - (1) Applicability – All parking lots with ten (10) spaces or more shall be subject to these requirements.
  - (2) The developer or assigns shall provide landscaping to break up expanses of pavement as follows:
    - (a) Landscape islands: There shall be a minimum of one (1) landscape island for every ten (10) parking spaces. Landscape islands shall contain one tree and a minimum of one hundred and sixty (160) square feet of planting area and at the beginning and end of each run and every 30 spaces. Landscape islands may be attached to a pathway. Tree islands (as shown in Figure 2-9(a) and (b) shall have a minimum of sixteen (16) square feet of area dedicated to tree growth and must be developed with a root management system that minimized damage to the parking area while preserving plant health.

- (b) Tree canopy: At minimum, there shall be one tree for every landscape island. In addition, there shall be a minimum of one (1) tree for every ten (10) parking stalls. Double sided parking areas shall require two trees. See Figure 2-9 (a) and (b).

Figure 2-9(a)

**Landscape area with one tree per ten parking spaces**

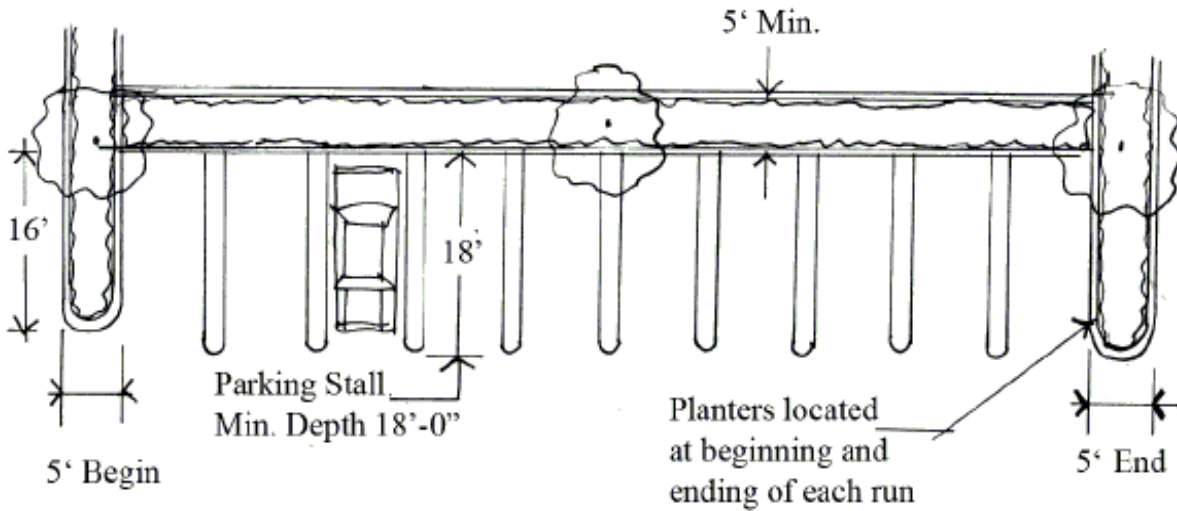
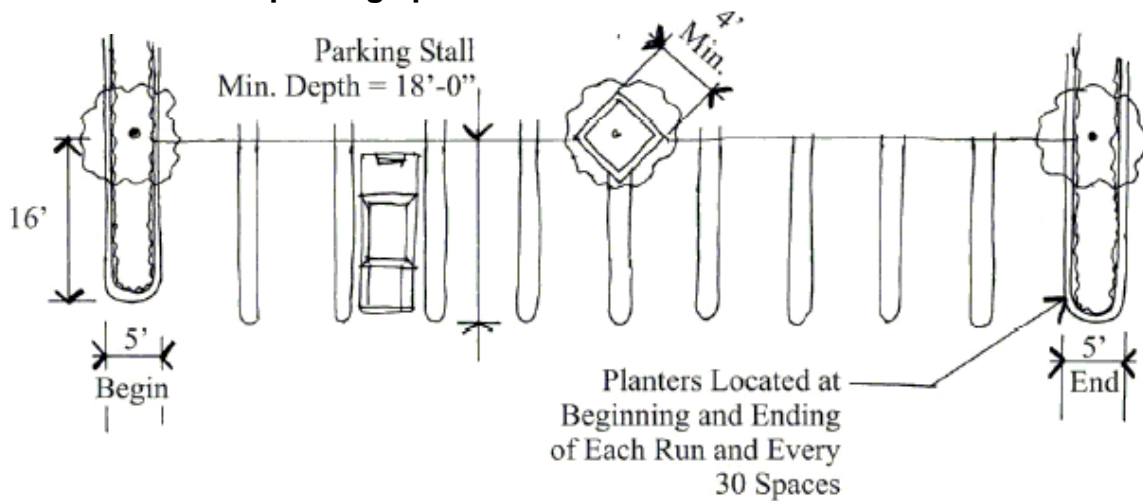


Figure 2-9(b)

**Landscape area with one tree per ten parking spaces**



- (3) Under-story plantings. Under-story planting shall be provided to buffer sites and soften views. At a minimum, there shall be one (1) shrub per seventy-five (75)

square feet of island and landscaped area adjacent to and within the parking lot. Shrubs should generally be group plantings in landscape islands. Ornamental ground cover may be substituted for one fourth (1/4) of the required shrubs, provided parking areas are screened and buffered from public rights-of-way, and as approved by Town Staff.

- (4) Turf grass and groundcover. Turf grass shall be limited to areas that are a minimum of ten (10) feet wide or otherwise easily maintained. Ground cover shall be used in areas where turf grass is not practical. Ground covers, forbs, and vines shall be spaced to provide eighty (80) percent ground cover within three (3) years.
  - (a) Trees within turf areas shall be protected by a mulch ring, maintained at a minimum radius of eighteen (18) inches around the base of the tree and a minimum of three (3) inches deep. Mulch rings protect roots from adverse weather conditions, maintain moisture, minimize weed growth and protect tree trunks from damage by weed trimming. Mulch within the mulch ring is recommended to be replaced annually, typically during the fall.
- (5) Mulch. No less than seventy-five (75) percent of any planter bed shall be organic. Manmade mulch products such as recycled tires, ground up glass, and the like, are not permitted. Mulch beds shall be underlain by a weed barrier. Organic mulches shall be applied at one (1) cubic yard per eighty (80) square feet of area and maintain a minimum depth of three (3) inches. At minimum, organic mulches are recommended to be replaced every three (3) years.
- (6) Ornamental use of rock, gravel mulch, and crushed rock (breeze), shall not exceed fifteen (15) percent of the total landscaped area within and adjacent to the parking lot. Where it is used, it shall include living material such as trees and shrubs that will tolerate heat and evaporation caused by rock mulch and gravel. Crushed rock (breeze) may exceed fifteen percent (15%) of the landscaped area if used as a trail or pathway, as approved by the Town.
- (7) Landscape setback to parking lot. There shall be a minimum of a twenty-five (25) foot landscape buffer and setback maintained from the edge of right-of-way for adjacent arterial and collector streets. The purpose of the setback is to provide a buffer between the street and parking areas and to soften the view of the parking from the street. This setback may be reduced to ten (10) feet if used in combination with a three (3) foot or taller articulated masonry or stone decorative wall with trees, shrubs, and ground cover on both sides of the wall (see Section 2.16). Signage may be included in this setback. Site distance triangle requirements shall be maintained.
- (8) Provide a mechanism for long-term maintenance of landscaping. All landscaping within and adjacent to parking lots shall be owned and maintained by the landowner or occupant.

g. Gateway Landscape Standards. Developments adjacent to arterial streets such as Highway 52, Highway 119, Colorado Boulevard, Aggregate Boulevard, Bella Rosa Parkway, and Tipple Parkway shall conform to the Gateway Landscape Standards set forth in this Section.

- (1) Landscape setback. A minimum landscape setback of thirty (30) feet shall be provided from the edge of rights-of-way. No building, parking, or drive shall be permitted within the landscape setback. Signage may be included in this setback, provided it conforms to Article 7 of the Land Use Code and applicable site triangle requirements. This setback may be reduced to fifteen (15) feet if used in

combination with a three (3) foot tall or taller articulated masonry or stone decorative wall with trees, shrubs, and ground cover planted on both sides of the wall.

- (a) The landscape setback shall contain sufficient landscaping to promote visual interest, screen parking and service areas, and buffer site development from the noise and visual impact of the adjacent roadway. The quantity and general distribution of plants shall conform to the minimum requirements of the zoning district and other applicable requirements in this Code. Internal and external views of significant cultural, economic, or natural features are to be preserved while plantings are placed to meet the screening requirements of Section 2.16. Distribution of the landscape features and addition plantings may be required by the Town to ensure that views of significant cultural, economic, or natural features are preserved and framed.
- (2) Street trees. Street trees along these corridors may be combined and distributed into a regular massing of trees, shrubs, and ornamental plantings as required interspersed with other surface applications and improvements including character or seasonal lighting, art work, landscape structures, and to promote community identify, harmony, traffic calming, and visual interest as reviewed and approved by Town Staff.
- (3) Planted Medians. Developers shall provide landscape medians for traffic calming and community character on all arterials that intersect with Highway 52 and Highway 119.
  - (a) Medians shall extend a minimum of one quarter (¼) quarter mile from the intersection, as approved by the Town.
  - (b) Medians shall be designed with a raised splash pan and maintain consistency with the character of the improvements on Colorado Boulevard near Highway 52, as approved by the Town in terms of articulation and design features.
  - (c) Medians shall be landscaped as follows:
    - i. Planter bed. No less than one half of the required median shall consist of landscaped area and planter bed. The landscaping shall be contained within a planter bed of organic mulch and maintained as required by the Land Use Code.
    - ii. Trees. Trees within medians shall be spaced in accordance with the street tree requirements for the adjacent zoning district. When these requirements conflict, the more restrictive shall govern. Fewer median trees may be placed to ensure that views of significant cultural, economic, or natural features are preserved and framed. Each median tree removed for view preservation shall be replaced by ten shrubs.
    - iii. Shrubs. Shrubs shall be provided at a ratio of one shrub per seventy (75) square feet of landscaped area.
    - iv. Ground cover. The judicious use of ornamental ground cover is required. Turf grass or lawn area shall not be permitted.
    - v. Irrigation. All landscaping shall be irrigated by an underground irrigation system. Water shall be provided by the adjacent owners association.
    - vi. Works of art and site features. Lighted exhibit space for works of art and site features are required within the medians. The installation of works of art and site features are encouraged and

- may substitute for other aspects of the parks and open space requirements as approved by the Board of Trustees.
- (d) Medians shall be lighted in a fashion that is similar to the character of the improvements on Colorado Boulevard near Highway 52, as approved by the Town.
    - i. Medians shall be installed by the Developer. Construction and installation costs may be shared by adjacent developments.
    - ii. Medians shall be maintained by the Town.
    - iii. In some instances, additional rights-of-way may be required to accommodate installation of the median.
  - (5) In locations where a landscape master plan has been approved by the Town, such as adjacent to Colorado Boulevard, landscaping shall be substantially consistent with the approved master plan.
    - (a) General parameters of the gateway landscaping requirements: Each mile of tree lawn requires one hundred thirty-two (132) trees, four hundred forty-four (440) shrubs, three-thousand four-hundred (3,400) perennial plants, and lawn or sod. Shrubs and perennials shall be contained within shrub or mulch beds. Additional landscaping is required along the outer edge of the tree lawns, sidewalk, and rights-of-way as noted in the landscape requirements for each zoning district.
    - (b) General parameters of the median landscaping requirements for gateway medians shall conform to the tree lawn requirements; however organic mulch shall substitute for turf grass or sod areas.
  - (6) Roads intersecting with the I-25 Frontage roads are not required to have landscaped medians; however the other applicable requirements of the gateways standards shall apply along the I-25 frontage.
- h. Site Plan, Conditional Uses and Special Use Reviews. Site Plans, Conditional Use and Special Use Reviews shall include a landscape plan as noted in Section 2.14 of the Land Use Code.
- (1) Site Plans and Conditional Use landscaping shall be designed as appropriate to the use and requirements of this Code.
  - (2) For Special Use Reviews, an operations area screening and landscape plan and or a post abandonment reclamation and landscape plan may be required by town staff on a case by case basis. Landscape and screening requirements shall be based on the adjacent uses, needs of the neighborhood, and anticipated development as noted in the Comprehensive Plan. Landscaping requirements may range from reclamation of native grass to screening oil and gas facilities with trees shrubs fencing and other elements, to installation of a landscaped park or open space upon abandonment of the oil and gas facilities and well site.
- i. Subdivisions. All subdivisions shall provide the following:
- (1) Each phase of the subdivision shall provide a landscape plan as follows:
    - (a) Conceptual landscape plan (submit with sketch plan). Intent: to illustrate the overall design concept for landscaping and depict how it relates to the overall site development and adjacent planned or existing development.
    - (b) Preliminary landscape plan (submit with preliminary plat). Intent: to illustrate the master landscape plan for the development.
    - (c) Final landscape plan (submit with final plat). Intent: to ensure that each phase of the final landscape plan is consistent with the master landscape

plan for the development and to illustrate the specific landscaping details for each phase.

- i. The Final Landscape Plan shall constitute a Landscape Master Plan for the development.

<b>Table 2-6</b>			
<b>LANDSCAPE PLAN</b>			
<b>Type of Application</b>	<b>Conceptual Landscape Plan</b>	<b>Preliminary Landscape Plan</b>	<b>Final Landscape Plan</b>
Sketch Plan	X		
Preliminary Plat/PUD		X	
Final Plat/PUD			X

- j. Right-of-way landscaping is required for adjacent streets and highways.
  - (a) The minimum requirements for landscaping the rights-of-way include the placement of street trees and landscaping within the tree lawn, gateway monumentation, all parks, trails, parking areas, outlots, recreational space, art work, or other features in accordance with the provisions of the Land Use Code. In some instances this requires additional landscape setback as defined by the Code.

- k. Landscaping shall buffer more intensive areas from less intensive areas in accordance with the provisions of the Land Use Code and as required by the Town. This may require landscaping treatments that exceeds the minimum requirements of the Code.

7. Additional landscape requirements by zoning district.

- a. General guidelines.
  - (1) Irrigation. All required landscaping shall be irrigated with an automatic underground sprinkler system, connected to a backflow prevention device. Such systems shall be zoned appropriately for the planted material and serviced by a controller capable of accommodating water restrictions and adjusting for weather conditions.
  - (2) Planter and mulch beds. Mulch is required for all planter beds. Manmade mulch products, such as recycled tires, ground glass, and the like, are not permitted. Mulch or planter beds shall be underlain by a weed barrier. Organic mulches shall be applied at one (1) cubic yard per eighty square (80) feet of area and maintain a minimum depth of three inches (3”). At minimum, organic mulches are recommended to be replaced every three (3) years. Planting in planter and mulch beds shall be designed to provide seventy-five (75%) coverage by live plant material such as flowers, shrubs, ground cover within three (3) years.
  - (3) Community gardens and orchards. If a community vegetable garden is desired, such garden shall be placed in the rear yard of the property unless, due to extenuating circumstances such as poor sunlight or poor access another location is more applicable and approved by the Town. Gardens that are visible from public lands, roads, or rights-of-way may be screened by shrubs and shall be kept in good order, maintained weed and rodent free, and arranged to prevent loss of

soil from wind or water erosion. Community vegetable gardens or orchards may be approved by the Parks Open Space Committee based on a recommendation by the Planning Department adjacent to open space or park areas on a case-by-case basis.

- (4) Ponds, water bodies, fountains, etc. Ponds, water bodies, or fountains over eighteen inches (18") deep or five feet (5') in girth require prior approval by the Town and may not be within the minimum required setback or an easement.

b. Single-family residential (R-1 and R-MH1) landscaping development standards.

- (1) In addition to the landscaping requirements as noted in Section 2.14.6, above, the developer or assigns shall provide:

- (a) Front yard landscaping extending from the fence line or front yard setback line (whichever is greater), to the front edge of the property, sidewalk and back-of-curb (whichever is greater):

- i. Turf. Excluding the driveway and sidewalk, the front yard shall be covered by no less than fifty percent (50%) drought tolerant turf grass. In addition, no less than an additional twenty-five percent (25%) of the front yard shall be covered in other live plant materials such as ground cover, shrubs, ornamental grass, etc. located between the dwelling and the back of curb or edge of road and contained in a planter bed, unless otherwise approved by the Town.

- ii. Shrubs. There shall be a minimum of five (5) shrubs, for the front yard setback of each home. Additional shrubs may further the intent of these provisions and are encouraged provided view triangle requirements are maintained. Shrubs shall be contained within a planter bed.

- iii. Trees. There shall be no less than one (1) tree in addition to the minimum required street tree within the front yard unless otherwise approved by the Town. Additional tree plantings may further the intent of these provisions and are encouraged provided view triangle requirements are maintained. It is recommended that a mulch ring or planter bed be maintained at the base of all trees to promote tree health and minimize damage from yard maintenance.

- iv. Decorative rock or gravel. Decorative rock or gravel mulch is permitted within three feet (3') of the building foundation and shall be underlain by a weed barrier. Plantings are not required within the foundation buffer. In no case shall decorative rock or gravel mulch exceed fifteen percent (15%) of landscaped area within the front yard unless otherwise approved by the Town.

- (2) Additional requirements for corner lots. Side yard landscaping on corner lots shall extend to the edge of the property or sidewalk and back-of-curb (whichever is greater):

- (a) Turf. Excluding sidewalks, there shall be no less than fifty percent (50%) coverage in drought tolerant turf grass within the side yard of the lot. In addition, no less than an additional twenty-five percent (25%) of the side lot shall be covered in other live plant materials such as ground cover, shrubs, ornamental grass, flowers, etc. located between the dwelling and the curb / edge or road, unless otherwise approved by the Town.

- (b) Side yard shrubs. A minimum of three (3) shrubs are required for side yards if adjacent to an alley or street in addition to the minimum required shrubs for the front yard. Additional shrubs may further the intent of these provisions and are encouraged provided view triangle requirements are maintained. Shrubs shall be contained within a planter bed.
    - (c) Side yard tree. All corner lots adjacent to a street or alley shall provide a side yard tree in addition to the required street tree, unless otherwise approved by the Town. It is recommended that side yard trees be ornamental. Additional tree plantings may further the intent of these provisions and are encouraged provided view triangle requirements are maintained.
  - (3) Additional Requirements for the R-MH1 Zone.
    - (a) Within the R-MH1 zone, the on site tree shall be replaced by one (1) ornamental tree. In addition, there shall be no less than seven (7) shrubs required in the front of each dwelling unit. Dwellings located at intersections, along public thoroughfares, and open space shall be buffered by an additional tree and three (3) shrubs as applicable.
  - (4) The lot owner shall:
    - (a) Install remainder of yard, and is encouraged to plant additional trees, shrubs and flowers, etc., using low water plants and techniques to promote energy and resource efficiency as generally set forth in this Section. No more than twenty-five percent (25%) of any yard area may be covered in decorative rock or gravel.
- b. Medium and high density residential zoning district (R-2, and R-3 zones) landscaping standards.
  - (1) In addition to right-of-way and parking lot landscaping (see Section 2.14.6.a), the developer or assigns shall provide:
    - (a) Landscape area and open space: No less than twenty percent (20%) of the site shall be maintained as landscaped area. Each development within these zones shall provide a recreational amenity as approved by Town staff and in accordance with Section 2.11 of the Land Use Code. Right-of-way landscaping is required for adjacent streets and highways, but is not included in the required twenty percent (20%) landscape area calculation.
    - (b) Plantings: Turf grass, ground covers, shrubs, and trees shall be provided to buffer sites, soften views, promote energy efficiency and minimize water consumption.
      - i. Turf grass and groundcover: There shall be a minimum of seventy-five percent (75%) live materials between the front of the dwelling or structure and the curb unless approved by the Town, and no less than forty percent (40%) of the required landscaped area shall be maintained as drought tolerant turf grass, unless otherwise approved by the Town. In addition, no less than an additional twenty-five percent (25%) of landscaped area shall be covered in other live plant materials such as ground cover, shrubs, ornamental grass, etc. Turf grass shall be limited to areas that are a minimum of ten feet (10') wide or otherwise easily maintained. Ground cover shall be used in areas where turf grass is not practical. Ground covers, vines, or native plants shall be spaced to provide eighty percent ground cover within

three years of planting. No portion of the site shall remain void of vegetation or landscape cover.

- ii. Trees and shrubs. There shall be a minimum of two (2) trees and four (4) shrubs per one thousand (1,000) square feet of landscaped area, distributed on the site. One (1) tree may be substituted for four (4) shrubs, or vice-versa provided the development meets screening, buffering, and other landscape requirements of the Code.

Where appropriate, use native grass for areas that will not function as active recreation areas. Non-ornamental native grass areas shall be weed-free and maintained at a maximum height of eight inches (8”).

- iii. Decorative rock or gravel mulch is permitted within ten feet (10’) of the building foundation. Plantings are not required within the foundation buffer. In other applications, decorative rock or gravel mulch may not exceed fifteen percent (15%) of the total landscaped area unless otherwise approved by the Town. When decorative rock is used, it must be combined with hardy plantings capable of withstanding the heat and evaporation caused by rock mulch.

- c. Estate District and Agricultural District (R-E and A) development landscaping standards. Each home shall be landscaped using a combination of turf grass, ground cover, ornamental grass and shrubs, and trees designed to retain a naturalized character while maintaining consistency with the Town landscape requirements.

- (1) In addition to landscaping the right-of-way tree lawn as noted in Section 2.14.6.a, the developer or assigns shall provide landscaping in accordance with the following minimum and maximum requirements.

- (a) Turf grass. No less than one third (1/3<sup>rd</sup>) of the front yard shall consist of drought tolerant turf grass up to 6,000 sq. ft. The remaining yard shall be maintained weed free native drought tolerant vegetation, unless otherwise approved by the Town.
- (b) Ground cover. Ground cover in combination with irrigated and native grasses, wildflowers, shrubs, and trees as appropriate to the design of the individual home. The minimum number of required shrubs is ten (10), located between the dwelling and adjacent roadway.
- (c) Decorative rock. Decorative rock or gravel mulch is permitted within five feet (5) of the building foundation. Plantings are not required within the foundation buffer. Organic mulch is preferred within landscape beds. In no case shall decorative rock or gravel mulch exceed fifteen percent (15%) of landscaped area within the front and side yards (if adjacent to a street or alley) unless otherwise approved by the Town. When decorative rock is used, it must be combined with hardy plantings capable of withstanding the heat and evaporation caused by rock mulch.
- (d) Trees. The developer shall provide a minimum number of two (2) trees in the front yard, located between the dwelling and adjacent roadway.
- (e) Shrubs. The developer shall provide a minimum of five (5) shrubs for the front yard of each lot. Corner lots shall provide for a minimum of four (4) additional shrubs between the dwelling and the access way.

- (2) The lot owner shall:

- (a) Install remainder of yard, and is encouraged to plant additional trees, shrubs and flowers using Xeriscape principles and promote energy and resource efficiency as generally set forth in this Section of the Code.
    - (b) Maintain the yard and landscaping within their parcel and the adjacent right-of-way to the edge of curb or road in accordance with Town Code. No portion of the lot or adjacent public land, right-of-way, or landscape area may remain denuded, void of vegetation or in an unkempt condition.
  - (3) Vegetable gardens. Except in the Agricultural district, if a personal vegetable garden is desired, such garden shall be placed in the rear yard of the property unless, due to extenuating circumstances such as shade or poor access another location is more applicable and approved by the Town. Gardens that are visible from public lands, roads, or rights of way may be screened by shrubs and shall be kept in good order, maintained weed and rodent free, and arranged to prevent loss of soil from wind or water erosion.
    - (a) Private, non-profit, and commercial agricultural operations in the Agricultural District are exempt from this requirement.
- d. Commercial landscaping standards for the Downtown Commercial, Neighborhood Commercial, Community Commercial, and Mixed Use Highway 52 Zoning Districts (C-D, C-N, C-C, and C-H52). Urban landscaping within a commercial zone is intended to provide an attractive environment for people to walk and shop, buffer unsightly views and uses, and link the structure to the ground and surrounding development. Accordingly landscaping shall be integrated into the site design to soften views, provide visual relief, variety, interest, color and texture, and buffer adverse environmental conditions such as summer heat and winter winds, as well as screen service areas and utilities.
- (1) In addition to landscaping requirements noted in Section 2.14.6 above at minimum, the developer or assigns shall provide:
    - (a) Site specific landscaping area. Each lot or parcel within these districts shall provide a minimum of fifteen percent (15%) landscaped area, excluding sidewalks, drives, and parking areas. No more than fifteen percent (15%) of the land dedicated to storm water management (such as grass swale or detention pond) may count toward the minimum required landscape area. This landscaped area is in addition to any public open space land dedication provided at the time of subdivision. Right-of-way landscaping is required for adjacent streets and highways, but is not included in the calculation for minimum required landscape area. Right-of-way and parks or open space landscaping is required, but is not included in the minimum required fifteen percent (15%) calculation.
    - (b) Street trees: Street trees are required spaced at one (1) tree per fifty (50) feet of curb length or street frontage for all perimeter streets.
    - (c) Site trees. Site trees are required at one (1) tree per one thousand-five hundred 1,500 square feet of landscaped area. Within the original Town site, site trees shall be planted as practical for the development and in character to the neighboring properties.
    - (d) Shrubs, flowers, and ground cover: There shall be one shrub per every one hundred fifty (150) square feet of landscape area and turf or ground cover encompassing no less than ten percent (10%) of the site. Within the original Town site, shrubs, flowers, and ground cover shall be planted as practical for the development.
    - (e) Raised planter beds, benches, street lights, walls, etc., are required as appropriate to enhance building entries and the streetscape.

- (f) Gateway features. Thematic gateway and plaza features that minimize corporate influences while promoting consistency with the character of the Town and promoting an urban landscape are required.
  - (g) Decorative Rock and gravel. The use of decorative rock or gravel mulch shall be minimized to prevent the potential for vandalism. Organic mulch is preferred within landscape beds. In no case shall decorative rock or gravel mulch exceed fifteen percent (15%) of landscaped area unless otherwise approved by the Town. When decorative rock is used in the planter bed, it shall be combined with hardy plantings capable of withstanding the heat and evaporation caused by rock mulch.
  - (h) Gateway Projects. Developments adjacent to and visible from I-25, Highway 52, Colorado Boulevard, Aggregate Boulevard, Bella Rosa Parkway, and Tipple Parkway shall also conform to the Gateway Landscape Standards set forth in Section 2.14.6.g of the Land Use Code
  - (i) A landscape buffer shall be provided between developments within this zone and less intensive uses, in accordance with Section 2.15 of the Land Use Code.
  - (j) Loading, service, storage, and utility areas. Loading areas (including vehicles being loaded), service, and storage areas are not to be visible from the public right-of-way or adjacent property and shall be shielded from view with an opaque screen that is an integral part of the building architecture and landscaping as defined in Section 2.15.3.
- e. Employment District (C-E) landscaping standards. Employment District landscaping is intended to provide an attractive environment for people to work in an urban campus like environment. Accordingly landscaping shall be integrated into the site design to soften views, provide visual relief, provide variety, interest, color and texture, and buffer adverse environmental conditions such as summer heat and winter winds, as well as screen service areas and utilities.
- (1) In addition to meeting the landscaping requirements as noted in Section 2.14.6, at minimum, the developer or assigns shall provide:
    - (a) Site specific landscaping area. Each lot or parcel within these districts shall provide a minimum of fifteen percent (15%) of the gross site as landscaped area, excluding sidewalks, drives, parking areas, and parking lot landscaping. This landscaped area is in addition to any public open space land dedication provided at the time of subdivision. Right-of-way landscaping is required for adjacent streets and highways, but is not included in the calculation for minimum required landscape area. No more than ten percent (10%) of the lands dedicated to storm water management may count toward the minimum landscaping requirement. Waivers to the height requirements within this zone may be granted by the Board of Trustees provided a proportional increase in landscaped open space and recreational or pocket park areas are provided. Right-of-way landscaping is required for adjacent streets and highways, but is not included in the minimum required fifteen percent (15%) calculation.
    - (b) Street Trees: Street trees spaced at one (1) tree per fifty (50) feet of curb length / street frontage.
    - (c) Site Trees: Site trees are required at one (1) per every two-thousand (2,000) square feet of landscaped area. Up to one fourth (1/4) of the required site trees may be substituted by shrubs at a ratio of ten (10) shrubs per each substituted site tree.

- (d) Shrubs, flowers and ground cover: Shrubs, flowers, and ground cover shall encompass no less than fifteen percent (15%) of the required landscape area. Plants shall be placed in planter beds. There shall be one (1) shrub per every one-hundred (100) square feet of planter bed. Up to one-half (1/2) of the required shrubs may be substituted by site trees at a ratio of one (1) tree per ten (10) required shrubs.
- (e) Planter Bed: Planter beds shall be mulched with organic materials. Raised planter beds, benches, street lights, walls, etc., shall be provided as appropriate to enhance building entries, pedestrian walk ways, and the streetscape.

Manmade mulch products, such as recycled tires and the like, are not permitted. Planter or mulch beds shall be underlain by a weed barrier. Organic mulches shall be applied at one (1) cubic yard per eighty (80) square feet of area and maintain a minimum depth of three inches (3”).

- (f) Decorative rock or gravel: Decorative rock or gravel mulch is permitted within fifteen feet (15) of the building foundation. Organic mulch is preferred within landscape beds. In no case shall decorative rock or gravel mulch exceed fifteen percent (15%) of landscaped area within the front and side yards (if adjacent to a street or alley) unless otherwise approved by the Town.
- (g) Gateway projects: Developments adjacent to and visible from I-25, Highway 52, Colorado Boulevard, Aggregate Boulevard, Bella Rosa Parkway, and Tipple Parkway shall also conform to the Gateway Landscape Standards set forth in Section 2.14.6.g of the Land Use Code.
- (h) Landscape buffer: A landscape buffer shall be provided between developments within this zone and less intensive uses (see Section 2.15).
- (i) Loading, service, storage and utility areas. Loading areas (including vehicles being loaded), service and storage areas are not to be visible from the public right-of-way or adjacent property and shall be shielded from view with an opaque screen that is an integral part of the building architecture and landscaping (see Section 2.15.3).

f. Business Light Industrial and Industrial Zoning districts (BLI and I).

- (1) Site specific landscaping area. Each lot or parcel within these districts shall provide a minimum of twenty percent (20%) of the development site (gross land area) shall be landscaped area. This landscaped area is in addition to any public open space land dedication provided at the time of subdivision. Right-of-way landscaping is required for adjacent streets and highways, but is not included in the calculation for minimum required landscape area. Landscape improvements shall be designed to enhance the overall appearance of the development and integrate the project with adjacent land uses and into the surrounding neighborhood. All improvements shall consider the people who will use the site and travel through or by the site and adjacent land uses.
- (2) In addition to the landscaping requirements noted in Section 2.14.6 at minimum, the developer or assigns shall provide:
  - (a) Street trees: Street trees are required spaced at one (1) tree per fifty (50) feet of curb length / street frontage. Developments located along a gateway corridor shall comply with the gateway landscape requirements noted in Section 2.14.6 of the Land Use Code.

- (b) Site trees: Site trees are required at one per every two thousand (2,000) square feet of landscaped area, distributed on the site. Up to one fourth (1/4) of the required site trees may be substituted by shrubs at a ratio of ten (10) shrubs per each substituted site tree.
- (c) Shrubs: Shrubs, flowers, and ground cover shall consist of no less than fifteen percent (15%) of the landscape area. Plants shall be placed in planted beds. There shall be one (1) shrub per every one-hundred fifty (150) square feet of planter bed. Group shrubs and distribute throughout the site. Trees may be substituted for up to one-third (1/3) of the required shrubs at the rate of one (1) tree for five (5) shrubs. Up to one-third (1/3) of the required shrubs may be substituted by site trees at a ratio of one (1) tree per ten (10) required shrubs.
- (d) Groundcover. Establish drought tolerant irrigated turf grass covering no less than ten (10) percent of the landscape area. Where appropriate, use native grass for areas that will not function as active recreation areas. Native grass must be weed-free and maintained at a maximum height of eight (8) inches. There shall be a minimum of seventy-five percent (75%) live materials between the building and the street unless approved by the Town.
- (e) Building entries and streetscapes. Raised planter beds, benches, street lights, walls, etc., shall be provided as appropriate to enhance building entries and the streetscape.
- (f) Decorative rock. Decorative rock or gravel mulch is permitted within fifteen feet of the building foundation. Organic mulch is preferred within landscape beds. In no case shall decorative rock or gravel mulch exceed fifteen percent (15%) of landscaped area within the front and side yards (if adjacent to a street or alley) unless otherwise approved by the Town. All rock mulch or decorative rock areas shall be planted with trees and shrubs. However, plantings are not required within the foundation buffer.
- (g) View Corridors. Developments adjacent arterials such as Highway 52, Colorado Boulevard, Aggregate Boulevard, Bella Rosa Parkway, and Tipple Parkway shall also conform to the Gateway Landscape Standards set forth in Section 2.14.6 of the Land Use Code
- (h) Landscape Buffer. A landscape buffer shall be provided between developments within this zone and less intensive uses. See buffering requirements in Section 2.15 of the Land Use Code.
- (i) Loading Areas. Loading areas (including vehicles being loaded), service and storage areas visible from the public right-of-way or adjacent property shall be screened with an opaque screen that is an integral part of the building architecture and landscaping. Particular care shall be made to screen storage, service and utility areas from I-25, Highway 52, and any adjacent arterial road (see Section 2.15.3).
- (j) Outdoor Storage area. Outdoor storage areas shall be screened through the combination of fencing, landscaping, walls, and architectural elements. The use of chain link within the industrial zone, while permitted, shall not be located within areas that are visible to adjacent properties or rights-of-way. Particular care shall be made to screen storage, service and utility areas from I-25, Highway 52, and any adjacent arterial road (see Section 2.15).

8. Mitigation. Healthy, mature trees that are removed shall be replaced with not less than one (1) or more than six (6) replacement trees sufficient to mitigate the loss of value of the removed tree.

a. A significant tree that is removed shall be replaced with not less than one (1) or more than six (6) replacement trees sufficient to mitigate the loss of value of the removed significant tree. The applicant shall select a qualified landscape appraiser to determine such loss based upon an appraisal of the tree to be removed by using the most recent published methods established by the Council of Tree and Landscape Appraisers. Replacement trees shall meet the following minimum size requirements:

- (1) Canopy Shade Trees three inch (3.0") caliper balled and burlap or equivalent.
- (2) Ornamental Trees two and one half inch (2.5") caliper balled and burlap or equivalent.
- (3) Evergreen Trees eight foot (8') height balled and burlap or equivalent.
- (4) Plants that meet one (1) or more of the following removal criteria shall be exempt from the requirements of this subsection:
  - (a) Dead, dying, or naturally fallen trees, or trees found to be a threat to public health, safety, welfare, or property;
  - (b) Trees that are determined by the city to substantially obstruct clear visibility at driveways and intersections;
  - (c) Plant species that are listed by the State as noxious or invasive or determined to be a nuisance such as cotton-bearing cottonwood, Siberian elm, Russian olive and female box-elder, or known to be poisonous. Native cotton-bearing cottonwood trees and female box-elder trees, when located in a natural area buffer zone, are not nuisance tree species.

9. Submittal standards for all landscape plans. All land development applications will be accompanied by the appropriate landscape plan.

a. Submitted landscape plans shall include:

- (1) Hydrozones must be identified on all landscape plans. The four (4) hydrozones are defined as:
  - i. High Hydrozone: eighteen (18) gallons/s.f./season;
  - ii. Moderate Hydrozone: ten (10) gallons/s.f./season;
  - iii. Low Hydrozone: three (3) gallons/s.f./season;
  - iv. Very Low Hydrozone: zero (0) gallons/s.f./season.
- (2) High hydrozones shall not exceed fifty percent (50%) of the landscape area, except for right-of-ways, parks and other areas as approved by the Town.
- (3) The total annual water use shall not exceed an average of fifteen (15) gallons/square foot over the site; including all hydrozones.
- (4) A note calling for mulch; a minimum depth of three inches (3") to a maximum of five inches (5").
- (5) A detailed irrigation plan is required to be submitted at the same time as the landscape plan.
- (6) A Water Budget Chart that shows a maximum overall water need of fifteen (15) gallons per square foot over the site.

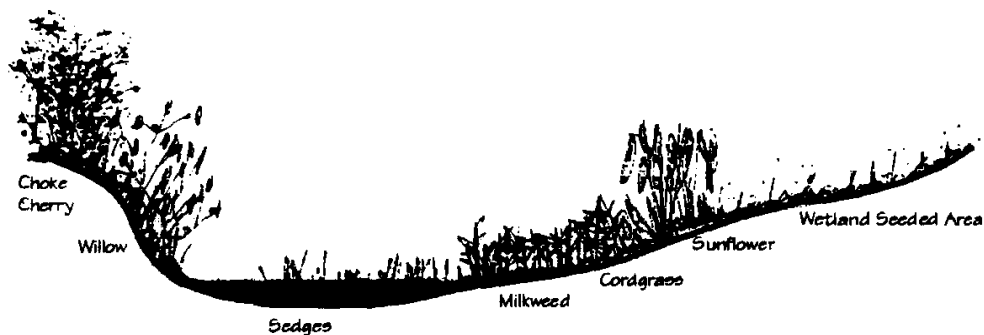
b. The minimum required information for all landscape plan is provided in the following Table 2-7.

<b>Table 2-7</b>			
<b>REQUIRED LANDSCAPE PLAN INFORMATION</b>			
<b>Information Required</b>	<b>Concept</b>	<b>Preliminary</b>	<b>Final</b>
Scale, north arrow, site boundary	Y	Y	Y
Existing and proposed streets		Y	Y
Existing and proposed utilities and easements		Y	Y
Existing contours (2' intervals), can be USGS for conceptual landscape plan	Y	Y	Y
General grading concepts detailed for proposed improvements, with typical cross-sections of streets and special treatment areas		Y	
Existing and Proposed contours at two foot (2') intervals. With earth work calculations.		Y	Y
Description of the design intention. Describe the general character and location of proposed landscaping and open space and how it meets the purpose of these regulations The landscape plan shall be on a separate page from the plat map or site plan and shall include square footages and percent coverage for all site features such as permeable and impermeable surfaces, landscape area, building and parking foot print, etc. The plan shall be scaled sufficient for readability.	Y	Y	Y
Illustrate how the open space network and pedestrian circulation system will function and connect to adjacent existing and proposed development.	Y	Y	Y
Show existing and proposed site features including ditches, trees, shrubs and groundcovers and any drainage ways, wetlands or wildlife habitat present on the site. Indicate which plants will be preserved, the method of preservation and which will be removed.	Y	Y	Y
Show the proposed landscaping including: trees, shrubs, groundcover, walks, and fences. Show which plantings are deciduous and evergreen.	Y	Y	Y
Indicate which areas will be irrigated and method of irrigation		Y	Y
Detail drawings for all proposed improvements including but not limited to irrigation plans, signs, walls, site features, etc.		Y	Y
Define areas to be considered open space and if they will be public or private. Indicate how open space will be maintained including: erosion control, re-vegetation, and weed management both during and after construction.		Y	Y
Dimensioned construction drawings.		Y	Y
Detailed planting plan indicating location, species, size and quantity of all proposed plantings and groundcover. Improvements shall be shown in their final location and mature size. Include a plant list in chart form and description of the type and location of improvements such as groundcover, walks, fences, and mulches. Include a cost estimate for all improvements. (This may be submitted as a separate sheet and is not required on the plans.)			Y
Construction and maintenance specifications.			Y
Hydro-zone information and irrigation plan			Y
Any additional information noted in the applicable portion of Appendix A and this Code.	Y	Y	Y

10. Storm drainage facilities.
  - a. Intent. The intent of this Subsection is to promote innovative and effective land and water management techniques that protect and enhance water quality.
  - b. General provisions.

- (1) Landscaping associated with storm drainage facilities shall be integrated into the overall design of the project.
- (2) It shall enhance the overall appearance of the project, prevent erosion and improve water quality of storm water runoff whenever possible.
- (3) Portions of the storm drainage facilities may function as parks or open space if they include improvements for active recreation, trail corridors, or habitat enhancement areas as noted in the park and landscape requirements of this Code (see Section 2.11).
- (4) The use of planting strips and shallow landscaped depressions in parking lots and along roads is encouraged to help trap and remove pollutants from storm water runoff (See Figure 2-10).

**Figure 2-10  
Storm Drainage**



Develop storm drainage systems as landscape amenities which can enhance the overall project.

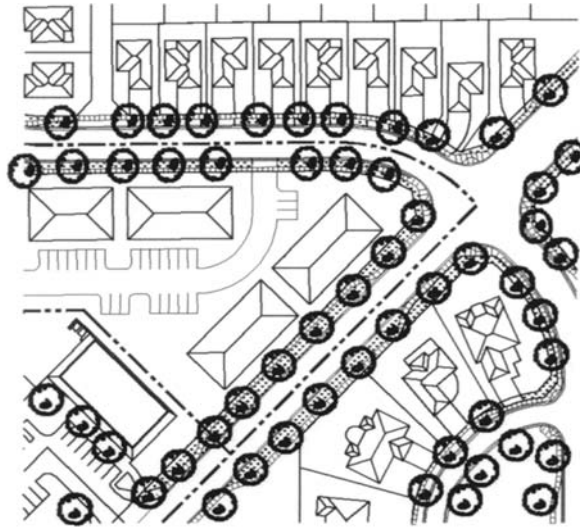
- c. Minimum requirements.
  - (1) All facilities shall be seeded to grass appropriate to the function of the area. Areas to be used for active recreation shall be seeded to a turf-type grass and irrigated with a permanent irrigation system. Areas to be maintained for habitat enhancement shall be seeded to native grasses and native wildflowers. The developer is responsible for establishment of a complete, weed-free stand of native grass.
  - (2) Maximum side slope on drainage facilities shall be 4:1. Side and bottom slopes shall be reduced to rise to run ratio of 1:4 if used for recreational purposes.
  - (3) Landscape improvements shall be designed to enhance the function of the facility. Areas designed for recreation shall include clusters of trees to provide shade, and other amenities located so they do not impair the function of the facility.
  - (4) Habitat and water quality enhancement, including wetland plantings in low wet areas, is encouraged.
- d. Ownership and maintenance. All drainage facilities shall be owned and maintained by the landowner or owners' association.

11. Alternative compliance. Should the developer propose an alternative landscape plan that meets the intent of the standards identified above, the Planning Director may approve the alternative plan.

**Sec. 2.15. Buffering and screening techniques.**

1. Intent. It is the intent of this Section to integrate adjacent land uses and provide seamless transitions from one (1) use to another through the use of building orientation and access, landscaping, and appropriate architectural elements.
2. General provisions.
  - a. Special consideration shall be given to adjacent land uses of different intensities. It shall be the responsibility of the developer of the more intensive use to ensure that the transition from one (1) use to another is attractive, functional, and minimizes conflicts between the current and planned uses.
  - b. It is the responsibility of the developer of the higher intensity use to demonstrate that the uses will be compatible. This can be accomplished through the effective use of shared access and parking, appropriate building orientation and setbacks, landscaping, architectural treatment, and limited use of fencing and screening walls. Special consideration shall be given to the impact of aesthetics, noise, lighting, and traffic. See Figure 2-10.
  - c. Buffering may be required between any development and adjacent natural or environmentally sensitive areas. This will be determined on a case-by-case basis.
  - d. Landscaping intended to provide buffering and screening shall be maintained in a healthy condition, trimmed, and pruned as appropriate for the plant type.
  - e. Dead plant material shall be removed and/or replaced as appropriate when so ordered by the Building Inspector or Community Service Officer according to Municipal Code Chapter 7, Article II.
  - f. Landscaping shall not encroach upon sidewalks or street rights-of-way.
  - g. Prohibitions:
    - (1) Under no circumstances shall a fence be the only screening material used as a buffer between land uses.
    - (2) Chain link fencing with or without slats shall not be used for screening purposes.

**Figure 2-10**  
**Integration of Land Uses**



Integrate adjacent land use through appropriate:

- Building orientation and setback
- Landscaping
- Access
- Architectural elements

3. Location and screening of required loading and service areas.
  - a. Loading docks, solid waste facilities, recycling facilities and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations.
  - b. Screening and landscaping shall prevent direct views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and landscaping shall also prevent spill-over glare, noise, or exhaust fumes. Screening and buffering shall be achieved through walls, architectural features, and landscaping; and shall be visually impervious. Recesses in the building or depressed access ramps may be used.
4. Dumpsters.
  - a. Every development that is required to provide one (1) or more dumpsters for solid waste collection shall provide sites for such dumpsters that are:
    - (1) Located to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties or public rights-of-way; and
    - (2) Constructed to allow for collection without damage to the development site or the collection vehicle.
  - b. All such dumpsters shall be screened to prevent them from being visible to:

- (1) Persons located within any dwelling unit on residential property other than that where the dumpster is located;
- (2) Occupants, customers, or other invitees located within any building on nonresidential property other than that where the dumpster is located; and
- (3) Persons traveling on any public street, sidewalk, or other public way.

5. Buffering and screening land uses

- a. When a property is developed with multiple land uses, buffer areas must be provided between residential and non-residential zones. The minimum allowable buffer area is fifteen (15) feet.
- b. All air conditioning, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties through the use of roof elements and landscaping.
- c. When excess weight vehicles, recreational vehicles, and utility trailers are stored on private property in accordance with this Code and Frederick Municipal Code Chapter 8, Article III, Sections 8-41 and 8-42, screening is required to limit visual exposure from adjoining properties. Screening may be accomplished with a combination of fencing and landscaping.
- d. Outdoor Storage areas. Outdoor storage areas shall be screened through a combination of fencing, landscaping, walls, and architectural elements. Particular care shall be made to screen storage, service, and utility areas from I-25, Highway 52, and any adjacent arterial road.
- e. Parking lots shall be appropriately screened with landscaping to prevent headlights from shining into less intensive land uses.

**Sec. 2.16. Fences and walls.**

1. Intent. It is the intent of this Section to ensure that walls and fences are attractive and in character with the neighborhood.
2. General provisions.
  - a. Compatibility. Walls and fences shall be architecturally compatible with the style, materials and colors of the principal buildings on the same lot.
  - b. Visual interest. If used along collector or arterial streets, such features shall be made visually interesting by integrating architectural elements such as brick or stone columns, varying the alignment or setback, softening the appearance with plantings, or through similar techniques.
    - (1) In order to prevent mundane expanses of fencing, a fence must have a unique element located every fifty (50) feet.
    - (2) Retaining walls in residential districts:
      - (a) Adjacent to a local street are exempt from this requirement;
      - (b) Adjacent to a collector or arterial street and more than three hundred (300) square feet shall have a unique element every fifty (50) feet.

- (3) Retaining walls in a non-residential zoning district and more than three hundred (300) square feet shall have a unique element every fifty (50) feet.
- c. Fence/wall materials.
- (1) Stone walls, brick walls with a stone or cast stone cap, treated wood fences, decorative metal, cast iron fences, stucco walls, and stone piers are encouraged.
  - (2) Solid walls and fences are permitted in rear and side yards of all zoning districts, provided they are not within the site distance triangle.
  - (3) Fences used within front setbacks of all zoning districts shall be at least fifty percent (50%) open. Allowable fences are split rail, wrought iron, picket or other opaque fences of a similar nature.
  - (4) Hedges may be used in the same manner and for the same purposes as a fence or wall.
  - (5) Solid fences shall be constructed to meet the wind design criteria of the currently adopted building code, using a basic wind speed of ninety (90) miles per hour.
  - (6) Other materials may be incorporated in fences and walls as may be approved by the Planning Director.
  - (7) Chain link fencing is permitted in the following instances:
    - (a) In the Industrial zoning district with the following restrictions:
      - i. The chain link is vinyl coated;
      - ii. It is no taller than eight (8) feet anywhere on the premises.
    - (b) Around a publicly owned recreation area with the following restrictions:
      - i. The chain link is vinyl coated.
    - (c) Around the playground area of a state licensed child care center with the following restrictions:
      - i. The chain link is vinyl coated.
      - ii. The fence is less than five (5) feet tall.
- d. Prohibited materials.
- (1) Contemporary security fencing such as concertina or razor wire, barbed wire or electronically charged fences are prohibited unless specifically allowed by the Board of Trustees. Electric barrier fencing installed and used with a transmitter collar worn by a dog(s) for the purpose of maintaining the dog(s) within the owner or keeper's premises shall be permitted.
  - (2) Chain link fencing with or without slats shall not be used as a fencing material except as identified in Section 2.16.2.c(7).
- e. Retaining walls. Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property.
- (1) Retaining walls are permitted where required for landscaping or architectural purposes.
- f. Height limitations. Fences or walls shall be:
- (1) No more than forty-two (42) inches high between the front building line and the front property line. For corner lots, front yard fence regulations shall apply to both street sides of the lot.
  - (2) No more than forty-two (42) inches high if located on a side yard line in the front yard, except if required for demonstrated unique security purposes.
  - (3) No more than six (6) feet high for an opaque privacy fence located on a rear property line or on a side yard line in the rear yard.

- (4) No more than six (6) feet high for opaque privacy fences that are located directly adjacent to and integrated with the architecture of the house or connected to a courtyard.
- (5) No more than thirty (30) inches high when located within the site distance triangle, and fences or walls within this site distance triangle shall not be solid.
- (6) In the Industrial (I) zone district, a chain link fence may be up to eight (8) feet tall.
- (7) Fences around a recreation court (e.g., tennis, squash racket, squash tennis or badminton) or around a publicly owned recreation area may exceed six (6) feet in height if the fence is at least fifty percent (50%) open.

g. Maintenance.

- (1) Dilapidated, unsightly, or dangerous fences, walls, or retaining walls shall be removed or repaired when so ordered by the Building Inspector or Community Service Officer according to Municipal Code Chapter 7, Article II or Chapter 11, Article III.

- 3. Warranty period. Developers shall provide a warranty period for perimeter fences along arterial and collector streets of two (2) years. Provision for compliance shall be as outlined in the warranty section of the Memorandum of Agreement for Public Improvements (MOAPI).

**Sec. 2.17. Residential architecture (single-family and multi-family dwellings).**

- 1. Intent. Architecture plays an important part in developing an identity for neighborhoods and dwellings. Thus, the Town wants to build upon the architectural traditions of the region, yet allow for diversity of expression. In addition, the Town wants to encourage a variety of housing types, sizes, and prices in each neighborhood to allow people to remain in their neighborhoods, as their housing needs change.

- 2. Housing diversity/neighborhood identity. Housing diversity is an important goal for new residential development in the Town. In support of this, the integration of detached and attached single-family dwellings, and multi-family dwellings, within neighborhoods, even in the same block, is encouraged.

- 3. Single-family detached and duplex dwellings. The intent of this Section is to build a significant proportion of single-family detached and duplex dwellings with architectural designs that relate homes to the street, create diversity and variety along residential streets, have front porches, rear-loaded garages or alternatively loaded street-accessed garages, and that reflect traditional Colorado styles and neighborhoods, as well as more modern designs.

- a. Streetscape diversity. Single-family detached and duplex building requirements are intended to ensure that an adequate mix of models and styles are offered within a neighborhood and within each block face. Prior to the issuance of a building permit, the building permit applicant shall illustrate, how the new home will comply with the requirements set forth in this Section.

b. Model diversity.

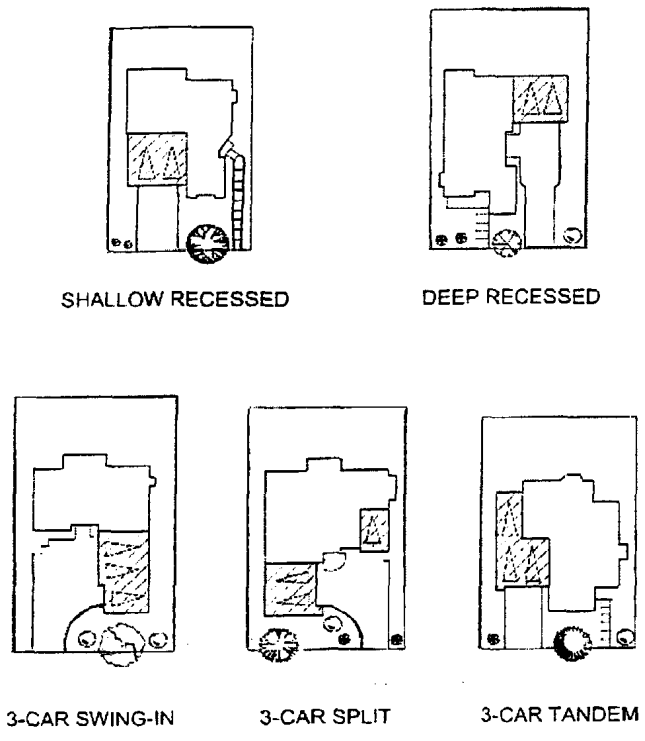
- (1) Each block face shall contain at least three (3) different models or duplex buildings that have significant variations in exterior elevations and massing. Differentiation in models requires all of the following variations:
  - (a) Massing;

- (b) Size;
  - (c) Color scheme;
  - (d) Use of exterior material;
  - (e) Garage component (at street-access condition); and
  - (f) Garage access (at street-access condition).
- (2) Each block face shall contain no more than two (2) of the same model or duplex building with the same architectural style.
  - (3) Significant variation in the range of wall colors on a block face is encouraged. Use different colors on adjacent building facades and the home across the street.
  - (4) Each block face shall contain at least three (3) roof colors.
  - (5) The same model with the same architectural style shall not be placed adjacent to each other or directly across the street from one another.
  - (6) At least one-third ( $\frac{1}{3}$ ) of the buildings on each block face shall have a front porch.
- c. Stylistic diversity. Each model or duplex building shall have at least two (2) architectural styles and color schemes. This requires:
- (1) Distinctly different roof forms/lines/profiles.
  - (2) Distinctly different façade compositions consisting of:
    - (a) Different window and door style and placement;
    - (b) Different garage and entryway locations.
  - (3) Distinctly different entry treatments and locations including porches, columns, etc.
  - (4) Different number of stories.
- Changing roof or siding materials and colors, adding garages, providing “mirror images” of models, or different elevations of the same model do not constitute distinctly different models.
- d. Enhancements at corners. At corners, buildings shall address the side street or open space. Corner lots shall be wide enough to allow for side elevation enhancements. At least two (2) of the following enhancements are required:
- (1) A side- or wrap-around porch, or a bay window. Wrap-around porches are encouraged.
  - (2) Windows or glazed doors that face the side street or open space.
  - (3) A change in the vertical or horizontal wall plane.
  - (4) Brackets, projections, belt courses, or other such details.
- e. Architectural style. New residential architecture shall resemble the architecture commonly found in Colorado neighborhoods as well as more modern designs. The goal is to create the memorable character, identity, and appeal that these neighborhoods display, not to provide exact replicas of historic buildings.
- f. Massing. The mass of a house or duplex should strongly reflect its architectural style and be scaled to provide visual interest and depth, reduce boxiness, and achieve an articulated form on all four (4) sides.
- g. Roof. The roof forms and pitches of a house or duplex shall strongly reflect its architectural style. In general, a simple dominant roof form should be used in combination with complementary secondary and minor roof forms and elements.

- (1) Roof overhangs, eaves, fascias, and soffit detail shall be detailed appropriately for the architectural style of the building.
  - (2) The character and placement of dormers, when used, shall also reflect the architectural style of the building.
- h. Covered entries and porches.
- (1) A covered entryway for the front door is encouraged.
  - (2) Porch designs shall reflect the architectural style of the building. Where provided, a porch shall be at least six (6) feet deep, eight (8) feet wide, and be defined by a railing, columns or similar architectural features that are scaled and detailed to reflect their style.
  - (3) Raised porch floors, sixteen (16) inches or more above the finished grade, are encouraged.
- i. Exterior embellishments.
- (1) Bays, projections, brackets, trim, and material changes that are appropriate for the expression of the architectural style of a building are encouraged.
  - (2) Highly reflective materials are not allowed.
- j. Exterior color. The skillful use of color variation is especially important. Monotonous color palettes are strongly discouraged.
- (1) Strong colors should be muted shades or tints of the pure hue to ensure that colors are subdued. High gloss paints are discouraged. Use saturated color hues sparingly as accents.
  - (2) Primary or other bright colors should be used sparingly and only as accents.
  - (3) Wall, trim, accent, roof, and masonry colors shall be coordinated.
  - (4) Generally, corner trim should be of similar or lighter value than the main body color.
- k. Garages. Homes, not garages, shall have the emphasis on residential streets. The intent is that residential streets have variety and that garages do not dominate homes and streets. For the purpose of this section, street-facing shall include all dwelling units facing onto public rights-of-way and private driveways or streets.
- (1) At least fifty (50) percent of the dwellings located on any block face shall have garages that are either:
    - (a) Recessed or flush with the street-facing façade of the living area of the dwelling, provided the living area is at least twelve (12) feet wide;
    - (b) Recessed or flush with the street-facing façade of an unenclosed, covered porch, provided the area of the porch is at least sixty (60) square feet; or
    - (c) Side-loaded (garage doors are perpendicular to the front lot line).
  - (2) No garage with street-facing doors shall protrude more than six (6) feet from the street-facing façade of a first story living area (measuring at least twelve (12) feet wide) or from a first story unenclosed, covered porch (measuring at least sixty (60) square feet and at least ten (10) feet wide. No more than three (3) adjacent dwellings located on the same block face shall have a protruding garage with street-facing doors.
  - (3) When garage doors are other than street-facing (e.g., the doors face a side or rear lot line), the side of the garage facing the street shall include windows or other architectural details that mimic the features of the living area portion of the dwelling.

- (4) Garage doors shall not comprise more than fifty (50) percent of the street-facing linear building frontage, except that garage doors located on the side of a dwelling facing a side yard street may comprise up to two-thirds (2/3) of the street-facing linear building frontage. For purposes of this provision, the width of the garage door(s) shall be measured as the linear distance between the outer edges of the door(s), including any wall area separating two or more garage doors that is less than (2) feet wide.
- (5) For new development on a lot or parcel where the existing dwelling has been removed, the replacement dwelling and garage shall comply with the standards this article.
- (6) Building permit applicants shall demonstrate on the application that the garage for a dwelling complies with these standards.
- (7) The Planning Director may accept alternative garage door treatments, orientation, or design, through review of a minor modification if:
  - (a) The configuration of the lot or other existing physical conditions of the lot make the application of these standards impractical; and
  - (b) The proposed design alternative substantially meets the intent of this section to line streets with active living spaces, create pedestrian-oriented streetscapes, and provide variety and visual interest in the exterior design of residential buildings.

**Figure 2-11  
Allowed Types of Street-Accessed  
Single-Family Residential Garages**



4. Single-family attached housing, including four-plexes and townhomes. The intent of this Section is to build single-family attached homes with architectural designs that relate buildings to the street, and that achieve a harmonious balance between repetition and variety.

- a. Individual dwelling identity. When a single-family attached project is proposed, the developer shall work to create visual variety and, at the same time, promote an integrated character for the project.
  
- b. Building design.
  - (1) Architectural detailing, horizontal off-sets, architectural window details, and other features shall be provided on all sides of the building to avoid blank walls. All sides of all buildings shall be designed with quality materials (360 degree architecture).
  - (2) Vertical and horizontal elements shall be used in contrast to one another. Contrast and interest are affected by offering exterior selections that emphasize a dominant building material but include complementary materials and colors.
  - (3) Buildings shall incorporate visually heavier and more massive elements at their bases, and lighter elements above these components.
  - (4) For projects with multiple buildings, variety shall be used in site orientation and among buildings to avoid a “barracks” appearance.
  - (5) Two or more distinct building models shall be required for projects with three to six buildings.
  - (6) For projects with more than six buildings, a minimum of three distinct building models shall be required.
  - (7) Fireplace “box-outs” shall extend vertically from ground level to meet the roofline and avoid a “tacked-on” look.
  
- c. Exterior building materials and colors.
  - (1) Building materials for single-family attached developments should be of a high quality as approved by the Town. Suggested exterior wall materials include natural wood, stucco, brick, and stone. In general, due to the imposing nature of many multi-dwelling unit buildings, the exterior materials should reflect subdued colors and muted tones. In general roof material colors should be darker and warm, earth-toned hues that accent and complement other building colors.
  
- d. Garages. To add visual interest and avoid the effect of a long blank wall with no relation to human scale, accessibility needs, or internal divisions within a multi-family building, the following standards for minimum articulation shall apply.
  - (1) Perimeter garages.
    - (a) Any garage located with its rear wall along the perimeter of a multi-family development and within fifty (50) feet of a public right-of-way or the property line of the development site shall not exceed fifty-five (55) feet in length. A minimum of ten (10) feet of landscaping shall be provided between any two (2) such perimeter garages.
    - (b) No rear garage wall that faces a street or adjacent development shall exceed thirty (30) feet in length without including at least one (1) of the following in at least two (2) locations:
      - i. Change in wall plane of at least six (6) inches;
      - ii. Change in material or masonry pattern;
      - iii. Change in roof plane;
      - iv. Windows;
      - v. Doorways;
      - vi. False door or window openings defined by frames, sills, and lintels; and/or

- vii. An equivalent vertical element that subdivides the wall into proportions related to human scale and/or the internal divisions within the building.
    - (2) All garages.
      - (a) Rear doorways shall be provided as reasonably necessary to allow direct access to living units without requiring persons to walk around the garage to access living units.
      - (b) At a minimum, a vertical trim detail that subdivides the overall siding pattern shall be provided at intervals not to exceed two (2) internal parking stalls.
5. Multi-family housing, including condominiums and apartments. The intent of this Section is to build multi-family stacked units that achieve a harmonious balance between repetition and variety with a residential style. Each multi-family dwelling containing more than three (3) dwelling units shall feature a variety of massing proportions, wall plane proportions, roof proportions and other characteristics. The following specific standards shall apply to multi-family stacked units, including condominiums and apartments:
- a. Individual building identity. For all developments of three (3) or more multi-family stacked buildings, a floor plan may be repeated; however, identical building facades must not be replicated more than twice within the development.
  - b. Articulation. Each multi-family dwelling or condominium shall be articulated with projections, recesses, covered doorways, balconies, box or bay windows and/or other similar features, dividing large facades and walls into human-scaled proportions. Each multi-family building shall feature walls that are articulated by at least two (2) of any of the following elements within every thirty-six-foot length of the façade.
    - (1) Recesses, projections or significant offsets in the wall plane;
    - (2) Distinct, individualized, and covered entrances;
    - (3) Chimneys that project from the wall plane;
    - (4) Balconies and/or other outdoor living space; or
    - (5) Bay or box windows.
  - c. Roofs. Each multi-family building shall feature a combination of primary and secondary roofs. Primary pitched roofs shall be articulated by at least one (1) of the following elements:
    - (1) Changes in plane and elevations;
    - (2) Dormers, gables or clerestories; or
    - (3) Transitions to secondary roofs over entrances, garages, porches or bay windows.
  - d. Exterior building materials and colors.
    - (1) Building materials for multi-family developments should be of a high quality as approved by the Town. Suggested exterior wall materials include natural wood, stucco, brick, and stone. In general, due to the imposing nature of many multi-dwelling unit buildings, the exterior materials should reflect subdued colors and muted tones. In general roof material colors should be darker and warm, earth-toned hues that accent and complement other building colors.
  - e. Garages. To add visual interest and avoid the effect of a long blank wall with no relation to human scale, accessibility needs, or internal divisions within a multi-family building, the following standards for minimum articulation shall apply:

- (1) Perimeter Garages
  - (a) Any garage located with its rear wall along the perimeter of a multi-family development and within fifty (50) feet of a public right-of-way or the property line of the development site shall not exceed fifty-five (55) feet in length. A minimum of ten (10) feet of landscaping shall be provided between any two (2) such perimeter garages.
  - (b) No rear garage wall that faces a street or adjacent development shall exceed thirty (30) feet in length without including at least one (1) of the following in at least two (2) locations:
    - i. Change in wall plane of at least six (6) inches;
    - ii. Change in material or masonry pattern;
    - iii. Change in roof plane;
    - iv. Windows;
    - v. Doorways;
    - vi. False door or window openings defined by frames, sills, and lintels; and/or
    - vii. An equivalent vertical element that subdivides the wall into proportions related to human scale and/or the internal divisions within the building.
- (2) All garages.
  - (a) Rear doorways shall be provided as reasonably necessary to allow direct access to living units without requiring persons to walk around the garage to access living units.
  - (b) At a minimum, a vertical trim detail that subdivides the overall siding pattern shall be provided at intervals not to exceed two (2) internal parking stalls.

**Sec. 2.18. Commercial and industrial architecture.**

1. Purpose and intent. The following standards are intended to enhance the appearance of buildings and promote a high quality of design in order to protect the public health, safety, and welfare. The intent of these standards is to:
  - a. Encourage greater design compatibility with surrounding areas and establish a precedent for high quality design in areas with no established character;
  - b. Achieve greater architectural variation and interest through standards for the design of roofs, exterior walls, and the use of exterior finish materials;
  - c. Encourage greater architectural cohesiveness and compatibility within a new development of multiple buildings; and
  - d. Reduce the negative visual impact of features and site improvements such as mechanical equipment.
2. General application
  - a. New construction. These standards shall apply to new construction of buildings and structures as specified in the following sections.
  - b. Improvement to existing structures and development sites.
    - (1) These standards shall apply to existing buildings only when a proposed building expansion exceeds twenty-five (25) percent of the existing floor area measured on a cumulative basis starting from the date of the adoption of this Section. For example, if a business owner increases the gross floor area by five (5) percent

each year, for five (5) years beginning on the date of adoption of the Section, the provisions of the Section shall apply when the gross floor area has increase by twenty-five (25) percent in the fifth year.

- (2) It is intended that a building expansion subject to these standards be reasonably integrated with the existing structure or site condition consistent with these standards.
- (3) These standards shall not be construed to necessitate improvement to existing buildings or site conditions beyond those necessary to integrate the proposed improvement with existing conditions in a manner consistent with these standards.

c. Development or permit applications. These standards shall not apply to any complete development, zoning, or building permit application submitted or approved prior to the adoption of these standards.

3. Compliance. The following definitions apply to both Commercial and Industrial Standards.

a. Type 1 Standards. Compliance with the Type 1 standards set forth in this Section is mandatory, unless a waiver is granted pursuant to Section 4.7.8.

b. Type 2 Standards. Compliance with the Type 2 standards set forth in this Section is mandatory, unless the Planning Director grants alternative compliance in accordance with the following provisions.

- (1) The Planning Director may allow application of an alternative standard, different than a Type 2 standard, provided the Planning Director determines that:
  - (a) Site-specific, physical constraints necessitate application of the alternative standard, and such constraints will not allow a reasonable use of the property without application of such alternative standard; or
  - (b) The alternative standard achieves the intent of the subject Type 2 standard to the same or greater degree than the subject standard, and results in equivalent or greater benefits to the community as would compliance with the subject standard.
- (2) Statement of findings. Whenever the Planning Director grants alternative compliance, the Planning Director shall formulate a written statement of findings based on the above criteria for such action. Such statement shall be filed in the development application file.
- (3) Appeals. Decisions by the Planning Director with respect to such alternative compliance may be appealed to the Board of Directors in accordance with Section 4.7.7.

4. General provisions.

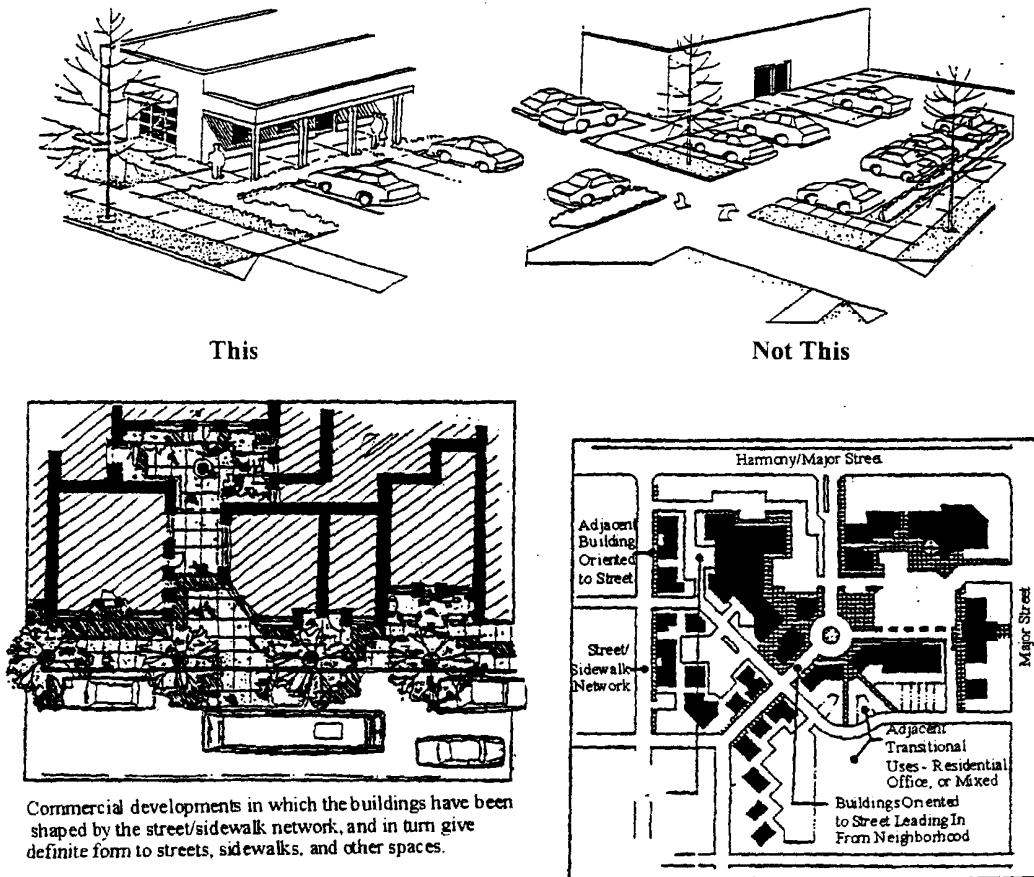
a. Connections. Non-residential developments must be linked with surrounding areas by extending town streets, sidewalks, and/or walk paths directly into and through the development, thereby providing convenient, direct pedestrian, bicycle, and vehicle access to and from all sides of the development.

b. Accessibility. Developments must be accessible to pedestrians and bicyclists as well as motorists. Site plans shall equally emphasize the following:

- (1) Pedestrian access to the site and buildings;

- (2) Gathering areas for people; and
  - (3) Auto access and parking lots.
- c. Walkways. Walkways must be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination, and not be located and aligned solely based on the outline of a parking lot configuration that does not provide such direct pedestrian access.
- d. Building orientation. Where possible, buildings shall be located to front on and relate primarily to streets. Building setbacks from local and collector streets should be minimized in order to establish a visually continuous, pedestrian-oriented streetfront. In the case of large buildings for employment, storage, or auto-related uses, where greater setbacks are needed, a minimum of thirty (30) percent of the building shall be brought to the setback line. If a minimized setback is not maintained, the larger setback area shall have landscaping, low walls or fencing, a tree canopy and/or other site improvements along the sidewalk designed for pedestrian interest, scale and comfort. See Figure 2-12.

**Figure 2-12**  
**Examples of Neighborhood Commercial Setback**



Illustrations from City of Fort Collins, *Design Standards and Guidelines for All Commercial Development*, March 1996 (reprinted with permission).

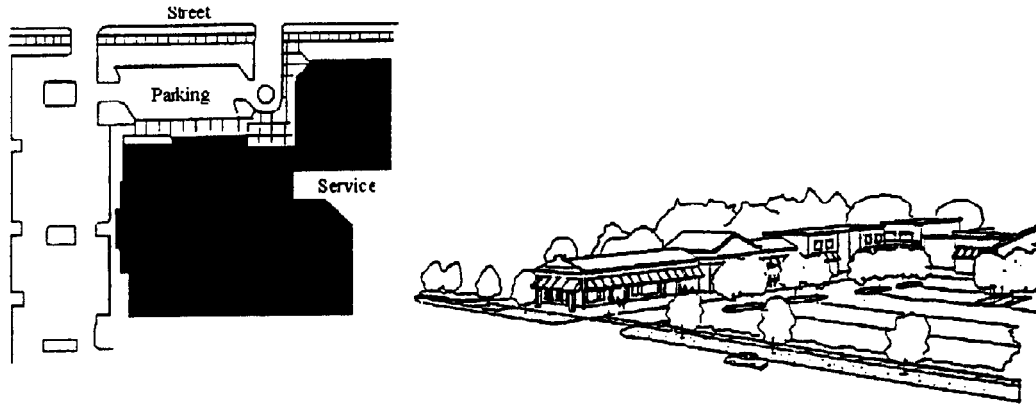


Illustration from City of Fort Collins, *Design Standards and Guidelines for All Commercial Development*, March 1996 (reprinted with permission).

- e. Pedestrian scale. The establishment of buildings on isolated “pad sites” surrounded by parking lots and driveways, and that offer mainly auto-oriented signage to define entrances, is discouraged. Even relatively massive development can be configured into “blocks” or other spaces proportioned on a human scale and city block scale; and need not be proportioned on a monolithic, auto-oriented scale.
  - f. Blank walls. Blank, windowless walls are discouraged. Where the construction of a blank wall is necessary, the wall shall be articulated.
  - g. Wall articulation.
    - (1) Walls shall not have an uninterrupted length exceeding fifty (50) feet. Pilasters, texture transitions, windows and stepping of the wall plane are required.
    - (2) All exterior elevations shall maintain the integrity of the adjacent buildings’ architectural character and detailing.
    - (3) Continuous cornice lines or eaves are encouraged between adjacent buildings.
    - (4) Buildings with flat roofs shall provide a parapet with an articulated cornice.
  - h. Awnings. Fixed or retractable awnings are permitted. Canvas is the preferred material, although other waterproofed fabrics and metal or aluminum may be used where appropriate.
  - i. Screening. All air conditions units, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements and landscaping. In addition, all trash facilities and loading and parking areas shall be properly screened as outlined in Section 2.15.
5. Commercial (non-industrial) architectural standards.
- a. Application.
    - (1) The following standards apply to all commercially zoned projects, including Downtown Commercial, Neighborhood Commercial, Community Commercial, Mixed Use Highway 52, and Employment. In the case of commercially zoned projects with a Planned Urban Development (PUD) overlay, standards may be

different or more stringent than those set forth in this Section. These standards shall not apply to buildings located in industrially zoned areas, except as provided herein.

- (2) These standards shall apply to buildings in industrially zoned projects that are located on sites adjacent to an arterial roadway, when fifty (50) percent or more of the building gross floor area or use is devoted to a non-industrial use. Non-industrial uses include uses such as office, retail goods or services, restaurants, or institutional use. In calculating the use devoted to such non-industrial use, any outdoor area devoted to the display of goods for sale shall be included in the calculation of area devoted to non-industrial use. For such buildings in industrially zoned projects, exterior portions of the building enclosing such non-industrial space shall comply with the commercial architectural standards in this Section. Exterior portions of such buildings enclosing space devoted primarily to industrial uses, such as manufacturing or warehouse space, are exempt from application of commercial architectural standards in this Section.
- (3) It is intended that these standards apply to the primary façade of the building and that all sides of building, where visible from public rights-of-way and private roads or service drives or adjacent residential neighborhoods, shall include design characteristics and materials consistent with those of the primary façade, except as provided in paragraph 2.18.5.b below. Also, standards specified in Section 2.18.5 shall be limited to the façade and walls as specified in that Section.

- b. Exceptions. The Planning Director may waive the application of the standards set forth in this Section in cases where the visibility of side or rear walls of the building is substantially diminished by landscaping, or by a decorative screening wall, or earthen berm combined with landscaping, located between the building wall and any such right-of-way or adjacent property. A waiver may also be considered in cases where the distance of the building from the right-of-way or adjacent property, and/or intervening structures or other landscape features, diminish the visibility of the proposed structure in a manner consistent with the intent of this paragraph. Landscape screening shall be designed to be at least sixty (60) percent opaque to a height of six (6) feet upon installation and a minimum of eighty (80) percent opaque to a height of six feet within five (5) years of planting. Such landscaping shall consist of primarily evergreen plant material to provide year-round screening. The required landscaping shall be maintained in healthy condition by the current owner. In the event any required landscaping material dies or is destroyed, it shall be replaced by the owner within six (6) months. Replacement material shall conform to the original intent of the approved landscape plan. Waiver requests may be forwarded to the Board of Trustees for their decision in accordance with Section 4.7.8.

- c. Design compatibility.

- (1) Type 2 Standards:

- (a) Building design shall contribute to the special or unique characteristics of an area and/or development through the use of predominant building massing and scale, building materials, architectural elements and color palette.
- (b) Design compatibility shall be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and/or the use of building materials that have color

shades and textures similar to those existing in the immediate area of the proposed development.

- (c) Where there is no established or consistent neighborhood, area character, or unifying theme, or where it is not desirable to continue the existing character because it does not reflect a design theme consistent with the architectural standards as described in this chapter, the proposed development shall be designed to establish an attractive image and set a standard of quality for future developments and buildings within the area. Greater attention to design with respect to design compatibility standards in this paragraph shall be required in areas of high visibility, such as community entryways and arterial and collector roadways.

d. Building design elements.

- (1) Type 2 Standards: All buildings shall be designed and maintained using the following building elements, with a minimum of one (1) item each selected from four (4) of the five (5) groups below:

- (a) Group 1 – exterior wall articulation.

- i. Openings or elements simulating openings that occupy at least twenty (20) percent of the wall surface area (excluding overhead or dock doors); or
- ii. Building bays created by columns, ribs, pilasters, or piers or an equivalent element that divides a wall into smaller proportions or segments with elements being at least one (1) foot in width, a minimum depth of eight (8) inches, and spaced at intervals of no more than twenty five (25) percent of the exterior building walls. For buildings over twenty thousand (20,000) square feet in floor area, such elements shall be at least eighteen (18) inches in width, with a minimum depth of twelve (12) inches, and spaced at intervals of no more than twenty (20) percent of the exterior building walls; or
- iii. A recognizable base treatment of the wall consisting of thicker walls, ledges, or sills using integrally textured and colored materials such as stone, masonry, or a decorative concrete; or
- iv. Some other architectural feature that breaks up the exterior horizontal and vertical mass of the wall in a manner equivalent to (i), (ii), or (iii) above.

- (b) Group 2 – roof articulation.

- i. Changes in roof lines, including the use of stepped cornice parapets, a combination of flat and sloped roofs, or pitched roofs with at least two (2) roof line elevation changes; or
- ii. Some other architectural feature or treatment which breaks up the exterior horizontal and vertical mass of the roof in a manner equivalent to (i) above.

- (c) Group 3 – building openings, walkways, and entrances.

- i. Canopies or awnings over at least thirty (30) percent of the openings of the building; or
- ii. Covered walkways, porticos and/or arcades covering at least thirty (30) percent of the horizontal length of the front façade; or
- iii. Raised cornice parapets over entries; or

- iv. Some other architectural feature or treatment which adds definition to the building openings, walkways, or entrances in a manner equivalent to (i),
  - (d) Group 4 – building materials. (The area of windows and doors, including overhead doors, shall be excluded from the wall area calculation for the following standards.)
    - i. At least two (2) kinds of materials distinctively different in texture or masonry pattern, at least one of which is decorative block, brick, or stone, with each of the required materials covering at least twenty-five (25) percent of the exterior walls of the building; or
    - ii. Brick or stone (including synthetic stone) covering at least fifty (50) percent of the exterior walls of the building.
  - (e) Group 5 – other architectural definition.
    - i. Overhanging eaves extending at least twenty-four (24) inches past the supporting walls, or with flat roofs, cornice parapets, or capstone finish; or
    - ii. Ornamental lighting fixtures (excluding neon) for all exterior building lighting; or
    - iii. A feature that adds architectural definition to the building, in a manner equivalent to (i) or (ii) above.
- e. Articulation of Walls.
  - (1) Type 2 Standard: Building fronts and any wall of the building facing any road or public or private service drive, greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plan projections or recesses having a depth of at least four (4) percent of the length of the façade, extending at least twenty (20) percent of the length of the façade.
  - (2) No uninterrupted length of any façade shall exceed fifty (50) horizontal feet. Acceptable interruptions include pilasters, texture transitions, windows, and awnings.
- f. Delivery/Loading Doors and Docks. Type 2 Standard: No delivery, loading dock, or trash removal door or facility shall be located on the main street facing façade of the building. Any such door or facility located on the side or rear wall of the building shall be screened in accordance with the provisions of Section 2.15. For sites that have road frontage on multiple sides, these facilities shall be located in the least obtrusive manner, preferably on a non-road facing side of the building, or the road frontage that has the least public visibility.
- g. Rooftop Mechanical Units. Type 2 Standard: Rooftop mechanical units and other miscellaneous rooftop equipment shall be substantially screened from view from public rights-of-way and other public places. Screening materials shall be of the same or comparable material, texture, and color as the materials used on the building. Roof-mounted equipment screening shall be constructed as an encompassing monolithic unit, rather than as several individual screens (i.e., multiple equipment screens, or “hats,” surrounding individual elements shall not be permitted). The height of the screening element shall equal or exceed the height of the structure’s tallest piece of installed equipment.

- h. Cart Storage and Vending Machines. Type 2 Standard: Cart storage areas, vending machines, and video and book return containers shall be placed inside the principal building, placed in an accessory structure designed to complement the principal building, or screened with walls and landscaping.
- i. Multi-building Developments. Type 1 Standard: Developments with multiple buildings shall include predominance characteristics in each building so that the buildings within the development appear to be part of a cohesive, planned area, yet are not monotonous in design. Predominant characteristics may include use of the same or similar architectural style, materials, and colors.
- j. Building Entrances. Type 1 Standard: Primary public entrances shall be clearly defined and recessed and projected or framed by elements such as awnings, arcades, porticos, or other architectural features.
- k. Building Colors.
  - (1) Type 1 Standard: Colors shall be used to blend buildings into an area and to unify elements of a development. Color should be drawn from the surrounding area and, if in a new development area, shall be selected to establish an attractive image and set a standard of quality for future developments and buildings within the area. Monotonous or monochromatic color palettes are strongly discouraged. Accent colors used to call attention to a particular feature or portion of a building, or to form a particular patten, shall be compatible with predominant building base colors and may be incorporated using such elements as shutters, window mullions, building trim and awnings.
  - (2) Type 2 Standard: Accent colors shall cover no more than five (5) percent of a building façade.
- l. Franchise Architecture. Type 1 Standard: Prototypical or franchise architectural designs may be required to be modified to meet these architectural standards. Changes to prototypical franchise styles to meet these standards may include, but not be limited to, modifications to roofs, windows, doors, building mass, materials, colors, placement of architectural features and details, etc. Care should be taken to ensure that such modifications comply with Section 2.18.5.c. Design Compatibility. Franchise architectural styles found to meet these standards will not require any modification.
- m. 2 Standard: Illumination highlighting the entire façade of a building, or a significant portion of the building, or back lighted translucent awnings intended to function as signage, shall not be permitted as part of a building design. This standard is not intended to preclude the use of lighting (including neon lighting) to accent limited portions of the building façade.
- n. Metal Siding. Metal siding may be used as an exterior finish material as long as the amount used does not exceed twenty-five (25) percent of the area of any single wall, exclusive of the roof, and provided it matches or complements the building color and/or material scheme. Further, such metal siding shall be a “standing seam” type or equivalent quality, not a “corrugated” type. Architectural metals, such as bronze, brass, copper, and wrought iron, may be used and may exceed the twenty-five (25) percent area limit.

6. Industrial architectural standards.

- a. Purpose and intent. These standards are intended to apply to industrial buildings on sites adjacent to major roads (as defined in Section 2.18.6.b), because of the visibility of such development and its impact on the image and character of the community. Industrial development that is adjacent to collector or local roads is not subject to the following standards.
- b. Application. Standards in this section apply to all industrially zoned projects, including Business Light Industrial and Industrial. In the case of industrially zoned projects with a planned urban development (PUD) overlay, standards may be different or more stringent than those set forth in this Section.
  - (1) Subsection 2.18.2 General Application, which addresses how standards apply to new construction and existing buildings and Section 2.18.3 Compliance, regarding the application of Type 1 and Type 2 Standards, shall apply to standards in this Section.
- c. Type 2 Standard: Metal shall not comprise more than twenty-five (25) percent of the exterior building finish material on walls (roof excluded) of industrial buildings.
  - (1) Metal siding includes any form of metal exterior finish material, including corrugated or standing seam metal siding. The Planning Director may permit metals such as bronze, brass, copper, and wrought iron, in excess of the twenty-five (25) percent limitation if a determination is made that such materials are equal or superior to the primary building materials.
  - (2) Industrial buildings shall also comply with the standards set forth in Section 2.18.5 Commercial Architectural Standards paragraphs: c. Design Compatibility, e. Articulation of Walls, f. Delivery/Loading Doors and Docks, g. Rooftop Mechanical Units, k. Building Colors, and m. Illumination.

7. Downtown architectural standards.

- a. Setbacks. Buildings shall abut the front property line. Building facades may be recessed if an arcade or similar structure abuts the front setback. Architectural projections, including cornices, balconies, canopies and entry features, may encroach into public rights-of-way, subject to permits as required by the Town's Code.
- b. Multi-story, mixed-use structures. Commercial uses contained in multi-story (two- and three-story) mixed-use structures with commercial/retail uses on the ground level and above and/or apartment dwellings or offices on the upper levels are encouraged. Such buildings shall vary in terms of footprint and architectural elevations. The maximum ground level footprint of a commercial building shall be five thousand (5,000) square feet.
- c. Facade treatments. Large buildings shall be articulated or designed to resemble the character and scale of the original downtown buildings, with each façade twenty-five (25) feet or less.
- d. Entries. Transparent entries and large store front windows are strongly encouraged. Recessed and other styles of window openings are desired.

- e. Windows. Street-level storefront windows are strongly encouraged. Office and residential windows organized in a generally regular pattern are encouraged.
- f. Awnings/canopies. Awnings or canopies which provide a generally consistent cover along the pedestrian walk are strongly encouraged. Arcades are desired to maintain a more continuous weather-protected walk.

**Sec. 2.19. Lighting.**

- 1. Intent. It is the intent of this Section to:
  - a. Create an attractive lighting system to enhance visibility and safety, while minimizing glare and contrast.
  - b. Encourage exterior lighting that is functional, aesthetically pleasing and complementary to the architectural style of buildings.
- 2. General provisions.
  - a. Evaluation of exterior lighting. Exterior lighting shall be evaluated in the development review process to ensure that the functional and security needs of the project are met in a way that does not adversely affect the adjacent properties or neighborhood. The degree to which exterior night lighting affects a property owner or neighborhood will be examined considering the light source, level of illumination, hours of illumination, and need for illumination in relation to the effects of the lighting on the adjacent property owners and the neighborhood.
  - b. Light style. The style of lights shall be consistent with the style and character of architecture proposed on the site. Light fixtures that illuminate signage shall be compatible with the architecture of the building on which they are placed.
  - c. Concealed light source. Light sources shall be concealed or shielded to the maximum extent feasible to minimize the potential for glare and unnecessary diffusion on adjacent property and away from the vision of passing motorists. All lights shall be directed downward and the light source shall be equipped with "cut-off" devices so that it will not be visible from any adjacent property and to ensure that ambient skyward light is eliminated. Accent and flagpole lighting shall be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent property. Light fixtures installed under canopies, awnings, overhangs and the like shall be fully recessed.
  - d. Hours of lighting operation.
    - (1) All parking lot lighting fixtures and exterior building lights, except those required for security purposes, shall be extinguished within one (1) hour after the end of business hours and remain extinguished until one (1) hour prior to the beginning of business hours. If a portion of a parking lot is used after dark, only that portion shall be lighted.
    - (2) Exterior lighting for ball diamonds, playing fields, tennis courts, and other similar outdoor recreational uses shall be extinguished no later than 11:00 p.m.
  - e. Height standards for lighting.
    - (1) Street lighting.

- (a) All street lights adjacent to Town of Frederick local and collector rights-of-way shall be mounted such that the top of the fixture is no higher than twenty-five (25) feet.
  - (b) All street lights adjacent to Town of Frederick arterial rights-of-way shall meet the height requirements of the Engineering and Public Works Departments.
  - (2) Outdoor light fixtures.
    - (a) Parking lot fixtures. Parking lot pole mounted fixtures shall be mounted such that the top of the fixture is no higher than twenty-five (25) feet.
    - (b) Fixtures mounted on the exterior of buildings shall be mounted such that the top of the fixture is no higher than twenty (20) feet.
  - (3) Because of their limited hours of operation and their unique requirements for nighttime visibility, ball diamonds, playing fields, tennis courts, and other similar public and private outdoor recreational uses shall be exempt from the general provisions of this Section.
- f. Lighting levels. With the exception of lighting for public streets, all other project lighting used to illuminate buildings, parking lots, pedestrian walkways, bikeways, or landscaping, shall be evaluated during the site plan review process. Table 2-8 gives maximum lighting levels for outdoor facilities used at night averaged over the entire activity area.

<b>Table 2-8 Maximum Lighting Levels</b>	
<b>Area/Activity</b>	<b>Footcandles (Maximum Unless Otherwise Noted)</b>
Bikeways along roadside:	
Commercial zones	1.0
Residential zones	.5
Canopies	25.0
Loading and unloading platforms	10.0
Park walkways	.5
Pedestrian stairways	3.0
Parking areas	
Commercial zones	10.0
Residential zones	5.0
Playgrounds	5.0
Outdoor sales and display	25.0
Secured areas and service yards	10.0

- (1) All lighting levels will comply with the following requirements:
  - (a) All lighting fixtures will be full cut off fixtures.
  - (b) The point by point illuminance plan uses a Light Loss Factor (LLF) of one (1).

- (c) Prior to a Certificate of Occupancy, a lighting inspection and measurement must be completed to ensure compliance with the illuminance plan.
- (d) The photometric grid used is no greater than ten (10) feet by ten (10) feet and provides lighting levels directly under the fixtures.
- (e) All lighting for this site is included in, and shown on this plan. No other lighting will be added to the site without written approval of the Town of Frederick after a review of a new Point by Point Illuminance Plan.

**Sec. 2.20. Environmental considerations.**

- 1. Intent. The intent of this Section is to ensure that new development limits/mitigates its impact to wildlife and wildlife habitat and that it minimizes environmental impacts.
- 2. General provisions.
  - a. Protection of wildlife and natural areas. To the maximum extent practical, development shall be designed to ensure that disturbances which occur to any natural area as a result of development shall be minimized through the use of natural buffer zones. If any development materially disturbs a natural area, the development project shall mitigate such lost natural resource either on- or off-site. Any such mitigation shall be roughly proportional to the loss suffered as a result of the disturbance.
    - (1) Natural areas shall include: floodplains and floodways; natural drainage and water ways; significant native trees and vegetation; wildlife travel corridors; special habitat features such as raptor nest sites, key nesting, breeding or feeding areas for birds; fox and coyote dens; prairie dog colonies over twenty-five (25) acres in size; remnant native prairie habitat; plains cottonwood galleries; and any wetland greater than one-quarter (¼) acre in size, as identified on the Town of Frederick Environmental Constraints map within the Comprehensive Plan.
    - (2) The natural area buffer zone shall be used between natural areas and proposed development to ensure that the proposed development does not degrade the natural area. The size of the buffer zone shall be determined in conjunction with the Colorado Division of Wildlife or a Town-approved wetland or wildlife ecologist. The Town may decrease this buffer when strict application of this Subsection will impose an exceptional and undue hardship upon the property owner or developer.
    - (3) Exceptions. The Board of Trustees may allow disturbance or construction activity within the natural area or natural area buffer zone for the following limited purposes: mitigation of development activities, restoration of previously degraded areas, emergency public safety activities and utility installations when such activities and installations cannot reasonably be contained within other nearby areas of development, construction of a trail that will provide public access for educational or recreational purposes, or the enhancement of the habitat value and/or other natural resource values of a natural area.
    - (4) Ecological characterization. If the Town determines that the site likely includes areas with wildlife, plant life and/or other natural characteristics in need of protection, the Town may require the developer to provide a report prepared by a professional qualified in the areas of ecology, wildlife biology or other relevant discipline. The ecological characterization report shall be referenced on the open space plan and describe the following:

- (a) The wildlife use of the natural area showing the species of the wildlife using the area, the times or seasons the areas is used by those species and the "value" (meaning feeding, watering, cover, nesting, roosting, perching) that the area provides for such wildlife species;
  - (b) The boundary of wetlands in the area and a description of the ecological functions and characteristics provided by those wetlands;
  - (c) Any prominent views from or across the site;
  - (d) The pattern, species, and location of any significant native trees and other native site vegetation;
  - (e) The bank, shoreline, and high water mark of any perennial stream or body of water on the site;
  - (f) Wildlife travel corridors; and
  - (g) The general ecological functions provided by the site and its features.
- (5) Wildlife conflicts. If wildlife that may create conflicts for the future occupants of the development (including, but not limited to, prairie dogs, beaver, deer and rattlesnakes) are known to exist in areas adjacent to or on the development site, then the development plan must, to the extent reasonably feasible, include provisions such as barriers, protection mechanisms for landscaping and other site features to minimize conflicts that might otherwise exist between such wildlife and the developed portion of the site. Any impacts to wildlife must be referred to the Colorado Division of Wildlife and, in the case of threatened or endangered species, United States Fish and Wildlife Department.

- b. Environmental responsibility. The Town of Frederick encourages the construction of environmentally responsible buildings. Two programs that support that philosophy are:
- (1) Built Green Colorado. Built Green Colorado is one of the oldest and largest green home building programs in the nation and it encourages home builders to use technologies, products, and practices that result in homes that are better built and better for the environment. The purpose of the program is to encourage builders to use technologies, products, and practices that will:
    - (a) Provide greater energy efficiency and reduce pollution;
    - (b) Provide healthier indoor air;
    - (c) Reduce water usage;
    - (d) Preserve natural resources;
    - (e) Improve durability and reduce maintenance.
  - (2) US Green Building Council's Leadership in Energy and Environmental Design (LEED) certification. LEED is a third-party certification program and the nationally accepted benchmark for the design, construction, and operation of high performance green buildings. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health:
    - (a) Sustainable site development;
    - (b) Water savings;
    - (c) Energy efficiency;
    - (d) Materials selection;
    - (e) Indoor environmental quality.

**Sec. 2.21. Sanitary sewer.**

All residential, commercial, and industrial uses which have human occupancy shall have sanitary sewer. The sanitary sewer system shall be connected to an existing public sanitary sewer system and shall consist

of a closed system of sanitary sewer mains and lateral branch connections to each structure or lot upon which a structure is to be built. Sanitary sewer lines are to be of sufficient size and design to collect all sewage from all proposed or portable structures within the subdivision or development.

On a case-by-case basis, the Board of Trustees may approve individual sewage disposal systems that comply with Weld County Health Department standards. However, no new addition, upgrade, or major repair to an individual sewage disposal system will be permitted if the property is located within four hundred (400) feet of a municipal or sanitation district collection line, measured through existing sewer easements or utility rights-of-way, except where such connection is not feasible or has been denied by the Town or district.

**Sec. 2.22. Potable water.**

All residential, commercial, and industrial uses which have human occupancy shall have potable water served by the Town or appropriate water district. The water system shall be of sufficient size and design to supply potable water to each structure or lot upon which a structure is to be built.

**Sec. 2.23. Fire hydrants.**

The subdivider shall install fire hydrants at street intersections and at other points as per the requirements of the Frederick Firestone Fire Protection District. Fire hydrants shall meet the standards and specifications of Frederick Firestone Fire Protection District.