

# CHAPTER SIX

## DESIGN & IMPROVEMENT STANDARDS

### 6.1 SITE ANALYSIS REQUIREMENT

- A. **Requirement.** Each applicant for a major subdivision, planned development district or site plan review involving fifty (50) or more acres shall complete a site analysis as described below for the first step of the project. The Director may require all or any part of a site analysis for fifty (50) or fewer acres. The site analysis should identify major constraints, sensitive environmental areas, or the potential for expensive infrastructure installation, operation or maintenance costs. The application shall be based on the site analysis and avoid constrained or sensitive areas identified in the site analysis. All adjacent parcels, lots and property owned or under control of the applicant are to be considered together. Specific regulations applicable to property identified in Chapter Seven shall supercede the provisions in this Section.
- B. **Study Elements.**
1. Each site analysis shall address the following aspects of the property included in the development application, unless the Director waives in writing one (1) or more of the following:
    - a. Flood Hazards
    - b. Geology Hazards or conditions
    - c. Danger from Wildfire
    - d. Poor, swelling or unsuitable soils
    - e. Unusual, steep or dangerous topography and natural features
    - f. Vegetation and Habitat
    - g. Airport Hazards
    - h. Drainage
  2. Each element shall be analyzed based on the latest available information and maps from private and public sources including:
    - a. Flood Insurance Rate Maps (FIRM) available from the Federal Emergency Management Agency (FEMA);
    - b. Geological hazard maps available from the Colorado Geologic Survey and from United States Geological Survey (USGS);
    - c. Soil maps available from the Natural Resources Conservation Service (NCRS);
    - d. Wildlife habitat maps from the Colorado Division of Wildlife;
    - e. Specific maps related to particular hazard or nearby land use, such as maps of the approaches to Walker Field Airport; and
    - f. National Wetlands Survey maps;
- C. **Content.**
1. Flood, Geology, Wildfire, Soils, Topography, Natural Features, Vegetation, Habit and Airport Hazards.
    - a. Each site analysis shall identify the range of slopes present on the land. The analysis shall include the steepest and flattest areas of the project and the percentage slopes within twenty-five feet (25') of

areas proposed to be graded or developed with structures, driveways, or streets, down slope creep, debris flow, rockfall hazards, underground mines, soil contamination, subsidence, or shrink/swell soils.

- b. Significant natural features shall also be depicted including rivers, streams, ravines, ditches, drainage channels, irrigation canals, wetlands, bluffs, ridgelines, and rock outcroppings.
2. Areas with significant vegetative cover, including areas of more than 10,000 square feet covered with native shrubs (such as gambel oak), native coniferous trees (such as pinon pine and juniper), and native deciduous trees (such as cottonwoods), as well as each three (3) or more trees of six inch (6") caliper within a twenty foot (20') radius circle and each wildlife habitat area or migration corridor with species identified on the property by the Colorado Division of Wildlife.
3. The applicant shall give the Director a series of map overlays for the project identifying the constraints based on all the information collected as provided in this Section and indicating the development potential for all areas on the site (such as low, medium and high). There shall also be a description of assumptions and methodology used to reach the conclusions shown on the maps and the text.

**D. Use of Results.**

The applicant will base its application on the maps, information and results from the site analysis to design a development plan in which the density/intensity is based on the constraints and potential of the property.

## **6.2 INFRASTRUCTURE STANDARDS**

**A. General.**

1. **Public Improvements.** The improvements described in this Section must be built by the applicant and constructed in accordance with adopted standards, unless otherwise indicated. The applicant/developer shall either complete construction of all such improvements (in this Section "infrastructure") prior to final City approval (such as a subdivision plat) or shall execute a Development Improvements Agreement. No improvements shall be made until the following required plans, profiles and specifications have been submitted to, and approved by, the City:
  - a. Roads, streets and alleys;
  - b. Street lights and street signs for all street intersections;
  - c. Sanitary sewer pipes and facilities;
  - d. Fire hydrants and water distribution system and storage;
  - e. Storm drainage system;
  - f. Irrigation system;
  - g. Right-of-way landscaping;
  - h. Utilities, including but not limited to, telephone, cable, television, electric, and natural gas shall be provided by, and paid for, by the developer. All utilities shall be installed underground, prior to street or alley surfacing or construction, except when the development has

less than 700 feet (700') of frontage and/or when half street improvements are not required to be completed along the perimeter of the development as part of the project, then in the discretion of the Public Works Director a payment of cash-in-lieu of construction may be accepted. The payment amount shall be determined as set forth in the adopted fee schedule. Necessary above-ground facilities (*e.g.*, pedestals, transformers, and transmission lines of 50 KV capacity or greater) and temporary overhead lines may be allowed if deemed necessary by the City Engineer;

- i. Other improvements and/or facilities as may be required by changing technology and the approval process;
  - j. Permanent survey reference monuments and monument boxes (see Section 38-51-101, C.R.S.).
2. **Guarantee of Public Improvements.** No development shall be approved until the City has accepted constructed infrastructure or the developer has executed a Development Improvements Agreement along with adequate security (see Section 2.19).
  3. **City Participation.** The City may elect to require the developer to coordinate construction with the City as required in this Chapter. If the developer, in order to provide safe access and circulation, must build or improve an arterial or collector street, the City may choose to participate in paying for a portion of the costs of paving these streets, including engineering, site preparation, base and pavement mat.

## B. Streets, Alleys, Trails and Easements.

1. **Design Standards.**
  - a. Street and alley layouts shall conform to adopted street plans and other policies, as well as TEDS. No owner or developer shall propose a site design or plan which could result in the applicant controlling access to a street, alley or right-of-way.
  - b. Easements shall be provided as required for improvements and utilities. Alleys for utilities and infrastructure may be used.
  - c. A developer shall dedicate to the City such rights-of-way (*e.g.*, streets, sidewalks, trails, bicycle paths and easements) needed to serve the project in accordance with:
    - (1) The adopted Functional Classification Map and Grand Valley Circulation Plan as amended from time to time; and
    - (2) The Urban Trails Master Plan, sidewalks, trails and/or bicycle plans and maps including riverfront trails.
  - d. Streets, alleys, sidewalks, trails and bike paths shall be constructed in accordance with applicable City standards. If needed to provide safe and adequate access and circulation for residents, visitors, users and occupants, the applicant shall provide off-site infrastructure.
  - e. Each project with one (1) or more buildings (except detached dwellings) shall provide paved pedestrian walkway/sidewalk connections to nearby rights-of-way. Said connections shall be

separate from parking and driveway areas.

- f. Dedications required by Section 6.2.B.1.c shall be at no cost to the City. Dedications shall not be eligible for or require a refund or TCP credit.

2. **Transportation Capacity Payment (TCP) and Right-of-Way Improvements.**

- a. The developer shall pay to the City a Transportation Capacity Payment (TCP) and Right-of-Way Improvements as required by the Public Works Director (Director).
- b. The Director may require that the developer pay for and/or construct improvements necessary for the safe ingress and/or egress of traffic to the development. Those improvements are defined as minimum street access improvements. Minimum street access improvements shall be defined by the most recent version of the City's Growth and Development Related Street Policy and/or TEDS. The Growth and Development Related Street Policy shall be reviewed by City Staff and adopted annually by Council Resolution.
- c. No planning clearance for a building permit for any use or activity requiring payment of the TCP shall be issued until the TCP has been paid and minimum street access improvements have been constructed, paid for or adequately secured as determined by the Director. Adequate security shall be that allowed or required for a Development Improvement Agreement (DIA) under Section 2.19 of this Code.
- d. The amount of the TCP shall be as set forth annually by the City Council in its adopted fee resolution. The TCP is minimally subject to annual adjustment for inflation based on the Consumer Price Index For All Urban Consumers (CPI-U), Western Region, size B/C, published monthly by the United States Department of Labor. (This information can be found at the internet site of <http://data.bls.gov/labjava/outside.jsp?survey=cu> ).
- e. The TCP shall be used by the Director to make capital improvements to the transportation facilities in the City in accordance with the City's Growth and Development Related Street Policy, this Section, and other applicable provisions of the Zoning and Development Code.
  - (1) To pay debt service on any portion of any current or future general obligation bond or revenue bond issued after July 6, 2004 and used to finance major road system improvements;
  - (2) For the reconstruction and replacement of existing roads, the construction of new major road systems and improvements and/or for the payment of reimbursable street expenses (as that term is defined from time to time by the City's Growth and Development Related Street Policy) that are integral to and that add capacity to the street system.
  - (3) Traffic capacity improvements do not include ongoing

operational costs or debt service for any past general obligation bond or revenue bond issued prior to July 6, 2004 or any portion of any current or future bond issued after July 6, 2004 and not used to finance major road system improvements.

- (4) Capital spending decisions shall be guided by the principles, among others, that TCP funds shall be used to make capacity and safety improvements but not used to upgrade existing deficiencies except incidentally in the course of making improvements; TCP fund expenditures which provide improvements which are near in time and/or distance to the development from which the funds are collected are preferred over expenditures for improvements which are more distant in time and/or distance.
  - (5) No TCP funds shall be used for maintenance.
  - (6) TCP funds will be accounted for separately but may be commingled with other funds of the City.
  - (7) The Director shall determine when and where TCP funds shall be spent.
    - (A) As part of the two-year budget process.
    - (B) As required to keep pace with development.
  - (8) The TCP shall not be payable if the Director is shown by clear and convincing evidence, that at least one (1) of the following applies:
    - (A) Alteration or expansion of an existing structure will not create additional trips;
    - (B) The construction of an accessory structure will not create additional trips produced by the principle building or use of the land. A garage is an example of an accessory structure which does not create additional trips;
    - (C) The replacement of a destroyed or partially destroyed structure with a new building or structure of the same size and use that does not create additional trips;
    - (D) A structure is constructed in a development for which a TCP fee has been paid within the prior eighty-four (84) months or the structure is in a development with respect to which the developer constructed Street Access Improvements and the City accepted such improvements and the warranties have been satisfied.
- f. If the type of impact-generating development for which a building permit is requested is for a change of land use or for the expansion, redevelopment or modification of an existing development, the fee shall be based on the net increase in the fee for the new land use type as compared to the previous land use type.
- g. In the event that the proposed change of land use, redevelopment or

modification results in a net decrease in the fee for the new use or development as compared to the previous use or development, the developer may apply for a refund of fees previously paid with the consent of the previous person having made the payment and or constructed the improvements.

- h. For fees expressed per 1,000 square feet, the square footage shall be determined according to gross floor area, measured from the outside surface of exterior walls and excluding unfinished basements and enclosed parking areas. The fees shall be prorated and assessed based on actual floor area, not on the floor area rounded to the nearest 1,000 square feet.
- i. Any claim for credit shall be made not later than the time of application or request for a planning clearance. Any claim not so made shall be deemed waived. Credits shall not be transferable from one (1) project or development to another nor otherwise assignable or transferable.
- j. Minimum Street access improvements include street and road improvements required to provide for the safe ingress and egress needs of the development as determined by the Director.
  - (1) Quality of service for any new development and/or for traffic capacity improvements shall be determined by the Director. The Director shall determine the acceptable quality of service taking into consideration existing traffic, streets and proposed development.
  - (2) Required right-of-way dedications shall be at no cost to the City.
- k. **Definitions.** The following terms and words shall have the meanings set forth for this Section.
  - (1) Average trip length: The average length of a vehicle trip as determined by the limits of the City, the distance between principle trip generators and as modeled by the City's, the County's, the State's or MPO's computer program(s). In the event that the models are inconsistent, the most advantageous to the City shall be used.
  - (2) "Convenience store," "hotel/motel," "retail," and other terms contained and with the meaning set forth in the Trip Generation Manual.
  - (3) Lane-mile: Means one (1) paved lane of a right-of-way mile in length fourteen feet (14') in width, including curb and gutter, sidewalk, storm sewers, traffic control devices, earthwork, engineering, and construction management including inspections. The value of right-of-way is not included.
  - (4) Percentage of new trips: Based on the most current version of ITE Transportation and Land Development Manual, and the ITE Trip Generation Manual.

- (5) Unimproved/under-improved floor area: Has the meaning as defined in the adopted building codes.

1. **Calculation of Fee.**

- (1) Any person who applies for a building permit for an impact-generating development shall pay a Transportation Capacity Payment (TCP) in accordance with the most recent fee schedule prior to issuance of a building permit. If any credit is due pursuant to Section 6.2.A.2.i above, the amount of such credit shall be deducted from the amount of the fee to be paid.
- (2) If the type of impact-generating development for which a building permit is requested is not specified on the fee schedule, then the Director shall determine the fee on the basis of the fee applicable to the most nearly comparable land use on the fee schedule. The Director shall determine comparable land use by the trip generation rates contained in the most current edition of *ITE Trip Generation Manual*.
- (3) In many instances, a building may include secondary or accessory uses to the principal use. For example, in addition to the production of goods, manufacturing facilities usually also have office, warehouse, research and other associated functions. The TCP fee shall generally be assessed based on the principal use. If the applicant can show the Director in writing by clear and convincing evidence that a secondary land use accounts for over twenty-five percent (25%) of the gross floor area of the building and that the secondary use is not assumed in the trip generation for the principal use, then the TCP may be calculated on the separate uses.
- (4) **TCP fee Calculation Study.** At the election of the applicant or upon the request of the Director, for any proposed development activity, for a use that is not on the fee schedule or for which no comparable use can be determined and agreed by the applicant and the Director or for any proposed development for which the Director concludes the nature, timing or location of the proposed development makes it likely to generate impacts costing substantially more to mitigate than the amount of the fee that would be generated by the use of the fee schedule, a TCP fee calculation study may be performed.
- (5) The cost and responsibility for preparation of a fee calculation study shall be determined in advance by the applicant and the Director.
- (6) The Director may charge a review fee and/or collect the cost for rendering a decision on such study. The Director's decision on a fee or a fee calculation study may be appealed to the Zoning Board of Appeals in accordance with Section 2.18.B of this Code.

- (7) The TCP Fee Calculation Study shall be based on the same formula, quality of service standards and unit costs used in the Impact Fee Study. The Fee Study Report shall document the methodologies and all assumptions.
- (8) The TCP Fee Calculation Study shall be calculated according to the following formula:
- (9) A TCP Fee Calculation Study submitted for the purpose of calculating a Transportation Impact Fee may be based on data information and assumptions that are from:
  - (A) An accepted standard source of transportation engineering or planning data; or
  - (B) A local study on trip characteristics performed by a qualified transportation planner or engineer pursuant to an accepted methodology of transportation planning or engineering that has been approved by the Director.

## Table 6.2.A

WHERE:		FEE	=	VMT x NET COST/VMT x RF
		VMT	=	TRIPS x % NEW X LENGTH ÷ 2
		TRIPS	=	DAILY TRIP ENDS GENERATED BY THE DEVELOPMENT DURING THE WORK WEEK
		% NEW	=	PERCENT OF TRIPS THAT ARE PRIMARY, AS OPPOSED TO PASSBY OR DIVERTED-LINK TRIPS
		LENGTH	=	AVERAGE LENGTH OF A TRIP ON THE MAJOR ROAD SYSTEM
		÷ 2	=	AVOIDS DOUBLE-COUNTING TRIPS FOR ORIGIN AND DESTINATION
		NET COST/VMT	=	COST/VMT – CREDIT/VMT
		COST/VMT	=	COST/VMC x VMC/VMT
		COST/VMC	=	AVERAGE COST TO CREATE A NEW VMC BASED ON HISTORICAL OR PLANNED PROJECTS (\$306 EXCLUDING MAJOR STRUCTURES)
		VMC/VMT	=	THE SYSTEM-WIDE RATIO OF CAPACITY TO DEMAND IN THE MAJOR ROAD SYSTEM (1.0 ASSUMED)
		CREDIT/VMT	=	CREDIT PER VMT, BASED ON REVENUES TO BE GENERATED BY NEW DEVELOPMENT (\$82)
		RF	=	REDUCTION FACTOR ADOPTED BY POLICY AT 52.6%

3. **Existing Residential Streets.** Many areas of the City were developed in the unincorporated areas of Mesa County without modern urban street and drainage facilities. In many such neighborhoods, the existing residential streets do not have curb, gutters or sidewalks. Where houses are already built on most or all of such lots, the character of the neighborhood is well-established. Given that there are no serious safety or drainage problems associated with these local residential streets, there is no current reason to improve these streets or to install curbs, gutters and/or sidewalks. When an owner in one of these well-established neighborhoods chooses to subdivide a lot or parcel, unless such improvements are extended off-site to connect to a larger system, these "short runs" of curbing, gutters and/or sidewalks are of

little value as drainage facilities or pedestrian ways until some future development or improvement district extends to other connecting facilities. The Public Works and Utility Director shall determine the acceptable minimum improvements. The Public Works and Utility Director shall require the improvements be constructed unless the following criteria are met:

- a. The development is for three (3) or less residential lots;
- b. The zoning or existing uses in the block or neighborhood are residential. The Director shall determine the boundaries of the block or neighborhood, based on topography, traffic patterns, and the character of the neighborhood;
- c. The existing local residential street that provides access to the lots or development meets minimum safety and drainage standards, and has a design use of less than 1000 average daily traffic ("ADT") based on an assumed typical ten (10) trips per day per residence and the volume is expected to be less than 1000 ADT when the neighborhood or block is fully developed;
- d. At least eighty percent (80%) of the lots and tracts in the neighborhood or block are already built upon, so that the street and drainage character is well-established;
- e. If an existing safety hazard or drainage problem, including pedestrian or bicycle traffic exists, and it cannot be improved or remedied by the street improvements being built; and
- f. There is at least 250 feet (250') from any point on the development to the nearest existing street improvements(s) that substantially comply with the City standard(s) for the particular kind of improvements.

If all of the criteria have been met, instead of requiring these "short run" improvements, the Public Works and Utility Director may in his or her discretion accept a signed agreement from the owner(s) to form an improvement district for the construction of curbs, gutters, and sidewalks in lieu of construction. The agreement shall be in a form approved by the City Attorney.

4. **Public Right-of-Way and Private Parking Lot Use.**

- a. No structure, fence, sign, parking lot, detention/retention pond, or other temporary or permanent object or structure shall be constructed, maintained, or erected in any portion of any public right-of-way without first obtaining a revocable permit from the City. The City Engineer or other City official may allow traffic control devices, street signs, public notices, utility poles, lines and street banners (see Chapter Four).
- b. No person shall use, store, display or sell any goods, merchandise or any structure without having first obtained a revocable permit, except that this provision shall not be enforced in a manner which limits unreasonably any persons freedom of speech or assembly.
- c. No commercial vehicle which exceeds one and one-half (1½) tons rated carrying capacity shall be parked in a public right-of-way which

abuts any residential zone.

- d. Overnight camping shall not be allowed in a public right-of-way or in any private parking lot made available to the public, unless specifically permitted by the City for such use. Parking of an RV or any vehicle for more than seventy-two (72) hours shall not be allowed in a public right-of-way or on any vacant lot.

5. **Partially Dedicated Street.** Prior to any development or change of use which is projected to increase traffic generation by the greater of five percent (5%) or ten (10) vehicle trips per day, the applicant shall dedicate right-of-way required to bring abutting streets into compliance with the adopted street classification map, or as otherwise approved by the City Engineer. Upon receipt of the appropriate deed, and if all other requirements have been met, the final development permit shall be issued.

6. **Street Naming and Addressing System.** A street naming system shall be maintained to facilitate the provisions of necessary public services (police, fire, mail), reduce public costs for administration, and provide more efficient movement of traffic. For consistency, this system shall be adhered to on all newly platted, dedicated, or named streets and roads. The Director shall check all new street names for compliance to this system and issue all street addresses. Existing streets and roads not conforming to this system shall be made conforming as the opportunity occurs.

C. **Irrigation Systems and Design.**

All required landscaped areas shall be irrigated according to Section 6.5.B. The applicant shall comply with the standards in the SSID Manual.

D. **Potable Water System.**

1. All development and all uses shall be served by a water treatment and distribution system operated or approved by the City, unless such requirement is deemed unreasonable or impracticable, as determined by the Public Works and Utilities Director.
2. Fire hydrants shall be placed and have fire flow capabilities in accordance with the City's ordinances.

E. **Sanitary Sewer System.**

All lots and uses must be served by a sewer system connected to a public wastewater treatment facility. Requests for variances to this requirement shall be decided by the City Council, upon recommendation by the Planning Commission, in accordance with Section 2.16.C.8. Sewer variance requests shall also be subject to "Permit Application for Sewer Variance" administered by the Manager of the Persigo Wastewater Treatment Plant.

F. **Storm Water Management.**

1. Requirement. All proposed development must provide for on-site runoff collection and conveyance in accordance with Stormwater Management Manual (SWMM) and applicable federal and state laws.
2. Drainage Fee In Lieu Of Providing Drainage Detention/Retention Facilities. Detention/retention and metered outlet facilities shall be required unless the Director of Public Works and Utilities, pursuant to the City's adopted

stormwater drainage impact fee ordinance, finds:

- a. The site runoff to private property will not increase due to development; and
  - b. The Director, or his designee, determines that off-site public streets or other public drainage conveyance facilities are adequate to receive and convey additional runoff from the proposed development site without adversely impacting the public's facilities, interest, health, or safety.
3. Generally, options will be restricted to proposed developments which are five (5) acres or less for all phases and/or filings. There may be circumstances, however, where the Director may allow an option for larger sites if they are located low in a watershed basin or adjacent to major outfall facilities.
  4. The Director, or his designee, shall require submittal of certain information on the part of the developer in order to determine if the drainage fee option is allowed or if construction of drainage detention/retention facilities is required. Such information may include but is not necessarily limited to the type and percent of impervious surfaces, measurements of property including elevations, distance to conveyance structure(s), type of conveyance structure(s), availability of regional detention facilities, flood control structures and location of the development within the watershed.
  5. Upon written approval from the Director, or his designee, the developer shall be given the option of paying a drainage fee in lieu of providing drainage detention/retention and metering facilities. The required drainage fee shall be accordance with the adopted fee schedule.
  6. Developer selection of the drainage fee option, when allowed, does not waive the requirements for:
    - a. Providing an on-site grading and drainage plan; and
    - b. Construction of on-site collection and conveyance facilities and providing drainage calculations as required therefor. However, payment of the drainage fee, when approved by the Director or his designee, shall constitute compliance with City policy regarding development related increased runoff.
  7. Drainage fees shall be paid to the City and will be allocated for the construction of drainage facilities at locations, determined by the City, in its sole and absolute discretion, to be of greatest priority. Fees shall be paid prior to the recording of residential plats, or prior to issuance of planning clearance for all other development.
  8. The City may, from time to time, by resolution of the City Council, change the method or formula of calculating the drainage fee, based upon projections, estimates or opinions of the Director of Public Works or his designee, of the need for additional specific facilities, and/or upon the need of the drainage system.

### **6.3 PUBLIC AND PRIVATE PARKS AND OPEN SPACES**

#### **A. Public Parks and Open Space Fee Required.**

1. For all new residential development requiring rezoning, subdivision and/or planned development approval or site plan review, the owner shall pay into the City escrow fund for parks and open space acquisition and development that amount determined by the City to be necessary or required to defray the cost of and provide parks and open space.
2. The dedication of land and/or the payment of the cash equivalent will enable the City to provide parks in the proper location and of the proper size to serve the citizens of the City. This regulation is also adopted to help discourage the proliferation of small parcels, tracts and outlots that are ostensibly created as open space and/or parks but are not sized, maintained or otherwise functional sites.
3. For subdivisions, the open space fee is required and payable at the time of platting. For all other reviews, the open space fee is required to be paid before the issuance of a planning clearance. For the purposes of this Section only, development shall mean construction of one (1) or more dwelling unit(s).
4. Private open space(s) and/or recreational area(s) in any development shall not be a substitute for the required open space fee, park impact fee or land dedication.
5. The Parks Impact Fee shall be as adopted by City Council by resolution.
6. The Parks Impact Fee shall not be waived or deferred for any development. The Open Space fee/dedication is discretionary, as provided for herein.

**B. Open Space Requirements.**

1. The owner of any residential development of ten (10) or more lots or dwelling units shall dedicate ten percent (10%) of the gross acreage of the property or the equivalent of ten percent (10%) of the value of the property. The decision as to whether to accept money or land as required by this Section shall be made, by the Director. Subdivisions with less than ten (10) lots or residential dwelling units are not required to dedicate ten percent (10%) of the gross acreage of the property or the equivalent of ten percent (10%) of the value of the property unless the developer or owner owns land adjacent to the proposed subdivision, in which case the Planning Commission shall determine the open space requirement.
2. For any residential development required to provide open space, the owner shall hire an MAI appraiser to appraise the property. For purposes of this requirement, the property shall be considered the total acreage notwithstanding the fact that the owner may develop or propose to develop the property in filings or phases.
3. The appraisers report shall be submitted to the City for purposes of determining fair market value and otherwise determining compliance with this Section of the Code. The owner shall pay all costs of the appraisal. The owner waives any privilege and/or protection that may exist or be asserted to exist over the details of the appraisal. The appraisal is and shall be considered by the City as an open record under the Colorado Open Records Act.
4. The required dedication and/or payment shall be subject to and made in

accordance with this Code. The City Council may accept the dedication of land in lieu of payment so long as the fair market value of the land dedicated to the City is not less than ten percent (10%) of the value of the property.

5. As part of any project approval, the owner shall dedicate at no cost to the City, public trails, rights of way and waterfront greenbelts/access as designed on and as needed to implement adopted plans of the City. If such dedication is claimed to exceed constitutional standards, the owner shall so inform the City Attorney who if he agrees, shall ask the City Council to pay a fair share of the value of such dedication or waive all or part of such required dedication.
6. The City will normally not accept any dedication of less than three (3) acres.
7. Single family attached and multifamily dwelling developments shall provide six hundred (600) square feet per unit of public and/or private outdoor living area in all zones. Single family detached, two family duplex and stacked dwellings are excluded from this requirement.
8. For creation of a homeowners association each subdivision of five (5) or more lots shall record covenants which shall contain provisions for assessments, liens and enforcement of maintenance of all private open space areas and provisions for enforcement by and reimbursement to the City should the homeowners association fail to maintain the areas properly and the City elects to do so.

**C. Trails.**

The owner of each project or change of use, which will increase pedestrian and/or bicycle use or trips, shall dedicate trail easements consistent with the City's adopted plans, subject to any claims as provided in the prior Section. Trails shall be constructed in accordance with applicable City standards (see also Section 6.2.B.1).

## **6.4 SCHOOL LAND DEDICATION FEE**

**A. Standard for School Land Dedication.** Dedication of Suitable School Lands for school purposes shall be required of any development if the school district determines that such development includes within it land which is necessary for implementing a school plan. In all other cases, the fee required under Section 6.4.A.2 shall be paid in lieu of a school land dedication.

1. **Standard for Fee in Lieu of School Land Dedication.** Except in cases where a school land dedication is required in accordance with this Chapter, or an exemption under this Chapter applies, all development and all projects which contain a new dwelling shall be subject to fees in lieu of school land dedication (SLD Fee) in an amount per dwelling unit determined by resolution of the City Council. SLD Fees shall be collected by the City for the exclusive use and benefit of the school district in which such development is located, and shall be expended by the school district solely to acquire real property or interests in real property reasonably needed for development or expansion of school sites and facilities, or to reimburse the school district for sums expended to acquire such property or interests. Revenues from such fees shall be used only for such purposes.
2. **Payment, Prepayment, Exemption, Credit, and Refund of SLD Fee.**

- a. No building permit shall be issued for a dwelling, multiple-family dwelling or multifamily dwelling which is or contains one (1) or more dwelling units until and unless the SLD fee for such dwelling unit(s) in effect at the time such permit is applied for has been paid as required by this Section.
  - b. Nothing in Section 6.4.A.1 shall preclude a holder of a development permit for a residential development or mixed use development containing a residential development component from prepaying the SLD Fees to become due under this Section for one (1) or more dwellings, multiple-family dwellings or multifamily dwellings to be constructed in such development. Such prepayment shall be made upon the filing of a final plat for residential development, at the SLD Fee rate then in effect and in the amount which would have been due had a building permit application for such dwelling(s) been pending at the time of prepayment. A subsequent building permit for a dwelling, multiple-family dwelling or multifamily dwelling which is or contains one (1) or more dwelling units for which the SLD Fees have been prepaid shall be issued without payment of any additional SLD Fees. However, if such permit would allow additional dwelling units for which SLD Fees have not been prepaid, such permit shall not be issued until the SLD Fees for such additional dwelling units have been paid at the rate per dwelling unit in effect at the time the building permit application was made.
  - c. Any prepayment of SLD Fees in accordance with this Section shall be documented by a memorandum of prepayment which shall contain, at minimum, the following:
    - (1) The legal description of the real property subject to residential development for which an SLD Fee is being prepaid;
    - (2) A description of the development permit issued concerning such real property, and a detailed statement of the SLD Fees owed pursuant to such permit which are being prepaid;
    - (3) The notarized signatures of the record owner(s) of the property or their duly authorized agents;
    - (4) The notarized signature: of the County Manager or his or her designee, indicating approval of the prepayment plan, if the fee was paid while the real property was outside the limits of the City; or if the fee was paid at the time the real property was within the limits of the City, of the City Manager or his or her designee, indicating approval of the prepayment plan.
3. **Exemptions.** The following shall be exempted from payment of the SLD Fee:
- a. Alterations or expansion of an existing building except where the use is changed from nonresidential to residential and except where additional dwelling units result;
  - b. The construction of accessory buildings or structures;

- c. The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same size and use;
- d. The installation of a replacement mobile home on a lot or other parcel when a fee in lieu of land dedication for such mobile home has previously been paid pursuant to this Section or where a residential mobile home legally existed on such site on or before the effective date of this Section;
- e. Nonresidential buildings, nonresidential structures, or nonresidential mobile homes;
- f. Nursing homes, Adult Foster Care Facilities or Specialized Group Facilities;
- g. City or County approved planned residential developments that are subject to recorded covenants restricting the age of the residents of said dwelling units such that the dwelling units may be classified as housing for older persons pursuant to the Federal Fair Housing Amendments Act of 1988.

4. **Credits.**

- a. An applicant for a development permit (or a holder of such a permit) who owns other suitable school lands within the school district in which the development is located may offer to convey such lands to the school district in exchange for credit against all or a portion of the SLD Fees otherwise due or to become due. The offer must be in writing, specifically request credit against fees in lieu of school land dedication, and set forth the amount of credit requested. If the City and the school district accept such offer, the credit shall be in the amount of the value of the suitable school lands conveyed, as determined by written agreement between the City, the school district and the permit holder or applicant.
- b. Credit against SLD Fees otherwise due or to become due will not be provided until good and sufficient title to the property offered under this subsection is conveyed to and accepted by the school district. Upon such conveyance, the school district and the City shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, and a description of the project or development to which the credit shall be applied.
- c. Credits shall not be transferable from one (1) project or development to another.

5. **Refund of Fees Paid.**

- a. Any SLD Fee which has not been expended by the school district within five (5) years of the date of collection shall be refunded, with interest at the rate of five percent (5%) per annum compounded annually, to the person who paid the fee. Prior to such refund, such amount shall be reduced by an amount equal to three percent (3%) of the principal amount to be refunded, for the costs incurred by the City in the refund of such fee. The City shall give written notice by first class mail to the person who paid the fee at his or her address as

reflected in the records of the Mesa County Clerk and Recorder. If such person does not file a written claim for such refund with the City within ninety (90) days of the mailing of such notice, such refund shall be forfeited and shall be retained and used for the purposes set forth in this Section.

- b. City Council may, upon the school district's request, extend the five (5) year period of time specified in part (a) of this subsection above upon a showing that such extension is reasonably necessary in order for the school district to complete or close a purchase transaction entered into in writing by such district prior to expiration of such period, or to give the school district an opportunity to exercise a purchase option it acquired prior to expiration of such period. Such request shall be made at a public hearing of the City Council. In no event shall any extension of time exceed an additional five (5) year period.

**B. Fees In Lieu of School Land Dedication (SLD Fees).**

- 1. SLD fees shall be collected and held in trust for the use and benefit of the school district containing the residential development for which the fee is collected. Such fees shall be expended by the school district to acquire additional real property for expansion of school facilities and construction of new school facilities necessitated by new residential development in the school district, or to reimburse the school district for sums expended to acquire such property. The amount of the SLD fee shall be based on a methodology which takes into account the student generation rates of new residential development, the quantity of land required to build new school facilities on a per pupil basis, and the anticipated cost of acquiring suitable school lands in the school district to expand existing school facilities and construct new school facilities to accommodate new residential development without decreasing current levels of educational services.
- 2. The SLD Fee and the value of the variables in the formula to determine the SLD Fee shall be set by resolution of the City Council in accordance with the following formula:

Average Cost per Acre of Suitable School Lands within the School District	X	Student Generation Fee Factor	=	SLD Fee Per Dwelling Unit
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(For example, if the average cost of suitable school lands within the school district is \$15,000 per acre and the student generation fee factor is .023, the SLD Fee per dwelling unit would be \$15,000 x .023, or \$345.)

- 3. The average cost per acre of suitable school lands within the school district ("Average Cost per Acre for SLD Fee") and the student generation fee factor ("SGF Factor") shall be determined by City Council. Before City Council considers modification of either, a sixty (60) day prior written notice shall be

provided to the school district. If a written request for a public hearing specifying which factor(s), the Average Cost per Acre for SLD Fee and/or the SGF Factor, the school district wants to be heard on is received by the City from the school district at least thirty (30) days before the matter is scheduled to be determined by City Council a public hearing shall occur. At a hearing where City Council is considering the modification of the Average Cost per Acre for SLD Fee, City Council shall consider the school district's long range capital improvement plans and any other evidence, comments or recommendations submitted by the school district. At a hearing where City Council is considering the modification of the SGF Factor, City Council shall consider the school district's school facilities plan currently in place, the methodology and data supporting the proposed modification, and any evidence, comments or recommendations submitted by the school district.

4. The SLD Fee in effect as of January 1, 2006 was \$460.00. The SGF Factor used to determine the SLD Fee was .023. This SLD Fee and SGF Factor shall continue until otherwise modified by City Council as set forth in this Code.

## 6.5 LANDSCAPE, BUFFERING AND SCREENING STANDARDS

- A. **Purpose and Goals.** The purpose of this Section is to enhance the aesthetic appeal of new development. Landscaping reduces heat and glare, facilitates movement of traffic within parking areas, shades cars and parking surfaces reducing local and ambient temperatures, buffers and screens cars from adjacent properties, promotes natural percolation of surface waters, improves air quality, buffers and screens potentially incompatible uses from one another, and conserves the value of property and neighborhoods within the City.
- B. **General Landscape Standards.**
  1. All landscaping required by this Code shall comply with the standards and requirements of this Section 6.5. The landscaping requirements of this Code shall not apply to a lot zoned for one (1) or two (2) dwellings. Landscaping for new developments shall occur in buffer areas, all interior parking areas, along the perimeter of the property, around new and existing structures, and along street frontages and within any right-of-way not used nor planned to be used for infrastructure.
  2. **Plant Quantities.** The amount of landscaping is based on gross area of proposed development.
  3. **Landscaping Standards.** All new development must install and maintain landscaping as required by this Code. (See Exhibit 6.5.A for an example of the landscaping requirements of this Section.)
    - a. On-site frontage landscaping may not apply in the B-2 zone downtown commercial. (See Zone District standards.)
    - b. Landscaping in the abutting right-of-way is required in addition to overall site landscaping requirements.
    - c. Buffer landscaping is required in addition to overall site landscaping requirements.

4. **Acceptable Plant Material.** Vegetation must be suitable for Grand Junction's climate and soils. The Director may allow the use of any plant if sufficient information is provided to show suitability including salt tolerance, sun and shade requirements based on planting locations, growth habit, *etc.* Noxious weeds are not allowed. (The Director will keep a list of suitable plants.)
5. **Minimum Plant Sizes are:**
  - a. Shade Tree, two inch (2") caliper [measured six inches (6") above root ball] at time of planting. At maturity, a shade tree has a height and/or spread of thirty feet (30') or greater. If two inch (2") caliper trees are not available due to seasonal shortages or shortages in desired varieties, the Director may approve the installation of smaller trees, provided the proportional difference in caliper inches is compensated for by installing additional trees. For example, the installation of six (6) one and one-half inch (1½") caliper shade trees would result in a short fall of three (3) caliper inches, which could be compensated for with two (2) additional one and one-half inch (1½") trees. However, a minimum caliper of one and one-half inches (1½") shall be required.
  - b. Ornamental Tree, one and one-half inch (1½") caliper [measured six inches (6") above root ball] at time of planting. At maturity, an ornamental tree has a spread and height between fifteen feet (15') and thirty feet (30').
  - c. Evergreen tree, six feet (6') tall at time of planting.
  - d. Deciduous shrub, 5-gallon container.
  - e. Evergreen shrub, 5-gallon container.
  - f. Perennials and ground covers, 1-gallon container.
  - g. Turf mix, native grasses and wild flower mix are the only vegetation that may be planted as seed.
6. **Irrigation.** All vegetation and landscaped areas must be provided with a permanent irrigation system.
  - a. Non-potable irrigation water shall be used unless the Director allows the use of potable water.
  - b. An underground pressurized irrigation system and/or drip system is required for all landscape areas on the property and in any right-of-way.
  - c. If connected to a drinking water system, all irrigation systems require backflow prevention devices.
  - d. All irrigation for non-potable irrigation water systems must have adequate filters easily accessible above ground or within an appropriately sized valve box.
  - e. Native grasses must have a permanent irrigation source that is zoned separately from higher water demand landscapes. Once the grasses are established, irrigation to native grass areas can be reduced to a level that maintains coverage typical of the grass mix and to suppress weed growth.

7. **Landscape Plans and Equivalent Plants.**
  - a. Landscape plans must identify the species and sizes of vegetation (SSID Manual).
  - b. All landscaping shall be installed as shown on the approved plan.
  - c. An equivalent species may be substituted in the field without prior approval of the Director, provided a revised drawing is submitted to the Department. Plants are “equivalent” if they have the same growth habit and rate, same cover, leafing, shade characteristics and function, have similar water requirements, thrive in the same microclimate, soils and water conditions.
  - d. All other changes to the landscape plan require prior approval from the Director.
  - e. All development plans shall designate required landscaping areas. Subdivision plats shall designate required landscaping areas.
8. **Preservation of Significant Landscape Features.** Existing landscape features such as escarpments, large or old trees or stands, heavy vegetative cover, ponds and bluffs shall be identified by the Director as part of the development review process. To the extent the Director deems practicable, such features shall be preserved by the final plans and to such extent, count toward landscape and open space area requirements. Features to be preserved shall be protected throughout site development. If a significant live feature which was to be preserved dies or is substantially damaged the developer shall replace it with an equivalent feature as determined by the Director. No person shall kill or damage a landscape feature required to be preserved by this Section. The developer shall protect trees from compaction under the canopy drip line of the tree unless the City Forester says otherwise.
  - a. During construction, fencing or similar barriers shall isolate and protect the landscape features to be preserved.
  - b. All protection measures shall be clearly identified on the construction and landscape plans.
  - c. No vehicles or equipment shall be driven or parked nor shall any materials be piled within the canopy drip line of any tree to be preserved.
9. **Protection of Landscape Areas.** All landscape areas (except in the right-of-way where a street side curb does not exist) shall be protected from vehicles through the use of concrete curbing, large rocks, or other similar obstructions.
10. **Utility Lines.** If the location of utilities conflict with the landscaping provisions, the Director may approve an equivalent alternative.
  - a. Utility composite plans must be submitted with landscape plans.
  - b. Trees which will grow to a height of greater than fifteen feet (15') at maturity shall not be planted under electrical lines.
  - c. Ornamental and evergreen trees planted under an electrical line may count towards the total tree requirement.
11. **Sight Distance.** The owner shall maintain all vegetation, fences, walls and berms so that there is no site distance hazard nor road or pedestrian hazard.

12. The Director shall decide all questions of soils, plant selection and care, irrigation installation and other vegetation and landscaping questions.
13. Soil in landscape areas must be amended and all vegetation planted in accordance with good horticultural practices.
  - a. Details for the planting of trees, shrubs and other vegetation must be shown on the landscaping plans.
  - b. The owner shall keep each fire hydrant unobscured by plant material.
  - c. Shrub beds adjacent to turf or native grass areas are to be edged with concrete, metal, brick or substantial wood material. Plastic and other light duty edgings are not allowed.
  - d. Mulch and weed fabric are required for all shrub beds.
  - e. The minimum square footage of planting area for a 5-gallon evergreen or deciduous shrub is sixteen (16) square feet. These minimum square footages may be varied by a qualified professional.
14. **Trees.**
  - a. Trees should not be planted near a light pole if eclipsing of light will occur at maturity. Placing light poles in the parking lot, away from landscape area and between parking bays, helps eliminate this conflict and should be considered.
  - b. Tree canopies may overlap by up to twenty percent (20%) of the diameter of the tree at maturity. Tree clustering may be allowed with some species so long as clustering does not adversely affect the mature canopy.
  - c. At planting, tree trunks must be reasonably straight with minimal doglegs.
  - d. Wire baskets, burlap wrappings, rope, twine or any similar shipping materials shall be removed before planting.
  - e. The minimum square footage of planting area for a shade tree is 140 square feet. The Director may vary the minimum square footage.
15. **Maintenance.** The owners, tenants and occupants for all new and existing uses in the City must:
  - a. Maintain landscaping in a healthy, growing, neat and well maintained condition;
  - b. Maintenance includes watering, weeding, pruning, pest control, trash and litter removal, replacement of dead or diseased plant material, reseeding and other reasonable efforts.
  - c. Any plant that dies must be replaced with an equivalent live plant within ninety (90) days of notification or, if during the winter, by the next April 1st.
  - d. Hay mulch used during the preparation or establishment of landscaping must be certified weed-free by the Colorado Department of Agriculture.
  - e. On his own or based on a citizen complaint, the Director may, without notice and without a warrant, walk on the landscaped portion of the property from time to time to inspect the condition of

- landscaping.
16. **Public Right-of-Way.** Except where a detached sidewalk exists or is proposed and approved (see d. below), landscaping on public right-of-way shall not be counted toward any landscape or open space requirements of this Code, unless specifically provided otherwise in this Code.
    - a. All unimproved right-of-way adjacent on the side abutting a development which is not in the City's five-year capital plan to be improved must be landscaped. All right-of-way landscaping shall be irrigated and maintained by the adjoining private property owner(s), unless the City agrees to accept it for maintenance. If it is to be maintained by the City, a separate irrigation system shall be provided.
    - b. At least seventy-five percent (75%) of the unpaved adjacent right-of-way shall be landscaped with turf, low shrubs or ground cover. The Director may vary the required landscaping to obtain a consistent appearance in the area or with existing or planned right-of-way landscaping.
    - c. The owner of the nearest property shall keep all rights-of-way, which is not hard surfaced, free of weeds, litter junk, rubbish and obstructions. To prevent weed growth, erosion and blowing dust, right-of-way areas not covered by vegetation or paving shall be covered with mulch, wood chips, bark chips, decorative rocks or cobble or similar natural materials, to be underlain by weed fabric or other barrier.
    - d. Where detached sidewalks exist, or are proposed, a maximum of fifty percent (50%) of the public right-of-way landscaping may be counted toward the total required landscaping. The right-of-way landscaping between the curb and sidewalk shall contain street trees spaced every forty feet (40').
    - e. The Director may allow decorative paving in landscaped areas in commercial or other high pedestrian traffic areas if the decorative paving is compatible with nearby right-of-way paving and landscaping.
  17. **Pervious Coverage.** Landscaped and buffer areas count toward the pervious area requirement.
  18. The Director may approve an applicant's request to vary from the required number and types of plants or landscaped area if:
    - a. The number of trees exceeds twenty-five percent (25%) of the minimum number of trees; and/or
    - b. Trees exceed the minimum caliper requirement by one inch (1") or more; and/or
    - c. Additional berming or other attractive buffering, public art, enhanced paving treatments for public plazas (brick or concrete pavers, tinted and stamped concrete, etc.) is provided. The Director may grant up to a ten percent (10%) reduction of the square footage of improved area used to calculate the landscape requirement where these types of

- enhancements are included in a development.
- d. Additional trees or larger trees can be exchanged on a per caliper inch basis with three (3) shrubs equaling one (1) caliper inch. Credit for using larger trees would be based on a direct exchange of caliper inches. For example: ten (10), three inch (3”) caliper trees equaling thirty (30) caliper inches is the same as fifteen (15), two inch (2”) caliper trees equaling thirty (30) caliper inches; one (1), two inch (2”) caliper tree equals six (6) shrubs. Trees may be substituted for shrubs, but shrubs may not be substituted for trees.
  - e. If the total amount of required landscaping is provided, the Director may allow the owner to place the landscaping on another appropriate part of the lot.
19. If the Director is not the decision-maker, his authority shall be exercised by the decision-making body.
  20. **Xeriscaping.** Because of Grand Junction’s desert environment, xeriscaping and the use of xeric (low water use) plants are strongly encouraged. Xeriscape designs shall employ the seven (7) basic principles of xeric design which include “comprehensive planning and design for low water use, creating practical turf areas, selecting low water use plants and organizing plants by water usage, using adequate soil prep, using water conserving mulches, irrigating efficiently and maintaining the landscape appropriately”. (Source: Denver Water Board).
    - a. Low water use plants are encouraged for use in the “typical” urbanized landscape, especially where the plants can be irrigated (zoned) separately from higher water use plant material. This way of using xeric plants is compatible with any of the requirements of this Code.
    - b. Landscape designs that mimic the “desert” character of Grand Junction’s setting are also encouraged, but must be carefully designed so that the basic requirements for shade, screening and buffering are met. Because of this, the Director must approve “desert” landscape installations as well as variances from the required plant coverage ratios or minimum plant sizes [*e.g.*, where xeric plants are only available in one (1) gallon containers].

**C. Parking Lots.**

1. Interior Landscaping Requirement. Landscaping is required in the interior of parking lots to direct traffic, to shade cars and structures, to reduce heat and glare and to screen cars from adjacent properties. The interior of all parking lots shall be landscaped as follows:
  - a. One (1) landscaped island, parallel to parking spaces, is required for each twenty (20) parking spaces. In lieu of the standard landscape island, one (1) “orchard style” landscape island may be used for every six (6) parking spaces. The orchard style landscape islands shall be evenly spaced between end landscape islands. (See Exhibit 6.5.B.)

- b. Landscape islands must be at least 140 square feet. The narrowest/smallest dimension of a parking lot island shall be eight feet (8'), measured from back of curb to back of curb.
  - c. One (1) landscaped divider island, parallel to the parking lot drive aisles, designed to prevent diagonal movement across the parking lot, shall be located for every three (3) parking lot drive aisles.
  - d. A landscape island is required at the end of every row of parking spaces, regardless of length or number of spaces.
  - e. Barrier curbing on all sides adjacent to the parking lot surface is required to protect each landscape islands from vehicles.
  - f. A corner area (where it is not feasible to park a vehicle) may be considered an end island for the rows on the perimeter of the parking lot.
  - g. Landscaping of the interior of a parking lot shall include trees and shrubs.
2. **Parking Lot Perimeter.** Landscaping is required around the entire perimeter of a parking lot to assist in the shading of cars, to assist in the abatement of heat and to reduce the amount of glare from glass and metal, and to assist in the screening of cars from adjacent properties. The perimeter of a parking lot is defined as the curb line defining the outer boundaries of the parking lot, including dumpster enclosures, bike racks, or other support facilities that are adjacent to the outer curb. Entry drives between a parking lot and the street, drives connecting two (2) internal parking lots or building entry plazas are not included in the perimeter area.
- a. Screening shall occur between a street and a parking lot and Street Frontage Landscape shall apply. (See Sections 6.5.C.3 and 6.5.D.)
  - b. The minimum dimension allowed for the parking lot perimeter landscape strip is six feet (6'). The width of a landscape strip can be modified by the Director, provided the intent of this Section is met.
  - c. Landscaping along the perimeter of parking lots shall include trees and shrubs.
  - d. Parking lots shared by more than one (1) owner shall be landscaped around the perimeter of the combined lots.
3. **Screening.** All parking lots abutting rights-of-way, entry drives, and adjacent properties must be screened. For this subsection, a screen means a turf berm and/or shrubs.
- a. A thirty-inch (30") high screen is required along seventy percent (70%) of parking lots abutting rights-of-way, entry drives, and adjacent properties, excluding curb cuts. The thirty inch (30") screen shall be placed so as to maximize screening of the cars in the parking lot, when viewed from the right-of-way and shall be measured from the ground surface, or the elevation of the roadway if the adjacent road is higher than the property.
  - b. Screening shall not be required between parking lots on adjoining lots where the two (2) lots are designed to function as one (1).
  - c. If a landscape area is thirty feet (30') or greater between a parking lot

and a right of way, the thirty inch (30") high screen is not required. This thirty foot (30') wide or greater area must be 100% covered in plant material within three (3) years. Turf is allowed.

- d. The Director may approve a screen wall between a parking lot and a right-of-way if the lot or parcel is unusually small.
- e. A screen wall must not be taller than thirty inches (30"), unless the adjacent roadway is higher than the property, in which case the screen wall shall be thirty inches (30") higher than the adjacent roadway.
- f. Two (2) five-gallon shrubs may be substituted for four (4) linear feet of wall.
- g. A column or jog or equivalent architectural feature is required for every twenty-five (25) linear feet of wall.
- h. The back of the wall must be at least thirty inches (30") from the face of curb for bumper overhang.
- i. Shrubs must be planted on the street side of the wall.
- j. There must be at least five feet (5') between the right-of-way and the paved part of a parking lot to use a wall as a screen.
- k. Wall elevations and typical cross sections must be submitted with the landscape plan at a minimum scale of one-half inch = one foot ( $\frac{1}{2}'' = 1'$ ).
- l. Walls shall be solid masonry with finish on both sides. The finish may consist of stucco, brick, stone or similar material. Unfinished or merely painted concrete block is not permitted.
- m. Shrub plantings in front of a wall are not required in the B-2 Downtown District.

**D. Street Frontage Landscape.**

- 1. Street Frontages. Within all zones (except single family uses in Single Family Zone Districts), the owner shall provide and maintain a minimum fourteen foot (14') wide street frontage landscape adjacent to the public right-of-way.
- 2. A minimum of seventy-five percent (75%) of the street frontage landscape shall be covered by plant material at maturity.
- 3. The Director may allow for up to fifty percent (50%) of the fourteen foot (14') wide street frontage to be turf, or up to 100% turf coverage may be allowed if the parking lot setback from the right-of-way exceeds thirty feet (30'). Low water usage turf is encouraged.
- 4. All unimproved right-of-way adjacent to new development projects shall be landscaped and irrigated by the owner and/or homeowners association as per the Sections of this Code.
- 5. Landscaping within the street frontage shall include trees and shrubs. If detached walks are not provided with street trees, street trees shall be provided in the street frontage landscape, including one (1) tree for every forty feet (40') of street frontage.
- 6. Where detached walks are provided, a minimum street frontage landscape of five feet (5') is acceptable.

E. **Buffers.**

1. **Zone District Buffering.** Buffers shall be provided between different zoning districts as indicated on Exhibit 6.5.C.
  - a. Seventy-five (75%) of each buffer area shall be landscaped with turf, low shrubs or ground cover.
  - b. One (1) medium sized tree is required per every forty feet (40') of boundary between different zones.
2. **Exceptions.**
  - a. Where residential or collector streets or alleys separate zoning districts, the Director can require more landscaping instead of a wall or fence.
  - b. Where walkways, paths, or a body of water separates zoning districts, the Director may waive a fence or wall requirement provided the buffering objectives are met by private yards.
  - c. Where a railroad or other right-of-way separates zoning districts the Director may waive the buffer strip if the buffering objectives are met without them.

F. **Fences, Walls and Berms.**

1. **Fences and Walls.** When a higher density or intensity zoning district abuts a lower density or intensity zone district, it is the responsibility of the higher density or intensity property to buffer the abutting zone district according to Table 6.5. When an existing fence or wall substantially meets the requirements of this Section, and Table 6.5 requires the same form of buffering, an additional fence on the adjacent developing property shall not be required. However, if the new development requires the placement of a wall, and a fence exists on the adjacent property, the wall shall be required. If a wall is required and a fence is in place, the wall must be placed adjacent to the fence. (Table 6.5 should be referenced to determine when a wall or a fence is required. The more stringent standard shall apply *i.e.*, if a wall is required and a fence is in place, the wall must be placed adjacent to the fence.) Fences and walls must meet the following:
  - a. Maximum height: six feet (6') outside of front setback, thirty-inch (30") height within the front setback and must meet all sight distance requirements.
  - b. Fence type: solid wood or material with a similar appearance, finished on both sides.
  - c. Wall type: solid masonry finished on both sides. Finish may consist of stucco, brick, stone or similar material but unfinished or merely painted concrete block is not permitted.
  - d. Location: within three feet (3') of the property line unless the space is needed to meet landscaping requirements.
  - e. A wall must have a column, or other significant architectural feature every thirty feet (30') of length.
  - f. Any fence or wall over six feet (6') in height requires a building permit.
  - g. No person shall construct or maintain a fence or a wall without first

getting a fence/wall permit from the Director.

2. **Berms.** Minimum requirements for berms are as follows:
  - a. Maximum slope of four to one (4:1) for turf areas and three to one (3:1) shrub beds; and
  - b. To control erosion and dust, berm slopes must be stabilized with vegetation or by other means consistent with the requirements for the particular landscape area.

**G. Residential Subdivision Perimeter Enclosures.**

1. **Intent.** The decision-maker may approve (if requested by the applicant) or require (where deemed necessary) perimeter enclosures (fences and/or walls) around all or part of the perimeter of a residential development. Perimeter enclosures shall be designed to meet the following objectives of protecting public health, safety and welfare screen negative impacts of adjoining land uses, including streets; protect privacy; maintain a consistent or complementary appearance with enclosures in the vicinity; maintain consistent appearance of the subdivision; and comply with corridor overlay requirements.
2. **Specifications.** Unless specified otherwise at the time of final approval:
  - a. A perimeter enclosure includes fences, walls or berms, and combinations thereof, located within five feet (5') of the exterior boundary of a development.
  - b. The maximum height is six feet (6'), including within front setbacks; however, an enclosure constructed on a berm shall not extend more than eight feet (8') above the adjoining sidewalk or crown of road, whichever is lower.
  - c. New enclosures shall be compatible with existing enclosures in the vicinity, if such enclosures meet the requirements of this Code.
  - d. A perimeter enclosure in excess of six feet (6') is a structure and requires a building permit.
  - e. A perimeter wall must have a column or other significant architectural feature every thirty feet (30').
3. **Required Perimeter Enclosures.** The decision-maker may require a perimeter enclosure as a condition of the final approval if:
  - a. Use or enjoyment of property within the development or in the vicinity of the development might be impaired without a perimeter enclosure.
  - b. A perimeter enclosure is necessary to maintain a consistent and complementary appearance with existing or proposed perimeter enclosures in the vicinity.
  - c. A perimeter enclosure is necessary to control ingress and egress for the development.
  - d. A perimeter enclosure is necessary to promote the safety of the public or residents in the vicinity.
  - e. A perimeter enclosure is needed to comply with the purpose, objectives or regulations of the subdivision requirements.
  - f. A perimeter enclosure is needed to comply with a corridor overlay

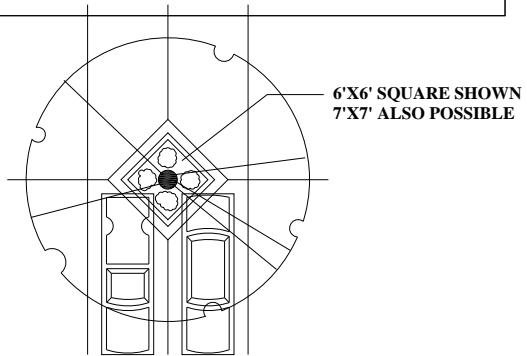
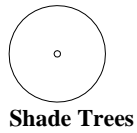
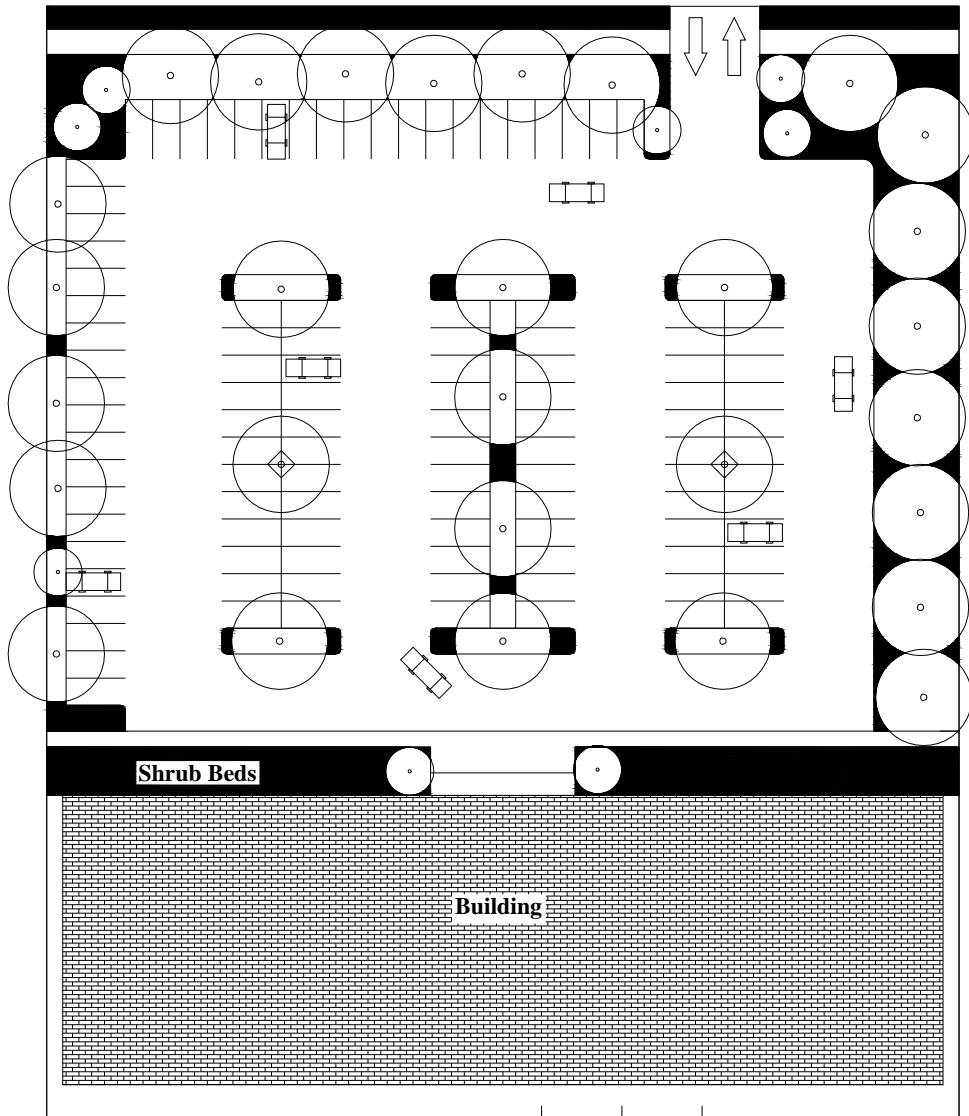
- district.
- g. The Director will notify applicants of the need for a perimeter enclosure, if required.
4. **Design of Perimeter Enclosures.** A complete landscape plan for the required landscape buffer and a detail drawing of the perimeter enclosure must be submitted at the time of final approval: perimeter enclosure detail at a scale of one-half inch equals one foot ( $1/2''=1'$ ).
  5. **Landscape Buffer.** On the outside of a perimeter enclosure adjacent to a right-of-way, a fourteen foot (14') wide landscape buffer shall be provided between the perimeter enclosure and the right-of-way for Major and Minor Arterial streets and Urban Collectors. A five foot (5') wide landscape buffer for side and rear yard perimeters shall be provided on all other streets between the perimeter enclosure and the right-of-way.
    - a. Vegetation in the sight triangle (see TEDS) shall not exceed thirty inches (30") in height at maturity;
    - b. In the landscape buffer, one (1) tree per forty (40) linear feet of perimeter must be provided;
    - c. All perimeter enclosures and landscape buffers must be within a tract dedicated to and maintained by the Homeowners' Association. The perimeter enclosure and landscaping must be installed by the developer and made a part of the Development Improvements Agreement.
    - d. A minimum of seventy-five percent (75%) of the landscape buffer area shall be covered by plant material at maturity. Turf may be allowed for up to fifty percent (50%) of the fourteen foot (14') wide landscape strip, at the Director's discretion. Low water usage turf is encouraged.
    - e. Where detached walks are provided, a minimum buffer of five feet (5') shall be provided. In which case, the right-of-way parkway strip (area between the sidewalk and curb) will also be planted as a landscape buffer and maintained by the HOA.
  6. **Construction of Perimeter Enclosures.** The perimeter enclosure and required landscape buffer shall be installed by the developer and included in the Development Improvements Agreement.
  7. **Ownership and Maintenance.** The developer shall refer to the perimeter enclosure in the covenants and restrictions and so that perpetual maintenance is provided for either that the perimeter enclosure be owned and maintained by the owner's association or by individual owners. The perimeter enclosure shall be identified on the plat.
  8. **Alternative Construction and Ownership.** If the decision-maker finds that a lot-by-lot construction, ownership and/or maintenance of a perimeter enclosure landscape strip would meet all applicable objectives of this Section and the design standards of Section 6.7 of this Code, the final approval shall specify the type and size of materials, placement of fence posts, length of sections, and the like.

9. **Overlay District Conflicts.** Where in conflict, the perimeter enclosure requirements or guidelines of approved overlay districts shall supersede the requirements of this Section.
  10. **Variances.** Variances to this Section and appeals of administrative decisions (where this Code gives the Director discretionary authority) shall be referred to the Planning Commission.
- H. **I-1 and I-2 Zone Landscape**
1. **Parking Lot Interior Landscape.** Landscaping for the parking lot interior shall be per Section 6.5.C.1, with the following additions:
    - a. Shade trees are to be provided at a rate of one (1) shade tree for every six (6) parking spaces and distributed throughout the landscape islands, perimeter landscape and screens to maximize shade and screening.
    - b. A minimum of one (1) shrub shall be provided for every twenty-five (25) square feet of each landscape island.
  2. **Parking Lot Perimeter Landscape.** Landscaping for the parking lot perimeter shall be per Section 6.5.C.2 with the following addition:
    - a. Turf may be allowed for up to fifty (50%) of the parking lot perimeter, at the Director's discretion. Low water usage turf is encouraged.
    - b. A minimum of seventy-five percent (75%) of the parking lot perimeter landscape shall be covered by plant material at maturity.
  3. **Street Frontage Landscape.** Landscaping for the street frontage shall be per Section 6.5.D with the following additions:
    - a. Vegetation in the sight triangle in the street frontage must not exceed thirty inches (30") in height at maturity.
    - b. One (1) tree for every forty (40) linear feet of street frontage (excluding curb cuts) must be provided, eighty percent (80%) of which must be shade trees.
  4. **Side Yard Landscape.** The first fifty feet (50') of side yard (beginning at the front property line) shall be landscaped. The minimum width of this landscape area shall be six feet (6') and the landscape shall include at least one (1) shade tree, or two (2) ornamental trees, or two (2) evergreen trees, with the remainder of the ground plane covered with shrubs that will grow to at least 30" in height at maturity.
  5. **Public Right-of-Way Landscape.** Landscaping for the public right-of-way shall be per Section 6.5.B.16.
  6. **Maintenance.** Each owner or the owner's association shall maintain all landscaping.
  7. **Other Applicable Sections.** The requirements of Exhibits 6.5.A, 6.5.B, 6.5.C and 6.5.D shall also apply.

## Exhibit 6.5.A LANDSCAPING REQUIREMENTS

Zoning of Proposed Development	Landscape Requirement	Location of Landscaping on Site
Single Family Residential (R Zones)	As required for uses other than single family residential; and as required in Sections 6.5.G and 6.5.B.16	As required for uses other than single family residential; and Landscape Buffer and Public Right-of-Way
R-5, R-8, R-12, R-16, R-24, R-0, B-1, B-2, C-1, C-2, I-0, CSR, MU	One (1) tree per 2,500 square feet of improved area, with no more than twenty percent (20%) of the total being Ornamental Trees or Evergreens. One (1) 5-gallon shrub per 300 square feet of improved area.	Buffer, Parking Lot, Street Frontage Perimeter, Foundation Plantings and Public Right-of-Way
I-1, I-2	As required in Section 6.5.H and in other Sections of Chapter 6.5 where applicable	Street Frontage, Parking Lots, Buffers and Public Right-of-Way
* Facilities listed below	One (1) tree per 5,000 square feet of improved area One (1) 5-gallon shrub per 600 square feet of improved area	Perimeter, Buffer and Public Right-of-Way
* Mining, Dairy, Vineyard, Sand or Gravel Operations, Confined Animal Feeding Operation, Feedlot, Forestry Commercial, Aviation or Surface Passenger Terminal, Pasture		
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Twenty-five percent (25%) of the required shrubs may be converted to turf based on one (1) 5-gallon shrub per fifty (50) square feet of turf.</li> <li>2. Ten percent (10%) of the required shrubs may be converted to perennials and/or ground covers at a ratio of three (3) 1-gallon perennials and/or ground covers for one (1) 5-gallon shrub.</li> <li>3. Species diversity: The percent of any one (1) type of shrub that can be planted in a development shall be as follows: <ol style="list-style-type: none"> <li>a. 10 – 19 shrubs: 50%</li> <li>b. 20 – 39 shrubs: 33%</li> <li>c. 40 – 59 shrubs: 25%</li> <li>d. 60 or more shrubs: 15%</li> </ol> </li> <li>4. Species diversity: The percent of any one (1) type of tree that can be planted in a development shall be as follows: <ol style="list-style-type: none"> <li>a. 0 – 5 trees: No Limitation</li> <li>b. 6 – 21 trees: No more than 50% of one (1) species</li> <li>c. 21 or more trees: No more than 20% of one (1) species</li> </ol> </li> <li>5. When calculating tree and shrub quantities, any fraction of a shrub or tree or other requirement is rounded up to the next whole number.</li> <li>6. With the approval of the Director, the number of shrubs may be reduced in exchange for additional trees or tree size at a rate of three (3) shrubs per caliper inch.</li> <li>7. Improved Area means the total lot area being used including the building, parking lot, and storage or display areas. The improved area can be adjusted by the Director.</li> </ol>		

**Exhibit 6.5.B**  
**An Example Tree Landscape Plan**  
**Demonstrating Tree Size and Parking Lot Island Options**



**ORCHARD-STYLE LANDSCAPE ISLAND**

**Exhibit 6.5.C**  
**BUFFERING BETWEEN ZONING DISTRICTS**

Zoning of Proposed Development	Zoning of Adjacent Property												
	SF	R-5	R-8	R-12 & R-16	R-24	R-O	B-1	B-2	C-1	C-2 & I-O	I-1	I-2	CSR
SF (Subdivisions)	-	-	-	-	-	-	F	F	-	W	W	W	-
R-5	-	-	-	-	-	-	F	F	-	W	W	W	-
R-8	A&F <sup>1</sup>	-	-	A or F	A or F	A or F	F	F	-	W	W	W	-
R-12 & R-16	A&F	A&F	A&F	A&F	A or F	A or F	F	F	W	W	W	W	-
R-24	A&F	A&F	A&F	A&F	A or F	A or F	F	F	W	W	W	W	-
RO	A	A	A	A	A	-	A or F	A&F	A or F	W	W	W	-
B-1	A&F	A&F	A&F	A&F	A&F	A&F	A&F <sup>2</sup>	A&F <sup>2</sup>	A&F <sup>2</sup>	A or F	A or F	A or F	-
B-2	A	A	A	A	A	A	-	-	-	-	A or F	A or F	-
C-1	A&W	A&W	A&W	A&W	A&W	A&W	-	-	-	-	A or F	A or F	F
C-2 & I-O	A&W	A&W	A&W	A&W	A&W	A&W	A&F	-	-	-	A or F	A or F	A&F
I-1	B&W	B&W	B&W	B&W	B&W	B&W	A&F	A&F	B or F	B or F	-	-	B&W
I-2	B&W	B&W	B&W	B&W	B&W	B&W	A&F	A&F	B or F	B or F	-	-	B&W
CSR <sup>3</sup>	-	-	-	-	-	-	-	-	-	B	B	B	-

**Notes**

- A and B indicate landscape buffer types as described in Exhibit 6.5.D
- F and W indicate a six foot (6') fence and wall respectively as described in paragraph 1of Section 6.5.F.
- A berm with landscaping is an alternative for a required fence or wall if the total height is a minimum of six feet (6')
- The word "or" means either the landscape buffer or fence/wall may be provided.
- The "&" means that both the landscape buffer and the fence/wall shall be provided.
- Where alleys or streets separate different zone districts, the Director may approve increased landscaping rather than requiring a wall or fence.
- The Director may modify this table based on the uses proposed in any zone district.

<sup>1</sup> Only required for multifamily development in R-8.

<sup>2</sup> Only B-1 that includes a residential component adjacent to nonresidential uses or zoning requires "A&F" buffer.

<sup>3</sup> Gravel operations subject to buffering adjacent to residential.

## Exhibit 6.5.D BUFFER REQUIREMENTS

Buffer Types	Landscaping Requirements	Location of Buffers on Site
Type A	Eight foot (8') wide landscape strip with trees and shrubs	Between different uses Exhibit 6.5.C
Type B	Twenty-five foot (25') wide landscape strip with trees and shrubs	Between different uses Exhibit 6.5.C

**Note:** Fences and walls are required for most buffers.

### 6.6 OFF-STREET PARKING, LOADING AND BICYCLE STORAGE

#### A. Off-Street Parking.

1. **Standards.** New off-street parking (new construction and expansion of or changes to existing uses) standards follow. These are in addition to TEDS standards.
2. **Uses Not Identified.** The Director shall determine the parking requirement for a use which is not listed in Table 6.6. The applicant shall provide adequate information so that the Director can make such decision by including:
  - a. Type of uses;
  - b. Number of employees;
  - c. Building design capacity;
  - d. Square feet of sales area, service area, *etc.*;
  - e. On-site parking spaces;
  - f. Proposed off-site parking spaces; and
  - g. Hours of operation.
3. **Multiple Uses.** If there are accessory or multiple uses within one (1) or more structures, these standards shall apply to each use and structure, resulting in a total parking requirement for the complex or property except as provided below (Shared Parking Facilities).
4. **Shared Parking Facilities.** Off-street parking requirements of a given use may be met by off-site off-street parking available on the property of another only if:
  - a. The off-site, off-street parking spaces are within 500 feet (500') of the property except that the distance is 1,000 feet (1,000') for employee parking;
  - b. Based on information supplied by the applicant, the Director, or other sources, the aggregate parking demands at the highest use time is

- less than the total parking spaces required; and
- c. A written lease approved by the Director between the owner of the project and the owner of the off-site parking property is executed and recorded and contains the following terms: a term of at least twenty (20) years; owner of the off-site property shall notify the Director if the lease is terminated prior to the terms; the lease is enforceable by the project owner. Should the lease expire or otherwise terminate, the use for which the off-site parking was provided shall terminate and no owner shall maintain such use without a substitute parking lease, approved by the Director. Continuation or expansion of the use shall be prohibited until the use is brought into compliance with the parking regulations of this Code.
5. **Location.** Except as provided above and in the downtown parking area, all parking shall be provided on the same property as the principal structure, unless the Director deems it impracticable. In a business, commercial or industrial district, the off-site parking must either be in a zone that allows parking as a principal use or be in the same zone as the use creating the parking need. Parking spaces in residential zones shall not be in a front yard setback except for parking in driveways for single family or duplex structures. In no case shall parking be allowed in parkway strips (the area between the sidewalk and curb or edge of pavement).
  6. **Parking Lot Landscaping.** Parking lots shall be landscaped (see Section 6.5.C). In cases of hardship or to increase safety, the Director may permit a portion of the required landscaping to be relocated or allow other deviation from the parking landscaping requirements.
  7. **Pedestrian Crossings.** Pedestrian crossing areas shall be provided for each building egress or for every 125 feet (125') of building which fronts a part of the parking area. Pedestrian crossing areas in parking lots shall be constructed of surface pavers, such as brick, stone blocks, interlocking brick pavers, stamped concrete or other materials as may be approved by the Director which form a smooth surface but contrast with asphalt. For parking lots of less than fifty (50) cars, the Director may accept paint or similar markings.
  8. **Parking Lot Lighting Requirements.** Adequate shielded lighting shall be provided for all parking facilities used at night.
  9. **Vehicular Traffic Areas.** All driveways and parking areas, except for a single dwelling on one (1) lot, shall comply with the following:
    - a. All required parking and vehicular traffic surfaces shall drain and be surfaced with concrete or bituminous pavement in accordance with City standards. The City Engineer may permit a gravel surface in overflow parking areas, a low traffic storage yard, or as in the next paragraph, if the applicant establishes that very little dust will be generated. "Overflow parking" is defined as "parking in addition to the minimum required by ordinance which is designed not to be used more than ten (10) times per year." A "low-traffic storage yard" is defined as "a storage area generating less than thirty (30) average

daily trips." Industrial yards that accommodate large trucks and/or heavy equipment shall be surfaced and maintained with materials to prevent dust, mud and debris from leaving the site and being tracked onto the public right-of-way.

- b. All surfaces shall be maintained in good condition free of weeds, dust, trash and debris. All vehicular traffic areas shall be built according to the construction standards established by the City.
  - c. A temporary parking lot shall be used after the owner has an approved site plan. Temporary parking lots are parking areas, which serve during transition of a property during development and shall not be used for more than twenty-four (24) months from issuance of a City site plan for such parking use.
  - d. A temporary parking lot:
    - (1) Is allowed only in B-2, C-1, C-2, I-1, or I-2 zones and only if a site plan has been approved by the Director;
    - (2) Shall be hard surfaced or gravel;
    - (3) Shall be graded for drainage
    - (4) Shall be maintained in good condition free of weeds, dust, trash and debris;
    - (5) Shall be landscaped and screened;
    - (6) Parking spaces within a gravel lot shall be delineated with concrete "bumper blocks;" and
    - (7) Only used for total of twenty-four (24) months unless a site plan for a permanent lot usage is approved.
  - e. Vehicular traffic areas shall be screened in the same manner as required for parking areas as per Section 6.5.C.
10. **Service Stations.** No above-ground equipment at any gasoline service station or retail garage for the service of gasoline, oil, air, water, *etc.* shall be closer than ten feet (10') to any public right-of-way.
11. **Required Parking.** Table 6.6 shows the number of parking spaces required for the uses indicated.
12. **Downtown Area.** Parking regulations for uses in the downtown area are:
- a. There is no parking requirement for the reuse or remodel of an existing structure within an existing building envelope.
  - b. There is no parking requirement for new construction replacing an existing use which is entirely within the building envelope which existed as September 30, 1991.
  - c. Parking shall be provided for the additional square feet of any addition to an existing structure outside of the existing building envelope, and other new construction.
  - d. Permanent parking available to the public and within 500 feet (500') [1000 feet (1000') for employees] of the proposed construction counts towards the total parking requirement. Unless the Director determines that he has sufficient parking data, the applicant shall, at the time of application, collect parking data and survey information sufficient for the Director to determine if off-site parking is

“available.”

- e. Off-site parking, either public or private, used to meet the parking requirement must be available on the same side of 1<sup>st</sup> Street as the proposed development.

**Table 6.6  
OFF-STREET PARKING REQUIREMENTS**

USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF SPACES	
		VEHICLE SPACES	BICYCLE SPACES
<b>Residential</b>			
<b>Group Living</b>	Nursing Homes; Assisted Living Facility; Treatment Facility; Small Group and Large Group Living Facilities	1 per 4 beds + 1 per each 3 employees	N/A
	Any Other Group Living	1 per 4 beds	N/A
<b>Household Living</b>	Business Residence	1 per residence + business parking	N/A
	Bed and Breakfast	1 per guest room + 2 spaces for owner's portion	N/A
	Rooming/Board House	1 per rooming unit	N/A
	Residential Subunit, Accessory Dwelling Unit	1 per unit	N/A
	Dormitories/Fraternities/Sororities	1 per 2 beds	0.5 per unit
	Single-Family, Duplex, Triplex, and Four-plex	2 spaces per dwelling unit	N/A
	Multifamily	1.8 per unit	0.5 per unit
<b>Institutional</b>			
<b>College, Vocational/ Technical Schools</b>	College, Vocational/Technical Schools	1 per 2 students	1 per 5 vehicle spaces
<b>Community Services</b>	Community Center	1 per 250 square feet or 1 per 4 patrons, whichever results in more spaces	1 per 20 vehicle spaces
<b>Cultural</b>	Museums, Art Galleries, Opera Houses, Libraries	1 per 1,000 square feet	1 per 20 vehicle spaces
<b>Day Care</b>	Day Care	1.5 per employee + drop-off/pickup area	N/A
USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF SPACES	
		VEHICLE SPACES	BICYCLE SPACES

<b>Detention Facilities</b>	Jails, Honor Camps, Reformatories, Law Enforcement Rehabilitation Centers	1 per employee on maximum shift + 1 per service vehicle	N/A
<b>Hospital/Clinic</b>	Hospital/Clinic	1 per 2 beds + 1 per employee	1 per 30 vehicle spaces
<b>Parks and Open Areas</b>	Campground	1 space (10'x30') campsite + 1 space (10'x20')/6 camp sites + 4 spaces/laundry & shower facility	N/A
	Golf Course	54 spaces per 9 holes	N/A
	All Other	20 spaces per athletic field or ball diamond or 1 per 4 seats, whichever results in more spaces	1 per 10 vehicle spaces
<b>Religious Assembly</b>	Religious Assembly	1 per 3 seats [one (1) seat = 18"]	1 per 30 vehicle spaces
<b>Safety Service</b>	Fire or Police Station; Emergency Response Service	1 per employee + 1 per 300 square feet of office space	3 spaces
<b>Schools</b>	Elementary and Junior Highs	2 per classroom	1 per 10 students
	High Schools	1 per 4 students	1 per 20 students
	Private Schools	1 space per 200 square feet	1 per 20 students
<b>Utilities, Basic</b>	Utilities, Basic	1 per employee	N/A
<b>Commercial</b>			
<b>Office</b>	General Offices; Governmental Offices	1 per 300 square feet	1 per 20 vehicle spaces
	Medical/Dental	4 spaces for each patient room or 1 space per 200 square feet	1 per 20 vehicle spaces
<b>Recreation and Entertainment, Outdoor</b>	Driving Range	1 per 20 feet of driving area	N/A
	Miniature Golf	2 per hole	N/A
	All Other Outdoor Recreation	(varies w/use)	(varies w/use)
<b>Recreation and Entertainment, Indoor</b>	Assembly/Auditorium	1 per 4 seats or 1 per 50 square feet if not permanent seats	1 per 20 vehicle spaces
	Amusement Center	1 per 60 square feet	1 per 10 vehicle spaces
	Bowling Alley	4 per lane	1 per 10 vehicle spaces
	Clubs/Lodges	1 per 200 square feet	1 per 30 vehicle spaces
	Health Club/Fitness Center	1 per 200 square feet	1 per 20 vehicle spaces

USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF SPACES	
		VEHICLE SPACES	BICYCLE SPACES
<b>Drive-Thru Uses</b> (see TEDS Manual for stacking or vehicle storage requirements)	Automated Tellers	N/A	N/A
	Bank, Drive-Thru Facility	N/A	N/A
	Drive-thru Cleaners; Drive-thru Liquor	N/A	N/A
	Fuel: full service no repair/service facility; self-service	1 space per employee on largest shift + 1 space per 200 square feet	N/A
	Restaurant, Drive-In, no indoor seating	+ 1 per employee on largest shift	N/A
	Restaurant, Fast-Food with Drive-In Facilities	1 space per 3 seats	1 per 30 vehicle spaces
<b>Downtown Area</b>	All Uses	See Chapter Nine, Definitions and Section 6.6.A.12	Per adopted plans: Downtown District and Bicycle Plan
<b>Retail Sales and Service</b>	Bars/Nightclubs	1 per two (2) persons	1 per 30 vehicle spaces
	Banks (Branch and Drive-In)	1 per 300 square feet	1 per 20 vehicle spaces
	Convenience Store	1 per 100 square feet	1 per 20 vehicle spaces
	Hotels/Motels; Inns	1 per room + 75 percent of spaces required for other associated uses (e.g., restaurants, bars, office, meeting areas)	N/A
	Funeral Home / Mortuary / Crematorium	1 per four seats	N/A
	Restaurants	1 per three (3) seats	N/A
	Shopping Centers < 15,000 square feet >15,000 to 400,000 square feet >400,000 to 600,000 square feet >600,000 square feet + With Theater	1 per 250 square feet 1 per 250 square feet  1 per 225 square feet 1 per 200 square feet add 1 per four seats	1 per 30 vehicle spaces
	Theaters	1 per four seats	1 per 20 vehicle spaces

USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF SPACES	
		VEHICLE SPACES	BICYCLE SPACES
<b>Retail Sales and Service, continued</b>	New & Used Vehicle Sales, including Recreational Vehicles/Boats	One (1) space for each 5,000 feet of open sales lot area devoted to the sale, display, and rental of said vehicles and one (1) space for each 300 square feet of gross floor area	N/A
	Other Retail Sales, High Volume, Stand Alone ( <i>e.g.</i> , supermarkets, clothing and department stores, shopping complexes, hardware building supplies, book stores, big box stores and similar uses)	1 per 200 square feet	1 per 20 vehicle spaces
	Other Retail Sales/Services, Low Volume, Stand Alone ( <i>e.g.</i> , appliance and sales, repair shops, nurseries, green houses and similar uses)	1 per 500 square feet	1 per 30 vehicle spaces
	Other Service Businesses, Stand Alone ( <i>e.g.</i> , beauty/barber shops, frozen food lockers, laundries, and similar uses)	1 per 500 square feet	1 per 30 vehicle spaces
<b>Self-Service Storage</b>	Self-Service Storage	1 per eight (8) storage units + 1 per employee on maximum shift	N/A
<b>Vehicle Repair</b>	Vehicle Repair	2 per service bay + 1 per employee	N/A
<b>Vehicle Service, Limited</b> (see TEDS manual for stacking or vehicle storage requirements)	Car Wash, Self-Service	see TEDS	N/A
	Car Wash, Full-Service	1 space per employee	N/A
	Service Stations; Oil, Lube, Muffler Service	4 per service bay + required stacking spaces	N/A
	Other Limited Vehicle Service	2 per service bay + 1 per employee	N/A
	Tire, Batteries, Accessory Retailers	1 per 300 square feet	N/A

USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF SPACES	
		VEHICLE SPACES	BICYCLE SPACES
<b>Industrial</b>			
<b>Industrial Services and Operations</b>	Industrial Services and Operations (e.g., Asphalt Plants, Concrete, Pipe & Culvert Storage)	1.1 per employee or one (1) per each 1,000 square feet of floor area, whichever is greater	1 per 30 vehicle spaces
<b>Manufacturing and Production</b>	Manufacturing and Production	1.1 per employee	1 per 30 vehicle spaces
<b>Warehouse and Freight Movement</b>	Warehouse and Freight Movement	1 per 1.5 employees or 1,000 square feet, whichever results in more spaces	1 per 30 vehicle spaces
<b>Waste Related Use</b>	Waste Related Use, Salvage	1.1 per employee	1 per 30 vehicle spaces
<b>Wholesale Sales</b>	Wholesale Sales	1.1 per employee plus one (1) space per each 500 square feet of floor area open to the public for customer parking, in all cases, a minimum of two (2) customer parking spaces	1 per 30 vehicle spaces
<b>Other</b>			
<b>Agriculture</b>	Feed Lots, Farming Airport	None	N/A
<b>Aviation, Surface Passenger Terminals</b>	Airport Terminals, Charter Airplane Terminals, Bus Stations, Train Stations	1 per employee + 1 space per peak embarking passengers	N/A
<b>Mining</b>	Gravel Extraction or Storage, Oil or Gas Drilling or Production	1 per employee + 1 per facility vehicle	N/A
<b>Telecommunication Facilities</b>	Television Station, Radio Station, Cable TV Retailer, Internet Provider, Telephone Switching Station/Offices	1 per employee	N/A
<b>Table 6.6 Notes:</b> <ul style="list-style-type: none"> <li>• Each parking space must be accessible independently of others.</li> <li>• All square feet is gross floor area unless otherwise indicated.</li> <li>• Spaces for seats or persons is designed capacity.</li> <li>• A minimum of three (3) spaces required for all use requiring bicycle spaces.</li> <li>• ADA requirements are listed in the TEDS manual and at <a href="http://www.accessboard.gov">www.accessboard.gov</a></li> </ul>			

13. **Exceptions.** The Director has the authority to increase or decrease the required vehicle or bicycle parking, if:
    - a. Expected vehicle or bicycle ownership or use patterns vary from national standards or those typical for the use;
    - b. The parking demand varies during the day and week in relation to parking supply; or
    - c. The operational aspects of the use warrants unique parking arrangements.
  14. **Appeals.** An appeal of a Director decision relating to parking will be heard by the Zoning Board of Appeals.
  15. **Dimensions.** Parking stall and aisle dimensions are detailed in TEDS.
  16. **Alternative Bike Parking.** The Director may allow bicycle parking for employees to be located within a structure for security reasons
- B. **Loading.** A site plan for a proposed business, commercial or industrial use shall identify loading/unloading areas and shall be built and maintained in accordance with TEDS.

## 6.7 SUBDIVISION STANDARDS

- A. **Applicability.** Unless otherwise provided in a City Council approved development or annexation agreement, the provisions of this Section shall apply to all residential, commercial, industrial and other subdivisions. See Chapter Two for the process of subdivision review and approval.
- B. **Intent.**
  1. The design and layout must incorporate and emphasize unique features of the land. All subdivisions should be designed to:
    - a. Complement neighborhood development and uses;
    - b. Reinforce the importance of public places such as boulevards, parks, and open spaces;
    - c. Protect existing natural resources and wildlife habitat;
    - d. Mitigate erosion from wind and water;
    - e. Avoid development in riverine slide areas, geologically hazardous areas and in floodplains;
    - f. Preserve stands of existing mature trees and native vegetation;
    - g. Reduce fire hazards;
    - h. Promote pedestrian uses, bicycling, and transportation modes other than the private automobile;
    - i. Reduce long term service and maintenance costs to the City, its residents and owners in the subdivision; and
    - j. Avoid repetitive building and lot layouts.
  2. Open space should be integrated with the subdivision and adjacent property to create attractive areas for active and passive use. Open spaces should not be located on peripheral strips of land or isolated corners. Subdivision layout should interconnect streets, open spaces and existing and proposed pedestrian and bicycle trails.

3. A subdivision for uses that differ significantly in size or type from contiguous uses and buildings should be organized to avoid or mitigate adverse effects on neighboring properties. Adjacent residential and mixed use projects should be connected, at least for non-vehicular transportation.

C. **Plans and Specification Standards.**

The design, construction and perpetual maintenance of all development, including subdivisions, shall be consistent with:

1. Adopted plans and policies;
2. Rules of the zoning district;
3. Other requirements of this Code;
4. Any previous plans on which the subdivision is based;
5. The City's technical and engineering, design, construction, and inspection criteria, standards, and specifications.

D. **Lot Layout and Design.**

1. **Access to Public Roads.** All lots shall have direct or indirect access to a dedicated public road. If the plat provides for indirect access (i.e., over intervening private drives), access easements or tracts benefiting all lots with indirect access shall be provided on the recorded plat. Easements shall be used to access not more than one (1) lot with no street frontage. All access to public roads shall meet the standards as set forth in TEDS.

- a. Creation of lots having (2) parallel property lines abutting a right of way ("double frontage lot") or lots having a rear lot line of which is adjacent to or across an alley from the side lot line of another lot ("reverse corner lot") is discouraged.
- b. Double frontage lots shall comply with the subdivision perimeter enclosures provisions of Section 6.5.
- c. A dwelling lot which abuts three (3) public streets are discouraged.
- d. The rear lot line of a dwelling lot should not abut a residential collector, local or cul-de-sac.
- e. The decision-maker may increase the required setback from a lot line bordering a collector or arterial street.
- f. Single family attached dwellings and/or multifamily dwellings with no street frontage or limited street frontage may be allowed by the Director provided access is reasonably and readily available for each dwelling unit through the use of private streets, shared drives, parking lots, and/or other specifically identified limited common elements.

2. **Flag Lots.**

- a. Each flag lot shall have at least twenty-five feet (25') of street frontage, provided that the Director may require an access easement fifty feet (50') feet wide where public right-of-way may be needed to access future development. Said easement and irrevocable offer of dedication of right-of-way fifty feet (50') wide shall run the full depth of the lot or lots.
- b. If no reasonable design alternative exists, the Director may allow one (1) flag lot in a subdivision of four (4) or fewer lots. If no reasonable design alternative exists not more than fifteen percent (15%) (round

any fraction down to the next whole number) of the lots within a subdivision containing five (5) or more lots to be flag lots. If allowed, flag lots must be paired with the "poles" abutting to require the use of a common driveway. No more than two (2) flag lots shall be contiguous.

- c. The "flag" portion of a flag lot shall be at least twenty percent (20%) larger than the lot area of non-flag lots located in the same filing of the subdivision. For purposes of this area calculation, the area of the "pole" is not counted. The decision-maker may increase the setbacks for the "flag portion" of a flag lot, to be noted on the plat.
- d. Driveways shall be designed to allow vehicles to exit driving forward.
- e. As an alternative to paired flag lots, the Director may allow a shared driveway if it meets the shared driveway standards.

3. **Two Family, Attached Single Family, Multifamily Dwellings.** In accordance with the provisions of this paragraph, attached dwellings shall be allowed as indicated in Table 3.5.

- a. There is no side setback for "attached single family dwellings" or the common wall of two family dwellings. Covenants shall provide for the maintenance of common walls, other common structures and common spaces and facilities.
- b. The City Attorney may require changes and additions to ensure long term maintenance of all structures and property as a neat and well-kept project.
- c. Attached single family and multifamily dwellings that front onto a private drive, shared drive, parking lot, or other private accessway shall be setback a minimum of 15 feet from the edge of the accessway, with front loading garages setback a minimum of 20 feet from any vehicular or pedestrian accessway.
- d. Construction of an attached unit on a lot originally platted for a detached dwelling in the R-2, R-4, R-5 or R-8 zone require a conditional use permit and the consent of the owners pursuant to the plat unless the plat or other plat approval document allowed such construction.

4. **Zero Lot Line Development.** In a zero lot line development, dwellings are "shifted" to one (1) side of the lot to provide greater usable yard space on each lot. To work, all of the dwellings must be located at the same time. Because the location of each house is predetermined, greater flexibility in site development standards are possible while creating a single family detached character for a neighborhood.

- a. A zero lot line development is allowed in any residential zone except that in an R-R, R-E, R- 1, or R-2 zone, such development must be clustered.
- b. The outside boundary of the permissible building envelope for each lot must be graphically depicted on a map, to be recorded with the plat. The corresponding plat shall note the existence of the building

- envelope map and reference its recording information.
- c. One (1) side building setback may be reduced down to zero. The street side setback and interior side setbacks abutting a property outside the project shall not change.
  - d. All zero lot line development shall comply with the following:
    - (1) The minimum distance between adjacent structures in the development must be equal to twice the required side setback of the zone unless changed pursuant to a cluster. The eaves, including any gutters, on the side of the dwelling with the reduced setback may encroach up to eighteen inches (18”) into the abutting lot within the project. The building envelope map shall note the extent and location of the potential encroachment. Appropriate easements shall be created for maintenance/repair purposes.
    - (2) A maintenance/repair easement shall be created when the eaves or side wall of a proposed house would be within four feet (4’) of the abutting property. In addition, any structure on the abutting lot is restricted to one (1) or more feet from the common boundary so that after construction of both dwellings there remains at least five feet (5’) between the structures at all points, except when the structure is attached dwelling units.
    - (3) If the side wall of a house is on or within three feet (3’) of the property line, no windows or other openings in the wall are allowed, for privacy and due to the building and fire codes.

**5. Cluster Developments.**

- a. To preserve environmentally sensitive areas, open space and agricultural lands, clustered development is encouraged.
- b. In any residential zone district where clustering is permitted, the Director may approve lots that are smaller and arranged differently than otherwise allowed under this Code.
- c. The density for a clustered development may be increased over that of the residential zone pursuant to the bonus provisions of Section 3.6.C.
- d. Unless provided otherwise by the subdivision approval, cluster rules are:
  - (1) Twenty percent (20%) of the gross acreage must be open space;
  - (2) The minimum lot size is the percentage of open space of total acres of the entire development multiplied by 1.5. The minimum lot size requirement of the underlying zoning district may then be reduced by the resulting percentage. Minimum lot size shall also be subject to other provisions, such as Section 7.2.G Hillside Development, which might further restrict lot size. Table 6.7 provides example lot sizes based on various open space reservations.

- (3) In no event shall any lot be less than 4,000 square feet.
- (4) Bulk requirements for clustered lots are those of the zone which has the closest lot sizes. For example, if an R-2 area is developed with thirty percent (30%) open space then the bulk requirements of the R-4 zone apply.
- (5) The bulk standards of the R-8 Zone apply to every lot of less than 4,500 square feet.

**Table 6.7**  
**Minimum Clustered Lot Sizes based on Various Open Spaces**

	<b>Min Req. Lot Size</b>	<b>Open Space 20%</b>	<b>Open Space 30%</b>	<b>Open Space 50%</b>	<b>Open Space 66%</b>
<b>R-R</b>	5 acres	3.5 acres	2.75 acres	1.25 acres	4,000 sq. ft.
<b>R-E</b>	2 acres	1.4 acres	1.1 acres	21,780 sq. ft.	4,000 sq. ft.
<b>R-1</b>	1 acre	30,492 sq. ft.	23,958 sq. ft.	10,890 sq. ft.	4,000 sq. ft.
<b>R-2</b>	17,000 sq. ft.	11,900 sq. ft.	9,350 sq. ft.	4,250 sq. ft.	4,000 sq. ft.
<b>R-4</b>	8,000 sq. ft.	5,600 sq. ft.	4,400 sq. ft.	4,000 sq. ft.	4,000 sq. ft.
<b>R-5</b>	6,500 sq. ft.	4,550 sq. ft.	4,000 sq. ft.	4,000 sq. ft.	4,000 sq. ft.

- e. At least twenty percent (20%) of a cluster development shall be open space. Unless the Director approves otherwise, public open space shall abut or provide easy access to or protect other public land especially federal land. The applicant for cluster development shall:
  - (1) Offer the open space to dedicate to a local government or other entity approved by the Director. Open space in a cluster shall be offered as a dedication to the City or, at the election of the City, to a nonprofit trust or conservancy approved by the City;
  - (2) Convey open space to an entity to hold it in perpetuity for the owners of lots and/or the public;
  - (3) Agricultural land to be preserved shall require a conservation easement in the form approved by the City Attorney.
- f. All open space shall be conveyed to, owned and maintained by an entity approved by the City. The covenants and restrictions regarding perpetual preservation and maintenance of the open space, including provisions addressing:
  - (1) Maintenance duties of the grantee;
  - (2) A mechanism so that each lot owner may be assessed by the grantee; and
  - (3) The power but not any duty of the City to enforce any

- covenant or restriction.
- g. Open space shall be provided for each phase of a development. If common open space will not be provided proportionally by phase, the developer shall on the first plat identify all areas of all phases which are intended to be open space and deliver to the City Clerk a warranty deed to all such areas which will be recorded if the development is not completed.
  - h. Open space design and developer constructed improvements shall:
    - (1) Be linked to existing and planned public open spaces, constructed areas and trails as the Director deems possible;
    - (2) maximize access and use by residents of the cluster development;
    - (3) provide trails, paths and walkways to recreation areas, schools, commercial areas and other public facilities.
  - i. The Director may require:
    - (1) Paved pedestrian paths, located in rights-of-way or easements;
    - (2) Paved bicycle ways;
    - (3) Equestrian trails surfaced with softer materials such as wood chips or gravel.
  - j. Landscaping.
    - (1) The perimeter of a cluster development which abuts a right-of-way shall be buffered. If the cluster development has the same zoning as the adjacent property, a perimeter enclosure in accordance with Section 6.5 may be required and/or some other form of buffering to be determined to be necessary to buffer the developed portion of the cluster from adjoining development.
    - (2) The project landscaping and buffer design shall be established as part of any preliminary subdivision plan approval.
  - k. A cluster development project may be developed in phases. The Director may require the applicant to divide the project into phases in order to meet requirements and standards contained in these regulations. Each phase must be self-sufficient with adequate facilities and services and contain a mix of residential uses and densities and open space, while meeting the requirements, standards and conditions applicable to the project as a whole.
- 6. **Shared Driveways.** No more than four (4) dwelling units may share a single driveway access to a public street if technical requirements of TEDS are met.
  - 7. **Loop Lane.** Single family lots may be located on a loop lane, provided TEDS are met. TEDS also identifies special setbacks and lot size reductions for properties located on loop lanes.
  - 8. **Cul-de-Sacs and Dead End Streets.** The design of cul-de-sacs and dead end streets shall meet TEDS.
  - 9. **Alleys.**

- a. Alleys should be included in residential subdivisions, especially when they continue an existing pattern, or allow access to residential properties with garages or parking areas behind a principal structure served by a local or residential collector street.
  - b. Alleys should be provided in commercial and industrial areas unless alternate service access is provided.
  - c. TEDS applies to alleys.
10. **Rear Lot Lines.** Each plat shall specifically identify all rear lot lines. Rear lot lines should not abut a residential collector or local street.

E. **Circulation.**

1. **General.**

- a. Subdivisions shall be designed to continue or create an integrated system of lots, streets, trails, and infrastructure that provides for efficient movement of pedestrians, bicycles, and automobiles to and from adjacent development, while encouraging the use of mass transit.
- b. Subdivisions shall allow for through movement of general traffic thus avoiding isolation of residential areas and overreliance on arterial streets on the edges of the subdivision for traffic movement, except as required by Section 6.7.E.2.
- c. Street layouts must help emergency providers find their way efficiently and quickly.
- d. Residential subdivisions must provide efficient and relatively direct pedestrian and bicycle access to near commercial development.
- e. Bicycle paths shall connect to the City's on-street bikeway network and off-road trail system unless the Director determines it is not feasible.
- f. The Street Naming and Addressing Manual controls the names of rights-of-way and property addressing.
- g. Commercial subdivisions shall provide for vehicular circulation between adjacent lots and must dedicate or grant appropriate easements accordingly.

2. **Street Layouts.**

- a. Street layouts shall continue streets in adjoining subdivisions or their anticipated locations when adjoining property is not yet developed.
- b. Subdivisions shall accommodate a system of major collector, minor/residential collector, and local/residential streets providing multiple direct connections between local destinations such as parks, schools, and shopping, without requiring the use of arterial streets, unless unusual topographic features or existing development prohibits it.
- c. Subdivisions containing or next to property designed for retail or commercial uses must be designed to integrate circulation systems among those lots and must avoid the erection of physical barriers between adjacent retail or commercial uses unless necessary for

safety reasons.

3. **Street Widths.** TEDS dictate street widths.
4. **Other Street Forms.** The Director may approve different forms and types of streets if the functional and safety bases of TEDS are met. Any alternative street must be equal to or better than TEDS in terms of traffic safety, pedestrian circulation, impacts on adjacent uses, and appearance.
5. **Private Streets.** Private streets are generally not permitted. Only the City Council may authorize any development to be served by a private street.
6. **Street Reserve Strips.** No reserve strip shall be retained on the outer boundary or elsewhere of a development in order to control access to any public way.
7. **Bikeways, Walkways, and Sidewalks.**
  - a. All subdivisions shall provide an integrated system of bikeways, walkways, and sidewalks to allow residents, customers, and the public to safely and directly access all principal uses, public areas, streets, bus stops, parking areas, and trash, recreation, and mail pickup facilities on bicycle and on foot.
  - b. Unless the Director deems it impractical, pedestrian circulation shall be separated from vehicles and bicycles.
  - c. The adopted urban trails plan and the standards in TEDS show how and where to build bicycle and pedestrian trails.
  - d. Walkways shall directly connect areas or points of pedestrian origin and destination. A walkway shall not be located or aligned solely based on the outline of a parking lot configuration that does not provide safe and convenient direct pedestrian access. Connecting walkways shall link street sidewalks with building entries, through the parking lots. To provide direct pedestrian connections to these destinations, additional sidewalks or walkways not associated with a street, or the extension of a sidewalk from the end of a cul-de-sac to another street or walkway may be required.
  - e. Where a development abuts or includes an arterial or collector street, a bicycle and pedestrian access point shall be provided every 1200 feet (1200') from the arterial and collector street or sidewalk into the development.
8. **Public Transit.**
  - a. Streets should be designed to facilitate the use of public bus transit where needed. The public transit authority may be a review agency.
  - b. The Director may require each subdivision to dedicate and/or construct adequate waiting areas for bus stops in the locations adjacent to arterial or major collector streets identified by a public transit authority; and direct walkways to each bus stop areas from each nearby street, commercial, industrial use, and public area.
  - c. TEDS shows the design rules for a transit stop.
9. **Fire Lanes.** Fire lanes shall be provided in accordance with the adopted fire

code.

F. **Location and Use of Open and Undeveloped Space.**

1. The plat for each subdivision shall include and protect as much of the following open space as the Director deems reasonable:
  - a. Natural, geologic or other hazard areas, such as potentially unstable slopes, faults, landslides, rockfalls, expansive soils, and floodplains.
  - b. Stream beds and corridors, bluffs, ridges, steep slopes, mature trees and/or stands of native vegetation, rock outcroppings, wetlands, native upland ecosystems, riparian areas, and wildlife corridors.
  - c. Water features such as drainages, waste ditches, washes, canals, ditches, lakes, natural ponds, and retention and detention ponds.
2. **Location.** The open space in each subdivision shall be located to create or enhance:
  - a. Community focal points;
  - b. Passive recreational opportunities;
  - c. Active recreational opportunities;
  - d. Landscaped buffers or visual transitions between different types or intensities of land uses; and/or
  - e. Opportunities to accommodate multiple compatible uses (such as providing scenic vistas, passive recreation opportunities, wildlife habitat, and the prevention of construction on natural hazard areas) rather than a single use.
3. **Integration.** The open space in each subdivision shall be integrated with schools, parks, and other open spaces or public property in or near the subdivision or on neighborhood property.
4. **Public Access and Visibility.**
  - a. Open spaces in each subdivision should be open, accessible, and visible to all residents of the subdivision, and, to the public using public streets, trails, and open spaces.
  - b. If the subdivision contains or abuts a publicly owned natural area, the Director may require the subdivision plat to include such easements and rights-of-way as are necessary to allow reasonable access for the public to such natural area. Conveyance to the public requirement or dedication to the City may be credited against any park or open space dedication or fee-in-lieu of such land required by the City, upon approval of the City Council.
5. **Isolated Areas Discouraged.** Open space should not be located in isolated areas or corners of the subdivision, in peripheral strips along the borders of right-of-way or the subdivision, or in unconnected patterns unless the Director finds such a location would further one (1) of the other goals described above.
6. **Natural Hazard Areas.** If natural or geologic hazards exist within the property, the applicant shall either:
  - a. Identify the limits of development (as defined below) on the plat and

- include a plat note that those areas are not available for sale nor development;
  - b. Provide a report from a geotechnical engineer licensed in Colorado designating the specific mitigation measures or engineering precautions necessary to make such areas safe for development and occupancy, and include a plat note stating that development will be subject to those mitigation measures and engineering precautions although the specific design needed as a part of a building permit may occur as a part of the building permit; or
  - c. Some combination of a. and b. above.
7. **Significant Natural Features.** All natural features (such as corridors, bluffs, ridges, steep slopes, stands of mature trees, rock outcroppings, wetlands, native upland ecosystems, riparian areas, and wildlife corridors) and water features (such as drainages, washes, canals, ditches, lakes, natural ponds, and retention and detention ponds) are within the property limits, shall be identified on the plat as the limits of development (as defined below). The plat shall clearly state that such areas are not available for sale nor development.
8. **Limits of Development.** Each plat shall specify the Limits of Development (LOD) which are any specific areas of a subdivision within which the development and construction shall be limited or prohibited so that natural hazard areas are avoided and significant natural features are preserved. LODs shall be determined based on:
- a. Walking around and looking at the property. Mapping hazard areas and significant natural features;
  - b. Site topography, including but not limited to steepness of slopes, existing drainage features, rock outcroppings, river and stream terraces, valley walls, ridgelines, and scenic topographic features;
  - c. The practical needs to give access to heavy equipment the developed project and reasonable staging and operational areas; and
  - d. The information and results of a site analysis prepared in accordance with Section 6.1.
9. **Retention and Detention Ponds.** Storm drainage, retention and detention ponds shall be located, designed, maintained, planted and managed to serve as visual amenities, entryway features, or opportunities for passive recreation within the subdivision.
10. **Landscape Buffer.** See Section 6.5.G.5.

## 6.8 STANDARDS FOR REQUIRED REPORTS, STUDIES AND SPECIAL PLANS

The applicant shall submit to the Director those materials as listed in the SSID manual (under separate cover). All projects shall comply with the applicable requirements in SSID.

## 6.9 TRANSPORTATION ENGINEERING DESIGN STANDARDS

All projects shall comply with applicable requirements for the Transportation Engineering

Design Standards (under separate cover).

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