



PLANNING COMMISSION REGULAR MEETING

November 5, 2025 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

To view Planning Commission meeting broadcasts, visit

www.windsorgov.com/MeetingsOnDemand.

AGENDA

A. CALL TO ORDER

1. Roll Call
2. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration
3. Public Invited to be Heard

Individuals wishing to participate in Public Invited to be Heard (non-agenda item) are requested to sign up on the form provided in the foyer of the Town Board Chambers. When you are recognized, step to the podium, state your name and address then speak to the Planning Commission.

Individuals wishing to speak during the Public Invited to be Heard or during Public Hearing proceedings are encouraged to be prepared and individuals will be limited to three (3) minutes. Written comments are welcome and should be given to the Town Clerk prior to the start of the meeting.

The Planning Commission will not respond to any questions or comments made by the public during this section of the meeting, though it will take all input under advisement. If requesting a response from the Town, please leave your contact information with the Town Clerk. The Town Manager or other appropriate staff member will reach out after the meeting to address specific questions or concerns when appropriate.

B. CONSENT CALENDAR

1. Approval of the September 17, 2025, Planning Commission Regular Meeting Minutes - L. Richardson, Assistant Town Clerk

C. BOARD ACTION

1. Public Hearing - An Ordinance Amending Chapter 15 of the Windsor Municipal Code Establishing Permitting Procedures for Electric Vehicle (EV) Charging Systems in the Town of Windsor, Colorado
 - Legislative
 - Staff presentation: Kimberly Lambrecht, Long Range Planner
2. Recommendation to Town Board - An Ordinance Amending Chapter 15 of the Windsor Municipal Code Establishing Permitting Procedures for Electric Vehicle Charging Systems in the Town of Windsor, Colorado
 - Legislative
 - Staff presentation: Kimberly Lambrecht, Long Range Planner
3. Public Hearing - An Ordinance Amending Chapter 15 of the Windsor Municipal Code Adjusting the Standards for Landscaping in Developed Areas in the Town of Windsor, Colorado

- Legislative action
 - Staff presentation: Kelsey Robertson, Senior Planner
4. Recommendation to Town Board - An Ordinance Amending Chapter 15 of the Windsor Municipal Code Adjusting the Standards for Landscaping in Developed Areas in the Town of Windsor, Colorado
 - Legislative action
 - Staff presentation: Kelsey Robertson, Senior Planner

D. COMMUNICATIONS

1. Communications from Planning Commission
2. Communications from Town Board Liaison
3. Communications from Staff
 - a. Minor Site Plan - South Gate Business Park 2nd Filing B1 L2 - Kia Expansion - K. Robertson, Senior Planner

E. ADJOURN

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.



MEMORANDUM

Date: November 5, 2025
To: Planning Commission
From:
Re: Approval of the September 17, 2025, Planning Commission Regular Meeting Minutes - L. Richardson, Assistant Town Clerk
Item #: B.1.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. 09.17.25 PC Draft Minutes



Planning Commission Regular Meeting

September 17, 2025 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

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MINUTES

A. CALL TO ORDER

Chairman Reddick called the meeting to order at 7:00 p.m.

1. Roll Call

Present:

Chairman Reddick
Vice-Chair Nader
David Hassard
Jordan Spight
John Neal
Nancy Frase

Absent:

Nathan Kinney
Ben Kirch

Also Present:

Town Board Liaison Hallett
Scott Ballstadt, Planning Director
Kim Mihm, Deputy Town Attorney
Carlin Malone, Chief Planner
Kyra McKinley, Visual Media Coordinator
Laura Richardson, Assistant Town Clerk

2. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration

Planning Commissioner Nader moved to approve the agenda as presented, Planning Commissioner Hassard seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, David Hassard, Maxwell Nader, Jordan Spight, John Neal, Nancy Frase; Nays - None; Motion Passed.

3. Public Invited to be Heard

Chairman Reddick opened the meeting up for public comment and noted that there were no members of the public present. The meeting proceeded to the next agenda item.

B. CONSENT CALENDAR

1. Approval of the August 6, 2025, Planning Commission Regular Meeting Minutes - L. Richardson, Assistant Town Clerk

Planning Commissioner Nader moved to approve the consent calendar as presented, Planning Commissioner Neal seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, David Hassard, Maxwell Nader, Jordan Spight, John Neal, Nancy Frase; Nays - None; Motion Passed.

Jason Hallett, Town Board Liaison, gave a statement to the Planning Commission.

"Mr. Chair, for the record, I would like to disclose that I am a sitting member of the Town Board and that I am here in my capacity as a nonvoting liaison to the Planning Commission.

Although I will be present during all public hearings tonight, I will not be giving my opinion or participating in any of the discussions. I will not let tonight's proceedings influence or affect my review of these matters when they come before the Town Board. I will make my decision at the Town Board level based only on the evidence presented during the Town Board public hearings."

C. BOARD ACTION

1. Public Hearing - An Ordinance Amending the Windsor Municipal Code by Adding Sections 16-4-40 and 16-5-70 to Address the Zoning of Natural Medicine Healing Centers and Natural Medicine Businesses in the Town of Windsor, Colorado

Senate Bill 23-290 authorizes municipalities to develop their own regulations concerning Natural Medicine Healing Centers and Businesses regarding psychedelic mushrooms. Such local regulations must be limited to:

- Time, Place and Manner
- Locations (zoning restrictions)
- Distance restrictions

At their July 21, 2025 work session, Town Board discussed and gave staff the following direction:

- Natural Medicine Healing Centers are permitted in the General Commercial (GC) zone district.
- Natural Medicine Businesses are limited to Heavy Industrial (HI) zone district.
- Distance restrictions for Natural Medicine Healing Centers and Businesses are to be one thousand (1,000) feet from childcare centers, preschools, elementary, middle, junior high and high schools.
- Time restrictions for Natural Medicine Healing Centers and Businesses are set for 7:00 A.M. to 7:00 P.M. from Monday to Saturday.

Kim Mihm, Deputy Town Attorney, and Scott Ballstadt, Director of Planning, presented to the Planning Commission

Commissioner Neal asked for clarification about where these facilities could be located in town, to which Scott Ballstadt, Director of Planning, responded. Commissioner Neal inquired if it would be possible to increase the distance restrictions to 2,000 or 5,000 feet, to which staff responded.

Commissioner Hassard expressed concerns about the ordinance and asked if the approval process for these facilities could be modified to require public hearings, to which Kim Mihm, Deputy Town Attorney, indicated that would likely violate the state statute as being an unreasonable regulation.

Commissioner Frase responded to Commissioner Hassard's concerns and noted that the issue was with state legislation rather than local regulations.

Chairman Reddick made statements regarding restrictions and noted the surrounding municipalities' regulations.

With no members of the general public present to speak, the public hearing was closed.

2. Recommendation to Town Board - An Ordinance Amending the Windsor Municipal Code by Adding Sections 16-4-40 and 16-5-70 to Address the Zoning of Natural Medicine Healing Centers and Natural Medicine Businesses in the Town of Windsor, Colorado

Please refer to public hearing item materials.

Chairman Reddick reminded commissioners to consider that voting for the ordinance would put structure in place, while voting against it would remove that structure.

Planning Commissioner Nader moved to forward the recommendation of approval to the Town Board on An Ordinance Amending the Windsor Municipal Code by Adding Section 16-4-40 and 16-5-70 to Address the Zoning of Natural Medicine Healing Centers and Natural Medicine Businesses in the Town of Windsor, Colorado, Planning Commissioner Spight seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Maxwell Nader, Jordan Spight, Nancy Frase; Nays - David Hassard, John Neal; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

The Chair reminded Planning Commissioners that if they have personal experiences or feelings that might prevent them from considering agenda items objectively, they should consider recusing themselves.

Commissioner Frase shared that she had been participating in the Citizens Academy and recommended it to others as an excellent experience.

2. Communications from Town Board Liaison

Town Board Liaison Hallett provided a brief update on recent Town Board activities and upcoming events.

3. Communications from Staff

Scott Ballstadt, Director of Planning, invited commissioners to attend the Community Development open house taking place immediately after Coffee with the Mayor on Friday morning.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:50 p.m.

Laura Richardson, Assistant Town Clerk



MEMORANDUM

Date: November 5, 2025
To: Planning Commission
From: Kimberly Lambrecht, Long Range Planner
Re: Public Hearing - An Ordinance Amending Chapter 15 of the Windsor Municipal Code Establishing Permitting Procedures for Electric Vehicle (EV) Charging Systems in the Town of Windsor, Colorado
Item #: C.1.

Background / Discussion:

Executive Summary

The attached ordinance proposes to allow EV Charging Stations in commercial zone districts, and in those residential zone districts where commercial uses are permitted. The ordinance aligns with House Bill 24-1137 concerning streamlining the process for these charging stations.

The proposed ordinance would be added to Chapter 15 (Development Standards) of the Land Use Code, and will be designated as Article XVIII - Electric Vehicle Charging Stations.

Background

In May 2024, the Colorado Legislature passed HB24-1173 **concerning streamlining the process for permitting electric motor vehicle (EV) charging stations**, in order to further promote the adoption of electric vehicles and increase the development of the electric vehicle charging infrastructure. The legislation requires counties with populations over 20,000 people, and municipalities with over 10,000 people to adopt an ordinance or resolution establishing **objective standards, with an administrative review process** (no public hearings) to be used by said municipality during the review of a land use application that includes EV charging stations by December 31, 2025.

There are three (3) types of EV charging stations:

- Level 1 Charging: Slow charging, typically associated with a standalone residential charging station.
- Level 2 Charging: Mid-speed charging that might likely be associated with higher density residential (apartments) locations.
- Direct Current Fast Charging (DCFC): uses a 480V 3-phase outlet, and may charge in as fast as 20-30 minutes

This Land Use Code Amendment focuses on **DCFC Charging Stations (DCFC)**.

The key component of the amendment is to ensure that inclusion of EV Charging Stations within a new commercial development, or the addition of EV Charging Stations to an existing commercial development is permitted through an administrative process, such as a Site Plan, and that no public hearings are required.

In conjunction with the passing of HB24-1173, the Colorado Energy Office (CEO) developed a Model Land Use Code and supporting information to assist in the development of a local Code. The Model Land Use Code provided an outline of those elements of an EV Charging Station project to assess during the evaluation of an application for permitting, such as: **definitions, allowed zone districts, site development, landscaping, screening, lighting, and site lines**. As outlined in HB24-1173,

municipalities have the option of adopting the EV Charging Stations Model Code as it is; adopting EV Charging permitting standards directly, including adopting objective permit review standards along with an administrative review process; or retaining existing permitting processes and standards. The Town currently does not have EV Charging Station standards in place, and the Model Code utilizes terms and standards that do not align with the current Land Use Code. ***Consequently, Staff has developed a hybrid Code section that uses the intent and content of the Model Code, but tailors the specific language to the terminology and processes found within the Town of Windsor Land Use Code.*** As required by HB24-1173, any modifications to the language found in the Model Code must allow for an **objective and administrative review** of an EV Charging Station permit application.

The attached ordinance proposes to allow EV Charging Stations in commercial zone districts, and in those residential zone districts where commercial uses are permitted. The Charging Stations must comply with the Lot Development Standards outlined in each zone district. No new applications or procedures are anticipated with this Code update. A new EV Charging Station project, or the inclusion of EV Charging Stations within a new commercial development will utilize the current Site Plan application for review.

The proposed ordinance would be added to Chapter 15 (Development Standards) of the Land Use Code, and will be designated as Article XVIII - Electric Vehicle Charging Stations.

Note, this Land Use Code Amendment does NOT require a certain quantity of EV Charging Stations to be included in a parking lot or with a new project, nor does it require EV Charging Stations to be implemented. Rather, per the requirements of HB24-1173, this amendment outlines the path forward for the streamlined permitting of DCFC EV Charging Stations that are proposed as part of a Site Plan (or other Land Use) application.

As a side note, in an effort to further support and promote the use of electric vehicles, the **2024 International Building Code** will require a certain number of EV charging stations to be implemented in parking lots as part of commercial and/or multifamily projects. ***The 2024 International Building Code will be up for adoption in the Town in the coming weeks.*** This requirement will be reviewed as part of a building permit application for commercial and multifamily projects.

Financial Impact:

N/A

Relationship to Strategic Plan:

Vital Infrastructure:

Windsor places significant value on building and maintaining a safe multi-modal public transportation network, consistent communications systems, efficient wastewater and stormwater management, reliable water delivery and storage systems, and accessible and equitable public facilities that provide a high quality of life for our community.

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board of the ordinance, adding Chapter 15, Article XVIII, establishing permitting procedures for Electric Vehicle (EV) Charging Systems in the Town of Windsor, Colorado

CC:

Scott Ballstadt, Director of Planning
Carlin Malone, Planning Manager
Kim Mihm, Deputy Town Attorney

Attachments:

1. Staff Presentation
2. Draft Ordinance - EV Charging Stations
3. House Bill 24-1173 - EV Charging Stations

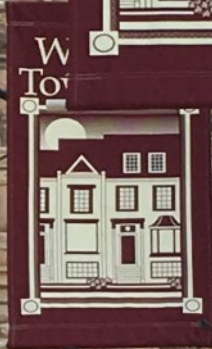
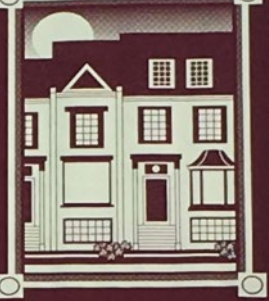


Land Use Code Update: Chapter 15, Article XVIII Electric Vehicle (EV) Charging Stations

*Planning Commission
November 5, 2025*

*Kimberly Lambrecht, Long Range Planner
Planning / Community Development*

Windsor
Town Hall





Land Use Code Amendments

Chapter 15, Article XVIII

Purpose

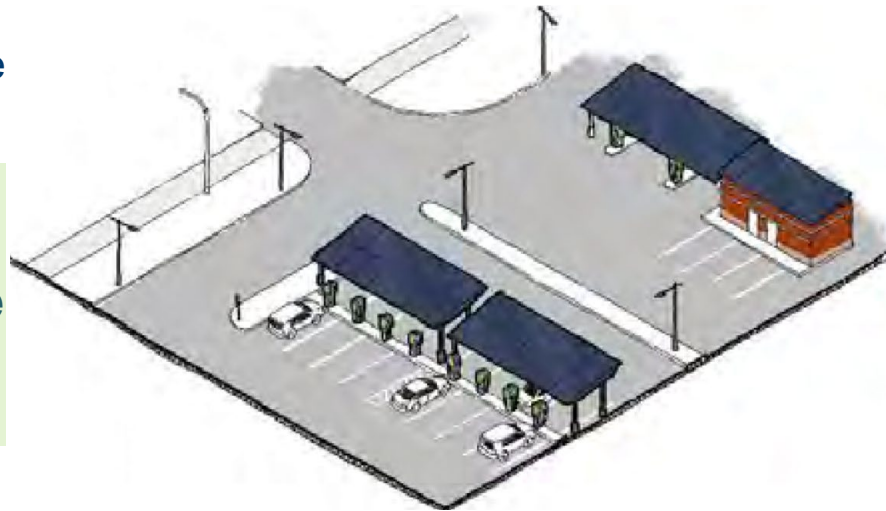
- ❖ In 2024, the Colorado Legislator passed HB24-1173 concerning ***streamlining the process for permitting Electric Motor Vehicle (EV) Charging Systems***, which is intended to promote the adoption of electric vehicles and increase the network of charging ports.
- ❖ This amendment adds a new section to the Land Use Code, providing regulations and procedures for permitting EV Charging Stations in the Town.
- ❖ Per HB24-1173, Chapter 15 of the Town's Municipal Code shall be amended to include these regulations by December 31, 2025.
- ❖ Additionally, the Town is required to submit a report describing compliance with HB24-1173 by March 1, 2026.



Land Use Code Amendments

Purpose

- ❖ HB24-1173 speaks primarily to Direct Current Fast Charging (DCFC) charging stations which are more commercial in nature – similar to how a fuel pump at a gas station would operate.
 - ❖ Level 1 and Level 2 Charging Stations are not regulated by this Code.
- ❖ The permitting process allows for *approval, approval with conditions, or denial*, stemming from an **administrative review** based on **objective standards** that do not require a public hearing.





Land Use Code Amendments

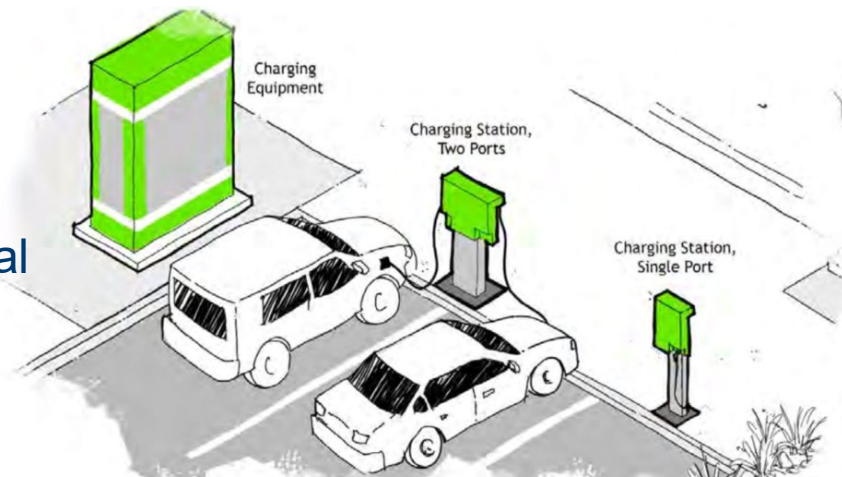
Background

- ❖ As required by HB24-1173, the Colorado Energy Office provided a Model Code that outlined definitions, references, procedures and permitting.
- ❖ Staff generally followed the guidance provided by the Model Code, making some adjustments to terminology and processes to be in alignment with the definitions and procedures found in Chapters 14 and 15 of the Town of Windsor Land Use Code.
 - ❖ Remain equal to or more stringent than the requirements of HB24-1173
- ❖ The Town's Code amendment will outline an ***objective and administrative review process***.
- ❖ Note, all ***building, fire and electric codes*** are still in effect, and must be complied with.

Land Use Code Amendments

Procedures

- ❖ EV Charging Stations will be permitted in commercial zone districts, and in those residential zone districts where commercial uses are permitted.
- ❖ Reviewing mechanism will be the existing Site Plan application that currently exists.
 - ❖ For the addition of EV Charging Stations to an existing parking lot, a Plot Plan will be required to be submitted with the building permit application.
- ❖ Current lot development standards in effect in each zone district will apply.
- ❖ No changes to the Town's Land Use application/checklist are anticipated.



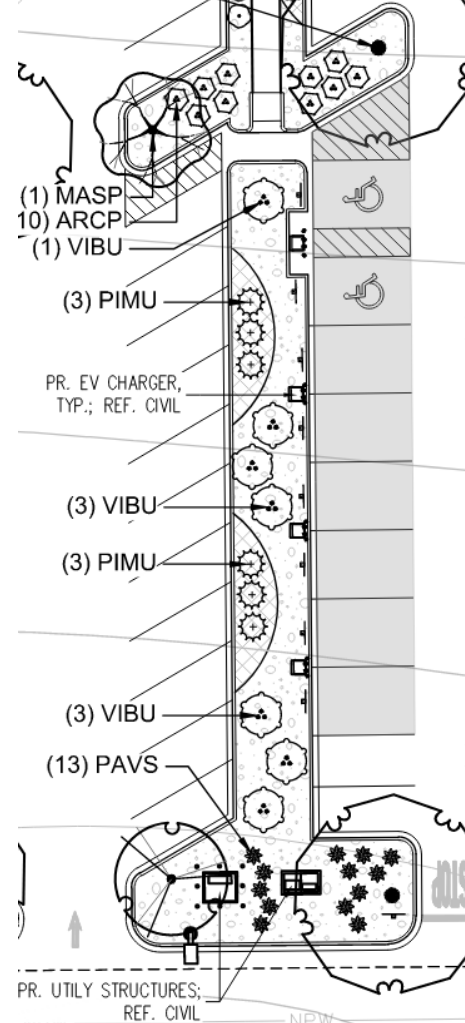


Building Code

2024 International Building Code

In an effort to further support and promote the use of electric vehicles, the 2024 International Building Code will require a certain number of EV charging stations to be implemented in parking lots as part of commercial and/or multifamily projects.

The 2024 International Building Code will be up for adoption in the Town in the coming weeks. This requirement will be reviewed as part of a building permit application for commercial and multifamily projects.





Notification & Next Steps

Notification of the land use code update was in accordance with the Town Code, requiring notification at least ten (10) days prior to **the public hearing**:

- October 24, 2025 – Notice posted to Town’s website
- October 24, 2025 – Legal ad published in newspaper

Public Hearing / Meeting Schedule:

- November 5, 2025 – Planning Commission public hearing and recommendation to Town Board
- November 10, 2025 – Town Board public hearing and first reading of ordinance
- November 24, 2025 – Town Board public meeting and second reading of ordinance

December 31, 2025 – Ordinance in effect



Staff Recommendation & Record

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board of the ordinance, adding Chapter 15, Article XVIII, establishing permitting procedures for Electric Vehicle (EV) Charging Systems in the Town of Windsor, Colorado.

Staff requests that the following be entered into the record:

- Draft Ordinance
- Staff memorandum and supporting documents
- Public testimony

Land Use Code Amendment proposed:

- **Chapter 15, Article XVIII – Electric Vehicle (EV) Charging Stations:**

Adding Section XVIII to align with legislative updates (HB24-1173) concerning the administrative permitting of EV charging systems.



Thank you / Questions?

*Planning Commission
November 5, 2025*

TOWN OF WINDSOR

ORDINANCE NO. 2025-XXXX

AN ORDINANCE AMENDING CHAPTER 15 OF THE WINDSOR MUNICIPAL CODE ESTABLISHING PERMITTING PROCEDURES FOR ELECTRIC VEHICLE CHARGING SYSTEMS IN THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested under Colorado law; and

WHEREAS, in the 2024 Colorado Legislative Session, House Bill 24-1173 (“HB 24-1173”) established municipal permitting procedures by adding Colorado Revised Statute (“C.R.S”) Sec. 31-23-316 which set the deadline of on or before December 31, 2025, to adopt an Ordinance establishing the objective standards and permitting process for any electric vehicle charging systems within a municipality; and

WHEREAS, HB 24-1173 establishes that the Town must either adopt the Colorado Energy Office’s model permitting code for electric vehicle charging systems, adopt its own objective standards and administrative review process for permitting electric vehicle charging systems, or formally declare that it does not intend to adopt the model code or establish a new permitting process, and will instead continue to operate under its existing permitting practices; and

WHEREAS, the Town does not currently have a separate or distinct permitting review process specific to electric vehicle charging systems within the Windsor Municipal Code; and

WHEREAS, the Town desires to comply with the requirements of HB 24-1173 by establishing its own objective standards and administrative review process to be used by the Town regarding the review of electric vehicle charger permits; and

WHEREAS, the Town intends on developing these objective standards and review processes in consultation with the Windsor-Severance Fire Protection District, all electric utilities serving the Town and other stakeholders who may be impacted by the provisions of this Ordinance; and

WHEREAS, The Town finds it in the public’s best interest to comply with state requirements and establish clear, objective permitting standards for electric vehicle charging systems, ensuring their timely, consistent, and accessible use in alignment with the Town Board’s goals.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. Chapter 15 of the Windsor Municipal Code is hereby amended by the addition of a new Article XVIII, which shall read as follows:

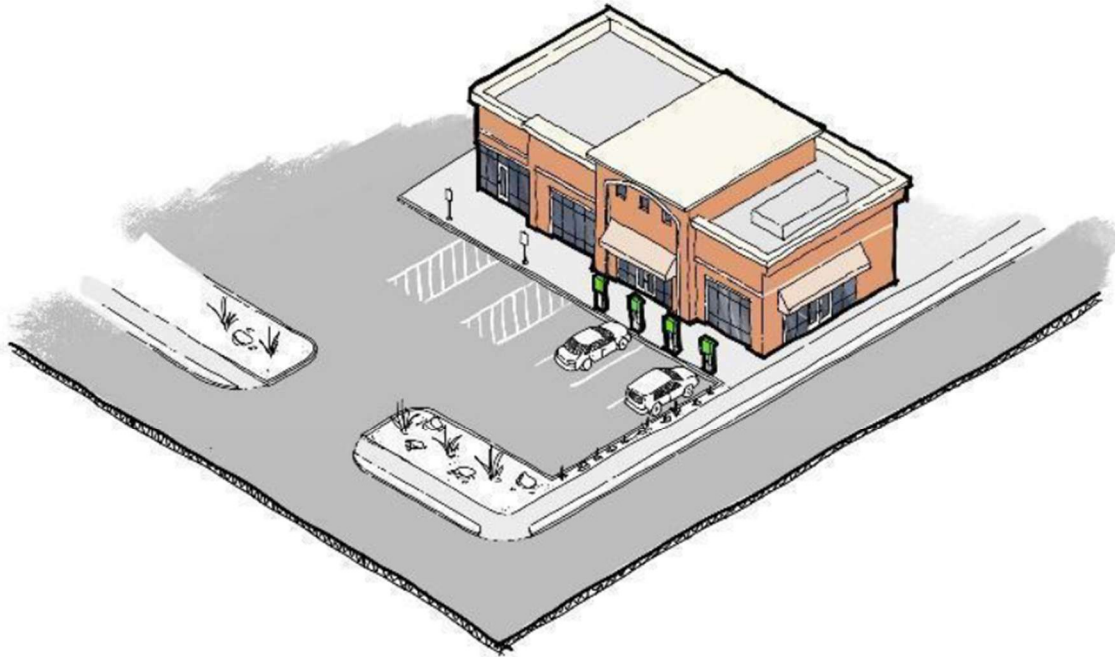
Chapter 15, Article XVIII – Electric Vehicle (“EV”) Charging Stations

Purpose. The Electric Motor Vehicle (EV) Charging Station requirements are intended to streamline the process for permitting electric motor vehicle charging systems, as required

by HB24-1173 and pursuant to the International Building Code requirements adopted by the Town and set forth in Chapter 18.

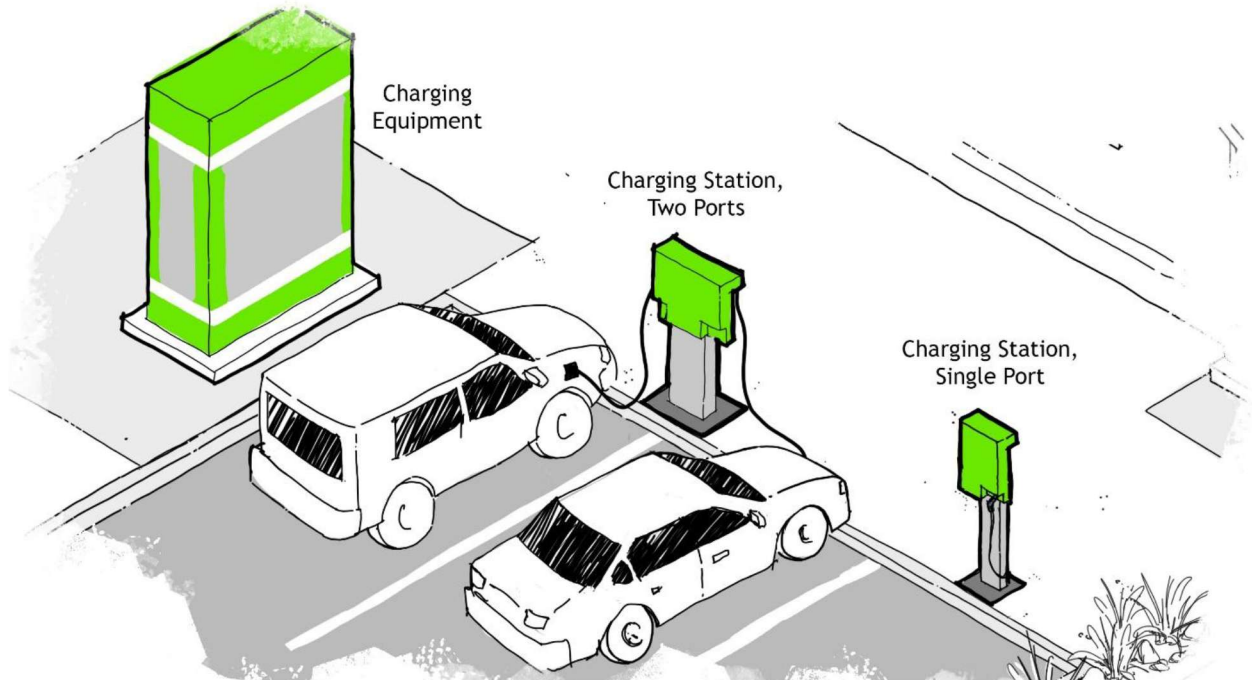
Sec. 15-18-10 – Definitions.

Accessory Use EV Charging Project means a proposed development of Direct Current Fast Charging (“DCFC”) Charging Stations and Equipment that are incidental and subordinate to the Principal Use on the Subject Property.



Electric Vehicle (EV) means a motor vehicle which relies partially or entirely on electrical energy to power its movement, requiring periodic electrical current charging of its battery.

EV Charging Equipment means all equipment necessary to provide electrical current charging for EVs, except for EV Charging Stations. This may include power conversion equipment, electrical distribution equipment such as transformers, switchgear boxes, and distribution lines, and other supportive equipment.



EV Charging Port means a power supply device that provides electrical current charging for EVs. One EV Charging Port provides power for one vehicle.

a. ***“Direct Current Fast Charging (DCFC)”***: High-speed charging that provides about 50-350+ kW of power per hour and uses a 480V three-phase outlet.

b. ***“Level 2 Charging”***: Mid-speed charging that provides about 7-19 kW of power per hour and uses a 240V outlet.

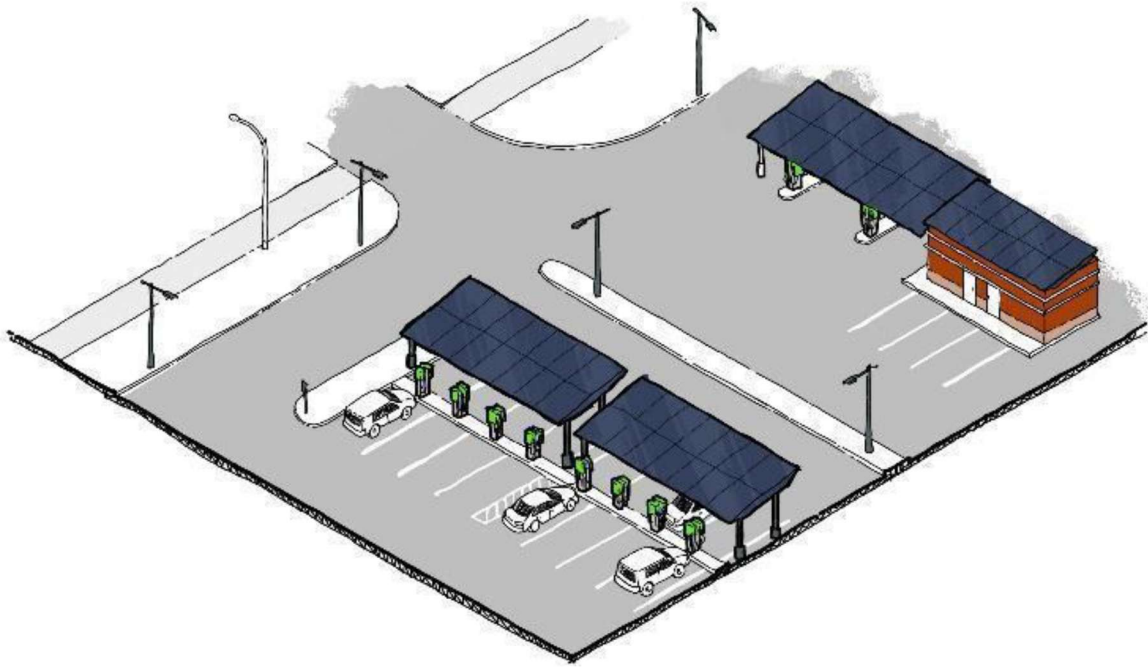
c. ***“Level 1 Charging”***: Slow charging that provides about 1-2 kW of power per hour and uses a 120V outlet.

EV Charging Project means a proposed development of Principal or Accessory Use EV Charging Stations and Equipment, which may include other supporting site improvements like landscaping, lighting, or weather protection.

EV Charging Station means equipment that includes one or more EV Charging Ports to provide charging for EVs, located adjacent to dedicated space(s) for the vehicle(s) while they charge. One EV Charging Station may provide power for one or more vehicles.

Site lighting means the area on a horizontal surface in which a light fixture provides direct or high intensity illumination for an EV Charging Station.

Principal Use EV Charging Project means any proposed development of DCFC EV Charging Stations and Equipment that serves as the principal function and land use on the Subject Property.



Sec. 15-18-20 - Permit Applicability.

A permit shall be required for EV charging development that meets the definition of an “EV Charging Project” (and associated definitions for “Principal Use” and “Accessory Use” EV Charging Projects).

Sec. 15-18-30- Permit Review Process.

Applications for EV Charging Projects shall use the applicable permitting processes from the zoning district where projects are proposed.

- a. Major Site Plan application for EV charging stations as a new principal use. Site Plan shall include location of charging stations and equipment, and shall also show setbacks, dimensions to property lines, structures, and landscaping.
- b. EV Plot Plan for accessory use to an existing site, to be included with a building permit application for. Plot Plan shall include location of charging stations and equipment, and shall also show setbacks, dimensions to property lines, structures, and landscaping.
- c. EV Plot Plan for EV Charging Stations as an accessory use in a new site plan. Plot Plan shall include location of charging stations and equipment, and shall also show setbacks, dimensions to property lines, structures, and landscaping.

Sec. 15-18-40- Existing Principal Use Conformance.

No site improvements to existing land uses on the same Subject Property with a proposed Accessory Use EV Charging project shall be required, nor will there be any requirements to otherwise conform with land use regulations, unless the existing land uses propose

simultaneous changes to their use, structures, or site that would otherwise require such conformance.

Sec. 15-18-50- Regulation of Principal Use EV Charging Stations.

Development standards for similar uses as contained in Chapter 15 of this Code.

Sec. 15-18-60- Use by right.

Principal Use EV Charging Projects and Accessory Use EV Charging projects shall be permitted as a use by right in all zoning districts, including multifamily projects, with the exception of Single Family Detached (SF-1), Single Family Attached (SF-2) and Estate Residential (ER). In the Residential Mixed Use One and Residential Mixed Use Two (RMU-1 and RMU-2) zones, EV Charging Stations are permitted as a use by right for commercial and multifamily uses as outlined in those zone districts. DCFC EV Charging Stations are not permitted in areas of residential uses found in the RMU-1 and RMU-2 zones.

Sec. 15-18-70 – Parking minimums.

Any parking space served by an EV Charging Port or any parking space used to site EV Charging Stations or Equipment must be counted toward applicable parking minimums as at least one standard automobile parking space.

Sec. 15-18-80 – Accessible parking minimums.

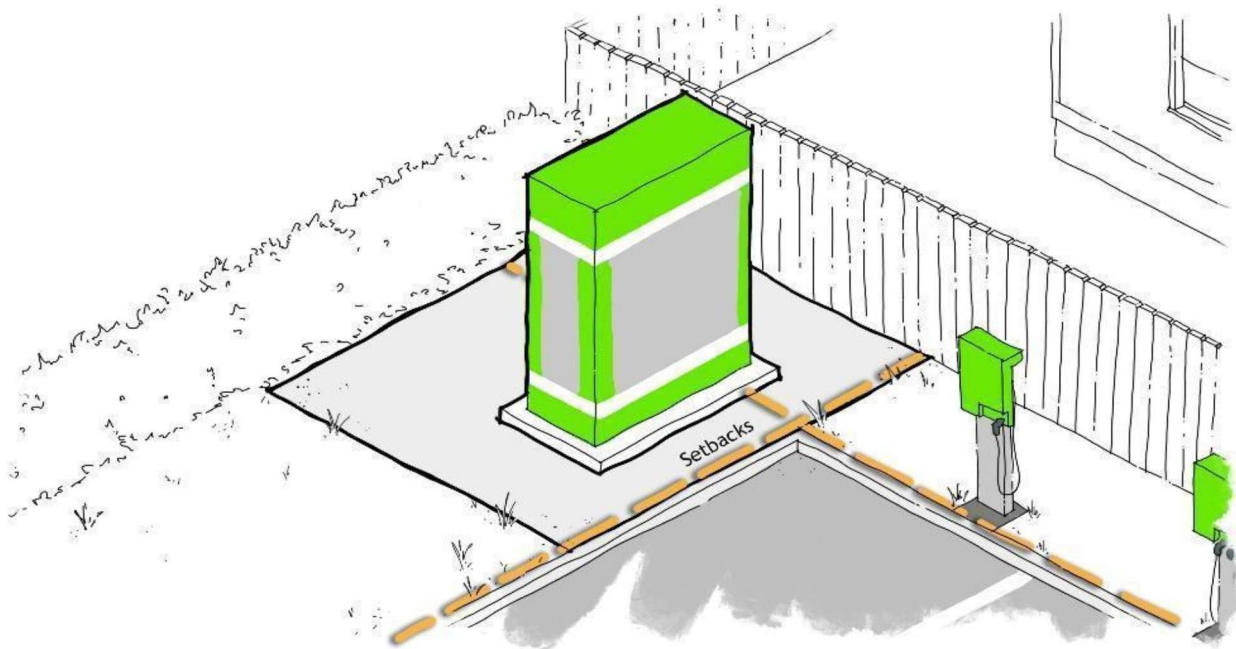
Any van-accessible parking space that is designated to accommodate a person in a wheelchair, is served by an EV Charging Port, and is not designated as parking reserved for a person with a disability under C.R.S. 42-4-1208 must be counted as at least two standard automobile parking spaces towards applicable parking minimums.

Sec. 15-18-90 – Compliance with accessibility regulations.

The design of parking spaces and parking access for all EV Charging Projects shall comply with the US Access Board Design Recommendations for Accessible Electric Vehicle Charging Stations or any applicable accessibility regulations issued by the federal Department of Justice or Department of Transportation, or in state statute.

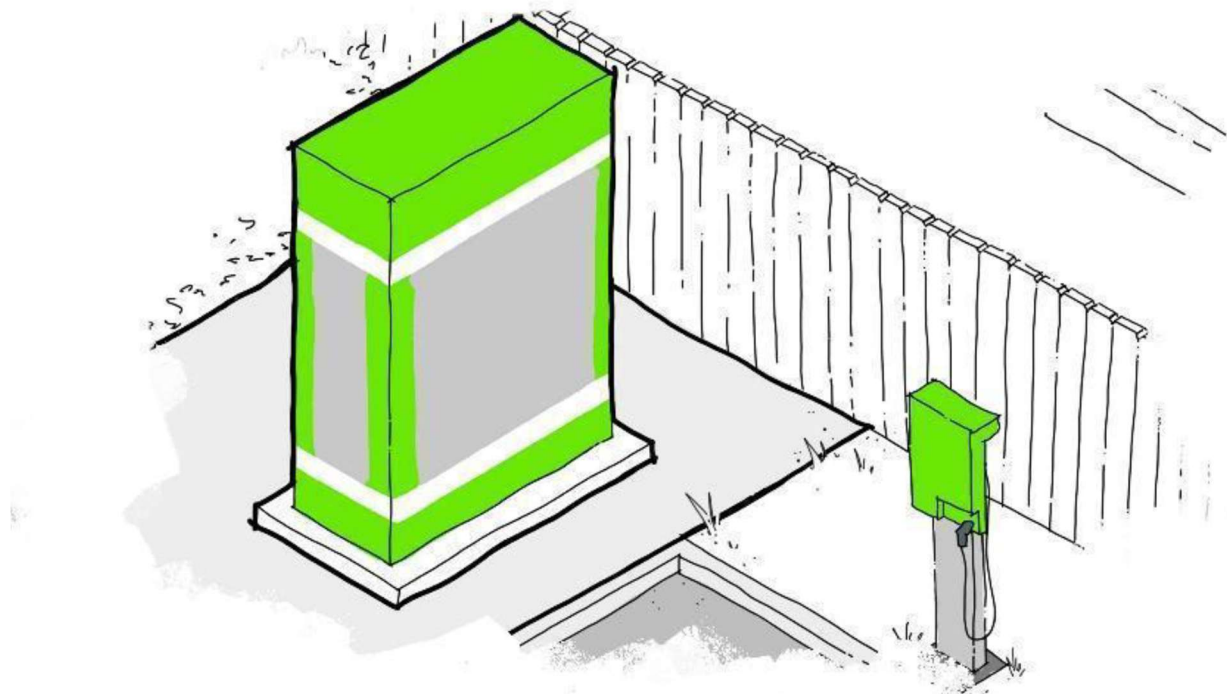
Sec. 15-18-100 – Permissions within setbacks.

For Accessory Use EV Charging Projects, EV Charging Stations and Equipment, and any required screening material, shall be permitted within designated setbacks of the Subject Property, as long as there are no encroachments into existing easements or right-of-way.



Sec. 15-18-110 – Design standards.

Subject to EV plan approval, the appearance, materials, and dimensions of EV Charging Stations and Equipment shall be determined by current EV Charging manufacturing standards and utility design standards. Digital displays shall comply with the lighting standards found in this Chapter. There shall be no audio associated with EV Charging equipment, charging stations, or displays.



Sec. 15-18-120 – Screening.

Screening for Accessory Use EV Charging Projects shall not be required except in the following circumstances:

- a. Screening may be required for EV Charging Equipment located along the perimeter of a Subject Property and shall comply with screening requirements set forth in Chapter 15, Articles 7 and 11 of this Code.**
 - i. Screening may only be required along the length of the EV Charging Equipment and parallel to the property line between the EV Charging Equipment and the adjacent property.**
 - ii. Screening dimensions shall be determined based upon the size and length of the EV Charging Equipment.**
 - iii. Screening materials shall be the same materials and be compatible with the principal use, walls, fencing or landscaping materials or a combination of all, so long as there are no encroachments into any right of way or easements.**
 - iv. Any applicant may request an exception to screening requirements by demonstrating in their application that site-specific conditions negate the need for visual separation, which will be administratively reviewed.**

Sec. 15-18-130 – Site lighting.

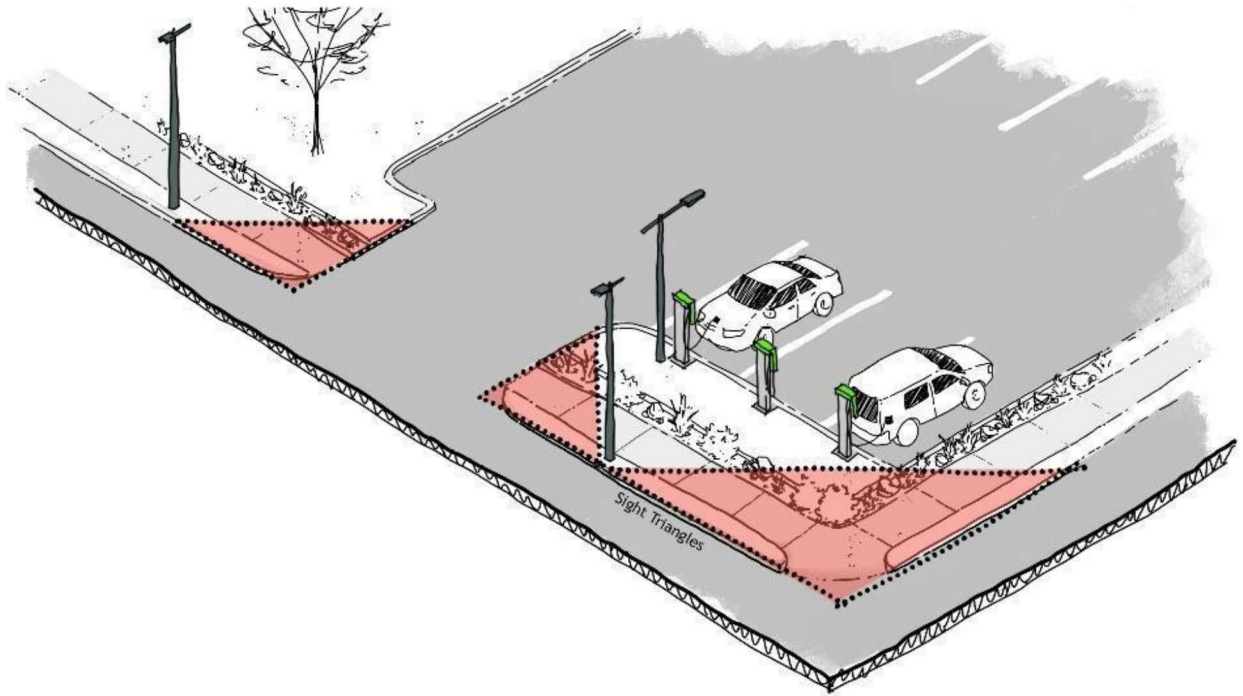
Charging Stations proposed as part of an EV Charging Project must meet the site lighting requirements, as defined in this Code. Lighting may be provided by existing on-site lighting and/or by new lighting fixtures integrated into EV Charging Stations or Equipment or by new separate light fixtures.

Sec. 15-18-140 – Pavement markings.

Existing standards for parking pavement markings and striping established within this Code apply to EV Charging Projects.

Sec. 15-18-160 – Maintain site triangle visibility.

EV Charging Stations and EV Charging Equipment shall comply with the visibility requirements set forth in this Code.



Sec. 15-18-170 – Landscape standards.

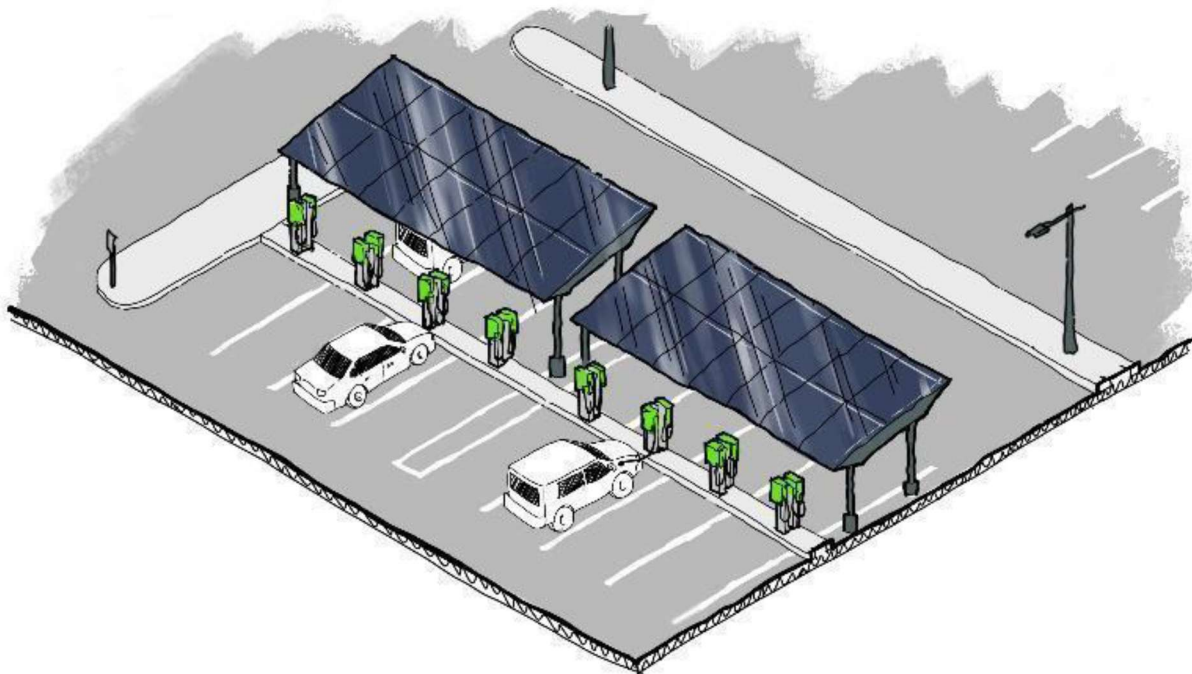
When existing landscape plants on a Subject Property are removed during the installment of an Accessory Use EV Charging Project, they shall be replaced with similar plants in close proximity to the charging station project so as to maintain the property's compliance with landscaping standards for the property's existing uses, and in compliance with this Code.

Sec. 15-18-180 – Signage.

Signage may be provided as part of an EV Charging Project to provide information about charging types, voltages, fees, wayfinding, or other related information. Any signage provided is subject to the applicable standards in this Code.

Sec. 15-18-190 – Weather canopies.

If weather canopies are included as part of an EV Charging Project, they are subject to the applicable siting, dimensional, setback, appearance, materials, and other standards in this Code.



Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance are hereby repealed, only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Introduced, passed on first reading, and ordered published this ____ day of ____ 2025.

TOWN OF WINDSOR, COLORADO

Julie Cline, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

Introduced, passed on second reading, and ordered published this ____ day of ____ 2025.

TOWN OF WINDSOR, COLORADO

Julie Cline, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

An Act

HOUSE BILL 24-1173

BY REPRESENTATIVE(S) Valdez, Amabile, Brown, deGruy Kennedy, Epps, Froelich, Garcia, Hernandez, Herod, Jodeh, Joseph, Lieder, Lindsay, Mabrey, Mauro, Ortiz, Parenti, Rutinel, Story, Woodrow, Boesenecker, Kipp, McLachlan, Ricks, Sirota, Young, McCluskie;
also SENATOR(S) Priola and Jaquez Lewis, Cutter, Fields, Hansen, Michaelson Jenet, Sullivan.

CONCERNING STREAMLINING THE PROCESS FOR PERMITTING ELECTRIC
MOTOR VEHICLE CHARGING SYSTEMS.

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) The transportation sector is a leading source of greenhouse gas emissions and pollution, and vehicle electrification is a key component in reducing greenhouse gas emissions in the transportation sector;

(b) According to the United States department of energy, an electric vehicle produces an average of less than one-fourth of the average emissions of a motor vehicle powered by an internal combustion engine

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

over its lifetime;

(c) To further promote the adoption of electric vehicles, the state needs to encourage the rapid development of a network of electric vehicle charging systems and other infrastructure to support those electric vehicles;

(d) As of January 2024, there are more than 108,000 electric vehicles on the road in Colorado but less than 5,000 Level 2 and only 980 DC fast charging electric vehicle charging ports available for public use;

(e) The "2023 Colorado EV Plan" calls for at least 5,800 Level 2 and 1,700 DC fast charging electric vehicle charging ports available for public use by 2025; and

(f) The promotion of electric vehicles and the development of electric vehicle charging systems is a matter of mixed state and local concern.

(2) The general assembly further declares that it is in the best interest of Coloradans and a matter of mixed state and local concern to facilitate the permitting of electric vehicle charging systems by streamlining the process for local governments to approve permits for developing electric vehicle charging infrastructure.

SECTION 2. In Colorado Revised Statutes, **add** 30-28-213 as follows:

30-28-213. Electric motor vehicle charging systems - county permitting procedures - permit application - approval process - definitions. (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADMINISTRATIVE REVIEW PROCESS" MEANS A PROCESS:

(I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A COUNTY PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE WITH OBJECTIVE STANDARDS SET FORTH IN COUNTY ZONING LAWS OR OTHER COUNTY LAWS; AND

(II) THAT DOES NOT REQUIRE A PUBLIC HEARING, A RECOMMENDATION, OR A DECISION BY AN ELECTED OR APPOINTED PUBLIC BODY OR HEARING OFFICER EXCEPT AS PROVIDED IN SUBSECTION (4)(d) OF THIS SECTION.

(b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101.

(c) (I) "COUNTY PERMITTING AGENCY" MEANS THE ENTITY OR ENTITIES FOR A COUNTY THAT ARE RESPONSIBLE FOR ISSUING AN EV CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM.

(II) "COUNTY PERMITTING AGENCY" MAY INCLUDE:

(A) A COUNTY BUILDING DEPARTMENT OR AGENCY;

(B) A COUNTY PLANNING DEPARTMENT OR AGENCY; OR

(C) A COUNTY PUBLIC WORKS OR ROAD AND BRIDGE DEPARTMENT OR AGENCY.

(d) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

(e) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

(f) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT A COUNTY MAY REQUIRE TO AUTHORIZE AN APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM AND A PERMIT APPLICATION FOR AN ELECTRICAL PERMIT ESTABLISHED UNDER ARTICLE 115 OF TITLE 12 AND ISSUED BY THE STATE ELECTRICAL BOARD.

(g) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

(I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY THE APPLICANT AND COUNTY PERMITTING AGENCY STAFF PRIOR TO THE

APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

(II) DOES NOT REQUIRE COUNTY PERMITTING AGENCY STAFF TO MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER PERMIT APPLICATION.

(2) (a) ON OR BEFORE DECEMBER 31, 2025, THE BOARD OF COUNTY COMMISSIONERS OF A COUNTY WITH A POPULATION OF TWENTY THOUSAND OR MORE ACCORDING TO THE 2020 FEDERAL CENSUS SHALL DO ONE OF THE FOLLOWING:

(I) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE THE SAME STANDARDS AND PERMITTING PROCESS OR LESS RESTRICTIVE STANDARDS AND PERMITTING PROCESS AS THE STANDARDS AND PERMITTING PROCESS DESCRIBED IN THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3) OF THIS SECTION;

(II) (A) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES OBJECTIVE STANDARDS AND AN ADMINISTRATIVE REVIEW PROCESS TO BE USED BY THE COUNTY PERMITTING AGENCY DURING THE COUNTY'S REVIEW OF APPLICATIONS FOR EV CHARGER PERMITS IN ACCORDANCE WITH SUBSECTIONS (4) AND (5) OF THIS SECTION.

(B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE COUNTY PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE DEVELOPED IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE DISTRICT, ANY ELECTRIC UTILITIES SERVING THE COUNTY, AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE COUNTY.

(III) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES THAT THE COUNTY DOES NOT INTEND TO ADOPT AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(I) OR (2)(a)(II) OF THIS SECTION AND THAT THE COUNTY PERMITTING AGENCY WILL CONTINUE TO UTILIZE THE COUNTY'S EXISTING PERMITTING REVIEW PROCESS FOR EV CHARGER PERMIT APPLICATIONS.

(b) ON OR BEFORE MARCH 1, 2026, A COUNTY THAT IS SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE DESCRIBING THE COUNTY'S

COMPLIANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

(c) ON OR BEFORE JANUARY 31, 2027, A COUNTY SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE REGARDING EACH APPLICATION FOR AN EV CHARGER PERMIT THAT WAS RECEIVED BY THE COUNTY PERMITTING AGENCY BETWEEN DECEMBER 31, 2025, AND DECEMBER 1, 2026. THE REPORT MUST INCLUDE:

(I) THE FINAL DETERMINATION MADE BY THE COUNTY PERMITTING AGENCY FOR EACH EV CHARGER PERMIT APPLICATION; AND

(II) FOR EACH EV CHARGER PERMIT APPLICATION SUBMITTED TO THE COUNTY PERMITTING AGENCY, THE DURATION BETWEEN THE DATE THAT THE EV CHARGER PERMIT APPLICATION WAS DEEMED COMPLETE BY THE COUNTY PERMITTING AGENCY AND THE DATE THAT THE COUNTY PERMITTING AGENCY MADE A FINAL DETERMINATION ON THE EV CHARGER PERMIT APPLICATION.

(d) IF THE BOARD OF COUNTY COMMISSIONERS OF A COUNTY ADOPTS THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPTS AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION, THE REQUIREMENTS OF SUBSECTIONS (4) AND (5) OF THIS SECTION DO NOT APPLY TO THE COUNTY.

(3) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES.

(b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MUST BE DEVELOPED IN CONSULTATION WITH COUNTIES, REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES, PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE COLORADO ENERGY OFFICE.

(c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL ONLY APPLY TO A COUNTY'S LAND USE AND ZONING PERMITTING

PROCESSES AND SHALL NOT CONTRAVENE:

- (I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR PROCEDURES;
- (II) COUNTY ELECTRICAL PERMITTING REQUIREMENTS OR PROCEDURES;
- (III) STATE ELECTRICAL INSPECTION REQUIREMENTS;
- (IV) COUNTY ELECTRICAL INSPECTION REQUIREMENTS; OR
- (V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.

(d) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL NOT CONTAIN REQUIRED TIMELINES THAT A COUNTY PERMITTING AGENCY MUST COMPLY WITH FOR THE REVIEW, APPROVAL, OR DENIAL OF EV CHARGER PERMIT APPLICATIONS.

(4) (a) A COUNTY PERMITTING AGENCY SHALL APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER PERMIT USING THE COUNTY'S ADMINISTRATIVE REVIEW PROCESS TO DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING SYSTEM IS IN COMPLIANCE WITH THE COUNTY'S OBJECTIVE STANDARDS.

(b) A COUNTY PERMITTING AGENCY SHALL NOT DENY OR PLACE CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING PUBLIC HEALTH OR SAFETY.

(c) IF A COUNTY PERMITTING AGENCY DENIES AN APPLICATION FOR AN EV CHARGER PERMIT, THE COUNTY PERMITTING AGENCY SHALL MAKE WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING SYSTEM WOULD VIOLATE THE COUNTY'S OBJECTIVE STANDARDS OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC HEALTH OR SAFETY AND SEND THOSE WRITTEN FINDINGS TO THE APPLICANT WITHIN THREE BUSINESS DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY DENIES THE APPLICATION.

(d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV CHARGER PERMIT BY A COUNTY PERMITTING AGENCY MAY APPEAL THE COUNTY PERMITTING AGENCY'S DECISION TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY.

(e) THE REQUIREMENTS OF THIS SUBSECTION (4) DO NOT APPLY TO COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPT AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION.

(5)(a) THE COUNTY PERMITTING AGENCY MUST MAKE AVAILABLE TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A CHECKLIST OF ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN APPLICATION FOR AN EV CHARGER PERMIT.

(b) A COUNTY PERMITTING AGENCY SHALL REVIEW AN APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

(c) A COUNTY PERMITTING AGENCY SHALL CONSIDER AN APPLICATION FOR AN EV CHARGER PERMIT THAT SATISFIES THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION A COMPLETE APPLICATION.

(d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE COUNTY PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY DETERMINES THE APPLICATION IS NOT SUFFICIENT, SEND A WRITTEN NOTICE TO THE APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE APPLICATION TO BE CONSIDERED COMPLETE.

(e) THE REQUIREMENTS OF THIS SUBSECTION (5) DO NOT APPLY TO COUNTIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPT AN

ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION.

(6) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE TO COUNTIES TO ASSIST A COUNTY IN COMPLYING WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

(I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF COUNTY CODES; AND

(II) MATERIALS AND SUPPORT FOR TRAINING COUNTY PERMITTING AGENCY STAFF WITH INTERPRETING AND APPLYING EV CHARGER PERMIT STANDARDS AND PROCESSES.

(b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO PROVIDE TECHNICAL ASSISTANCE TO COUNTIES IN ACCORDANCE WITH THIS SUBSECTION (6).

(c) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

(7) REGARDLESS OF THE ORDINANCE OR RESOLUTION ADOPTED BY A BOARD OF COUNTY COMMISSIONERS IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION, A COUNTY PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS AFTER THE DATE THE COUNTY PERMITTING AGENCY MAKES THE DETERMINATION TO APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION, SEND NOTICE TO AN APPLICANT FOR AN EV CHARGER PERMIT THAT STATES THE COUNTY PERMITTING AGENCY'S DETERMINATION ON THE APPLICANT'S EV CHARGER PERMIT APPLICATION.

SECTION 3. In Colorado Revised Statutes, **add** 31-23-316 as follows:

31-23-316. Electric motor vehicle charging systems - municipal permitting procedures - permit application - approval process - definitions. (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADMINISTRATIVE REVIEW PROCESS" MEANS A PROCESS:

(I) IN WHICH AN EV CHARGER PERMIT IS APPROVED, APPROVED WITH CONDITIONS, OR DENIED BY ADMINISTRATIVE STAFF OF A MUNICIPAL PERMITTING AGENCY BASED SOLELY ON THE APPLICATION'S COMPLIANCE WITH OBJECTIVE STANDARDS SET FORTH IN MUNICIPAL ZONING LAWS OR OTHER MUNICIPAL LAWS; AND

(II) THAT DOES NOT REQUIRE A PUBLIC HEARING, A RECOMMENDATION, OR A DECISION BY AN ELECTED OR APPOINTED PUBLIC BODY OR HEARING OFFICER EXCEPT AS PROVIDED IN SUBSECTION (4)(d) OF THIS SECTION.

(b) "COLORADO ENERGY OFFICE" MEANS THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101.

(c) "DISPROPORTIONATELY IMPACTED COMMUNITY" HAS THE MEANING SET FORTH IN SECTION 24-4-109 (2)(b)(II).

(d) "ELECTRIC MOTOR VEHICLE CHARGING SYSTEM" OR "CHARGING SYSTEM" HAS THE MEANING SET FORTH IN SECTION 38-12-601 (6)(a).

(e) "EV CHARGER PERMIT" MEANS THE FINAL APPROVAL OF AN APPLICATION FOR INSTALLATION OF AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM THAT A MUNICIPALITY MAY REQUIRE TO AUTHORIZE AN APPLICANT TO COMMENCE CONSTRUCTION OF THE CHARGING SYSTEM AND A PERMIT APPLICATION FOR AN ELECTRICAL PERMIT ESTABLISHED UNDER ARTICLE 115 OF TITLE 12 AND ISSUED BY THE STATE ELECTRICAL BOARD.

(f) (I) "MUNICIPAL PERMITTING AGENCY" MEANS THE ENTITY OR ENTITIES FOR A MUNICIPALITY THAT ARE RESPONSIBLE FOR ISSUING AN EV CHARGER PERMIT FOR THE CONSTRUCTION OF AN ELECTRIC MOTOR VEHICLE CHARGING SYSTEM.

(II) "MUNICIPAL PERMITTING AGENCY" MAY INCLUDE:

(A) A MUNICIPAL BUILDING DEPARTMENT OR AGENCY;

(B) A MUNICIPAL PLANNING DEPARTMENT OR AGENCY; OR

(C) A MUNICIPAL PUBLIC WORKS OR ROAD AND BRIDGE DEPARTMENT OR AGENCY.

(g) "OBJECTIVE STANDARD" MEANS A STANDARD THAT:

(I) IS UNIFORMLY VERIFIABLE AND ASCERTAINABLE BY REFERENCE TO AN AVAILABLE EXTERNAL OR UNIFORM BENCHMARK OR CRITERION BY THE APPLICANT AND MUNICIPAL PERMITTING AGENCY STAFF PRIOR TO THE APPLICANT'S FILING OF AN EV CHARGER PERMIT APPLICATION; AND

(II) DOES NOT REQUIRE MUNICIPAL PERMITTING AGENCY STAFF TO MAKE A SUBJECTIVE DETERMINATION CONCERNING AN EV CHARGER PERMIT APPLICATION.

(2) (a) ON OR BEFORE DECEMBER 31, 2025, THE GOVERNING BODY OF A MUNICIPALITY WITH A POPULATION OF TEN THOUSAND OR MORE ACCORDING TO THE 2020 FEDERAL CENSUS SHALL DO ONE OF THE FOLLOWING:

(I) ADOPT AN ORDINANCE OR RESOLUTION TO INCORPORATE THE SAME STANDARDS AND PERMITTING PROCESS OR LESS RESTRICTIVE STANDARDS AND PERMITTING PROCESS AS THE STANDARDS AND PERMITTING PROCESS DESCRIBED IN THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3) OF THIS SECTION;

(II) (A) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES OBJECTIVE STANDARDS AND AN ADMINISTRATIVE REVIEW PROCESS TO BE USED BY THE MUNICIPAL PERMITTING AGENCY DURING THE MUNICIPALITY'S REVIEW OF APPLICATIONS FOR EV CHARGER PERMITS IN ACCORDANCE WITH SUBSECTIONS (4) AND (5) OF THIS SECTION.

(B) AN ORDINANCE OR RESOLUTION ADOPTED BY THE MUNICIPALITY PURSUANT TO THIS SUBSECTION (2)(a)(II) SHALL BE DEVELOPED IN CONSULTATION WITH THE LOCAL FIRE DEPARTMENT OR FIRE DISTRICT, ANY ELECTRIC UTILITIES SERVING THE MUNICIPALITY, AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE MUNICIPALITY.

(III) ADOPT AN ORDINANCE OR RESOLUTION THAT ESTABLISHES THAT THE MUNICIPALITY DOES NOT INTEND TO ADOPT AN ORDINANCE OR

RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(I) OR (2)(a)(II) OF THIS SECTION AND THAT THE MUNICIPAL PERMITTING AGENCY WILL CONTINUE TO UTILIZE THE MUNICIPALITY'S EXISTING PERMITTING REVIEW PROCESS FOR EV CHARGER PERMIT APPLICATIONS.

(b) ON OR BEFORE MARCH 1, 2026, A MUNICIPALITY THAT IS SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE DESCRIBING THE MUNICIPALITY'S COMPLIANCE WITH SUBSECTION (2)(a) OF THIS SECTION.

(c) ON OR BEFORE JANUARY 31, 2027, A MUNICIPALITY SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2)(a) OF THIS SECTION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE REGARDING EACH APPLICATION FOR AN EV CHARGER PERMIT THAT WAS RECEIVED BY THE MUNICIPAL PERMITTING AGENCY BETWEEN DECEMBER 31, 2025, AND DECEMBER 1, 2026. THE REPORT MUST INCLUDE:

(I) THE FINAL DETERMINATION MADE BY THE MUNICIPAL PERMITTING AGENCY FOR EACH EV CHARGER PERMIT APPLICATION; AND

(II) FOR EACH EV CHARGER PERMIT APPLICATION SUBMITTED TO THE MUNICIPAL PERMITTING AGENCY, THE DURATION BETWEEN THE DATE THAT THE EV CHARGER PERMIT APPLICATION WAS DEEMED COMPLETE BY THE MUNICIPAL PERMITTING AGENCY AND THE DATE THAT THE MUNICIPAL PERMITTING AGENCY MADE A FINAL DETERMINATION ON THE EV CHARGER PERMIT APPLICATION.

(d) IF THE GOVERNING BODY OF A MUNICIPALITY ADOPTS THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPTS AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION, THE REQUIREMENTS OF SUBSECTIONS (4) AND (5) OF THIS SECTION DO NOT APPLY TO THE MUNICIPALITY.

(3) (a) ON OR BEFORE MARCH 31, 2025, THE COLORADO ENERGY OFFICE SHALL PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT STANDARDS AND PERMITTING PROCESSES FOR MUNICIPALITIES.

(b) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE

COLORADO ENERGY OFFICE PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MUST BE DEVELOPED IN CONSULTATION WITH MUNICIPALITIES, REPRESENTATIVES FROM DISPROPORTIONATELY IMPACTED COMMUNITIES, PUBLIC ELECTRIC UTILITIES, AND OTHER RELEVANT STAKEHOLDERS, AS DETERMINED BY THE COLORADO ENERGY OFFICE.

(c) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL ONLY APPLY TO A MUNICIPALITY'S LAND USE AND ZONING PERMITTING PROCESSES AND SHALL NOT CONTRAVENE:

(I) STATE ELECTRICAL PERMITTING REQUIREMENTS OR PROCEDURES;

(II) MUNICIPAL ELECTRICAL PERMITTING REQUIREMENTS OR PROCEDURES;

(III) STATE ELECTRICAL INSPECTION REQUIREMENTS;

(IV) MUNICIPAL ELECTRICAL INSPECTION REQUIREMENTS; OR

(V) NATIONAL ELECTRIC CODE REQUIREMENTS OR REGULATIONS RELATED TO ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS.

(d) THE EV CHARGER PERMITTING MODEL CODE DEVELOPED BY THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL NOT CONTAIN REQUIRED TIMELINES THAT A MUNICIPAL PERMITTING AGENCY MUST COMPLY WITH FOR THE REVIEW, APPROVAL, OR DENIAL OF EV CHARGER PERMIT APPLICATIONS.

(4) (a) A MUNICIPAL PERMITTING AGENCY SHALL APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION FOR AN EV CHARGER PERMIT USING THE MUNICIPALITY'S ADMINISTRATIVE REVIEW PROCESS TO DETERMINE IF THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING SYSTEM IS IN COMPLIANCE WITH THE MUNICIPALITY'S OBJECTIVE STANDARDS.

(b) A MUNICIPAL PERMITTING AGENCY SHALL NOT DENY OR PLACE CONDITIONS ON AN EV CHARGER PERMIT APPLICATION UNLESS THE DENIAL OR CONDITIONS ARE FOR THE PURPOSE OF REASONABLY PROTECTING PUBLIC HEALTH OR SAFETY.

(c) IF A MUNICIPAL PERMITTING AGENCY DENIES AN APPLICATION FOR AN EV CHARGER PERMIT, THE MUNICIPAL PERMITTING AGENCY SHALL MAKE WRITTEN FINDINGS THAT THE PROPOSED ELECTRIC MOTOR VEHICLE CHARGING SYSTEM WOULD VIOLATE THE MUNICIPALITY'S OBJECTIVE STANDARDS OR WOULD NOT BE REASONABLY PROTECTIVE OF PUBLIC HEALTH OR SAFETY AND PROVIDE THOSE WRITTEN FINDINGS TO THE APPLICANT WITHIN THREE BUSINESS DAYS AFTER THE DATE THE MUNICIPAL PERMITTING AGENCY DENIES THE APPLICATION.

(d) AN APPLICANT FOR AN EV CHARGER PERMIT THAT IS DENIED A PERMIT OR HAS CONDITIONS PLACED ON THE APPROVAL OF AN EV CHARGER PERMIT BY A MUNICIPAL PERMITTING AGENCY MAY APPEAL THE MUNICIPAL PERMITTING AGENCY'S DECISION TO THE GOVERNING BODY OF THE MUNICIPALITY.

(e) THE REQUIREMENTS OF THIS SUBSECTION (4) DO NOT APPLY TO MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPT AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION.

(5)(a) THE MUNICIPAL PERMITTING AGENCY MUST MAKE AVAILABLE TO PROSPECTIVE APPLICANTS FOR EV CHARGER PERMITS A CHECKLIST OF ALL REQUIREMENTS THAT MUST BE INCLUDED IN AN APPLICATION FOR AN EV CHARGER PERMIT.

(b) A MUNICIPAL PERMITTING AGENCY SHALL REVIEW AN APPLICATION FOR AN EV CHARGER PERMIT TO CONFIRM THAT THE APPLICATION SUFFICIENTLY MEETS THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

(c) A MUNICIPAL PERMITTING AGENCY SHALL CONSIDER AN APPLICATION FOR AN EV CHARGER PERMIT THAT SATISFIES THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION A COMPLETE APPLICATION.

(d) IF AN APPLICANT FOR AN EV CHARGER PERMIT SUBMITS AN APPLICATION THAT DOES NOT MEET ALL THE REQUIREMENTS OF THE CHECKLIST DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE MUNICIPAL PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS

AFTER THE DATE THE MUNICIPAL PERMITTING AGENCY DETERMINES THE APPLICATION IS NOT SUFFICIENT, SEND A WRITTEN NOTICE TO THE APPLICANT THAT DETAILS ALL OF THE DEFICIENCIES WITH THE APPLICATION AND ANY ADDITIONAL INFORMATION REQUIRED FOR THE APPLICATION TO BE CONSIDERED COMPLETE.

(e) THE REQUIREMENTS OF THIS SUBSECTION (5) DO NOT APPLY TO MUNICIPALITIES THAT ADOPT THE EV CHARGER PERMITTING MODEL CODE PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION OR ADOPT AN ORDINANCE OR RESOLUTION IN ACCORDANCE WITH SUBSECTION (2)(a)(III) OF THIS SECTION.

(6) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE TO MUNICIPALITIES TO ASSIST A MUNICIPALITY IN COMPLYING WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING PROVIDING:

(I) SUPPORT FOR THE DEVELOPMENT AND ADOPTION OF MUNICIPAL CODES; AND

(II) MATERIALS AND SUPPORT FOR TRAINING MUNICIPAL PERMITTING AGENCY STAFF WITH INTERPRETING AND APPLYING EV CHARGER PERMIT STANDARDS AND PROCESSES.

(b) THE COLORADO ENERGY OFFICE SHALL USE MONEY IN THE ELECTRIC VEHICLE GRANT FUND, CREATED IN SECTION 24-38.5-103, TO PROVIDE TECHNICAL ASSISTANCE TO MUNICIPALITIES IN ACCORDANCE WITH THIS SUBSECTION (6).

(c) THE COLORADO ENERGY OFFICE SHALL PRIORITIZE PROVIDING TECHNICAL ASSISTANCE TO COUNTIES THAT HAVE A SIGNIFICANT NUMBER OF DISPROPORTIONATELY IMPACTED COMMUNITIES.

(7) REGARDLESS OF THE ORDINANCE OR RESOLUTION ADOPTED BY THE GOVERNING BODY OF A MUNICIPALITY IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION, A MUNICIPAL PERMITTING AGENCY SHALL, WITHIN THREE BUSINESS DAYS AFTER THE DATE THE MUNICIPAL PERMITTING AGENCY MAKES THE DETERMINATION TO APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION, SEND NOTICE TO AN APPLICANT FOR AN EV CHARGER PERMIT THAT STATES THE MUNICIPAL PERMITTING AGENCY'S DETERMINATION ON THE APPLICANT'S EV CHARGER

PERMIT APPLICATION.

SECTION 4. In Colorado Revised Statutes, 24-38.5-102, **amend** (1)(l) and (1)(m); and **add** (1)(n) and (1)(o) as follows:

24-38.5-102. Colorado energy office - duties and powers - definitions. (1) The Colorado energy office shall:

(l) Develop basic consumer education or guidance about leased solar installation and purchased solar installation in consultation with industries that offer these options to consumers; **and**

(m) In consultation with the appropriate industries, develop basic consumer education or guidance about purchased or, if available, leased installation of a system that uses geothermal energy for water heating or space heating or cooling in a single building or for space heating for more than one building through a pipeline network;

(n) DEVELOP AND PUBLISH AN EV CHARGER PERMITTING MODEL CODE THAT CONTAINS GUIDELINES FOR THE ADOPTION OF EV CHARGER PERMIT STANDARDS AND PERMITTING PROCESSES FOR COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (3) AND 31-23-316 (3); **AND**

(o) PROVIDE ASSISTANCE AND SUPPORT TO A BOARD OF COUNTY COMMISSIONERS OR THE GOVERNING BODY OF A MUNICIPALITY IN DEVELOPING ORDINANCES OR RESOLUTIONS FOR THE PERMITTING OF ELECTRIC MOTOR VEHICLE CHARGING SYSTEMS IN ACCORDANCE WITH SECTIONS 30-28-213 (6) AND 31-23-316 (6).

SECTION 5. In Colorado Revised Statutes, 24-38.5-103, **amend** (1)(a) as follows:

24-38.5-103. Electric vehicle grant fund - creation - administration - legislative declaration. (1)(a)(I) There is ~~hereby~~ created in the state treasury the electric vehicle grant fund, referred to in this section as the "fund". The Colorado energy office shall use the fund to:

(A) Provide grants to state agencies, public universities, public transit agencies, local governments, landlords of multifamily apartment

buildings, private nonprofit or for-profit corporations, and the unit owners' associations of common interest communities as defined in article 33.3 of title 38 to install charging stations for electric vehicles;

~~(B) The Colorado energy office may also use the fund for~~ COVER the administrative costs of providing ~~these~~ grants PURSUANT TO SUBSECTION (1)(a)(I)(A) OF THIS SECTION; AND

(C) PROVIDE ANALYSIS AND TECHNICAL SUPPORT RELATED TO THE DEVELOPMENT, PERMITTING, AND ENERGIZATION OF ELECTRIC VEHICLE CHARGING STATIONS, INCLUDING PROVIDING TECHNICAL ASSISTANCE TO COUNTIES AND MUNICIPALITIES IN ACCORDANCE WITH SECTIONS 30-28-213 (6) AND 31-23-316 (6).

(II) The Colorado energy office shall prioritize ~~these~~ grants PROVIDED PURSUANT TO SUBSECTION (1)(a)(I) OF THIS SECTION based upon:

~~(I) Repeated:~~

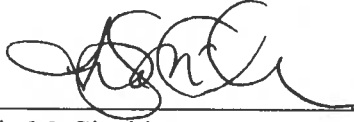
~~(H)~~ (A) The extent to which the proposed recipients' charging locations are likely to effectively serve existing electric vehicles or encourage the acquisition of additional electric vehicles;

~~(HH)~~ (B) The extent to which one or more charging stations would not be installed but for the financial assistance provided by a grant from the fund; and

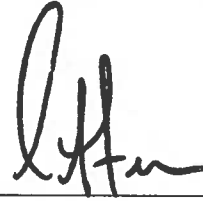
~~(IV)~~ (C) Any other criteria defined by the Colorado energy office.

SECTION 6. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

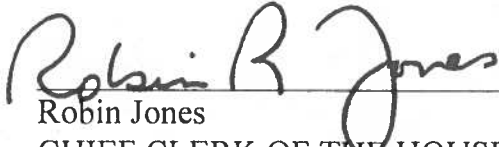
November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Steve Fenberg
PRESIDENT OF
THE SENATE

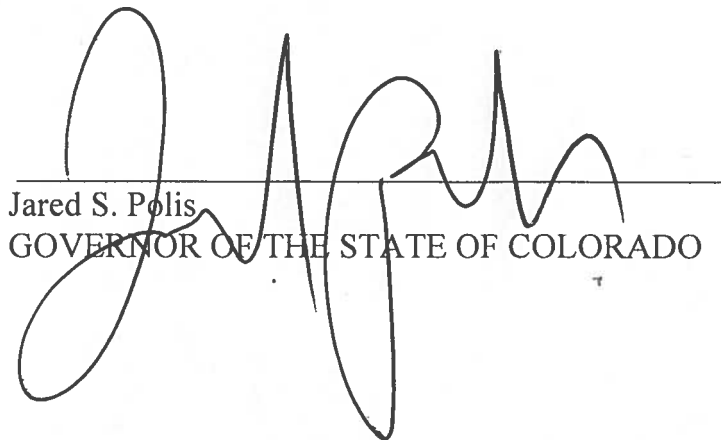


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED Tuesday May 21st 2024 at 12:00 pm
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO



MEMORANDUM

Date: November 5, 2025
To: Planning Commission
From: Kimberly Lambrecht, Long Range Planner
Re: Recommendation to Town Board - An Ordinance Amending Chapter 15 of the Windsor Municipal Code Establishing Permitting Procedures for Electric Vehicle Charging Systems in the Town of Windsor, Colorado
Item #: C.2.

Background / Discussion:

Please refer to the previous Public Hearing item for additional information.

Financial Impact:

N/A

Relationship to Strategic Plan:

Vital Infrastructure:

Windsor places significant value on building and maintaining a safe multi-modal public transportation network, consistent communications systems, efficient wastewater and stormwater management, reliable water delivery and storage systems, and accessible and equitable public facilities that provide a high quality of life for our community.

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board of the ordinance, adding Chapter 15, Article XVIII, regarding the administrative permitting of Electric Vehicle (EV) Charging Stations.

CC:

Scott Ballstadt, Director of Planning
Carlin Malone, Planning Manager
Kim Mihm, Deputy Town Attorney

Attachments:



MEMORANDUM

Date: November 5, 2025
To: Planning Commission
From: Kelsey Robertson, Senior Planner
Re: Public Hearing - An Ordinance Amending Chapter 15 of the Windsor Municipal Code Adjusting the Standards for Landscaping in Developed Areas in the Town of Windsor, Colorado
Item #: C.3.

Background / Discussion:

Executive Summary

This Ordinance contains three major types of landscaping code amendments. The first proposes an update to the Town Municipal Code to comply with Senate Bill 24-005. The second provides an overview of forthcoming requirements from House Bill 25-1113 and includes a proposed amendment to address a portion of these requirements in the current code updates. The third addresses amendments to the code to correct and clarify ongoing issues with the current landscaping regulations.

This memo summarizes the proposed changes and the rationale behind them. Attached are the draft code sections for review.

These items were presented to the Town Board at a work session on October 13th. There were no concerns raised, and the Town Board directed staff to proceed with the updates as presented.

Topic 1- Conformance with Senate Bill 24-005

Colorado Senate Bill 24-005 aims to reduce outdoor water demands in communities across the state by limiting the amount of non-native, cool season, high water use turf (i.e., Kentucky Bluegrass, fescue, etc.) for non-residential uses. This bill applies to all "new development" and any "redevelopment" that results in a disturbance of more than fifty percent of the existing landscape area. The goal of the bill is to replace the practice of installing nonfunctional turf (please see definitions of functional turf and nonfunctional turf in the Draft Code, Appendix A) with "water-wise landscaping" that reduces outdoor water consumption without adversely impacting quality of life or landscape functionality. The bill also mandates local governments to prohibit the installation of nonfunctional artificial turf and invasive species.

To comply with state regulations, the Town of Windsor must update its land use code by January 1st, 2026. Please note, the Town of Windsor already complies with the regulation banning the installation of invasive species. The Town promotes low water use plantings only.

Town Staff proposes to update the code to comply with regulations as follows:

Affected Code Sections:

Section 15-3-20 (b)(1)- This section prohibits the installation of nonfunctional turf for land uses categorized as Public/Semi Public, Parks and Open Space, Industrial, and Commercial, as well as areas maintained by common interest communities, and transportation areas.

Section 15-3-20(b)(2)- Prohibits artificial turf and plants, unless approved by the Director, and only if classified as "functional artificial turf".

Section 15-3-20(b)(3)- Defines the types of development of which (b)(1) and (b)(2) above apply,

including new development of property and redevelopment of property resulting in the disturbance of more than 50% of existing landscaped areas.

Various Sections: Additional minor revisions will be made to various sections of the code to align with new definitions and requirements, including changing the term “turf” to “grass” or similar, where appropriate. Please see draft code for detailed revisions.

Appendix A (Formerly Appendix B) – New definitions for artificial turf, functional artificial turf, functional turf, invasive species, nonfunctional turf, and turf.

Topic 2- House Bill 25-1113 Requirements

House Bill 25-1113 was passed in May 2025 and expands the requirements of SB24-005. By January 1, 2028, it mandates local governments to include multifamily development with more than 12 units in the list of applicable properties subject to SB24-005 requirements. Additionally, local governments must establish standards or processes to reduce irrigation demands in all new residential developments, although the bill does not specify how this should be regulated.

To proactively address HB25-1113, Town Staff proposes to include multifamily development with more than 12 units in the list of applicable properties in the current round of code updates. This aligns with the Comprehensive Plan Guiding Principle 7 to “ease water availability limitations through robust and proactive planning for water efficiency”. Furthermore, minimizing irrigation requirements safeguards the Town's water resources.

Town Staff recommends engaging in further discussion at a later date to explore regulations and develop standards aimed at reducing irrigation demands in new residential developments.

Affected Code Section:

Section 15-3-20(b)(d): Adds multifamily residential property with more than 12 units to the list of applicable properties where nonfunctional turf is prohibited.

Topic 3- Resolving Errors and Ongoing Issues in the Existing Landscape Code

Town Staff proposes amendments to the current code to correct typographical errors and reference inaccuracies, update best practices, and provide clarifications to resolve ongoing issues with the current landscape code. Staff proposes adding two exhibits to help customers understand landscaping requirements. Town Staff also recommends removing the Plant List from Appendix A and establishing it as a standalone administrative document titled the *Town Approved Plant List*.

Financial Impact:

N/A

Relationship to Strategic Plan:

Vision:

Windsor is recognized as a regional leader that demonstrates fiscal responsibility, environmental stewardship and strategic excellence.

Strategic Plan Guiding Principles:

Fiscal Responsibility — Windsor is committed to sound fiscal management and transparency in all decision making. We plan for future generations through adequate allocation of resources that will allow for operations and maintenance of our facilities and land. We consistently evaluate our resources to maintain a healthy balance of programs and services.

Strategic Growth

Implement growth strategies from Comprehensive Plan: Create policies related to population and land use, infrastructure capacities, and reduce obligated demand.

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board of the Ordinance amending Chapter 15 of the land use code adjusting the standards for landscaping in developed areas.

CC:

Scott Ballstadt, Director of Planning
Carlin Malone, Planning Manager
Kim Mihm, Deputy Town Attorney

Attachments:

1. Staff Powerpoint PC 11.5.25
2. Draft Landscaping Code Ordinance



Landscaping Legislation Updates

Planning Commission ~ November 5, 2025

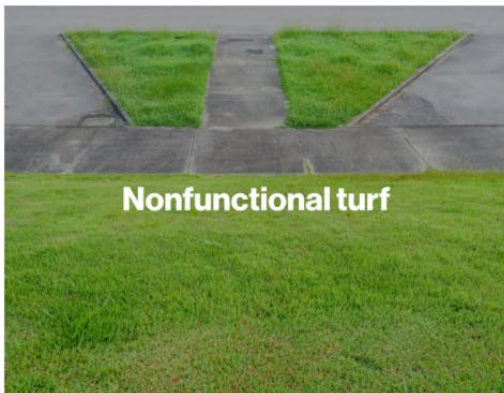
*Kelsey Robertson, Senior Planner
Planning / Community Development*

Senate Bill 24-005 (SB5)

- ❖ SB5 aims to reduce outdoor water demands in non-residential properties across Colorado
- ❖ Compliance by all local governments required by January 1, 2026

What does the bill prohibit?

SB5 prohibits the use of:



Graphic Credit: Western Resource Advocates



*Please note: Windsor already prohibits invasive species



Senate Bill 24-005

Where does this bill apply?

SB5 applies to all new and some redevelopment* projects on:



Commercial, institutional or industrial properties



State-owned properties



Common interest community property, i.e., homeowner association (HOA) common areas



Street rights-of-way, parking lots, medians, and transportation corridors

*Redevelopment is defined as projects that require a building permit or landscaping permit, plan check, or design review AND that result in a disturbance of more than 50% of the aggregate landscape area.

Residential properties are not subject to SB5 requirements.

Graphic Credit: Western Resource Advocates

Senate Bill 24-005



Not Allowed: High Irrigation Need

Cool season non-native turf grasses

Common examples include, but are not limited to:

- Kentucky bluegrass, including blends and hybrids
- Tall fescue
- Fine fescue
- Perennial ryegrass
- Texas hybrid bluegrass
- Hybrids of the species above, including those selected for "drought" or "heat" tolerance

Graphic Credit: Western Resource Advocates

Allowed: Low/No Irrigation Need Use

Native, warm season and climate adapted grasses

Common examples include,⁴ but are not limited to:

- Buffalograss
- Blue grama
- Buffalograss/blue grama grass mixture
- Native shortgrass prairie mixture⁵
- Cold-hardy bermudagrass
- Other native and low water use grasses, including mixes



Photo Credit: Colorado Native Plant Society



Photo Credit: The Spruce



Photo Credit: Colorado Native Plant Society



Overview – SB24-005 Code Amendments

❖ Chapter 15, Article III Standards for Landscaping in Developed Areas

Adding language for compliance with SB24-005

Proposed Language:

- 1) Nonfunctional turf shall not be installed on:
 - a. Any property containing a principal use that is characterized as Public/Semi-Public, Parks and Open Space, Industrial, or Commercial; or
 - b. Any property within a common interest community as defined in C.R.S. 38-33.3-103(8) that is owned and maintained by a unit owners association, such as entryways, parks, and other common elements; or
 - c. Any portion of a street right-of-way, median, transportation corridor, or parking lot subject to this Code.
- 2) Artificial Turf and Plants. No artificial turf or artificial plants may be included in any landscape plan or installed. The Director may approve an exception to allow artificial turf to be installed if it is classified as functional artificial turf and alternatives are not reasonable. Any exception to allow artificial turf must be noted in the landscape plan.
- 3) Subsection (1) and (2) above shall apply to the following types of development:
 - a. Any new development of property that requires a building permit or site plan approval; and
 - b. Any redevelopment of property that requires a building permit or site plan approval and that will result in the disturbance of more than 50 percent of existing landscaped area(s).



SB24-005 Code Amendments

Key Definitions



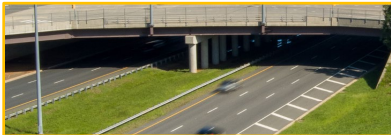
Turf

Continuous plant coverage consisting of nonnative grasses or grasses that have not been hybridized for arid conditions and which, when regularly mowed, form a dense growth of leaf blades and roots.



Functional Turf

Turf that is located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes, which may include a playground, a sports field, a picnic ground, an amphitheater, a portion of park, and the playing area of a golf course, such as a driving range, chipping and putting green, tee box, green, fairway, and rough.



Nonfunctional Turf

Turf that is not functional turf.

House Bill 25-1113

❖ Expansion of SB24-005, with compliance required by January 1, 2028

What is HB25-1113?

Expands the requirements of SB24-005 to include:



Multifamily Residential Development with more than 12 Units

Requires local governments to:



Establish standards to reduce irrigation demands in all new residential developments

*Does not specify how local governments must accomplish this, providing flexibility in implementation



Overview – HB25-1113 Code Amendments

❖ Chapter 15, Article III Standards for Landscaping in Developed Areas

Adding language for compliance with part of HB25-1113

Proposed Language:

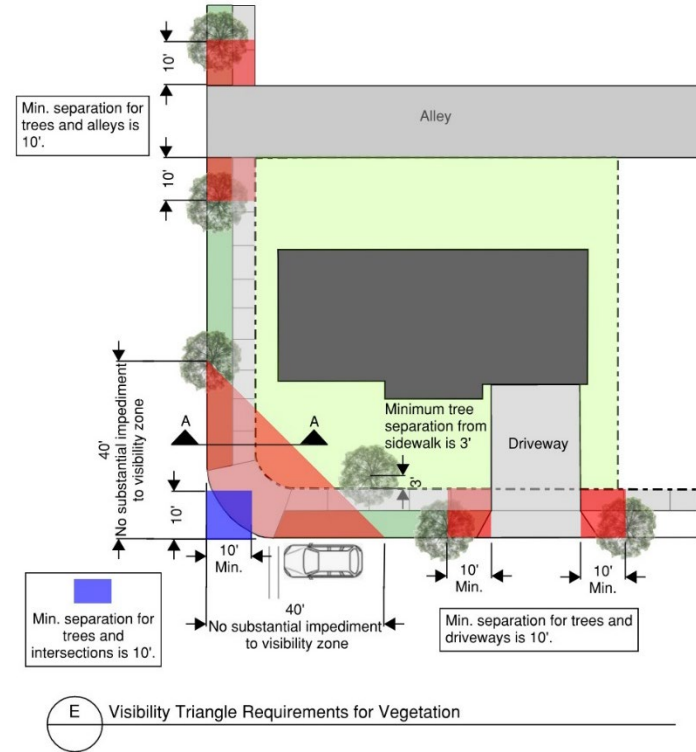
- 1) Nonfunctional turf shall not be installed on:
 - a. Any property containing a principal use that is characterized as Public/Semi-Public, Parks and Open Space, Industrial, or Commercial; or
 - b. Any property within a common interest community as defined in C.R.S. 38-33.3-103(8) that is owned and maintained by a unit owners association, such as entryways, parks, and other common elements; or
 - c. Any portion of a street right-of-way, median, transportation corridor, or parking lot subject to this Code.
 - d. Any multifamily residential property with more than twelve (12) units.***
- 2) Artificial Turf and Plants. No artificial turf or artificial plants may be included in any landscape plan or installed. The Director may approve an exception to allow artificial turf to be installed if it is classified as functional artificial turf and alternatives are not reasonable. Any exception to allow artificial turf must be noted in the landscape plan.
- 3) Subsection (1) and (2) above shall apply to the following types of development:
 - a. Any new development of property that requires a building permit or site plan approval; and
 - b. Any redevelopment of property that requires a building permit or site plan approval and that will result in the disturbance of more than 50 percent of existing landscaped area(s).

*Aligns with Comprehensive Plan Guiding Principle to “ease water availability limitations through robust and proactive planning for water efficiency”

Resolving Errors and Ongoing Issues in the Existing Landscaping Code

❖ Town Staff proposes to:

- Correct typographical errors and reference inaccuracies
- Update best practices
- Provide clarifications to resolve ongoing issues with current code
- Add exhibits to help customers understand landscaping requirements
- Remove the plant list from the code and establish it as a standalone administrative document





Notifications & Next Steps

Notification of the land use code update was in accordance with the Town Code, requiring notification at least ten (10) days prior to the **public hearing**:

- October 24, 2025 – Notice posted to Town's website
- October 24, 2025 – Legal ad published in newspaper

Public Hearing / Meeting Schedule

- November 5th, 2025 – Planning Commission public hearing and recommendation to Town Board
- November 10th, 2025 – Town Board public hearing and first reading of ordinance
- November 24th, 2025 – Town Board public meeting and second reading of ordinance



Staff Recommendation & Record

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board of the Ordinance amending Chapter 15 of the land use code adjusting the standards for landscaping in developed areas.

Staff requests that the following be entered into the record:

- Draft Ordinance
- Staff memorandum and supporting documents
- Public testimony



Questions?

Thank you



TOWN OF WINDSOR
ORDINANCE NO. 2025-

AN ORDINANCE BY THE TOWN OF WINDSOR, COLORADO AMENDING CHAPTER 15, OF THE LAND USE CODE ADJUSTING THE STANDARDS FOR LANDSCAPING IN DEVELOPED AREAS

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested by Colorado law; and

WHEREAS, the Town created and adopted the Windsor Land Use Code consisting of Chapters 14, 15, 16 and 17 of the Windsor Municipal Code (“Code”) on January 14, 2020, by Ordinance No. 2020-1620; and

WHEREAS, since adoption, the Town has adjusted its requirements regarding standards for landscaping in developed areas; and

WHEREAS, beginning January 1, 2026, Senate Bill (“SB”) 24-005 prohibits local governments from allowing the installation, planting, or placement of nonfunctional turf, artificial turf, or invasive plant species on commercial, institutional, or industrial property, common interest community property, or a street right-of-way, parking lot, median, or transportation corridor; and

WHEREAS, beginning January 1, 2026, House Bill (“HB”) 25-1113 prohibits local entities, including governments, special districts and metropolitan districts, from installing, planting, placing or allowing others to install, plant, or place, non-functional turf (including non-functional artificial turf) on any “applicable property” within the local entities’ jurisdiction; and

WHEREAS, beginning January 1, 2028, the prohibition on non-functional turf will be expanded to include multifamily residential housing properties that include more than 12 dwelling units; and

WHEREAS, to comply with the requirements set forth in SB 24-005, and HB 25-1113, amendments to the landscaping standards are to be adopted by December 31, 2025; and

WHEREAS, the Town intends that all previously enacted and adopted provisions pertaining to the Windsor Land Use Code shall remain intact as adopted unless expressly amended herein; and

WHEREAS, the Town deems it to be in the best interests of the health, safety and welfare of the residents of Windsor to timely comply with the legislative requirements and amend the code accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. The Town of Windsor Municipal Code Chapter 15, Article III is hereby amended and shall read as follows:

Sec. 15-3-20. Landscape standards.

All plantings shall be in accordance with the Town Approved Plant List, as may be amended from time to time. The [Town Approved Plant List](#) shall be located on the Town Website.

(a) Trees. Trees shall be planted according to the following guidelines:

- (1) At least three (3) feet from any curb, sidewalk or other paved surface.
- (2) Planted only within pervious areas with a minimum width of six (6) feet.
- (3) At least ten (10) feet or one-half (½) the mature canopy width from a building foundation, whichever is greater.
- (4) At least ten (10) feet from any water or sewer line, and at least four (4) feet from any underground gas, electric, telephone or other similar utility.

(b) Shrubs, Grasses, and Ground Cover.

(1) Nonfunctional turf shall not be installed on:

- a. Any property containing a principal use that is characterized as Public/Semi-Public, Parks and Open Space, Industrial, and/or Commercial; or
- b. Any property within a common interest community as defined in C.R.S. 38-33.3-103(8) that is owned and maintained by a unit owners association, such as entryways, parks, and other common elements; or
- c. Any portion of a street right-of-way, median, transportation corridor, or parking lot subject to this Code.
- d. Any multifamily residential property with more than twelve (12) units.

(2) Artificial Turf and Plants. No artificial turf or artificial plants may be included in any landscape plan or installed. The Director may approve an exception to allow artificial turf to be installed if it is classified as functional artificial turf and alternatives are not reasonable. Any exception to allow artificial turf must be noted in the landscape plan.

(3) Subsection (1) and (2) above shall apply to the following types of development:

- a. Any new development of property that requires a building permit or site plan approval; and
- b. Any redevelopment of property that requires a building permit or site plan approval and that will result in the disturbance of more than 50 percent of existing landscaped area(s).

(4) Ground cover, such as grass ~~turf~~ or seed, shrubs, and perennials, shall be planted on all disturbed and undeveloped surfaces to prevent erosion, dust and weeds; infiltrate storm water; and improve the function and aesthetics of sites.

(5) Ground cover shall consist of living plant material except that rock beds may be used in accordance with the following:

- a. As ground cover within planting beds, provided organic mulch is used around the base of all plants in accordance with Section 15-3-20(b)(36)b.
 - b. Independent from planting beds, subject to the following:
 1. Shall be limited to no more than twenty percent (20%) of required landscape area.
 2. No rock bed shall be greater than three thousand (3,000) square feet.
 3. Elements from at least two (2) of the following three (3) groups are used:
 - A. Boulders (minimum size twenty-four (24) inches by thirty (30) inches), or dry creek beds or other significant landscape feature;
 - B. Western collectibles (e.g.: mining cart, wagon, agricultural implement), shade structure or other structure (e.g.: small bridge, pavilion), or fine art/sculpture (NOT including small garden ornaments);
 - C. Interspersed shrubs at ratio of one (1) per two hundred (200) square feet. Evergreen trees may be used instead of shrubs at a ratio of one (1) tree per four (4) shrubs. Ornamental grasses may be used instead of shrubs at a ratio of three (3) grasses for every shrub.
- (6) Mulch for all planting beds or other areas shall meet the following:
- a. Black plastic or impermeable weed barriers are prohibited.
 - b. Organic mulches (i.e. bark or wood chips and wood grindings) are allowed in planting beds and are generally required around the base of all plants and trees in accordance with the Town planting details.
 - c. Inorganic mulches (i.e. gravel) and/ or decorative rock may be used in planting beds provided the required organic mulch base is provided around plants.
- (7) Shrubs shall generally be clustered in groupings or planted to form a continuous hedge.
- (8) One (1) gallon ornamental grasses may be substituted for up to twenty percent (20%) of the required shrubs at a ratio of three (3) grasses for one (1) shrub.
- (9) Grass varieties in high visibility areas which are commercially available as sod must be installed by sodding. Other areas and grass varieties not commercially available as sod may be installed with plugging or seeding.
- (10) No plants shall be placed within three (3) feet of any fire department connection, other than low-growing ground cover.
- (c) Visibility at Intersections. All plant material shall be located to maintain compliance with the intersection visibility requirements contained in the Town of Windsor Design Criteria and Construction Specifications - Division I Streets.
- (d) Water Wise Requirement.

- (1) A minimum of sixty-five percent (65%) of the shrubs that are installed to meet the requirements of this Article shall be classified very low or low water use in ~~Appendix A~~ **the Town Approved Plant List**.
- (2) No more than fifteen percent (15%) of shrubs or trees that are installed to meet the requirements of this Article shall be classified as high water use in ~~Appendix A~~ **the Town Approved Plant List**.
- (3) Sites ~~over three (3) acres~~ shall be organized into distinct hydrozones according to their microclimatic needs and water requirements. Plants with similar water requirements shall be grouped together in the same irrigation zones.
- (4) Grass ~~turf areas classified as medium or high water use in Appendix A shall be limited to high use or high visibility areas. Grass varieties listed as low water use in Appendix A may be used without limitation.~~ **shall comply with Code Sec. 15-3-20.**

(e) Irrigation.

- (1) An irrigation plan is required with all landscape plans. **It is recommended to have irrigation plans prepared by a Certified Irrigation Designer or a licensed landscape architect.**
- (2) Permanent underground, automatic irrigation shall be provided for all **functional** turf areas, trees, and shrubs.
- (3) Native, dryland, and restorative grasses shall be supplied permanent underground automatic irrigation or temporary irrigation. Temporary irrigation shall be supplied for a minimum of two (2) years to allow for establishment. The Director may waive the irrigation requirement for remote, low visibility areas.
- (4) Trees or shrubs within low water grass areas shall be irrigated in accordance with Section 15-3-20(e).2.
- (5) Automatic rain shutoff sensors to all controllers in all irrigation systems shall be installed to monitor rainfall levels and to override the controller(s) to prevent unnecessary irrigation.

(f) Plant Selection. ~~All landscaping shall be in accordance with Appendix A, Plant List.~~

- (1) Approved Plants. Only those plants listed as approved in ~~Appendix A~~ **the Town Approved Plant List** may be used to meet the standards of this Article. Plants that are on neither the approved plant list nor the prohibited plant list may be installed but shall not be counted towards compliance with this Article unless **a written request is made to and** approved by the Director in consideration of Code Sec. ~~Section~~ 15-3-20(f)(3). The approved plants list shall include:
 - a. Street Trees (deciduous trees with a mature height that is generally more than thirty-five (35) feet)
 - b. Shade Trees (deciduous trees with a mature height that is generally more than thirty-five (35) feet);

- c. Ornamental Trees (deciduous trees with a mature height that is generally thirty-five feet (35') or less which typically have ornamental characteristics such as spring flowers or attractive bark)
 - d. Evergreen Trees (conifers or other evergreens with a mature height of more than twenty (20) feet); and
 - e. Shrubs (perennials or evergreens with a mature height of at least three (3) feet).
 - f. Ornamental Grasses
 - g. Low-Irrigation Lawn Grasses**
 - h. Functional Turf Grasses**
 - i. Classification of water needs of very low, low, medium, or high
- (2) Prohibited Plants. The following plants are prohibited, and are subject to disapproval and removal during development or redevelopment:
- a. Plants identified as noxious, invasive **species**, or prohibited in Windsor by the United States or the State of Colorado; or
 - b. Plants identified as prohibited in ~~Appendix A~~ **the Town Approved Plant List**.
- (3) Modifications. The approved and prohibited plants listed in ~~Appendix A~~ **the Town Approved Plant List** may be amended by the Director in consideration of:
- a. USDA Climate zone;
 - b. Growth habits;
 - c. Invasiveness;
 - d. Expected lifespan;
 - e. Resistance to disease and harmful insects;
 - f. Leaf litter;
 - g. Structural strength; and
 - h. Watering needs/drought tolerance.
- (g) Technical Specifications. All landscaping shall adhere to the technical specifications of ~~Appendix B~~ **A**. The Director is authorized to amend ~~Appendix B~~ **A** in consideration of changes in best management practices.
- (h) Plant Specifications. All landscape material shall be planted and maintained in accordance with the American Standards for Nursery Stock (ASNS), Appendix A and B, and Table 15-3-20(h).

Table 15-3-20(h) Plant Specifications	
Plant Type Caliper at 4.5' Above Ground (breast height)	Minimum Size Number of Replacement trees
Street Tree	2" caliper; 1.5" caliper acceptable as street tree on local residential street
Shade Tree	2" caliper
Ornamental Tree	1.5" caliper

Evergreen	6' minimum height
Shrub	5 gallon minimum
Ornamental Grasses	1 gallon minimum

- (i) **Tree Diversity.** To safeguard Windsor's urban forest from catastrophic loss due to pests and/or diseases, minimum tree diversity shall be required in accordance with the **10-20-30 rule to prevent over-reliance on a single species, genus, or family. Unless otherwise authorized by the Town Forester, all landscape plans shall include no more than 10 percent of any individual tree species, 20 percent of any genus, or 30 percent of any family.** Table 15-3-20(i).

Table 15-3-20(i) Tree Diversity	
Required Trees	Diversity
1—9	May be all one species but should be diverse from other species or genus in the vicinity.
10—19	At least 2 genus; AND No more than 50% of any one species
20—39	At least 2 genus; AND No more than 33% of any one species
40—59	At least 3 genus; AND No more than 25% of any one species
60+	At least 3 genus; AND No more than 15% of any one species
Generally	At any amount of required trees, existing trees in the vicinity may be used to specify certain species based this table to meet the intent and design objectives of this Section.

- (j) **Tree Protection and Replacement.**

- (1) **Protected Trees.** Existing trees greater than two (2) inches in caliper at four and one-half (4½) feet above ground that meet standards of this Article with regarding species, condition, location, and size shall be considered protected trees. Trees less than two (2) inches in caliper at four and one-half (4½) feet above ground which were planted to satisfy the requirement of this code shall also be considered protected trees.
- (2) **Identification on Landscape Plans.** All trees eligible for protection within the project or adjacent rights-of-way shall be identified on a landscape plan noting the location, species, size and condition. The plan shall indicate whether the tree will be removed, transplanted or protected.
- (3) **Minimize Disturbance.** Streets, buildings, and lot layouts shall be designed to minimize the disturbance to existing protected trees.
- (4) **Removal Criteria.** Trees that meet one (1) or more of the following removal criteria may be exempt from these requirements:
 - a. Dead, dying, or naturally fallen trees, or trees found to be a threat to public health, safety, or welfare.
 - b. Trees that are determined by the Town to substantially obstruct clear visibility at driveways or intersections.
 - c. Tree species that, in the opinion of the Town Forester, constitute a nuisance to the public such as cotton bearing cottonwood, Russian olive, and female boxelder. Native cotton bearing cottonwood trees and female boxelder trees, when located in a natural habitat and feature buffer zone, as may be described in future

amendments to this Chapter adopted by official action of the Town Board, are not considered nuisance tree species.

- (5) Credits for Existing Vegetation. Any tree that is incorporated into the landscape plan and protected by the steps in this section and the specifications may count toward the required landscape. Any tree that is more than an eight-inch caliper may count toward the required landscape as two (2) trees.
- (6) Replacement. The Director, based on the recommendation of the Town Forester, may determine that removal of any Protected Trees that could otherwise be protected requires mitigation as follows:
 - a. Replacement of between one (1) and five (5) trees for each tree removed to mitigate the loss of the eligible tree based on Table 15-3-20(j)(6)(a).

Table 15-3-20(j)(6)(a) Tree Replacement Requirements	
Caliper at 4.5' Above Ground (breast height)	Number of Replacement trees
20+ inches	5
13- 19.99 inches	4
8-12.99 inches	3
2-7.99 inches	2
0-1.99 inches	1

- b. Replacement trees shall be in addition to those otherwise required by this section.
- c. Replacement trees must be on the Town's recommended tree list (Exhibit A) or approved by the Town Forester.
- d. Replacement trees shall meet the minimum size requirements of Table 15-3-20(j)(6)(d).

Table 15-3-20(j)(6)(d): Minimum Replacement Tree Size Criteria	
Shade Trees	
Size of Tree Being Replaced	Minimum Size of Replacement
Less than 3" caliper	2" caliper balled and burlap or equivalent
3" caliper or larger	3" caliper balled and burlap or equivalent
Ornamental Trees	
Size of Tree Being Replaced	Minimum Size of Replacement
Less than 2.5" caliper	2" caliper balled and burlap or equivalent
2.5" caliper or larger	2.5" caliper balled and burlap or equivalent
Evergreen Trees	
Size of Tree Being Replaced	Minimum Size of Replacement
All sizes	8' height balled and burlap or equivalent

- (7) Protection Measures. Landscape plans **shall include the tree protection detail as shown in Appendix A and shall** indicate protection steps in accordance with the ~~specifications in Appendix B following~~. At a minimum these steps shall include:
 - a. Protection of root zone from all construction activity, up to a minimum of six (6) feet from the trunk or one-half (½) the drip line, whichever is greater.
 - b. Limit grading or cut and fill in the drip line to no more than a four-inch depth.

- c. Locate utilities away from protected trees or, where not possible, use boring under the root system, at least twenty-four (24) inches below grade and at a sufficient distance from the face of the tree.
 - d. Barriers and marking to prevent storage of vehicles, construction equipment, waste or other materials harmful to the tree within the drip line or otherwise protected zone specified by the protection plan.
 - 1. Barrier fencing shall be a minimum of four (4) feet in height.
 - 2. Barriers or marking must be present for the duration of the construction period.
 - 3. Barriers shall be inspected by the Town Forester prior to issuance of a building permit or beginning of construction.
 - e. Deviation from these steps and specifications in Appendix ~~BA~~ may only be authorized based on protection plans that preserve the health of the tree and that were evaluated and approved by a qualified arborist or forester.
- (k) Maintenance.
- (1) Tree Lawns. Tree lawns and street trees are the responsibility of the adjacent property owner unless an owner's association or metropolitan district has assumed responsibility. In certain cases, the Town may maintain tree lawns where specifically approved by a development agreement or other means. Any plants determined by the Town Forester to be dead or in an unacceptable condition shall be replaced by the responsible party within a specified planting period, as soon as weather conditions allow. Replacements shall meet the minimum specifications of the materials replaced.
 - (2) Modification. No tree shall be planted or removed within the right-of-way without prior authorization of the Town.
 - (3) On-site landscaping. Ongoing compliance with approved landscape plans is required. All plant material shall be kept in healthy condition (free of dead or dying branch tips; bearing foliage of normal density, size, and color; and closely matching adjacent specimens of the same species). Any plants determined by the Town Forester to be dead or in an unacceptable condition shall be replaced by the property owner within a specified planting period, as soon as weather conditions allow. Replacements shall meet the minimum specifications of the materials replaced.
 - (l) Plan Preparation. All landscape plans shall be prepared by a licensed landscape architect **in accordance with C.R.S. Sec. 12-130-104, as may be amended from time to time. Landscape plans which do not require preparation by a licensed landscape architect per C.R.S. Sec. 12-130-104 shall be prepared by a** ~~or~~ similarly qualified professional.
 - (m) Colorado Wildfire Resiliency Code. Property owner is responsible for ensuring compliance with the Colorado Wildfire Resiliency Code.**

Sec. 15-3-30. Site design.

- (a) Calculation of Landscape Requirements. A minimum percentage of landscaped area shall be provided for all lots proposed for development in accordance with Table 15-3-30(a). Additional landscaped area may be required in order to meet other provisions of this Article.

Table 15-3-30(a) Minimum Site Landscaping			
	Site Acreage		
Zoning	0—3 acres	3—10 acres	10+ acres
AH	—	—	—
ER	—	—	—
SF-1	—	—	—
SF-2	—	—	—
MF	20%	20%	20%
RMU-1	Varies	Varies	Varies
RMU-2	Varies	Varies	Varies
NC	15%	15%	15%
GC	20%	20%	20%
CB	—	—	—
LI	15%	8%	5%
HI	15%	8%	5%
ROL	—	—	—
MH	20%	20%	20%
Note: In determining minimum landscape percent for properties zoned RMU-1 or RMU-2, the Director shall assign a percentage based on the percentage required for the most similar zoning district which would allow the land use. For example, apartment complexes shall be classified MF, retail uses GC, etc.			

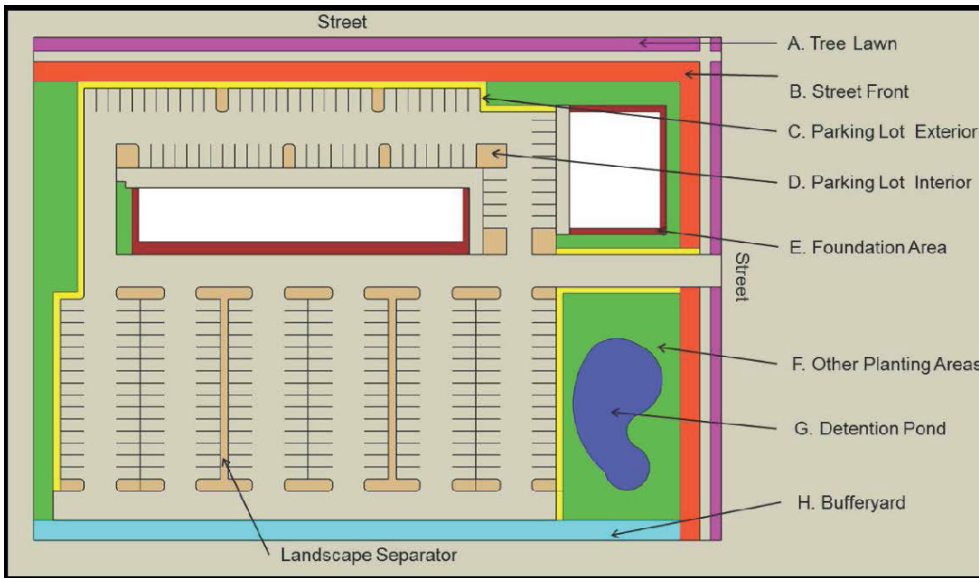
- (b) Landscape Areas. Landscape Components. There are eight (8) general areas of a parcel and abutting right-of-way in which landscaping may be required which are established by Table Figure 15-3-30(b) and shown in Figure 15-3-30(b) and further described in Sections 15-3-30(b)(1) through 15-3-30(b)(8). These Landscape Areas are not intended to be cumulative or require multiple or overlapping landscape areas, screening areas, buffer yards or perimeter treatments. When more than one (1) such standard applies, that standard which results in the higher landscaping, screening or buffering requirement shall apply.

Table 15-3-30(b) Required Landscape Areas			
Landscape Component	Width (min.)	Trees	Shrubs
1 — Tree Lawn Sec. 15-3-30(b)(1)	Varies	1 Street Tree per 40'	—
2 — Street Front Sec. 15-3-30(b)(2)	Arterial roads: 20' All other roads: 15'	1 per 50' of street frontage	1 per 5' of street frontage.
3 — Parking Lot Exterior Sec. 15-3-30(b)(3)	6'	1 per 40'	1 per 2.5'
4 — Parking Lot Interior Sec. 15-3-30(b)(4)	n/a	1 per single row parking lot island and 2 per double row parking lot island; and 1 per 40' of landscape separator	5 per single row landscape island
5 — Foundation Area Sec. 15-3-30(b)(5)	5'/ 10' 1	n/a	1 per 5'
6 — Detention Ponds Sec. 15-3-30(b)(6)	n/a	1 per 40' around perimeter	—
7 — Other Planting Areas Sec. 15-3-30(b)(7)	Varies	1 per 3,000 s.f.	1 per 250 s.f.

8 — Bufferyards Sec. 15-3-30(b)(8)	See Sec. 15-3-30(b)(8)		
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¹ Foundation Area shall be five (5) feet in width generally and ten (10) feet in width immediately adjacent to public or private roads or access drives used by the general public.

Figure 15-3-30(b)2



- (1) Tree Lawns. Tree Lawns are areas of a subject property or adjoining right-of-way that are used for the planting of street trees. The area typically is located between the street and sidewalk or in the case of an attached sidewalk may be behind the sidewalk. This landscape area may or may not be a part of the subject property.
 - a. Minimum Requirements. Tree Lawns shall comply with the following:
 1. One street tree shall be provided for every forty (40) feet of street frontage and spaced no closer than thirty (30) feet.
 2. Tree lawns shall be provided along new public streets or private streets that are created on or adjacent to a parcel proposed for development or with any new development lacking adjacent street trees when adequate space exists for planting.
 3. In the case of detached sidewalks, trees shall be centered in planting area between curb and sidewalk.
 4. In the case of attached sidewalks without tree grates or in other cases where street trees cannot be planted within the above requirements, they may be located along the lot frontage, between three (3) feet and seven (7) feet from the back of a sidewalk.
 5. Trees shall be at least ten (10) feet from any street, driveway, or alley intersection, **as shown in Appendix A, Exhibit E- Visibility Triangle Requirements for Vegetation.**
 6. Trees shall be at least forty (40) feet from any ~~street lights~~ **streetlights**.

7. An attached sidewalk with integrated tree grates may be approved provided the sidewalk is at least twelve (12) feet wide and **the** planting area has at least twenty-four (24) square feet **of** permeable surface and **is** at least four (4) feet wide on all sides.
 8. Tree lawn landscaping within rights-of-way is subject to approval of the entity responsible for the right-of-way. If tree lawn landscaping is not authorized within a right-of-way it shall be accommodated on the adjacent property.
- b. Substitution of Shade Trees. Ornamental Trees may be substituted for Street Trees in locations where overhead utilities or other site constraints require smaller trees. If such substitutions are made, then Ornamental Trees shall be spaced at intervals of twenty (20) feet on center.
 - c. Timing of installation. Street Trees shall be installed prior to the acceptance of subdivision improvements on all streets unless a landscaping phasing plan is approved or when street trees are to be located outside of right-of-way and are the responsibility of individual lot owners. If the development is not a subdivision, then Street Trees are required prior to the issuance of the first certificate of occupancy.
- (2) Street Front. Street Front is the portion of property immediately adjacent to the right-of-way of all public streets or private streets or drives that function similar to public streets. Street Trees shall not count toward this requirement.
- a. Street Front Requirements. In addition to the requirements enumerated in Table 15-3-30(b)~~7-6(2)~~, Street Front areas shall be landscaped with a minimum of thirty percent (30%) of trees being Shade Trees.
 - b. Reduced setbacks. When a building setback less than the required width of the Street Front is approved, the Street Front width may be reduced proportionately to the reduced setback.
- (3) Parking Lot Exterior. Parking Lot Exterior is the area surrounding the entire perimeter of surface parking lots, vehicle display or inventory areas, and other public vehicle use areas such as gas station fueling areas and includes drive aisles and access drives. Shared parking lots on common lot lines are not required to provide Parking Lot Exterior landscaping on the common lot line.
- a. Minimum Requirements. Parking Lot Exterior areas shall be landscaped as follows:
 1. Minimum width shall be ~~five (5)~~ **six (6)** feet.
 2. Trees shall be planted at a ratio of one (1) tree per forty (40) feet of parking lot exterior.
 3. Shrubs shall be planted at a ratio of one (1) per three (3) feet of parking lot exterior. Shrub requirement applies to any parking area adjacent to a public or private street and any parking areas or traffic circulation areas where headlight glare could impact activity on adjacent property or roadways.

4. Tree requirement applies to entire perimeter of parking lot.
 5. Unless specifically stated otherwise, shrubs shall be installed at a minimum height of fifteen (15) inches and shall be of a species expected to reach a minimum height of thirty (30) inches within three (3) years of planting. Shrubs planted within sight distance triangles shall have a maximum mature height of thirty (30) inches.
 6. At least fifty percent (~~25%~~) **(50%)** of required shrubs shall be evergreen.
 7. At least sixty-five percent (65%) of required trees shall be Shade Trees.
 8. An ornamental wall between two and one-half (2½) feet and three (3) feet high may be used with a fifty percent (50%) reduction in shrubs for the length of the wall. Fence or wall materials shall complement the architecture of the building and have details or ornamentation compatible with the overall site design.
 9. All shrubs and trees shall be located at least three (3) feet from either the back of curb of the vehicular use area or back of wheel stops.
 10. A landscaped berm between three (3) feet and four (4) feet high, measured from the grade of the adjacent parking area, may be used with up to a fifty-percent reduction in shrubs for the area immediately on or adjacent to the berm, provided the width is at least fifteen (15) feet with a maximum slope of 3:1.
- (4) **Parking Lot Interior.** Parking Lot Interior landscaping is required within surface parking lots and vehicle display or inventory areas that accommodate more than fifteen (15) vehicles and includes drive aisles and access drives. Parking lots in screened service areas are not required to provide Parking Lot Interior landscaping.
- a. **Minimum Requirements.** Parking Lot Interior landscaping shall be provided as follows:
 1. Trees shall be planted ~~in~~ as follows: one (1) per single row parking lot island, two (2) trees per double row parking lot island, and one (1) per forty (40) feet of landscape separator or access drive. At least sixty-five percent (65%) of required trees shall be Shade Trees.
 2. Shrubs shall be planted at a ratio of five (5) per single row parking lot island and ten (10) per double row parking lot island.
 3. All shrubs and trees shall be located at least three (3) feet from either the back of curb of parking stalls or back of wheel stops.
 4. Parking lot landscaped areas shall be at least six (6) inches above the surface of the parking lot and protected with concrete curbing.
 - b. **Parking Lot Islands.** Parking Lot Islands shall:
 1. Be installed on the ends of all parking rows and entry drives to separate parking from drive aisles.
 2. Be provided between every fifteen (15) contiguous parking spaces.

3. Be a minimum of eight (8) feet wide.
 4. Be a minimum of eighteen (18) feet long adjacent to a single row of parking and thirty-six (36) feet long adjacent to a double row of parking.
 5. Parking lot islands shall be designed to allow plant materials to survive and flourish given harsh conditions and the need to store snow during the winter.
- c. Large Parking Lots. Large Parking Lots are surface parking lots, vehicle display or inventory areas with more than two hundred (200) spaces. Large Parking Lots shall be divided into smaller parking modules by the use of landscape separators that comply with the following standards:
1. Each parking module shall contain a maximum of three (3) drive aisles or one hundred fifty (150) parking spaces, whichever results in a smaller module.
 2. Landscape Separators shall be parallel to the parking rows.
 3. At least one (1) landscape separator shall contain a walkway to the front entrance of the building.
 4. Walkways shall connect to adjacent public sidewalks.
 5. Where walkways cross drive-aisles, the crossing shall be distinguished through the use of raised crosswalks or special pavement treatments such as colored concrete, pavers, brick or other similar materials.
 6. Landscape separators with a walkway shall be a minimum of nineteen (19) feet in width. Landscape separators without a pedestrian walkway shall be a minimum of eight (8) feet in width.
 7. Pedestrian walkways within a landscape separator shall be a minimum of seven (7) feet wide unless wheel stops are used, in which case the minimum width shall be five (5) feet.
 8. Vegetative ground cover and/or shrub beds shall be used in all landscape separators
- (5) Foundation Area. Foundation Areas are those areas along building foundations that are in high use or high visibility areas. Foundation Areas shall be landscaped as follows:
- a. Foundation Area landscaping ~~if~~ **is** required for a minimum of fifty percent (50%) of the length of all building façades that are in high use or high visibility areas including areas within fifty (50) feet of right-of-way, open or civic spaces, or other similar publicly accessible and visible spaces.
 - b. Foundation planting is not required where building facades directly abut pedestrian access such as sidewalks, plazas or other similar features provided the facade includes windows, doors, architectural detailing, or other pedestrian oriented features.
 - c. Foundation Areas shall have a minimum width of five (5) feet generally and ten (10) feet in width immediately adjacent to public or private roads or access drives used by the general public.

- d. Shrubs shall be planted at a ratio of one (1) per five (5) linear feet of adjacent building.
- (6) Detention Ponds. Detention Ponds shall be landscaped as follows:
- a. Ground cover shall consist of ~~irrigated turf grass~~, native grasses or drought hardy approved vegetation.
 - b. Trees shall be planted at a ratio of one (1) per forty (40) feet of pond perimeter. Trees may be regularly spaced or grouped.
- (7) Other Planting Areas. Other Planting Areas are all other landscaped areas not otherwise covered in this subsection that are required to comply with this Section and shall be landscaped as follows:
- a. One (1) tree per three thousand (3,000) square feet.
 - b. One (1) shrub per two hundred fifty (250) square feet.
- (8) Bufferyards. Bufferyards are areas on the perimeter of a parcel proposed for development where landscaping is required to buffer the development from neighboring properties.
- a. Generally. This subsection describes four (4) types of bufferyards which are classified from less screening (Type A) to more screening (Type D).
 - b. Purposes of Bufferyards. Bufferyards are used to soften the visual interaction between differing zones and improve compatibility of adjoining uses.
 - c. Bufferyard Required. Bufferyards shall be provided in the following situations:
 - 1. Along zone boundaries as listed in Table 15-3-30(b)(8)(C) when the zone district boundary line follows the property line of the parcel proposed for development and when the adjacent property is not separated from the parcel proposed for development by an easement, right-of-way, or permanent open space that is at least fifty (50) feet in width, such as a public street, creek, trail, utility easement, or resource protection area.
 - 2. Between uses within the RMU-1 zone district as described in Section 15-3-30(b)(8)i.
 - 3. Subdivisions platted with double frontage lots shall provide a Type A bufferyard along the rear frontage.
 - 4. For certain uses as described in future amendments to this Chapter adopted by official action of the Town Board.
 - 5. In situations where the Director determines that the arrangement of uses or design of buildings does not adequately mitigate conflicts reasonably anticipated to exist between dissimilar uses, site elements or building designs, a bufferyard shall be used to mitigate the conflicts.

Table 15-3-30(b)(8)(C) Zone Boundary Bufferyard Standards												
Adjoining Zone												
Zoning of Proposed Development	MH	ER	SF-1	SF-2	MF	RMU-1	RMU-2	NC	GC	CB	LI	HI

MH	—	B	B	B	B	*	*	A	A	—	A	B
ER	—	—	—	—	—	—	—	A	A	—	A	B
SF-1	—	—	—	—	—	—	—	A	A	—	A	B
SF-2	—	—	—	—	—	—	—	A	A	—	A	B
MF	B	B	B	B	—	*	*	A	A	—	A	B
RMU-1	*	*	*	*	*	*	*	*	*	*	*	*
RMU-2	*	*	*	*	*	*	*	*	*	*	*	*
NC	B	B	B	B	B	*	*	—	—	—	—	-
GC	C	C	C	C	C	*	*	—	—	—	—	-
CB	—	—	—	—	—	—	—	—	—	—	—	-
LI	C	C	C	C	C	*	*	C	C	C	C	-
HI	D	D	D	D	D	*	*	C	C	C	B	-

*Varies

Note: See Section 15-3-30(b)(8) for RMU bufferyard requirements

- d. Bufferyard Options. There are two (2) bufferyards options. Standard Bufferyards designed in accordance with Table 15-3-30(b)(8)(D)(1) shall generally be used. For properties constrained by size or other site-specific limitations, a Limited Bufferyard designed in accordance with Table 15-3-30(b)(8)(D)(2) is allowed using a berm or fence in conjunction with a narrower bufferyard and lower density of plant material.

Table 15-3-30(b)(8)(D)(1) Standard Bufferyards						
Planting Requirements per 100 linear feet						
Type	Width (min.)	Shade Trees	Ornamental Trees	Evergreen Trees*	Shrubs	Wall, Opaque Fence, or Berm Height
Type A	15'	2	2	2	10	n/a
Type B	15'	2	2	2	30	n/a
Type C	25'	2	3	5	30	n/a
Type D	25'	2	5	10	50	n/a

* Ornamental trees shall be used in-lieu of evergreen trees when evergreens would cast winter shadows on public roadways or sidewalks.

Table 15-3-30(b)(8)(D)(2) Limited Bufferyards						
Planting Requirements per 100 linear linear feet						
Type	Width (min.)	Shade Trees	Ornamental Trees	Evergreen Trees*	Shrubs	Wall, Opaque Fence, or Berm Height
Type A	10'	1	1	1	5	3.5'
Type B	10'	1	1	1	15	3.5'
Type C	15'	1	2	3	20	6'
Type D	15'	1	3	5	30	6'

* Ornamental trees shall be used in-lieu of evergreen trees when evergreens would cast winter shadows on public roadways or sidewalks

- e. Substitutions. Evergreen trees may be used in place of ornamental trees at a ratio of one (1) to one (1).

- f. **Reduced Bufferyards.** In cases where development proposed for a property would be allowed in a less intense zone district (e.g. commercial development in the LI zone district), the Director may approve use of the bufferyard required for the less intense zone district. Reduced bufferyards shall only be approved when the characteristics of the proposed development make conversion to higher intensity use unlikely.
- g. **Increased Bufferyards.** Bufferyard width or bufferyard planting may be increased at the discretion of the Director, Planning Commission or Town Board where the potential impacts from visual, audible or physical aspects of a particular use or particular site are greater than anticipated, based on the intent and design objectives of this section.
- h. **Properties Adjacent to Corporate Limits.** Bufferyard requirements for properties adjacent to properties outside the Town of Windsor corporate limits shall be based on the land use depicted in the Comprehensive Plan Future Land Use Map or adjacent community's zoning or land use designation.
- i. **RMU District Bufferyards.**
 1. In determining bufferyard requirements involving properties zoned RMU-1 or RMU-2, the Director shall assign a bufferyard type based on the bufferyard required for the most similar zoning district which would allow the land use. For example, apartment complexes shall be classified MF, retail uses GC, etc.
 2. Bufferyards shall be required for abutting properties which are both within the RMU-1 district using the methodology described in Section 15-3-30(b)(7)(I)1.
- j. **Minimum Shrub Size.** Unless specifically stated otherwise, shrubs shall be installed at a minimum height of fifteen (15) inches, and shall be of a species expected to reach a minimum height of thirty (30) inches and a minimum spread of thirty (30) inches within three (3) years of planting. Shrubs planted within sight distance triangles shall have a maximum mature height of thirty (30) inches.
- k. **Plant Spacing.** Plants in bufferyards shall generally be spaced regularly throughout the bufferyard, although concentration of some plantings can occur to emphasize gateways or entries, or to maximize the screening and buffering of specific site elements.

<i>Appendix A Plant List</i> Prohibited Species	
Botanic Name	Common Name
<i>Acer negundo</i>	Boxelder
<i>Acer saccharinum</i>	Silver Maple
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Betula species</i>	Birch
<i>Eleagnus angustifolia</i>	Russian Olive
<i>Fraxinus pennsylvanica</i>	Ash
<i>Malus species Hopa</i>	Hopa Crabapple

Populus species	Hybrid cottonwoods
Populus tremuloides	Aspen
Salix alba X Matsudana	Austree
Salix specie	Willows
Sorbus species	Mountain Ash
Tamarix species	Tamarisk
Ulmus pumila	Siberian Elm

Approved Street Trees			
Botanic Name	Common Name	Selected Cultivars	Water Need
Catalpa speciosa	Northern Catalpa		L-M
Celtis occidentalis	Northern Hackberry		M
Gleditsia triacanthos inermis	Honeylocust		L-M
Gymnocladus dioica	Kentucky Coffeetree		L-M
Quercus buckleyi	Texas Red Oak		L-M
Quercus macrocarpa	Bur Oak		L-M
Quercus muehlenbergii	Chinkapin Oak		L-M
Quercus shumardii	Shumard Oak		L-M
Quercus robur	English Oak	Species, Skymaster	L-M
Tilia americana	American Linden	Species, boulevard, Frontyard, Legend, Sentry	M
Tilia cordata	Littleleaf Linden	Chancellor, Dropmore, Greenspire, Norlin, Olympic, Prestige, Shamrock	M
Tilia x euchlora	Redmond Linden		M
Tilia x flavescens	Glenleven Linden		M
Ulmus sp.	Accolade Elm		L-M
Note: Director may approve alternative species that are suitable for use as street trees which are rated "A" or "B" on the Front Range Tree Recommendation List©			

Approved Shade Trees			
Botanic Name	Common Name	Selected Cultivars	Water Need
Acer platanoides	Norway Maple		M
Aesculus glabra	Ohio Buckeye		M
Aesculus hippocastanum	Common Horsechestnut		M
Catalpa speciosa	Northern Catalpa		L-M
Celtis occidentalis	Northern Hackberry		M
Ginkgo biloba	Ginkgo		M
Gleditsia triacanthos inermis	Honeylocust		L-M
Gymnocladus dioica	Kentucky Coffeetree		L-M
Quercus buckleyi	Texas Red Oak		L-M
Quercus macrocarpa	Bur Oak		L-M
Quercus muehlenbergii	Chinkapin Oak		L-M
Quercus shumardii	Shumard Oak		L-M
Sophora japonica	Japanese Pagoda Tree		M

<i>Quercus robur</i>	English Oak	Species, Skymaster	L-M
<i>Tilia americana</i>	American Linden	Species, boulevard, Frontyard, Legend, Sentry	M
<i>Tilia cordata</i>	Littleleaf Linden	Greenspire, Norlin, Olympic, Prestige, Shamrock	M
<i>Tilia x euchlora</i>	Redmond Linden		M
<i>Tilia x flavescens</i>	Glenleven Linden		M
<i>Ulmus</i> sp.	Accolade Elm		L-M
Note: Director may approve alternative shade trees suitable for the site which are rated "A" or "B" on the Front Range Tree Recommendation List©			

Approved Ornamental Trees			
Botanic Name	Common Name	Selected Cultivars	Water Need
<i>Amelanchier canadensis</i>	Shadblow Serviceberry		M
<i>Cercis Canadensis</i>	Eastern Redbud		M
<i>Crataegus crusgalli</i>	Hawthorn Cockspur var. inermis		M
<i>Crataegus ambigua</i>	Russian Hawthorne		L-M
<i>Crataegus douglasii</i>	River/Douglas Hawthorne		M
<i>Crataegus laevigata</i>	English 'Crimson Cloud' or 'Pauls Scarlet' Hawthorne		M
<i>Crataegus mollis</i>	Downy Hawthorne		L-M
<i>Crataegus x mordenensis</i>	Toba Hawthorne		M
<i>Crataegus phaenopyrum</i>	Washington Hawthorne		M
<i>Crataegus viridis</i>	Green 'Winter King' Hawthorne		
<i>Koelreuteria paniculata</i>	Goldenrain Tree		
<i>Malus</i> Species	Crabapple	Adams, Centurion®, Coralburst™, David, Indian Magic, Indian Summer, Prairiefire, Profusion, Radiant, Spring Snow, Thunderchild	M
<i>Prunus</i> Species	Plum and Cherry		
<i>Pyrus</i> species	Pear		
<i>Syringa reticulata</i>	Japanese Lilac		
Note: Director may approve alternative ornamental trees suitable for the site which are rated "A" or "B" on the Front Range Tree Recommendation List©			

Approved Evergreen Trees			
Botanic Name	Common Name	Selected Cultivars	Water Need
<i>Abies concolor</i>	White Fir		H
<i>Abies lasiocarpa</i>	Subalpine or Rocky Mountain Fir		H
<i>Pseudotsuga menziesii glauca</i>	Douglas Fir		M

<i>Juniperus chinensis</i> [±]	Chinese Juniper	'Blue Point', 'Spartan', 'Spear-mint' Hetzi Columnaris	L-M
<i>Juniperus monosperma</i> [±]	One-Seed		L
<i>Juniperus osteosperma</i> [±]	Utah		L
<i>Juniperus scopulorum</i> [±]	Rocky Mountain	'Welchii', 'Gray Gleam', Cologreen', 'Sky Rocket', 'Wichita Blue', 'Moonglow', 'Medora'	L
<i>Juniperus virginiana</i>	Eastern Red Cedar	'Manhattan Blue', 'Hillspire', 'Idyllwild', 'Blue Arrow', 'Taylor'	L-M
<i>Larix decidua</i>	European Larch		M-H
<i>Picea abies</i>	Norway Spruce 'Cupressina'		M-H
<i>Picea glauca</i>	Black Hills Spruce 'Densata'		M-H
<i>Picea omorika</i>	Serbian Spruce		M-H
<i>Picea pungens</i>	Colorado Spruce		M-H
<i>Picea pungens glauca</i>	Colorado Blue Spruce	'Baby Blue Eyes', 'Bakeri', 'Fastigiata', 'Fat Albert', Hoopsii, 'Colorado Weeping', 'Sester's Dwarf	M-H
<i>Pinus aristata</i>	Bristlecone(foxtail) Pine		L-M
<i>Pinus contorta</i>	Lodgepole Pine		L-M
<i>Pinus edulis</i>	Pinyon		L-M
<i>Pinus flexilis</i>	Limber Pine		L-M
<i>Pinus heldreichii</i>	Bosnian Pine	Leucodermis	M
<i>Pinus mugo</i> [±]	Mugo Pine	Big Tuna, Tannenbaum	L-M
<i>Pinus nigra</i>	Austrian Pine		M
<i>Pinus ponderosa</i>	Ponderosa Pine		L-M
<i>Pinus strobus</i>	Eastern White Pine		M
<i>Pinus strobiformis</i>	Southwestern White Pine		L-M
<i>Pinus sylvestris</i>	Scotch		M
<i>Thuja standishii</i> x <i>Thuja plicata</i>	Green Giant Arborvitae		M-H

Note: Director may approve alternative Evergreen trees suitable for the site which are rated "A" or "B" on the Front Range Tree Recommendation List©

[±]Denotes smaller tree that should be used in combination with larger trees when screening is desired.

Approved Deciduous Shrubs					
Botanic Name	Common Name	Water Need			
<i>Acanthopanax sieboldianus</i>	Fiveleaf Aralia		L		
<i>Acer ginnala</i>	Amur Maple		L	M	
<i>Acer glabrum</i>	Rocky Mountain Maple			M	H
<i>Acer grandidentatum</i>	Wasatch Maple			M	
<i>Alnus tenuifolia</i>	Rocky Mountain Alder				H
<i>Amelanchier alnifolia</i>	Saskatoon Serviceberry		L	M	
<i>Amelanchier canadensis</i>	Shadblow Serviceberry		L		

<i>Amelanchier utahensis</i>	Utah Serviceberry	VL		L	M
<i>Amorpha canescens</i>	Leadplant		L	M	
<i>Amorpha fruticosa</i>	False Indigo			M	
<i>Amorpha nana</i>	Dwarf Leadplant		L	M	
<i>Aronia arbutifolia</i>	Red Chokeberry			M	
<i>Aronia melanocarpa</i>	Black Chokeberry			M	
<i>Aronia x prunifolia</i>	Purple Chokeberry			M	
<i>Artemisia tridentata</i>	Tall Western Sage		L		
<i>Artemisia cana</i>	Silver Sage	VL	L	M	
<i>Artemisia filifolia</i>	Sand Sagebrush	VL			
<i>Artemisia frigida</i>	Fringed Sage	VL	L		
<i>Artemisia nova</i>	Black Sage		L		
<i>Artemisia versicolor</i>	Sea Spray Sage		L		
<i>Atriplex canescens</i>	Four-wing Saltbush	VL	L		
<i>Atriplex confertifolia</i>	Spiny Saltbush	VL	L		
<i>Berberis thunbergii</i>	Barberry			M	H
<i>Berberis x 'Emerald Carousel'</i>	Emerald Carousel Barberry		L		
<i>Betula fontinalis</i>	Native River Birch				H
<i>Betula glandulosa</i>	Bog Birch				H
<i>Buddleja alternifolia</i>	Alternate Butterfly Bush			M	
<i>Buddleja alternifolia 'Argentea'</i>	Silver Fountain Butterfly Bush			M	
<i>Buddleja davidii</i>	Butterfly Bush			M	
<i>Caragana arborescens</i>	Siberian Peashrub		L	M	
<i>Caragana frutex</i>	Globe Peashrub		L	M	
<i>Caragana microphylla</i>	Littleleaf Peashrub		L	M	
<i>Caragana pygmaea</i>	Pygmy Peashrub		L	M	
<i>Caragana rosea</i>	Rose Peashrub		L		
<i>Caryopteris incana</i>	Blue Mist Spirea		L	M	
<i>Caryopteris x clandonensis</i>	Dark Knight Spirea		L	M	
<i>Ceratoideis lanata</i>	Winterfat		L		
<i>Cercocarpus breviflorus</i>	Hairy Mountain Mahogany	VL			
<i>Cercocarpus ledifolius</i>	Curl Leaf Mountain Mahogany	VL	L		
<i>Cercocarpus ledifolius intricatus</i>	Little Leaf Mountain Mahogany	VL	L		
<i>Cercocarpus montanus</i>	True Mountain Mahogany		L	M	
<i>Chaenomeles speciosa</i>	Quince		L		
<i>Chamaebatiaria millefolium</i>	Fernbush	VL	L		
<i>Chrysothamnus nauseosus</i>	Rabbitbrush	VL	L		
<i>Cornus alba</i>	Variegated Dogwood				H
<i>Cornus mas</i>	Cornelian Cherry			M	H
<i>Cornus seicea 'baileyi'</i>	Bailey Redtwig Dogwood			M	
<i>Cornus seicea 'Cardinal'</i>	Cardinal Dogwood			M	
<i>Cornus seicea 'Flaviramea'</i>	Yellowtwig Dogwood			M	
<i>Cornus seicea 'Isanti'</i>	Isanti Dogwood			M	
<i>Cornus stolonifera</i>	Redtwig Dogwood			M	H
<i>Corylus americana</i>	American Filbert			M	
<i>Corylus avellana</i>	European Hazel			M	H
<i>Cotinus coggygria</i>	Smokebush			M	
<i>Cotoneaster apiculatus</i>	Cranberry Cotoneaster			M	

<i>Cotoneaster dammeri</i>	Bearberry Cotoneaster			M	
<i>Cotoneaster divaricatus</i>	Spreading Cotoneaster		L	M	
<i>Cotoneaster horizontalis</i>	Rock Cotoneaster			M	
<i>Cotoneaster ignavus</i>	Szechuan Fire Cotoneaster			M	
<i>Cotoneaster lucidus</i>	Peking Cotoneaster		L		
<i>Cowania mexicana</i>	Cliff Rose		L		
<i>Cytisus purgans</i>	Spanish Gold Broom		L	M	
<i>Cytisus scoparius</i>	Scotch Broom		L	M	
<i>Cytisus x praecox</i>	Warminster Broom		L	M	
<i>Daphne x burkwoodii</i> 'Carol Mackie'	Carol Mackie Daphne			M	
<i>Diervilla lonicera</i>	Dwarf Bush Honeysuckle				H
<i>Elaeagnus commutata</i>	Silverberry		L		
<i>Ephedra equisetina</i>	Bluestem Joint Fir	VL	L		
<i>Ephedra viridis</i>	Mormon Tea	VL	L		
<i>Euonymus alatus</i>	Burning Bush			M	
<i>Euonymus alatus</i> 'Compactus'	Dwarf Burning Bush			M	
<i>Fallugia paradoxa</i>	Apache Plume	VL	L		
<i>Fendlera rupicola</i>	Cliff Fendler Bush		L	M	
<i>Forestiera neomexicana</i>	New Mexico Privet		L	M	
<i>Forsythia viridissima koreana</i>	Kumson Forsythia			M	
<i>Forsythia x</i> 'Arnold Dwarf'	Arnold Dwarf Forsythia			M	
<i>Forsythia x</i> 'Northern Gold'	Northern Gold Forsythia			M	
<i>Genista lydia</i>	Lydia Broom		L	M	
<i>Genista tinctoria</i>	Woadwaxen		L	M	
<i>Hesperaloe parviflora</i>	Red False Yucca	VL	L		
<i>Hibiscus syriacus</i>	Althea			M	
<i>Hippophaë rhamnoides</i>	Sea Buckthorn		L	M	
<i>Holodiscus discolor</i>	Creambush		L	M	
<i>Holodiscus dumosus</i>	Rock Spirea		L	M	
<i>Hydrangea arborescens</i> 'Annabelle	Annabelle Hydrangea			M	H
<i>Hydrangea macrophylla</i>	Mophead Hydrangea			M	
<i>Hydrangea paniculata</i>	PeeGee Hydrangea			M	H
<i>Jamesia americana</i>	Waxflower		L	M	
<i>Kolkwitzia amabilis</i>	Beauty Bush		L	M	
<i>Ligustrum vulgare</i>	Common Privet		L	M	
<i>Ligustrum x vicaryi</i>	Golden Vicary Privet		L	M	
<i>Lonicera involucrata</i>	Twinberry Honeysuckle			M	H
<i>Lonicera korolkowii</i>	Blue Velvet Honeysuckle			M	
<i>Lonicera syringantha wolfii</i>	Tiny Trumpets Honeysuckle			M	H
<i>Lonicera tatarica</i> 'Arnold Red'	Arnold Red Honeysuckle		L	M	
<i>Lonicera x</i> 'Honeyrose'	Honeyrose Honeysuckle			M	
<i>Lonicera xylosteum</i>	Dwarf Honeysuckle		L	M	
<i>Peraphyllum ramosissimum</i>	Squaw Apple		L	M	
<i>Philadelphus lewisii</i>	Lewis Mockorange		L	M	
<i>Philadelphus microphyllus</i>	Littleleaf Mockorange		L	M	
<i>Philadelphus x virginialis</i>	Snowflake Mockorange			M	
<i>Physocarpus monogynus</i>	Mountain Ninebark		L	M	
<i>Physocarpus opulifolius</i>	Dwarf Ninebark		L	M	

Potentilla fruticosa	Shrub Potentilla		£	M	
Prunus americana	American Plum		£	M	
Prunus besseyi	Western Sand Cherry		£	M	
Prunus besseyi 'Pawnee Buttes'	Pawnee Buttes Sand Cherry		£	M	
Prunus fruticosa	European Dwarf Cherry		£	M	
Prunus glandulosa 'Rosea Plena'	Pink Flowering Almond			M	
Prunus tenella	Dwarf Russian Almond		£	M	
Prunus tomentosa	Nanking Cherry		£	M	
Prunus trioba	Double Flowering Plum		£	M	
Prunus virginiana	Chokecherry		£	M	
Prunus x cistena	Purple Leaf Plum			M	
Purshia tridentata	Bitterbrush	VL	£		
Rhamnus frangula	Glossy Buckthorn		£	M	
Rhamnus smithii	Smith's Buckthorn		£	M	
Rhododendron spp.	Rhododendron				H
Rhus aromatica 'Gro-Low'	Gro-Low Sumac				
Rhus glabra	Smooth Sumac		£	M	
Rhus glabra cismontana	Rocky Mountain Sumac		£	M	
Rhus glabra 'Laciniata'	Cutleaf Smooth Sumac		£	M	
Rhus trilobata	Three-leaf Sumac	VL	£		
Rhus typhina	Staghorn Sumac		£	M	
Ribes alpinum	Alpine Currant		£	M	
Ribes aureum	Golden Currant			M	
Ribes cereum	Squaw Currant		£	M	
Ribes odoratum	Crandall Clove Currant		£	M	
Rosa glauca	Redleaf Rose			M	
Rosa rugosa	Rugosa Rose			M	
Rosa woodsii	Wood's Rose			M	
Rosa x var.	Shrub and Climbing Roses		£	M	
Rubus deliciosus	Boulder Raspberry	VL	£		
Rubus idaeus	Wild Raspberry			M	H
Salix arenaria	Blue Creek Willow			M	
Salix bebbiana	Bebb's Willow			M	
Salix discolor	Pussy Willow				H
Salix drummondiana	Drummond Willow			M	
Salix exigua	Coyote Willow			M	H
Salix irrorata	Blue Stem Willow			M	H
Salix monticola	Yellow Mountain Willow			M	H
Salix purpurea nana	Dwarf Arctic Willow			M	
Salix purpurea pendula	Blue Fountain Willow			M	
Sambucus canadensis	Elderberry			M	H
Sambucus pubens	Red Fruited Elderberry			M	
Sambucus racemosa	Red Elderberry			M	H
Shepherdia argentea	Silver Buffaloberry	VL	£	M	
Sibiraea laevigata	Siberian Spirea		£	M	
Sorbaria sorbifolia	Ash Leaf Spirea			M	
Sorbus scopulina	Native Mountain Ash			M	
Spiraea cineria	Grefsheim			M	

<i>Spiraea japonica</i>	Japanese Spirea			M	
<i>Spiraea nipponica</i>	Snowmound Spirea			M	
<i>Spiraea thunbergii</i>	Mellow Yellow Spirea		L		
<i>Spiraea trilobata</i>	Three Lobe Spirea			M	
<i>Spiraea x vanhouttei</i>	Vanhoutte Spirea			M	
<i>Symphoricarpos albus</i>	Snowberry		L		
<i>Symphoricarpos orbiculatus</i>	Red Coralberry		L	M	
<i>Symphoricarpos oreophilus</i>	Mountain Snowberry		L		
<i>Symphoricarpos x chenaultii</i>	Hancock Coralberry		L	M	
<i>Syringa joskiae</i>	Purple Single Lilac		L	M	
<i>Syringa meyeri</i>	Dwarf Korean Lilac		L	M	
<i>Syringa microphylla</i>	Littleleaf Lilac			M	
<i>Syringa oblata</i>	Cheyenne Lilac		L	M	
<i>Syringa patula</i> 'Miss Kim'	Miss Kim Lilac		L	M	
<i>Syringa vulgaris</i>	Common Lilac		L	M	
<i>Syringa x chinensis</i>	Chinese Lilac		L	M	
<i>Syringa x hyacinthiflora</i>	Single Blooming Lilac		L		
<i>Syringa x prestoniae</i>	Canadian Single Blooming Lilac		L	M	
<i>Viburnum burejaeticum</i>	Manchurian Viburnum			M	H
<i>Viburnum carlesii</i>	Korean Spice Viburnum			M	H
<i>Viburnum dentatum</i>	Arrowwood Viburnum			M	H
<i>Viburnum lantana</i>	Wayfaring Viburnum		L	M	
<i>Viburnum lentago</i>	Nannyberry		L	M	
<i>Viburnum opulus</i>	Compact Cranberry Bush			M	H
<i>Viburnum plicatum tomentosum</i>	Doublefile Viburnum			M	H
<i>Viburnum prunifolium</i>	Blackhaw Viburnum			M	H
<i>Viburnum trilobum</i>	American Cranberry Viburnum			M	H
<i>Viburnum x bodnantense</i>	Pink Dawn Viburnum			M	H
<i>Viburnum x burkwoodii</i>	Burkwood Viburnum			M	
<i>Viburnum x juddii</i>	Judd Viburnum			M	
<i>Viburnum x rhytidophylloides</i>	Alleghany Viburnum		L	M	

Approved Coniferous Shrubs					
Botanic Name	Common Name	Water Needs			
<i>Juniperus chinensis</i>	Chinese Juniper		L	M	
<i>Juniperus communis</i>	Common Juniper		L	M	
<i>Juniperus horizontalis</i>	Creeping Juniper		L	M	
<i>Juniperus monosperma</i>	Oneseed Juniper	VL	L		
<i>Juniperus osteosperma</i>	Utah Juniper	VL	L		
<i>Juniperus procumbens</i>	Green Mound Juniper		L		
<i>Juniperus sabina</i>	Savin Juniper		L		
<i>Juniperus scopulorum</i>	Rocky Mountain Juniper	VL	L		
<i>Juniperus squamata</i>	Blue Star Juniper		L		
<i>Juniperus virginiana</i>	Hillspire Juniper		L		
<i>Picea abies</i>	Dwarf Spruce			M	
<i>Picea pungens</i>	Globe Spruce			M	
<i>Pinus densiflora umbraculifera</i>	Tanyosho Pine		L		
<i>Pinus mugo</i>	Mugo Pine		L		

<i>Pinus sylvestris</i> 'Glauca Nana'	Dwarf Globe Scotch Pine		L		
<i>Taxus x media</i>	Dark Green Spreading Yew				H
<i>Thuja occidentalis</i>	Western Arborvitae				H

Approved Broad-leaved Evergreen Shrubs					
Botanic Name	Common Name	Water Needs			
<i>Agave neomexicana</i>	New Mexico Agave	VL	L		
<i>Arctostaphylos uva-ursi</i>	Kinnikinnick		L		
<i>Arctostaphylos x Coloradoensis</i>	Manzanitas		L	M	
<i>Buxus microphylla</i>	Korean Boxwood			M	H
<i>Buxus sempervirens</i>	Common Boxwood			M	H
<i>Euonymus fortunei</i>	Euonymus			M	H
<i>Euonymus kiautschovicus</i>	Manhattan Euonymus			M	H
<i>Euonymus nana turkestanicus</i>	Turkestan Burning Bush			M	H
<i>Ilex glabra</i>	Compact Inkberry Holly			M	
<i>Ilex x meserveae</i> Mahonia <i>aquifolium</i>	Blue Girl and Blue Boy Holly			M	H
<i>Mahonia aquifolium</i>	Oregon Grape Holly		L	M	
<i>Mahonia fremontii</i>	Fremont's Desert Holly	VL	L		
<i>Mahonia haematocarpa</i>	Desert Holly VL L	VL	L		
<i>Mahonia repens</i>	Creeping Grape Holly		L	M	H
<i>Nandina domestica</i>	Heavenly Bamboo			M	H
<i>Pyracantha angustifolia</i>	Firethorn		L		
<i>Pyracantha coccinea</i>	Pyracantha		L	M	
<i>Quercus turbinella</i>	Shrub Liveoak Oak	VL	L		
<i>Yucca baccata</i>	Banana Yucca	VL	L		
<i>Yucca elata</i>	Elata Yucca	VL	L		
<i>Yucca filamentosa</i>	Adam's Needle Yucca	VL	L		
<i>Yucca glauca</i>	Soapweed Yucca	VL	L		

Approved Ornamental Grasses					
Botanic Name	Common Name	Water Needs			
<i>Andropogon gerardii</i>	Big Bluestem		L	M	
<i>Bouteloua curtipendula</i>	Sideoats Grama		L		
<i>Bouteloua gracilis</i>	Blue Grama		L		
<i>Briza media</i>	Rattlesnake or Quaking Grass			M	
<i>Calamagrostis acutiflora</i>	Feather Reed Grass			M	
<i>Chasmanthium latifolium</i>	Northern Sea Oats			M	
<i>Deschampsia caespitosa</i>	Tufted Hair Grass			M	
<i>Elymus arenarius</i>	Blue Lyme Grass		L		
<i>Eragrostis trichodes</i>	Sand Love Grass		L		
<i>Helictotrichon sempervirens</i>	Blue Oatgrass		L		
<i>Holcus lanatus</i>	Velvet Grass			M	
<i>Koeleria cristata</i> , <i>K. gracilis</i> or <i>K. macrantha</i>	Prairie Junegrass		L	M	
<i>Leymus</i> spp. or <i>Luzula</i> spp	Woodrush			M	
<i>Miscanthus floridulus</i> or <i>M. giganteus</i>	Giant Chinese Silvergrass			M	

Miscanthus oligostachys	Japanese Silvergrass			M	
Miscanthus sacchariflorus	Silver Banner Grass			M	
Molina caerulea	Moor Grass			M	
Muhlenbergia spp.	Muhly Grass		L		
Oryzopsis hymenoides	Indian Ricegrass		L		
Panicum virgatum	Switchgrass		L		
Pennisetum alopecuroides	Feathergrass			M	
Pennisetum setaceum	Tender Fountain Grass			M	
Pennisetum villosum	Feather Top			M	
Rychelytrum neriglume	Ruby Grass				
Schizachyrium scoparium or Andropogon scoparius	Little Bluestem		L		
Sorghastrum avenaceum or S. avenaceum	Indian Grass		L		
Spartina spp.	Cordgrass			M	
Spartina pectinata	Prairie Cordgrass			M	
Sporobolus heterolepis	Prairie Dropseed			M	
Sporobolus wrightii	Giant Sacaton	VL	L	M	

Approved Turf Grasses					
Botanic Name	Common Name	Water Requirements			
Bouteloua gracilis	Blue Grama		L		
Buchloë dactyloides	Buffalograss		L		
Festuca elatior cvs.	Turf type Tall Fescue			M	
Festuca spp.	Fine Fescues, chewings and hard			M	
Lolium perenne	Perennial Ryegrass				H
Poa pratensis	Kentucky Bluegrass				H

Appendix B A Technical Specifications

A. Definitions.

1. *Arborist* — a tree care professional who possesses the technical competence through experience and related training to provide for or supervise the management of trees and other woody plants in the residential, commercial, and public landscape.
2. *Artificial Turf* - An installation of synthetic materials developed to resemble natural grass.
3. *Branch* — a secondary shoot or stem arising from a main trunk or leader of a tree or woody plant.
4. *Branch Collar* — trunk tissue that forms around the branch base between the main stem and the branch or a branch and a lateral.
5. *Branch Bark Ridge* — raised area of bark in the branch union that marks where the branch wood and trunk wood meet.
6. *Buffer Yard* — a landscaped area between incompatible uses.

7. *Crown* — the leaves and branches of a tree or shrub; the upper portion of a tree from the lowest branch on the trunk to the top.
8. *Crown Cleaning* — the removal of dead, dying, diseased, crowded, weakly attached, low-vigor branches, and water sprouts from a tree's crown.
9. *Crown Raising* — the removal of the lower branches of a tree in order to provide clearance.
10. *Crown Reduction* — the reduction of the top, sides, or individual limbs by the removal of the leader or longest portion of a limb to a lateral no less than one-third ($\frac{1}{3}$) of the total diameter of the original limb and removing no more than one-quarter ($\frac{1}{4}$) of the leaf surface.
11. *Crown Thinning* — the selective removal of branches to increase light penetration and air movement, and to reduce weight.
12. *Cut* — the exposed wood area resulting from the removal of a branch or portion thereof.
13. *Decay* — degradation of woody tissue caused by biological organisms.
14. *Deciduous Tree* — a tree that loses its leaves each autumn.
15. *Easement* — a dedication of land for a specified use such as providing access for maintenance of utilities (Windsor Municipal Code Sec. 17-11(4)).
16. *Evergreen Tree* — a large tree that retains its leaves (or 'needles') for more than one (1) growing season.
17. ***Functional Artificial Turf*** – Artificial turf that is:
 - a) **Located in a recreational use area or other space that is regularly used for civic, community, and/or recreational purposes, which may include a playground, sports field, picnic ground, amphitheater, a portion of a park, and the playing area of a golf course, such as a driving range, chipping and putting green, tee box, green, fairway, and rough; and/or**
 - b) **A component of a product designed and approved by a professional engineer for civil infrastructure projects, including but not limited to:**
 - i. **Covers for solid waste facilities and brownfield sites; and**
 - ii. **Revetments for slopes, channels, levees, and dams.**
18. ***Functional Turf*** - Turf that is located in a recreational use area or other space that is regularly used for civic, community, and/or recreational purposes, which may include a playground, sports field, picnic ground, amphitheater, a portion of park, and the playing area of a golf course, such as a driving range, chipping and putting green, tee box, green, fairway, and rough. Functional turf also includes turf that is designated to be part of a water quality treatment solution required for compliance with federal, state, or local agency water quality permitting requirements that is not irrigated and does not have herbicides applied.

19. *Ground Cover* — vegetation with the purpose of soil stabilization such as vines, **grass**, ~~turf~~, low growing shrubs, and perennials.
- ~~17. *Parking Lot Interior* — area within the perimeter of a parking lot.~~
20. ***Invasive Species* - Plants that are not native to the state and that: (I) Are introduced into the state accidentally or intentionally; (II) Have no natural competitors or predators in the state because the state is outside of their competitors' or predators' range; and (III) Have harmful effects on the state's environment or economy or both.**
21. *ISA* — International Society of Arboriculture. Instrumental in setting standards for the tree care industry.
22. *Landscape* — to cover, adorn, or improve property with living plants (such as trees, shrubs, vines, grass or flowers) and/or loose natural materials with limited use (such as rock, wood chips, or shavings). "Landscape" does not include improving property with artificial trees, shrubs, turf or other artificial plants.
23. *Lateral* — a branch or twig growing from a parent branch or stem.
24. *Leader* — a dominant upright stem, usually the main trunk. There can be several leaders in one (1) tree.
25. *Limb* — same as branch, but larger and more prominent.
26. *Lot* — a parcel of land intended for transfer of ownership or building development having its full frontage on a public street (Windsor Municipal Code Section 17-11(5)).
27. ***Nonfunctional Turf* - Turf that is not functional turf.**
28. *Open Spaces* — natural areas with public access that provide for passive recreation. Open space is usually maintained with native vegetation.
29. *Ornamental Tree* — a small tree, usually less than thirty (30) feet at maturity. Often planted for ornamental characteristics such as spring flowers or attractive bark.
30. *Opacity* — the quality or state of a body that makes it impervious to the rays of light.
31. *Parking Lot* — a paved area dedicated for the purpose of parking vehicles and space required to maneuver vehicles in and out of parking stalls.
32. ***Parking Lot Interior* — area within the perimeter of a parking lot.**
33. *Parking Lot Perimeter* — land/area directly adjacent to the parking lot.
34. *Planting Bed* — area that is prepared for the installation of plant materials. Edging shall be used to separate all plant beds from **grass turf** and other non-paved areas. Mulch and weed barrier fabric shall be used to protect beds from weeds, and conserve moisture. All shrubs and groundcovers shall be located within plant beds. The installation of individual shrub species in **grass lawn turf** areas is prohibited.
35. *Pruning* — selective removal of tree and shrub branches and limbs.
36. *Public Right-of-Way* — the width between property lines of a street (Windsor Municipal Code Section 17-11(8)).

37. *Shade Tree* — a large deciduous tree with a mature height of at least thirty (30) feet.
 38. *Shrub* — a woody plant usually less than fifteen (15) feet in height, often formed by a number of vertical or semi-upright branches arising close to the ground.
 39. *Street* — a thoroughfare for vehicular traffic (Windsor Municipal Code Section 17-2-10).
 40. *Street Tree* — trees that exist or are planted in the street row or along street frontage.
 41. *Stub* — an undesirable short length of a branch remaining after a break or incorrect pruning cut is made.
 42. *Topping* — cutting a currently growing, larger branch, limb, or leader back to a stub or lateral branch not sufficiently large enough to assume the terminal role.
 43. *Town Forester* — person responsible for the interpretation and implementation of these standards as approved by the Town Board. Also responsible for planting, maintenance, and removal of trees and shrubs in parks and public rights-of-way.
 44. *Trunk Flair* — the area where the trunk widens and the roots spread at the base of the tree.
 45. ***Turf* - Continuous plant coverage consisting of nonnative grasses or grasses that have not been hybridized for arid conditions and which, when regularly mowed, form a dense growth of leaf blades and roots.**
 46. *Xeriscape* — a landscape designed for reduced water use. Such a landscape can include plants that have adapted so that they transpire less than others or species that can survive periods of drought.
- B. *Planting Standards*. See Section G F, Planting Diagrams, for planting standards and visual guidelines for planting trees and shrubs. All planting shall be done in accordance with the following standards:
1. Plant material shall be handled in a manner so as to cause the least amount of damage during the planting process.
 2. Balled and burlapped and container plants shall always be handled by the soil ball. Under no circumstances should they be dragged, lifted or pulled by the trunk or foliage in a manner that will loosen the roots in the ball.
 3. During transport to the job site, plants should be handled, secured or covered so as to prevent any damage from wind or vibration. Plants should never be thrown or bounced off a truck or loader to the ground.
 4. Plant material shall be planted the day it is delivered to the planting site or it shall be watered and covered with mulch or soil or placed in a shady area to prevent dehydration.
 5. In cases where trees are likely to have their trunks scarred during the planting operation, the trunks should be protected with non-abrasive wrap or padding.
 6. Trees and shrubs should not be dug, balled and burlapped, or moved with a tree spade during the active growing period unless the ball is large enough to ensure a reasonable chance of survival.

7. All twine or rope and plant labels secured around the trunk shall be removed after planting is completed.
8. Trees or shrubs that have their soil balls secured in a wire basket and burlap must have the lower one-third ($\frac{1}{3}$) of the burlap and basket removed prior to placement in hole. The upper two-thirds ($\frac{2}{3}$) of the ball will be used to manipulate the tree into the hole. Once level, soil will be placed at the base to stabilize the tree. The remainder of basket and burlap will be removed including all twine and labels on the trunk and canopy. Complete the backfilling and water settle, filling all sink holes with soil.
9. Evergreen trees with an excessively bushy growth form shall have the boughs tied up with rope or twine during transport and planting to avoid damage to the foliage and branches. After planting, the boughs should be released, and all twine removed.
10. Any bark abrasions or broken limbs caused in the planting operation should be treated or corrected immediately.
11. Cleanup of any soil, branches, or other debris resulting from any tree or shrub planting shall be promptly completed following planting. The work area shall be kept safe at all times until the cleanup operation is completed. Under no circumstances shall the accumulation of soil, branches, or other debris be allowed in such a manner as to result in a public hazard.
12. Excavated pits that will be left open when work is not in progress or pose an immediate and considerable hazard to pedestrian or vehicular traffic shall be adequately barricaded with warning devices.

C. *Landscape Materials, Maintenance, and Replacement.*

1. *Topsoil.* To the maximum extent feasible, topsoil that is removed during construction activity shall be conserved for later use on areas requiring revegetation and landscaping.
2. *Soil amendments.* Prior to installation of plant materials, areas that have been compacted or disturbed by construction activity shall be thoroughly loosened. Organic amendments such as compost, peat, or aged manure shall be thoroughly incorporated at a rate of at least three (3) cubic yards of amendment per one thousand (1,000) square feet of landscape area.
3. *Plant materials.* The selection of plant materials shall be based upon the Town of Windsor's climate and site conditions. A list of allowable and preferred plant species as well as a list of drought tolerant plants shall be available **on the Town's Website** ~~from the Town Forester.~~
4. *Plant quality.* All plants shall be A-Grade or No. 1 Grade, free of any defects, of normal health, height, leaf density, and spread appropriate to the species as defined by the American Standard for Nursery Stock.
5. *Installation.* All landscaping shall be installed according to sound horticultural practices in a manner designed to encourage quick establishment and healthy growth. All landscaping in each phase shall either be installed or the installation shall be secured with a letter of credit, escrow, or performance bond for one hundred ten

percent (110%) of the value of the landscaping material prior to the issuance of a certificate of occupancy for any building in such phase.

6. *Maintenance.* Trees and vegetation, irrigation systems, fences, walls, and other landscape elements shall be considered as elements of the project in the same manner as parking, building materials, and other site details. The applicant, landowner, or successors in interest shall be jointly and severally responsible for the regular maintenance of all landscaping elements in good condition. All landscaping shall be regularly maintained. Provisions for landscape maintenance shall include but not be limited to winter watering, pruning, weeding, tree and debris removal, disease and vector control, raking, re-mulching, mowing, edging and trimming, and the preserving of screens in good condition. Dead, diseased or missing plants must be replaced with the same type as provided in the approved landscape plan. Replacement must occur within the next planting season, not to exceed twelve (12) months.
7. *Replacement.* Any landscape element that dies, or is otherwise removed, shall be promptly replaced as per the site plan based upon the requirements in these standards. Healthy, mature trees that are removed by the applicant or by anyone acting on behalf of or with the approval of the applicant shall be replaced as required as outlined in these standards.
8. *Tree Pruning and Removal.* All tree pruning, removal, and other maintenance practices shall be done in accordance with the most current standards and guidelines developed by the ISA.

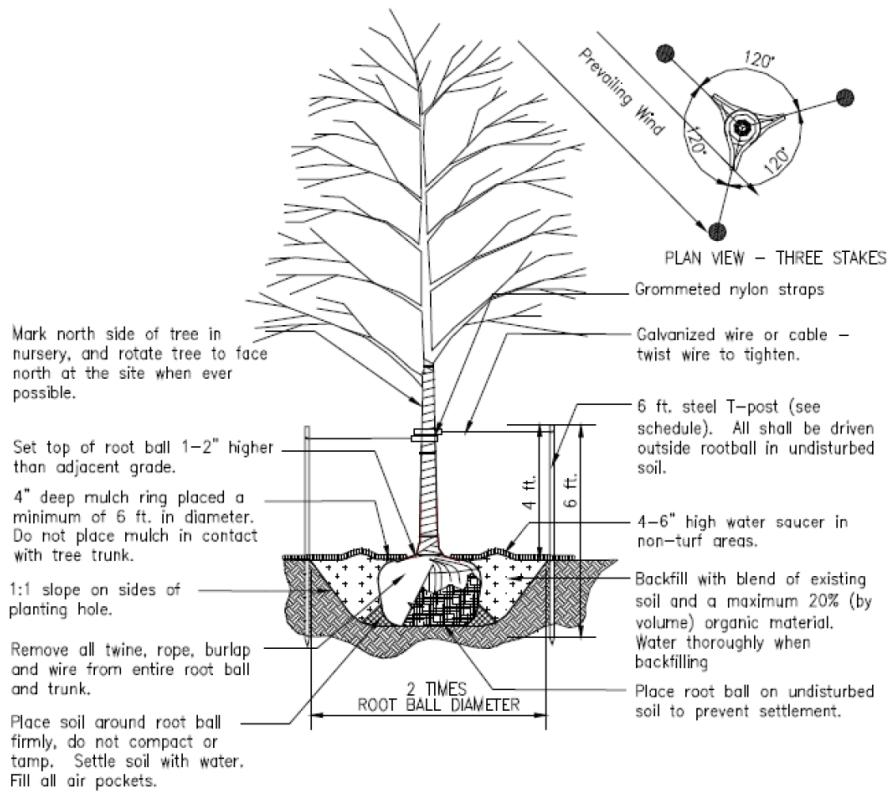
D. *Landscape Plans.* All landscaping plans shall include the following information:

1. Boundaries of the parcel(s) proposed for development and any abutting rights-of-way.
2. Location of existing improvements (utilities, curb, gutter, sidewalk, structures, parking areas, etc.) and existing vegetation including all trees with a diameter of two (2) inches or greater.
3. Location of proposed utilities, structures, parking areas, circulation ways, pedestrian ways, signs, and areas to be landscaped.
4. Location of all easements.
5. Proposed landscaping showing the location, size, species and spacing of trees and shrubs and the identification of the type of groundcover or ground treatment in all areas not covered by structures or pavement.
- ~~6. The locations and size of all flower, shrub, tree and/or groundcover areas shall be shown.~~
- ~~7. The locations and size of ground treatment areas, other than plantings, shall be shown and the type of material(s) to be installed shall be noted.~~
6. Landscape plans shall be drawn at a scale of 1:40 unless a modified scale is approved by the Director.
7. An overall landscape plan of the entire development shall be provided on first page of the landscape plan, scaled as necessary to fit. **Enlarged area plans shall include a key map.**

8. Land Use table showing calculations for compliance with all landscape requirements.
 9. Landscape legend:
 - a. Identifier — either alpha (more than three (3) species) or symbols (three (3) or less species);
 - b. Quantities;
 - c. Scientific Names;
 - d. Common Names;
 - e. Size;
 - f. Type — Ball and Burlap (B&B), bare root, containerized.
 10. Town of Windsor planting details for:
 - a. Deciduous Trees;
 - b. Conifers Trees;
 - c. Shrubs;
 11. Town of Windsor Planting notes;
 12. Irrigation meter location — separate from building meter;
 13. Irrigation plans.
- E. *Planting Notes.*
1. All plant materials shall be in accordance with American Association of Nurserymen specification for number one (1) grade.
 2. All **functional** turf areas to be irrigated with automatic pop-up irrigation system. All shrub beds and trees to be irrigated with an automatic drip (trickle) irrigation system, or acceptable alternative. The irrigation system is to be adjusted to meet the water requirements of the individual plant material.
 3. All trees to be balled and burlapped, root control bag, or containerized.
 4. All shrub beds to be mulched with wood mulch (three-inch average depth) ~~on typar filter fabric.~~
 5. Edging between grass and shrub beds shall **preferably be rock or concrete curbing barrier one-eighth-inch by four-inch steel** set level with top of sod.
 6. Changes in plant species or plant locations from what is listed on the landscape plan will require the approval of the Town Forester prior to installation or replacement. Overall quantity and quality to be consistent with approved plans. In the event of conflict with the quantities included in the ~~plant list~~ **Town Approved Plant List**, species and quantities shall be provided.
 7. Landscaping ~~townhome~~ **for multi-family residential** units may be phased on a building by building basis.

8. The Owner's Association or Metropolitan District will be responsible for landscape maintenance including the plantings in public street rights-of-way.
9. Street and ornamental trees shall be planted no closer than forty (40) feet and fifteen (15) feet respectively from ~~street lights~~ **streetlights**. No trees shall be planted within ten (10) feet from water and sewer lines, four (4) feet from gas, telephone and electric utilities, and ten (10) feet from any driveway.
10. Minimum clearance of three (3) feet on each side of fire department connection (FDC). No vegetation other than ~~turf~~ **manicured grass** or ground covers planted in front of FDC.
11. The irrigation system shall be reviewed and approved by the Town's Water Department prior to issuance of a building permit. The irrigation system must be installed or secured with a financial instrument deposited with the Town prior to issuance of a certificate of occupancy for the building.
12. Developer shall ensure that the landscape plan is coordinated with the plans done by other consultants so the proposed grading, storm drainage, or other construction does not conflict nor preclude installation and maintenance of landscape elements on this plan.
13. Prior to installation of plant materials, areas that have been compacted shall be thoroughly loosened. Organic amendments such as compost, peat, or aged manure shall be thoroughly incorporated at a rate of at least three (3) cubic yards per one thousand (1,000) square feet.
14. ~~Turf grass~~ **Grass** will be seeded or sodded **in accordance with the town-approved Landscape Plan with drought-tolerant blend**. Trees to be planted in turf areas will be installed with an organic mulch ring that has a radius of at least eighteen (18) inches.
15. To the maximum extent feasible, topsoil that is removed during construction activity shall be conserved for later use on areas requiring revegetation and landscaping.
16. Foundation ~~shrub~~ **shrubs** beds to be designed and installed after completion of each building.
17. Contact Town of Windsor ~~Forestry Parks and Recreation Department~~ prior to planting in order for Town to verify proper planting **pursuant to the approved Landscape Plans**.
18. No substantial impediment to visibility between the heights of three (3) feet and eight (8) feet shall be created or maintained at street intersections within a site triangle described as follows: beginning at the point of intersection of the edges of the driving surface, then to forty (40) feet along both intersecting edges and then along a transverse line connecting these points.
19. Second domestic water meter to be shown on landscape plan for irrigation connection or non-potable water source connection.
20. If plants are in need of replacement due to declining health, disease, or death, the plants must be replaced with the original species unless approved by the Town Forester.

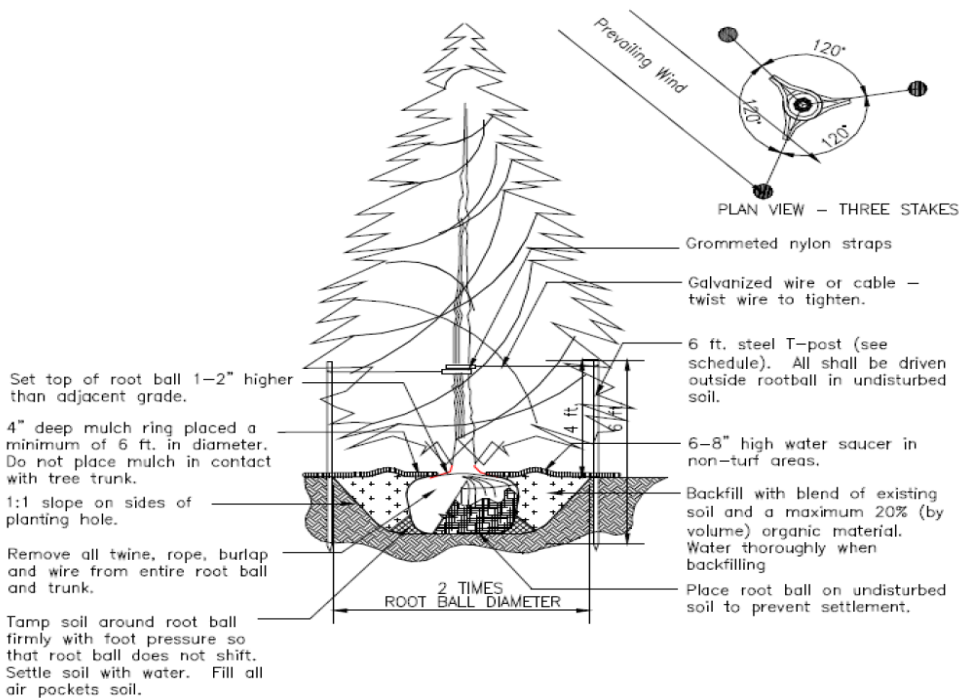
F. *Planting Diagrams.*



DECIDUOUS TREE - PLANTING DETAIL

SCALE: NOT TO SCALE





Pruning Notes:

Do not heavily prune the tree at planting. Prune only crossover limbs, co-dominant leaders and broken branches. Some interior twigs and lateral branches may be pruned. However, do not remove the terminal buds of buds of branches that extend to the edge of the crown.

Staking Notes:

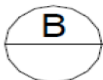
Stake trees per following schedule, then remove at end of first growing season. follows:

1- $\frac{1}{2}$ " Caliper size - Min. 1 stake on side of prevailing wind (generally N.W. side).

1- $\frac{1}{2}$ " - 3" Caliper size - Min. 2 stakes - one on N.W. side, one on S.W. side.

3" caliper size and larger - 3 stakes per diagram

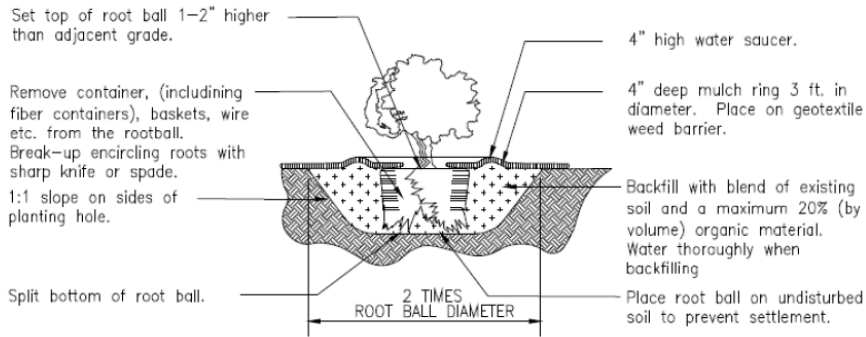
Wire or cable shall be min. 12 gauge. Tighten wire or cable only enough to keep from slipping. Allow for some trunk movement. Nylon straps shall be long enough to accommodate 1- $\frac{1}{2}$ " of growth and buffer all branches from wire.



EVERGREEN TREE - PLANTING DETAIL

SCALE: NOT TO SCALE





Placement Notes:

Set Shrub plumb. Space plants, and place for best effect.

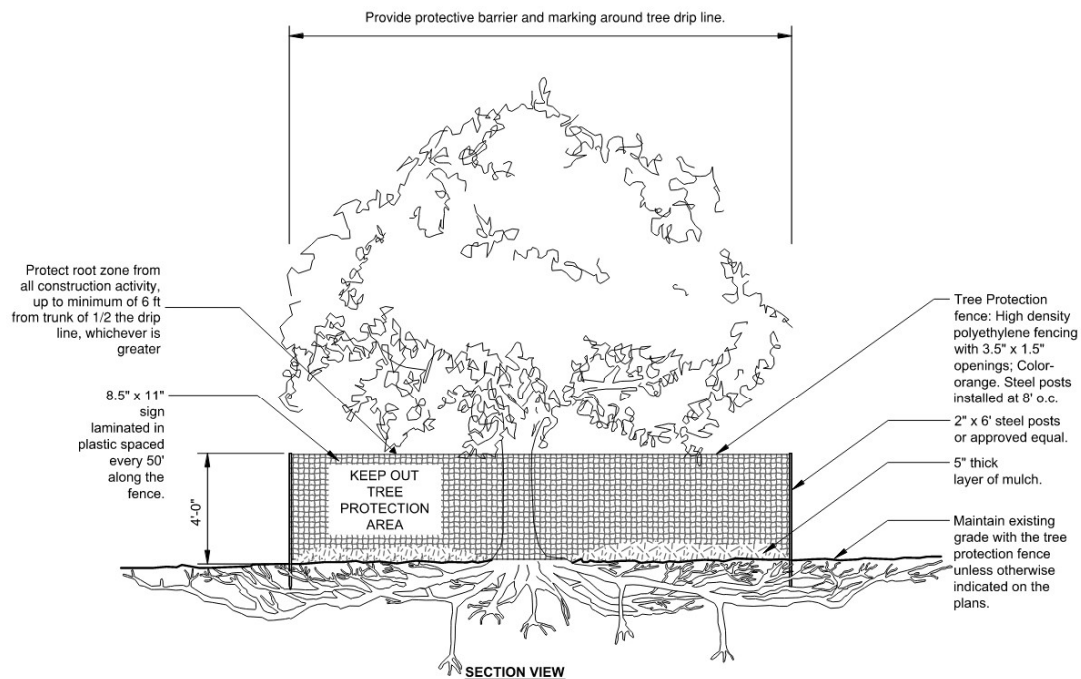
Pruning Notes:

Do not heavily prune the shrub at planting. Prune only dead or broken branches. If form is compromised by pruning, replace shrub.

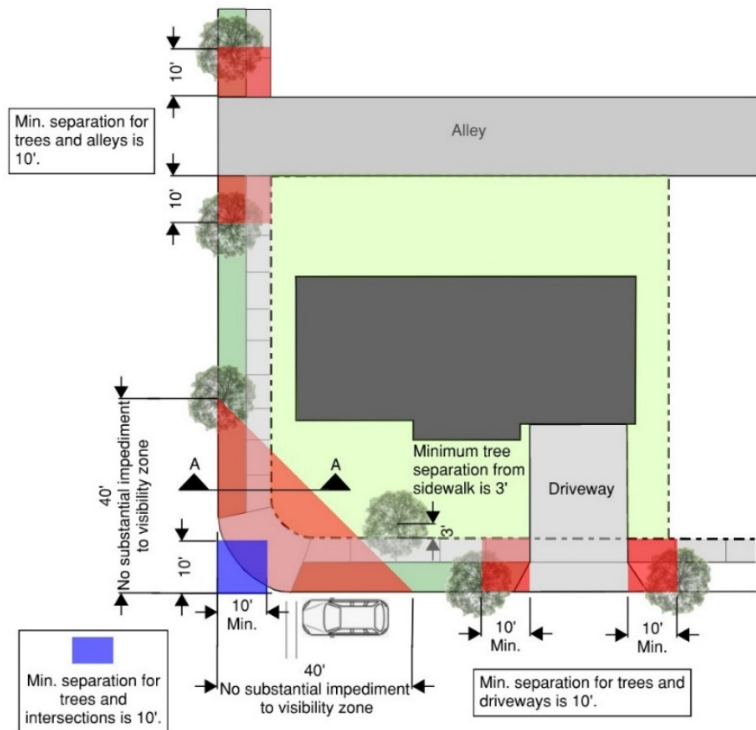


SHRUBS - PLANTING DETAIL

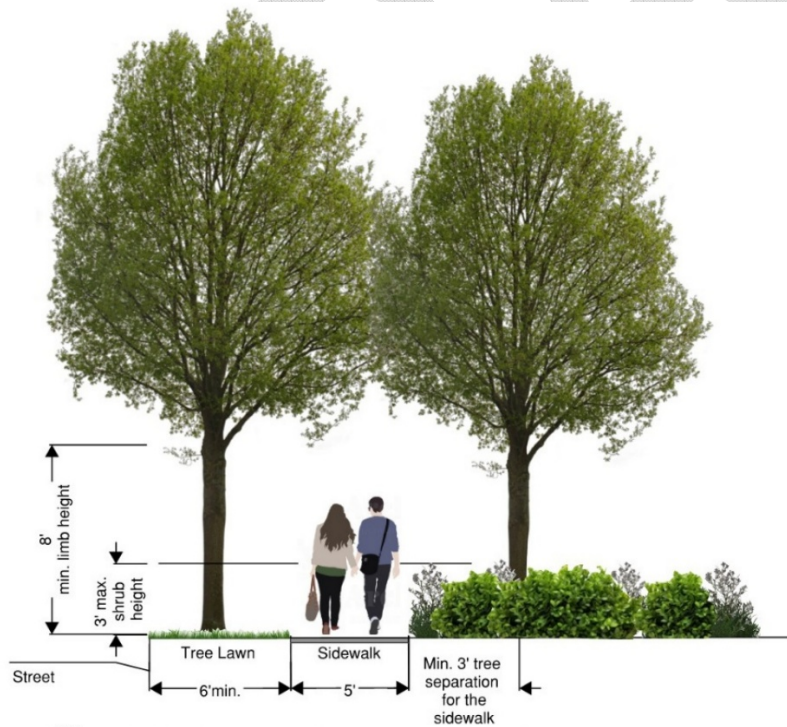
SCALE: NOT TO SCALE



TREE PROTECTION



E Visibility Triangle Requirements for Vegetation



A-A Section A-A- Requirements for landscaping within 40' Visibility Zone

Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance are hereby repealed, only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Introduced, passed on first reading, and ordered published this ____ day of ____ 2025.

TOWN OF WINDSOR, COLORADO

Julie Cline, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

Introduced, passed on second reading, and ordered published this ____ day of ____ 2025.

TOWN OF WINDSOR, COLORADO

Julie Cline, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]



MEMORANDUM

Date: November 5, 2025
To: Planning Commission
From: Kelsey Robertson, Senior Planner
Re: Recommendation to Town Board - An Ordinance Amending Chapter 15 of the Windsor Municipal Code Adjusting the Standards for Landscaping in Developed Areas in the Town of Windsor, Colorado
Item #: C.4.

Background / Discussion:

Please refer to the previous Public Hearing item for additional information.

Financial Impact:

N/A

Relationship to Strategic Plan:

Recommendation:

Staff recommends that the Planning Commission forward a recommendation of approval to the Town Board of the Ordinance amending Chapter 15 of the land use code adjusting the standards for landscaping in developed areas.

CC:

Scott Ballstadt, Director of Planning
Carlin Malone, Planning Manager
Kim Mihm, Deputy Town Attorney

Attachments:



MEMORANDUM

Date: November 5, 2025
To: Planning Commission
From: Kelsey Robertson, Senior Planner
Re: Minor Site Plan - South Gate Business Park 2nd Filing B1 L2 - Kia Expansion - K. Robertson, Senior Planner
Item #: D.3.a.

Background / Discussion:

The project consists of the renovation and expansion of the existing Kia Dealership at 1111 Southgate Dr, located north of US 34 and west of Weld County Road 17. The scope of work includes the expansion of the showroom along the south façade of the building, adding 1,611 SF to the existing 20,073 SF building. The scope also includes interior finishes and exterior upgrades to conform to Kia's recent facility exterior requirements. Site work is limited to rerouting of a storm drain along the south elevation. Site access, circulation, and parking remain unchanged.

Overall Development Characteristics:

- Total Lot Area: 6.21 Acres
- Proposed Building Coverage: 21,684 SF (8%)
 - Existing Building: 20,073 SF
 - Proposed Addition: 1,611 SF
- Paved Site Areas (Parking, Access, etc): 157,551 SF (58%)
- Landscaped Areas (no change): 91,381 SF (34%)
- Zoning: General Commercial

Building Characteristics:

- Building materials: ACM panels, aluminum glazing, EIFS, and refinished existing concrete panels.
- The building is a 1-story structure with a maximum height of 29-ft.

Financial Impact:

N/A

Relationship to Strategic Plan:

Recommendation:

This is a communication item only. Site Plan land use applications are an administrative process.

CC:

Attachments:

1. Minor Site Plan - Kia

2. Elevations - Kia



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CONCLUSIONS

C400



