

**BOARD OF TRUSTEES
TOWN OF NORWOOD, COLORADO
ORDINANCE NO. 1113
SERIES OF 2019**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF NORWOOD, COLORADO APPROVING AMENDMENTS TO NORWOOD MUNICIPAL CODE TITLE 7, "LAND USE CODE" SECTION 2.00, "DEFINITIONS", SECTION 5.05, "LANDSCAPING AND SCREENING", AND SECTION 5.06, "SIGNS".

WHEREAS, at a public hearing held on September 30, 2019, the Norwood Planning and Zoning Commission recommended the following amendments to the Norwood Municipal Code Title 7, be approved by the Norwood Board of Trustees.

WHEREAS, the Norwood Board of Trustees for the Town of Norwood, Colorado FINDS that there exists a substantial and compelling public interest for such amendments and that the amendments are necessary to protect the public health, welfare and safety of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF NORWOOD, COLORADO as follows:

Section One.

A. Norwood Municipal Code Title 7 is amended at §2.02, "Definitions" as follows:

1. By the addition of a new definition "Berm" to read as follows:

Berm: Mounded or elongated landscape hills constructed for many reasons such as blocking out unwanted or unsightly views, directing or redirecting foot traffic or drainage, creating subtle and natural-looking privacy, adding raised elements to the garden, or simply emphasizing a particular area or focal point.

2. By amending the definition of "Yard" to read as follows:

~~**Yard:** An open space on the lot that is not obstructed from any point thirty inches (30") above the general ground level of the graded lot to the sky, except as authorized obstructions.~~

Yard – The area between buildings and property lines generally defined by setbacks.

B. Norwood Municipal Code Title 7 be amended at §5.05, Landscaping and Screening to read as follows:

§ 5.05 Landscaping and Screening

- (a) **Purpose.** This section is designed to provide standards for the installation and maintenance of landscaping, walls and screening devices so as to promote the

general welfare of the community. This is accomplished by encouraging the creation of an attractive appearance along streets and by screening from view those uses that may be unattractive to the public eye. Landscaping materials, including ground covers, shrubs, and trees further facilitate the control of erosion and the reduction of glare and dust, as well as the visual softening of building masses. ~~Native plant materials require less water than do non-native plants and therefore are preferred for required landscaping. Walls and screening devices allow for the separation of incongruous uses and for the buffering of intensive activities. Landscaping, walls and screening devices together, help to effectuate privacy and logical development.~~

(b) **Applicability.** This section shall apply to all development in B-1, Business District, Planned Unit Development Overlay District and ~~to all development in~~ I, Industrial District.

(c) **Landscaping Standards.**

(1) Landscape ~~or screening~~ plan. Any proposed ~~building or use~~ development application shall include a landscape plan when landscaping is required. It shall ~~indicate be shown~~ on a landscape or screening plan indicating the location of existing and proposed ~~improvements~~ buildings, parking areas, street improvements, locations and types of landscaped areas, walls, and ~~descriptions of the vegetation to be utilized and the method of irrigation~~ screening devices.

(2) Street yard landscaping. All undeveloped areas of the street yard(s), ~~not used for parking, maneuvering areas, ingress or egress, fire lanes, pedestrian areas,~~ shall be landscaped, including development in the Commercial Core with street yard(s).

(3) Native plant materials. Native, trees, grass, shrubs or other plants appropriate for the climate and low water use plant materials shall be utilized in order to minimize the consumption of water.

(4) Irrigation. All required landscaped areas ~~may~~ shall be required to include an irrigation system to insure the health and growth of the landscape. ~~Where~~ When available, possible, irrigation systems shall utilize untreated, irrigation water instead of treated water. Drip irrigation or other water efficient systems are encouraged.

(5) Location of utilities. Proposed utilities shall be located, when possible, so that their installation will not adversely affect vegetation to be retained on a site.

(6) Installation. Landscaping, watering devices, walls and screening structures shall be installed in accordance with the approved landscape or screening plan prior to issuance of a final Certificate of Occupancy for the building or use. The Building Official may grant a temporary Certificate of

Occupancy during the winter months when installation is impracticable or not feasible.

(7) Removal of topsoil prohibited. No person, firm or corporation shall strip, excavate or otherwise remove top soil except in connection with the construction or alteration of a building on such premises and excavation or grading incidental thereto.

(8) Maintenance requirements.

- a. Landscaped areas shall be reasonably maintained by the owner or the lessee of the property, including pruning, trimming, watering, weed control or treatment, and other requirements necessary to create an attractive appearance for the development.
- b. Any plant materials not surviving shall be replaced within thirty (30) days of its demise or in the next appropriate season.
- c. Lack of maintenance of required landscaping material shall constitute a violation of this Chapter.

~~(6) — Setbacks. When industrial uses abut residential land uses, setbacks may be increased by Town boards or staff in its/their review of the project if the increase will mitigate potential conflicts between the uses.~~

~~(d) — Landscaping standards. Nonresidential development in the I, Industrial District shall landscape with native trees, grass, shrubs or other plants appropriate for the climate, as follows:~~

~~(a)~~ (d) Screening.

(1) — A screening plan shall be required with an application for development. It shall indicate the location of existing and proposed improvements required to be screened and the screening method to be utilized.

(2) Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring residential areas or from the street. When required, screening may be provided by one or more of the following means:

- i. A solid masonry wall, fence, or equivalent meeting the standards of sec.5.04.
- ii. A plant screen or evergreen hedge.
- iii. An earth berm may be used in combination with any of the above types of screening. The faces of a berm's slope shall be planted with ground cover,

shrubs, and trees. Berms are encouraged for screening between commercial uses and residential uses.

iv. When vegetation is used with the screening method, it shall conform with the landscaping standards 5.05(c)(6) and (7).

(3) B-1, Business District Screening standards. ~~Development in the I, Industrial District shall comply with the following screening standards:~~

- i. Height of screening devices. The height of screening devices shall be measured from the highest finished adjacent grade of the element to be screened. ~~Screening shall be high enough to shield the view of storage areas, parking and outdoor lighting from uses off-site.~~ Unless otherwise specified, screening required by this Section shall be arranged within the boundaries of the lot as to substantially hide from adjoining properties the building, facility or activity required to be screened.
- ii. Heights of plant screens or hedges specified herein indicate the height which may be expected within three (3) years of planting. The height at the time of planting shall be such that in accordance with good landscape practice the fully required height may be achieved within a three (3) year period.
- ~~iii.~~ No screening shall be placed in such a manner that it obstructs the vision of right-of-way users to safely navigate sidewalks, streets or alleys.
- ~~ii.~~iv. **Parking areas.** Parking areas shall be screened from street view to a minimum height of three feet (3') above the highest finished grade of the parking area. The required screening shall provide breaks as necessary for vehicular and pedestrian access Such screening may be accomplished by the use of plants, earth berms, or natural topography.
- ~~iii.~~v. **Outdoor storage areas.** All outdoor storage areas ~~for materials, trash, mechanical equipment (to include ground based satellite dishes), vehicles, or other similar items~~ shall be screened from street view.
- ~~iv.~~vi. **Exterior refuse and recycling collection areas.** Refuse collection areas and recycling collection areas must be orientated away from and screened from street views. When the collection area is fully enclosed, the enclosure shall be appropriately sized to screen refuse receptacles and shall be constructed of solid, durable and attractive walls/fences, with solid doors and shall be visually consistent with project architecture. Enclosures shall be compliant with applicable fire codes. Refuse and recycling receptacles for pedestrian use are exempt.
- vii. **Mechanical equipment.**

a. Mechanical equipment located on the ground, must be screened. Screening shall be tall enough to conceal the equipment.

b. Mechanical equipment placed on roofs must be screened by a parapet around the equipment that is as tall as the tallest part of the equipment and shall not exceed the maximum height allowed in the applicable zone district. Screening shall be compliant with applicable building and fire codes and height requirements.

(4) I, Industrial District Screening Standards.

- i. Height of screening devices. The height of screening devices shall be measured from the highest finished adjacent grade of the element to be screened. Screening shall be high enough to shield the view of storage areas and outdoor lighting from uses off-site.
- ii. Parking areas. Parking areas shall be screened from street view to a minimum height of three feet (3') above the highest finished grade of the parking area. Such screening may be accomplished by the use of plants, earth berms, or natural topography.
- iii. Outdoor storage areas. All outdoor storage areas for materials, ~~trash/refuse~~, mechanical equipment (to include ground based satellite dishes), vehicles, or other similar items shall be screened from street view.
- iv. Roof mounted equipment. Roof mounted mechanical equipment to include satellite dishes and antennas shall be screened by parapet walls or other screening devices to be no lower in height than six feet (6') below the height of the mechanical equipment on side, front, or rear walls.
- v. Outdoor lighting. All outdoor lighting shall comply with the Section 5.08, "Exterior Lighting Standards", ~~be shielded on the top, and directed down and screened away from adjacent properties and streets. Sodium vapor and similar high intensity light sources shall be prohibited.~~
- vi. Landscaping. When Landscaping is encouraged as vegetation is a used in conjunction with screening, it shall comply with Section 5.05(c)(3) and (4), above. method of screening industrial uses and to create a transition to adjacent areas. Screening is encouraged to be natural, consisting of trees, plants and other live material, or a mix of structural screening and landscaping.
- vii. Location Adjacent to Residential Areas. Where industrial uses abut residential uses, screening shall block views of storage areas and high activity and traffic portions of the industrial use to the extent possible. Screening shall also be used to shield adjacent uses from noise and light emanating from the industrial uses. Berms and landscaping shall be included in the screening materials to create a soft transition to adjacent residential areas.

- viii. Berms. Berms are encouraged to provide adequate screening between industrial and other uses to reduce noise and light impacts on adjacent property.

C. Norwood Municipal Code Title 7 be amended at §5.06 (e)(1) be amended to read as follows:

Structural Characteristics. The structural characteristics of signs shall comply with the standards of this section.

(1) Free-standing signs shall not exceed ~~35~~ twenty feet (20') in height. Each free-standing sign may have two faces, each with the maximum area 20 sq. ft. per sign, provided the two faces are the same size and join back-to-back without any overlap.

D. The Town Planner is authorized to correct typographical errors, conform cross-references and make other non-substantial revisions such as formatting and administrative revisions to as necessary or desired.

Section Two. Severability.

The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section Three.

This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

Section Four. Effective Date.

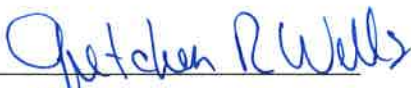
The effective date of this Ordinance shall be October 12, 2016 at the time of its adoption.

APPROVED, ADOPTED AND ORDERED PUBLISHED this 13th day of November, 2019.

ATTEST:



C. Kieffer Parrino, Mayor

By: 

Gretchen R. Wells, Town Clerk