



Town of Johnstown

PLANNING & ZONING COMMISSION REGULAR MEETING

450 S. Parish, Johnstown, CO
Wednesday, October 12, 2022 at 7:00 PM

MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.

AGENDA

CALL TO ORDER

ROLL CALL

ROLL CALL

PUBLIC COMMENTS - *Regarding items not on the Agenda (limited to 3 minutes each)*

NEW BUSINESS

1. Thompson Ridge Estates Preliminary/Final Subdivision and Development Plan - a four lot subdivision on ~20 acres

DEPARTMENTAL REPORT

DEPARTMENTAL REPORT

ADJOURN

ADJOURN

2. Drafts of Land Use Code - General Review and Discussion

AMERICANS WITH DISABILITIES ACT NOTICE

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (970) 587-4664 within 48 hours prior to the meeting in order to request such assistance.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141



Town of Johnstown

PLANNING & ZONING COMMISSION STAFF ANALYSIS REPORT

ITEM:	Public Hearing and Consideration for the Thompson Ridge Estates Preliminary/Final Plat and Development Plan (SUB22-0009)
DESCRIPTION:	Proposed four lot subdivision on approximately 20 acres.
LOCATION:	South of the Thompson Crossing II subdivision, west of Larimer County Rd. 3/High Plains Blvd.
APPLICANT:	Mike Campana, R&M Holdings LLC
STAFF:	Justin Currie, Planner II
HEARING DATE:	October 12, 2022

ATTACHMENTS

- 1. Vicinity Map
- 2. Final Plat
- 3. Final Development Plan
- 4. Thompson River Ranch 2005 Preliminary Plat
- 5. Public Comment

PROJECT SUMMARY

The Applicant, R&M Holdings LLC, is requesting consideration of a combined Preliminary/Final Subdivision Plat and Development Plan encompassing 20.01 acres. The proposed plat and development plan include 4 single-family detached lots, ranging in size from 1.25 acres to 5.82 acres, and over 9 acres of open space. Also included is the required dedication of a 2 acre park that will be alternatively fulfilled with a cash in lieu payment determined by the Public Works department.

To maintain the vision of a unique neighborhood, the same house shall not be duplicated within Thompson Ridge Estates. Each house shall have at least 5 characteristics which clearly and obviously distinguish it from the other houses, including: different floor plans, exterior materials, roof lines, garage placement, and placement of the footprint on the lot and/or building face. All homes will be limited to 2-stories with a maximum building height of 30 feet, along with a minimum front building setback of 30 feet, a 25 foot side setback, and a 20 foot rear setback. Lots are also limited to a maximum of 4000 SF each for high water usage turf-type irrigated areas, with low water use on the remainder of the landscaped areas (i.e., mulched beds, xeric, drip irrigated). Fencing would be limited to 4-foot tall, 3-wood-rail open fencing.

Due to the existing wetland on site and its proximity to the Big Thompson River to the south an Ecological Characterization Report was submitted and recommended that there be a 50 foot buffer from the existing wetland and a 100 foot buffer from the Big Thompson River which the applicant has included with the FDP. An initial 5th lot was removed from the final plans and plat to better protect this area.

A minimum of 30% of the gross project site (6 acres) is required to be open space and the proposed development would provide 9.09 acres (45.3%).

The proposed main access into the development would come from an existing platted access easement from Watercress Dr., through the existing Thompson Crossing II residential subdivision located north of the project. Sewer and water mains were originally extended with the development of the adjoining neighborhoods and a short water main with a hydrant and sewer main with a new manhole would be extended into the site to provide service to the proposed residential lots.

Zoning: PUD-MU (Mixed Use).

ADJACENT ZONING & LAND USE

- North** PUD-R –Thompson Crossing II Single Family neighborhood
- East** RR2 – Larimer County Rural Residential, Vacant land
- South** PUD-MU– Big Thompson River and Thompson River Ranch Residential Single-Family neighborhood
- West** PUD-MU–Thompson Crossing Single Family neighborhood

PROPERTY LAND USE HISTORY

This property has historically been undeveloped land. The property was annexed as the WRFG Annexation, Ordinance 2000-639, and zoned, PUD-MU, under Ordinance 2000-646. While the subject property was included in the original early-2000s PUD concept and preliminary plans for the Thompson River Ranch development area, this land was held by the original owners and never transferred/sold to those Developers or the Thompson River Ranch Metro District, so it has remained privately owned. It was recently sold to the Applicant. Based on approved PUD plans that, at one time, erroneously showed this parcel within its bounds, a large portion of the property was intended as open space due to its proximity to the Big Thompson River, and the northern portion established a future developable area of approximately 4.5 acres. This is based on a 2005 preliminary plat that was approved by the Town, and still considered valid today, based upon the continued development of the Thompson River Ranch neighborhood. See Attachment 4.

PUBLIC NOTICE & COMMENT

Notice for the Planning & Zoning Commission hearing was published in the Johnstown Breeze, on Thursday, September 22, 2022. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notices were mailed to all property owners within 500 feet of the property in question. This notice included a vicinity map and the proposed subdivision map. One public comment has been received by Staff as of the date of publication of this report and has been included with this staff report.

STAFF ANALYSIS

The proposed Preliminary/Final Development Plan and Subdivision Plat substantially comply with town code and regulations; aligns with the Johnstown Area Comprehensive Plan as an area of Medium Density/Intensity and the adjacent to this river corridor; and meets the development standards of the Town as well as Thompson River Ranch PUD design guidelines to be compatible with surrounding development.

Staff has no outstanding concerns and believes this development will promote the Town's goals of diversity of housing types, walkable neighborhoods, and efficient development patterns and extension of infrastructure.

RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS

Recommended Findings:

It is recommended that Planning and Zoning Commission send a recommendation for Approval to Town Council that the requested Thompson Ridge Estates Preliminary/Final Subdivision Plat and Development Plan be approved based upon the following findings:

1. The proposed Development is in alignment with the current Johnstown Area Comprehensive Plan and its Future Land Use Plan.
2. The proposed Development is serviceable by Town systems, services, and utilities, with required improvements that will be reflected in development and construction plans.

Recommended Motion to Approve:

Based on the application received, associated submittal materials, and the preceding analysis, the Planning & Zoning Commission finds that the request for the Thompson Ridge Estates Preliminary/Final Subdivision Plat and Development Plan further the *Johnstown Area Comprehensive Plan* goals, and is compatible with the surrounding areas, and meet all other applicable Town standards and regulations, and therefore moves to recommend to the Town Council Approval based upon the findings as stated in this report.

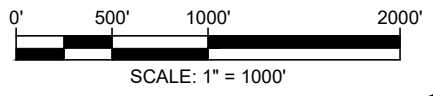
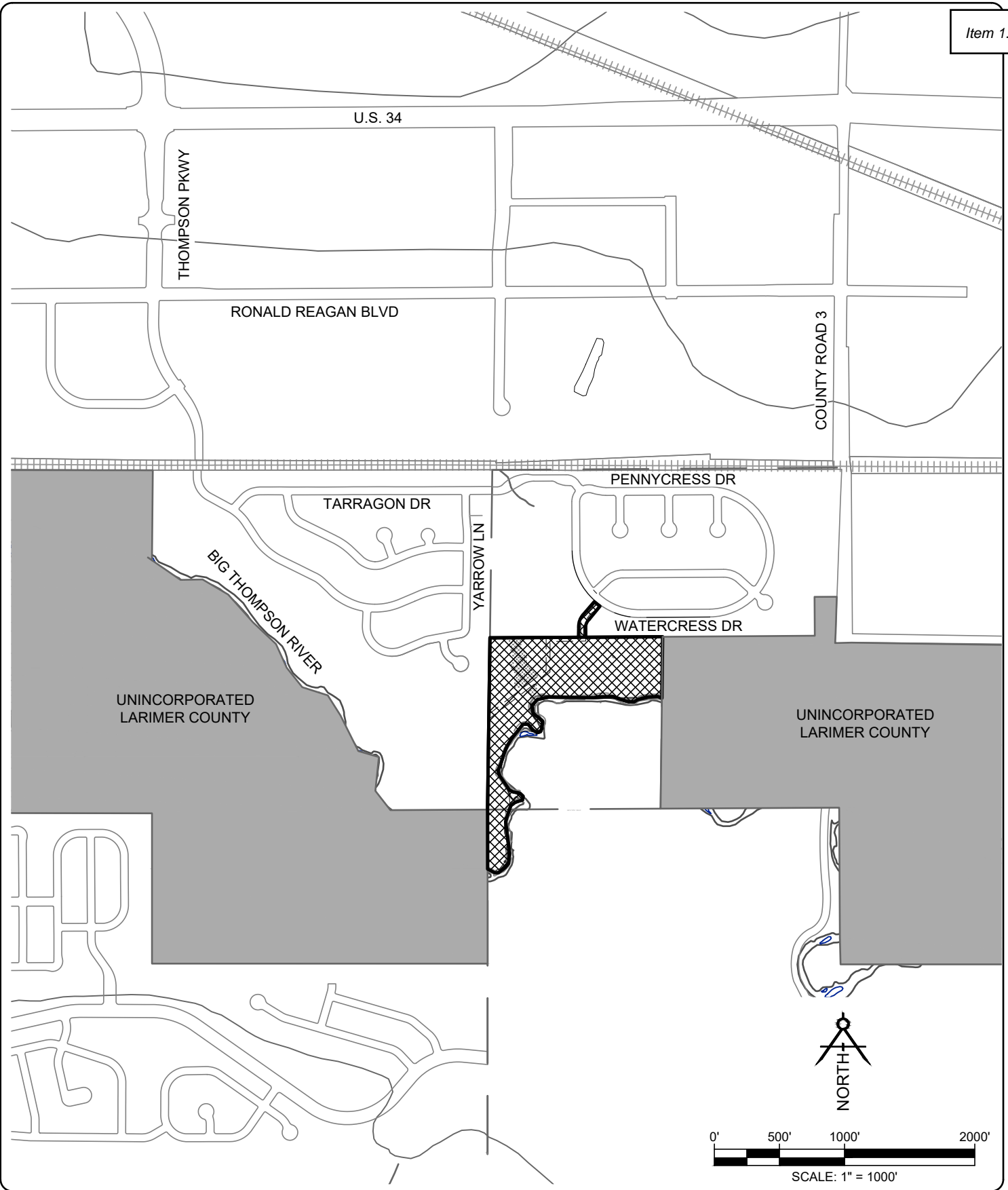
Alternate Motion

- Motion to Deny: "I move that the Commission recommend to the Town Council Denial of the Thompson Ridge Estates Preliminary/Final Subdivision Plat and Development Plan based upon the following findings..."

Planner:



Justin Currie, Planner II



UNITED CIVIL
Design Group

19 OLD TOWN SQUARE #238 | FORT COLLINS, CO 80524 | (970) 530-4044 | www.unitedcivil.com

THOMPSON RIDGE ESTATES
VICINITY MAP

DATE: May 22, 2022

PREPARED FOR: R&M HOLDINGS, LLC

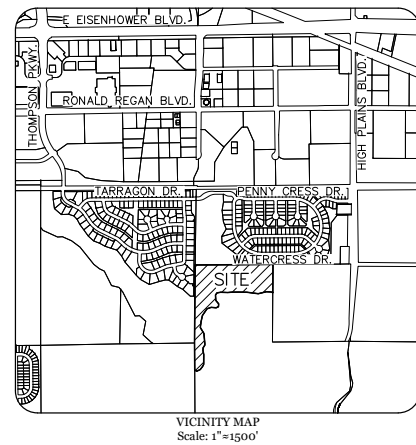
JOB NUMBER: U19019

SHEET 1 OF 1

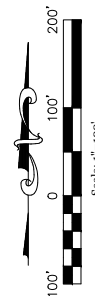
NOTE: THIS EXHIBIT WAS PREPARED FOR INFORMATION ONLY AND THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR UNAUTHORIZED USE OF THEM.

THOMPSON RIDGE ESTATES

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14 AND THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO



SOUTH 1/16 CORNER
SEC. 14, T.5N., R.68W.
FOUND REBAR WITH
2"ALUM. CAP STAMPED
S 1/16 SEC 14
LS 20676, 1999



N89°39'17"E 1326.13'

CALCULATED POINT
SOUTHEAST 1/16 CORNER
SEC. 14, T.5N., R.68W.

FOUND REBAR WITH
3.25"ALUM. CAP STAMPED
14.0' WC SE 1/16 SEC 14
LS 16847, 2003

THOMPSON RIVER, FILING 1
20.05 ACRES

S0°41'58"W 471.76' 477.62' (DEED)

S0°41'58"W 1319.57'

(BASIS OF BEARINGS) N0°48'15"E 1318.83'

P.O.B
SOUTH 1/4 CORNER
SEC. 14, T.5N., R.68W.
FOUND REBAR WITH
2.5"ALUM. CAP STAMPED
S 1/4 SEC 14
PLS 38512, 2016

S89°41'19"W 1328.53'

EAST 1/16 CORNER
SEC. 14, T.5N., R.68W.
FOUND REBAR WITH
3.25"ALUM. CAP STAMPED
E 1/16 SEC 14
LS 16847, 2003

N0°00'11"W 2645.17'

CENTER 1/4 CORNER
SEC. 23, T.5N., R.68W.
FOUND REBAR WITH
2.5"ALUM. CAP STAMPED
CNTR 1/4 SEC 14
LS 12374, 1993

STATEMENT OF OWNERSHIP:

KNOW ALL PERSONS BY THESE PRESENTS THAT (THE UNDERSIGNED), BEING ALL THE OWNERS AND LIEN HOLDERS OF THE FOLLOWING DESCRIBED PROPERTY, EXCEPT ANY EXISTING PUBLIC STREETS, ROADS OR HIGHWAYS, WHICH PROPERTY IS LOCATED IN SECTION 14 AND SECTION 23, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SW 1/4 OF THE SE 1/4 OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO AND THE NW 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO, EXCEPTING THEREFROM THAT PORTION CONTAINED CONVEYED TO EXIT 223, LLC, A COLORADO LIMITED LIABILITY COMPANY IN SPECIAL WARRANTY DEED RECORDED OCTOBER 4, 2013 AT RECEPTION NUMBER 20130075805, LARIMER COUNTY RECORDS.

ALSO BEING DESCRIBED AS FOLLOWS: A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 AND THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: THE WEST LINE SOUTH QUARTER OF SAID SECTION 14, BEING MONUMENTED ON THE SOUTH BY A 2 1/2' CAP STAMPED 'LS 37911' AND ON THE NORTH BY A 3 1/4' CAP STAMPED 'LS 20676' AND IS CONSIDERED TO BEAR NORTH 00°48'15" EAST, A DISTANCE OF 1318.83 FEET;

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 14; THENCE NORTH 00°48'15" EAST ALONG SAID WEST LINE, A DISTANCE OF 1318.83 FEET TO THE CENTER SOUTH 1/16 CORNER OF SAID SECTION 14; THENCE NORTH 89°39'17" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 1326.13 FEET TO THE SOUTHEAST 1/16 CORNER OF SAID SECTION 14; THENCE SOUTH 00°41'58" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 477.62 FEET; THENCE ALONG THE CENTERLINE OF THE BIG THOMPSON RIVER, THE FOLLOWING THIRTY (30) COURSES: NORTH 66°03'45" WEST, A DISTANCE OF 30.42 FEET; NORTH 86°38'15" WEST, A DISTANCE OF 80.00 FEET; SOUTH 76°29'25" WEST, A DISTANCE OF 142.88 FEET; NORTH 82°25'37" WEST, A DISTANCE OF 195.76 FEET; NORTH 88°21'22" WEST, A DISTANCE OF 140.03 FEET; NORTH 90°00'00" WEST, A DISTANCE OF 120.08 FEET; SOUTH 84°32'10" WEST, A DISTANCE OF 66.13 FEET; NORTH 87°25'12" WEST, A DISTANCE OF 120.11 FEET; SOUTH 81°12'12" WEST, A DISTANCE OF 64.82 FEET; SOUTH 34°21'42" WEST, A DISTANCE OF 44.76 FEET; SOUTH 02°50'15" EAST, A DISTANCE OF 91.13 FEET; SOUTH 39°45'07" EAST, A DISTANCE OF 76.19 FEET; SOUTH 03°27'10" WEST, A DISTANCE OF 49.01 FEET; SOUTH 65°28'08" WEST, A DISTANCE OF 45.17 FEET; NORTH 84°51'14" WEST, A DISTANCE OF 85.29 FEET; SOUTH 71°04'54" WEST, A DISTANCE OF 75.08 FEET; SOUTH 35°01'55" WEST, A DISTANCE OF 137.07 FEET; SOUTH 12°45'45" WEST, A DISTANCE OF 110.22 FEET; SOUTH 07°20'06" WEST, A DISTANCE OF 98.17 FEET; SOUTH 30°38'01" EAST, A DISTANCE OF 119.09 FEET; SOUTH 04°54'10" EAST, A DISTANCE OF 175.84 FEET; SOUTH 05°20'19" WEST, A DISTANCE OF 24.64 FEET; SOUTH 32°13'34" WEST, A DISTANCE OF 52.67 FEET; SOUTH 04°14'29" WEST, A DISTANCE OF 44.68 FEET; SOUTH 10°47'48" EAST, A DISTANCE OF 70.55 FEET; SOUTH 00°33'45" WEST, A DISTANCE OF 168.32 FEET; SOUTH 29°30'17" WEST, A DISTANCE OF 43.61 FEET; SOUTH 37°30'32" WEST, A DISTANCE OF 62.41 FEET; SOUTH 65°20'55" WEST, A DISTANCE OF 67.26 FEET; NORTH 60°17'03" WEST, A DISTANCE OF 37.73 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23; THENCE NORTH 00°00'45" EAST ALONG SAID WEST LINE, A DISTANCE OF 461.52 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A GROSS AREA OF 20.05 ACRES OR 873,438.23 SQUARE FEET, MORE OR LESS

(OWNER).

BY: _____
(NAME)

STATE OF COLORADO)
)SS
COUNTY OF LARIMER)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022, BY

AS _____

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

APPROVALS:

TOWN COUNCIL

THIS PLAT TO BE KNOWN AS THOMPSON RIDGE ESTATES WAS APPROVED BY ACTION OF THE TOWN OF JOHNSTOWN, COLORADO AT A REGULAR MEETING HELD ON THE _____ DAY OF _____, 2022.

BY: _____ ATTEST: _____
MAYOR TOWN CLERK

SURVEYOR'S STATEMENT:

I, CHAD R. WASHBURN, BEING A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE PLAT OF THOMPSON RIDGE ESTATES WAS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SURVEY IS ACCURATELY REPRESENTED ON THIS PLAT AND THAT THE STATEMENTS CONTAINED HEREON WERE READ BY ME AND THE SAME ARE TRUE TO THE BEST OF MY KNOWLEDGE.
DATED THIS _____ DAY OF _____, 2022.



CHAD R. WASHBURN, COLORADO LICENSED PROFESSIONAL LAND SURVEYOR #37963
FOR AND ON BEHALF OF WASHBURN LAND SURVEYING, LLC

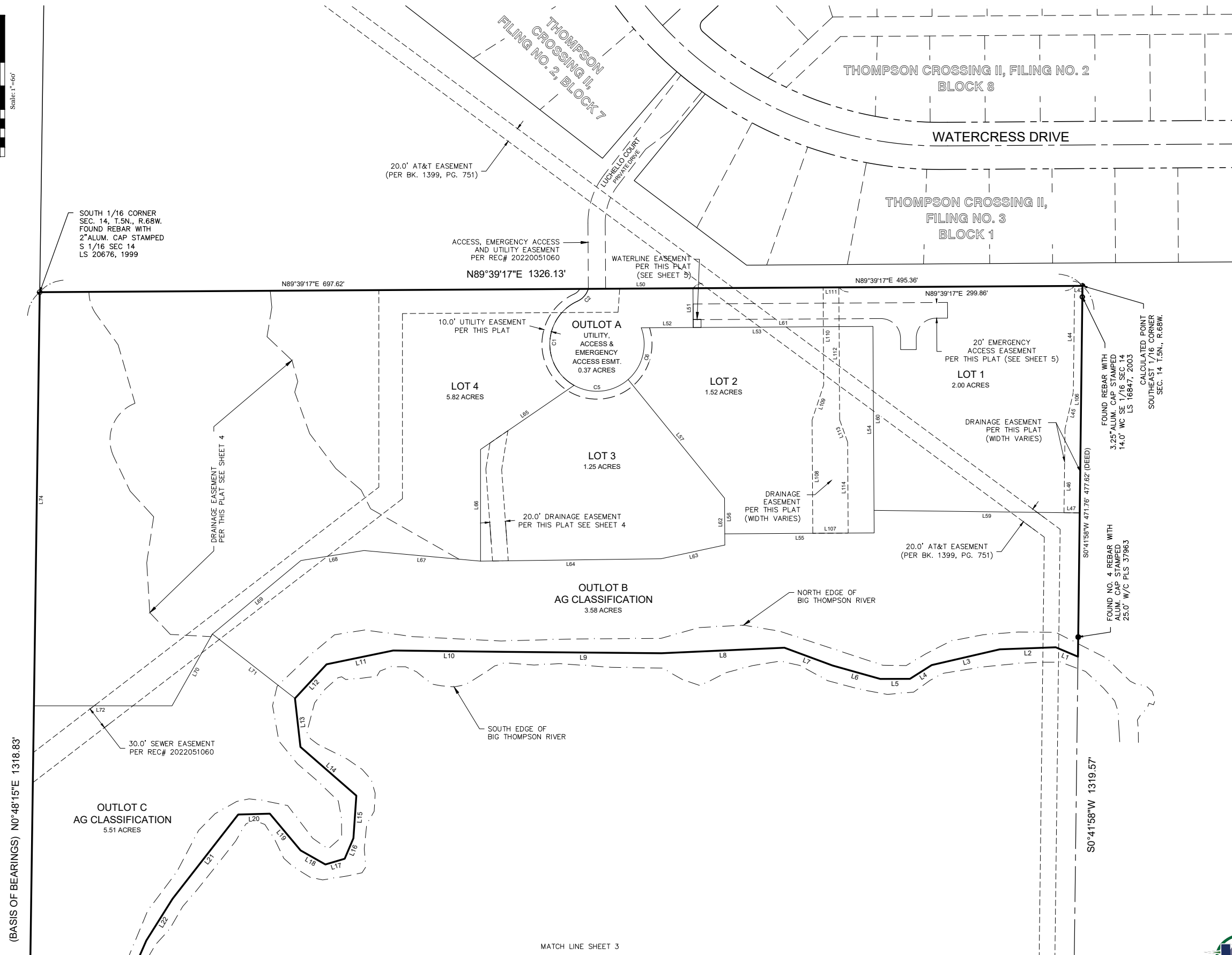
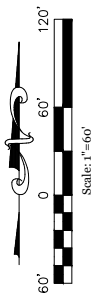


NOTICE

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF CERTIFICATION.

THOMPSON RIDGE ESTATES

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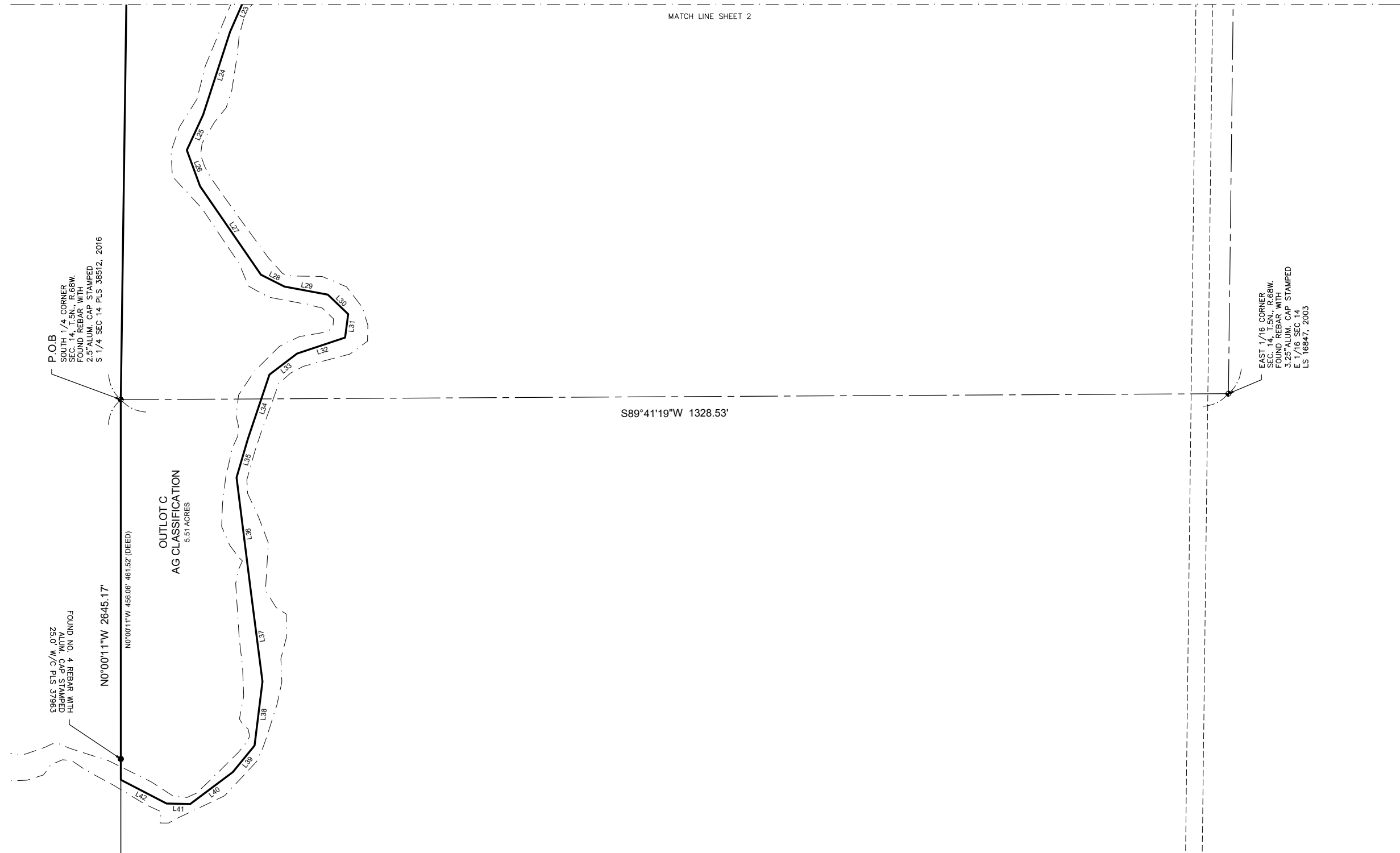
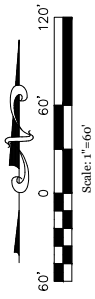
LEGEND

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- FOUND REBAR WITH ALUM. CAP AS NOTED
- LINE-TYPES AND HATCHING
- LOT LINE
- - - EXISTING EASEMENT
- · - · - PROPOSED EASEMENT
- · - · - BUILDING ENVELOPE
- · - · - EDGE OF RIVER
- ▨ MARSH AREA

THOMPSON RIDGE ESTATES

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RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO

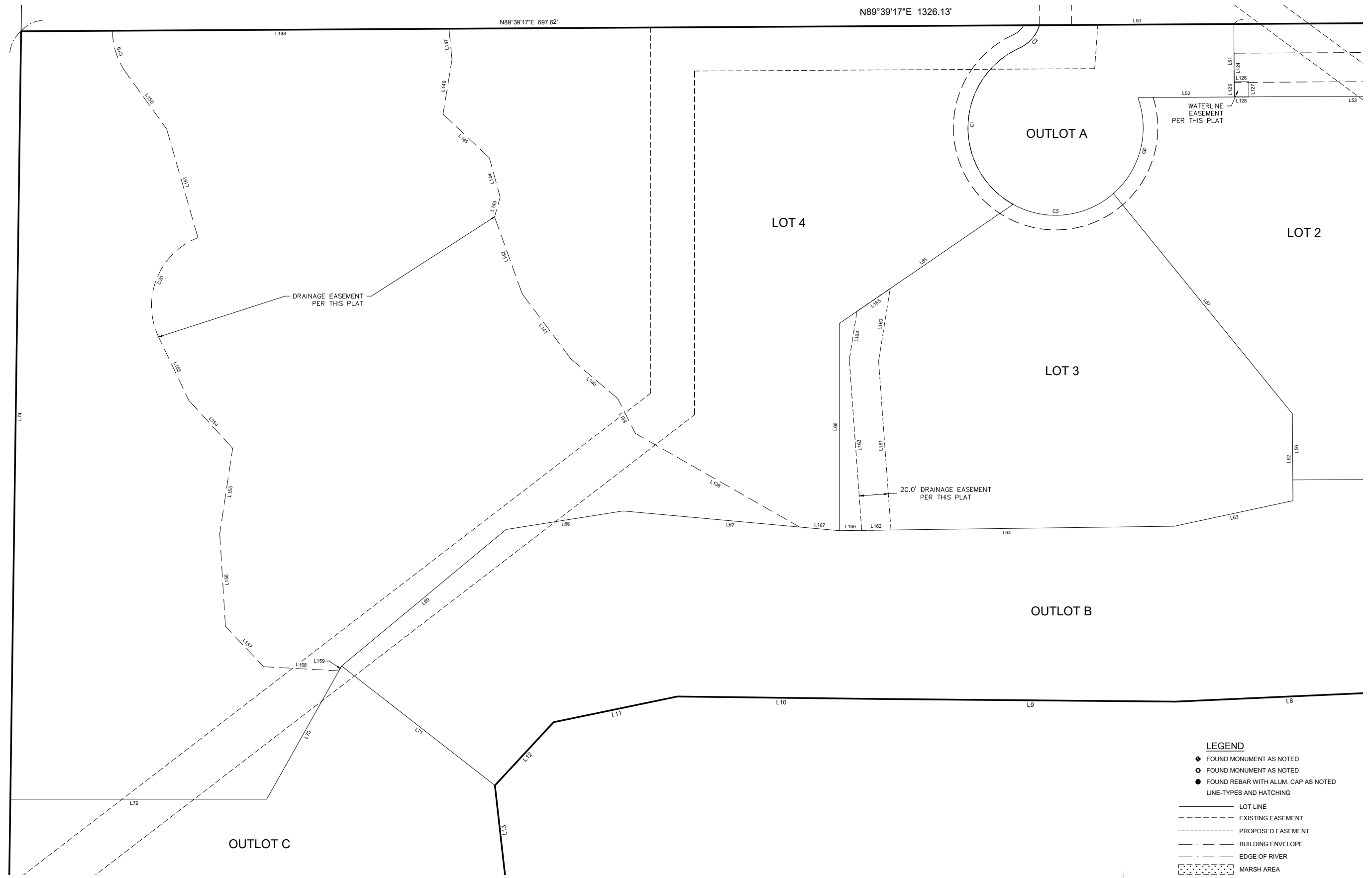
Item 1



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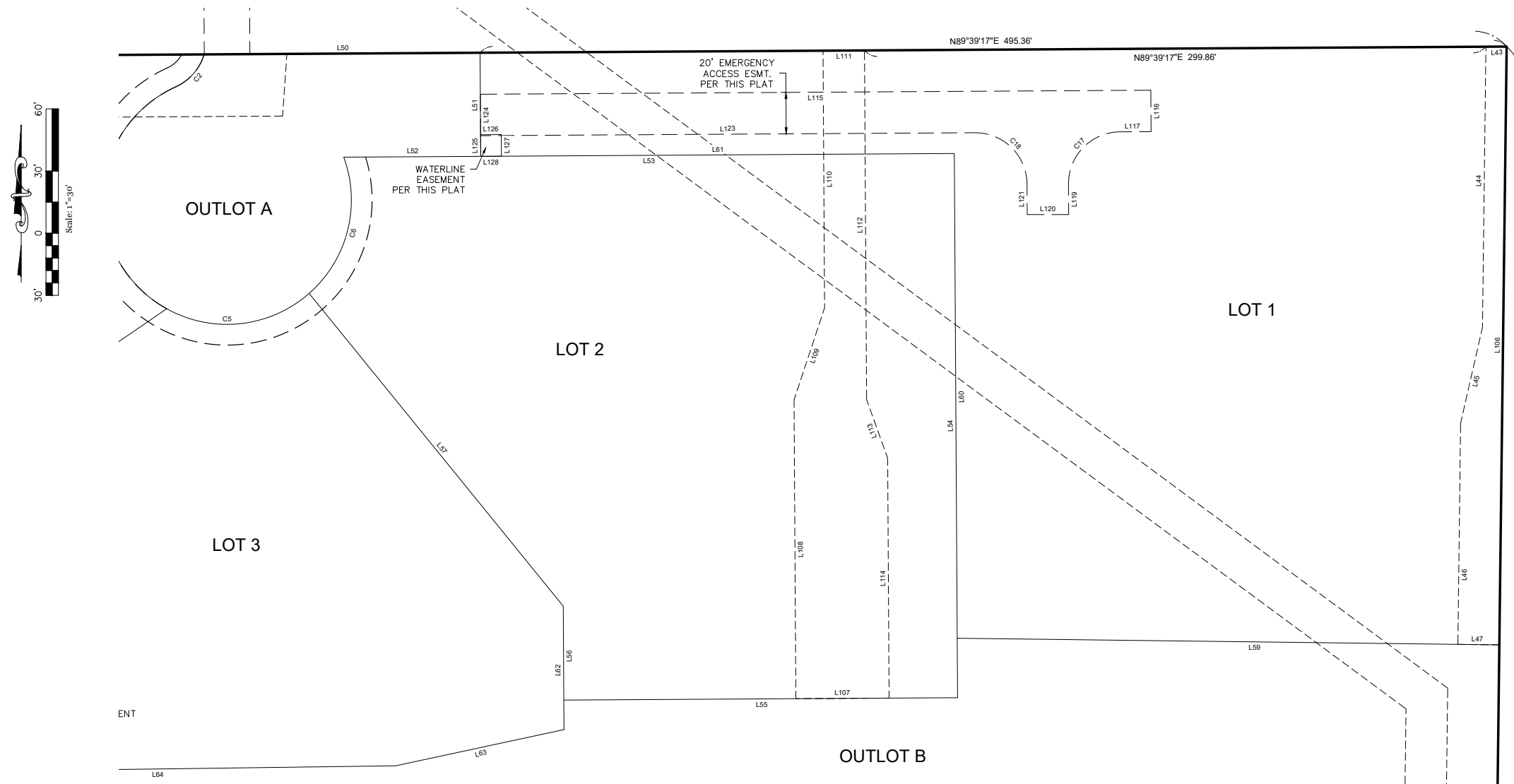
Item 1



- LEGEND**
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LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	N67°01'57"W	30.67'	L31	S07°32'38"W	28.37'	L64	S89°14'23"W	229.45'	L128	S89°39'17"W	10.00'
L2	S87°53'50"W	71.28'	L32	S71°33'28"W	60.70'	L65	S55°33'35"W	144.24'	L138	N60°18'58"W	129.59'
L3	S76°57'21"W	88.84'	L33	S52°43'16"W	41.69'	L66	S00°00'00"E	142.07'	L139	N26°54'12"W	26.71'
L4	S57°41'36"W	32.76'	L34	S18°31'18"W	81.60'	L67	N84°47'52"W	148.88'	L140	N49°37'30"W	42.30'
L5	S89°51'28"W	37.75'	L35	S16°21'00"W	48.00'	L68	S80°59'56"W	81.14'	L141	N36°47'27"W	55.42'
L6	N74°15'57"W	62.98'	L36	S07°10'03"E	137.72'	L69	S50°17'29"W	146.37'	L142	N19°47'26"W	56.98'
L7	N89°42'18"W	65.28'	L37	S07°19'52"E	109.05'	L70	S29°20'56"W	104.74'	L143	N15°58'31"E	13.98'
L8	S87°25'20"W	156.41'	L38	S07°02'21"W	77.35'	L71	N52°03'46"W	133.13'	L144	N15°15'53"W	27.96'
L9	N89°29'10"W	198.44'	L39	S39°17'37"W	41.12'	L72	N90°00'00"W	175.62'	L145	N46°30'16"W	43.75'
L10	N89°18'47"W	142.83'	L40	S53°10'10"W	63.94'	L74	N00°48'15"E	526.27'	L146	N09°21'04"E	37.78'
L11	S78°16'21"W	86.58'	L41	N88°50'50"W	28.32'	L106	S00°41'33"W	288.79'	L147	N05°34'24"W	21.25'
L12	S42°51'52"W	59.09'	L42	N62°35'25"W	61.82'	L107	S89°39'24"W	45.00'	L148	S89°39'17"W	230.54'
L13	S06°24'46"E	62.14'	L43	N89°39'17"E	10.00'	L108	N00°20'36"W	144.20'	L150	S35°45'25"E	47.38'
L14	S48°54'38"E	94.34'	L44	N00°42'01"E	135.45'	L109	N18°20'01"E	46.84'	L151	S16°04'16"E	77.45'
L15	S03°54'04"W	54.28'	L45	N12°51'59"E	47.45'	L110	N00°20'36"W	124.10'	L153	S25°27'26"E	48.26'
L16	S23°00'34"W	28.31'	L46	N00°41'58"E	106.77'	L111	N89°39'17"E	20.00'	L154	S42°33'09"E	44.37'
L17	S73°21'11"W	25.65'	L47	N89°18'02"W	20.03'	L112	S00°20'36"E	168.48'	L155	S08°36'54"W	59.19'
L18	N60°23'58"W	36.28'	L50	N89°39'17"E	133.15'	L113	S19°45'22"E	30.09'	L156	S03°31'41"E	63.61'
L19	N39°57'35"W	60.91'	L51	S00°20'43"E	50.00'	L114	S00°20'36"E	115.82'	L157	S43°23'14"E	38.07'
L20	S88°32'06"W	40.26'	L52	S89°39'17"W	66.09'	L115	N89°39'24"E	323.54'	L158	S86°52'02"E	51.65'
L21	S37°54'01"W	135.93'	L53	S89°39'17"W	294.63'	L116	S00°20'36"E	20.00'	L159	N29°20'56"E	3.81'
L22	S32°08'09"W	62.71'	L54	N00°20'36"W	262.68'	L117	S89°39'24"W	15.00'	L160	S09°04'42"W	50.29'
L23	S23°36'33"W	57.25'	L55	N89°39'24"E	190.00'	L119	S00°20'36"E	14.76'	L161	S04°10'59"E	116.10'
L24	S18°00'40"W	104.75'	L56	N00°20'36"W	45.32'	L120	N90°00'00"W	20.00'	L162	S89°14'23"W	20.04'
L25	S24°43'02"W	46.68'	L57	N39°05'24"W	194.48'	L121	N00°20'36"W	14.64'	L163	N04°10'59"W	117.22'
L26	S20°09'36"E	46.13'	L59	N89°18'02"W	261.64'	L123	S89°39'24"W	238.54'	L164	N09°04'42"E	33.63'
L27	S34°30'56"E	128.78'	L60	N00°20'36"W	233.97'	L124	N00°20'43"W	20.00'	L165	N55°33'35"E	27.58'
L28	S63°13'25"E	31.52'	L61	S89°39'17"W	228.54'	L125	N00°20'43"W	10.40'	L166	N89°14'23"E	15.28'
L29	S79°26'21"E	53.03'	L62	N00°20'36"W	59.58'	L126	N89°18'20"E	10.00'	L167	S84°47'52"E	27.33'
L30	S46°13'51"E	33.79'	L63	S77°51'31"W	83.10'	L127	S00°20'43"E	10.46'			

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD	DISTANCE
C1	132.64'	60.00'	126°39'30"	N02°21'18"E	107.23'
C2	21.40'	25.00'	49°03'06"	N41°09'30"E	20.76'
C5	230.04'	60.00'	219°40'06"	S89°36'36"W	112.88'
C6	72.12'	60.00'	68°52'19"	N14°14'43"E	67.86'
C17	39.27'	25.00'	90°00'00"	S44°39'24"W	35.36'
C18	39.27'	25.00'	90°00'00"	N45°20'36"W	35.36'
C19	30.90'	50.00'	35°24'42"	S18°03'04"E	30.41'
C20	82.14'	50.00'	94°07'37"	S21°36'22"W	73.21'

- LEGEND**
- FOUND MONUMENT AS NOTED
 - FOUND MONUMENT AS NOTED
 - FOUND REBAR WITH ALUM. CAP AS NOTED
- LINE-TYPES AND HATCHING
- LOT LINE
 - - - - - EXISTING EASEMENT
 - - - - - PROPOSED EASEMENT
 - BUILDING ENVELOPE
 - - - - - EDGE OF RIVER
 - ▨ MARSH AREA

THOMPSON RIDGE ESTATES FINAL DEVELOPMENT PLAN

Johnstown, Colorado

Owner/Applicant

R&M Holdings LLC
 Contact: Mike Campana
 3702 Manhattan Ave, Ste 201
 Fort Collins, CO. 80526
 970.229.5900

Sheet Index

G001 - COVER SHEET
LS100 - OVERALL SITE PLAN
LS101 - SITE PLAN
LS501 - SITE DETAILS & DIAGRAMS
LP101 - LANDSCAPE PLAN
LP501 - LANDSCAPE DETAILS & NOTES

LEGAL DESCRIPTION

Located in the southeast quarter of section 14 and the northeast quarter of section 23, township 5 north, range 68 west of the 6th principal meridian, Town of Johnstown, County of Larimer, state of Colorado.

RELATIONSHIP TO TOWN CODE & DEVELOPMENT STANDARDS

The provisions of this PUD shall prevail and govern development to the extent permitted by the Town of Johnstown municipal code. Where standards, details, and guidelines of the PUD - outline, preliminary, or final development plans - do not clearly address a specific subject or are silent, the Johnstown municipal code and other standards, regulations, and guidelines shall be used. All proposed development is subject to Town of Johnstown review procedures.

DEVELOPMENT PHASING

The entrance road/turnaround and utility improvements, including utility stubs to all lots will occur at the initial phase. Each lot will be developed as market conditions dictate and they are sold. This shall be done in coordination with the Town of Johnstown and Front Range Fire Rescue Authority.

GENERAL NOTES

- All drainage elements are conceptual in nature and final determinations of the drainage system, to include the placement of detention/retention ponds, channels, and storm sewer, will be made in accordance with the applicable final drainage reports and plans.
- A HOA shall be established to provide for common area maintenance and financing of the shared amenities including access roads and landscaping.
- All access drives and driveways shall be privately owned and maintained.
- A wetland survey will be conducted if disturbance of wetlands by construction activities are anticipated.

UTILITIES/PUBLIC FACILITIES

- Water: Town of Johnstown
- Sewer: Town of Johnstown
- Refuse Collection: Town of Johnstown
- Electric: Poudre Valley REA
- Natural gas: Xcel Energy
- Schools: Thompson School District R2-J, Aims Junior College District
- Police: Town of Johnstown Police Department
- Fire Protection: Loveland Fire and Rescue Authority
- Library: High Plains Library District
- Storm Drainage: Metro District
- Floodplain: Town of Johnstown
- Streets/Pedestrian System: Town of Johnstown

Planner

russe||mills+ **Russell + Mills Studios**
 Contact: Shelley LaMastra
 506 S College Ave, Unit A
 Fort Collins, CO 80524
 970.484.8855

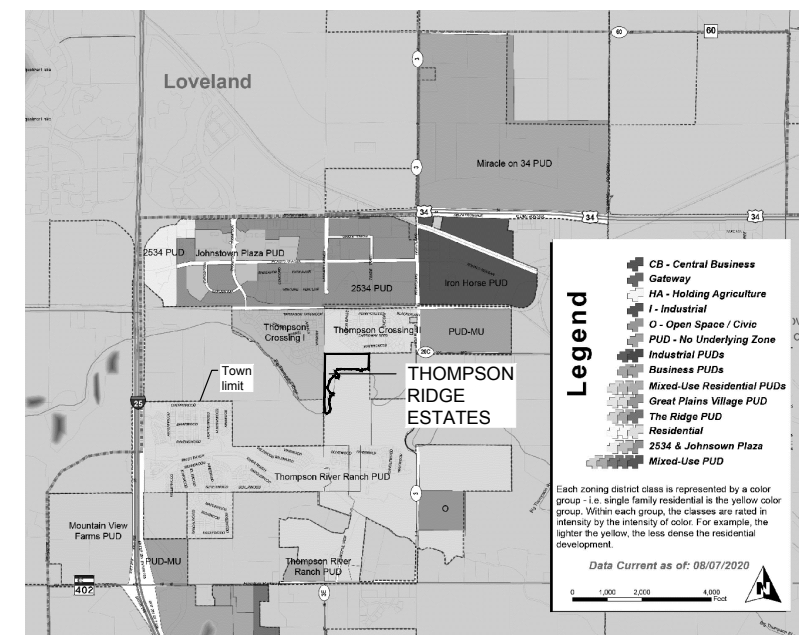
Land Use Chart

AREA	ACRES	USE
LOT 1	2.00	SINGLE-FAMILY RESIDENTIAL
LOT 2	1.52	SINGLE-FAMILY RESIDENTIAL
LOT 3	1.25	SINGLE-FAMILY RESIDENTIAL
LOT 4	5.82	SINGLE-FAMILY RESIDENTIAL
OUTLOT A (HOA)	0.37	ROADWAY AND OPEN SPACE
OUTLOT B (AG)	3.58	OPEN SPACE
OUTLOT C (AG)	5.51	OPEN SPACE
TOTAL	20.05	

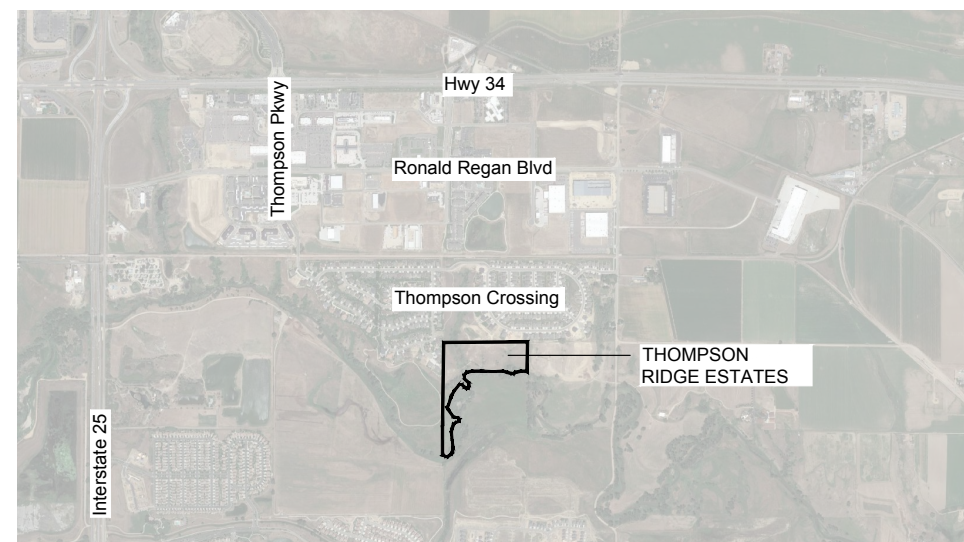
Civil Engineer

UNITED CIVIL **United Civil Design Group**
 Contact: Sam Eliason
 19 Old Town Square
 Suite 238
 Fort Collins, CO 80524
 970.530.4044

TOTAL OPEN SPACE REQUIRED	6.01 ACRES	30%
TOTAL OPEN SPACE PROVIDED	9.09 ACRES	45.3%



Zoning Map



Vicinity Map

APPROVALS

TOWN COUNCIL
 THIS OUTLINE DEVELOPMENT PLAN, TO BE KNOWN AS THOMPSON RIDGE ESTATES FDP, IS APPROVED AND ACCEPTED BY THE TOWN OF JOHNSTOWN, BY ORDINANCE NUMBER _____, PASSED AND ADOPTED ON FINAL READING AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO HELD ON THE _____ DAY OF _____, _____.

BY: _____
 TOWN MAYOR

ATTEST: _____
 TOWN CLERK

THOMPSON RIDGE ESTATES



REV.	COMMENT	DATE

SEAL:

FDP

Date: 08.18.2022

Drawn By: SL

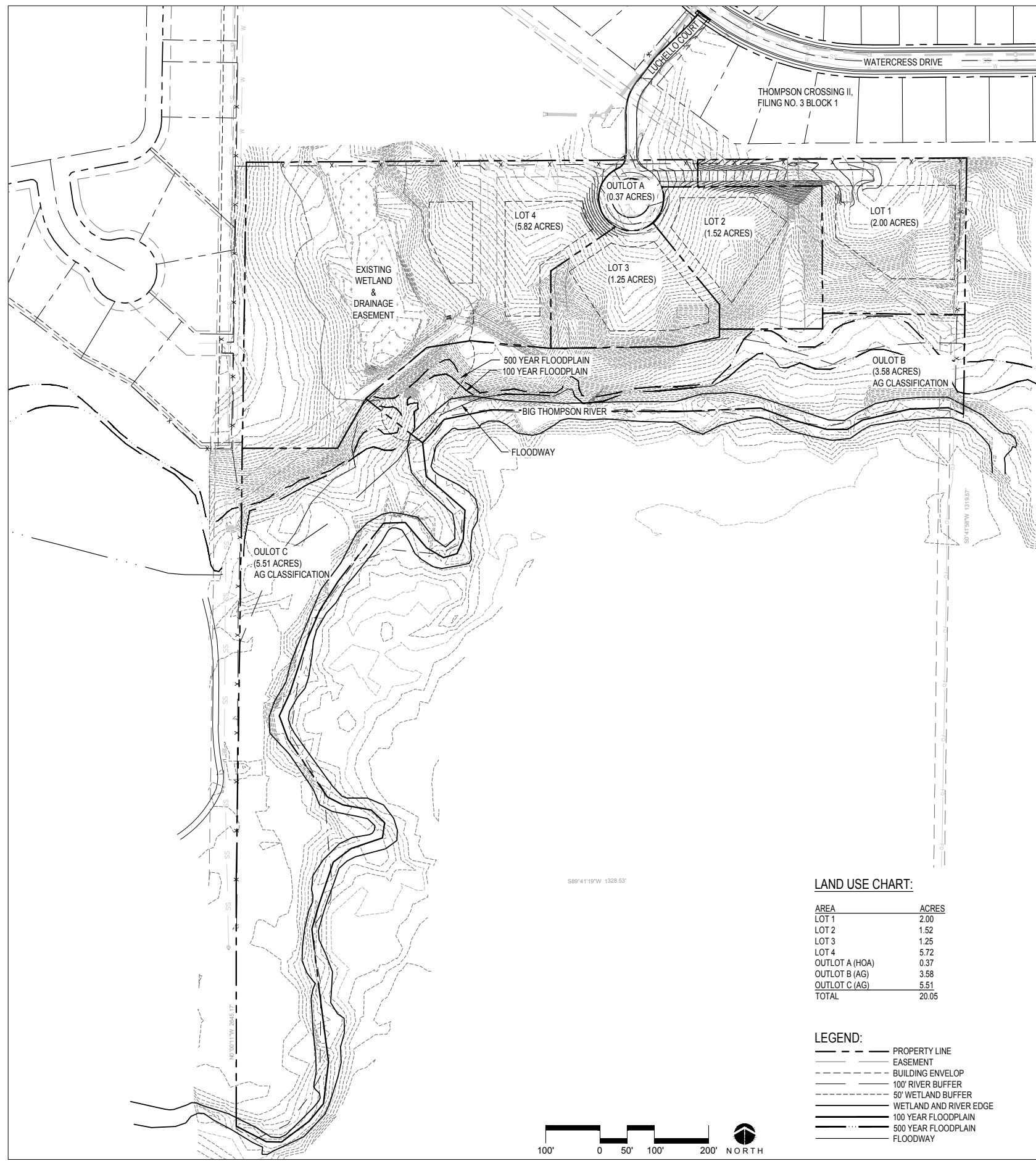
Checked By: CR

Sheet Name

COVER SHEET

Sheet

G001



LAND USE CHART:

AREA	ACRES
LOT 1	2.00
LOT 2	1.52
LOT 3	1.25
LOT 4	5.72
OUTLOT A (HOA)	0.37
OUTLOT B (AG)	3.58
OUTLOT C (AG)	5.51
TOTAL	20.05

LEGEND:

—	PROPERTY LINE
- - -	EASEMENT
- - - -	BUILDING ENVELOP
—	100' RIVER BUFFER
- - - -	50' WETLAND BUFFER
—	WETLAND AND RIVER EDGE
—	100 YEAR FLOODPLAIN
—	500 YEAR FLOODPLAIN
—	FLOODWAY

DESIGN STANDARDS AND GUIDELINES

GENERAL
Site Planning Guidelines for Thompson Ridge Estates are designed to promote and preserve the unique character of this community through the sensitive siting and location of homes. Maximizing view opportunities to the Big Thompson River, mountains, and open spaces is encouraged and expected. Homeowners and builders shall design and arrange their sites to protect natural features on the each lot and within the overall context of the site.

All development shall conform to restrictions as indicated in current Town of Johnstown Municipal Code and Thompson Ridge Estates HOA document.

SITE DESIGN STANDARDS
Dwellings shall be custom and have a variety of front elevations. To maintain the vision of a unique neighborhood, the same house shall not be duplicated within Thompson Ridge Estates. Each house shall have at least 5 characteristics which clearly and obviously distinguish it from the other houses, including: different floor plans, exterior materials, roof lines, garage placement, and placement of the footprint on the lot and/or building face.

BUILDING FORM AND ARTICULATION
Additional design standards and requirements regarding the following: Scale, Massing, Exterior material and finishes, prohibited materials, color palette, roofs, windows, columns, and porches that will be specified in Thompson Ridge Estates HOA document.

DETACHED SINGLE-FAMILY HOME
All homes shall be limited to 2-stories. Walk out basements shall be permitted to accommodate grade changes on lots. Ranch minimum main floor: 2,200 square feet (excluding garage).

Two-story above grade minimum: 2,800 square feet (excluding garage).

Maximum building height: The maximum building height is 30 feet. All residential development shall conform to height restrictions as indicated in current Town of Johnstown Municipal Code.

ATTACHED GARAGES
Attached garage to match the architecture of home.

DETACHED ACCESSORY GARAGE
Detached accessory garage max: 3,750 square feet, 16 foot walls and 30 feet to roof peak or ridge.

SETBACKS
Front Yard: Varies, 30' minimum
Side Yard: Varies, 20'-25'
Rear Yard: Varies, 20' minimum

PARK AREA
Thompson Ridge Estates will pay a predetermined cash in lieu payment to the Town of Johnson for a 2.0 ac (10%) park area.

LANDSCAPE STANDARDS
The design intent for the Thompson Ridge Estates is to create a community that celebrates the surrounding ecosystem. Water conservation through appropriate landscaping techniques and plant species selection will be emphasized for the project as well as enhanced natural areas and protected ecosystems. Landscape shall adhere to Town of Johnstown Landscape Standards and Thompson Ridge Estates HOA document.

OPEN SPACE / BUFFER YARD TREATMENT
Landscape palettes will contain a native seed mix with forbes and native perennials. Clusters of drought resistant shrubs (i.e. rabbitbrush, sages, mormon tea, etc) will create a diverse understory with deciduous and evergreen trees (i.e. hackberry, sand cherry, oaks, alders, spruce, pine, etc) creating visual interest that is rooted in the context of the upland ecosystem. Areas along the Thompson River will be maintained in there natural state.

SINGLE-FAMILY RESIDENTIAL LOT TREATMENT
1. Individual lot landscaping will be provided by each homeowner.
2. Design shall be in accordance with the Thompson Ridge Estates HOA document. A maximum of 4,000 SF of high water use irrigated area and 5,700 SF of low water use irrigated area is permitted on each single-family lot. Refer to Typical Lot Irrigated Landscape Area Diagram.
3. Must be completed within 12 months of certificate of occupancy.

IRRIGATION
Landscaping in the HOA turnaround island will be provided with drip irrigation. Single-family lots will provide permanent irrigation for areas that are landscaped directly adjacent to the homes. The greater portion of the Thompson Ridge Estates will maintain the existing natural state and shall not be irrigated.

SIGNAGE
A monument sign identifying the final development name shall be located at the turn around island entrance. Materials and character of signage shall reflect the overall theme and character of the development. All lighting shall meet Town of Johnstown standards.

STORAGE
Boats, campers, and trailer vehicles shall only be permitted to be stored within completely closed structures.

LIGHTING
All lighting shall be full cut-off with a kelvin temperature of 3,000 kelvin maximum. No light spillage shall be permitted outside of the specified lot.

**THOMPSON RIDGE
ESTATES**



REV.	COMMENT	DATE

SEAL:

FDP

Date: 08.18.2022
Drawn By: SL
Checked By: CR

Sheet Name
OVERALL
SITE PLAN

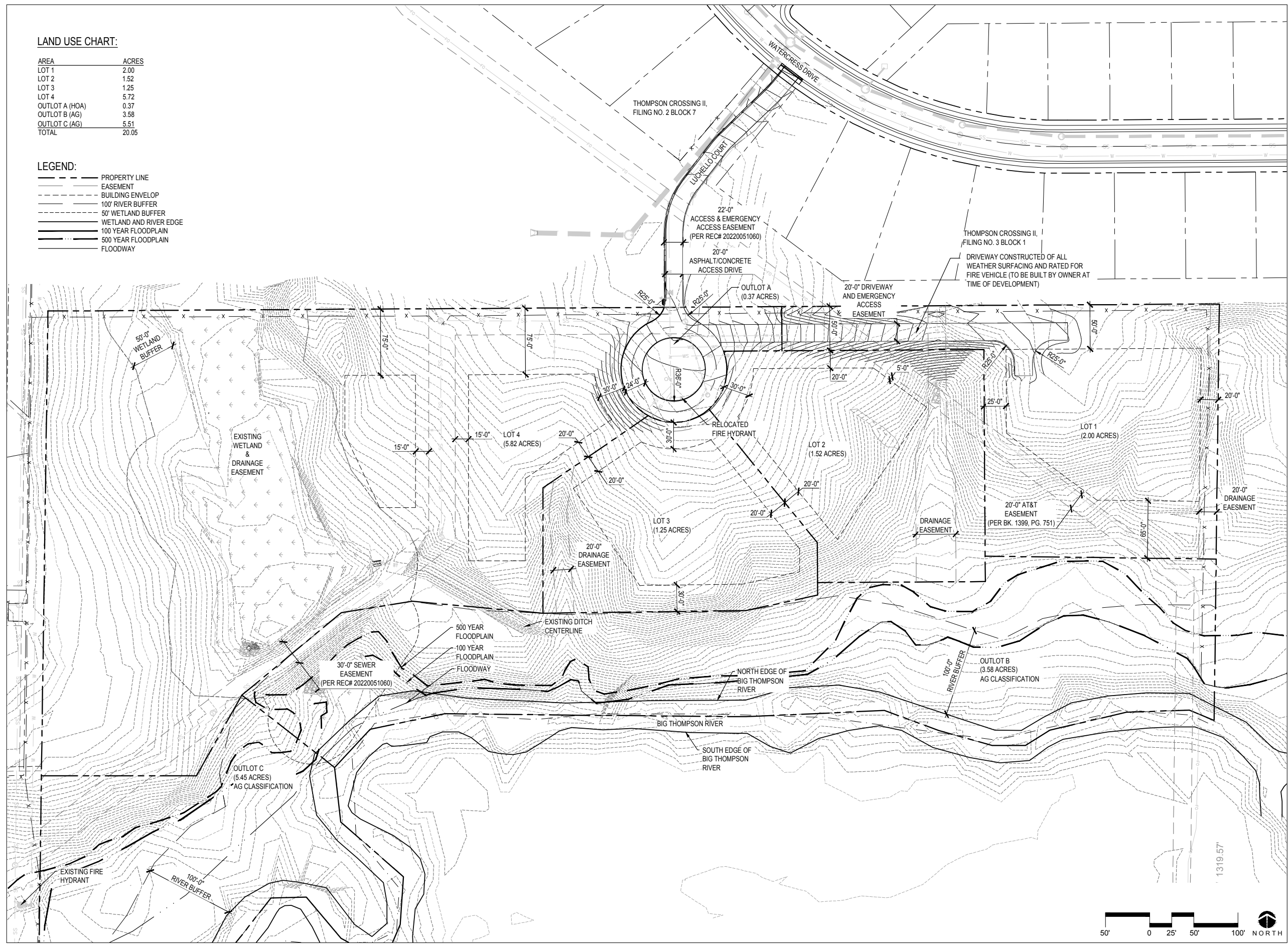
Sheet
LS100

LAND USE CHART:

AREA	ACRES
LOT 1	2.00
LOT 2	1.52
LOT 3	1.25
LOT 4	5.72
OUTLOT A (HOA)	0.37
OUTLOT B (AG)	3.58
OUTLOT C (AG)	5.51
TOTAL	20.05

LEGEND:

	PROPERTY LINE
	EASEMENT
	BUILDING ENVELOP
	100' RIVER BUFFER
	50' WETLAND BUFFER
	WETLAND AND RIVER EDGE
	100 YEAR FLOODPLAIN
	500 YEAR FLOODPLAIN
	FLOODWAY



**THOMPSON RIDGE
ESTATES**



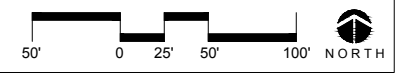
REV.	COMMENT	DATE

SEAL:
FDP

Date: 08.18.2022
 Drawn By: SL
 Checked By: CR

Sheet Name
**ENLARGEMENT
 SITE PLAN**

Sheet
LS101



THOMPSON RIDGE ESTATES



REV.	COMMENT	DATE

SEAL:

FDP

Date: 08.18.2022

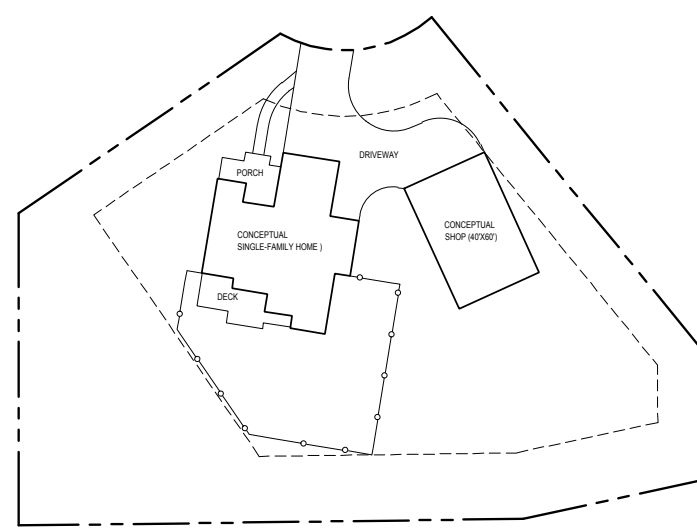
Drawn By: SL

Checked By: CR

Sheet Name
SITE DETAILS &
DIAGRAMS

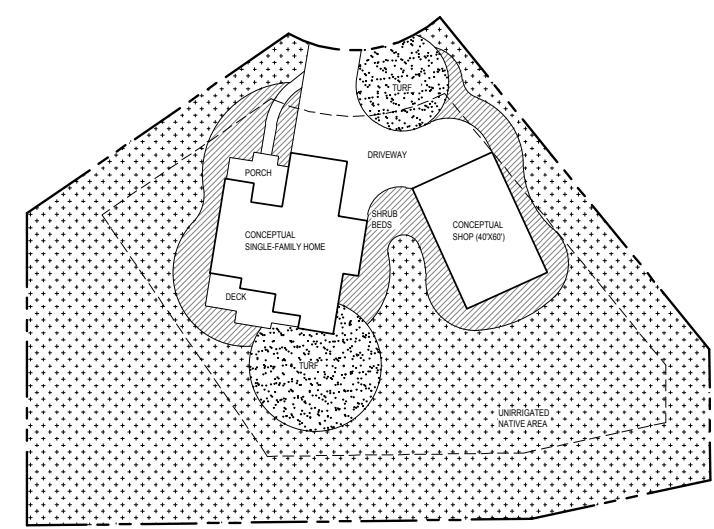
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LS501



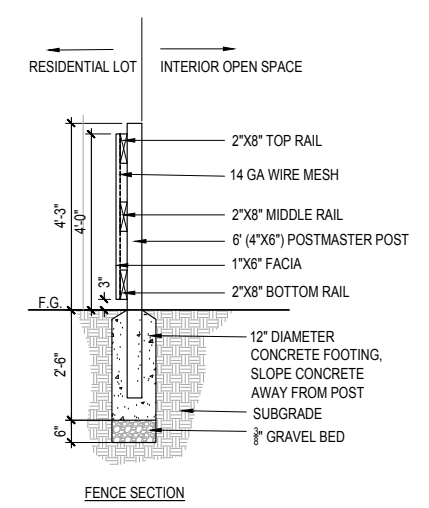
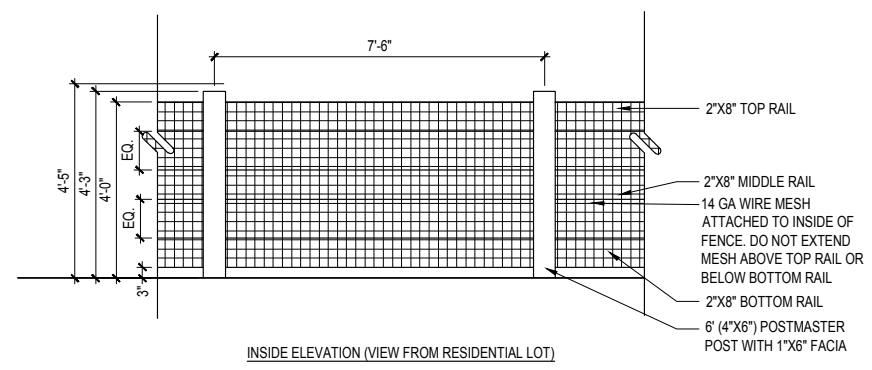
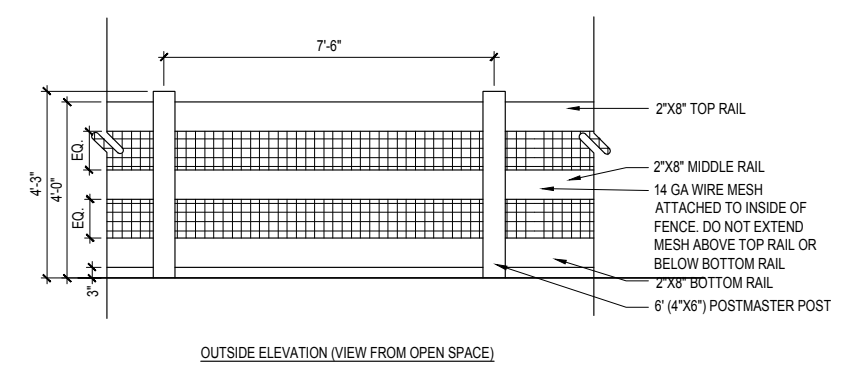
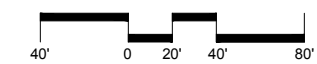
FENCE LOCATION DIAGRAM

3-RAIL FENCE
FENCING SHALL BE LIMITED TO FOCUSED ACTIVE AREAS OF EACH LOT. HOMEOWNERS SHALL NOT BE PERMITTED TO FENCE ALONG PROPERTY LINES.



TYPICAL LOT IRRIGATED LANDSCAPE AREA DIAGRAM

LEGEND:
 IRRIGATED LANDSCAPE - HIGH WATER USE - MAXIMUM AREA ALLOWED = 4,000 SF
 IRRIGATED LANDSCAPE - LOW WATER USE - MAXIMUM AREA ALLOWED = 5,700 SF
 NON-IRRIGATED NATIVE AREA



NOTES:
1. ALL FENCING MATERIALS SHALL BE CEDAR OR DOUGLAS FIR.

3 RAIL FENCE
SCALE: 1/2"=1'-0"

DT-FENC-RAIL

UPLAND SEED MIX
(Drill rate: 13.58 lbs/ac, Broadcast: 27.16 lbs/ac)

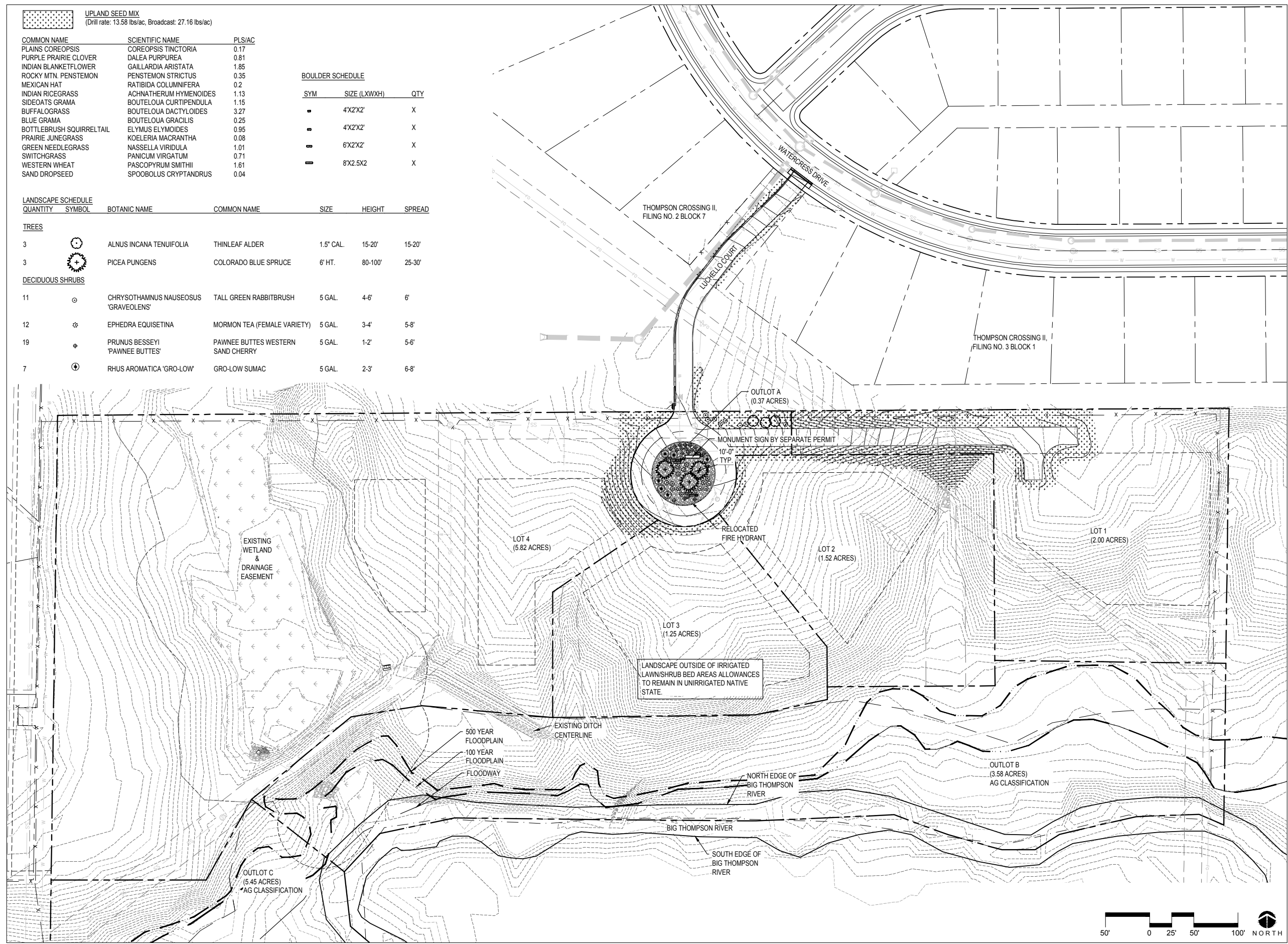
COMMON NAME	SCIENTIFIC NAME	PLS/AC
PLAINS COREOPSIS	COREOPSIS TINCTORIA	0.17
PURPLE PRAIRIE CLOVER	DALEA PURPUREA	0.81
INDIAN BLANKETFLOWER	GAILLARDIA ARISTATA	1.85
ROCKY MTN. PENSTEMON	PENSTEMON STRICTUS	0.35
MEXICAN HAT	RATIBIDA COLUMNIFERA	0.2
INDIAN RICEGRASS	ACHNATHERUM HYMENOIDES	1.13
SIDEOTS GRAMA	BOUTELOUA CURTIPENDULA	1.15
BUFFALOGRASS	BOUTELOUA DACTYLOIDES	3.27
BLUE GRAMA	BOUTELOUA GRACILIS	0.25
BOTTLEBRUSH SQUIRRELTAIL	ELYMUS ELYMOIDES	0.95
PRAIRIE JUNEGRASS	KOELERIA MACRANTHA	0.08
GREEN NEEDLEGRASS	NASSELLA VIRIDULA	1.01
SWITCHGRASS	PANICUM VIRGATUM	0.71
WESTERN WHEAT	PASCOPYRUM SMITHII	1.61
SAND DROPSEED	SPOOBOLUS CRYPTANDRUS	0.04

BOULDER SCHEDULE

SYM	SIZE (LXWXH)	QTY
■	4'X2'X2'	X
■	4'X2'X2'	X
■	6'X2'X2'	X
■	8'X2.5'X2'	X

LANDSCAPE SCHEDULE

QUANTITY	SYMBOL	BOTANIC NAME	COMMON NAME	SIZE	HEIGHT	SPREAD
TREES						
3	⊙	ALNUS INCANA TENUIFOLIA	THINLEAF ALDER	1.5" CAL.	15-20'	15-20'
3	⊙	PICEA PUNGENS	COLORADO BLUE SPRUCE	6" HT.	80-100'	25-30'
DECIDUOUS SHRUBS						
11	⊙	CHRYSOTHAMNUS NAUSEOSUS 'GRAVEOLENS'	TALL GREEN RABBITBRUSH	5 GAL.	4-6'	6'
12	⊙	EPHEDRA EQUisetINA	MORMON TEA (FEMALE VARIETY)	5 GAL.	3-4'	5-8'
19	⊙	PRUNUS BESSEYI 'PAWNEE BUTTES'	PAWNEE BUTTES WESTERN SAND CHERRY	5 GAL.	1-2'	5-6'
7	⊙	RHUS AROMATICA 'GRO-LOW'	GRO-LOW SUMAC	5 GAL.	2-3'	6-8'



**THOMPSON RIDGE
ESTATES**



REV.	COMMENT	DATE

SEAL:
FDP

Date: 08.18.2022
Drawn By: SL
Checked By: CR

Sheet Name
**ENLARGEMENT
LANDSCAPE PLAN**

Sheet
LP101

THOMPSON RIDGE
ESTATES



REV.	COMMENT	DATE

SEAL:

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Date: 08.18.2022

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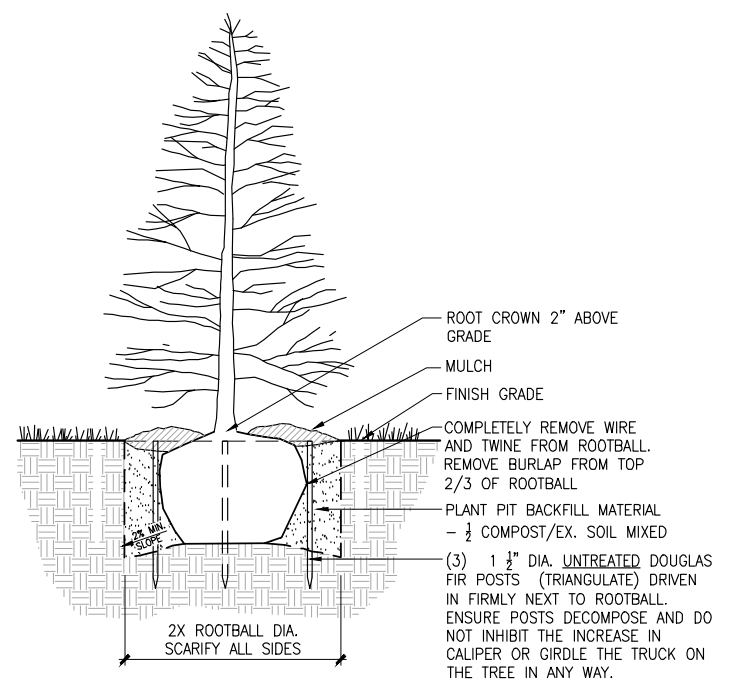
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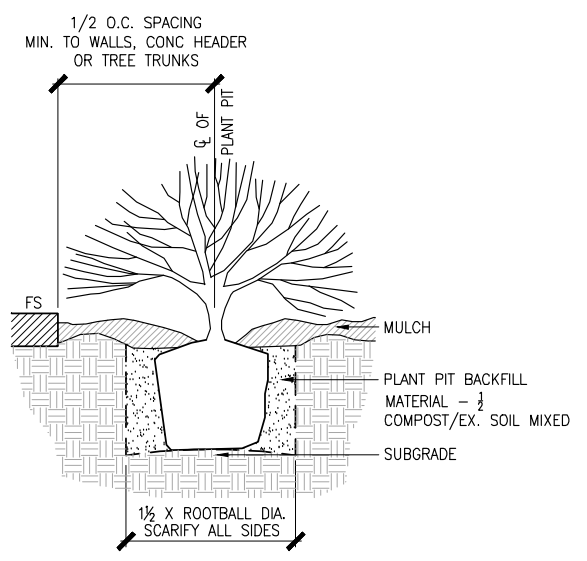
LANDSCAPE
DETAILS & NOTES

Sheet

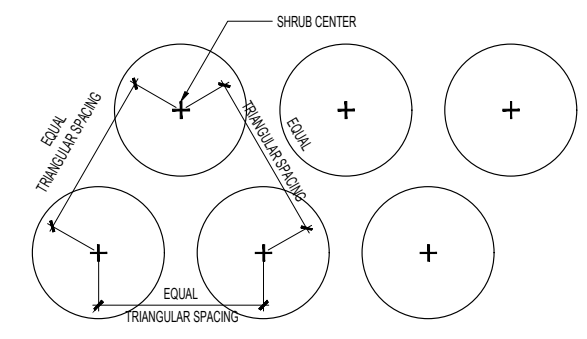
LP501



A EVERGREEN TREE PLANTING
SCALE: NTS DT-PLNT-TREE-EVER-GRND-STAK



B SHRUB PLANTING
SCALE: NTS



C TRIANGULAR SHRUB SPACING
SCALE: NTS

GENERAL LANDSCAPE NOTES:

- ALL LANDSCAPING AND PLANTS TO BE LOCATED NOT TO INTERFERE WITH EXISTING OR PROPOSED UTILITIES CONTRACTOR SHALL VERIFY LOCATION OF ALL UNDERGROUND UTILITIES, LINES AND STRUCTURES PRIOR TO EXCAVATION OR TRENCHING. DAMAGE TO THESE UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR AT NO COST TO THE OWNER OR LANDSCAPE ARCHITECT.
- ALL PLANT MATERIALS SHALL BE IN ACCORDANCE WITH AAN (AMERICAN ASSOCIATION OF NURSERYMEN) SPECIFICATIONS FOR NUMBER ONE GRADE.
- PLANT QUANTITIES SHOWN FOR INFORMATION PURPOSES ONLY, CONTRACTOR TO VERIFY ALL QUANTITIES.
- ALL TREE AND SHRUB LOCATIONS SHALL BE STAKED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT.
- PLANT SUBSTITUTIONS WILL NOT BE PERMITTED WITHOUT APPROVAL FROM LANDSCAPE ARCHITECT.
- PLANTS SHALL BE INSTALLED IMMEDIATELY UPON DELIVERY TO SITE, IF THIS IS NOT POSSIBLE, PLANTS SHALL BE HEELED IN AND WATERED TO PREVENT DEHYDRATION.
- SOIL AMENDMENT:
SOD AREAS - 4 C.Y. PER 1,000 S.F. OF COMPOST TILLED INTO 4" OF EXISTING SOIL. APPLY DIAMONIUM PHOSPHATE (18-46-0) AT ONE HUNDRED (100) POUNDS NITROGEN PER ACRE.
SHRUB AND PLANTING BEDS - 4" OF COMPOST TILLED INTO 6" OF EXISTING SOIL.

ACCEPTABLE PRODUCT: CLASS I COMPOST. COMPOSTED MATERIAL SHALL CONSIST OF AGED ORGANIC MATTER, FREE OF WEED OR OTHER NOXIOUS PLANT SEEDS, LUMPS, STONES, OR OTHER FOREIGN CONTAMINANTS HARMFUL TO PLANT LIFE, AND HAVING THE FOLLOWING CHARACTERISTICS BASED ON A NUTRIENT TEST PERFORMED NO LONGER THAN 3 MONTHS PRIOR TO ITS INCORPORATION INTO THE PROJECT:
A. ORGANIC MATTER: 25% MINIMUM.
B. SALT CONTENT: 5.0 MMHOS/CM MAXIMUM
C. PH: 7.5 MAXIMUM.
D. CARBON TO NITROGEN RATIO OF 10:1 TO 20:1
- ALL DAMAGED OR DEAD PLANT MATERIAL TO BE REPLACED. CONTRACTOR TO PROVIDE WATER THROUGHOUT CONSTRUCTION PERIOD.

Kim Meyer

From: Arlen Wittrock <Arlen_Wittrock@msn.com>
Sent: Tuesday, September 27, 2022 5:30 PM
To: Justin Currie
Subject: Thompson Ridge Estates

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Justin,

We have received the revised plan for the Thompson Ridge Estates. Thanks for all of your hard work on this and other projects.

The revised plan (which I had previously heard about) appears to be a vast improvement over earlier plans. It reduces the number of lots from five down to four. It appears to eliminate the major environmental objections and avoids EPA legal and regulatory action relative to the Federal Wetland rules and regulations and Federal Waters of the United States rules and regulations.

I do have a couple of questions. The revised plan creates a new Lot 4 which combines the previously proposed Lots 4 and 5. The plan shows building development only on the east side of the wetland; nothing on the west side (which was the previous Lot 5. Do I assume correctly that this precludes ever building any structure on the west side of the wetland and that this portion of the lot would be classified as undevelopable?

My layman's view is that it would be better to designate the undevelopable and inaccessible part of the new Lot 4 west of the wetland to be an agricultural outlot rather than part of Lot 4. If not, whoever would buy Lot 4 would have no use for that portion of the lot, would not be able to access it, and yet would be responsible for maintenance, weed control, etc.

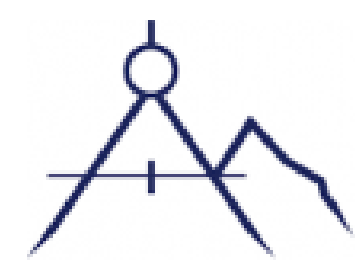
Justin, thanks again for all of your work on this. I look forward to your response.

Sincerely,
Arlen Wittrock
4200 Angelica Place

Thompson Ridge Estates

Final Plat and Development Plan

R&M Holdings LLC







Entrance from Thompson Crossing Watercress Drive



View from East side of property looking west



View looking from south end of property north



View looking west across property



Wetland



Access road to west side of property

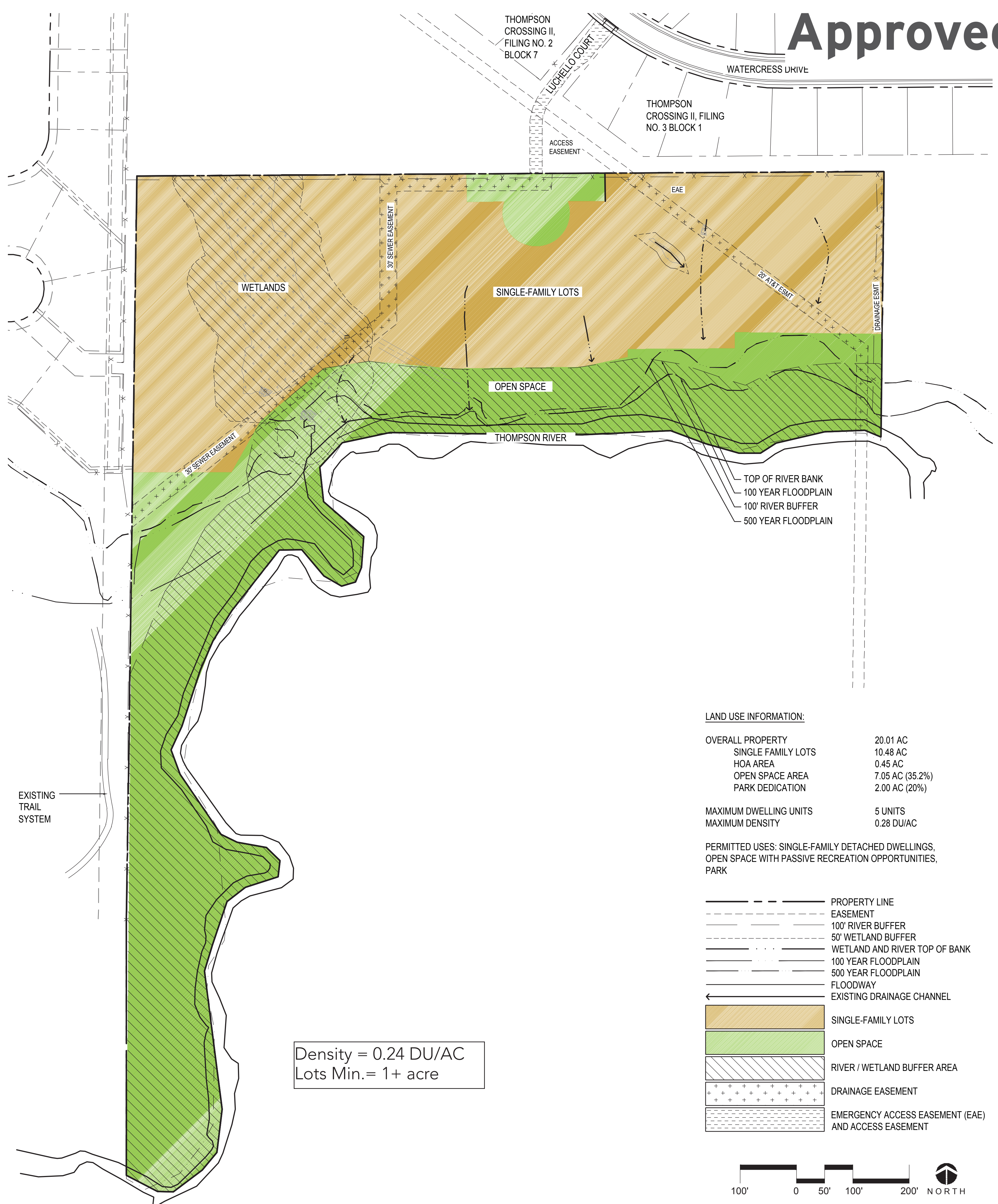


River edge vegetation



View looking south to Thompson River

Approved Outline Development Plan (ODP)



Density = 0.24 DU/AC
Lots Min. = 1+ acre

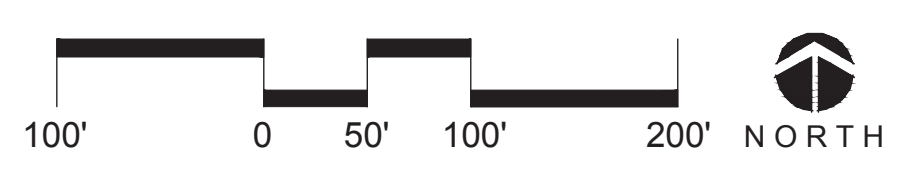
LAND USE INFORMATION:

OVERALL PROPERTY	20.01 AC
SINGLE FAMILY LOTS	10.48 AC
HOA AREA	0.45 AC
OPEN SPACE AREA	7.05 AC (35.2%)
PARK DEDICATION	2.00 AC (20%)

MAXIMUM DWELLING UNITS	5 UNITS
MAXIMUM DENSITY	0.28 DU/AC

PERMITTED USES: SINGLE-FAMILY DETACHED DWELLINGS, OPEN SPACE WITH PASSIVE RECREATION OPPORTUNITIES, PARK

- — — — — PROPERTY LINE
- - - - - EASEMENT
- — — — — 100' RIVER BUFFER
- - - - - 50' WETLAND BUFFER
- — — — — WETLAND AND RIVER TOP OF BANK
- — — — — 100 YEAR FLOODPLAIN
- — — — — 500 YEAR FLOODPLAIN
- — — — — FLOODWAY
- ← — — — — EXISTING DRAINAGE CHANNEL
- [Orange Hatched] SINGLE-FAMILY LOTS
- [Green Hatched] OPEN SPACE
- [Blue Hatched] RIVER / WETLAND BUFFER AREA
- [Cross-hatched] DRAINAGE EASEMENT
- [Dotted] EMERGENCY ACCESS EASEMENT (EAE) AND ACCESS EASEMENT



GENERAL

Site Planning Guidelines for Thompson Ridge Estates are designed to promote and preserve the unique character of this community through the sensitive siting and location of homes. Maximizing view opportunities to the Big Thompson River, mountains, and open spaces is encouraged and expected. Homeowners and builders shall design and arrange their sites to protect natural features on the site and within the vicinity of the site. No lot within the Thompson Ridge Estates shall be less than 1.0 acres in size. A maximum of 5 lots shall be permitted.

All development shall conform to restrictions as indicated in current Town of Johnstown Municipal Code.

SITE DESIGN STANDARDS

Dwellings shall be custom and have a variety of front elevations. To maintain the vision of a unique neighborhood, the same house shall not be duplicated within Thompson Ridge Estates. Each house shall have at least 5 characteristics which clearly and obviously distinguish it from the other houses, including: different floor plans, exterior materials, roof lines, garage placement, and placement of the footprint on the lot and/or building face.

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Additional design standards and requirements regarding the following: Scale, Massing, Exterior material and finishes, prohibited materials, color palette, roofs, windows, columns, and porches that will be specified in Design Guidelines.

DETACHED SINGLE-FAMILY HOME

All homes shall be limited to 2-stories. Walk out basements shall be permitted to accommodate grade changes on lots. Ranch minimum main floor: 2200 square feet (excluding garage).

Two-story above grade minimum: 2800 square feet (excluding garage).

Maximum building height: The maximum building height is 30 feet.

All residential development shall conform to height restrictions as indicated in current Town of Johnstown Municipal Code.

ATTACHED GARAGES

Attached garage to match the architecture of home.

DETACHED ACCESSORY GARAGE

Detached accessory garage max: 3750 square feet, 16 foot walls and 30 feet to roof peak or ridge.

SETBACKS

- Front Yard: Varies, 30' minimum
- Side Yard: Varies, 20'-25'
- Rear Yard: Varies, 20' minimum

OPEN SPACE

A large portion (minimum 30% or 6.0 AC) of the PUD will be open space with a natural character for more passive recreation. These areas also will provide a natural/native plant palette that will enhance views and areas of use. A minimum of 10% of the PUD will be dedicated to the Town of Johnson for park area.

LANDSCAPE STANDARDS

The design intent for the PUD is to create a community that celebrates the surrounding ecosystem. Water conservation through appropriate landscaping techniques and plant species selection will be emphasized for the project as well as enhanced natural areas and protected ecosystems. Landscape shall adhere to Town of Johnstown Landscape Standards.

ENTRY POINT TREATMENT

Entry points into the PUD will be from Watercress Drive in the Thompson Crossing II subdivision. The 20' access drive will terminate a turn around cul de sac with a large central landscaped island.

OPEN SPACE / BUFFER YARD TREATMENT

Landscape palettes will contain a native seed mix with forbes and native perennials. Clusters of drought resistant shrubs (i.e. rabbitbrush, sages, mormon tea, etc) will create a diverse understory with deciduous and evergreen trees (i.e. hackberry, sand cherry, oaks alders, spruce, pine, etc) creating visual interest that is rooted in the context of the upland ecosystem. Areas along the Thompson River will be maintained in their natural state.

SINGLE-FAMILY RESIDENTIAL LOT TREATMENT

1. Individual lot landscaping will be provided by each homeowner.
2. Design shall be in accordance with the covenants of the community. A maximum of 4,000 SF of high water use irrigated area and 5,700 SF of low water use irrigated area is permitted on each single-family lot. Refer to ODP 4 for Typical Lot Irrigated Landscape Area Diagram.
3. Must be completed within 12 months of certificate of occupancy.

IRRIGATION

Landscaping in the HOA turnaround island will be provided with drip irrigation. Single-family lots will provide permanent irrigation for areas that are landscaped directly adjacent to the homes. The greater portion of the Thompson Ridge Estates will maintain the existing natural state and shall not be irrigated.

SIGNAGE

A monument sign identifying the final development name shall be located at the turn around island entrance. Materials and character of signage shall reflect the overall theme and character of the development. All lighting shall meet Town of Johnstown standards.

STORAGE

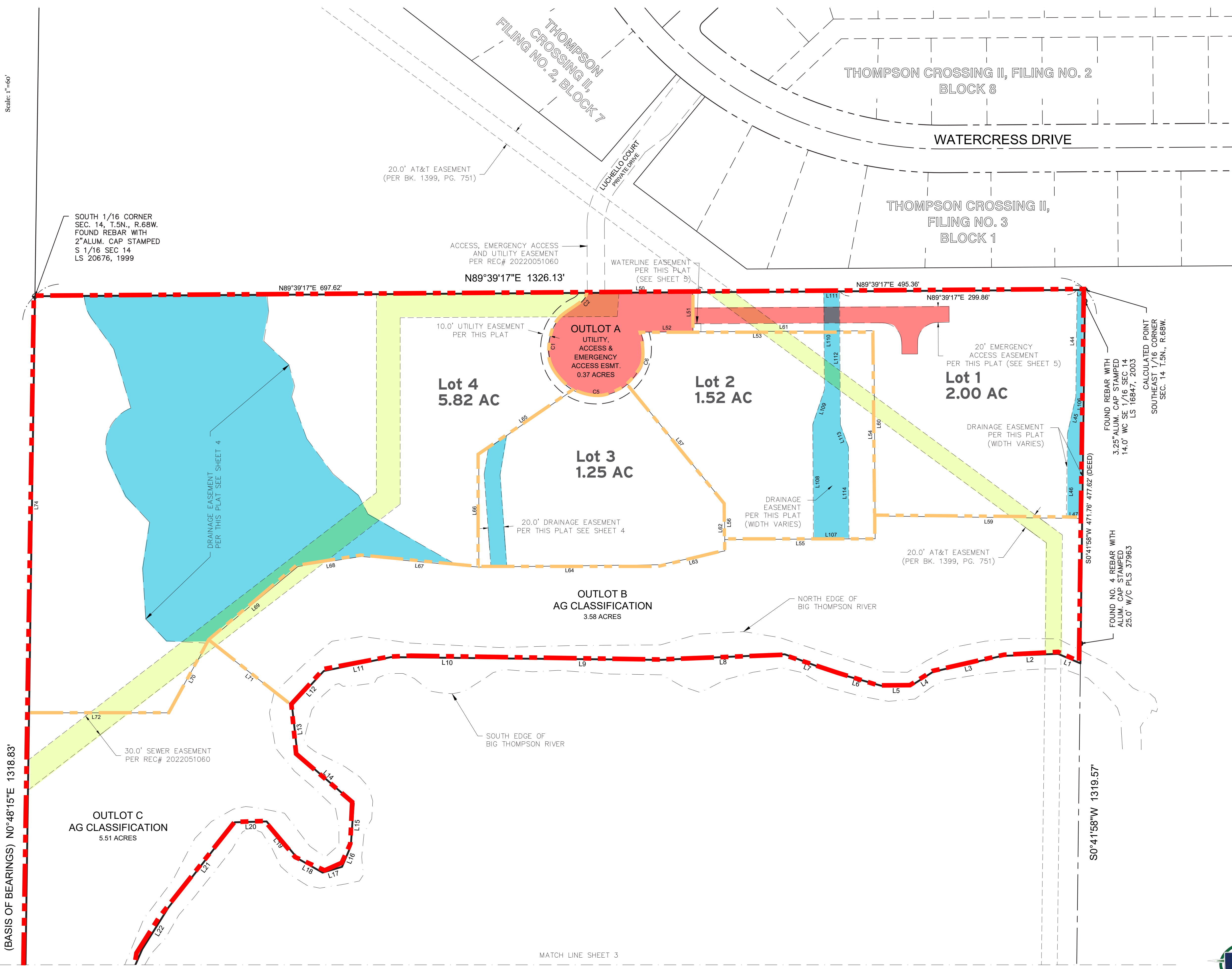
Boats, campers, and trailer vehicles shall only be permitted to be stored within completely closed structures.

LIGHTING

All lighting shall be full cut-off with a kelvin temperature of 3,000 kelvin maximum. No light spillage shall be permitted outside of the specified lot.

THOMPSON RIDGE ESTATES

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14 AND THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO



Legend

- Property line
- Lot line
- Drainage Easement
- Emergency Access Easement
- Utility Easement

LEGEND

- FOUND MONUMENT AS NOTED
- FOUND MONUMENT AS NOTED
- FOUND REBAR WITH ALUM. CAP AS NOTED

LINE-TYPES AND HATCHING

- LOT LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- BUILDING ENVELOPE
- EDGE OF RIVER
- MARSH AREA

(BASIS OF BEARINGS) N0°48'15"E 1318.83'

MATCH LINE SHEET 3

Illustrative Plan



LAND USE CHART:

AREA	ACRES
LOT 1	2.00
LOT 2	1.52
LOT 3	1.25
LOT 4	5.72
OUTLOT A (HOA)	0.37
OUTLOT B (AG)	3.58
OUTLOT C (AG)	5.51
TOTAL	20.05

NOTE:

1. Single-family homes, shop buildings and driveway locations/footprint on lots are conceptual in nature. Final locations for each shall be determined at the time of building permitting.
2. Single-family home and detached accessory garages shall meet the setbacks of:
 - Front yard: 30' minimum
 - Side yard: 20-25'
 - Rear yard: Varies, 20' minimum



Town of Johnstown

PLANNING & ZONING COMMISSION STAFF MEMO

ITEM: Draft Land Use Code Rewrite/Update

DESCRIPTION: Initial draft of Articles 3 & 8 for Review & Discussion

STAFF: Kim Meyer, Director of Planning & Development

HEARING DATE: October 12, 2022

ATTACHMENTS

1. Draft Article 3 – Subdivision & Community Design Standards
2. Draft Article 8 – Landscape & Site Design

Staff is actively reviewing these articles, as well as some of the more administrative pieces as we move forward with our Land Use Code update to implement the goals and objectives of the Comprehensive Plan adopted in 2021. We are working to review drafts and provide edits and comments to the consultant team, with an eye to public hearings in November and December.

These are two very substantive Articles that we wanted to ensure we received input on. We will discuss at the October meeting, and can continue to accept comments, questions, and recommended revisions through the end of October.

The Community That Cares

johnstown.colorado.gov

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Article 3. Subdivision & Community Design

- 17-3-1 Streets
- 17-3-2 Open & Civic Space
- 17-3-3 Blocks & Lots
- 17-3-4 Required Improvements
- 17-3-5 Community Facilities & Fees

17-3-1 Streets

- A. **Intent.** The intent of the street design standards is to:
1. Emphasize street design as a key determinant of Johnstown’s community image and unique identity.
 2. Ensure the proper arrangements of blocks and lots that coordinate with long-term growth and development.
 3. Plan street networks to connect to adjacent development and future development areas at regular intervals and avoid overloading traffic on few regional or arterial streets that become barriers.
 4. Build complete and multi-modal networks of small, well-connected streets, trails and paths to improve the access, capacity, safety and efficiency of transportation systems,
 5. Use street design to call attention to differing contexts within the Town, and to better support development patterns and uses abutting the streets.
 6. Design streets to account for all potential users of the streets, including pedestrians, bicycles, automobiles, trucks, and transit.
 7. Integrate open and civic spaces with street networks and designs to establish a valuable public realm.

- B. **Street Network.** Arterial, collector, neighborhood connector, and local streets shall generally be laid out according to the Town’s planning policies for development, streets, and open spaces. In the absence of more specific guidance in these plans or for a specific area, the following standards shall apply to street networks:

1. *Blocks and Connectivity.* Streets shall be laid out to provide a network of streets and blocks based on the planning context and development pattern as identified in **Table 17-3-##**.

Table 17-3-##: Block Sizes & Connectivity		
Planning Context	Block Size	Closed-End Street Limits
Downtown, Walkable Commercial. & Mixed-Density Neighborhoods <i>Downtown, near downtown areas, walkable commercial areas, primarily in the Activity Centers, High Density/Intensity areas or other commercial nodes, mixed-use, or mixed density neighborhood transitions to these areas. where walkable and multi-modal patterns are planned,</i>	150’ min. 500’ max. 4 ac. max.	Prohibited



Table 17-3-##: Block Sizes & Connectivity		
Planning Context	Block Size	Closed-End Street Limits
General Neighborhoods & Non-residential <i>Walkable mixed-density and suburban neighborhoods and other areas supporting commercial corridors or employment areas outside walkable centers, primarily in the Moderate and Low Intensity / Density areas.</i>	250' min. 800' max 7 ac. max	Limited to exceptions (B.2) only.
Campus or Remote Areas <i>Limited to areas where large-scale uses with internal circulation or low intensity / density uses with limited circulation needs, where disrupting the development patterns and street network is justified, typically in the Very Low Density / Intensity or Greenway areas.</i>	250' min. 1,320' max. 10 ac. max.	600' max.

Figure 3-1 Connectivity & Block Sizes. [insert figure based on J-town issues / context] Street networks shall be based on maximum block sizes (length between centerlines of perimeter streets and area) and stub to adjacent property at a frequency sufficient to create connected networks, unless exceptions justify not connecting.

2. **Exceptions.** Blocks may only exceed the acre or block length maximums in Table 17-3-## based on the following are exceptions:
 - a. *Natural Features, Open Spaces or other Civic Spaces.* Blocks or parcels abutting or containing important natural features, topographical constraints, or open spaces may be larger provided the proposed street layout preserves these features and integrates them into public realm design for the area.
 - b. *Regional Transportation Routes.* Blocks or parcels abutting significant regional transportation routes that impede local network connectivity, such as highways or rail rights-of-way, may be larger provided the street layouts and development patterns achieve local connectivity in all other ways possible.
 - c. *Rural Parcels.* Tracts divided into lots of at least five acres for rural, agriculture, or very low-intensity development may exceed block limits provided any development is arranged to allow future streets in compliance with these regulations and a logical pattern of re-subdivision can occur with minimal disruption of existing or planned buildings, utilities, and other structures.
 - d. *Oversized Parcels.* Where oversized parcels are platted for special land uses or development patterns that accommodate large-scale buildings, such as campuses, employment centers, or regional commercial areas, platted blocks may be larger provided through access drives matching the block structure of Table 17-3-##. Through access drives shall mimic streetscape and design amenity of this section, and create logical extensions and connections to the public street network beyond the project.
 - e. *Specific Plans.* A specific street network plan approved by the Town through the planned development process in Section 17-2-## or similar planning initiative for a specific area may provide different connectivity and external connection standards.
 - f. *Closed-end Streets.* In any case where streets are not required to connect by these standards or are justified by these exceptions, alternative designs such as loops, courtyard layouts, or closes are preferred over dead ends and cul-de-sacs. In all cases closed-end streets shall be no more than 600' and have no more than 30 dwelling units per access point.



Figure 3-2 Through Access Drives. [insert figure based on J-town issues / context] Through access drives shall be used to mimic public street networks and streetscapes for over-sized parcels and large scale development (17-3-1.B.2.d).

Figure 3-3 Disconnected Street Options. [insert figure based on J-town issues / context] Where streets will not connect, blocks and lots should be laid out to limit the need for cul-de-sacs and maximize other options such as loops, closes, eyebrows and courtyard patterns. (3.01.B.2.f.)

3. **Walkways and Bicycle Routes.** In any case where exceptions for larger blocks apply, or any other area where pedestrian and bicycle connections are important, such as adjacent to schools, parks, trail systems or community centers, the Town may require pedestrian walkways or bicycle routes through blocks or at the end of any closed-end street. Connections shall meet the open space design standards in **Section 17-3-##.**

3-4 Walkways and Bicycle Routes. [insert figure based on J-town issues / context] Where streets will not connect or where larger blocks are platted, connections for pedestrians or bikes may be required through blocks or at the ends of disconnected streets. (17-3-1.B.3).

4. **External Connections.** Streets shall be planned to provide continuation to adjacent areas at intervals where all resulting blocks meet the standards in **Table 17-3-##,** unless justified by an exception in 17-3-1.B.2.
 - a. The Planning Commission or Town Board may require dedication of right-of-way and construction of streets extended to the boundary line of the property to be subdivided, or approve alternative arrangements for location and timing of construction to coordinate with anticipated future development of adjacent areas.
 - b. Areas of future development or smaller subdivision may require a conceptual street network associated with a preliminary plat and applied to adjacent property and connection to other planned major streets to demonstrate compliance with this section and the practicality of external connections..
5. **Half Streets.** The dedication of half-streets on the perimeter of a subdivision shall not be accepted unless:
 - a. The applicant coordinates the dedication of the corresponding half outside the subdivision;
 - b. The applicant provides sufficient guarantees for the cost of improvements and instruction on the corresponding half street; and
 - c. The applicant establishes acceptable plans for the timing and construction of the full street.Failure to meet these conditions shall not justify an exception to the connectivity or external connection standards of this section.
6. **Intersections and Offsets.** Streets shall be laid out to intersect subject to the following:
 - a. Intersection angles should be as near as possible to right angles, and intersections less than 75 degrees are generally not acceptable.
 - b. Oblique streets should be curved approaching an intersection and should be approximately at right angles for at least 100 feet prior to the intersection.
 - c. Intersections should be generally aligned with existing intersections on the opposite side of the street, and offsets of the centerlines between 25 feet and 125 feet are generally not acceptable.



- d. Intersections of more than two streets at one point are generally not acceptable.
 - e. Deviations and different intersection configurations may be approved through a subdivision review to emphasize unique natural features, better correspond to topography, implement traffic calming, or create gateways or focal points within the street network.
- C. **Street Types & Design.** The street types in this section implement context-based street design, meet multi-modal transportation policies and the intent of this section for the various contexts in Johnstown.
- 1. **Street Design Standards.** Typical cross section design standards are shown for each street type in **Table 17-3-##**; Street Types and Cross-sections with examples following the table. Application of these standards may be further refined with adjustments for a particular context or application, using the Complete Street Design Guide in Section C.3, **Table 17-3-##**.
 - 2. **Context & Type.** The street designs are grouped with the following design types for application to specific contexts:
 - a. **Neighborhood Streets.** A neighborhood-oriented street type appropriate where a higher level of neighborhood design amenity and neighborhood walkability is desired. It is characterized by large street trees, sidewalks, slow speeds, and occasional on-street parking.
 - b. **Pedestrian Streets.** A pedestrian-oriented street type appropriate for all areas where walkability is a goal. It is characterized by narrow lanes, slow speeds, on-street parking, and large, well-designed pedestrian amenity zones that support businesses and economic activity along these streets.
 - c. **Parkway and/or Bikeway.** A high-amenity street type that emphasizes landscape and/or bicycle facilities. It is characterized by balanced approach to bicycles, pedestrians, and vehicles, and uses enhanced landscape to create welcoming environments. This street type is usually reserved for signature streets or important bicycle connections, and can be coordinated with Open and Civic Space Systems in section 17-3-2.
 - c. **Standard Streets.** A basic street type appropriate generally where no particular development characteristics or urban design context warrant application of other street types.



Table 3-2: Street Types & Cross-sections								
Street Type	ROW Width	Street Width [1]	Travel Lanes	Parking	Bicycle Facility	Sidewalk	Landscape Amenity	Other Notes and Applicability
Major Arterial - 120 / 80								
Pedestrian Boulevard	120'	80'	4 @ 11'	8'	N/A – slow speed	12'	8' amenity zone 20' center median	
Bikeway Boulevard	120'	80'	4 @ 10'	7'	7' protected lane	8'	12' tree strip	
Parkway / Bikeway	120'	80'	4 @ 11'	n/a	8' protected lane	8'	12' tree strip 20' center median	
Standard Trafficway	120'	80'	6 @ 11' 14' center turn lane	n/a	n/a	8'	12' tree strip	
Minor Arterial - 100/70								
Pedestrian Boulevard	100'	70'	4 @ 11'	8'	n/a – slow speed	10'	5' amenity zone 10' center median	
Bikeway Boulevard	100'	70'	4 @ 10'	8'	7' protected lane	10'	5' amenity zone	
Parkway / Bikeway	100'	70'	4 @ 11'	n/a	8' protected lane	6'	9' tree strip	
Standard Trafficway	100'	70'	6 @ 11' 2' outside shoulder	n/a	n/a	5'	10' tree strip	
Collector – 80/ 52								
Neighborhood Connector	80'	52'	4 @ 10'	n/a	6' lane	6'	8' tree strip	
Pedestrian / Bikeway Street	80'	52'	2 @ 11'	8'	7' protected lane	10'	4' amenity zone	
Pedestrian Mixed-use Street	80'	52'	2 @ 11'	8' (1 side) 22' angled (1 side)	n/a – slow speed	10'	4' amenity zone	
Parkway / Bikeway	80'	52'	2 @ 11'	n/a	7' protected lane	6'	8' tree strip 16' center median	
Standard Street	80'	52'	4 @ 10' 12' center turn lane	n/a	n/a	6'	8' tree strip	
Collector / Local – 60 / 32-36								
Neighborhood Connector	60'	32'	2 @ 9'	7'	n/a – slow/low volume	6'	8' tree strip	
Pedestrian Street	60'	32'	2 @ 11' 2' shoulder (1 side)	8' (1 side)	n/a – slow speed	10'	4' amenity zone	
Pedestrian Mixed-use Street	60'	36'	2 @ 10'	8'	n/a – slow speed	8'	4' amenity zone	
Bikeway	60'	32'	2 @ 10'	n/a	6' lane	6'	8' tree strip	
Standard Street	60'	36'	2 @ 11'	7'	n/a	5'	7' tree strip	
Local 54 / 28								
Neighborhood Street	54'	28'	14' yield lane	7'	n/a – slow/low volume	5'	8' tree strip	
Neighborhood Connector	54'	28'	2 @ 10.5'	7' (one side)	n/a	5'	8' tree strip	
Neighborhood Bikeway	54'	28'	2 @ 9'	n/a	5' lane	5'	8' tree strip	
Lane 44 / 24								



Table 3-2: Street Types & Cross-sections								
Street Type	ROW Width	Street Width [1]	Travel Lanes	Parking	Bicycle Facility	Sidewalk	Landscape Amenity	Other Notes and Applicability
Neighborhood Lane	44'	24'	12' yield lane	6'	n/a – slow/low volume	5'	5' tree strip	
Pedestrian Lane	44'	24'	17' yield lane	7' (one side)	n/a – slow/low volume	6'	4' amenity zone	
Rural Lane	44'	24'	2 @ 10' 2' outside shoulder	n/a	n/a	n/a	10' rural buffer	
Access Alley 20 / 12-18 [2]								
Residential Alley	20'	12' – 16'	12'-16' yield lane	n/a	n/a	n/a	2' – 4' buffer	
Non-residential Alley	20'	18'	2 @ 9'	n/a	n/a	n/a	1' buffer / shoulder	

[1] Street width is back-of-curb measurement, with curb and gutter included street width where it is on-street parking or a travel lane.

[2] Access alleys may be located in an easement at the Town's discretion and provided a property owner's association or other entity with financial and administrative capacity for maintenance is established

[format for graphics and cross sections.]



3. *Complete Streets Design Guide*. When adjusting the typical cross-sections for specific contexts or constraints, the guidelines in Table 17-3-##: Complete Street Design Guide should apply:

Table 17-3-##: Complete Street Design Guide		
Street Element	Size	Context & Application
Travel Lanes	12' +	High-speed / high-volume; generally, avoid on city streets.
	11'	Applicable on major streets or routes where frequent truck or transit vehicles are expected.
	10'	Generally applicable on all city streets with through traffic.
	9'	Limited to low-volume streets, slow-speed streets, or where ROW is constrained.
	12' -17' yield lanes	Limited to slow, lower-volume streets in well-connected networks.
Bicycle Lanes	n/a	Slow or low-volume streets where bicycles can mix with travel lanes.
	4' – 6' lane	Low-speed streets or constrained ROW (typically < 35mph)
	7'-9' protected lane	Important bike routes or higher speed streets (typically 35+ mph)
	Off street facilities	High-speed / high-volume (typically 45+mph); or portions of trails system.
Parking	6'-7'	Limited to low-volume residential streets.
	7' 8'	Generally applicable to all residential and commercial areas where parking is necessary.
	14'-22' angled	Limited to high-activity streets to maximize parking; depth depends on angle of parking, availability of backing area or cueing lane, and other traffic circumstances.
Landscape Area	2' – 8' amenity zone	Walkable areas (typically paired with adjacent on-street parking) where hardscape, landscape, and street furniture extend sidewalks as social space.
	8'+ amenity zoned	Used for high-activity streets that prioritize social space in streetscapes (i.e. sidewalk dining, mini-courtyards); can accompany Open & Civic Space system credits
	1' – 4' landscape area	Avoid –difficult to grow and maintain plants or trees.
	5' – 6' tree strip	Limited to constrained ROW; small or ornamental trees only.
	7' – 8' tree strip	Generally applicable, sufficient for large shade trees.
	8' – 12' tree strip	Use on busy streets or where no on-street parking exists to provide greater pedestrian buffer.
	13'+ tree strip	Used on signature streets for enhanced landscape amenities; space can be shared with or shifted to medians' and may meet Open & Civic Space system credits (See 17-3-2.C. & D.).
	10' – 20' Median	Used on signature streets for enhanced landscape; can be accompanied with turn lanes and/or mid-street pedestrian refuge at intersections
Sidewalks	20'+ Median	Used on higher-order signature streets; may meet Open & Civic Space system credits (See 17-3-2.C. & D.).
	4'	Avoid – constrained ROW only
	5'	Minimum, generally applicable standard (typical neighborhood streets)
	6' – 8'	Minimum for non-residential streets (if combined with amenity zone), and priority routes in neighborhoods (i.e. routes to schools, parks, or other destinations).
	8' – 10'	Used for non-residential streets, walkable areas (if combined with amenity zone); or higher density neighborhoods.
	10' +	Used for signature streets in walkable areas, where social spaces are desired in streetscapes, or as a multi-use bicycle / pedestrian path in other contexts.



D. Intersection Design.

1. *Corner Radii.* Curb radii shall be designed according to the Public Works Standards and Specifications. However, to balance the competing interest of vehicle turning movements and the distance and safety of pedestrians crossing the street, the Director may recommend, and the Planning Commission may approve, decreases in the specified corner radii based on the following considerations:
 - a. The context of a particular development, and particularly whether walkable development patterns are a priority and whether neighborhood or mixed-use street types in **Table 17-3-##** are used.
 - b. The impact that the specified radius has on increasing the distance that pedestrians must cross.
 - c. The desired speeds of vehicles in the roadway and the desired speeds and volume of turning vehicles.
 - d. The connectivity of the street network and whether vehicles have multiple alternative routes that minimize frequent turning movements.
 - e. The effective turning radius of vehicles considering other features of the specific cross section, including bicycle lanes, on-street parking or other configurations that impact the actual path of turning movements.
 - f. The likelihood that large vehicles will make frequent turning movements at a particular location, compared with the ability of over-sized vehicles or unusual turning movements to safely encroach into other areas of the street.

2. *Sight Distances.* Proper lines of sight shall be maintained at all intersections. The proper line of sight shall be an unobstructed view from the stopping point on the approaching street to all points between 2.5 and 8 feet above the roadway along the centerline of the intersecting street. The distance of the unobstructed view shall be based upon the design speed of the intersecting street specified in **Table 17-3-##**, Clear Sight Distance.

Table 17-3-##: Clear Sight Distance	
Design Speed of Intersecting Street	Intersection Sight Distance (measured along centerline of intersecting street)
15 mph	105'
20 mph	115'
25 mph	155'
30 mph	200'
35 mph	250'
40 mph	305'
45 mph	360'
50 mph	425'

Source: American Association of State Highway and Transportation Officials, *A Policy on Geometric Design of Highways and Streets*.

- a. No building or other type of physical obstruction shall be placed or maintained within the triangle created by the centerline of the street intersection, the stopping point on the approaching street, and the sight distance specified in **Table 17-3-##** to the centerline of the intersecting street.
- b. Street trees, light poles or other limited narrow obstructions are allowed within the sight triangle provided they do not have any foliage, limbs, or other



obstructions between 2.5 and 8 feet and are no closer than 15 feet to the intersecting street edge.

- c. Fully controlled intersections where signalization establishes and prioritizes safe turning movements may deviate from the above sight triangle standards if site conditions warrant and based upon a recommendation of the Director.

Figure 3-5 Clear Sight Distance. *[insert figure based on J-town issues / context – update per their D&C approach and any issues]* Sight distance is measured from the stopping point of the approaching vehicle to the center of the lane in oncoming traffic, based on the speeds of oncoming traffic. Clearances may be affected by the types of objects in the sight triangle and the control factors of the intersection. (3.01 D 2 and Table 3-4)

- 3. **Crosswalks.** All intersections and crosswalks shall be designed to address conditions at each specific location. In general, sidewalks intersecting with public streets or other vehicle access shall have crossings meeting the following standards:
 - a. Curb ramps meeting ADA accessibility standards shall provide a direct, non-diverted approach from the sidewalk along the block into the designated or protected crossing area.
 - b. All intersections of collector streets or higher classification shall be considered for enhanced crossings including pavement markings, bulb outs, refuge islands or other traffic-calming measures that are appropriate to the context of the intersection.
 - c. Where blocks exceed more than 600 feet between intersections or at other locations of high pedestrian activity, mid-block crossings shall be considered. Mid-block crossing designs and locations are subject to a specific recommendation and approval of the Director.
 - d. Any crosswalk over 80 feet, or any other significant pedestrian crossing, may require a pedestrian refuge in the median at the discretion of the Director.
- 4. **Turn Lanes.** Turn lanes for left or right turn movements may be required for specific intersections by Public Works Director, based on an approved traffic study and with consideration by the Director and Planning Commission. Requirements for turn lanes should be based on careful consideration of the context balancing the impact of crossing distances for pedestrians, vehicle turning speeds, and prioritization of other planning, urban design, and traffic engineering issues. In general, this space should come from reconfiguration of the space within the roadway width near the intersection (i.e. within median space, narrowing lanes, or limiting on-street parking) rather than claiming space from the pedestrian area or streetscape, or rather than widening the road and right-of-way.

- E. **Traffic Calming.** In order to meet the desired speeds throughout the street network, to manage volumes in association with the street network, and to meet the Town’s complete streets policies and intent of this section, traffic-calming strategies may be required in street plans. Traffic calming may include bulb outs and curb extensions, medians and islands, neck downs, vertical diverters, enhanced or raised crossings, and other speed management techniques approved by the Public Works Director. [See *National Association of City Transportation Officials Guidelines*.]
- F. **Engineering & Construction Specifications.** All other engineering specifications, horizontal and vertical alignment, design details, and technical or construction specifications for constructing streets shall be covered by the Public Works Standards and Specifications and administered by the Public Works Director.

17-3-2 Open & Civic Space



- A. **Intent.** The intent of this section is to:
 1. Emphasize open and civic spaces as a key determinant of Johnstown’s community image and unique identity.
 2. Integrate open and civic spaces with street networks and designs to establish a valuable public realm.
 3. Value the design, function, and appropriate location of different types of open space, rather than solely the quantity of space.
 4. Consider the context and multiple functions that open spaces can serve to support development including ecological, recreation, aesthetic, and urban design functions.
 5. Promote good civic design and create focal points for the community development site to which development and site plans should relate.
 6. Integrate natural systems into the design of common or public open spaces to improve stormwater management, protect water resources, preserve ecosystems, and improve sustainability efforts.

B. **Required Open Space.** Subdivision applications shall provide public or common open space, or an alternative fee for open space, as provided in this section.

- 1. **Required Open Space.** All plat applications shall provide open space according to **Table 17-3-##:** Required Open Space.

Table 17-3-##: Required Open Space		
Context	Public Open Space	Common Open Space
Residentially Zoning or Residential uses in non-residential districts	10%	<ul style="list-style-type: none"> ▪ < 3 acres – no requirement ▪ 3 - 20 acres –5% ▪ 20+ - 50 acres – 10% ▪ 50+ acres – 15%
Commercial Zoning	10%	<ul style="list-style-type: none"> ▪ < 1 acre – no requirement ▪ 1 - 5 acres – 2.5% ▪ 5+ - 10 acres – 5% ▪ 10+ acres – 8%
Industrial Zoning	10%	n/a

* Amount is based on gross area excluding of streets, alleys and easements. Any excess dedicated public open space accepted by the Town may contribute to the common open space requirement. Common open space may only count to the public open space requirement per Section 17-3-2.B.3.

- 2. **Fee In Lieu of Dedication.** When a subdivision is not within the vicinity of a planned or existing park and common open spaces, or otherwise cannot dedicate land acceptable to meet the public open space requirements of Section 17-3-2, the applicant may pay a fee in lieu of dedication. This option shall be at the sole discretion of the Town.
 - a. The fee shall equal the fair market value of the land area required to be dedicated.
 - b. The fair market value shall be established by an appraisal commissioned by the Town at the applicant’s expense.
 - c. The fee shall be due prior to acceptance of the final plat as provided in Section 17-2-2.
 - d. All fees shall be placed into a park fund to be utilized for the acquisition of land for park, trails and open space purposes, and shall not replace, reduce, or be used as the park fee, required by **Section 17-3-5.C.**



3. **Common Open Space Credit.** Common open space in excess of the amount required in **Table 17-3-##**, may be credited to the public open space requirement only upon a finding of all of the following, and approved by the Town Board at final plat:
 - a. There are no spaces within the proposed project that meet public open space standards acceptable to the Town;
 - b. There is no available open space within the vicinity that will serve the needs of the proposed project, which could be acquired with funds supplied by the fee;
 - c. The common open space amount is sufficient to meet both public and common open space requirements in **Table 17-3-##**; and
 - d. The common open space will otherwise remain open and accessible to all property for which the credit is being granted.

4. **Ownership and Management.** Open and civic space platted as part of a development shall require specific designation on the final plat as a separate tract. Ownership of the open space tract shall be in one of the following, subject to all other provisions of this section,;
 - a. Dedication to a public entity as part of the rights-of-way, parks, or other community facilities element of the plat according to Section 17-3-5.B.
 - b. Creation of or dedication to a non-profit entity capable of carrying out the ownership and management.
 - c. Creation of a homeowners', leaseholders' and/or property owners' association that owns the space in common and is capable of carrying out the ownership and management.

All open and civic space shall require documentation that outlines the ongoing maintenance plans, and demonstrates the capacity for administrative and financial management of the space according to these standards. Documents such as covenants for a homeowners' association, bylaws or charter for a non-profit entity, or similar agreements and guarantees, shall be filed with the clerk and recorder's office and recorded with the plat designating the open space, prior to any building permits.

- C. **Open & Civic Space System.** The proper arrangement of open and civic spaces shall coordinate with street networks, block and lot layouts, and the landscape and site amenities of individual lots.
 1. **Types.** **Table 17-3-##** specifies the type, size, and service areas of different open and civic spaces that may meet the open space requirement. **[try to simplify this table....]**

Table 17-3-##: Open and Civic Space Types				
Type	Size [1]	Service Area	Bonus Multiplier [2]	Application
Natural Open Space	5 acre min.; 40+ acre optimal	n/a	1.0x to 2.0x – Determined by Director based on the significance of the space	Public or Common
Park - Regional	40+ acres	w/in 1.5 miles		Public
Park - Community	10 – 40 acres	w/in 1 mile		Public
Park - Neighborhood	3 – 10 acres	w/in 0.5 mile		Public or Common
Park – Small	0.5 – 3 acres	w/in 0.25 mile		Common
Trail	20' wide, min.;	w/in 1000'		Public or Common
Civic Space - Green	1 – 3 acres	w/in 0.25 miles	1.5x	Common



Table 17-3-##: Open and Civic Space Types

Type	Size [1]	Service Area	Bonus Multiplier [2]	Application
<i>Civic Space - Square</i>	5K s.f. – 1 acre	w/in 1,000'	1.5x	Common
<i>Civic Space – Plaza / Courtyard</i>	1K – 5K s.f.	abutting lots or on the same block	1.25x	Common
<i>Enhanced Streetscape</i>	[see Section 17-3-2.D.]	abutting lots on the same block	1.25x	Common or Public

[1] See Section 17-3.2.D Open Space Design Guidelines for more specifics on the size and design, and service areas of different open space types.

[2] Areas marked with a bonus multiplier (i.e. 1.5x) can count towards the open space requirement based on the actual area times the multiplier, provided the space is designed according to the Design Guidelines in 17-3-2.D. For example, a 8,000 s.f. Green designed according to 17-3-2.E can count to as 12,000 s.f. (8,000 x 1.5) for the open space requirement for all lots within 0.25 miles.

2. *Location Criteria.* To coordinate open and civic spaces into a system that integrates the public realm with surrounding development, subdivision design shall consider the following location criteria for open spaces:
 - a. Connect and integrate open spaces with public streetscapes and other civic destinations, such as schools, to improve visibility and access;
 - b. Provide access for neighborhoods to recreation opportunities for active living;
 - c. The opportunity to preserve and integrate natural features (particularly for Natural Open Spaces, Parks or Trails), including protection of groves of trees, prairie, streams, unusual and attractive topography and other desirable natural landscape features and views;
 - d. The opportunity for formal Civic Spaces (Green, Square, Plaza / Courtyard) to serve as gathering places and be a focal point for compact, walkable places, located as an extension of the streetscapes at highly traveled and visible locations;
 - e. The types of spaces that reinforce character of the area or create gateways and transitions to distinct places; and
 - f. The distribution of spaces so that all development has similar proximity to open and civic spaces appropriate to its context. All residential lots should be within the service area of 2 different types of open or civic spaces, and non-residential lots should be within the service area of a trail or civic space.

3. *Stormwater Facilities.* Stormwater facilities shall be designed and integrated into the street network or open and civic space system in order to avoid redundant and inefficient facilities on individual lots. Any area used for stormwater may be counted towards the open space requirement provided:
 - a. It is integrated into the design of the space in a manner that it is an aesthetic amenity and is consistent with the design character of the space.
 - b. The design does not impact the utility of the space for either purpose (i.e. stormwater functions do not compromise the use and value of the space as intended open space, and open space designs do not compromise maintenance, management, and performance for stormwater functions).
 - c. The maintenance and management of the portion of the facility serving stormwater functions is clearly identified, whether that is a public dedication or whether it is an obligation of the owner or property owners' association.

D. **Open & Civic Space Design Guidelines.** Open and civic spaces shall be designed according to the following guidelines for each specific type:

[Discuss / evaluate – would more specific landscape, design, context, arrangement standards or guidelines help with the concept of different types of spaces for different contexts and that all open space



is not equal (get us out of the space for sake of space and emphasize more of the nuance of the Open and Civic space types table.)

17-3-3 Blocks & Lots

- A. **Intent.** The intent of the blocks and lots standards is to:
1. Ensure the proper arrangement of blocks and lots in relation to the street network and open and civic spaces.
 2. Design subdivisions to be coordinated with adjacent development patterns or future development in terms of street networks, open and civic spaces, and block patterns.
 3. Arrange blocks and lots in a manner that is least disruptive to existing topography and capitalizes on inherent natural characteristics of the land as defining features.
 4. Coordinate access and utilities for each lot in association with larger systems of streets and infrastructure.
 5. Promote appropriate site, building, and frontage designs in relation to streetscapes and open spaces.
 6. Ensure that all lots are buildable according to this code and that all non-developed tracts or other parcels serve community functions in relation to the overall development pattern.
- B. **Block & Lot Arrangement**
1. *General Layout.* All blocks shall be laid out to have two tiers of lots unless dictated by existing development patterns outside of the control of the project or by access management on regional transportation routes. In these cases, streetscape standards and open or civic spaces should be used to create buffers and transitions at the rear of lots.
 2. *Block Size & Patterns.* The maximum block length shall be based on the street connectivity standards and specific context as identified in Section 17-3-2.B.
 3. *Lot Patterns.*
 - a. Lot size, width, depth, and shape shall meet the applicable zoning district standards and accommodate appropriate building location, orientation, and site design. Corner lots or irregular shaped lots may need additional space.
 - b. All lots shall front on a public street, or on an alternative access or common open space where specifically allowed by these regulations.
 - c. All side lot lines shall generally be perpendicular to front lot lines, or radial to any curves along the front lot lines. Other irregular lot patterns shall only be permitted where they are used to integrate patterns of buildable lots into the overall block structure and to provide consistent relationships of lots and buildings to the streetscape.
 - d. All blocks, lots, and tracts shall be numbered, and all lots shall require an address following Town address policies and guidelines, including street names.
 4. *Easements.* All blocks shall include easements for all utilities, required improvements, access and open spaces necessary to serve each lot. Easements shall be granted by the owner to the appropriate entity. All easements shall be accessible from the public right-of-way and graded to within six inches of final grade before utilities are installed. Unless otherwise specified through the development review process utility easements shall be as specified in **Table 17-3-##** Easements.



Table 3-9: Easements	
Common rear lot lines	16', 8' on each lot
Rear lots along an alley	None, provided the alley is at least 12' wide and can accept utilities
Perimeter rear lot lines w/o common boundary	10'
Side easements, where necessary	5'

5. *Drainage.* Where a subdivision is traversed by a watercourse, drainageway or stream, blocks shall be laid out in coordination with these features, and they shall be integrated into the open and civic space systems..
 - a. Drainage areas shall be left in a natural state, and no encroachments shall be made on a natural drainage channel that impair its stormwater and ecological function wherever practical.
 - b. A pedestrian or bikeway easement may be required where the block structure is interrupted more than permitted in Section 17-3-1.B, or where the Planning Commission or Town Board determines the area is appropriate for active recreation or transportation uses.
 - c. All necessary rights-of-way and easements shall be dedicated to the Town or other public entity to preserve the hydrologic, environmental, or stormwater function of the watercourse, drainageway or stream.

17-3-4 Required Improvements

A. **Intent.** The intent of this section is to:

1. Ensure that all improvements necessary to serve lots within a subdivision are constructed, inspected, or otherwise assured of completion prior to the issuance of building permits.
2. Prevent the location or design of a subdivision from placing an undue burden on public utility systems and community facilities serving other areas.
3. Provide appropriate apportionment of costs for public facilities, and offset higher net costs or premature costs to the public necessitated by the subdivision.
4. Protect against subdivisions where soil, subsoil or flooding conditions would create potential dangers to public health or safety.
5. Coordinate subdivisions and construction of required improvements with other anticipated improvements or with future growth.

B. **General Requirements.**

1. All required improvements shall be outlined in the subdivision plat and be incorporated into the final design at the time of final plat as provided in Section 17-2-2.
2. The schedule for construction of improvements may be divided into phases according to an approved preliminary or final plat as specified in Section 17-2-2.
3. Required improvements shall be constructed in accordance with the Public Works Standards and Specifications [confirm reference document title...] and in accordance with approved plans and profiles and the construction requirements and specifications of the Town.
4. Finished plans of all public improvements as built shall be required before the Town shall accept improvements. The approved design plans are acceptable if they remain true after construction and if attested to by a registered engineer.



- 5. The applicant shall be responsible for the repair, replacement, and maintenance of any required improvement which fails to function or meet the standards of the Town due to defects in material or workmanship, within 2 years from the date of final acceptance.
- C. **Timing of Improvements.** All required improvements shall be provided in one of the following ways:
- 1. *Construction Prior to Building Permit.* Improvements may be constructed, inspected, and accept prior to building permits. Certified record drawings of as-built shall be submitted to the Town and certified that it was built as shown and to town specifications by:
 - a. the contractor;
 - b. the project surveyor; and
 - c. the project engineer
 - 2. *Financial Guarantee.* The applicant may defer any improvements by submitting a financial guarantee for 125% of the total cost of improvements based on approved design or construction plans.
 - a. The guarantee shall be in a form and for an amount acceptable by the Town, and approved by the Public Works Director and City Attorney.
 - b. All improvements for the particular phase of the plat shall be installed prior to a certificate of occupancy for any part of the phase.
 - c. Upon submittal and acceptance of as-built drawings for the improvements, and after inspection and acceptance of the improvements, the Town may release the financial guarantee, but retain 15% for the 2-year warranty period.
 - 3. *Subdivision Improvement Agreement.* The Town and the applicant may enter into a subdivision improvement agreement recorded in association with an approved plat that more specifically defines the type, timing, and guarantees for required improvements.
- D. **Improvements.** The following improvements are required to be constructed with the subdivision, except where facilities sufficient to serve the subdivision exist and have been approved by the Town. The size, type, and general location of each improvement, and estimated cost shall be included as part of the final plat submittal and review.
- 1. *Right-of-Ways and Streets.* Streets shall be provided according to Section 17-3-1, and the additional requirements:
 - a. Street surfaces including grading, vertical and horizontal alignment, surfaces and sub-grade bases, drainage, curb and gutters.
 - b. Streetscape elements, including sidewalks, street trees, landscape and amenity areas, street lights, and street name signs. Traffic Calming measures?
 - c. Traffic signal lights and signs, cross walk designations, and any other safety measures in the rights-of-way.
 - 2. *Access.* Access and alleys, driveway approaches, and other required vehicle circulation and parking components, and easements where shared or cross-access is proposed.
 - 3. *Water and Sewer.* Easements and utility services, including potable water, sanitary sewer, and other public utilities serving each lot and principal structure.
 - 4. *Fire Hydrants.* Fire hydrants at each street intersection and other necessary points to assure that no building is located more than 500 feet from the nearest fire hydrant.
 - 5. *Drainage.* Easements and drainage systems including storm sewer lines, natural and constructed conveyances, retention/detention ponds, and similar facilities.



6. *Electric and Communication.*
 - a. Electric power and communication connections and wire shall be placed underground in raceways or conduits.
 - b. Transformers, switching bases, terminal boxes, meters cabinets, pedestal ducts, and other facilities shall be placed underground, or may be placed on the surface provided they are located and adequately screened for safety and concealment.
 - c. Electrical transmission and distribution feeder lines and communication trunk and feeder lines may be placed above ground
 7. *Open & Civic Spaces.* Open and civic spaces, whether public, common, or shared, shall be provided according to section 17-3-2.
 8. *Reference monuments.*
 - a. Permanent reference monuments of stone or concrete, at least 36 inches deep and 6 inches square or round, with a suitable center points shall be located as required by the Town.
 - b. Iron pin monuments at least 24 inches long and flush with the surface shall be placed at all points on boundary lines where there is a change in direction, at all lot and block corners, and at other points required by the Town.
- D. **Reimbursement Agreements.** Applicants constructing required improvements for their property within their project or through undeveloped areas to serve their project shall be responsible for the entire cost of the improvements. Whenever any portions of the required public improvements are part of a planned future facility for the Town, serving an area larger than the subdivision and its impact, the Town may require the applicant to enter an upsizing agreement. The Town and the applicant shall negotiate the following aspects of the agreement prior to approval of the plat:
1. The applicant shall construct the facilities as planned by the Town for future capacity as part of the subdivision and development process.
 2. The applicant shall be responsible for the portion of the costs required to serve the proposed subdivision based on actual total cost to build the facilities absent any upsizing agreement.
 3. The Town shall be responsible for any incremental costs to expand the facility to the planned capacity, beyond the capacity to serve the subdivision. The Town's participation may be based on the applicant bidding the project with bid alternates: one alternate to build the minimum required facility to serve the project and the second bid alternate for the upsized facility planned by the Town.
 4. The Town may coordinate its reimbursement schedule to the applicant with fees assessed to other property in coordination with any future development of land benefitting from the improvements, but in no case may this period be extended beyond 10 years from the date the improvement is made, unless specifically agreed to by the applicant.
 5. The agreement shall be subject to approval by the City Attorney.

17-3-5 Community Facilities & Fees

- A. **Intent.** The intent of this section is to:
1. Anticipate and evaluate the incremental and long-term impact of development on broader public and community facility needs.
 2. Identify opportunities to integrate plans for public and community facilities into the planning and design of proposed land divisions.



3. Ensure that the most appropriate locations of public and community facilities are identified and considered prior to the premature commitment of these areas to conflicting development patterns.
 4. Locate and design public and community facilities in association with the areas they serve, and create gateways and focal points through public investment.
 5. Provide the opportunity to negotiate a fair price for land needed to develop public or community facilities beyond the impact of the particular project, or alternatively to provide an incentive to dedicate land where the lack of facilities may otherwise constrain potential future development.
 6. Ensure that land benefited by public capital investments share in obligations for construction, operation, maintenance, and replacement of these facilities proportionate to their impacts.
 7. Promote fiscal responsibility for all public entities by coordinating the planning, design, and financing of public facilities concurrent with impact the generated from proposed development.
- B. Dedication and Reservation of Land.** The Planning Commission or Town Board may request the dedication or require the reservation of land to the Town or other government entity with jurisdiction over public and community facilities, to facilitate the appropriate location for parks, open space, public safety, schools, or other public or community facilities.
1. *Dedication.* A request for dedication may be initiated by the Town, or on behalf of another public entity having jurisdiction over public and community facilities.
 - a. The dedication may be included on or a condition of approval of a plat, or through a separate agreement with the entity having jurisdiction.
 - b. Inclusion of the dedication on the plat shall be at the discretion of the applicant, except for the following land dedication or fee in lieu specifically required by this code:
 - (1) Open space dedications or fee in lieu according to Section 17-3-2.B; and
 - (2) School site dedications or fee in lieu are required for each new subdivision or residential land development according to an intergovernmental agreement between Weld County School District RE-5J and the Town.
 - c. Dedication shall subject to approval and acceptance by the Town Board, and any other appropriate agency having jurisdiction of the public or community facility.
 - d. Upon dedication, the applicant may be eligible for credits towards open space requirements or reimbursement of other development fees at the discretion of the Town Board, particularly where this space is designed and located serve both the public or community facility and open and civic space needs.
 2. *Reservation.* As an alternative to dedication, the Planning Commission or Town Board may require that the land be reserved to permit negotiation for acquisition by a public entity, according to the following:
 - a. A requirement for reservation shall be based on plans of the entity having jurisdiction over the facility that identify the general location and extent of the facility, or some other documented need for the facility.
 - b. The reservation shall be for a set period of time established by the Commission or Board but not more than 3 years, unless agreed to by the applicant.
 - c. The reservation may require a conceptual plan demonstrating how the site can serve the needs for the public or community facility, and be integrated into the surrounding development patterns.
 - d. The reservation may be accompanied by a contingency plat, demonstrating how land will otherwise be developed. The contingency plat may serve as a



- preliminary plat should the property not be acquired by the public entity during the reservation period.
- e. The property shall not be developed until the reservation period expires or the property is acquired, and future development shall follow the applicable procedures in Article 2 of this code.
3. *Development Agreements.* Nothing in this Section shall limit the Town’s authority to enter into development agreements with applicants and provide dedication of land, fees, or construction of actual public and community facilities on terms different than this Section.

C. **Impact Fees Established.** The following development fees have been established by the Town by specific impact fee ordinances. Fees are payable at the time of building permit issuance, subject to an exemptions, exception, or appeal provisions of this Section.

Table 17-3-##: Impact Fees						
Use		Development Fees [1]				
		2022	2023	2024	2025	2026+
Transportation Facilities Development Fee [2]	<i>Detached House</i>	\$ 2,916	\$ 3,062	\$ 3,215	\$ 3,375	\$ 3,544
	<i>Attached House</i>	\$ 2,481	\$ 2,605	\$ 2,735	\$ 2,872	\$ 3,016
	<i>Retail</i>	\$ 5.17	\$ 5.42	\$ 5.70	\$ 5.98	\$ 6.28
	<i>Office</i>	\$ 3.13	\$ 3.29	\$ 3.45	\$ 3.62	\$ 3.80
	<i>Industrial / Other</i>	\$ 2.02	\$ 2.12	\$ 2.22	\$ 2.33	\$ 2.45
Parks & Recreation Facilities Development Fee	<i>Detached House</i>	\$ 1,254	\$ 1,316	\$ 1,382	\$ 1,451	\$ 1,524
	<i>Attached House</i>	\$ 1,067	\$ 1,120	\$ 1,176	\$ 1,235	\$ 1,297
Public Facilities Development Fee	<i>Detached House</i>	\$ 1,668	\$ 1,752	\$ 1,839	\$ 1,931	\$ 2,028
	<i>Attached House</i>	\$ 1,420	\$ 1,491	\$ 1,565	\$ 1,643	\$ 1,726
	<i>Retail</i>	\$ 0.78	\$ 0.82	\$ 0.86	\$ 0.90	\$ 0.94
	<i>Office</i>	\$ 0.78	\$ 0.82	\$ 0.86	\$ 0.90	\$ 0.94
	<i>Industrial / Other</i>	\$ 0.78	\$ 0.82	\$ 0.86	\$ 0.90	\$ 0.94
Library and Cultural Facilities Development Fee	<i>Detached House</i>	\$ 1,205	\$ 1,266	\$ 1,329	\$ 1,395	\$ 1,465
	<i>Attached House</i>	\$ 1,026	\$ 1,077	\$ 1,131	\$ 1,188	\$ 1,247
Police Facilities Development Fee	<i>Detached House</i>	\$ 759	\$ 797	\$ 837	\$ 879	\$ 922
	<i>Attached House</i>	\$ 647	\$ 679	\$ 713	\$ 748	\$ 786
	<i>Retail</i>	\$ 0.71	\$ 0.75	\$ 0.79	\$ 0.83	\$ 0.87
	<i>Office</i>	\$ 0.26	\$ 0.28	\$ 0.29	\$ 0.30	\$ 0.32
	<i>Industrial / Other</i>	\$ 0.26	\$ 0.28	\$ 0.29	\$ 0.30	\$ 0.32
Loveland Fire and Rescue Authority Fee [2]	<i>Single Family</i>			\$1,000		
	<i>Multi-family</i>			\$ 692		
	<i>Commercial</i>			\$ 0.60		
	<i>Industrial</i>			\$ 0.12		
Front Range Fire Rescue Fire Protection District [3]	<i>Single-family / Two-family</i>			\$ 1,087		
	<i>Multi-family</i>			\$ 692		
	<i>Any Non-residential</i>			\$ 0.60		

[1] Residential Fees are on a per unit basis and apply to any net increase in dwelling units; non-residential fees are on a per square foot basis and apply to any net increase in the square footage of a use or the increment for any change of use.



- [2] At the option of the applicant or Director, the Transportation Facilities Development Fee may be based on an independent impact analysis as provided in Section 17-2-1.J. Acceptance of the findings is at the discretion of the Director.
 - [3] The fire and rescue fees are applicable only in the jurisdictional boundaries of the respective fire districts – Loveland Fire and Rescue Authority and Front Range Fire Rescue Fire Protection District.
1. *Annual Inflation Adjustments.* The impact fee shall be automatically adjusted to account for inflationary increases in the cost of provided public facilities on January 1 of each year. The adjustment shall be based on the most recent data from the Engineering News Record Construction Cost Index for the Denver Metropolitan Area. Alternatively, The Town Board may determine appropriate inflation adjustments through the annual review process in Section 17-3-5.G.
 2. *Historic Use Credit.* A change of use for a building that has existed for at least 5 years shall be entitled to a credit for historic use, with the presumption that the owner or prior owner has paid real estate property taxes to support existing infrastructure that would be paid for by impact fees. The credit shall be based on:
 - a. 1% credit for each year beyond 5 years the building has been in existence.
 - b. A maximum credit of 75% of applicable fees.
 - c. Credits only apply to the portion of a building in existence within the Town boundaries, and not to any additions or other constructed elements on the same property.
 - d. The owner has the burden of proof on the age of original construction by building permit, tax assessment records, or other similar verification.
 3. *Exemptions.* An applicant may request an exemption from specific impact fees on forms provided by the Town.
 - a. The Town Board shall evaluate the request and may grant an exemption in whole or in part.
 - b. The Town shall deposit funds in the amount of the exemption into the appropriate impact fee account from non-impact fee funds within a time period that is consistent with the Town capital improvements program.
 4. *Development Agreements.* Nothing in this Section shall limit the Town's authority to enter into development agreements with applicants and provide dedication of land, fees, or construction of actual infrastructure improvements.
 - a. The development agreements may allow offsets against impact fees for contributions made by the applicant to the same type of capital improvement.
 - b. Offsets in excess of the required contribution may not be transferred to other types of capital improvements or impact fees, but may be transferred and applied to other applicants or projects in the same development for the same type of capital improvement.
 5. *Fire and Emergency Services Providers.* The applicant shall confer with the appropriate fire and emergency service provider to determine whether an impact fee is owed and the amount of the impact fee.
 - a. The applicant shall return an impact fee form signed by the fire and emergency service provider to the Town at the time of the application for a building permit.
 - b. If an impact fee is owed, the applicant shall provide a check to the Town made payable to the fire and emergency service provider, unless the Town agrees to waive or defer payment of the impact fee as otherwise permitted by law. The Town shall forward impact fees collected on behalf of fire and emergency services providers directly to the appropriate fire and emergency service provider.
 - c. The service provider shall appropriate and expend the impact fees as required by law.



6. *Appeals.* Appeals of any decision on impact fees by an administrative official may be appealed to the Town Board by filing a written appeal with the Town Clerk.
 - a. Appeals shall be on forms provided by the Town and detail the specific grounds for the appeal.
 - b. The applicant shall have the burden of proving the decision was in error.
 - c. Filing and appeal shall not stay the imposition or collection of the impact fee, unless a letter of credit or surety for the amount of the fee has been provided to the Town.
 - d. The Town Board shall make a decision within 30 days of filing an appeal.
 - e. No building permits shall be issued until the appeal is resolved and the appropriate fee paid. However, if a letter of credit or other surety for the amount of the fee is provided, a permit may be issued and the appropriate fee paid through subsequent resolution of the appeal and surety.

D. Establishment of Accounts and Funds.

1. *Impact Fee Accounts.* An impact fee account shall be established by the Town for each category of capital improvements for which impact fees are imposed.
 - a. Accounts shall clearly identify the category, account, or fund for which the impact fee has been imposed. Subaccounts may be established for individual impact fee districts.
 - b. All impact fees shall be deposited into the appropriate impact fee account or subaccount. Accounts shall be interest-bearing with interest earned credited to and considered funds of the account.
 - c. The funds of each account shall at all times be capable of being accounted for separately from all other Town funds.
 - d. The Town shall establish and implement necessary accounting controls to ensure that the impact fee funds are properly deposited, accounted for, and appropriated in accordance with these provisions and any other applicable legal requirements.
2. *Appropriation of Impact Fee Funds.* Impact fee funds may be appropriated for capital improvements and for the payment of principal, interest, and other financing costs on contracts, bonds, notes, or other obligations issued by the Town or on behalf of other applicable local governmental entities.
 - a. All appropriations from impact fee accounts shall be detailed on appropriate forms and filed with the Town Treasurer.
 - b. Impact fees shall be appropriated only:
 - (1) For the particular category of capital improvements for which they were imposed, calculated, and collected; and
 - (2) Within the impact fee district where collected, except as provided in subsection 2.d.
 - c. Impact fees shall not be appropriated for funding maintenance or repair of capital improvements nor for operational or personnel expenses associated with the provision of the capital improvements.
 - d. Impact fee funds may be appropriated for a capital improvement located outside of the district of the new land development where collected only if the demand for the capital improvement is generated in whole or in part by the new land development or if the capital improvement will actually serve the new land development.
3. *Procedure for Appropriation of Impact Fee Funds.*



- a. The Town shall annually identify capital improvement projects anticipated to be funded in whole or in part with impact fees. The capital improvement recommendations shall be based upon the annual review in Section 17-3-5.E. and other relevant information, and may be part of the Town's annual budget and capital improvements programming process.
 - b. The recommendations shall be consistent with the intent and standards of this Section, the particular impact fee ordinances, other applicable legal requirements, and any guidelines adopted by the Town Board.
 - c. Impact fee-funded capital improvements in the Town's annual budget and capital improvements program shall include description, nature, location, capacity to be added, service area, need/demand for, and the anticipated timing of completion of the capital improvement.
 - d. The Town Board may authorize impact fee-funded capital improvements at other times the Board determines necessary and appropriate.
 - e. The Town Board of Trustees shall verify that adequate impact fee funds are or will be available from the appropriate impact fee account for the particular category of capital improvements.
4. **Refunds.**
- a. **Eligibility.** An applicant who has paid an impact fee may be eligible for a refund where:
 - (1) A building permit has expired or has been revoked prior to construction; or
 - (2) If construction has been started and abandoned prior to a certificate of occupancy, only if the uncompleted building is completely demolished.
 - b. **Applications.** Applications for a refund shall be made on a form provided by the Town within 60 days of expiration or revocation of a permit. The application shall include:
 - (1) Evidence that the applicant is the property owner or the duly designated agent of the property owner;
 - (2) The amount of the impact fees paid by capital improvements category and receipts for the payments; and
 - (3) Evidence of the expiration or revocation of the building permit or approval of demolition of the structure pursuant to a valid Town-issued demolition permit.Failure to apply for a refund within 60 days following expiration or revocation of the building permit or demolition of the structure shall constitute a waiver of entitlement to a refund.
 - c. **Decision.** The Town shall review the application and supporting relevant evidence and determine whether a refund is due.
 - (1) The Town may, at its option, make refunds of impact fees by direct payment, by offsetting refunds against other impact fees due for the same category of capital improvements for new land development on the same property, or by other means subject to agreement with the property owner.
 - (2) A ten-percent administrative fee, not to exceed \$500, shall be deducted from any refund and retained in the appropriate impact fee account to defray the administrative and processing expenses.
 - (3) No interest shall be paid in calculating the amount of the refunds.
 - d. **Fire & Emergency Services.** Any requests for refunds of the fire and emergency service fees shall be made to the service providers, who are solely responsible for deciding and providing refunds.



- E. **Annual Report.** At least once every year, not later than October 15 and beginning October 15, 2001, and prior to the Town Board’s adoption of the annual budget and capital improvements program, the Town Administrator shall prepare and submit annual impact fee report to the Board.
 1. The annual report may include evaluation of capital improvements planning, analysis of annual development activity and permit statistics, assessment of funds and capital improvements expenditures, recommended updates to the fee schedules and calculation, recommended amendments to the fee ordinances and impact areas, and any other information relevant to or required by specific impact fee ordinances.
 2. The Town Board shall receive the annual report and may take any action it deems appropriate based on the information.

H. **402 Interchange Fee.** Pursuant to the Town’s authority to enact fees to recover costs of providing, maintaining, and improving infrastructure for properties within its jurisdiction, the 402 Interchange Fee is established as a special fee to recover a portion of the costs of the reconstructed interchange at Interstate 25 and State Highway 402, accomplished between approximately 2017 and 2022.

1. *Applicability.* The 402 Interchange Fee shall apply to any request for a building permit on property within the area designated in [cite source] except:
 - a. Alterations or expansions of existing buildings where not dwelling units are created or no square footage added;
 - b. The construction of accessory buildings or structures that do not add dwelling units or square footage to the principal building or use of land; or
 - c. The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same square footage.
2. *Establishment of Fee.* The 402 Interchange fee shall be levied and assessed as follows:

Table 17-3-##: 402 Interchange Fee		
Use	Tier 1 Zone [1]	Tier 2 Zoned [1]
<i>Residential - Detached Houses</i>	\$ 566	\$ 283
<i>Residential - Multi-unit, attached, and apartments</i>	\$ 439	\$ 220
<i>Office</i>	\$ 584	\$ 292
<i>Retail Commercial</i>	\$ 1,450	\$ 725
<i>Industrial</i>	\$ 298	\$ 149

[1] Residential Fees are on a per unit basis and apply to any net increase in dwelling units; non-residential fees are on a per 1,000 square foot basis.

3. *Use of Funds.* The revenues from the 402 Interchange Fee shall be remitted to the Street and Alley Fund.
 - a. The funds shall be used solely to reimburse the Town for the cost of improvements to and reconstruction of the Interstate 25 and State Highway 402 interchange.
 - b. The Town shall keep an accurate accounting of the cost of the improvements and revenues collected.
 - c. In the event that the total amount of the fee revenues paid to the Town equal the sum of \$ 2,500,000.00, plus interest from the effective date of the fee at a rate of 2.75% per annum, all property owners in the designated fee area shall be relieved of any further obligation to pay the 402 Interchange Fee.
4. *Not An Impact Fee or Development Charge.* The Town Board does not intend that the 402 Interchange Fee be construed as an impact fee or development charge within the



meaning of Section 29-20-104.5, C.R.S., as amended, but that the 402 Interchange Fee be a special fee within the home rule authority of the Town. To the extent that the provisions of Section 29-20-104.5, C.R.S., as amended, conflict with the provisions of this section, this section shall control.

[Determine if Local Improvement Districts (Chapter 17, Article X) needs to be in here – recommend omitting. It seems very dated and overly bureaucratic. It does not necessarily enable anything that could just as easily be deferred to whatever the statute allows outside of this code, should the situation to use one arise. Therefore, it is not effective, as if/when that occurs the more specific situations and details will need to defer to the applicable statutes regardless of what the code states.]



Article 8. Landscape & Site Design Standards

- 17-8-1 Intent & Applicability
- 17-8-2 Plant Requirements
- 17-8-3 Buffer & Screens
- 17-8-4 Plant Specifications
- 17-8-5 Fences & Walls

17-8-1 Intent & Applicability

- A. **Intent.** The intent of the landscape and site design standards is to:
1. Improve the image of the Town and build value with a well-designed public realm, coordinating streetscapes, open spaces, and lot frontages.
 2. Emphasize distinct areas throughout the Town with the location and design of landscape areas
 3. Coordinate landscape and design amenities across multiple sites with special attention to the consistent relationship of public and private frontages.
 4. Strengthen the character, quality, and value of development with landscape design that serves multiple aesthetic, environmental, and social functions.
 5. Enhance the ecological function of un-built portions of sites, and protect and integrate established natural amenities into development projects.
 6. Screen and mitigate the visual, noise, or other impacts of sites and buildings.
 7. Conserve water and shift to water-conscious landscape design that is regionally appropriate and specific to the arid Front Range climate.
 8. Reduce soil erosion and stormwater runoff, mitigate air pollution, and reduce glare and local heat build-up in the built environment to create a more resilient community.
- B. **Applicability.** The standards of this Section shall apply to all new development except:
1. Existing single-family detached or attached homes and multi-unit house projects, involving three (3) or fewer new buildings;
 2. Additions to existing principal buildings or sites that do not result in an increase in building footprint or impervious surfaces by more than 10%; or
 3. Changes in use that do not result in an increase in land use intensity, considering hours of operation, types of activity, or other functional impacts of the use.

In cases where the landscape standards apply, the intent is to bring the site into full compliance with these standards. However, for infill and rehabilitation of existing sites the Director may prorate the requirements to the extent of the site work where full compliance is not possible or practical, and only apply the standards to portions of the site subject to development.

17-8-2 Plant Requirements

- A. **Design Objectives.** Landscape plans shall meet the following design objectives:
1. Frame important streets and emphasize gateways with street trees, landscape massing, and other vertical elements.
 2. Provide comfort, spatial definition, and visual interest to outdoor spaces including walkways, civic spaces, parks, trails or other similar outdoor gathering places.
 3. Improve resource utilization and energy efficiency with landscape arrangements that consider wind blocks, heat gain, water usage, solar access, and other elements.



4. Promote storm water management and prevent erosion through natural landscape elements that intercept, infiltrate, store, or convey precipitation and runoff.
5. Locate plants, landscape features, and site design elements sensitive to seasonal solar and shading conditions, particularly maximizing summer shade and winter sun on active portions of sites.
6. Encourage the protection and preservation of healthy plants and landscape features that can meet current and future needs of the site through development, rather than plant and design new ones.
7. Provide visual screening and visual breaks within developments to promote a more aesthetically pleasing streetscape and built environment.

B. **Planting Requirements.** The required landscape shall be based on different elements of the site according to Table 8-##, Plant Requirements.

Table 8-##: Plant Requirements

Site Element	Trees	Evergreen Trees	Shrubs
Streetscape: <i>The landscape area in the ROW or along the lot line immediately abutting the right of way.</i>	1 large tree per 35' of lot frontage;	n/a	n/a
	Corner lots shall meet this requirement on street side lot lines at a rate of 50% of the requirement. Constrained rights-of-way or streetscapes may substitute 1 ornamental tree per 20.'		
Frontage & Foundation. <i>The area between the building line and ROW along a street, including street sides of corner lots.</i>	1 ornamental tree per 40 L.F. of lot frontage for buildings set back more than 10' from the front lot line; AND 1 large tree per 35 L.F. of lot frontage for buildings set back more than 40'.	Evergreen trees may be substituted for ornamental trees at a rate of 1 for 1, and for large trees at a rate of 2 for 1, for up to 50% of the requirement. Planted at least 10' from any walk or drive.	1 shrub per 5' of building frontage. 3 ornamental grasses may be substituted for each shrub up to 50% of the requirement. Seasonal planting beds or pots associated with the entrance may substitute for any planting located closer than 10' to the front lot line.
	Corner lots shall meet this requirement on street side lot lines at a rate of 50% of the requirement		
Parking. <i>Areas on the perimeter, or interior of parking.</i>	1 large tree per 12 parking spaces	Evergreen trees may be substituted for large trees at a rate of 2 for 1, for up to 50% of the requirement	1 shrub per 10' of perimeter. 1 shrub per 5' for any parking area within 20' of any right of way or sidewalk. 3 ornamental grasses may be substituted for each shrub up to 50% of the requirement.
	Ornamental trees may be substituted for large trees at a rate of 2 for 1, up to 50% of the requirement		
Buffers. <i>Areas of a site that require additional landscape to mitigate potential impacts on streetscape or adjacent property.</i>	See Section 17-8-3.		
Civic and Open Spaces. <i>Areas of the site designed as part of a broader system of formal and natural open spaces.</i>	See Section 17-3-2		
Other.	All other unbuilt or unpaved areas of a site shall require ground cover, perennials, grasses, rock, mulch or other natural and permeable surfaces. Up to 50% of any landscape area may consist of inorganic (non-living) decorative material such as river rock, colored pea gravel, boulders, pavers or similar natural material, provided it is designed and arranged in a way that can infiltrate runoff in association with planting areas.		



- C. **Credits for Existing Vegetation.** Preservation of existing landscape material that is healthy and desirable species may count for landscape requirements provided measures are taken to ensure the survival through construction and all other location and design standards are met.
 - 1. Landscape plans shall provide an inventory of all existing trees or significant woody vegetation including size, health, species, and any proposed for removal.
 - 2. Existing landscape credits shall only count towards the portion of the site where it is located, according to the site elements in Table 8-##. For example, an existing tree may only count towards the required planting for parking lot perimeters if it remains in the parking perimeter in the final design.
 - 3. Credits shall be on a 1 for 1 basis provided it meets the minimum specifications for new plants. The Director may approve landscape material that is larger or otherwise established and valuable on a 2 for 1 basis, or may approve plants of exceptional quality due to species, location, maturity, and health on a 3 for 1 basis.
 - 4. Trees or other existing landscape that contributes to the standard shall be identified on a landscape plan and the critical root zone shall be protected for the entirety of construction by a construction fence. Tree protection measures shall be based on applicable industry standards and best practices to ensure survival of the landscape.

- D. **Design & Location.** The landscape required by Table 8-## shall be arranged and designed in a way that best achieves the intent of this Article and design objectives of this Section, considering the context and adjacencies proposed on the site. Required plantings shall be planted in the following specific locations on the lot.
 - 1. *Streetscape Trees.* Streetscape and frontage trees shall generally be located in line with other trees along the block to create a rhythm along the streetscape and promote enclosure of the tree canopy. In the absence of a clearly established line along the block, trees may be planted in the following locations in order of priority:
 - a. Centered between the sidewalk and curb where at least 6 feet of landscape area exists;
 - b. In tree wells that are at least 4 feet in all directions and at least 24 square feet located within the sidewalk (applicable on wider attached sidewalks or pedestrian-oriented commercial or mixed-use streets);
 - c. 5 to 10 feet from the back of curb where no sidewalk exists, or from an attached sidewalk;
 - d. Within the first ten (10) feet of the front lot line where any constraints on the lot or in the right-of-way would prevent other preferred locations;
 - e. Ornamental trees may be substituted for large street trees only in situations where no other alternative is available due to constraints of the site or right-of-way conditions. Ornamental trees should be used where trees are to be located within 10 feet of any overhead wires.
 - f. Shrubs or perennials planted in the streetscape (parkway, medians) shall not exceed 36 inches high, or 18 inches high in any area impacted by the sight distance limits of **Section 17-3-1.D.2.**

 - 2. *Frontage & Foundation Trees & Shrubs.* Foundation plantings shall be located in open spaces near the building or in planting beds associated with the design of any hardscape along the building frontage.
 - a. Ornamental and evergreen trees shall be located within 25 feet of the building.
 - b. Shrubs and other plantings shall be located within 6 feet of the foundation.
 - c. Where planting beds are used within hardscape around a foundation, they should be at least 4 feet deep, at least 60 square feet, and concentrated along at least 50% of the building frontage.



- d. Use larger and vertical landscape elements to frame entries, anchor the corners of buildings, or break up and soften larger building expanses.
- 3. **Parking Lot Landscape.** Parking lot landscape requirements shall be planted in perimeter buffers and landscape islands planned and designed according to Section 17-7-4, Parking Lot Design.
 - a. There shall be at least one large tree per 35 feet of parking lot perimeter, or one ornamental or evergreen tree per 20 feet of perimeter.
 - b. There shall be at least one tree per parking lot island, or one large tree or two evergreen or ornamental trees per 300 feet of other internal landscape area.
 - c. Shrubs shall be located to screen parking from adjacent sites, define parking lot edges, , and create low barriers along sidewalks and streetscapes.
 - d. Any parking within 20 feet of the ROW shall have a Type I buffer per Section 17-8-3.
- 4. **Evergreens and Other Shaded Areas.** Avoid locating evergreen trees, fences, and other opaque screens that cause winter shade and freezing on the south sides near sidewalks, trails, or other active outdoors social areas. Use deciduous ornamental or shade trees that provide summer shade and winter sun in these locations.
- 5. **Sight Distance Triangles.** Screens, buffers and landscape shall be located and designed to maintain proper lines of sight at all intersections of streets, alleys, driveways, and internal access streets as provided in Section 17-3-1.D.2., Sight Distances. No trees shall be planted in these areas, and shrubs and ground cover may not exceed 24 inches in height.
- 6. **Specific Applicability.** Where landscape standards for different conditions or elements of a site overlap, effective site and landscape design may enable the space and plants to count toward more than one requirement, based on the greater plant requirement applicable to that area. For example, a buffer area required by Section 17-8-3 may also be along a parking area perimeter, or a parking area perimeter may also be along a streetscape, and the greater planting requirement between these areas can satisfy both requirements. Approval shall be subject to the Director determining that the intent and design objectives of this section are achieved.
- E. **Alternative Compliance.** Alternative compliance to the landscape design standards established in Section 17-8-2, may be authorized according to the process and criteria in Section 17-2-7, Alternative Compliance, and any of the following additional applicable criteria:
 - 1. The alternative results in better design of common or civic space on the site;
 - 2. The alternative results in a better allocation of plants in relation to adjacent streetscapes or other public spaces; or
 - 3. The alternative is necessary to improve the longevity or survival of plant materials.
 - 4. In all cases the deviation is the minimum necessary to address the circumstance, the alternative equally or better meets the design objectives of this Section, and there are no negative impacts on other design standards applicable to the building or site.

17-8-3 Buffers & Screens

- A. **Design Objectives.** Land uses or site elements shall be buffered and screened from streetscapes and adjacent property according to the following design objectives. These objectives shall be used in applying the buffer requirements in Table 8-##, Buffer Planting Requirements and Table 8-3, Buffer Application.



1. Mitigate impacts of parking lots or vehicle circulation near streets or property lines with landscape barriers and low-level headlight screening.
2. Use berms, vertical landscape, dense plantings, or other grade or spatial changes to alter views, subdue sound, and change the sense of proximity of incompatible uses, buildings, or site conditions.
3. Soften transitions where changes in development patterns, intensity of land uses, or building scale occur.
4. Screen service, utility, and storage areas of buildings and sites from adjacent property and streetscapes with architectural features, fences, or landscape that limit visibility or noise.
5. Address three layers of landscape buffers and screens, including: large trees (high-level – 30'+); evergreen or ornamental trees (mid-level – 6' to 30'); and shrubs, annuals, perennials, and ground cover (low-level – under 6'), to directly mitigate potential impacts and adjacencies.

B. **Buffer Planting.** The planting requirements in **Table 8-##**; Buffer Designs shall be used to buffer and screen uses or elements of sites according to the design objectives of this section. The buffer width is independent of and may include any setback, parking perimeter buffer, or other open space requirement so that the larger requirement controls.

Table 8-##: Buffer Designs			
Site Element	Minimum Buffer Width [1]	Trees	Screen
Type 1: A buffer used to screen parking	5'	1 large tree per 30' May substitute evergreens or ornamental tree at 2 for 1 for up to 50% of the trees	3' high shrubs at 3' on center; OR 3' high decorative wall or fence with shrubs and perennials along 50%
Type 2: A buffer designed to soften the transition between different uses, scales of buildings, or intensity of uses	10'	1 large tree per 30' May substitute evergreens or ornamental tree at 2 for 1 for up to 50% of the trees	3' high shrubs planted 6' on center.
Type 3 : A buffer design to create a special and visibility barrier between incompatible situations	15'	1 large tree per 40' AND 1 ornamental or evergreen tree per 20'	6' high shrubs planted 6' on center; OR 6' high solid fence or wall with shrubs and perennials along 50%

[1] The width of a required buffer may be narrower to account for infill situations, or more compact, urban conditions. In these cases, a combination of additional plants or structural separation may be required.

Buffer types in Table 8-## shall be required in the following circumstances.

1. **Type 1 Buffers.** Type 1 buffers shall be required:
 - a. Along parking areas located within 20 feet of the public right of way or public access easement.
 - b. Where a parking area abuts a public or internal sidewalk,
 - c. Where parking is adjacent to any pedestrian area or gathering place on a adjacent lot.
2. **Type 2 Buffers.** Type 2 buffers shall be required:
 - a. between a multi-unit residential project of 10 or more units and adjacent detached houses.
 - b. between commercial and residential uses.
 - c. between industrial and commercial uses.
 - d. Where any parking area is adjacent to a lesser intense use or lessor zoned property



- 3. **Type 3 Buffers.** Type 3 buffers shall be required.
 - a. Any transition between industrial and residential uses.
 - b. Buffer and screening of any specific high-intensity uses or high-intensity portions of a site abutting or visible for public spaces or active portions of commercial and mixed-use property.
 - c. Outdoor storage
 - 4. **Generally.** Any buffer may be required where necessary to meet the design objectives of this section or to achieve the general screening standards of Section 16-8-5.C.
- C. **General Screening.** All of the following shall be screened from streets or adjacent property by placement of buildings, open space, dense evergreen vegetation, a decorative opaque fence or wall complementing the architectural details and materials of the building, or a combination of these screening strategies. Where design of the building, frontages, open space, buffers and other site requirements do not adequately screen these elements, the Director may require additional planting to achieve the design objectives of this Section.
- 1. Plantings and other screening features may suffice for:
 - a. Electrical and mechanical equipment such as transformers, air conditioners, or communication equipment and antennas whether ground-, wall- or roof-mounted.
 - b. Large blank walls visible from public streets, public or common areas or other sensitive boundaries in association with the buffer standards.
 - c. Utility stations or fixtures.
 - 7.
 - d. Nonresidential or multi-family parking lots over 10 spaces adjacent to residential lots.
 - 2. Solid screening wall or fencing required for:
 - a. Permanent or temporary outdoor storage areas.
 - 3.
 - b. Trash enclosures.
 - 5.
 - c. Delivery and vehicle service bays,.
- D. **Alternative Compliance.** Alternative compliance to the buffer and screening standards established in Section 17-8-3, may be authorized according to the process and criteria in Section 17-2-7, Alternative Compliance.

17-8-4 Plant Specifications

- A. **Design Objectives.** The plant specifications have the following design objectives:
- 1. Ensure the longevity and survival of landscape investments with proper species, location, installation and maintenance of plants.
 - 2. Promote regionally appropriate strategies, including limiting risk of disease or infestation through diversity of urban forest on an area- or town-wide basis.
 - 3. Establish minimum standards that balance immediate conditions with reasonable long-term growth and performance of landscape plans.
 - 4. Require water efficient strategies in terms of the water needs of landscape plans, and the continued operations and maintenance of sites.
- B. **Species.** All trees and shrubs shall be selected and planted according to the Johnstown Recommended Plant Materials List in Appendix ##. In addition to any species on these lists, alternatives may be proposed and approved as part of the site plan provided they:
- 1. Are documented by a landscape architect or other credible information comparable in type and performance to any species on this list;



- 2. Are adaptable to the climate of the Front Range region and the specific conditions in which they are proposed; and
- 3. Are not invasive or otherwise problematic to the overall health of the landscape.

C. **Plant Specifications.** All landscape materials shall meet the American Standards for Nursery Stock standards, and be selected for its native characteristics or survival in the climate for the Front Range region. Plants shall meet the following specifications at planting:

Table 8-###: Plant Specifications	
Type	Specification
Large Tree	2" DBH; Mature height of at least 30'
Ornamental Tree	2" DBH ; 8' to 10' minimum planting height for multi-stemmed; Mature height of 15' – 30'
Evergreen Tree	6' minimum planting height; Mature height of at least 10'. Evergreens with mature heights of 30' or more may be classified as large trees.
Shrub	24" or 5-gallon minimum container
Perennials	1-gallon container
Ground Cover	Areas designed for vegetative cover shall have 50% ground cover at the time of planting and full coverage within 2 growing seasons
General	Plants used for screening and buffers shall achieve the required opacity and function in its winter seasonal conditions within 2 years following planting.

DBH – Diameter at breast height

D. **Tree Diversity.** The required trees planted shall promote diversity with the following species selection criteria.

Table 8-###: Tree Diversity	
Required Trees	Diversity
1 - 9	No specific requirement, but trees should be diversified from those existing trees in the vicinity.
10 - 39	At least 2 genus; AND At least 3 species No more than 50% of any one species
40+	At least 3 genus; AND At least 4 species No more than 33% of any one species

* Any streetscape master plan or public realm plan may achieve street tree diversity on a broader or block-scale basis while planting the same species on individual segments for the urban design effect.

E. **Xeric Guidelines.** All landscape plans shall conserve water with landscape materials and design techniques using the following xeric principles.

- 1. Incorporate a “zoned planting scheme” to reduce water demand by grouping plants with similar water requirements together in the same hydrozone.
- 2. Limit high-irrigation turf and plantings to appropriate high-use areas with high visibility and functional needs, and use water-conserving grasses such as fescue sods.



- 3. Use drought tolerant plants, suitable to the region, with low watering and pruning requirements.
 - 4. Incorporate soil amendments and use of organic mulches that reduce water loss and limit erosion. All plant areas should receive soil amendments of at least 3 cubic yards per 1,000 square feet.
 - 5. Install efficient automatic irrigation systems that incorporate water conservation measures, including spray heads for ground cover and drip irrigation for shrubs and trees, and high-efficiency or precision nozzles. Provide regular and attentive maintenance to ensure irrigation systems are functioning properly.
 - 6. Alternative sources of irrigation for all landscape areas is encouraged.
- F. **Stormwater Treatment.** Landscape amenities that incorporate stormwater treatment are recommended, provided they can meet both the landscape design standards and the stormwater management performance standards. Techniques such as bioswales, water quality ponds, and rain gardens should be used to infiltrate runoff from parking lots, streets, civic spaces, and other impervious surfaces.
- G. **Planting & Maintenance.** All landscape plans shall include installation specifications, method of maintenance including a watering system and statement of maintenance methods. At a minimum landscape plans shall demonstrate the following:
- 1. No plants shall be planted over any area that has been compacted. All planting areas shall be excavated and filled with amended soils to a depth of at least 24 inches, or additional sufficient depth to reach existing soils and remove any pervious material, compacted soils, stones 1 inch or larger, or any other material harmful to plant growth.
 - 2. All plant materials and planting areas shall be prepared and planted according to American Standard for Nursery Stock (ANSI) details and ensure proper soil quality and conditions.
 - 3. All plantings shall be properly maintained. Plant materials which fail to grow within a 2-year period or which exhibits evidence of insect pests, disease, and/or damage shall be appropriately treated, and any plant in danger of dying may be ordered by the Director to be removed and replaced.
 - 4. All elements of an approved landscape plan including plant materials shall be considered elements of the project in the same manner as parking, buildings or other details. Deficiencies of any approved landscape plan at any point may be enforced as a violation of the provisions of this ordinance.
- H. **Alternative Compliance.** Alternative compliance to the plant specification standards established in Section 17-8-4, may be authorized according to the process and criteria in Section 17-2-7, Alternative Compliance, and any of the following additional applicable criteria:
- 1. The alternative is necessary to improve the longevity or survival of plant materials.
 - 2. The alternative improves the health or general species mix specific to the context and vicinity of the site.
 - 3. In all cases the deviation is the minimum necessary to address the circumstance, the alternative equally or better meets the design objectives of this Section, and there are no negative impacts on other design standards applicable to the building or site.

17-8-5 Fences & Walls

- A. **Design Objectives.** Fences and walls provide safety and security, screening, and architectural enhancements to sites and buildings and shall meet the following design objectives:
- 1. Fence and wall designs shall consider the context of the area, the location on the site, and the desired functions.



- 2. Fences and walls with prominent publicly visible locations require higher design standards, accompaniment of landscape to soften the expanse, or a combination of both.
- 3. Fences and walls in walkable contexts or nearest pedestrian facilities require a lower profile, more open design, or both.
- 4. Fences and walls in prominent public places should complement the design of the site and the architecture of the associated building.
- 5. Fences and walls shall be designed and located sensitive to the massing and design relationship, and other impacts to adjacent property.

B. Fence & Wall Design. All fences and walls shall meet the following standards.

- 1. *Permit.* A permit requiring conformance with these standards shall be required for:
 - a. All new fences or walls; and
 - b. All repairs or replacement of existing fences more than 50% of the fence or 50 feet, whichever is less.
 - c. A fence may only be permitted in the right-of-way or public easement, subject to a revocable permit issued by the Town. Fences in private easements may be permitted subject to the conditions of the easement, at the property owners risk, and any other conditions on the permit requiring the applicant to assume liability for the fence.
- 2. *Height & Location.* Fences for individual property shall be located according to Table 8-##: Fence Height and Location.

Table 8-##: Fence Height and Location		
	Residential	Commercial & Industrial
Front	<ul style="list-style-type: none"> ▪ 3' high if solid ▪ 4' high if at least 50% open 	<ul style="list-style-type: none"> ▪ 3' high if solid ▪ 4' high if at least 50% open
Side & Rear	<ul style="list-style-type: none"> ▪ 6' if behind the front building line 	<ul style="list-style-type: none"> ▪ 8' if behind the front building line
Setbacks	<ul style="list-style-type: none"> ▪ All fences shall be at least 18 inches from any public sidewalk, except front fences meeting the front fence design standards may be built on the property line even if abutting a sidewalk. 	
Generally	<ul style="list-style-type: none"> ▪ Ornamental enhancements associated with an entry or gateway may be up to 8' high. ▪ All fences or walls located along adjacent lot lines shall be constructed so that either: <ul style="list-style-type: none"> ○ The face of the fence is on the property line, with the finished side facing outward; or ○ The face of the fence is at least 3 feet from the property line. Any areas set back 3 feet or more from the property line, which could become enclosed by other similarly located fences or walls, shall provide at least one gate for access and maintenance equipment. ▪ Fences or walls outside of required setbacks (i.e. in the buildable envelope), and behind front building line can exceed height limits, but may be limited by building codes or other public health and safety standards. ▪ Height includes any retaining wall or berm the fence is built on; however, the Director may grant exceptions where for fences in conjunction with a berm or wall where they equally or better serve the intent and design objectives of this Article. 	

- 3. *Perimeter Fences.* Any fence designed as part of a perimeter fence for multiple properties, as part of a landscape buffer, or any expanse longer than 100 feet and within 30' of a collector or arterial, shall meet the following standards:
 - a. All fencing shall be softened with landscape materials on the street side of fences meeting the buffer standards of Section 17-8-3.
 - b. Expanses of over 300' shall be broken up by either:



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- (1) Offsets of at least 3 feet on 1/3 of the length for every 300 foot span; or
 - (2) Ornamental designs on at least 1/2 of every 300 foot span space that is at least 75% open (i.e. wrought iron) and includes architectural pillars or posts (i.e. stone, or masonry) at least every 50 feet.
4. *Sports and Recreation Fences.* Fences for sports and recreation facilities, or for any other similar public facility, may be up to 10 feet generally; or up to 14 feet for tennis, pickleball, or similar sport courts if at least 50% open above 7 feet high; and taller to serve the functional need for backstops or golf course protection.
5. *Materials.* All fences and walls shall be made of the following:
- a. Decorative iron;
 - b. Masonry;
 - c. Wood;
 - d. Chain-link/woven wire, except prohibited for any front fence;
 - e. Vinyl;
 - f. Pipe, limited to industrial districts and only if painted and maintained;
 - g. Barbed wire, limited to the side or rear of commercial and industrial fences and only if all portions of barbed wire are above 6 feet high; or
 - h. Electrical fences are only permitted for agriculture uses in the **A district**.
6. *Construction Fences.* Temporary fences for construction may be up to 10 feet or as otherwise specified in construction permits.
7. *Drainage Easements.* No fence shall be constructed which could impede the flow of drainage waters. All fences must be installed in a manner that will not constrict the water flow planned for proper drainage of the lots in a subdivision.
8. *Sight Distances.* All fences, walls or screening shall be located out of the sight distances in **Section 17-3-1.D.2**, Sight Distances, or otherwise limited to no more than 3 feet high in these areas.
- C. **Alternative Compliance.** Alternative compliance to the fence and wall standards established in Section 17-8-5, may be authorized according to the process and criteria in **Section 17-2-7**, Alternative Compliance.