UNDERSTANDING ERIE'S NEW LANDSCAPE CODE

TOWN OF ERIE
1874

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Understanding Erie's New Landscape Code

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.

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*

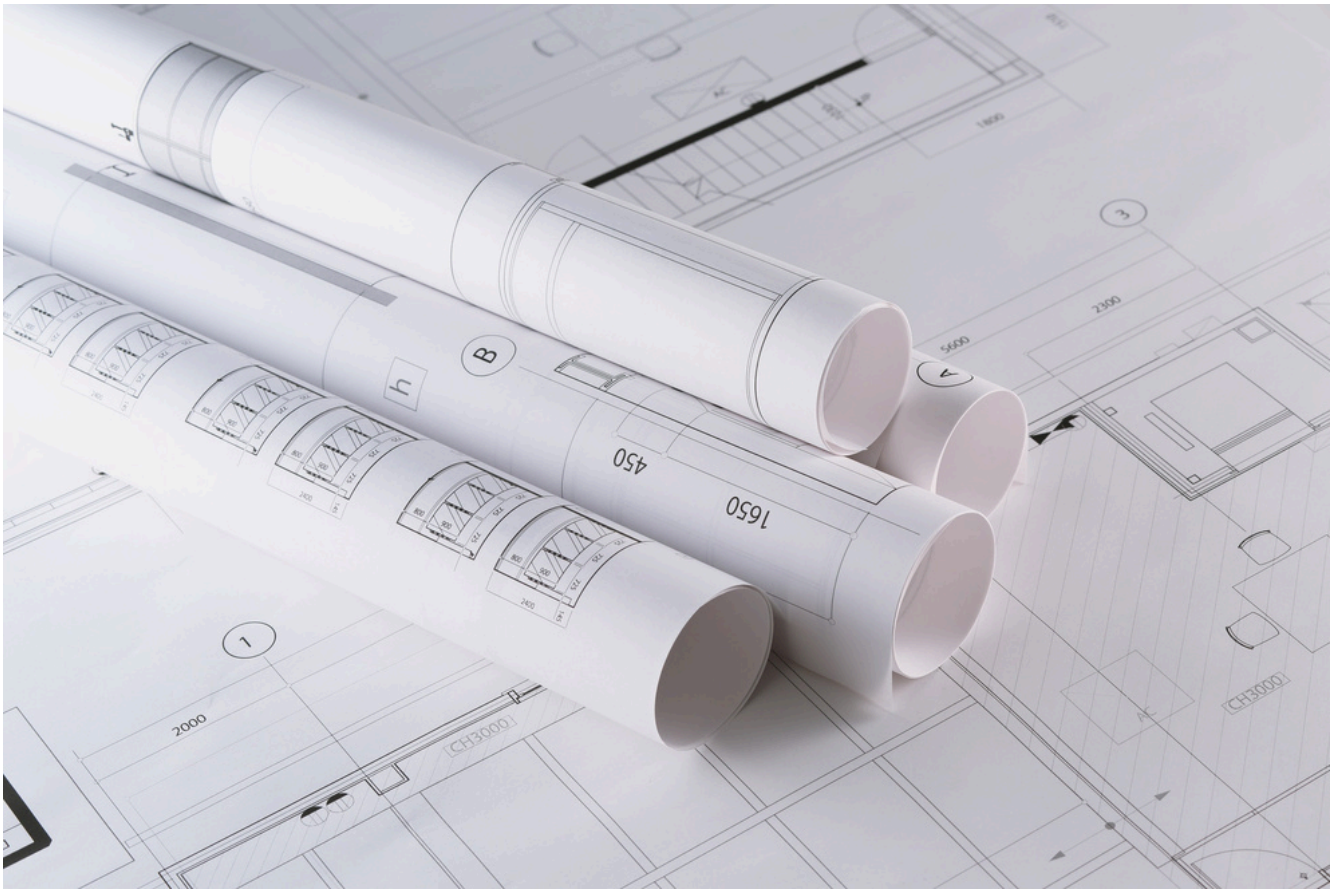
Landscape and Irrigation System Design Plans

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/or 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 Material	Turfgrass	Other
Rights-of-way and curbside landscaping strips	Full coverage with rock mulch or hardscaping in areas less than 4-feet wide At least one street tree for every 40 ft of street; two trees per lot for lots with minimum 60 ft width.	Cool-season turfgrass is not permitted	Landscaping near on-street parking should allow for sidewalk access
Single-family, duplex, and Townhome private lots	At least 50% (side and rear yard combined) or 70% living plant materials (front yard) One tree per 1,000 square feet of landscaped area	No Cool-season turfgrass Max 50% alternative turfgrass species in landscape	N/A
Multi-family dwelling units	At least 50% living plant materials One tree per 1,000 sq. ft. of landscaped area, and one shrub per 150 sq. ft.	No cool-season turfgrass Alternative turfgrass limited to recreational use areas or other civic/community spaces.	At least 20% of the gross site area must be landscaped
Nonresidential	At least 50% of the landscaped area must have living plant materials One tree per 1,000 sq. ft of landscaped area, and one shrub per 150 sq. ft.	No cool-season turfgrass Alternative turfgrass limited to recreational use areas or other civic/community spaces (max 30% of landscape)	At least 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	No cool-season turfgrass	Parking lots with over 100 spaces must have vegetated swales
Stormwater Facilities	N/A	Cool-season turfgrass allowed in active recreation area stormwater facilities	Other facilities shall be planted with low-water and/or native grass seed varieties and other low-water use plant materials

*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, as outlined in the code's maintenance section. 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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