



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Agenda

Town Council

Tuesday, December 2, 2025

6:00 PM

Council Chambers

Special Meeting

[Link to Watch or Comment Virtually: https://bit.ly/TC-Special-1stTuesday](https://bit.ly/TC-Special-1stTuesday)

I. Call Meeting to Order and Pledge of Allegiance

6:00 p.m.

II. Roll Call

III. Approval of the Agenda

6:00-6:05 p.m.

IV. Public Comment On Non-Agenda and Consent Items only.

6:05-6:15 p.m.

(This agenda item provides the public an opportunity to discuss items that are not on the agenda or consent agenda items only. The Town Council is not prepared to decide on matters brought up at this time, but if warranted, will place them on a future agenda.)

V. General Business

[25-635](#)

A Resolution of the Town Council of the Town of Erie Appointing a Member to the Erie Highlands Metropolitan District No. 1 Board of Directors

Attachments:

[Resolution](#)

[Applications](#)

6:15-6:35 p.m.

Presenter(s): Andrew Moore, Mayor

[25-624](#)

Water Wise Landscape Draft Ordinance Discussion

Attachments:

[Presentation](#)

[State Law SB 24-005](#)

[Draft Engagement Content](#)

[Code Summary Explainer](#)

[Code FAQ Sheet](#)

[Draft Code Update - Ch. 10.6.4](#)

6:35-7:20 p.m.

Presenter(s): Dylan King, Sustainability & Water Conservation Specialist

[25-516](#)

Preliminary Report on North/South Connectivity Opportunities: County Line & Arapahoe Road to HWY7 Options

Attachments:

[Presentation](#)

7:20-8:20 p.m.

Presenter(s): John Firouzi, Transportation & Mobility Manager

VI. Executive Session

[25-654](#)

EXECUTIVE SESSION: to hold a conference with the Town Attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e); and to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a); for which a topic cannot be disclosed without compromising the purpose of the executive session

8:20-9:05 p.m.

VII. Adjournment

9:05 p.m.

(The Town Council's Goal is that all meetings be adjourned by 10:30pm. An agenda check will be conducted at or about 10:00 p.m., and no later than at the end of the first item finished after 10:00 p.m. Items not completed prior to adjournment will generally be taken up at the next regular meeting.)



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 12/2/2025

File #: 25-635, **Version:** 1

SUBJECT:

A Resolution of the Town Council of the Town of Erie Appointing a Member to the Erie Highlands Metropolitan District No. 1 Board of Directors

DEPARTMENT: Legislation

PRESENTER(S): Andrew Moore, Mayor

TIME ESTIMATE: 20 minutes

For time estimate: please put 0 for Consent items.

FISCAL SUMMARY:

N/A

POLICY ISSUES:

The Town of Erie Town Council will be appointing a member to the Erie Highlands Metropolitan District No. 1 Board of Directors to fill a vacancy that is outside of the normal election cycle.

STAFF RECOMMENDATION:

Appoint a new member from the applicant pool.

SUMMARY/KEY POINTS

- The Erie Highlands Metro District No. 1 board of directors has been unable to fill a seat on their board in order to complete regular business.
- The Town Council was asked to appoint a member to that Metro District board.
- The Town of Erie opened an application for this board and has received applicants for Council consideration.

BACKGROUND OF SUBJECT MATTER:

The Council has been asked to fill a currently vacant position on the Metro District board of directors. The person appointed will be sworn in immediately and serve out the remainder of the term (through May 2027).

To serve on the Metro District board the applicant must be an eligible elector defined as: an individual registered to vote in Colorado and either 1) a resident of the special district (regardless of

property ownership), or an owner, or the spouse or civil union partner of an owner, of taxable real or personal property situated in the district.

The Town Clerk's Office opened the application on Friday, Nov. 7 and informed all property owners in the District of the application process via a USPS letter. The application closed on Friday, Nov. 21.

Staff received three applications from the following:

- Tony Filius
- Koriandr Johnson
- Joshua Malm

ATTACHMENT(S):

1. Resolution
2. Applications

**Town of Erie
Resolution No. 25-202**

**A Resolution of the Town Council of the Town of Erie Appointing a
Member to the Erie Highlands Metropolitan District No. 1 Board of
Directors to Fill a Vacancy on the Board of Directors**

Whereas, the Town Council wishes to appoint a board member to the Erie Highlands Metropolitan District No. 1 Board of Directors to fill a vacant position on the Board of Directors.

Now Therefore be it Resolved by the Town Council of the Town of Erie, Colorado, that:

Section 1. The Town Council hereby appoints _____ to the Erie Highlands Metropolitan District No. 1 Board of Directors, for a term commencing upon taking the oath or affirmation required by C.R.S. § 32-1-901 and continuing for the remaining term of the current vacancy (through May 2027).

Adopted this 2nd day of December, 2025.

Andrew J. Moore, Mayor

Attest:


Debbie Stamp, Town Clerk

Tony Filius Application

Appointment Application - Erie Highlands Metro District #1

11/20/2025 3:10 PM (MST)

Application for Appointment

Full Name	Tony Fillius
Email	
Phone Number	858-829-3836
Are you registered to vote in Colorado?	Yes
Please list street address of the property in the District that makes you eligible to serve.	552 Indian Peaks Drive, Erie, CO 80516
How are you connected to the property?	Own and live in the property
Please describe your interest and qualifications for serving as a member of the Metro District Board.	I am interested in serving my community. My skills as show on my resume show education and experience that qualify me as a strong addition to the board. I have an MBA, have served on numerous non-profit boards for over 25 years as President, treasurer, and finance boards. I have lived in the district from the beginning and have in depth knowledge of past and present board process and decision. I have also served on the Town Historic board and have attended numerous town and metro district meetings from 2016 forward.
Upload a Resume	 Tony Fillius Resume.doc

TONY FILLIUS

BACKGROUND SUMMARY

FORTY YEARS OF CORPORATE EXPERIENCE

-Contract Negotiations	-Contract Law	-Contract Implementation
-Organization Management	-Marketing	-Strategic Planning

EXPERIENCE

BRACCO DIAGNOSTICS Inc. Milan, Italy 20 years

SENIOR CORPORATE EXECUTIVE

Responsible for negotiation, writing, and implementation of National Agreements

BRISTOL-MYERS SQUIBB 20 years

SENIOR DIRECTOR CORPORATE CONTRACTING

RESPONSIBLE FOR CONTRACTING-ALL DIVISIONS

(NEGOTIATED AND MANAGED 1.5 BILLION DOLLAR CONTRACT

REGIONAL EXECUTIVE DIAGNOSTIC CONTRACTS

(NEGOTIATED AND MANAGED CONTRACTS UP TO 350 MILLION)

SENIOR ACCOUNT EXECUTIVE SQUIBB DIAGNOSTICS

NATIONAL ACCOUNT ZONE DIRECTOR SQUIBB DIAGNOSTICS

EDUCATION

MBA MANAGEMENT & LAW, CALIFORNIA STATE UNIVERSITY, SAN DIEGO

BS MARKETING & LAW FOCUS, CALIFORNIA POLYTECHNIC UNIVERSITY, SAN LUIS OBISPO, CA

COMMUNITY

HISTORIC BOARD TOWN OF ERIE

25+ YEARS VARIOUS POSITIONS ON NON-PROFIT BOARDS

(PRESIDENT, TREASURER, HISTORIC PRESERVATION, FINANCE BOARD)

Koriandr Johnson Application

Appointment Application - Erie Highlands Metro District #1

11/13/2025 4:26 PM (MST)

Application for Appointment

Full Name	Koriandr Johnson
Email	
Phone Number	408-667-0485
Are you registered to vote in Colorado?	Yes
Please list street address of the property in the District that makes you eligible to serve.	193 Poppy View Ln
How are you connected to the property?	The spouse or civil union partner of the owner
Please describe your interest and qualifications for serving as a member of the Metro District Board.	I would love to be more involved in the community. I don't have experience working with a Metro District as we are first time homeowners but I'm a quick learner and take pride in my ability to meet challenges with an open mind and a positive view. I think communication is incredibly important and I'd like to be there to listen to our community and assist with making their lives better, and ours. Thank you!
Upload a Resume	 Johnson, Koriandr Resume 2025.pdf

Koriand'r Johnson

Erie, CO

408-667-0485



****Professional Summary****

Dedicated and detail-oriented professional with extensive experience in credentialing, billing, and administrative support within healthcare settings. Bilingual in English and French, with a proven ability to manage teams, streamline processes, and maintain confidentiality. Skilled in training and developing employees, with a strong aptitude for learning new software and managing tight deadlines.

****Skills****

- Employee training and development
- Excellent multitasking and attention to detail
- Typing speed: 65-75 words per minute
- Proficient in office software suites, including Gmail/GDrive
- Quick learner of new software applications
- Strong ability to meet tight deadlines and high level of confidentiality
- Medical and Behavioral Health Billing experience
- Experience with Medicaid and Commercial Payors
- Behavioral Health(ABA, Speech and OT) and Medical Credentialing

****Professional Experience****

****UCHealth Medical Group - Colorado****

***Credentialing Coordinator* – January 2025 - Current**

- Collects, reviews, and prepares data for final medical staff and allied health professionals credentials review for clinic, hospital, and payer environments.
- Payor enrollment including Medicare and Medicaid.
- Processes requests for additions or changes in clinical privileges.
- Ensures that requisite licenses, malpractice coverage, and certifications are current for all medical staff members and allied health professionals.
- Maintains files on medical and allied health professionals including information related to licensure or clinical practice disciplinary actions, clinical practice restrictions, and medical malpractice suits, judgments, and settlements.
- Provides requested reports as directed.
- CAQH Database Management, MSOW profile updates and basic knowledge of Cactus.
- Participates in the development and implementation of credentialing policies and procedures.

****AnswersNow Inc.****

***Credentialing Lead* – Nov 2023 to Dec 2024**

- Collaborate with BCBAs to maintain CAQH profiles for credentialing.
- Manage onboarding documentation for BCBAs.
- Enroll and revalidate providers with commercial and government payors.
- Complete and submit enrollment applications to health plans.
- Conduct audits of payor directories for accuracy.
- Facilitate payor communications on credentialing issues.
- Ensure compliance with regulatory requirements for health plans.
- Prepare application forms for new providers and manage re-credentialing.
- Attend Health Plan training to keep teams updated on insurance processes.

****Know Boundaries****

***Billing and Credentialing Manager* – Sept 2022 to Nov 2023**

- Maintained HIPAA-compliant confidentiality of client data.
- Verified benefits and requested prior authorizations for clients.
- Ensured prompt communication with clinical staff regarding authorizations.
- Assisted in reviewing payor contracts and troubleshooting customer concerns.
- Submitted claims via Central Reach and followed up on rejections/denials.
- Conducted quality assurance audits and trained new staff.
- Fostered a positive work environment and monitored key performance metrics.
- Experience with ICD-10 and CPT Codes

****STAR of CA, a Stepping Stones Company****

***Credentialing Specialist* – Aug 2020 to Sept 2022**

- Gather and file employee credentials, review files for accuracy
- Verify credentials and licenses on the respective registries
- Maintain employee files and records in Central Reach, on the drives, and/or other internal software
- Prepare monthly reports for funding sources/third party agencies
- Communicate changes in credentials or employee status to internal departments and funding sources/third parties
- Prepare monthly expiring credentials reports, reach out to employees to obtain copies of credentials
- Prepare monthly compliance reports and escalate items to Supervisor or HR as needed
- Assist with monthly and annual Nonpublic Agency submissions to California Department of Education
- Audit credentialing data on a monthly or quarterly basis as needed
- Assist with new hire onboarding duties as needed
- Maintain clear and professional communication with outside agencies and internal departments
- Perform other assignments as needed or as assigned by Supervisor, Manager, or Director

**Service Coordinator* – July 2018 to Aug 2020*

- Audited and corrected client and billing information.
- Provided administrative support to clinical managers.
- Managed billing and contract fulfillment for payroll.
- Entered and uploaded insurance authorizations.
- Coordinated staff and client calendars, resolving conflicts.

***Office Manager** – Sept 2017 to Jan 2019*

*****Development Therapy Center*****

**Administrative/Front Desk* – July 2016 to Sept 2017*

- Advocated for patients with insurance companies and resolved billing issues.
- Created new patient files and scheduled appointments using Central Reach.
- Identified procedural challenges and developed training modules for staff.

*****Recall/Iron Mountain, Canada*****

**Customer Service Team Lead* – June 2014 to June 2016*

- Led a team managing document retrieval and storage requests for Revenue Canada.
- Created and modified work orders while training staff on internal systems.

*****Education*****

Stratford Career Institute
High School Diploma
Graduated: 2004

*****References*****

Kelsey Schloop(Manager at AnswersNow) -

Jennifer Ray(Co-worker at AnswersNow) -

Joshua Malm Application

Appointment Application - Erie Highlands Metro District #1

11/11/2025 4:20 PM (MST)

Application for Appointment

Full Name	Joshua Kiel Malm
Email	
Phone Number	303-875-7548
Are you registered to vote in Colorado?	Yes
Please list street address of the property in the District that makes you eligible to serve.	140 Pebble Brook Ct.
How are you connected to the property?	Own and live in the property
Please describe your interest and qualifications for serving as a member of the Metro District Board.	<p>I have attached a letter I tendered to the Town Council on October 5, 2025 which includes a summary of my key qualifications and experience to serve on the Board of the Erie Highlands Metropolitan District No. 1. Since I first moved to Erie Highlands in 2017, I have been significantly involved in the operation of our metropolitan districts and also became the first Erie Highlands resident to join the Board during a time when the developer still controlled many of the community's functions. I served the board for seven years, including four as President of the district until my term expired in 2025. I have a deep understanding the of district's operations, budget, history, intergovernmental agreements, service plan and debt. Since my service to the Board ended in May 2025, I have remained very involved in our community and have attended all board meetings.</p> <p>Please also note that I remain an eligible elector of the district and able to provide service to the board. Although many Colorado metropolitan districts have term limits, Erie Highlands Metropolitan District No. 1 exempted itself from term limits in the 2013 election cycle. Additionally, under the Colorado Special District Act, partial terms filled by appointment do not count toward term limits. I point this out to preempt any questions that may be raised regarding my eligibility for service.</p>
Upload a Resume	<div>Resume - J. Malm - 11.11.25.docx</div> <div>Town of Erie - Request for Appointment to EHMD No. 1 - Joshua Malm.pdf</div>

Joshua Malm
140 Pebble Brook Court
Erie, Colorado 80516
(303) 875-7548
[REDACTED]

October 5, 2025

Town Council
Town of Erie
645 Holbrook Street
Erie, CO 80516

Re: Request for Appointment to Erie Highlands Metropolitan District No. 1 Board of Directors

Executive Summary

I respectfully request that the Town of Erie Town Council formally initiate the process of appointing a qualified elector to fill the vacancy on the Erie Highlands Metropolitan District No. 1 (the "District") Board of Directors (the "Board"), which has remained open since mid-June 2025. As a long-time resident of Erie and former Director and President of the District, I am offering my service once again to help restore functionality, compliance, and civility to the Board. The District has been unable to conduct basic business since one of its five members resigned, and with statutory deadlines approaching, continued inaction risks continued financial harm and loss of public trust. Colorado law (C.R.S. 32-1-905(2)) empowers the Town, the approving entity of the District's service plan, to act when a Board fails to do so. Precedents from other municipalities, including the City of Aurora (Resolution R2023-157), support this authority. Despite my repeated offers to serve, the current 2–2 Board deadlock makes an internal appointment impossible. The Town's involvement is both legally justified and urgently necessary to restore effective governance. I urge the Council to begin the appointment process at its next regular meeting.

Background

The Erie Highlands Metropolitan District No. 1 is governed by a five-member board, established under a service plan approved by the Town on September 24, 2013. One director resigned in mid-June 2025, following a video that captured three directors making unsavory and disparaging remarks about fellow Board members. Since that resignation, the District has been effectively paralyzed; unable to reach consensus on fundamental matters such as approving agendas, approving minutes, or even considering the appointment of the vacancy. At one recent meeting, two directors abruptly departed the meeting when public comments calling for their

resignation extended too long for their liking. This resulted in a loss of quorum and inability to consider any additional business before the Board.

Although the Board has solicited self-nominations for the vacancy, it is evident that no appointment will occur, as doing so would alter the current 2–2 stalemate. With statutory deadlines for the 2026 budget and mill levy certification fast approaching, continued inaction will lead to noncompliance, financial harm, and significant administrative chaos for the District and our residents. I have made my willingness to serve known to the District through public comments on September 3 and October 1, 2025, as well as in a formal letter dated September 30, 2025.

Authority to Act

Under C.R.S. 32-1-905(2)(a), if a special district board fails to appoint a director within sixty days of a vacancy, the governmental entity that approved its organizational petition may make the appointment. While the statute references the “county which approved the organizational petition,” municipalities such as the City of Aurora have correctly interpreted this authority to extend to the entity that approved the service plan. In City of Aurora Resolution R2023-157, the City (rather than Arapahoe County) appointed directors to the Murphy Creek Metropolitan District Board, exercising the same authority now available to the Town of Erie.

Although the District’s current Board has technically initiated a process to fill the vacancy, it is unlikely to succeed given the entrenched deadlock. The Town should therefore begin its own process now, providing the statutory 30-day notice to the District, as required under C.R.S. 32-1-905(2)(b). This can occur in parallel with the District’s ongoing efforts and will ensure that if the District remains unable to act, the Town is ready to restore governance without further delay. During the next 30 days, the District is expected to have two meetings, which provides them with two opportunities to fill the vacancy through its own process. The Town Council has both the authority and the responsibility to act.

My Qualifications to Serve

I previously served as a Director of the District for seven years, including four as President. During my tenure, I gained a deep understanding of the District’s operations, financial framework, and intergovernmental relationship with the Town of Erie. I helped lead major initiatives, including the refinancing of District No. 1 bonds during the COVID-19 pandemic and the resolution of complex negotiations with Oakwood Homes as the developer exited our community.

In my professional capacity, I serve as Chief Financial Officer, Treasurer and Corporate Secretary of a publicly traded company, where I oversee financial reporting, governance, and compliance. This experience directly supports the District’s needs for sound fiscal management and transparency. I also maintain strong working relationships with many

District residents and members of the Erie Highlands Metropolitan District No. 2 board of directors, which is critical for coordination under the existing intergovernmental agreements.

There is broad community support for my appointment, and letters of endorsement have been shared with the Town Council by residents including Ashraf Shaikh and Kristie Kauerz. I am a qualified elector of the District, and I believe there is no one more prepared to immediately and effectively serve in this capacity.

Defamatory Statements Raised by Director Davis

I am aware that District Director Jim Davis has sent communications to Town officials containing defamatory and baseless statements regarding my prior service to the District. These allegations are entirely false. I have always acted professionally, transparently, and in good faith in my role as a Director. To verify this, I submitted a Colorado Open Records Act (CORA) request to the District seeking any evidence to support Mr. Davis's claims. The District's legal counsel confirmed that no such records exist. I understand that the District has since initiated steps to clarify to the Town that these statements were made by Mr. Davis personally and not on behalf of the District. A copy of the CORA response is attached for your reference.

Recall of Director Fillius

For transparency, I wish to note that I am one of five committee members participating in a recall effort concerning District Director Kristine Fillius. This effort is independent of my request for appointment and reflects broader community concerns about board dysfunction. However, if the Town views my participation as a conflict, I respectfully encourage the Town to proceed in identifying another qualified elector to fill the vacancy. Restoring a functioning community board is a call that exceeds my personal request for appointment.

Urgency to Act

The Town has historically been reluctant to intervene in metropolitan district affairs, primarily due to concerns about the interplay between metropolitan districts, developer agreements, and infringement on real property rights. However, this situation is different.

When the Town approved the District's service plan in 2013, it delegated significant responsibility and authority to the District but retained responsibility for oversight of the District through both statutory powers and the service plan. The exercise of such oversight responsibility should be considered with care, but the current situation is a perfect example of when the Town should act to restore functionality and compliance. The current stalemate has resulted in excessive legal costs, administrative inefficiencies, and eroding public confidence, each of which is contrary to the interests of the Town in its approval of the service plan, and the residents which reside in the District.

Immediate action is needed to prevent further harm and to ensure that the District meets its statutory budget and mill levy filing deadlines. Our community deserves a fully functioning board that can responsibly govern in accordance with state law and the expectations of the Town that created it.

Conclusion

The Erie Highlands community depends on a stable and effective District Board. The ongoing vacancy and dysfunction threaten not only the District's compliance and finances but also the trust of our residents. The Town of Erie has both the authority and the moral obligation to act to restore order and integrity to this important local institution. I respectfully urge the Town Council to begin the statutory appointment process at its next regular meeting.

Thank you for your time and consideration. I would welcome the opportunity to meet with you to discuss any questions or provide additional background.

Respectfully submitted,



Joshua Malm

cc: Kendra Carberry, Town Attorney
Brandon Bell, Town Council Member
Dan Hoback, Town Council Member

Driven Finance Leader instrumental in the growth, development, and coordination of finance teams to ensure the profitability and success of an organization.

History of providing direct oversight of accounting, finance and corporate secretary functions to a variety of small to mid-sized public companies, including managing Financial Reporting, Corporate Accounting, General Ledger Management, Tax, Treasury Management, Capital Raise Transactions, Credit Facilities, Securities Filings, Corporate Secretarial Functions as well as oversight of audit and consulting teams to a variety of clients undertaking complex accounting and financing transactions. An experienced leader with proven success in building, coaching, and developing finance team into high-performing teams. Highly analytical, leveraging data and logic to solve complex business problems. Outstanding organizational, communication, and time management skills, able to juggle day-to-day activities with the demands of board committees and management reporting. Technical proficiency in MS Office Suite and Enterprise Resource Planning (ERP) software.

- Generally Accepted Accounting Principles (GAAP)
- Technical Accounting
- Acquisition & Divestiture Accounting
- Financial Due Diligence
- Process & System Improvements
- People & Department Leadership
- Month-End Close
- Quarterly & Annual Reviews
- Human Resources Oversight
- Financial Flux Analyses
- Periodic Reporting Packages
- Sarbanes-Oxley (SOX) Compliance
- Initial Public Offering (IPO) Project Leadership
- Security & Exchanges Commission (SEC) Filings
- Financing Transactions
- Policy & Procedures Development
- Cross-Functional Relationships
- Corporate Secretary

PROFESSIONAL EXPERIENCE

5E Advanced Materials, Inc. | Hesperia, CA | 2023 – Present

Chief Financial Officer, Treasurer and Corporate Secretary 2024 – Present

Progressed through multiple roles, including Interim Chief Accounting Officer (2023-2024), Interim Chief Financial Officer (2024), and Chief Financial Officer, Treasurer and Corporate Secretary (2025 – Present), effectively managing the increasing responsibility and financing challenges of a pre-revenue in-situ boron mining project in California. Oversaw all SEC and ASX filings for multiple corporate actions and financing transactions, complex technical accounting matters, Board of Directors reporting and related corporate secretarial responsibilities. I also led the legal process for a variety of corporate actions and restructuring transactions.

Key Accomplishments:

- **Supported the raise of over \$56 million** through the issuance of a variety of equity and convertible note offerings at 5E.
- **Oversight of IT and Human Resources** functions through periods of growth, cost management and reductions in force.
- **Oversight of a variety of corporate actions, shareholder proposals, corporate restructuring, capital raise, stock split and equity plan amendments** during a time of corporate instability, ultimately leading to a clean capital restructuring and economic mining project.
- **Instrumental in lobbying efforts to have boron added to the U.S. Critical Minerals List** in 2025, expanding access to governmental funding sources for our California based project.
- **Redesigned and refined the corporate budgeting project** to provide greater visibility and accountability to corporate budgeting program, creating a budget that could easily be adapted to a variety of project scenarios.
- **Demonstrated outstanding adaptability and the ability to work under various leadership styles** due to multiple executive leadership and Board of Director turnovers.

continued...

Chord Energy | Denver, CO | 2019 – 2023
Financial Controller, 2021 – 2023

Progressed through multiple roles, including the Director of Financial Reporting (2020-2021) and the Senior Manager of Technical Accounting (2019-2020), effectively managing the increasing responsibility and challenging industry environment. Led a team of financial professionals with diverse backgrounds through all aspects of corporate accounting, income taxes, technical accounting, treasury, and financial reporting while instilling a performance-based culture where feedback is expected and desired. Served as the accounting liaison to the executive and business development teams, including all accounting and due diligence requests, review of purchase and sales agreements, and assessing accounting implications of various transactions. Oversaw all post-transaction accounting, including business combinations, divestitures, and settlement statements. Designed, documented, and implemented internal controls for Sarbanes-Oxley Act compliance on new and evolving business processes, including revenue recognition, leases, cyber security, oil and gas reserves, bankruptcy, and purchase accounting. Partnered with internal audit to identify, evaluate, and remediate internal control deficiencies.

Key Accomplishments:

- **Supported the raise of over \$56 million** through the issuance of a variety of equity and convertible note offerings at 5E.
- **Spearheaded all efforts related to technical accounting, financial reporting, and coordination with various external parties for a \$2B debt restructuring**, effectively meeting all the reporting deadlines to remain listed with the SEC.
- **Oversight of IT and Human Resources** functions through periods of growth, cost management and reductions in force.
- **Renegotiated contracts with ten service providers** in accordance with the company's bankruptcy, successfully reducing costs by 40%.
- **Collaborated with the IT department to upgrade and implement a contract management system**, ensuring that all contracts were reviewed, approved, and tracked as well as ensuring the technical accounting review and evaluation of each contract.
- **Completed the implementation of the new lease standard, ASC 842, in 2 months** to meet the deadline, which included processing all technical accounting documentation and managing external audit reviews and delivering presentations to the Board of Directors.
- **Restructured the organization of the team by focusing on building cross-functional knowledge** to allow each member to manage transactions from cradle to grave to improve growth and development and ultimately increase productivity.
- **Demonstrated outstanding adaptability and the ability to work under various leadership styles** due to multiple executive leadership and Board of Director turnovers.

PricewaterhouseCoopers LLP (PwC) | Denver, CO | 2008 – 2019
Assurance Senior Manager

Progressively promoted through multiple assurance positions into the Senior Manager role to effectively lead clients through acquisitions, business combinations, dispositions, IPOs, and registration statements as well as other complex and nuanced technical accounting matters. Ranked as a “top performer” with a deep understanding of US GAAP, regularly managing the issue resolution process for significant auditing and accounting application matters.

Key Accomplishments:

- **Undertook multiple IPO processes for clients**, leading local and cross-functional specialists and national review partners, serving as the liaison between the client and the firm to meet all deadlines and expectations.
- **Led a client through a \$2B divestiture from initiation to the final decision** which included managing a team of specialists to meet all deadlines and timelines, researching and presenting critical process information to the client, and educating on how to prepare various financial statements and other documents.
- **Developed and facilitated internal training and industry trade group presentations** on financial-related topics.

Additional Experience

Aviation Contract Manager | Colorado State Forest Service | Fort Collins, CO | 2003 – 2008

COMMUNITY INVOLVEMENT

Board President | Erie Highlands Metropolitan District No. 1 | 2018 – 2025

Directly manage the district activities in the care of the community, including organizing agendas, calling meetings, managing statutory budgets and auditors, and carrying out all of the district's responsibilities.

Key Accomplishments:

- **First community member to self-nominate** for service to the District for any of the Erie Highlands metropolitan districts and became the first resident board member of the community.
- **Restructured the Districts Municipal debt** during COVID to successfully reduce the community's debt service mill levy without increasing debt maturity.
- **Led a litigation process with the former community developer** to successfully negotiate a settlement meeting many key community needs, eliminating developer control of community finances and the receipt of proceeds to support neglected maintenance and capital project needs.

Assistant Fire Chief | Eldorado Springs - Marshall Fire Protection District | 1998 – 2008

Progressed through multiple roles to provide leadership and direction for a variety of fire, medical, and other public safety emergencies.

EDUCATION AND CERTIFICATIONS

Master of Science in Accountancy

University of Colorado | Boulder, CO

Bachelor of Science in Business Administration, Emphasis in Finance, Minor in Economics

University of Colorado | Boulder, CO

Certifications

Certified Public Accountant (CPA) | State of Colorado | License # 0027738 | 2009–Present



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 12/2/2025

File #: 25-624, **Version:** 1

SUBJECT:

Water Wise Landscape Draft Ordinance Discussion

DEPARTMENT: Environmental Services
Planning & Development
Parks & Recreation
Utilities

PRESENTER(S): Dylan King, Sustainability & Water Conservation Specialist

TIME ESTIMATE: 45 minutes

FISCAL SUMMARY:

N/A

POLICY ISSUES:

The Water Wise Landscape Draft Ordinance supports water conservation goals references in the 2019 Water Efficiency Strategic Plan and the 2019 Drought and Water Supply Shortage Plan.

STAFF RECOMMENDATION:

Staff recommend a thorough review and discussion of this draft code update. Next steps will include integration of Council feedback and direction as well as recommendations from residents and other community partners (through thorough outreach and engagement) before bringing an updated version back to Council for a final review and approval.

SUMMARY/KEY POINTS

- This draft updates Chapter 10-6-4 (Landscape, Screening and Fencing) of Erie's Unified Development Code to meet State requirements under SB 24-005, improves water efficiency, and supports Town water conversation and sustainability goals.
- The proposed code includes clear, enforceable standards for turf limits, water wise plant materials, irrigation efficiency, and landscape requirements across residential, commercial, institutional and right-of-way areas.
- Staff are seeking Council feedback to refine the draft before conducting public outreach and engagement before returning with a proposed code for adoption in early 2026.

BACKGROUND OF SUBJECT MATTER:

Erie's current landscaping codes are due for an update. The Town sees high outdoor water demand year after year alongside steady growth and increased drought concerns. There is a steady shift happening in Erie and the Front Range at large toward more water conscious landscaping that requires less water and supports native eco systems. In recent years, the State has addressed these concerns by adopting laws like SB 24-005, which limits the use of non-functional turf-grasses in new commercial, institutional, and industrial development beginning in 2026. The Town needs to update its landscaping codes to stay in compliance with SB 24-005.

In 2024, Erie was accepted to participate in the Colorado Project Accelerator Grant through WaterNow Alliance and Western Resource Advocates. Over the past year, staff from Sustainability, Planning, Parks & Recreation, and Public Works collaborated alongside accelerator consultants to create a comprehensive update to Erie's landscape code. This process included extensive code review of neighboring municipalities, reviewing best practices, technical review of Erie's existing code, facilitated staff review and discussion, and finally the drafting of the new code presented today.

This updated code not only brings the Town into compliance with State law (SB 24-005), but it also addresses Erie's water efficiency and resiliency goals by applying turf limits, plant selections, and irrigation efficiency requirements in new and large renovation residential areas. The goal of the updated code is to set clear standards that support attractive neighborhoods and public spaces while simultaneously reducing long-term water demand.

This study session is an opportunity for Council to review the draft ordinance, ask questions, and provide direction before staff engages broader outreach and final refinement ahead of proposed adoption in early 2026.

ATTACHMENT(S):

1. Presentation
2. State Law SB 24-005
3. Engagement Data
4. One-Pager
5. FAQs
6. Draft Ordinance



Water Wise Landscape Draft Ordinance Discussion

Town Council

Dec. 2, 2025

Dylan King, Sustainability and Water Conservation Specialist



Agenda

- What this update means for Erie
- How we got here
- Why now
- Changes from existing code in new draft
- Alignment with SB 24-005
- Next steps



What this update means for Erie

- This code updates Chapter 10-6-4 (Landscape, Screening and Fencing) of Erie's Unified Development Code
- The code will apply to new development and large redevelopment projects
 - It will not apply to any existing development unless redevelopment triggers are reached
- The updated code will result in a multitude of water benefits:
 - savings, efficiency gains and increased resiliency for Erie



How we got here

- The Sustainability team applied for the [Water Now Alliance Project Accelerator](#) in early 2024. This program provides communities with 250 hours of pro bono support over a 6-12 month period, including:
 - Technical review of existing codes, neighboring municipal codes, best management practices, success metrics, savings estimates and drafting of the new code
 - Around 240 of these hours have been used to date
- Internally, we had extensive staff collaboration across Sustainability, Planning, Parks, Public Works, and beyond
- Collaboration involved numerous draft iterations and extensive conversations to make a code that meets Erie's needs



Why now

- Update Erie's landscape code to comply with State law (SB 24-005) and support conservation efforts/goals
- Persistent drought conditions and future growth necessitate forward thinking land and water use planning
- Recent community survey results called out water conservation as a top priority for many residents



Changes from existing code in new draft

- Restricts the use of cool-season turfgrass (except for active recreation areas)
- Reduces to 70% live plant material coverage for front yards (decrease from 75%) for single family residential lots
- Updates alternative turf-grass varieties limited to $\leq 50\%$ of total yard area for single family residential lots.
- Adds hydrozoning, soil amending, efficient irrigation mandates



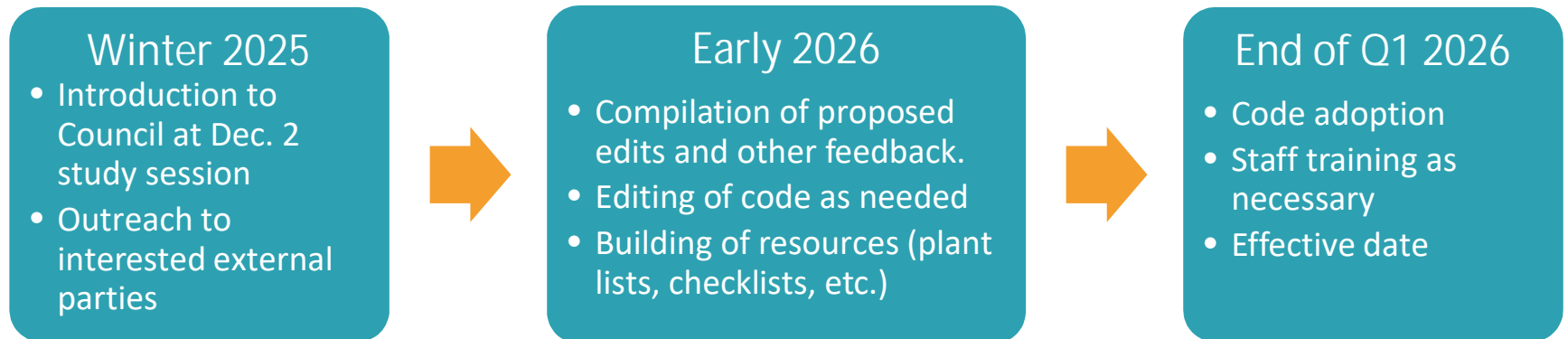
Alignment with SB 24-005

- This code will comply with SB 24-005 requirements for non-functional turf and invasive species
 - Goes further by including single-family yards and requires specific plant coverage and irrigation standards
- The new code will position Erie as a regional leader in water-efficient community design
- Important Note: SB 24-005 becomes effective January 1st 2026. It is enforced at the municipal level



Next steps

- Receive Council input and direction at Dec. 2 study session
- Outreach with developers, builders, and public
 - Outreach materials including code explainer, FAQ's, and website to go live after this study session
- Adoption in Spring 2026





Questions & Discussion

An Act

SENATE BILL 24-005

BY SENATOR(S) Roberts and Simpson, Bridges, Hinrichsen, Buckner, Cutter, Exum, Fields, Jaquez Lewis, Marchman, Michaelson Jenet, Priola, Winter F., Fenberg;

also REPRESENTATIVE(S) McCormick and McLachlan, Amabile, Bacon, Bird, Boesenecker, Brown, Daugherty, deGruy Kennedy, Duran, Epps, Froelich, Garcia, Herod, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lukens, Mabrey, Martinez, Marvin, Mauro, Ortiz, Parenti, Rutinel, Sirota, Snyder, Story, Titone, Valdez, Velasco, Weissman, Willford, McCluskie.

CONCERNING THE CONSERVATION OF WATER IN THE STATE THROUGH THE
PROHIBITION OF CERTAIN LANDSCAPING PRACTICES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** article 99 to title 37 as follows:

ARTICLE 99

Prohibition of Nonfunctional Turf, Artificial Turf, and Invasive Plant Species

37-99-101. Legislative declaration. (1) THE GENERAL ASSEMBLY

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

FINDS THAT:

(a) AS COLORADO CONTINUES TO GRAPPLE WITH THE IMPACTS OF CLIMATE CHANGE, GREEN URBAN SPACES, SUCH AS URBAN TREE CANOPIES, ARE A VITAL ADAPTATION TOOL FOR MITIGATING THE IMPACTS OF CLIMATE CHANGE, ESPECIALLY FOR MITIGATING THE URBAN HEAT ISLAND EFFECT, WHICH CAN INCREASE ENERGY COSTS, AIR POLLUTION, AND HEAT-RELATED ILLNESSES AND DEATHS;

(b) HOWEVER, WATER SUPPLY IN THE WESTERN UNITED STATES IS UNDER INCREASING PRESSURE DUE TO CLIMATE CHANGE AND INCREASING DEMAND;

(c) MANY COMMUNITIES IN THE STATE OVERUSE NONNATIVE GRASS FOR LANDSCAPING PURPOSES, WHICH REQUIRES LARGE AMOUNTS OF WATER TO MAINTAIN;

(d) WHILE THERE ARE APPROPRIATE AND IMPORTANT USES FOR TURF, INCLUDING FOR CIVIC, COMMUNITY, OR RECREATIONAL PURPOSES SUCH AS USE IN PARKS, SPORTS FIELDS, AND PLAYGROUNDS, MUCH OF THE TURF IN THE STATE IS NONFUNCTIONAL, LOCATED IN AREAS THAT RECEIVE LITTLE, IF ANY, USE, AND COULD BE REPLACED WITH LANDSCAPING THAT ADHERES TO WATER-WISE LANDSCAPING PRINCIPLES WITHOUT ADVERSELY IMPACTING QUALITY OF LIFE OR LANDSCAPE FUNCTIONALITY;

(e) PROHIBITING THE INSTALLATION, PLANTING, OR PLACEMENT OF NONFUNCTIONAL TURF IN APPLICABLE PROPERTY IN THE STATE CAN HELP CONSERVE THE STATE'S WATER RESOURCES;

(f) INSTALLED VEGETATION THAT ADHERES TO WATER-WISE LANDSCAPING PRINCIPLES CAN HELP REDUCE OUTDOOR DEMAND OF WATER; AND

(g) ADDITIONALLY, ARTIFICIAL TURF CAN CAUSE NEGATIVE ENVIRONMENTAL IMPACTS, SUCH AS EXACERBATING HEAT ISLAND EFFECTS IN URBAN AREAS AND RELEASING HARMFUL CHEMICALS, INCLUDING PLASTICS, MICROPLASTICS, AND PERFLUOROALKYL AND POLYFLUOROALKYL CHEMICALS, INTO THE ENVIRONMENT AND WATERSHEDS.

(2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT

PREVENTING THE INSTALLATION, PLANTING, OR PLACEMENT OF NONFUNCTIONAL TURF, ARTIFICIAL TURF, AND INVASIVE PLANT SPECIES IN APPLICABLE PROPERTY IN THE STATE IS:

(a) A MATTER OF STATEWIDE CONCERN; AND

(b) IN THE PUBLIC INTEREST.

37-99-102. Definitions. AS USED IN THIS ARTICLE 99, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) (a) "APPLICABLE PROPERTY" MEANS:

(I) COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTY;

(II) COMMON INTEREST COMMUNITY PROPERTY; OR

(III) A STREET RIGHT-OF-WAY, PARKING LOT, MEDIAN, OR TRANSPORTATION CORRIDOR.

(b) "APPLICABLE PROPERTY" DOES NOT INCLUDE RESIDENTIAL PROPERTY.

(2) "ARTIFICIAL TURF" MEANS AN INSTALLATION OF SYNTHETIC MATERIALS DEVELOPED TO RESEMBLE NATURAL GRASS.

(3) "COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL" HAS THE MEANING SET FORTH IN SECTION 37-60-135 (2)(b).

(4) "COMMON INTEREST COMMUNITY" HAS THE MEANING SET FORTH IN SECTION 38-33.3-103 (8).

(5) "COMMON INTEREST COMMUNITY PROPERTY" MEANS PROPERTY WITHIN A COMMON INTEREST COMMUNITY THAT IS OWNED AND MAINTAINED BY A UNIT OWNERS' ASSOCIATION, SUCH AS ENTRYWAYS, PARKS, AND OTHER COMMON ELEMENTS AS DEFINED IN SECTION 38-33.3-103 (5).

(6) "DEPARTMENT" MEANS THE DEPARTMENT OF PERSONNEL CREATED IN SECTION 24-1-128 (1).

(7) "FUNCTIONAL TURF" MEANS TURF THAT IS LOCATED IN A RECREATIONAL USE AREA OR OTHER SPACE THAT IS REGULARLY USED FOR CIVIC, COMMUNITY, OR RECREATIONAL PURPOSES, WHICH MAY INCLUDE PLAYGROUNDS; SPORTS FIELDS; PICNIC GROUNDS; AMPHITHEATERS; PORTIONS OF PARKS; AND THE PLAYING AREAS OF GOLF COURSES, SUCH AS DRIVING RANGES, CHIPPING AND PUTTING GREENS, TEE BOXES, GREENS, FAIRWAYS, AND ROUGHS.

(8) "INVASIVE PLANT SPECIES" HAS THE MEANING SET FORTH IN SECTION 37-60-135 (2)(e).

(9) "LOCAL ENTITY" MEANS A:

(a) HOME RULE OR STATUTORY CITY, COUNTY, CITY AND COUNTY, TERRITORIAL CHARTER CITY, OR TOWN;

(b) SPECIAL DISTRICT; AND

(c) METROPOLITAN DISTRICT.

(10) "MAINTAIN" OR "MAINTAINING" MEANS AN ACTION TO PRESERVE THE EXISTING STATE OF NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR AN INVASIVE PLANT SPECIES THAT HAS ALREADY BEEN INSTALLED, PLANTED, OR PLACED.

(11) "NATIVE PLANT" MEANS A PLANT SPECIES THAT IS INDIGENOUS TO THE STATE OF COLORADO.

(12) "NEW DEVELOPMENT PROJECT" MEANS A NEW CONSTRUCTION PROJECT THAT REQUIRES A BUILDING OR LANDSCAPING PERMIT, PLAN CHECK, OR DESIGN REVIEW.

(13) (a) "NONFUNCTIONAL TURF" MEANS TURF THAT IS NOT FUNCTIONAL TURF.

(b) "NONFUNCTIONAL TURF" INCLUDES TURF LOCATED IN A STREET RIGHT-OF-WAY, PARKING LOT, MEDIAN, OR TRANSPORTATION CORRIDOR.

(c) "NONFUNCTIONAL TURF" DOES NOT INCLUDE TURF THAT IS DESIGNATED TO BE PART OF A WATER QUALITY TREATMENT SOLUTION

REQUIRED FOR COMPLIANCE WITH FEDERAL, STATE, OR LOCAL AGENCY WATER QUALITY PERMITTING REQUIREMENTS THAT IS NOT IRRIGATED AND DOES NOT HAVE HERBICIDES APPLIED.

(14) "REDEVELOPMENT PROJECT" MEANS A CONSTRUCTION PROJECT THAT:

(a) REQUIRES A BUILDING OR LANDSCAPING PERMIT, PLAN CHECK, OR DESIGN REVIEW; AND

(b) RESULTS IN A DISTURBANCE OF MORE THAN FIFTY PERCENT OF THE AGGREGATE LANDSCAPE AREA.

(15) "SPECIAL DISTRICT" HAS THE MEANING SET FORTH IN SECTION 32-1-103 (20).

(16) "TRANSPORTATION CORRIDOR" MEANS A TRANSPORTATION SYSTEM THAT INCLUDES ALL MODES AND FACILITIES WITHIN A DESCRIBED GEOGRAPHIC AREA, HAVING LENGTH AND WIDTH.

(17) "TURF" HAS THE MEANING SET FORTH IN SECTION 37-60-135 (2)(i).

(18) "UNIT OWNERS' ASSOCIATION" HAS THE MEANING SET FORTH IN SECTION 38-33.3-103 (3).

(19) "WATER-WISE LANDSCAPING" HAS THE MEANING SET FORTH IN SECTION 37-60-135 (2)(1).

37-99-103. Prohibition of nonfunctional turf, artificial turf, and invasive plant species - local entities - construction or renovation of state facilities. (1) ON AND AFTER JANUARY 1, 2026, A LOCAL ENTITY SHALL NOT INSTALL, PLANT, OR PLACE, OR ALLOW ANY PERSON TO INSTALL, PLANT, OR PLACE, ANY NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES, AS PART OF A NEW DEVELOPMENT PROJECT OR REDEVELOPMENT PROJECT, ON ANY PORTION OF APPLICABLE PROPERTY WITHIN THE LOCAL ENTITY'S JURISDICTION.

(2) ON OR BEFORE JANUARY 1, 2026, A LOCAL ENTITY SHALL ENACT OR AMEND ORDINANCES, RESOLUTIONS, REGULATIONS, OR OTHER LAWS

REGULATING NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT PROJECTS ON APPLICABLE PROPERTY IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION.

(3) THE DEPARTMENT SHALL NOT INSTALL, PLANT, OR PLACE, OR ALLOW ANY PERSON TO INSTALL, PLANT, OR PLACE, ANY NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES AS PART OF A PROJECT FOR THE CONSTRUCTION OR RENOVATION OF A STATE FACILITY, WHICH PROJECT DESIGN COMMENCES ON OR AFTER JANUARY 1, 2025.

(4) NOTHING IN THIS SECTION PROHIBITS:

(a) A LOCAL ENTITY FROM MAINTAINING, OR ALLOWING ANY PERSON TO MAINTAIN, ANY NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES INSTALLED, PLANTED, OR PLACED BEFORE JANUARY 1, 2026;

(b) THE DEPARTMENT FROM MAINTAINING, OR ALLOWING ANY PERSON TO MAINTAIN, ANY NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES INSTALLED, PLANTED, OR PLACED AT A STATE FACILITY BEFORE JANUARY 1, 2025;

(c) A LOCAL ENTITY OR THE DEPARTMENT FROM INSTALLING, OR ALLOWING ANY PERSON TO INSTALL, GRASS SEED OR SOD THAT IS A NATIVE PLANT OR HAS BEEN HYBRIDIZED FOR ARID CONDITIONS;

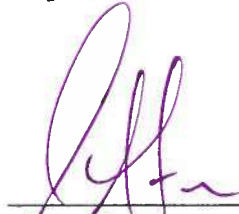
(d) A LOCAL ENTITY OR THE DEPARTMENT FROM ESTABLISHING PROHIBITIONS ON, OR REQUIREMENTS FOR, NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES THAT ARE MORE STRINGENT THAN THE REQUIREMENTS OF THIS SECTION; OR

(e) A LOCAL ENTITY OR THE DEPARTMENT FROM INSTALLING, OR ALLOWING ANY PERSON TO INSTALL, ARTIFICIAL TURF ON ATHLETIC FIELDS OF PLAY.

SECTION 2. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or

part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act does not apply to projects approved by the department of personnel or a local entity before the effective date of this act.



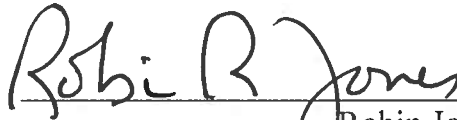
Steve Fenberg
PRESIDENT OF
THE SENATE



Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

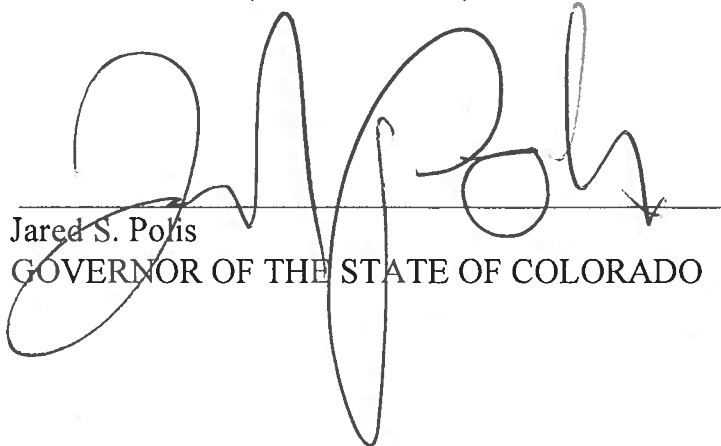


Cindi L. Markwell
SECRETARY OF
THE SENATE



Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED Friday March 15th 2024 at 2:15 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO

Date: 4/15/25

To: Dylan King, Eryka Thorley, and Emma Marino (Town of Erie)

From: Victoria Arling and Kerry Miller (WaterNow Alliance) and Chelsea Benjamin (Western Resource Advocates)

Subject: Engage Erie Website Content (Draft)

Project: Project Accelerator: Water Efficient Landscape Ordinance Development

Task Summary

WaterNow Alliance (WaterNow) and Western Resource Advocates (WRA) drafted content for the “Water Efficient Landscape Ordinance Update” webpage, which will be included on the Engage Erie website. This webpage will provide information to Erie residents about the proposed ordinance changes, an estimated project timeline, and provide a platform for residents to post questions and engage with Erie staff regarding the code updates. The webpage content was written according to the July 2025 version of the draft ordinance and will be updated pending additional changes from Erie staff and legal review.

Website Outline:

- Engage Erie Webpage Headers
 - Water Efficient Landscaping Ordinance Development
 - Why Now?
 - Why Prohibit Cool-Season Turfgrass?
 - What Requirements Will the Updated Ordinance Include?
 - How Do I Stay Informed?
 - Ask Questions about the Water Efficient Landscape Ordinance Update
- Right Sidebar Headers
 - Community Engagement Opportunities
 - Timeline
 - FAQ
 - Key Terms
 - Document Library
 - Contact Us

Engage Erie Webpage Content (Draft):

Water Efficient Landscape Ordinance Update



[Banner image of water efficient landscaping]

Water Efficient Landscaping Ordinance Development

The Town of Erie is currently updating [Unified Development Code Section 10.6.4 Landscaping, Screening, and Fencing](#) to ensure new development and qualifying redevelopment have landscapes that save water and better reflect the natural landscapes of the Front Range.

Erie's [Water Efficiency Plan](#) sets goals to save and protect Erie's water for our current and future residents. By 2030 Erie hopes to reduce its water use by 10% to reach a target goal of 115 gallons per capita per day (gpcd). Reducing outdoor water use is a key strategy to achieving this goal. One way to reduce water use is to reduce the demand for outdoor watering in landscapes by encouraging and/or requiring sustainable landscaping practices for new and redevelopment projects.

Erie has several [water efficiency rebates and programs](#) available to residential and non-residential customers, including: a turf replacement rebate program, Garden In A Box, outdoor sprinkler consultations, and rebates on smart irrigation controllers, high-efficiency nozzles, rain barrels, and drip lines.

While Erie's current landscape ordinance includes some water efficient landscaping standards, the update will strengthen and clarify these requirements – ensuring that key best practices are included for new and redevelopment projects. The updated ordinance will also ensure these standards reflect the most up-to-date research and technology, allowing Erie to increase water savings. Creating sustainable landscaping standards is an impactful way to further reduce outdoor water use in Erie and preserve our water as a resource for future generations. In addition to reducing landscape water demand in new and redevelopment, the proposed landscape code will enhance the visual quality of Erie's landscapes, reduce stormwater runoff preserving higher water quality, protect and expand the Town's tree canopy, create green space essential for community health and well-being, and promote biodiversity and pollinator habitat.

Why Now?

Colorado is a dry state, averaging only 15 inches of precipitation each year. As we continue to experience drought and warmer seasons, water conservation has become more and more

important. According to the 2023 Colorado Water Plan, if nothing changes, Colorado communities may see a gap between supply and demand of 230,000-740,000 acre-feet of water each year by 2050. That's enough water to meet the needs of 460,000 to 1,480,000 homes a year. Local water conservation efforts, such as creating water efficient landscaping ordinances, have the potential to help reduce the projected water supply and demand gap while creating lush, colorful, and resilient landscapes that help to reduce urban heat island effects.

The ordinance update will bring Erie into compliance with [SB24 – 005: Prohibit Landscaping Practices for Water Conservation](#), which bans the installation of nonfunctional turfgrass on all new and redeveloped nonresidential properties on and after January 1, 2026. It also brings Erie into compliance with HB25-1113 – Limit Turf in New Residential [Development](#) which expands the prohibition of nonfunctional turfgrass to multi-family properties, prohibits nonfunctional artificial turf on CII and multi-family properties, and asks communities to limit cool-season turfgrass in some way on all residential properties by January 1, 2028.

Why Prohibit Cool-Season Turfgrass?

Kentucky bluegrass, the most common grass species installed in Colorado, requires significant amounts of irrigation water to survive in our climate (approximately 24-26 inches per year). Other cool-season turfgrasses, such as tall fescue and perennial ryegrass, exhibit similar irrigation requirements (20-22 inches/year). By contrast, native or warm-season turfgrasses and native plants such as buffalo grass, and blue grama require only about 8-10 inches of supplemental irrigation per year, or upwards of a 50% water savings when compared to the water requirements of Kentucky bluegrass.

To ensure the Town of Erie uses its water supply as efficiently as possible, the ordinance update does not permit the installation of cool-season turfgrass that use more than twenty (20) inches of water per growing season in new development and redevelopment meeting certain thresholds. Native and warm-season turfgrasses, called “alternative turfgrasses” in the ordinance, will be permitted but may not exceed 30% of the total landscaped area for non-residential properties and 50% of the total landscaped area for single-family, duplex, and townhome properties.

Recognizing the opportunity to grow more efficiently by reducing cool-season turfgrass, many communities across the Front Range are adopting water efficient landscaping codes that limit cool season turfgrass in new development and redevelopment. For comparison, the below-listed municipalities limit turfgrass in new development to the following:

Table 1: Cool-season Turfgrass Limits in Colorado Municipal Codes

Municipality	Cool Season Turfgrass Limit
City of Aurora	No non-functional, cool season turfgrass in common areas, curbside landscapes, and golf courses. Prohibits turf in front yards, and limits turf to 45% or 500 sq. ft. of a backyard.
City of Boulder	All new landscape areas are required to limit the total amount of high-water use turfgrass to 25%

	and the total amount of high-water use zones to 50%. Cool season turf is limited to high use areas with high visibility or functional needs. Turfgrass is banned on slopes or berms at a 4:1 slope or greater and in areas with any one dimension less than 10 feet in width, unless a high-efficiency irrigation system is in place.
City & County of Broomfield	Cool season turfgrass is not allowed. Low water turfgrass is limited to 30% of landscapes across property types.
Castle Rock	Nonfunctional turfgrass is prohibited in all non-residential landscapes. Only up to 500 sq. ft of lower water turfgrass is allowed (<19 inches per growing season) in backyards, it is prohibited in front yards.
City of Edgewater	Cool season turfgrass is limited to 25% in single family homes. It is not allowed on commercial, industrial, and institutional properties.
Thornton	Single family homes are required to limit high-water turfgrass to 50% in public and private areas. Turf is banned on slopes of 6:1 or greater.
Westminster	Turfgrass is limited to 50% of landscapes.

What Requirements Will the Updated Ordinance Include?

The new ordinance would establish water efficient landscaping standards for new development and certain redevelopment projects. The standards would include:

- Prohibiting cool season turf grass on all properties (Except for some active recreation areas).
- Limiting the use of alternative turfgrass to:
 - 50% of the landscaped area on single-family, duplex, and townhome residential properties,
 - 30% of the landscape area on non-residential properties,
 - Recreational use areas or other spaces that are regularly used for civic, community, or recreational purposes on multi-family properties.
- Requiring all property types, except for single-family and duplex dwelling units, to use technologies that maximize irrigation efficiency, including installing smart irrigation controllers to ensure that plants are not overwatered. These requirements are encouraged for single-family and duplex private lots.
- Establishing fire wise landscaping requirements.
- Requiring at least 75% of all annuals and trees, and 100% of shrubs, perennials, groundcovers, and ornamental grasses used to landscape each site be water efficient and selected from an approved plant list.
- Prohibiting the use of artificial turf in landscaped areas, except for athletic fields of play.

The proposed landscape ordinance will not apply to existing landscapes in Erie. The ordinance is applicable to all new residential and non-residential development projects, as well as new or expanded parking lots. Only redevelopment that requires a building permit, plan check, or site plan, involves

replacing an entire structure, or the disturbance of more than 50% of the total landscaped area will be required to comply with the ordinance.

The updated code is organized into different sections that pertain to different property and development types in Erie. These sections currently include:

- Purpose
- Applicability
- Landscape and irrigation system design plans
- General landscaping requirements and standards
- Additional landscaping requirements by property type
 - Rights-of-way, medians, transportation corridors
 - Single family and duplex dwelling units
 - Multi family dwelling units
 - Nonresidential
 - Parking lot landscaping
 - Stormwater facilities
- Guarantee of installation
- Maintenance
- Screening
- Fencing and walls

How Do I Stay Informed?

This page will be updated regularly as the Water Efficient Landscape Ordinance update moves forward. Please check back for the latest information, and feel free to contact the Sustainability Division with any questions.

Ask Questions about the Water Efficient Landscape Ordinance Update

(Erie residents will have the opportunity to ask the Sustainability team questions and view answers to other residents' questions in this section)

Right Side-Bar Content

Community Engagement Opportunities

-

Timeline

Research and Initial Draft

- Town staff and consultants reviewed Erie's current landscape ordinance, researched best practices, and developed a working draft of proposed updates.

Community Engagement

- Erie is currently gathering input from residents, developers, and the broader community. This included presenting to a working group meeting with homebuilders and developers in June 2025.

Town council Study Session

- The first draft of the updated Water Efficient Landscape Ordinance will be presented to Town Council on December 2, 2025. Council may provide direction or request revisions.

Town Council Formal Review

- Council presentation during a formal meeting includes a public hearing and opportunity for comment and potential adoption

Approved and Effective

- Once adopted by Town Council, the updated ordinance will be published and go into effect on a set implementation date, applying to new development and redevelopment projects that meet certain thresholds.

FAQ

(All FAQs in the FAQ factsheet will be included in this section)

Key Terms

Document Library

- Existing ordinance
- Redlined ordinance
- Code Explainer
- FAQ Sheet

Contact Us

Do you have a question about the ordinance update? Let us know!

Eryka Thorley, Sustainability Division Manager

Dylan King, Sustainability & Water Conservation Specialist II

Emma Marino, Sustainability & Water Conservation Specialist

Email: SustainableErie@erieco.gov

Date: 07/11/25

To: Dylan King, Eryka Thorley, Emma Marino (Town of Erie)

From: Victoria Arling and Kerry Miller (WaterNow Alliance), and Chelsea Benjamin and Lindsay Rogers (Western Resource Advocates)

Subject: Draft Erie Code Explainer

Project: Erie Project Accelerator: Water Efficient Landscape Ordinance Development

Task Summary

WaterNow Alliance (WaterNow) and Western Resource Advocates (WRA) will develop a **Code Explainer** to summarize and clarify the major updates to Erie's Landscape Ordinance. This document will serve as a resource to help the development community understand and prepare for the implementation of the new requirements.

The Code Explainer content is based on the June 2025 version of the ordinance. The content will be finalized once the final ordinance updates are adopted.

Code Explainer Outline

- Background
- Summary of Code updates
 - Applicability
 - Landscape and irrigation system design plans
 - General landscaping requirements and standards
 - Additional landscaping requirements by property type
 - Rights-of-way, medians, and transportation corridors
 - Single-family and duplex dwelling units
 - Multi-family dwelling units
 - Nonresidential
 - Parking lots
 - Stormwater facilities
 - Maintenance
 - Screening
- Additional Resources
- Contact information

Understanding Erie's New Landscape Ordinance

Background

The Town of Erie is currently updating Unified Development Code Section 10.6.4, Landscaping, Screening, and Fencing, to ensure that new development and qualifying redevelopment feature landscapes that conserve water and better reflect the natural landscapes of the Front Range. The primary intent of the new landscape regulations, which apply to residential and non-residential development, is to reduce outdoor water consumption, promote ecosystem diversity and resilience, enhance community members' quality of life, and align the Town's landscaping ordinance with Colorado State Law [SB24-005](#) and [HB25-1113](#). The new ordinance will apply to landscape plans approved after January 1, 2026.

This document provides a brief overview of Erie's new Landscape Ordinance. It is intended as a summary of the code for developers, landscape architects, and contractors doing business in Erie, and property owners undertaking redevelopment projects. ***It is not intended to replace the thorough review of Erie Municipal Code Chapter 10-6-4.***

Existing Code Sections

- Purpose
- Landscape Plan
- Minimum landscaping requirements:
 - Right-of-way
 - Single-family and duplex dwelling units
 - Multi-family dwelling units
 - Nonresidential
 - Parking lots
 - Stormwater facilities
- Additional landscaping requirements and standards
- Screening
- Fencing and walls

Updated Code Sections

- Purpose
- Applicability
- Landscape and irrigation system design plans
- General landscaping requirements and standards
- Additional landscaping requirements by property type
 - Rights-of-way and curbside landscaping strips
 - Single-family, duplex, and Townhome private lots
 - Multi-family dwelling units
 - Nonresidential
 - Parking lot landscaping
 - Stormwater facilities
- Guarantee of installation
- Maintenance
- Screening
- Fencing and walls










Summary of Code Updates

Applicability

The new landscape ordinance will apply to the following project types:

- All new construction, including residential and non-residential, that is to be constructed by a developer or property owner.
- Any total redevelopment of a parcel that includes demolition and new construction.
- All construction projects that require a building permit or site plan and result in a disturbance of more than 50% of the total landscaped area.
- Construction of parking lots containing 10 or more spaces.
- Redesign or reconfiguration of an existing parking lot with 10 or more spaces.

Existing landscapes at sites not undergoing redevelopment are not required to comply with the new landscape ordinance.

Example modifications	Code compliance required?
No changes to a given property.	
Property owner replaces all front and backyard landscaping.	
HOA replaces common area landscaping.	
Property owner adds a small garage, disturbing 25% of the property's landscaped area	
Homeowner adds a second floor.	
Business owner adds an addition, disturbing the landscaped area by more than 50%.	
The primary building on a property is completely demolished and rebuilt.	
A new mixed use neighborhood is built.	
A business owner expands their existing 8-space parking lot adding 8 new spaces.	

See Section 10-6-4-B for all applicability requirements

Landscape and irrigation system design plans

Landscape and irrigation design plans will be required for subdivision, site plan, and other applications where landscape installation is a condition of approval. Landscape architects completing these plans must be licensed per Colorado State law (C.R.S. § 12-130-117).

Contractors completing projects that are exempt from State Licensure under Colorado State Law C.R.S. § 12-130-117 (projects on single and multi-family residential properties of four or fewer units, not including common areas) must have one of the following certifications:

- Associated Landscape Contractors of Colorado Landscape Industry Certified Technician;
- Qualified Water Efficient Landscaper (QWEL) program; or
- Another certification program labeled by U.S. Environmental Protection Agency's WaterSense program.

See Section 10-6-4-C for all landscape and irrigation system design plans requirements

General landscaping requirements and standards

General landscaping standards include requirements for:

- Plant Materials;
- Plant Quality;
- Tree protection and preservation;
- Plant size;
- Cool-season turfgrass;
- Artificial plant material;
- Hydrozoning;
- Mulch;
- Soil Amendments;
- Water features;
- Fire-wise Landscaping; and
- Irrigation Systems.

Key updates include:

- **Plant Material Requirements:** This section outlines waterwise plant material selection guidelines, prohibited plant species, and non-living plant materials requirements. A minimum of 75% of annuals and trees and 100% of shrubs, perennials, groundcovers, and ornamental grasses must be selected from approved water-wise plant lists. Minimum living plant material requirements vary by development type and are outlined later in the section.
- **Cool-season Turfgrass Requirements:** Under the new ordinance cool-season turfgrass varieties that use more than twenty (20) inches of water per growing season are not permitted, including Kentucky Bluegrass, Tall Fescue, Red Fescue, and Perennial Ryegrass species.
 - Alternative turfgrasses, with low to moderate water use, are permitted. This includes fescue hybrids, blue grama, buffalo grasses, and other hybridized turfgrass mixes.
- **Mulch and soil amendments:** Landscapes with organic mulch must apply one cubic yard of mulch per eighty square feet, at a depth of four inches. Inorganic mulch has a minimum depth of two inches. Properties should also amend their existing soil with a minimum of three cubic yards of organic matter per one thousand square feet of landscaped area, at a depth of at least six inches. These requirements help maintain soil moisture and reduce evaporation.
- **Fire-Wise Landscaping:** Wood mulches and highly flammable living plant materials are not permitted within the first five feet of structures. Flagstone, pavers, rock mulch, and fire-resilient live plant materials are allowed.
- **Irrigation Systems:** Adequate and complete-coverage, automatic, water-efficient irrigation systems are required (except in areas with edible produce or native plants and grasses that do not require supplemental irrigation after establishment). All landscaped areas (except single-family and duplex private lots) should have:
 - Smart irrigation controllers
 - Weather and soil sensors
 - Manual and master shut off valves
 - Dedicated landscape water meters (if over 5,000 square feet)

See Section 10-6-4-D for all general landscaping requirements and standards

Additional landscaping requirements by property type

Property Type	Living Plant Materials	Turfgrass Requirements	Other Requirements
Rights-of-way and curbside landscaping strips	Full coverage with rock mulch or hardscaping in areas less than 4-feet wide Install a minimum of one street tree for every 40 linear feet of street frontage or portion thereof, with a minimum of two trees per lot for lots that have a minimum width of 60 feet	Cool-season turfgrass is not permitted	When on-street parking is present, landscaping shall be designed to allow a reasonable route from on-street parking to the sidewalk
Single-family, duplex, and Townhome private lots	At least 70% of the front yard area must have living plant materials and 50% of the side and rear yard combined Install a minimum of one tree per 1,000 square feet of landscaped area	Cool-season turfgrass is not permitted Alternative turfgrass species are limited to 50% of the total yard	N/A
Multi-family dwelling units	At least 50% of the landscaped area must have living plant materials Install a minimum of one tree per 1,000 square feet of landscaped area, and one shrub per 150 square feet.	Cool-season turfgrass is not permitted Alternative turfgrass is limited to recreational use areas or other space that is regularly used for civic, community or recreational purposes	A minimum of 20% of the gross site area must be landscaped
Nonresidential	At least 50% of the landscaped area must have living plant materials Install a minimum of one tree per 1,000 square feet of landscaped area, and one shrub per 150 square feet.	Cool-season turfgrass is not permitted (The Town may make exceptions for active recreation areas) Alternative turfgrass is limited to recreational use areas or other space that is regularly used for civic, community or recreational purposes. Alternative turfgrass is limited to 30% of the total landscaped area.	A minimum of 20% of the gross site area must be landscaped (outside of Old Town and Downtown)
Parking lot landscaping	A minimum of one tree per 15 parking spaces, and one shrub per parking space	Cool-season turfgrass is not permitted	Parking lots with over 100 spaces must have vegetated swales
Stormwater facilities	N/A	Active recreation area stormwater facilities may	Passive recreation area and

		utilize cool-season turfgrass seed mixes to enhance the functionality of the facility	neighborhood open space stormwater facilities shall be planted with low-water and/or native grass seed varieties and other low-water use plant materials
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See Section 10-6-4-E for all additional landscaping requirements by property type

Maintenance

Property owners and tenants are expected to keep their landscaped areas well-maintained, safe, clean, and attractive. Property owners are also expected to maintain landscaping in the common open spaces and right-of-way adjacent to their property. Homeowners' Associations (HOAs) operating within the jurisdiction of the Town of Erie will enforce all maintenance standards.

This section includes specific turfgrass maintenance requirements. Turfgrass shall be mowed to a height of 3.5 inches, and native grass to a minimum height of 4 inches. Turfgrass is permitted to be kept dormant and lose its green color to conserve water.

See Section 10-6-4-G for all maintenance requirements

Screening

This section outlines the screening and buffer requirements by property uses. Cool-season turfgrass is not permitted in screening landscaping or any of the landscape buffers. Alternative turfgrass is allowed within all landscape buffer types.

See Section 10-6-4-H for all screening requirements

Additional Resources

- Draft Water Efficient Landscape Ordinance Update
- Town of Erie Plant List

Contact information

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SustainableErie@erieco.gov

Date: 4/15/25

To: Dylan King, Eryka Thorley, and Emma Marino (Town of Erie)

From: Victoria Arling and Kerry Miller (WaterNow Alliance) and Chelsea Benjamin (Western Resource Advocates)

Subject: Erie Code Update FAQ Sheet Content (Draft)

Project: Water Efficient Landscape Ordinance Development

Task Summary:

WaterNow Alliance (WaterNow) and Western Resource Advocates (WRA) have prepared a Frequently Asked Questions (FAQ) sheet to address common questions residents may have about Erie's updated landscape ordinance. The questions included were informed by community feedback from similar code updates in Broomfield and Edgewater. The FAQ content is based on the June 2025 draft of the ordinance. Any updates made in subsequent versions will be reflected in the final FAQ.

Water Efficient Landscape Ordinance FAQs Draft Content:

Town of Erie Water Efficient Landscape Ordinance Update Frequently Asked Questions

Q: What is in the ordinance update?

A: Erie's current landscape ordinance offers some guidance on water-efficient landscaping but does not require it. The updated ordinance will integrate the use of water-efficient plants and irrigation systems mandatory for new development and certain redevelopment projects. These updates will reflect the latest water-saving technologies and best practices, helping Erie become more water resilient while still supporting vibrant and resilient landscapes.

Q: Who will this apply to?

A: The updated ordinance will apply only to:

- All new construction, including residential and non-residential, that are to be constructed by a developer or property owner;.
- Total redevelopment of a parcel, including demolition and new construction;
- A construction project that:
 - Requires a building permit site plan, and
 - Disturbs more than 50% of the existing landscaped area.
- New or redesigned parking lots with 10 or more spaces.

Existing landscapes that are not being redeveloped are not affected by the ordinance.

Q: Why is the Town doing this?

A: Water conservation is a top priority for Erie. The Town aims to reduce water use by 10% to meet a target of 115 gallons per person per day (gpcd) by 2030. As Erie continues to grow, requiring low-water plants and efficient irrigation in new development and redevelopment is one of the most effective ways to reduce outdoor water use. These waterwise landscapes also lower water bills, support local ecosystems and pollinators, and reflect the natural beauty of Colorado's Front Range.

Q: How will this impact how Erie looks?

A: Established landscapes that aren't being redeveloped will stay the same. The ordinance doesn't ban lawns — it only prohibits Kentucky bluegrass and other cool-season turf species that require more than 20 inches of water per growing season.

- Single-family homes can still have turfgrass, but are limited to 50% of the landscaped area, and it must be low-water turf (under 19 inches per season), such as blue grama or buffalo grass.
- At least 75% of annuals and trees, and 100% of shrubs, perennials, and grasses must be water-efficient species.

Water efficient landscaping doesn't mean just rocks and cacti. It includes native and climate-adapted plants arranged for both beauty and efficiency — with vibrant colors, shade, and habitat for pollinators. The goal is to create functional, attractive outdoor spaces that are well-suited to our climate.



Q: Will this make new homes in Erie more expensive?

A: Waterwise landscapes can cost more to install up front than traditional turf lawns. However, these landscapes typically increase home value and significantly reduce water bills, saving homeowners money over time.

Q: Will reducing grass make Erie hotter?

A: No. When designed well, water-efficient landscapes with living plants and trees, **cool** the environment just as well as cool-season turfgrass. A study from the Desert Research Institute found that low-water landscapes can offer similar daytime cooling benefits — as long as they include vegetation rather than just rocks or mulch.

Q: Once water efficient landscapes are installed, what will prevent people from replacing those with traditional grass lawns again?

A: In most Western cities, this hasn't been a widespread issue. A study from the Los Angeles Metropolitan Water District found that only 0.6% of homes reverted entirely back to turf — often when homes were sold. In Erie, the updated ordinance would restrict the reinstallation of cool-season turf in redeveloped landscapes. Plus, Erie can use water budget pricing to discourage reconversion — charging lower rates for low-water use and higher rates for excessive irrigation. Water efficient yards use far less water once established, so residents

have a financial incentive to keep them. Even if a homeowner tries to bring back turfgrass, only up to 50% of the landscape can be replanted with approved low-water grasses.

10-6-4 Landscaping, screening, and fencing.

- A. *Purpose:* This section is intended to ensure that new landscaping and the retention of existing vegetation is an integral part of all developments, contributing to high quality vegetation, water conservation, increased property values, and improved environmental and aesthetic character of the community. Additionally, it promotes landscape design that is compatible with the surrounding environment, enhancing the visual quality and cohesion within and between developments. It is also the intent of this section to encourage the use of flexible, creative landscape design approaches that integrate water conservation principles, promote biodiversity, and support habitat for pollinators using a diverse mix of native and climate adapted shrubs, trees, and grasses. Landscaping shall incorporate water wise plant materials and landscaping practices that contribute to the implementation of low-impact development standards and support Town sustainability goals.
- B. *Applicability:* The landscaping requirements of this Chapter 10-6-4 shall apply to the following properties:
1. All new construction, including residential and non-residential, that are to be constructed by a developer or property owner;
 2. Total redevelopment of a parcel, including demolition and new construction;
 3. A construction project that:
 - a. Requires a building permit or site plan; and
 - b. Results in a disturbance of more than 50 percent of the aggregate landscape area for the property.
 4. Construction of new parking lots containing ten (10) or more parking spaces, and redesign or reconfiguration of existing parking lots containing ten (10) or more parking spaces.
- C. *Landscape and irrigation system design plans:* Landscape and irrigation design plans shall be required for subdivision, site plan, and other applications where landscape installation is a condition of approval. Plans shall comply with the requirements of this section and UDC Section 10-5-3, the Town of Erie Standards & Specifications for the Design and Construction of Public improvements, referred to herein as “Standards & Specifications”. The landscape and irrigation plans shall be submitted and reviewed as part of the development review process. Installation of approved landscaping shall occur prior to issuance of a certificate of occupancy or during the first month of the planting season, whichever is sooner. For projects with phased development, landscaping installation shall follow the schedule outlined in the Development Agreement. If the landscaping installation does not occur before issuance of a certificate of occupancy, the Town will require a letter of credit or other guarantee for improvements not installed as detailed in this section.
1. Colorado State law (C.R.S. § 12-130-117) governs the sizes and types of projects that unlicensed individuals can design independent of Town requirements. Per Colorado State Law, single and multi-family residential properties of four or fewer units not including common areas are exempt from State licensure. For those projects that are exempt from State licensure, one of the following certifications are required: Associated Landscape Contractors of Colorado Landscape Industry Certified Technician, Qualified Water Efficient Landscaper (QWEL) program, or another program labeled by U.S. Environmental Protection Agency’s WaterSense program.
- D. *General landscaping requirements and standards:* Landscaping shall be designed to complement the use and function of the area and incorporate elements such as trees, shrubs, live plant groundcover, mulches, and water-efficient irrigation systems. Water efficiency shall be a primary goal in all landscape improvements. All vegetation that requires supplemental irrigation shall be irrigated to ensure successful plant establishment

and long-term maintenance. Irrigation systems shall be designed to be water efficient and minimize water waste.

1. *Plant material requirements*

- a. Landscaping for all development shall include a variety of waterwise plant materials such as trees, shrubs, ornamental grasses, groundcovers, annual and perennial flowering species, turfgrasses, and mulches that provide visual interest during all seasons.
- b. Plants shall be selected and planted appropriately based upon their adaptability to the climate, geological, and topographical conditions of the project site. To the maximum extent possible, plant materials shall be used that reduce water consumption, maintenance, and dependence on fertilizers and insecticides.
- c. Landscaping shall consist of both living plant materials and non-living materials (see Section F. for minimum living plant material requirements by development type, as applicable).
 - i. Ornamental grasses, ground covers, deciduous and evergreen shrubs and trees, turfgrass, and native or dryland seeding shall be considered living plant materials. Weeds shall not be considered as living plant materials.
 - ii. Non-living landscape materials (e.g., rocks, wood, metal, etc.) may also be used to define space and create visual interest. The use of these materials will not count towards the minimum living plant material requirements.
- d. When landscaped areas are adjacent to natural areas or open space, plants shall be selected to continue that native appearance along the border with the open space or natural area.
- e. At least 75 percent of all annuals and trees, and 100 percent of shrubs, perennials, groundcovers, and ornamental grasses used to landscape each site regulated by this Section must be selected from the Private Owned Landscaping List, or other waterwise, resource wise, or xeriscape plant materials, approved by Town, except as excluded below. Plants that may not be planted as landscaping as specified in the Private Owned Landscaping List.

2. *Plant quality requirements:*

- a. All plant material shall comply with or exceed minimum standards in the Colorado Nursery Act Regulations (CRS Title 35, Article 26) and the current edition of the American Standard for Nursery Stock (ANSI Z60. 1-2014). Plants shall have a habit of growth that is normal for the species and shall be of good health, vigorous growth, and free from insect pests, diseases, and injuries. All plants shall equal or exceed the measurements specified on the landscape plan. Substitutions shall not be permitted without the written approval of the Town.

3. *Tree protection and preservation requirements:*

- a. All trees shall be protected and preserved as specified in [Section 10-6-2.C](#) Native and specimen tree and vegetation protection of the UDC.

4. *Plant size requirements:*

- a. All living plant materials shall meet or exceed the plant size requirements as specified in Standards and Specifications.

5. *Cool-season turfgrass requirements:*

- a. The use of cool-season turfgrass or sod, seed and seed mixtures that contain more than 20% of a mixture of cool-season grass species shall be prohibited.
 - i. Exceptions and Exemptions:

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1. Active recreational areas that benefit from the durability of cool-season turfgrass, such as multi-purpose fields, golf courses, play areas, and civic gathering spaces, are exempt from the requirements of this section.
 - b. Cool-season turfgrass is prohibited in landscaped areas less than eight (8') wide,
 - c. Cool-season turfgrass is prohibited in areas with slopes equal to or greater than a 4:1 grade (25 percent),
 6. *Artificial turf or non-vegetative turfgrass requirements:*
 - a. Allowed Use:
 - i. Artificial turf may be used in sports field applications.
 - ii. Artificial turf may be used to replace sod or native seed areas in backyards or single-family (detached and attached) residential lots. If a property owner installs artificial turf, the property owner shall meet the residential yard landscape requirements.
 - iii. Artificial turf may be used in non-residential and mixed-use developments.
 - iv. Artificial turf specifically designed for pet use may be used in dog parks.
 - b. Materials:
 - i. Artificial turf shall be a cut pile infill type and shall be manufactured from polypropylene, polyethylene, or a blend of polypropylene and polyethylene fibers stitched onto a polypropylene or polyurethane mesh or hole-punched backing. Hole-punched backings shall have holes spaced in a uniform grid pattern with spacing not to exceed four inches by six inches on center.
 - ii. Artificial turf types shall be free of PFAS chemicals.
 - c. Installation: Artificial turf shall be installed per the manufacturer's recommendations. Additional underground drainage will be required and may be reviewed on a case-by-case basis based on impacts to the existing drainage system.
 - i. Slope Restrictions: The installation of artificial turf on slopes greater than 6.6% shall require the applicant to consult with the manufacturer on recommendations for installation and use.
 - d. General Appearance: Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained turfgrass.
 - e. Specific Prohibited Uses:
 - i. Artificial turf may not be used within curbside landscape areas and medians in any zone district.
 - ii. Artificial turf may not be used to satisfy living plant material requirements.
 - iii. Where the use of artificial turf or natural turf is permitted, the use of indoor or outdoor plastic or nylon carpeting or other materials or combinations of materials as a replacement for artificial turf or natural grass is prohibited.
 - iv. Artificial turf shall not be used in the right-of-way.
 7. *Hydrozoning requirements:*
 - a. Plants are to be hydrozoned – or grouped - with plants that have similar water requirement.

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- i. For example, plants of a very low hydrozone are not to be planted in a moderate to high hydrozone.

8. *Mulch requirements:*

- a. Organic mulch (e.g., bark and wood chips) shall be applied at one (1) cubic yard per eighty (80) square feet at a depth of four (4) inches, and as appropriate to each species to maintain soil moisture and reduce evaporation.
- b. Inorganic mulch (e.g., rock, gravel, or cobble) shall have a minimum depth of two (2) inches.
- c. Mulch shall be applied at the soil surface, not against the plant stem or base of tree trunks, to minimize insect or trunk damage.

9. *Soil amendment requirements*

- a. The existing soil shall be amended with a minimum of three cubic yards of organic matter per one thousand (1,000) square feet of landscaped area, tilled into the soil to a depth of not less than six (6) inches.

10. *Water features requirements*

- a. Water features (e.g., ponds, lakes, waterfalls, jets, fountains, artificial streams, infinity pools, or cascades wherein water is artificially supplied to create or operate the feature) shall recirculate water and be designed to reduce evaporation.
- b. Wind shut off devices are required.

11. *Fire wise landscaping requirements*

- a. Wood mulches and highly flammable living plant materials are not allowed within the first five (5) feet from structures.
- b. Non-flammable materials such as flagstone, pavers, or rock mulch and fire resilient live plant materials, as specified in the Private Owned Landscaping List, shall be installed within the first (5) feet of the home or building.

12. *Irrigation system requirements*

- a. All landscaped areas, with the exception of edible produce and native plants and grasses that do not require supplemental irrigation post-establishment, shall be watered with an adequate and complete-coverage automatic water-efficient irrigation system.
- b. In mulched planting areas, the use of low flow irrigation is required for any vegetation that will exceed 12 inches mature height.
- c. Automatic rain sensors shall be installed that are designed to turn off irrigation during rainfall.
- d. Irrigation systems shall be designed to prevent runoff, low head drainage, overspray or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- e. The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
 - i. Each irrigation zone shall irrigate a hydrozone with similar microclimate, soil conditions, slope, and plant materials with similar water demand.
 - ii. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plants and soil type within that hydrozone.

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- f. The irrigation system must be designed and installed to meet, at minimum, any water windows or restrictions for operation such as day of the week and hours of the day .

13. *Additional irrigation system requirements:*

- a. a. With the exception of single-family detached and duplex private lots, all other landscaped areas shall comply with these additional irrigation requirements: Smart irrigation controllers labeled by the U.S. Environmental Protection Agency's WaterSense Program or with published reports posted on the Smart Water Application Technologies website are required. These requirements are encouraged for single-family and duplex private lots.
- b. Irrigation systems shall use sprinkler bodies and nozzles that are certified under EPA WaterSense.
 - i. Six inch (6") pop up height in turfgrass areas is required for all spray heads and rotors.
 - ii. Check valves or anti-drain valves are required on all sprinkler heads.
- c. Sensors (freeze, wind, soil moisture) either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions or when sufficient soil moisture is present shall be required on all irrigation systems.
- d. In order to reduce runoff and maximize sprinkler effectiveness, maximum application rate shall be 1.25 inches per hour.
- e. Irrigation systems shall be designed to ensure that the operating pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
- f. Manual shut off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply and to isolate sections of mainline on larger systems, to minimize water loss in case of an emergency (such as a main line break) or a routine repair.
- g. Master shut off valves and flow sensors, integrated with the automatic irrigation controller, are required.
- h. Dedicated landscape water meters shall be installed for all irrigated landscaped areas of 5,000 square feet or more.

E. *Additional landscaping requirements by property type:* In addition to general landscaping described in section 10-6-4 I.1, specific landscaping requirements and standards are set forth below for various development and property types. The minimum landscaping requirements in this chapter are cumulative.

- 1. *Rights-of-way and curbside landscaping strips* This section shall apply to landscape outside of private lots within the public right of way.
 - a. Living plant material requirements.
 - i. Living plant material shall be appropriate to the use and function of the area described in section including ornamental grasses, trees, perennials, annuals, groundcover, or shrubs. The following requirements are based on the width of the curbside landscape strips measured from back of curb to sidewalk:
 - ii. Less than 4-feet wide: Full coverage with rock mulch or hardscaping. This area is too narrow to support live plant material.
 - iii. In areas 3 to 4 feet wide – full coverage with rock mulch or hardscaping.
 - iv. In right of ways adjacent commercial uses, curbside landscaping strips may be paved if it functions as pedestrian access to storefronts and is integrated into the overall design of the other improvements on the site, as approved by the Town.

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- v. Cool-season turfgrass is not permitted in public rights-of-way.
 - vi. When on-street parking is present, landscaping shall be designed to allow a reasonable route from on-street parking to the sidewalk with hardscaping, gravel or alternative turf and without live plant materials. Routes shall be provided no greater than 50-feet apart. Alternative turf or a 2-foot gravel strip parallel along the curb to allow for vehicle existing is encouraged.

b. Street tree and Curbside Landscape Strip requirements.

- i. A minimum of one street tree shall be provided for every 40 linear feet of street frontage or portion thereof, with a minimum of two trees per lot for lots that have a minimum frontage of 60 linear feet. Street trees shall be planted within the curbside landscaping strip portion of the right-of-way with adequate spacing to allow for the mature spread of the trees. When a curbside landscaping strip is not provided, trees shall be planted within ten feet of the back of curb. Trees may be clustered for design effect, but no groupings shall exceed 120 feet between street trees. Additional tree placement requirements are found in the Town of Erie Public Improvement Standards & Specifications.
- ii. Street trees shall be deciduous, thornless, fruitless canopy trees with mature heights between 30 and 60 feet and canopies that mature to at least 25 feet wide.
- iii. Where the curbside landscaping strip is less than 6-feet wide, street trees shall be planted with root barrier between the tree and sidewalk. Root barrier to be a minimum 2 feet deep and extending a minimum 10 linear feet parallel to the sidewalk and centered at the tree trunk.
- iv. Trees located near intersections and within the visibility triangle shall be subject to Standards and Specifications.

c. Irrigation requirements.

- i. The property owner shall install an automatic, water efficient irrigation system for all landscaping within public rights -of-ways.
- ii. Trees and shrubs are to be drip irrigated unless located amid alternative turf and will receive adequate spray irrigation.
- iii. Alternative turf areas are to be spray irrigated and on a separate zone from drip irrigation and native seed zones. Alternative turf areas are to be irrigated according to distributor recommendations or just often enough to keep them looking green and healthy in the summer.
- iv. Native seed areas are to be in a separate zone from drip irrigation and alternative turf spray areas and have permanent irrigation lines installed. Once fully established, native grass zones may be turned off except in times of extreme drought and heat that may threaten the survival of the grasses.

d. The width of curbside landscaping strip shall be designed to the Town Standards & Specifications.

e. Maintenance of curbside landscaping

- i. Where multi-family, commercial, or mixed uses are adjacent and where foot traffic is intended, alternative sod and native grass is to be maintained at a height no

taller than 6 inches. As native grass and alternative sod are often reliant on self-seeding for long term survival, it is not recommended that it is mowed lower than 5 inches.

ii. Where single family detached and attached uses are adjacent or where frequent foot traffic is not expected, maintain native seed and alternative turf at a minimum height of 6 inches and no taller than 12 inches.

2. *Single-family, duplex, and Townhome private lots:*

a. Living Plant Material Requirements.

- i. Provide permanent landscaping in the front yard of each home. There shall be a minimum of 70 percent of the gross front yard area, excluding driveways, landscaped with live plant materials. Mature tree and shrub canopies may count toward the 70 percent requirement.
- ii. Install landscaping within the side and rear yard such that a minimum of 50 percent of the combined (side and rear) yards is landscaped with live plant material. Mature tree and shrub canopies may count toward the 50 percent requirement.
- iii. Install a minimum of one tree per 1,000 square feet of landscaped area, distributed on the site with a minimum of one tree.

b. Cool-season turfgrass limits.

- i. Cool-season turfgrass varieties are not permitted.
- ii. Alternative turfgrass species shall be limited to 50 percent of the gross front, side, and rear yard.

c. Private Common Areas, such as Garden Courts

- i. A minimum of 70 percent of the landscape area shall be landscaped with living plant material coverage at maturity. Mature trees and shrub canopies may count towards the requirement.
- ii. Install a minimum of one tree per 1,000 square feet of landscaped area, distributed throughout the designated area.
- iii. Install a minimum of one shrub per 150 square feet of landscaped area. Shrubs shall be grouped and distributed throughout the designated area. Trees may be substituted for up to one-half of the required shrubs at the rate of one tree for ten shrubs and vice-versa, subject to town approval.

3. *Multi-family dwelling units:*

a. Living Plant Material Requirements.

- iv. A minimum of 20 percent of the gross site area, including private and common areas, shall receive landscape improvements.
- v. A minimum of 50 percent of the landscape area shall be landscaped with living plant material coverage at maturity. Mature trees and shrub canopies may count towards the 50 percent requirement.
- vi. Install a minimum of one tree per 1,000 square feet of landscaped area, distributed on the site.

c. Living Plant Material Requirements.

- i. A parking island at least 10 feet in width from back of curb shall be provided per group of 15 parking spaces to break up large expanses of pavement and to create a tree canopy for shade.
- ii. At least one tree per parking island shall be provided. A minimum of one tree per 15 parking spaces shall be provided. . Shrubs and ornamental grasses may substitute trees at the rate of one tree for ten shrubs in planting areas less than ten feet wide. A parking island less than 10-feet in width from back of curb shall provide a suspended pavement system, such as Silva Cell, for each tree provided.
- iii. A minimum of one shrub per parking space, to be grouped in landscape islands or around the parking lot perimeter.
- iv. In parking lots, the existing soil shall be amended with a minimum of five cubic yards of organic matter per one thousand (1,000) square feet of landscaped area, tilled into the soil to a depth of not less than six (6) inches.

d. Vegetated Swales Requirements. Where vegetated swales are provided these requirements shall apply:

- v. Interior areas of the surface parking lot shall include vegetated swales located below the vehicle parking surface, located and designed so that stormwater from the vehicle parking surfaces flows into such swales to the maximum extent practicable.
- vi. Vegetated swales may be provided in lieu of parking islands to break up large expanses of pavement.
- vii. Each required vegetated swale shall be at least eight feet in width from back of curb, and shall be at least twenty feet in length.
- viii. Vegetated swale landscaping shall count toward parking lot landscaping and shall not require additional landscaping. Vegetated swales serving as a water quality measure shall meet Town Standards & Specifications.

e. . Cool-season turfgrass Limits.

- i. Cool-season turfgrass varieties are not permitted in parking lots.

6. *Stormwater facilities:*

- a. To the maximum extent reasonably feasible and functional, stormwater facilities shall be located, designed, and managed for use as year-round neighborhood open space and recreation areas.
 - (i) Stormwater facilities serving as active recreation areas shall take special considerations for plant selection and maintenance must be taken into account to ensure ecological integrity, public safety, and functionality of the facility. Facilities designated as active recreation areas are exempt from these landscaping requirements and may utilize cool-season turfgrass seed mixes to enhance the functionality of the facility.
 - (ii) Stormwater facilities serving as passive recreation areas and neighborhood open space shall be planted with low-water and/or native grass seed varieties and other low-water use plant materials.

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- b. Stormwater facilities shall be designed to blend seamlessly with the surrounding landscape, appearing natural in shape, and naturalized landscape plantings. These facilities shall be designed to allow for naturalization with trees, woody plants, native grasses, and other naturally occurring features (i.e., rocks).
 - i. When possible, the bottoms of stormwater facilities shall be seeded and/or planted with water tolerant seed or plant materials that are capable of handling occasional water inundation. Designated areas within these facilities shall be maintained free of weeds at all times throughout the year.
 - c. Berming to increase facility capacity shall be discouraged. If permitted, the maximum height of the berm shall be three feet with berming to be contoured to take on a naturalized shape. Berms should be planted with native vegetation to enhance ecological function and naturalized visual appeal.
 - f. In commercial and industrial developments, the Town will consider a more structured stormwater facility, if designed to complement the architectural and overall site design, rather than a naturalized stormwater facility.
- F. *Guarantee of installation:* Required landscape improvements shall be installed prior to issuance of a certificate of occupancy for all structures. However, if the landscaping is not able to be installed prior to a certificate of occupancy being issued due to winter weather, the property owner shall post a financial guarantee for the improvements equal to 115 percent of the cost of improvements before the certificate of occupancy is issued. Installation shall then occur by June 30 of the following year. This guarantee shall be released upon acceptance by the town for the installation of the completed landscaping. This requirement is separate from those that may be found in the development agreement.
- G. *Maintenance:* Every property owner and any tenants shall maintain and keep their landscaped areas in a well-maintained, safe, clean, and attractive condition at all times. Homeowners' Associations (HOAs) operating within the jurisdiction of the Town of Erie shall be responsible for the enforcement of the provisions set forth in this sub-section 10.6.4.G within the boundaries of their respective communities. The Town of Erie shall retain the authority to enforce the provisions of this section in instances where an HOA fails to act or where enforcement by the City/Town is deemed necessary. Such maintenance shall include without limitation the following:
- a. Landscaped areas shall be substantially kept free of trash, litter, weeds, and other such materials or plants not part of the landscape.
 - b. Landscaping within common open spaces and adjacent street rights-of-way shall be maintained by the property owner.
 - b. All live plant material shall be maintained in a healthy and growing condition, and must be replaced with live plant material of similar variety and size selected from the Town's approved plant lists (size not to be smaller than the minimum required by this UDC at the time of replacement) if diseased, damaged, destroyed, or removed within two years of installation.
 - c. The property owner or tenants shall provide all regular and normal maintenance of landscaping including weeding, irrigation, fertilization, pruning, and mowing necessary to comply with this section. Areas of native or naturalized landscape are exempt from this level of maintenance. Acceptable maintenance of native plants includes, but is not limited to, removal of dead or diseased plants, weed control, and seasonal mowing.
 - d. Turf grass shall be mowed to a height of three and one-half inches, in order to promote root growth and reduce water requirements. Native grass shall be mowed to a minimum height of 4 inches with a recommended minimum height of 6 inches.

- e. It shall be allowable for turf grass to lose green color if kept dormant for water conservation purposes.
- e. Replenishing mulch which no longer covers the area which it was originally deposited so as to achieve full coverage to a minimum depth of four inches for organic mulch and two inches for inorganic mulch.
- f. Cleaning of abutting waterways and maintenance of landscaped areas in the public right-of-way adjacent to the property, unless such streets, waterways, or landscaped areas are expressly designed to be maintained by a designated governmental authority.
- g. The property owner shall not use live plant materials that exhibit evidence of insect, pest, or disease, and shall appropriately treat any and all damaged plants, and shall remove and replace any and all dead plant material with living plant materials.
- h. Irrigation systems are to be monitored and adjusted periodically to ensure that the water demands of all plant materials are being met.
- i. Irrigation system repairs shall be made withing seven days of discovery of damage, unless seasonal conditions prohibit repairs.

H. *Screening:*

1. *Purpose:* Screening consists of landscaping, the retention of natural vegetation, or the use of physical structures to block views of specific activities or specific parts of a property or structure. Applicants are encouraged to locate the types of features listed in this section where they are not visible from off-site or public areas of a site, so that screening is unnecessary.
2. *Applicability:* All uses shall provide screening as specified in this section to minimize the visual impacts on surrounding properties.
3. *Buffer types.* The types of buffers listed in table XX-1 below shall be provided according to the locations specified in table XX-2 Uses in the far-left column of table XX shall provide landscape buffers on the property where the use is located. The landscape buffer shall be located adjacent to the frontages and uses that are to be buffered.

Table XX-1 Types of Landscape Buffers			
Buffer Type	Minimum Width	Planting Requirements	Fence or Wall Requirements
A	No additional buffer; Building setback	No additional requirements; Per use based landscape standards and right of way landscaping	
B	15 feet ¹	1 tree and 5 shrubs per 500 square feet	
C	20 feet	1 tree and 5 shrubs per 500 square feet. Trees and shrubs may be clustered to best shield views and	As indicated, solid opaque 6-ft privacy fence with masonry columns every 50-ft. Full masonry

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		soundsrom residential. 50% evergreen trees unless view corridors for residential would be negatively impacted	fence shall be required at Town's discretion.
D	30 feet	1 tree and 5 shrubs per 500 square feet	As indicated, Solid opaque 6-ft privacy fence with masonry columns every 50-ft. Full masonry fence shall be required at Town's discretion.

a. Buffer Type B can be reduced to 10-ft if no easements are present.

b. *Turf limits:*

1. Cool-Season Turf is not permitted in screening landscaping or any of the landscape buffers.
2. Alternative Turf is permitted within all landscape buffer types.

4. Required Buffer Types. The types of buffers listed in table XX below shall be provided according to the locations specified in table XX Uses in the far-left column of table XX shall provide landscape buffers on the property where the use is located. The landscape buffer shall be located adjacent to the frontages and uses that are to be buffered.

Table XX. Required Buffer Type by Adjacent Land Use							
	Adjacent Frontages Buffered				Adjacent Uses Buffered		
Uses Providing Buffer ↓	Railroad, Highway or Arterial Right of Way	Collector Right of Way	Local Streets or Other Right of Way	Town Owned Parks, Open Space, or Trail	Single-Family Detached or Duplex	Multifamily and other attached residential buildings	Mixed-use and nonresidential
Single Family Detached or Duplex Residential subdivision	D with perimeter fence	C	A	C	NA	NA	NA
Multifamily and other attached residential buildings	D with perimeter	C	A	C	D with Fence	C	C with Fence

	er fence						
Mixed-use and Commercial buildings in Downtown or Commercial Districts within Mixed Use Developments	A	A	A	C with Fence	A	A	A
Mixed-use and Commercial buildings in other districts	D	C	A	C with Fence	D with Fence	D with Fence	B
Industrial, including Auto Wrecking, recycling, salvage yard/junkyard, and Outdoor Storage	D with perimeter fence	D	D	D with Fence	D with Fence	D with Fence	B
Parking areas	D	C	C ¹	C	NA ²	NA ²	NA ²
Drive-through Service and Stacking Drives	D	C	B	B with Fence	D with Fence	C with Fence	B

- a. Can be reduced in Downtown or Old Town
 - b. Parking areas shall apply to Parking lot or structure as a principal use. Parking as an accessory use shall use the buffer requirement of the principal
 - c. *Alternative buffer requirements.* The director may approve an alternative equivalent compliance per 10-6-1 for alternative buffer requirements based on the consideration of the scope and scale of the proposed development and mix of uses, the proposed building placement and design, the quality of the proposed landscape design and decorative screen wall as applicable, the width of the buffer, and site perimeter conditions.
5. *Outdoor refuse/recycling collection and donation bin facilities:* For purposes of this section, the term "refuse/recycling collection receptacles" includes dumpsters, garbage cans, trash compactors, recycling receptacles, donation bins, debris piles, or grease containers, but does not include trash or recycling receptacles for pedestrians or for temporary construction sites. This section also does not apply to refuse collection receptacles such as garbage cans and recycling receptacles that are stored indoors and brought outdoors on garbage pickup days.

In order to reduce the visual impacts of outdoor refuse/recycling collection receptacles, and to avoid problems with blown trash and pests, all outdoor refuse/recycling collection receptacles shall adhere to the following standards:

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- a. *Location:* Outdoor refuse/recycling collection receptacles shall not be located in a required front setback, and should, depending on the size of the site and need for access by refuse/recycling collection vehicles, be set back from the front plane of the principal structure. Refuse/recycling collection receptacles shall not be located in any setback area or required landscaping area which abuts an adjacent residential use. Refuse/recycling collection receptacles shall not be located within any area used to meet the minimum landscaping or parking and loading area requirements of this UDC, or be located in a manner that obstructs or interferes with any designated vehicular or pedestrian circulation routes onsite.
 - b. *Screening enclosure:* All outdoor refuse/recycling collection receptacles, other than those used by a single-family dwelling units, shall be screened from view on all sides by a durable sight-obscuring enclosure consisting of a solid fence or wall six feet in height that matches the building materials of the principal building that it serves. The access shall be screened with an opaque gate six feet in height. Donation bins are not required to provide screening for the public access areas of the facility. The enclosure shall be maintained in working order, and remain closed except during deposits and pick-ups.
 - c. *Maintenance of refuse/recycling collection receptacles and screening enclosures:* Lids are required on all outdoor refuse/recycling collection receptacles. Lids and screening enclosure gate shall remain closed between pick-ups, and shall be maintained in working order. Screening enclosures and gates shall be kept in good repair. Property owner or tenant shall be responsible for installing a sign on exterior of screening enclosure indicating that lid and gate to remain closed.
5. *Service and off-street loading areas:* Service and off-street loading berths shall be designed and located to reduce the visual and acoustic impacts of these functions on adjacent properties and streets. Screening materials shall be the same as, or of equal quality to, the materials used for the primary building. Landscaping shall also be incorporated to aid in screening the non-enclosed service and off-street loading areas and softening the appearance of the screening wall or fence.
 7. *Rooftop mechanical equipment:* Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened. Screening shall be accomplished through the use of parapet walls or a sight-obscuring enclosure around the equipment constructed of one of the primary materials used on the primary facades of the structure, and that is an integral part of the building's architectural design. The parapet or screen shall completely surround the rooftop mechanical equipment to an elevation equal to or greater than the highest portion of the rooftop mechanical equipment being screened. In the event such parapet wall does not fully screen all rooftop equipment, then the rooftop equipment shall be enclosed by a screen constructed of one of the primary materials used on the primary facade of the building so as to achieve complete screening.
 8. *Wall-mounted mechanical equipment and meters:* Wall-mounted mechanical equipment shall not be placed on the front facade of a building or on a facade that faces a right-of-way to the maximum extent reasonably practicable. Wall-mounted mechanical equipment, including air conditioning or HVAC equipment and groups of multiple utility meters, that extends six inches or more from the outer building wall shall be screened from view from streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through the use of (a) sight-obscuring enclosures constructed of one of the primary materials used on the primary facade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs. Wall-mounted mechanical equipment that extends six inches or less from the outer building wall shall be designed to blend in with the color and architectural design of the subject building.
 10. *Ground-mounted mechanical equipment and utility fixtures:* In addition to the requirements and standards set forth in section 10-5-4.H, ground-mounted above-grade mechanical equipment shall be screened by ornamental fences, screening enclosures, trees, or shrubs. Ground-mounted mechanical

equipment, including air conditioning or HVAC equipment and groups of multiple utility meters shall be screened from view from streets and from public areas of the site or adjacent sites through the use of (a) sight- obscuring enclosures constructed of one of the primary materials used on the primary facade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs.

11. Parking lots and drives shall be screened from streets and adjacent residential properties using a combination of the following: Such berming or screening walls and fencing may be located within the landscaped buffer prescribed in this section. Parking, internal drives or streets may not extend into the landscape buffer.

(i) sight-obscuring wall shall be fully opaque and constructed of one of the primary materials used on the primary facade of the structure

(ii) sight-obscuring fence. Fences less than 50% opaque shall require additional landscaping to provide full sight obstruction.

(iii) landscaping shall be planted at a density so as to provide effective screening within two years from the date of installation

12. *Outdoor storage:*

- a. Outdoor storage is an accessory use that shall meet the following design standards: Each outdoor storage area shall be incorporated into the overall site design and screening shall be complimentary in design to the primary structure on the site.
- b. Surfacing of the outdoor storage area shall be asphalt or concrete. Recycled asphalt, recycled concrete or equivalent may be considered for industrial uses, and the final approval of the alternative shall be the final decision maker for the application.
- c. If the outdoor storage area is covered, then the covering shall be designed to be complimentary to the principal structure.
- d. No materials may be stored in areas intended for required parking, vehicular or pedestrian circulation, loading zones and fire lanes.
- e. Outdoor storage shall be located behind the front façade of the principal structure.
- f. Outdoor storage areas shall be screened from view from all property lines and adjacent rights-of-way by a solid fence or wall between six and eight feet in height. The fence shall meet the following standards:
 - i. The fence shall incorporate at least one of the predominant materials and one of the predominant colors used in the primary structure. However, the fencing material shall not be metal.
 - ii. The fence may exceed eight feet in height where the difference in grade between the right-of-way and the outdoor storage area makes a taller fence necessary to effectively screen the area. Approval for fencing that exceeds eight feet in height shall be at the discretion of the final decision maker for the application.
 - iii. Materials may not be stored higher than the height of the fence without an approval by special review use application. Vehicles may exceed the height of the fence. Trailers, semi-trailers, cargo containers, shipping containers, walk-in coolers or similar containers may exceed the height of the fence however, they shall not be stacked on top of each other in outdoor storage areas.

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- g. A landscaped earth berm may be used instead of or in combination with a required fence or wall. The height of the screening with a berm shall meet the fencing requirement.
 - i.
11. *Uses adjacent to auto wrecking, recycling and salvage yard/junkyard:*
- a. A 30-foot-wide planting area composed of screening landscaping is required around the perimeter of the auto wrecking, recycling and salvage yard or junkyard when adjacent to a residentially zoned property, and 15-foot-wide planting area is required when adjacent to all other property. The planting area shall not be located within a public right-of-way.
 - b. An auto wrecking, recycling and salvage yard or junkyard shall be screened by ornamental walls or fences so that they cannot be seen by a person standing at ground level at any place immediately adjacent to the property on which the operation is located.

12 Cluster mailbox facilities:

- a. Cluster mailbox facilities shall be located on a concrete pad with accessible access from a sidewalk.
- I. *Fencing and walls:*
- 1. *Purpose:* The purposes of these fencing and wall standards are:
 - a. To permit the construction of appropriate fences and walls while preventing the monotonous appearance of uninterrupted walls and fences from dominating the Town's streetscapes;
 - b. To establish a generally consistent screening along major roadways and community entrance corridors, in lieu of more typical fencing and walls, that provides an element of consistency between individual developments and enhances the rolling topography and rural character of the town; and
 - c. To promote a more open character for development that visually integrates such development with the surrounding community.
 - 2. *Fences, hedges, and walls permitted as accessory uses:* Fences, hedges (serving as fences), and walls are permitted in the various zone districts as accessory uses in accordance with the limitations provided in this chapter.
 - 3. *Location:*
 - a. Fences, hedges, and walls must be located within or on the property lines and maintained by the property owner.
 - b. A fence, hedge, or wall located in rear yard areas that abut a side property line or rear property line of another property may be located within or on the property line; except, that if the rear property line is adjacent to a driveway, alley or street, the site distance triangle requirements shall apply.
 - c. A fence, hedge, or wall located in side yard areas that abut a side property line or rear property line of another property may be located within or on the property line; except, that if the side property line is adjacent to a driveway, alley or street, the site distance triangle requirements shall apply.
 - d. Fences adjacent to sidewalks must be placed at least 12 inches from the edge of the sidewalk. Gates adjacent to sidewalks shall open inward to the property.
 - 4. *Height restrictions:*

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- a. A solid material fence, hedge, or wall located in a front yard area shall have a maximum height of three feet. A limited solid fence in a front yard area shall have a maximum height of four feet within the front yard setback.
 - b. Solid fences or walls abutting open space, parks, and trails shall be limited to four feet in height. Fences or walls that are not more than 50 percent opaque may be extended up to five feet in height at the town's discretion. Open fencing styles may include wire mesh attached to the interior of the fence.
 - c. No fence in any district shall exceed six feet in height; except:
 - i. Fences adjacent to state highways may be up to eight feet in height.
 - ii. Fences in the LI, AGH and AP districts may be up to eight feet in height; fences in the NMU (outside Old Town), CMU, B, CC and RC districts may be up to eight feet in height when approved as a special review use permit; fences in a PUD may be up to eight feet in height when approved as part of the PUD zoning approval.
 - iii. Fences around a court (e.g., tennis, squash racquet, squash tennis or badminton) or around a publicly owned recreation area may exceed six feet in height if constructed of limited solid material.
5. *Construction standards for solid material fences.* Fences shall be built to the following minimum design standards:
- i. Solid wood fences less than six feet in height shall have four-inch by four-inch wood posts, or equivalent. Post spacing shall be arranged so that the surface area of the fence between posts does not exceed 36 square feet. Solid wood fences over six feet in height and less than eight feet in height shall have four-inch by four-inch wood posts, or equivalent, spaced five feet on center; or four-inch by six-inch wood posts, or equivalent, spaced eight feet on center.
 - ii. For fences less than five feet in height, two horizontal two inch by four-inch wooden rails, or equivalent, are required. The lower rails shall be within 12 inches to ground level and the upper rails shall be 12 inches to the top of the posts.
 - iii. For fences five feet to six feet in height, three horizontal two inch by four-inch wooden rails, or equivalent, are required, equally spaced from ground level to the top of the fence.
 - iv. For fences over six feet in height, four horizontal two inch by four-inch wooden rails, or equivalent, are required, equally spaced from ground level to the top of the fence.
 - v. All posts for fences of four feet to eight feet in height shall be set in concrete at a depth of not less than two feet into the ground. Diameter of the concrete required under this section shall not be less than ten inches for a four inch by four-inch wood post and 12 inches for a four inch by six-inch wood post. The post shall extend three inches from the bottom of the concrete pier into gravel or sandfill to allow moisture to escape.
 - vi. Vertical wood, or equivalent, fence boards or pickets shall be a minimum of three-fourths-inch in thickness and shall be spaced such that a sphere four inches in diameter cannot pass through.
6. *Restrictions regarding certain materials:*
- a. Fences in the RC, LI, PD, AGH and AP zone districts may include up to four strands of barbless wire, with the lowest strand at least six feet above ground level. The barbless wire may be placed vertically or at a 45-degree angle; provided, that it does not extend across the property line.

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- b. Electric fences and barbed wire stock fences are permitted only in the AGH, AG/OS, PLI, RP1, RP2, RP3, ER, RR, and PD (when approved as part of the development guide) zone districts. Barbed wire may not be used adjacent to a residential zone.
 - c. Fences constructed primarily of chicken wire, or wafer board, or particleboard, or plywood are prohibited along any property line or in any required building setback where visible from a public street.
 - d. All wood fence materials shall be treated wood or wood with natural resistance to decay, or equivalent. All wood shall be construction grade 2, or better.
8. *Perimeter fencing:* Where perimeter fencing or walls are required per Table XX-2, such fences shall be subject to the following standards:
- i. Fences and walls shall be constructed of durable, easily maintained materials such as, but not limited to, stone or simulated stone, metal, brick, vinyl, or treated, stained or painted wood sections. Chain link, wire mesh, or other similar products shall be prohibited. In residential, light wire mesh may be attached to an open fence such as a wood three rail fence to keep pets and children from crossing through.
 - ii. The "finished" side of the fence or wall shall face the adjacent street, trail, or open space.
 - iii. Solid perimeter fencing shall include columns with a maximum spacing of 50 feet. Individual columns shall be a minimum of two feet by two feet, with a minimum of one foot projecting in front of the fence towards the street. Columns shall include a cap detail for visual interest.
 - iv. A minimum eight-foot buffer shall be provided between the back of a sidewalk and a fence or wall. Landscaping, including trees, shall be incorporated within the buffer to soften the appearance of the wall or fence.
 - v. The maximum length of a solid fence over 42 inches in height shall be 150 feet, unless a break in the plane of a fence or wall may be achieved by one of the following:
 - (A) An offset of the wall or fence that is at least 50 feet in length and at least eight feet in depth;
 - (B) Incorporating a planting pocket a minimum of four feet in depth and 50 feet long with open rail, wrought iron, or other fencing of no more than 50 percent opacity;
 - (C) A non-fenced opening a minimum of 50 feet in length.
 - vii. Fences or walls shall not exceed six feet in height.
 - viii. When a primary entrance to the structure is oriented toward a perimeter street, the perimeter fencing along the street shall be limited to fences or walls that less than 50 percent opaque and do not exceed four feet in height. Fences or walls required to screen parking are not subject to this requirement.
 - ix. Landscaped berms may be used in lieu of fencing or walls outside the downtown or Old Town districts or industrial or outside storage use, or in combination with fencing or walls shall meet the following standards:
 - (A) Berms shall incorporate the curvilinear characteristics of natural landforms and
 - (B) Berms shall not exceed four feet in height; and
 - (B) For visual relief, berms shall incorporate a variety of plantings.

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9. *Nonconforming fences, hedges and walls:* Nonconforming fences, hedges, and walls in existence on the effective date of the ordinance codified in this chapter may continue to exist until such time as they are removed, or damaged such that the cost of repairs is greater than 50 percent of their value, at which time the fence, hedge or wall must be brought into full compliance with this UDC.

10-11-3 Terms Defined.

The following words, terms and phrases, when used in this UDC, shall have the meanings ascribed to them in this section:

Definitions:

1. *Active recreation areas:* Areas of active play or recreation such as sports fields, sports courts, school yards, play areas, or other areas with intense foot traffic.
2. *Alternative Turf:* Grasses cultivated in very close proximity, to form a living surface at the ground plane, generally intended to be mowed regularly, forming a dense growth of leaf blades and roots. Alternative turf species include moderate or low water use turf species that use less than twenty 20 inches of water per growing season such as fescue hybrids, blue grama, buffalo grasses propagated as turf, cold-hardy bermudagrass, drought-tolerate bluegrass varieties and other turf species found on the Town's Approved Alternative Turf list.
3. *Application rate:* the depth of water applied to a given area, usually expressed in inches per hour.
4. *Artificial turf:* A manufactured substitute for organic turf, lawn, or sod which effectively simulates the appearance of a well-maintained lawn and meets all of the quality, materials and installation standards listed in Section 10-6-4.E3 and complies with Colorado State Law (C.R.S § 25-15-605).
5. *Athletic field of play:* Land designed for outdoor games and sports such as baseball, football, tennis, and soccer.
6. *Automatic controller:* A mechanical or solid state timer, capable of operating landscape irrigation stations and setting the schedule (days and length of time) for water application.
7. *Automatic water-efficient irrigation system:* An automatic watering system designed to transport and distribute water to landscape plants with minimal evaporation and runoff that utilizes water saving technologies. An automatic irrigation system does not include irrigation components that are attached to a hose bib.
8. *Berm:* An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise or provide buffering from adjoining properties
9. *Certificate of completion:* The document showing the project has been installed and inspected according to the approved irrigation design plan.
10. *Certified/licensed landscape contractor:* Colorado State law governs the sizes and types of projects that unlicensed individuals can design independent of Town requirements. For those projects that are exempt from State licensure, one of the following certifications are required: Associated Landscape Contractors of Colorado Landscape Industry Certified Technician, Qualified Water Efficient Landscaper (QWEL) program, or another program labeled by U.S. Environmental Protection Agency's WaterSense program.
11. *Check valve or anti-drain valve:* A valve located under, or incorporated within, a sprinkler head or other location within the irrigation system, to hold water in the system so it minimizes drainage from the lower elevation sprinkler heads when the system is off.
12. *Cool-season turfgrass or turf:* A grouping of grasses that grow in very close proximity to form a living surface at the ground plane, is regularly mowed forming a dense growth of leaf blades and roots. Grasses that use more than 20 inches of water per growing season. Cool-season turf species include annual bluegrass, Kentucky bluegrass, perennial ryegrass, red fescue, tall fescue and similar varieties.

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13. *Common Areas*: Open areas within or related to a development that are designed and intended for the common use or enjoyment of the residents of the development and their guests and may include such complementary structures and improvements as are necessary and appropriate. Common areas may include trail areas, gardens, pocket parks, scenic areas, buffer areas, or the like. Common areas may also include active recreational facilities such as pools, tennis courts, playgrounds and clubhouses.
 14. *Coverage*: The extent of the area where water is applied by sprinkler heads. This is used in the context of proper head spacing. Head-to-head coverage must be achieved while minimizing over-spray and eliminating water waste.
 15. *Curbside Landscaping Strip*: a section of landscape area between the back of the curb and the sidewalk within the right of way. Also referred to as “tree lawn”
 16. *Deciduous tree*: A plant or tree with foliage that is shed annually.
 17. *Emission device*: A component of the irrigation system that disperses water to the landscape and includes sprinklers, bubblers, emitters, microsprays, etc.
 18. *Evergreen tree*: A tree with foliage that persists and remains green year-round.
 19. *Flow meter or sensor*: An inline device installed at or near the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow meters must be connected to an irrigation controller, or monitor capable of receiving flow signals and operating master valves. This combination flow meter/controller may also function as a landscape water meter or sub meter.
 20. *Groundcover*: Living plant material that grows low to the ground, usually under twelve-inches in height, often of a spreading nature.
 21. *Hardscape*: Hard landscape materials incorporated into a landscape that are man-made and non-vegetative. This can include paved areas, driveways, retaining walls, stairs, walkways, and any other landscaping made up of hard-wearing materials such as wood, stone, concrete, pavers, and gravel.
 22. *Hydrozone*: A portion of the landscaped area having plants with similar water needs that are served by a valve or set of valves with the same schedule. A hydrozone may be irrigated or non-irrigated. For example, a naturalized area planted with native vegetation that will not need supplemental irrigation once established is a non-irrigated hydrozone.
 - a. Very Low Hydrozone: Plant materials that require five inches or less of supplemental water applied during the growing season. The plant materials within this zone are typically drought-tolerant natives.
 - b. Low Hydrozone: Plant materials that require over five (5) inches and up to or equal to ten (10) inches of supplemental water applied during the growing season.
 - c. Moderate Hydrozone: Plant materials that require over ten (10) inches or up to or equal to fifteen (15) inches of supplemental water applied during the growing season. The plant materials within this zone are typically native hydrophilic or exotic species.
 - d. High Hydrozone: Plant materials that require over fifteen (15) inches of supplemental water applied during the growing season. The plant materials within this zone are intended for high pedestrian traffic areas such as sports fields or community gathering spaces.
 23. *Irrigation Zone*: Typically, an area served by a single control valve, sometimes referred to as a “station”. Zones are comprised of plant materials and soil types with similar water requirements.
 24. *Landscape*: Any combination of living plants, such as ornamental grasses, ground covers, deciduous and evergreen shrubs and trees and turfgrass; natural features such as land and water forms, rock, stone, bark chips or shavings; and structural features, including, but not limited to, fountains, reflecting pools, outdoor artwork, screen walls, fences, or benches.
 25. *Landscape buffer*: An area of landscaping separating two distinct land uses, or a land use and a public right-of-way, and acts to soften or mitigate the effects of one land use on the other.
 26. *Landscaped area*: The entire parcel, less the building footprint, driveways, non-irrigated portions of parking lots, hardscapes- such as decks and patios, and other non-porous areas. Water features are included in the calculation of the landscaped area.

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27. *Landscaping*: The finishing and adornment of unpaved landscape areas. Materials and treatment generally include naturally growing elements such as grass, trees, shrubs and flowers. This treatment may also include the use of logs, rocks, fountains, water features and contouring of the earth.
 28. *Landscape water meter*: An inline device installed at the irrigation supply point that measures the volume of water into the irrigation system by using a flow totalizing device to record water use.
 29. *Large canopy deciduous shade tree*: A deciduous tree that has a mature height equal to or greater than forty-five (45) feet and provides shade.
 30. *Low flow irrigation or drip irrigation*: the application of irrigation water at low pressure through a system of tubing or lateral lines and emitters such as point source emitters, dripper lines, microsprays and bubblers. Low flow irrigation systems apply small volumes of water slowly at or near the root zone of plants.
 31. *Low impact development*: Stormwater management practices that minimize impervious cover and use natural or manufactured systems to slow, filter, and infiltrate stormwater on-site. Examples include, but are not limited to: bio-swales or bio-retention, rain gardens, vegetated roofs, permeable paving, and infiltration trenches.
 32. *Master shut-off valve*: An automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system.
 33. *Mainline*: Piping upstream of the control valve in an irrigation system.
 34. *Median Landscape*: The landscaped area between opposing directions street traffic lanes.
 35. *Microclimate*: The climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.
 36. *Mulch*: Any organic material such as leaves, bark, wood chips, straw, or inorganic material such as crushed stone or gravel, or other materials left loose and applied to the soil surface for the beneficial purpose of reducing evaporation.
 37. *Native plant*: A species that is indigenous within the Colorado Front Range and naturally occurring in one or more plant communities.
 38. *Naturalized landscape*: Any combination of living plants and natural features designed or laid out to mimic the organic or more irregular patterns found in nature rather than rigid, geometric organizations.
 39. *Naturalized shape*: A landscape design form or layout that mimics the organic, more irregular patterns found in nature rather than rigid, geometric structures.
 40. *New construction*: For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
 41. *Non-residential landscape*: Landscapes in commercial, institutional, industrial, and public settings that may have areas designated for recreation, public assembly, or storm drainage. It also includes portions of common areas of common interest developments with designated recreational areas.
 42. *Open space*: Undeveloped land that is permanently maintained in a natural or agricultural state for aesthetic, environmental, or passive recreational purposes.
 43. *Operating pressure*: The pressure at any point in the irrigation system when the system is functioning. Operating pressure is measured with flow in the line. Also known as dynamic pressure.
 44. *Organic matter*: Leaves, grass clippings, wood chips, and other yard wastes.
 45. *Ornamental tree*: a small tree, typically under 30 feet in height at maturity, that has high visual impact due to flowers, shape, form, texture or other characteristics.
 46. *Overhead sprinkler irrigation systems*: Systems that deliver water through the air (pop-ups, rotors, etc.)
 47. *Overspray*: The water that is delivered beyond the target area.

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48. *Permeable*: Any surface or material that allows the passage of water through the material and into the underlying soil.
 49. *Passive recreation area*: Low intensity outdoor activities enjoyed by the public such as walking, hiking, bicycling, picnicking, nature education, and bird watching.
 50. *Planting area*: An area in which plants are to be installed, surrounded by mulch, and separated from other planting areas.
 51. *Rain sensor or rain shutoff device*: A device connected to an irrigation controller that overrides scheduled irrigation when significant precipitation has been detected.
 52. *Right-of-way (ROW)*: That portion of land between right-of-way lines, whether improved or unimproved, dedicated to public use.
 53. *Root zone*: The depth of the plant roots in the soil; the area in which plant roots grow.
 54. *Runoff*: Water which is not absorbed by the soil or landscape to which it is applied and flows from the area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate), run times are set too long or a valve is stuck open, when there is a severe slope, etc.
 55. *Screening*: A vertical barrier, including opaque fences/walls, sight obscuring fences, or landscaped screening, situated between adjacent uses or properties, or maintenance, trash, storage or loading areas, constructed or planted to reduce impacts on adjacent land areas or uses
 56. *Shade tree*: A deciduous tree planted primarily for its high crown of foliage or overhead canopy.
 57. *Shrub*: A self-supporting woody perennial plant of low to medium height characterized by multiple stems and branches continuous from the base, usually not more than twelve feet in height at its maturity. It may be evergreen or deciduous.
 58. *Smart irrigation controller*: An automatic timing device with nonvolatile memory used to remotely control valves that operate an irrigation system. Smart irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based), soil moisture data or flow data or a combination of methods.
 59. *Soil amendment*: Organic material added to the soil to improve texture, moisture holding capacity, nutrient capacity, water and air infiltration.
 60. *Street tree*: a tree located within the curbside landscaping strip, or within 10-feet of the back of the curb as designated, designed to provide shade and landscaping for the street
 61. *Private Owned Landscaping List*: a list of approved plantings for private development that is not reviewed under Town Standards, not governed by the Town Standards Section 1200 Approved Material List
 62. *Tree lawn*: See Curbside landscaping strip
 63. *Warm-season Turfgrasses*: Bermudagrass, Blue Grama, and Buffalo grass
 64. *Water waste*: The application of water to impervious surfaces, over irrigation resulting in runoff or pooling, and non-beneficial use of water.
 65. *Water-wise plants*: Shrubs, perennials and grasses with an annual irrigation water requirement of less than fifteen (15) inches (9.345 gallons) per square foot.
 66. *Xeriscape*: A water efficient landscape adapted to the local environment.



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 12/2/2025

File #: 25-516, **Version:** 1

SUBJECT:

Preliminary Report on North/South Connectivity Opportunities: County Line & Arapahoe Road to HWY7 Options

DEPARTMENT: Public Works

PRESENTER(S): John Firouzi, Transportation & Mobility Manager

TIME ESTIMATE: 60 minutes

For time estimate: please put 0 for Consent items.

POLICY ISSUES:

At Town Council's request, staff are conducting a feasibility study to extend Arapahoe Road, or other alternative roads, to improve connectivity to Colorado State Highway 7.

STAFF RECOMMENDATION:

There is no recommendation currently. Staff are presenting options to Council.

SUMMARY/KEY POINTS

- Council directed staff to investigate the feasibility to extend Arapahoe Road through or near the airport to Colorado State Highway 7.
- An existing conditions report is complete.
- Several alternatives were created and will be presented to Council.

BACKGROUND OF SUBJECT MATTER:

Council expressed interest to staff to research another connection from Arapahoe Road to Colorado State Highway 7. This is in response to concerns with increased traffic on Vista Parkway and the indirect connection to SH 7 using Coal Creek Blvd.

The Town has contracted with DJ&A to conduct the feasibility study and provide alternatives outlining opportunities and challenges. After a site visit and research into constraints, an existing conditions report was produced. The existing conditions report provides several options which staff will be presenting.

File #: 25-516, **Version:** 1

ATTACHMENT(S):

1. Presentation



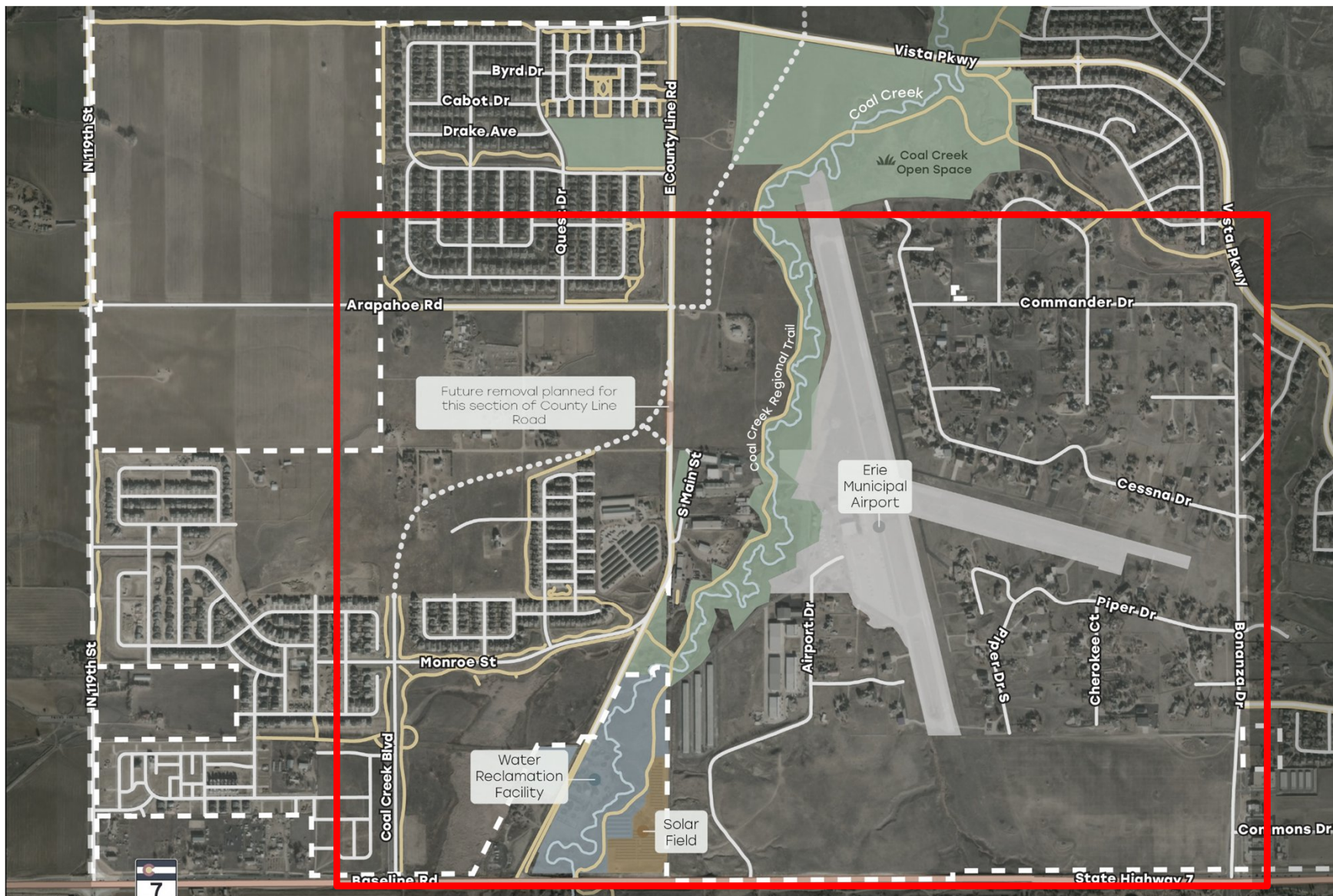
Preliminary Report on N/S Connectivity Opportunities: County Line & Arapahoe Rd to HW7 Options

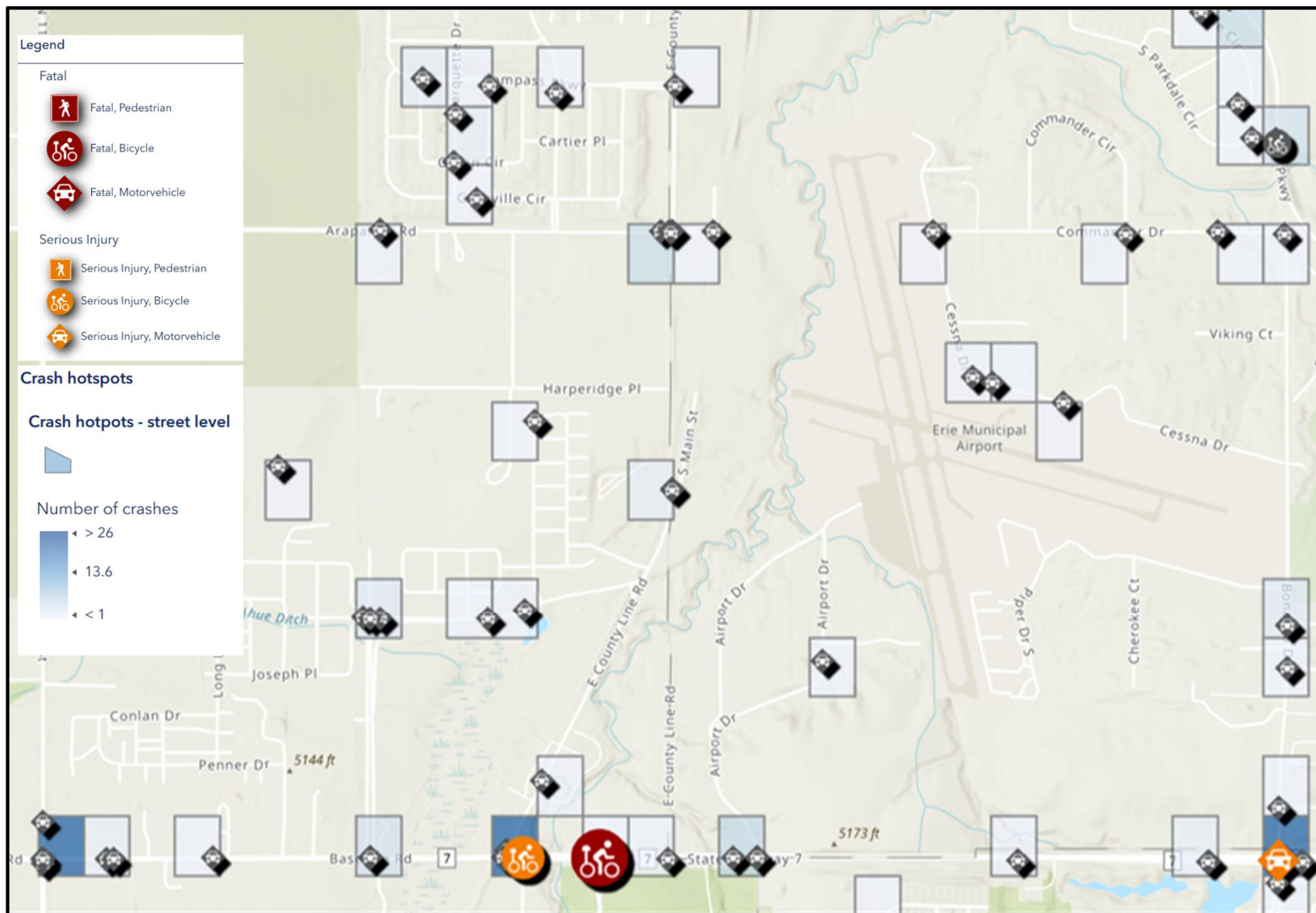
Erie Town Council
December 02, 2025

John Firouzi, Transportation & Mobility Manager



STUDY AREA







Regulatory Restrictions



Coal Creek



Airport Runway



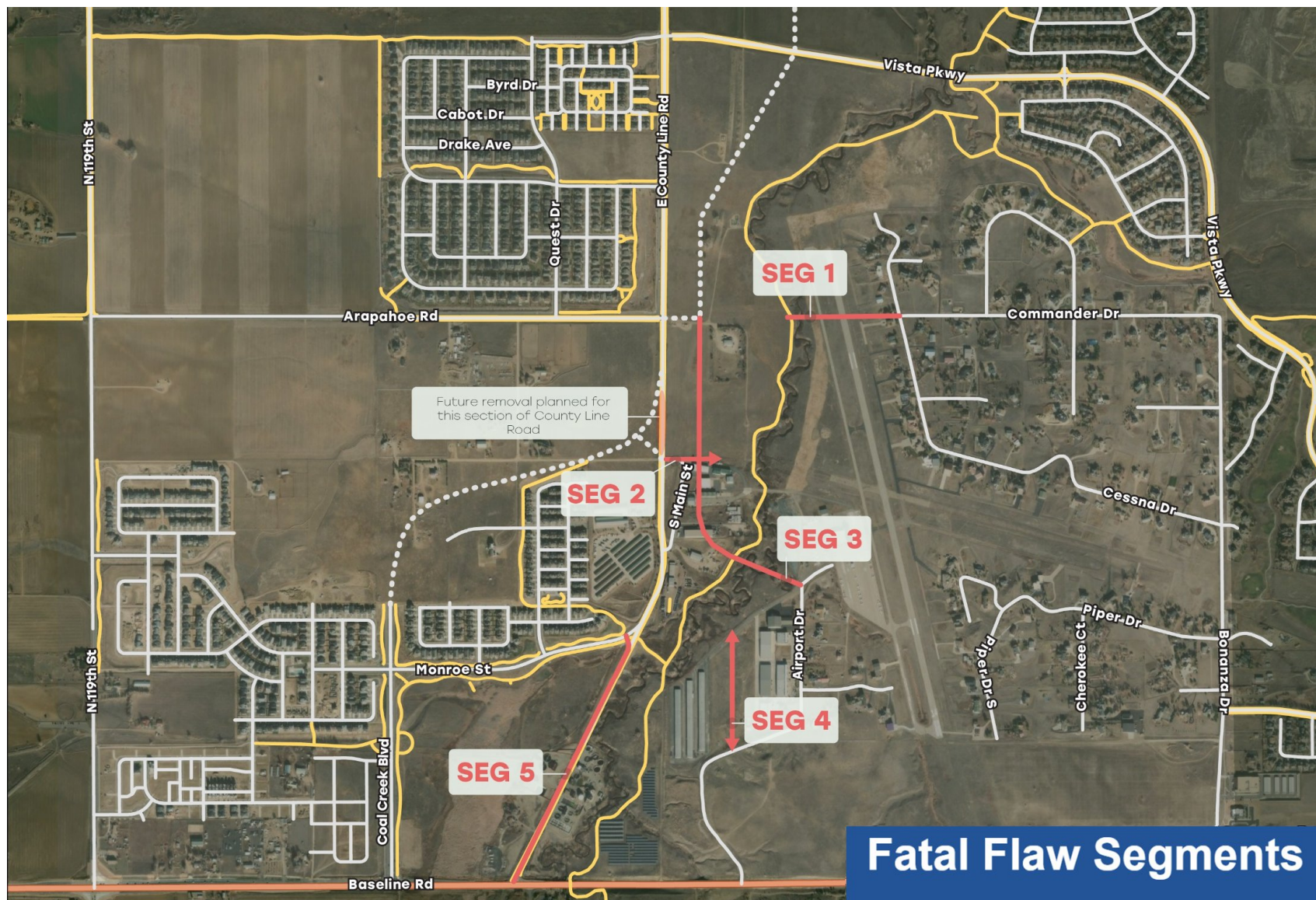
TRAFFIC CONTROL

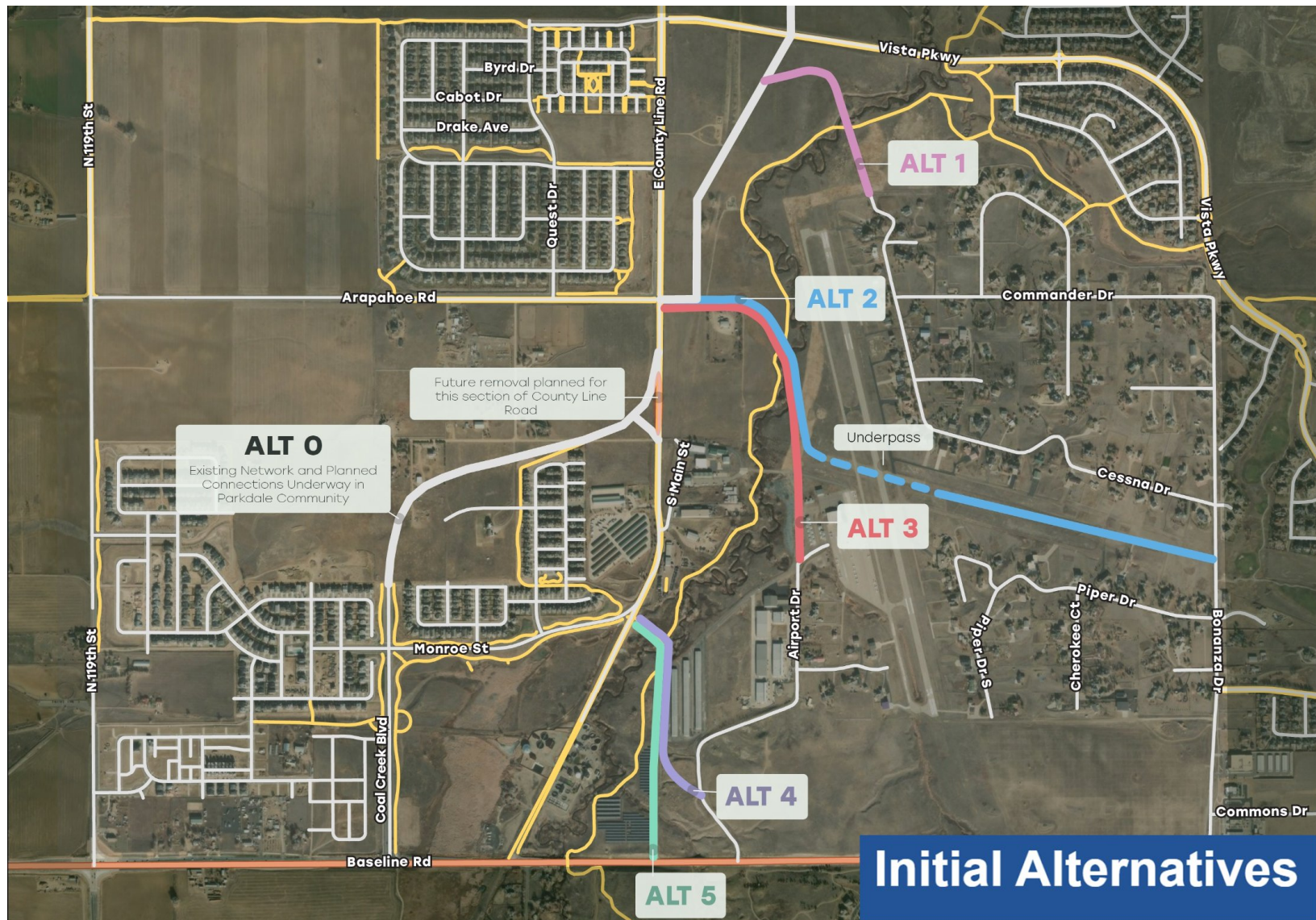




Connectivity Opportunities







Alternative 1

Challenges

- Needs to avoid Runway Protection Zone, adding curved connections
- High complexity due to Flood Plain requirements
- Impacts low-volume residential streets
- East connection to Vista Pkwy elevation change (if connected per Annexation Agreement – separate study)



Opportunities

- Could reduce traffic on Vista Pkwy, accessing Commander Drive and traffic signal at Bonanza Drive
- Improves connection to neighborhoods west of CLR and north of Vista Pkwy
- Avoids impacts to Airport land uses and runway



Alternative 2

Challenges

- Roadway geometric complexity with bridge and underpass interference with roadway curves
- Steep transitions to go over Coal Creek and under runway (slopes)
- Airport runway could be impacted during construction
- Requires extensive O&M and Engineering analysis with interferences

Opportunities

- Direct connection to Arapahoe Road, especially to serve emergency response needs
- Avoids impacts to Airport land uses and aligns with Hanger Expansion plans
- Utilizes former runway alignment right-of-way, and aligns with FAA definitions for specialized access



Alternative 3

Challenges

- Introduces new traffic within Airport boundary
- Would need to address taxiway crossings
- Requires extensive O&M and Engineering analysis with Airport Drive curved alignment and slopes

Opportunities

- Direct connection between major roads (Arapahoe Rd and CO-7)
- Avoids impacts to Airport runway
- No impact to residential neighborhoods
- Added traffic activity can benefit Economic Development interests



Alternative 4

Challenges

- Could impact existing properties and access points along County Line Rd
- Steep transitions (slopes) at Coal Creek requires very longer bridge span
- Narrow existing right-of-way north of Hwy 7 (cannot be multi-lane)

Opportunities

- Improves connection from Arapahoe Rd to Hwy 7 with less interference
- Presents an opportunity for a roundabout intersection (speed management) on CLR
- No impact to residential neighborhoods
- Avoids impacts to Airport land uses and runway
- Connects to future (funded) Traffic Signal at Hwy 7 / Airport Dr intersection





Alternative 5

Challenges

- Could impact existing properties and access points along County Line Rd
- Steep transitions (slopes) at Coal Creek requires very longer bridge span
- Narrow existing right-of-way north of Hwy 7 (cannot be multi-lane)
- Would require realignment of Airport Drive, and access restriction at Airport Dr / Hwy 7 intersection
- Impacts traffic progression on Hwy 7, given existing signal ½ mile from Coal Creek Blvd

Opportunities

- Improves connection from Arapahoe Rd to Hwy 7 with less interference
- Presents an opportunity for a roundabout intersection (speed management) on CLR
- No impact to residential neighborhoods
- Avoids impacts to Airport land uses and runway



Next Steps

- Communication & Engagement
 - Council Presentation
 - Project Webpage
- Select Preferred Alternative
- Prepare concept design (~15% level) for Preferred Alternative
 - Alignment
 - Width
 - Bridge locations
 - Conceptual cost estimate



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Town Council

Board Meeting Date: 12/2/2025

File #: 25-654, **Version:** 1

SUBJECT:

EXECUTIVE SESSION: to hold a conference with the Town Attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e); and to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a); for which a topic cannot be disclosed without compromising the purpose of the executive session

DEPARTMENT: Administrative Operations

PRESENTER(S):

TIME ESTIMATE: 45 minutes

For time estimate: please put 0 for Consent items.