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CITY OF LITTLETON, COLORADO

ORDINANCE NO. XX

Series, 2025

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, APPROVING AMENDMENTS TO TITLE 10,
UNIFIED LAND USE CODE REGARDING CERTAIN
GREENSCAPE PROVISIONS**

WHEREAS, the City Council of the City of Littleton, Colorado passed Ordinance 24-2021 in October of 2021 which enacted Littleton City Code Title 10, the “Unified Land Use Code” (ULUC); and

WHEREAS, Section 10-9-3.2.A.4. of the ULUC authorizes the director of community development to initiate a code text amendment; and

WHEREAS, since October 2021, staff, property owners, business owners, and applicants must comply with the ULUC with site-specific applications; and

WHEREAS, over the past few years, the city’s consultant, in conjunction with staff, have reviewed the city’s general tree ordinance provisions, and are recommending proposed revisions to the ULUC to: i) facilitate the development and adoption of a robust tree manual; ii) update terminology and definitions within the city code to ensure clarity and consistency; iii) clarify permitting procedures and violations of the city’s tree regulations; iv) promote best practices to preserve the city’s urban forestry; and v) streamline review of applications between community development and public works; and

WHEREAS, staff conducted a study session with the planning commission regarding the proposed code text amendments regarding greenscape provisions on July 14th, 2025; and

WHEREAS, on _____, 2025, the planning commission held a public hearing to consider PC Resolution No. ____-2025, a recommendation on the adoption of the proposed code text amendment to the greenscape provisions within the ULUC;

WHEREAS, that in order to improve and maintain the public health, safety, and welfare it is necessary to adopt certain standards and requirements for trees within our City, including the proposed revisions to the ULUC and the adoption of the city’s Tree Manual.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: The City Council of the City of Littleton, Colorado hereby recommends adoption of the code text amendment to the ULUC as referenced in Exhibit A, attached hereto.

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the ____ day of _____, 2025, passed on first reading by a vote of ____ FOR and ____ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the ____ day of _____, 2025, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of ____ FOR and ____ AGAINST on the ____ day of _____, 2025 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Colleen L. Norton
CITY CLERK

Kyle Schlachter
MAYOR

APPROVED AS TO FORM:

Reid Betzing
CITY ATTORNEY



EXHIBIT A

****IN THIS ORDINANCE AND EXHIBIT A, ELLIPSES INDICATE MATERIAL NOT REPRODUCED AS COUNCIL INTENDS TO LEAVE THAT MATERIAL IN EFFECT, AS IT NOW READS ****

Subsec. 10-1-3.6.A Purpose, Applicability, and Design

A. Purpose. Greenscaping in the form of site landscaping, screening of parking and vehicular use and storage areas, and buffering within and between developments contributes to the character and appearance of developments. Trees are an asset that should be properly protected and maintained. The greenscape requirements in this Section serve to address the following:

1. Environment. Preservation of mature trees and promotion of new trees is a priority for the community. Mature trees provide innumerable benefits to the community, including improvement to air quality and sequestration of carbon, reduction of noise pollution, reduction to heat islands, and providing improvement to mental wellness;
- 1.2. Appearance. Improve the general appearance and aesthetic appeal of the city by creating tree-lined streets with deciduous canopies, preserving urban tree cover, and softening the impacts of development with landscaping;
- 2.3. Character. Establish an aesthetic that emphasizes the value and beauty of the natural landscape and the visual enhancement of streetscapes, parking lots, service areas, building foundations and façades, and utility improvements;
- 3.4. Buffering. Provide for landscaping and screening between zoning districts to buffer adjacent land uses and their associated impacts;
- 4.5. Green Function. Enhance the various place types with provisions for pervious surfaces and planting areas for trees, shrubs, and grasses;
- 5.6. Conservation. Conserve energy and water resources by encouraging the use of shade and xeriscaping;
- 6.7. Biodiversity. Provide a diversity of species and native plant communities to ensure natural sustainability, minimize the spread of disease and insect infestations, and limit the use of species that cause negative impacts to native plant communities; and
- 7.8. Water Quality. Protect the quality of surface water and groundwater, reduce pollutants in stormwater runoff, prevent stream channel erosion, preserve trees and other natural vegetation, and encourage groundwater recharge.

B. Applicability.

1. Generally. This Section applies to new development, redevelopment, and substantial improvements including building additions and expansions, new parking lots and paved area expansions, and the subdivision of land. Regarding existing development, this Section provides for the retention of existing tree canopy, replacement of damaged or removed trees, and responsibility for maintenance. The City's Tree Manual, adopted by reference within Title 8, Chapter 4, contains specific regulatory provisions regarding the city's urban forestry.

2. Use Types. ...

C. Design.

1. Objectives. In the review and approval of landscape plans, the Director may impose additional requirements to fulfill the following sustainable design objectives:
 - a. Integration of drainage and pedestrian circulation systems into the landscaping design.

- b. Use of ground covers or other types of landscape materials that stabilize soils and minimize erosion.
 - c. Protection during construction and preservation of existing native vegetation.
 - d. Use of landscape materials that achieve variety with respect to seasonal changes, species of living material selected, textures, colors, and size at maturity.
 - e. Placing newly installed plants at intervals to ensure their health at maturity.
 - e.f. Planting of new trees shall be done in accordance with the International Society of Arboriculture standards.
 - f.g. Maximize shading of streets and parking areas.
 - g.h. Provision for native and drought-tolerant plant species.
 - h.i. Planning trees and shrubs in locations that will reduce energy consumption by shading buildings and reducing the heat island effects of paved surfaces.
 - i.j. Protection of existing specimen trees and native vegetation to preserve intact natural ecosystems.
 - j.k. Designing the landscape to complement building elevations and architecture through use of color, texture, density, and form on both vertical and horizontal planes. Landscaping should be in proportionate scale with adjacent buildings and be of a size at maturity to accomplish intended goals. Ornamental, shrub, and ground cover plantings should be designed to complement a building's architectural character.
 - k.l. Landscape design should incorporate natural drainage features and the use of pervious surfaces and areas that capture and minimize runoff.
 - l.m. Inclusion of pedestrian amenities such as, but not limited to, shade, benches, kiosks, public art, shades, fountains, and other elements into the landscape design.
2. *Water Wise Landscaping (Xeriscape).* ...
3. *Qualifications.*
- a. ...
 - b. A professional shall certify that they are qualified to prepare the type of plan(s) that they submit by verifying licensure or certification at the time of application and providing professional qualifications, which may include:
 - 1. Licensed Landscape Architect;
 - 2. Licensed Architect;
 - 3. Licensed Professional Engineer; or
 - 4. Certified Irrigation Designer (CID);-
 - 4-5. International Society of Arboriculture (ISA) certified arborist.

Subsec. 10-1-3.6.B Planting Requirements

A. Plant Materials Standards.

1. Plant Types.

- i. The selection ~~of trees and shrubs plant material~~ shall be selected from the approved species listed ~~and comply with the species diversity goals as listed within TABLE A-2 and TABLE A-3 of APPENDIX A, Preferred Plantings, in the city code.~~ Substitutions for plant material may be proposed as outlined in paragraph D, below.

- ~~1-ii. The selection of trees shall be selected from APPENDIX A, *Approved Species Tree List* in the City's Tree Manual. in APPENDIX A, *Preferred Plantings*. Substitutions for trees may be proposed as outlined in within the Tree Manual, paragraph D, below.~~
2. *Plant Variety.* All plants shall be of a type and species that are selected for the climate, location, and soils on the site, as promulgated by the Colorado State University Extension Front Range Tree Recommendation List. All plant material shall be commercially produced and meet the minimum standards recognized by landscape professionals. In order to reduce the threat and impact of plant disease, a variety of plant types and species shall be utilized on each site. ~~In general, a minimum of one third of the plant material on any lot should be evergreen. All new plantings shall follow the City's 5-10-20 rule of diversity standards you where~~ no more than 5% of the same species, no more than 10% of the same genus, and no more than 20% of the same family shall be planted.
 3. *Living Materials.* ...
 4. *Nonliving Materials.* ...
 5. *Artificial Turf.* ...
 6. *Prohibited.* Use of any plant species which has been declared a "noxious weed" or invasive species by the local advisory board under Title 7, Chapter 4, or the State of which has been declared a "noxious listed by the Colorado Department of Agriculture as a "Noxious Weed Species," according to the Colorado Noxious Weed Act, C.R.S. §§ 35-5.5-101 et seq., as amended, is prohibited. Specifically, prohibited species ~~include:~~ may be found in the City's Tree Manual.
 - i. ~~Chinese and Siberian elms;~~
 - ii. ~~Cotton-bearing cottonwoods (female Populus species);~~
 - iii. ~~Russian olive; and~~
 - iv. ~~Box elder.~~
 7. ~~Sizes.~~ All required plants shall meet the size and type requirements in Table 10-1-3.6.B, *Minimum Plant Sizes and Types.*

Table 10-1-3.6.B Minimum Plant Sizes and Types	
Plant Type	Minimum Size
Large Deciduous Trees	2.0-inch caliper ¹
Ornamental Deciduous Trees	1.5-inch caliper ¹
Coniferous (Evergreen) Tree	6 feet in height (dwarf pines such as Mugo – 24' branch spread)
Shrubs (Evergreen and Deciduous)	5-gallon container
Ornamental Grasses	1-gallon container
Organic Materials	
Rock or Stone	3/4-inch, minimum 3.0-inch depth ²
Mulch or Compost ³	organic and shredded
Table Notes:	
A. Measured six inches above the soil line.	
B. Requires water permeable landscape fabric except where horizontally spreading shrubs or ground covers are planted. A nonpermeable landscape fabric shall be permitted if the building foundation design requires soil moisture protection at the perimeter.	
C. Mulch or compost shall be fibrous so that they bind together to prevent erosion.	
D. Rockscaping shall remain a minimum of ten (10) inches away from any tree stem.	

B. [Reserved]

C. Plant Locations and Timing.

- ~~a. *Public Right of Way.* A permit or approval shall be obtained prior to planting any street tree or landscape material in the public right of way, including required streetscape plantings. All planting shall comply with Title 8, *Public Ways and Property*, and this Code.~~
- ~~b. *Sight Triangle.* No landscaping may be planted in violation of the city's sight triangle requirements, as set out in Subsection 10-1-3.9.C, *Vision Obstruction*.~~
- ~~c. *Easements.* Trees shall not be placed within any public utility easement.~~
- ~~d. *Spacing.* In general, all plants shall be located and spaced in a manner to allow for growth to mature size.~~
- ~~e.a. *Timing of Landscape Installation.* Landscaping that is required by this Code shall be installed between March 15 and October 15. If compliance with this timeframe is impractical due to the time of year that work is completed, an applicant may provide a financial performance guarantee in the form of a cash bond, irrevocable letter of credit, certified check, or similar instrument acceptable to the City Attorney Public Works Director or the Public Works Director's designee, in an amount equal to 125 percent of the estimated cost of purchase and installation of required landscaping.~~

D. Plant Substitutions.

- 1. *Approval.*** Requested substitutions of plant material shall be submitted on a landscape plan and shall be in accordance with the recommended plant lists promulgated by the Colorado State University Extension's Front Range Recommendation List and approved by the Director.
- 2. *Substitution Ratios.*** The following substitution of tree planting requirements may be made:
 - ~~i. *Large Deciduous Tree.* No substitution options available. One tree shall be substituted in place of 10 required shrubs or two ornamental deciduous trees.~~one
 - ~~ii. *Ornamental Deciduous Tree.* One tree shall be substituted in place of five required shrubs.~~
 - ~~iii. *Coniferous (Evergreen) Tree.* One tree shall be substituted in place of one required large deciduous tree.~~
 - ~~iv. *Ornamental Grasses.* Three ornamental grasses shall be substituted for one required shrub.~~

~~(Ord. 20, Series of 2023)~~

Subsec. 10-1-3.6.C ReservedProtection and Preservation

A. *Purpose.* ~~It is a goal of the city to protect and maintain existing trees to enhance local ecology through the filtering effect of trees on air pollutants, provide noise reduction, prevent topsoil erosion, provide habitat for birds and other wildlife, provide windbreaks and shaded areas, and increase property values by adding to the aesthetic quality of land.~~

B. *Applicability.* ~~The provisions of this Subsection apply to all new development, redevelopment, and substantial improvement of property within the city. Regarding existing development, this Subsection provides for the retention of existing tree canopy and the replacement of damaged or removed trees.~~

- 1. *Timing.*** ~~Review for compliance with the standards of this Subsection shall take place during the review of the following applications:-~~

- ~~a. *Site Plan or Master Development Plan;*~~

b. Major modification of a Site Plan or Master Development Plan;

c. Grading Permit; and;

d. Preliminary or Final Plat; and

e. Building permit.

2. Exemptions. The following tree removal activities are exempt from the requirements in this Section:

a. Removal of "for sale" trees from a plant nursery or botanical garden;

b. Removal of trees that pose a risk of immediate danger to life and property due to an accident, fire, storm, or other act of nature;

c. Removal of diseased or dying trees as determined by an certified arborist, with written notice to be sent to the City Forester, or assigned designee, at least ten (10) days in advance of removal;

d. Selective and limited removal or pruning of trees or vegetation necessary to obtain clear visibility within sight triangles; and

e. Removal of exotic, invasive, or prohibited tree species.

C. Land Clearing.

1. Prohibited. No land clearance, site grading, removal or stockpiling of soil, or tree removal may be performed on a lot or parcel within the city until a Building Permit, Grading Permit, Site Plan, Master Development Plan, or Subdivision Plat is approved in accordance with this Code as well as Title 7, *Health and Sanitation*; Chapter 7, *Littleton Storm Drainage Ordinance*, and the city's Storm Drainage Design Manual.

2. Exemption. Exemptions from this provision include:

a. Land clearing or grading consistent with that required by the Storm Drainage Manual; or

b. Excavations for utilities that have a sewer or utility permit.

D. Minimum Requirements.

1. Tree Coverage. Development sites shall be configured to meet the tree canopy coverage requirements in Subsection 10-1-3.6.E, *Tree Canopy Coverage Requirements*.

2. Retention of Existing Tree Canopy.

a. Multi-Family, Non-Residential, and Mixed-Use Development. Where not otherwise specified in Subsection 10-1-3.6.E, *Tree Canopy Coverage Requirements*, all lots subject to these standards shall retain existing tree canopy as follows:

1. To the maximum practicable extent, specimen trees should be retained to meet this standard.

2. Existing trees retained to meet this standard shall be designated within a fenced tree protection zone established during construction.

b. Single-Family Detached and Attached Development. Where not specified in Subsection 10-1-3.6.E, *Tree Canopy Coverage Requirements*, all lots subject to these standards shall retain existing tree canopy as follows:

1. At least one tree per lot and for every 40 linear feet of lot frontage;

2. Retained trees shall be located within a front or corner side yard; and

3. Each retained tree shall have a minimum DBH of two and one-half inches.

- 3. ~~Newly Planted Trees.~~** On lots without the required percentage of existing tree canopy coverage, the applicant shall plant trees in order to achieve the required tree canopy coverage prior to the issuance of a certificate of occupancy.
- 4. ~~Tree Canopy Plan.~~** The applicant shall provide a tree canopy plan as part of the required landscape plan showing existing and proposed tree canopy locations and calculations of a 20-year mature tree canopy, ~~by species, based on The Arbor Day Foundation's Tree Database (<https://www.arborday.org/trees/treeguide/browseTrees.cfm>) or another source acceptable to the Director.~~
- 5. ~~Retention of Specimen Trees.~~** Development subject to this Subsection shall retain a portion of existing specimen trees as set out in Table 10-1 3.6.C.1, *Retention of Specimen Trees*. The applicant shall provide details of all specimen trees as part of the required landscape plan.

Table 10-1 3.6.C.1 <i>Retention of Specimen Trees</i>	
Specimen Trees Per Acre	Existing Specimen Trees to be Preserved
less than 3	80%
3 to 5	65%
6 to 8	50%
9 or more	4 per acre
Table Note: In the case of calculation resulting in a fraction, the required number of specimen trees to be preserved shall be rounded up to the nearest whole number.	

6. ~~Protection of Historic Trees.~~

- a.** All historic trees shall be protected during construction within a fenced tree protection zone.
- b.** If a historic tree is in healthy condition, it may be removed only if approved by the Director after the applicant demonstrates all of the following standards are met:
- 1.** The historic tree prevents development in a way that limits the building area to less than otherwise allowed, or hinders compliance with the zoning district and development standards of this Code; and
 - 2.** Mitigation is provided as set out below in this Subsection.

E. Tree Protection.

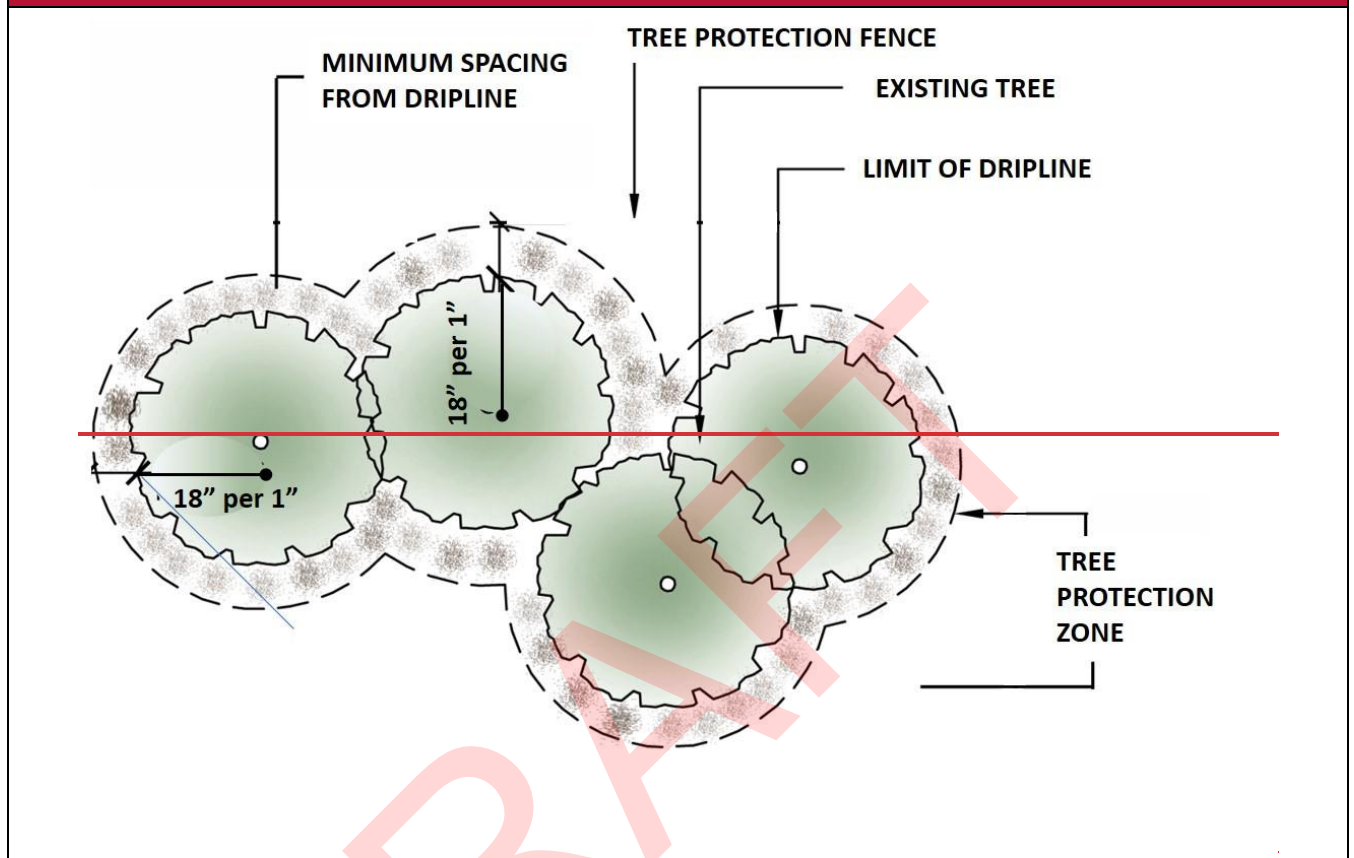
1. ~~Distance from Utilities.~~

- a.** No street or canopy trees shall be planted under or within 10 lateral feet of any overhead utility lines.
- b.** No trees, except street tree species that are approved by the city, shall be planted over or within 10 lateral feet of any underground water line, sewer line, transmission line, or other utility line, or as required by the owner of the utility or the requirements of the specific easement.

- 2. ~~Sight Triangles.~~** Trees shall not be installed in locations where there is a substantial likelihood that the mature form of the tree would have to be materially compromised in order to maintain sight triangles.

- ~~3. *Private Open Space, Detention Areas, and Drainage Channels.* Private open spaces, detention areas, and drainage channels not designated as natural areas shall be designed and landscaped in such a manner to complement on-site and adjacent landscapes.~~
- ~~4. *Existing Landscaping.* Every effort shall be made to incorporate existing, healthy, mature trees and shrubs into the landscape design. Existing trees and other plants in reasonably healthy condition may be removed only if the owner or developer has satisfactorily demonstrated to the Director that site development constraints necessitate their removal. An evaluation of the existing landscaping proposed to be removed is required. New development shall follow the requirements outlined in Tree Protection Zone below.~~
- ~~5. *Tree Protection Zone.* Trees to be retained and protected shall be located within a fenced tree protection zone during construction. Certain activities are prohibited within the tree protection zone and are more specifically detailed within the tree manual. Motorized vehicles and equipment are not permitted within a tree protection zone.~~
 - ~~a. *Inventory.* Prior to any tree clearing, development, or land-disturbing activity, the applicant shall cause to be prepared an inventory of specimen and historic trees with a four-inch or larger caliper diameter at standard height (DSH) on the property, subject to the following requirements:~~
 - ~~1. Known dead or diseased historic and specimen trees shall be identified, where practical.~~
 - ~~2. Groups of specimen trees in close proximity (i.e., those within five feet of each other) may be designated as a clump of trees, with the predominant species, estimated number, and average diameter indicated.~~
 - ~~3. The inventory shall indicate the species, size (in DBH), condition, health, and location of each specimen and historic tree on the subject lot or site.~~
 - ~~4. The inventory shall indicate the average number of specimen trees per acre.~~
 - ~~5. Tree inventories for lots larger than two acres shall be prepared by a licensed landscape architect, surveyor under the direction of a licensed landscape architect, an International Society of Arboriculture (ISA) certified arborist, or registered forester.~~
 - ~~6. Recent aerial photographs may be used in addition to or in lieu of a tree inventory in cases where a site is completely covered by existing tree canopy cover or where preparation of a tree inventory is impractical, as determined by the Director.~~
 - ~~b. *Establishment.* The applicant shall prepare a tree protection zone plan.~~
 - ~~1. Tree protection zones shall be established prior to any development or land disturbance (other than surveying).~~
 - ~~2. A designated tree protection zone shall be demarcated on a Site Plan, Master Development Plan, or construction plan or building plan.~~
 - ~~3. To the extent practicable, tree protection zones shall be located proximate to lot lines or site boundaries to ensure that retained trees will assist in limiting visual and auditory impacts from one form of development to another.~~
 - ~~4. Tree protection zones associated with a single-family detached or attached development shall be located within an open space set aside or other unbuildable areas.~~
 - ~~5. The tree protection zone shall incorporate the root zones and drip lines of all historic and specimen trees to be retained as displayed by Figure 10-1-3.6.C.1, *Tree Protection Zone*.~~

~~Figure 10-1-3.6.C.1~~
~~Tree Protection Zone~~



~~6. Tree Protection During Construction.~~ Healthy native trees shall be protected according to the following requirements:

~~a. Protected Root Zone.~~ The protected root zone is the larger of:

~~1. The protected root zone is the larger of:~~

~~i. The area under the dripline of the tree; or~~

~~ii. A radius that extends from the center of the trunk 18 inches per one inch of diameter at standard breast height of the protected tree.~~

~~2. The city forester shall have the right to extend or modify the protected root zone at any time.~~

~~b. Restrictions Within Protected Root Zone:~~

~~1. The protected root zone of all protected trees shall be fenced during construction to prevent damage to the trees and their roots by construction equipment or soil compaction. The barricades shall be posted "Off Limits."~~

~~2. No operation of mechanized equipment, cutting or filling, nor storage of building materials or debris, nor disposal of wastes, shall take place within the protected root zone of any protected tree.~~

- ~~3. No impervious paving shall be placed within the protected root zone of any protected tree.~~
- ~~6. *Restrictions in Fenced Areas.* No construction, grading, equipment or materials storage, or any other activity shall be allowed within the fenced area. Fencing shall be maintained until after the final site inspection.~~
- ~~d. *Tree Care During Construction.* Protected trees shall be cared for regularly during construction as outlined in the Tree Manual. follows:~~
 - ~~1. Monitoring of soil moisture content and regular watering if rainfall is inadequate;~~
 - ~~2. Pruning of branches that are dead, diseased, hazardous, or detrimental to natural form; and~~
 - ~~3. Fertilizing if nutrient stress is apparent.~~
- ~~e. *Protected Tree Removal or Death.* Should any protected tree die or be removed at any time, the owner shall, within 90 days, replace the tree. The owner shall replace the tree, with a minimum of three new trees. The caliper diameter inches of the replacement trees shall be two times the removed or dead tree's diameter at breast standard height. The replacement trees shall be of a similar approved species that will achieve the same height, spread, and growth characteristics. If spacing is unavailable for any replacement trees, the owner shall pay a fee in lieu amount. Said fee shall be established by City Council by resolution during annual fee adoptions or at such time as may be determined by City Council.~~
- ~~f. *Placement of Barriers.* During development, the applicant shall be responsible for the erection of any and all barriers necessary to protect trees within a tree protection zone or other existing vegetation to be retained from damage both during and after construction. Such protection shall include the installation and maintenance of a sturdy temporary fence at least four feet in height, around the protection limits shown in Figure 10-1 3.6.C.1, *Tree Protection Zone*.~~
- ~~g. *Protection of Credited Trees.* Existing trees being used for credit toward the landscaping requirements shall be fenced before grading or other development activity begins.~~
- ~~h. *Inspection Required.* Tree protection measures shall be inspected and approved by the Director City Forester, or a designee, prior to the start of any land-disturbing activities.~~
- ~~i. *Preventive Measures.* If unavoidable encroachment into a tree protection zone is to occur, with approval of the Director City Forester, the following mitigation measures shall be employed, as approved by the City Forester. Director~~
 - ~~1. Where compaction might occur due to construction traffic or materials delivery through a protected area, the area shall be mulched with a minimum four-inch layer of wood chips;~~
 - ~~2. The natural grade shall be preserved within the dripline through the use of retaining walls and careful planning;~~
 - ~~3. No fill shall be placed within a protection zone without adequate venting to allow air and water to reach the roots;~~
 - ~~4. Trees shall be protected from chemical contamination from liquids or other materials, including but not limited to paint, chemical solvents, gasoline, oil, diesel fuel, hydraulic fluid, concrete spoils, portable toilets, or rinse water from vehicle cleaning; and~~
 - ~~5. Except for access points, sidewalks, curb, and gutter, no paving shall occur within a protection zone unless authorized by the Director City Forester.~~

7. ~~Mitigation Standards.~~ ~~Damage or removal of trees within a tree protection zone, or removal of trees required to be retained by this Subsection, shall require equivalent replacement on the lot or development site.~~

a. ~~Removal or Damage in Violation.~~ ~~If protected trees are damaged or removed without a permit or otherwise in violation of this Code, or when work is done contrary to the permit or this Code, the Director/City Forester shall follow procedures outlined in Chapter 11, *Enforcement, Violations, and Remedies*, to notify the applicant, stop work, and give a timeline to submit a restoration plan.~~

b. ~~Restoration Plan.~~ ~~A restoration plan with a narrative describing the reforestation proposed and a schedule for restoration efforts shall be completed prior to the final site inspection.~~

c. ~~Replacement Requirements.~~

1. ~~For every caliper/diameter inch of specimen tree that is removed or damaged, two caliper/diameter inches of replacement trees are required, in addition to any other required landscaping.~~

2. ~~For every caliper/diameter inch of trees comprising the required existing tree canopy that is removed or damaged, one caliper/diameter inch of replacement trees is required.~~

3. ~~In cases where the total caliper of trees/diameter inch of trees removed in violation cannot be determined, eight replacement trees shall be provided.~~ \$10,000 per acre of disturbed area shall be put into the the Tree Fund.

d. ~~In Lieu Fee Fee In Lieu Alternative.~~

1. ~~Where existing conditions make it impractical to comply with the replacement standards, the applicant may, at the discretion of the Director, pay a fee in lieu of meeting the requirement for replacement of damaged or removed trees, in whole or in part. The fee in lieu fee shall be calculated using the Canopy Loss Fee formula as outlined in the Tree Manual shall be \$500 per replacement tree. Fees may be reduced for certified affordable housing developments.~~

2. ~~If tree replacement is required to mitigate damaged or removed trees in areas where water and electricity are not available and no development is under construction, the fee in lieu fee shall be \$500 per replacement tree based on the diameter at standard height of tree(s) removed by calculating the Canopy Loss Fee.~~

3. ~~Fee In lieu fees shall be deposited in a tree equity fund for the preservation, safety, and increase of tree canopy within the City reserve account for the purchase and installation of trees and tree related irrigation systems in city parks, rights of way, and other public open spaces in reasonable proximity to the applicant's project.~~

8. ~~Tree Preservation Credit.~~

a. ~~Credit for Mature Trees.~~ ~~Development sites that preserve mature trees may be given credit towards the fulfillment of the requirements set out in Subsection 10-1-3.6.D, *Landscape Requirements*. Credit may only be granted for mature trees located on the same lot and only those detailed on a Site Plan or Master Development Plan, signed by a licensed landscape architect and/or certified arborist, that certifies the species, caliper, and health of the identified mature trees. The landscape plan shall further identify the methods by which the mature trees will be protected during construction and that adequate clearance will be maintained around the dripline of the tree to prevent soil compaction and provide the tree with adequate access to water, nutrients, and air.~~

b. ~~Rate of Credit.~~ ~~Displayed in Table 10-1-3.6.C.2, *Tree Preservation Credit*, is the rate at which credit will be given for the preservation of mature trees.~~

Table 10-1-3.6.C.2 Tree Preservation Credit	
Combined Caliper Size of Preserved Trees	Landscape Credit Per Tree
6 to 12 inches	3 shade/evergreen or 4 ornamental trees
13 to 24 inches	4 shade/evergreen or 5 ornamental trees
25 to 36 inches	5 shade/evergreen or 6 ornamental trees
Greater than 37 inches	6 shade/evergreen or 7 ornamental trees

9. ~~Tree Canopy Coverage Credit.~~

~~a. Generally. The preservation and protection of existing trees on a lot may be counted toward the canopy coverage requirements provided the tree is healthy and undamaged. Credit shall be calculated using the dripline of existing, preserved trees, as measured and included on the landscape plan.~~

~~b. Historic and Specimen Trees. Historic and specimen trees may be credited two times the area of the critical root zone as determined by a licensed landscape architect or arborist.~~

~~c. Existing Trees.~~

~~1. Existing trees to be preserved may require a form of security prior to permit issuance. If security is required, the amount shall be equal to 125% of the estimated replacement cost of the existing, preserved trees used to meet the tree canopy coverage requirement.~~

~~2. If an existing tree shown on the landscape plan as a preserved tree does not survive within the first year following issuance of a certificate of occupancy, mitigation is as set out in Subsection 10-1-3.6.C, Protection and Preservation.~~

Subsec. 10-1-3.6.D Landscape Requirements

A. Landscaping. ...

B. Irrigation. ...

C. Maintenance. ...

D. **Street Trees.** Street trees shall be installed in accordance with the standards outlined within the City Tree Manual.

~~1. Installation. The subdivider or developer shall install street trees according to a plan approved as a part of Site Plan or Master Development Plan approval.~~

~~2. Location and Spacing:~~

~~a. Where street trees exist, to the maximum extent practicable, sidewalks, street lights and utilities shall be located to preserve the trees.~~

~~b. Where street trees are provided, they shall be carefully positioned so as to account for sidewalk and street light locations, utility locations, and, if not constructed simultaneously with the construction of the public or private street, future driveways and sight triangles.~~

~~c. Street trees shall not be planted within:~~

~~1. 20 feet of street lights and utility poles;~~

~~2. 10 feet of an alley or vehicular entrance; or~~

~~3. 10 feet of existing walls, fences, signs (except in the DNR, DTA, DMS and DMU districts), driveways, or fire hydrants.~~

~~d. Street trees shall be spaced at intervals considering the canopy size and height of the tree at maturity. Generally, this means that there should be a minimum spacing of 20 feet for ornamental, 30 feet for coniferous (evergreen), and 40 feet or more for large deciduous trees at maturity.~~

~~e. When planted, street trees should be provided the greatest amount of growing area possible, without conflict with utilities and paved surfaces.~~

~~3. Minimum Open Soil Surface:~~

~~a. No street tree shall be planted unless it has a minimum of five feet in width by five feet in length of open, unobstructed soil surface area. Tree grates above open soil surface areas may be proposed and permitted where applicable.~~

~~4. Types of Trees Permitted:~~

~~a. Trees shall be selected from those in APPENDIX A, Preferred Plantings. Approved Tree Species List from the Tree Manual. An applicant seeking street tree plan approval may propose other species provided the selection is native and urban tolerant.~~

~~b. Reserved. Evergreen trees shall only be allowed in rights of way when planted on the north side of a street or in situations where wintertime shadows will not result in icy patches on public rights of way.~~

~~c. When street trees are proposed to be planted beneath or within five feet of overhead power lines or utilities, only ornamental trees may be planted.~~

E. Reserved.

F. **Plants Prohibited Near Sidewalks, Streets, and Drainage Facilities.** Plants selected shall not, by their growth habits, obstruct, restrict, or conflict with the safe use of any roadway, sidewalk, alley, or conveyance.

1. **Trees.** All permitted plantings shall have required minimum distances as outlined within the Tree Manual. Prohibited tree list may be found in APPENDIX B, *Prohibited ROW Tree Species List* from the Tree Manual. ~~Willow (Salix) trees, cottonwood, evergreens, and fruiting trees shall not be planted such that their canopy at mature size extend into a public right of way. This restriction is due to the safety hazard created by fruit and twigs dropping onto the streets and sidewalks.~~
2. **Shrubs and Other Plant Material.** ...
3. **Grasses.** ...
4. **Reserved. Prohibited Species.** The planting of Chinese and Siberian Elms is prohibited. Such elms ~~tend to be prone to disease, weak branches, suckering, and the uncontrollable spread of seeds. American elms are excluded from the prohibition. Cotton bearing cottonwoods (female Populus species), Russian Olive, and box elders are prohibited due to the uncontrollable spread of seeds.~~
5. **Public and Private Open Space, Detention Areas, and Drainage Facilities.**
 - a. Public and private open space, stormwater conveyance and detention areas that are not designated as natural areas, shall be designed in such a way that they complement buildings on the property and adjacent areas and subject to requirements of the city's Storm Drainage and Technical Criteria Manual (latest edition).
 - b. Designated wetlands on public and private property shall be maintained in their natural state and may be credited, in kind, to a portion of the open space or public land dedication.
 - c. An overall grading plan shall be submitted for review and approval by the Director of Public Works, or a designee, prior to the construction or landscaping of any public and private open space, stormwater detention areas or drainage channels.
 - d. Slopes shall not exceed 3:1, except upon approval by the Director of Public Works, or a designee, which may be granted in such instances where the natural topography is to be retained.
 - e. The following types and quantities of landscaping materials and other improvements shall be required within any public and private open space or stormwater detention areas that do not inhibit their intended function, except in natural areas or wetlands:
 1. All types of ~~trees,~~ shrubs, grass, or other ground cover require a variety or blend of varieties as listed in APPENDIX A, Table A-2 and Table A-3, Preferred Plantings within the city code. For tree plantings, please refer to Appendix A, Approved Tree Species List of the Tree Manual.
 2. Natural and/or structural landscaping features of type, sizes, quantities, and locations.
 3. In instances where public and private open space, stormwater detention areas, or drainage channels are located within a 100-year floodplain, landscaping material quantities may be adjusted by the Director, Floodplain Administrator, or after referral comments are received from the Mile High Flood District.
 4. Placement of floatable or erodible landscape materials shall not be permitted in drainage channels, stormwater detention areas, or 100-year floodplain areas.

G. Reserved.

H. Parking Lot Landscaping.

1. *Trees in Landscape Islands.*

- a. Each tree shall be planted with a surface area of at least 120 square feet and a soil volume in the following minimum amounts, by mature tree size: i) Small Trees: 300 cubic feet; ii)

~~Medium Trees: 600 cubic feet; and iii) Large Trees: 1,000 cubic feet, of at least 360 cubic feet to provide for adequate resources of air and water.~~

b. ...

I. Screening. ...

J. Constrained Sites. ...

Subsec. 10-1-3.6.E Tree Canopy Coverage Requirements

A. Applicability. The standards of this Subsection apply to the MFR, NC, CM, and BC districts.

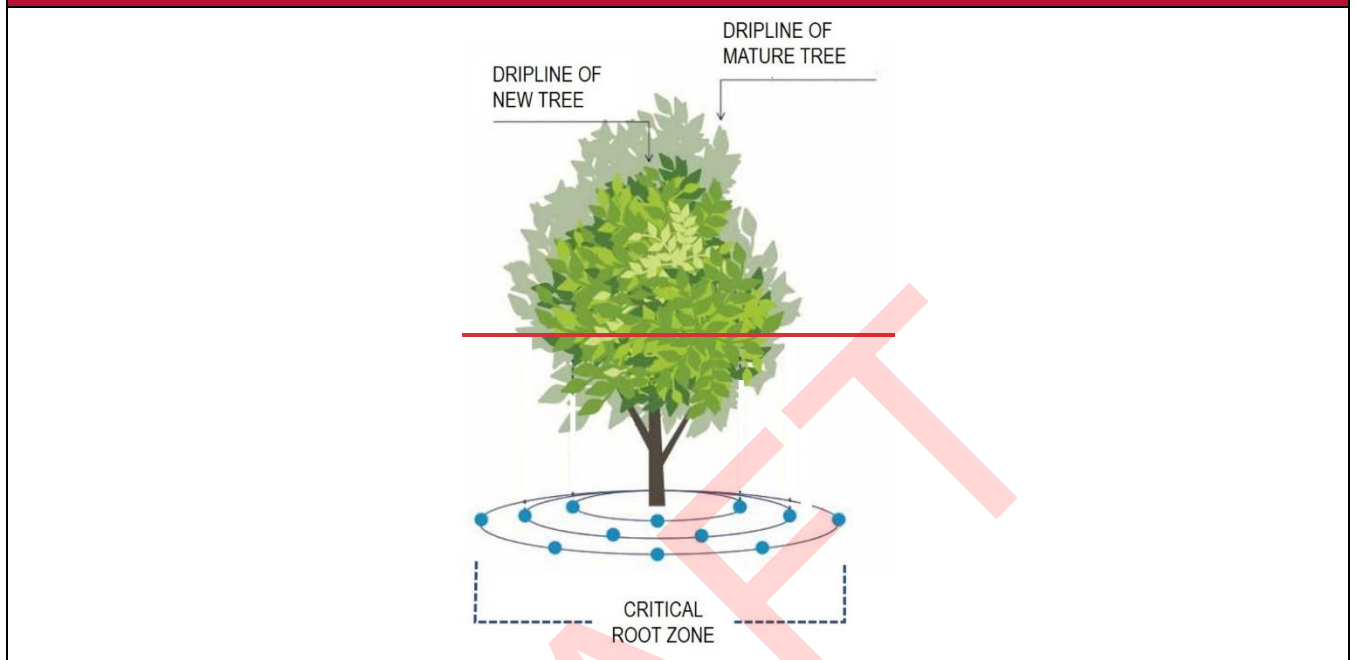
B. Minimum Standards. The tree canopy coverage requirements for the applicable districts are set out in Table 10-1-3.6.E, *Canopy Coverage Requirements*.

Table 10-1-3.6.E Canopy Coverage Requirements	
Zoning District	Minimum Tree Canopy Coverage
MFR, Multi-Family Residential	20 30%
NC, Neighborhood Commercial	15 20%
CM, Corridor Mixed	15 20%
BC, Business Commercial	10 20%
Table Notes: 1. The minimum canopy coverage requirements are based on gross lot area.	

~~C. Reserved.~~

~~D. Determining Coverage.~~ Tree canopy coverage includes all areas on a lot that are within the critical root zone of existing trees and the dripline of newly planted trees at a maturity of 20 years, as displayed in Figure 10-1-3.6.E, *Tree Canopy Measurements*.

Figure 10-1-3.6.E
Tree Canopy Measurements



E. Exemption.

2. *Generally.* An applicant may request an exemption from the requirements of this Subsection if the DirectorCity Forester, or their designee approves, and finds that the application meets the following standards:
 - a. Topography, lot limitations, or other lot conditions are such that compliance with the requirements is impossible or impractical;
 - b. The tree canopy coverage requirement cannot reasonably be met because of a lack of rooting space or soil volume to accommodate healthy tree growth;
 - c. The planting of additional trees will require removal of existing pavement used to meet other Code requirements; and
 - d. The exemption is the minimum necessary to meet these criteria.
3. *Explanation and Justification.* An exemption request shall be accompanied by sufficient written, graphic, and/or photographic explanation and a statement of justification to enable an evaluation and decision regarding the request.
4. *Approval.* An exemption request shall be approved by the DirectorCity Forster, or a designee.

Subsec. 10-1-3.6.F Bufferyard Requirements

A. Generally. ...

Subsec. 10-1-3.6.G Landscape Plan

A. Plan Required. ...

Subsec. 10-6-2.3.F Common Open Space

A. Use and Layout.

1. *Generally.* The common open space required for each district shall be integrated into development design to provide access to the maximum number of properties and visibility from adjacent public or private rights-of-way.
2. *Greenways.* Common open space shall be designed to provide greenways along drainage corridors and within the riparian areas along rivers and streams. Landscaping within the greenways shall enhance stormwater quality, ecosystems, and habitats.
3. *Tree Preservation.* As set out in ~~Subsection 10-1-3.6.C, Protection and Preservation, the~~ City's Tree Manual, and to the maximum extent practicable, subdivision design shall designate conservation areas to preserve existing stands of native trees and other ecologically important locations.
4. *Phasing.* Phased development shall provide assurance that common open space shall be set aside in the same proportion as each phase of the entire development.

Section 10-3-4.1 CMU Landscaping**A. Purpose. ...****B. Applicability. ...****C. Minimum Planting Standards....****Table 10-3-4.1****CMU Minimum Landscape Planting Requirements**

District	Tree and Shrub Plantings ⁴	Parking Lot Landscaping ^{1,2}	Common Open Space Landscaping ³
NC, Neighborhood Commercial	<p><u>Street Trees</u>: 1 <u>deciduous tree</u> per 40' linear street frontage.</p> <p><u>Understory Plantings</u>: <u>Shrubs</u> and grasses along 75% of all street-facing building <u>elevations</u>, at least 2' from the foundation.</p>	<p><u>Perimeter Screening</u>: Shrubs shall be planted along 75% of all parking and vehicular use areas that are parallel, or approximately parallel, to public street rights-of-way. Shrubs shall be planted along 50% of a common boundary between parking <u>lots</u>.</p> <p><u>Interior Landscaping</u>: Landscape islands shall cover a minimum of 5% of parking and vehicular use area surfaces. Each island shall include 1 deciduous tree, 50% coverage in shrubs, and the remaining in groundcover.</p>	<p><u>Pervious Area</u>: 1 deciduous or two <u>evergreen</u> trees per 500 sf.</p>
	<p><u>Street Trees</u>: 1 <u>deciduous tree</u> per 40' of linear frontage.</p> <p><u>Understory Plantings</u>: Shrubs and grasses extending along 50% of all building elevations facing a street or parking lot of an <u>adjoining</u> property, placed at least 2' from the foundation.</p>	<p><u>Perimeter Screening</u>: Shrubs shall be planted along 100% of all parking and vehicular use areas that are parallel, or approximately parallel, to public street rights-of-way. Shrubs shall be planted along 75% of a common boundary between parking lots.</p> <p><u>Interior Landscaping</u>: Landscape islands shall cover a minimum of 5% of parking and vehicular use area surfaces. Each island shall include 1 deciduous tree and 100% coverage in shrubs.</p>	<p><u>Pervious Area</u>: 1 deciduous or two evergreen trees per 1,000 sf.</p>

Table Notes:

1. A landscape island measures a minimum of 162 sf. (9' X 18').
2. Parking lot landscaping is not required in a rear or interior side yard without frontage on a street, adjacent drive, or parking lot.
3. Common open space landscaping excludes all areas established to meet street tree and understory plantings, parking lot landscaping, and bufferyard requirements.
4. Street trees shall be planted in accordance with the City's Tree Manual.

Section 10-5-4.1 BI Landscaping**A. Generally. ...****B. Minimum Planting Standards. ...**

Table 10-5-4.1 BI Minimum Landscape Planting Requirements			
Zoning District	Tree Plantings³	Parking Lot Landscaping^{1,2}	Common Open Space Landscaping
BC, Business Center	<p><u>Street Trees:</u> 1 <u>deciduous</u> tree per 35' of linear frontage along commercial corridors and suburban connector streets.</p> <p>Foundation Plantings: <u>Shrubs</u> and grasses around the primary pedestrian entrance and extending a minimum of 25% along all street-facing building <u>elevations</u>.</p>	<p><i>Perimeter Screening:</i> Shrubs shall be planted along 50% of all parking and vehicular use areas that are parallel, or approximately parallel, to public street rights-of-way. Shrubs shall be planted along 50% of a common boundary between parking <u>lots</u>.</p> <p><i>Interior Landscaping:</i> Landscape islands shall cover a minimum of 5% of passenger vehicle parking and vehicular use area surfaces. Each island shall include 1 deciduous tree, 50% coverage in shrubs, and the remaining in groundcover.</p>	<p><u>Pervious</u> Area: 1 large tree per 1,000 sf.</p>
IP, Industrial Park	<p><u>Street Trees:</u> 1 deciduous tree per 50' of linear frontage along commercial corridors and suburban connector streets.</p>	<p><i>Perimeter Screening:</i> Shrubs shall be planted along 25% of all parking and vehicular use areas that are parallel, or approximately parallel, to public street rights-of-way.</p> <p><i>Interior Landscaping:</i> Landscape islands shall cover a minimum of 5% of passenger vehicle parking area surfaces. Each island shall include 1 deciduous tree, 50% coverage in shrubs, and the remaining in groundcover.</p>	<p>Pervious Area: 2 large trees per 1,000 sf.</p>
<p>Table Notes:</p> <ol style="list-style-type: none"> 1. A landscape island measures a minimum of 162 sf. (9' X 18'). 2. Parking lot landscaping is not required in a rear or interior <u>side yard</u> without frontage on a street, <u>adjacent</u> drive, or parking lot. 3. <u>Street Trees shall be planted in accordance with the City's Tree Manual.</u> 			

APPENDIX A PREFERRED PLANTINGS GREENSCAPE - G

A. Reserved Trees.

- ~~1. *Types.* Table A-1 lists approved shade, ornamental, and evergreen tree species including the botanical name, common name, and varieties.~~
- ~~2. *Spacing and Size.* The minimum spacing required is 30 feet and the minimum size required is a caliper of two inches.~~
- ~~3.1. *Right of Way and Xeriscape.* Table A-1 denotes if the tree is approved to be located in the ROW and if the tree requires low water or very low water.~~

Table A-1 Approved Tree List			
Botanical Names	Common Name	Varieties	R.O.W./ Xeriscape
Shade Trees			
Minimum spacing: 30 feet / Minimum size: 2" caliper balled and burlapped			
<i>Acer Grandidentatum</i>	Bigtooth Maple	-	R/LW
<i>Acer Platanoides</i>	Norway Maple	Schwedler, Emerald Queen, Jade Glen	R
<i>Acer Rubrum</i>	Red Maple	Red Sunset	-R
<i>Acer Saccharinum</i>	Silver Maple	-	-
<i>Acer Tartaricum</i>	Tartarian Maple	-	R/LW
<i>Aesculus Hippocastanum</i>	Horse Chestnut	-	-R
<i>Aesculus Glabra</i>	Ohio Horse Chestnut	-	R
<i>Aesculus Arguta</i>	Texas Horse Chestnut	-	R/LW
<i>Alnus Tenuifolia</i>	Thinleaf/ Mountain Alder	-	-
<i>Catalpa Speciosa</i>	Western Catalpa	-	-R/LW
<i>Celtis Occidentalis</i>	Hackberry	-	-R/LW
<i>Fraxinus Americana</i>	White Ash	Autumn Purple, Rosehill	-R
<i>Fraxinus Pennsylvanica Lanceolata</i>	Green Ash	Marshall Seedless, Summit, Patmore	-R/LW
<i>Gleditsia Triacanthos Inermi</i>	Honeylocust	Skyline, Sunburst, Moraine, Imperial, Shademaster	-R/LW
<i>Gymnocladus Dioicus</i>	Kentucky Coffeetree	-	-R/LW
<i>Platanus Occidentalis</i>	Sycamore	-	-R
<i>Populus Acuminata</i>	Lanceleaf Cottonwood	-	-
<i>Quercus Borealis</i>	Northern Red Oak	-	R
<i>Quercus Gambelii</i>	Gambel Oak	-	R/VLW
<i>Quercus Macrocarpa</i>	Bur Oak	-	R/VLW
<i>Quercus Robur</i>	English Oak	-	R
<i>Tilia Americana</i>	American Linden	-	R
Ornamental Trees			
Minimum spacing: 20 feet / Minimum size: 1.5" caliper			
<i>Acer Ginnala</i>	Amur Maple	-	-
<i>Aesculus Glabra</i>	Ohio Buckeye	-	R
<i>Catalpa Ovata</i>	Chinese Catalpa	-	-
<i>Cercis Canadensis</i>	Redbud	-	-
<i>Crataegus Species</i>	Hawthorn	Washington, Downy, Cockspur	-
<i>Koelreutaria Paniculata</i>	Golden Raintree	-	R/LW
<i>Malus Species</i>	Crabapple (varieties resistant to fire blight)	Dolga, Royalty, Radiant, Etc.	-
<i>Populus Tremuloides</i>	Aspen	-	-
<i>Prunus Newport</i>	Newport Plum	-	-
<i>Prunus Virginiana Melanocarpa</i>	Canada Red Cherry	-	R
<i>Sorbus Aucuparia</i>	European Mountain Ash	-	R-

Table A-1 Approved Tree List			
Botanical Names	Common Name	Varieties	R.O.W./ Xeriscape
<i>Tilia Cordata</i>	Littleleaf Linden	Greenspire, Glen Leven	R
Evergreen Trees		Minimum spacing: 20 feet (or 10 ft.)* / Minimum size: 6 ft.	
<i>Abies Concolor</i>	White Fir	-	-
<i>Juniperus Scopulorum</i>	Rocky Mountain Juniper	-	LW
<i>Juniperus Virginiana</i>	Eastern Red Cedar	-	LW
<i>Magnolia x soulangiana</i>	Saucer Magnolia	-	-
<i>Picea Pungens Glauca</i>	Colorado Blue Spruce	-	-
<i>Pinus Aristata</i>	Bristlecone Pine*	-	-
<i>Pinus Cembroides Edulis</i>	Pinyon Pine*	-	VLW
<i>Pinus Nigra</i>	Austrian Pine	-	R
<i>Pinus Ponderosa</i>	Ponderosa Pine	-	R/LW
<i>Pinus Sylvestris</i>	Scotch Pine	-	-
Table Legend: R = indicates a tree approved for planting in a right-of-way LW = indicates a low water requiring species VLW = indicates a very low water requiring species			

B. Shrubs ...

C. Groundcover ...