

# CITY COUNCIL COMMUNICATION



**MEETING DATE:** February 4, 2025

**ITEM NUMBER:** 6.C

**SECOND READING:**

{{customfields.ResoOrdNumber}}

**TYPE OF ITEM:**

**PRESENTED BY:**

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**SUBJECT/AGENDA TITLE:**

Consideration Of Potential Amendments To Land Development Code 15.05.040 Landscape And Common Area Standards

**EXECUTIVE SUMMARY:**

In March 2024, the State passed SB24-005, an act which 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. The act grants local municipalities until January 1, 2026, to implement Code changes. The Planning Division requests the opportunity to discuss changes that would bring the Land Development Code into conformance with SB24-005.

Staff have additionally identified potential changes to the Land Development Code, aiming to further increase and enhance water savings in the City and implement best practices for design. These amendments would be specific to LMC 15.05.040 Landscape and Common Area Standards. Staff request Council's consideration and direction regarding these proposed changes to the Land Development Code.

**COUNCIL OPTIONS:**

1. Direct staff to return to a future City Council meeting with recommended amendments to LMC 15.05.040
2. Direct staff to return to a future City Council meeting only with amendments to LMC 15.05.040, in compliance with CO SB 24-005

**RECOMMENDED OPTIONS:**

Direct staff to return to a future City Council meeting with recommended amendments to LMC 15.05.040. If appropriate, provide direction on other future amendments that Council may want to consider (i.e. items not currently included in the staff report).



## **FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:**

No fiscal impact is anticipated.

## **BACKGROUND AND ISSUE ANALYSIS:**

### **Summary**

The City's landscaping regulations in the Land Development Code have not been significantly updated since August 2018. Staff recommend that, given direction from the State, and in response to recent drought conditions and wildfire events in the region, now is an appropriate time to review the City's existing policies and identify potential improvements that could further promote water conservation in Longmont. The purpose of any Code changes adopted with these amendments would be to comply with state law, and better meet goals for enhanced water conservation outlined in the Envision Longmont Comprehensive Plan and the recently updated Longmont Water Efficiency Master Plan. These goals support water conservation through landscaping practices, which can promote resilient, climate adapted, and water efficient landscapes.

### **State Legislation**

The State of Colorado has recently passed a bill that impacts water conservation and specifically relate to the application of new turf. In 2024, the state passed SB 24-005, "Prohibit Landscaping Practices for Water Conservation." A full copy of the bill has been included as **Attachment A**. The bill states that beginning January 1, 2026, "a local entity shall not install, plant, or place, or allow any person to install, plant, or place, any nonfunctional turf, artificial turf, or invasive plant species, as part of a new development project or redevelopment project, on any portion of applicable property within the local entity's jurisdiction." This applies to all commercial and industrial properties, street rights-of-way, parking lots, medians, and transportation corridors. The bill does not apply to residential uses. The bill defines nonfunctional turf as "turf that is not located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes." Examples of functional turf include playgrounds, sports fields, picnic grounds, amphitheaters, portions of parks, and the playing areas of golf courses.

### **Plan and Policy Framework**

#### *Envision Longmont*

The Envision Longmont Comprehensive Plan is the overarching policy document for the City. Relevant policies are adopted within Envision Longmont, with the following most applicable to this project:

Goal 5.1: Protect and conserve Longmont's natural resources and environment. Sub-goal 5.1G encourages sustainable development practices in public and private development projects focusing on the ability to minimize the short and long term impacts of future growth on the natural environment and improve city operations.

Goal 5.2: Maintain a quality renewable water supply to meet the long-term needs of the community. Sub-goal 5.2D encourages the use of native and drought tolerant landscape materials and water conserving irrigation systems. Staff have identified relevant changes to Longmont Municipal Code Chapter 15.05.040 to better meet this goal.

Goal 5.5: Recognize and enhance the ecological functions of the City's system of parks, open space, greenways, waterways, and urban forest. Sub-goal 5.5A protects the long-term health of the parks system through sustainable maintenance and operations practices, as well as responsible planning and design. This goal incorporates sustainable design features or elements such as native or drought tolerant plants, or features that help manage stormwater and improve water quality. Sub-goal 5.5B sets the goal to revise and update Longmont Design Standards and Construction Specifications to include sustainability (low-impact development, green infrastructure, complete streets, native landscaping and xeriscape, water waste, and recycling). A portion of the proposed scope of updates for consideration will involve updates to the Longmont Design Standards and Construction Specifications to enhance water wise design practice.

### *Water Efficiency Master Plan*

The 2025 update to the City of Longmont's Water Efficiency Plan was approved by City Council on January 14, 2025. A key focus of this update is enhancing outdoor water efficiency by integrating water-wise landscaping practices into all new and redeveloped residential and non-residential properties. This will be achieved through updates to the city's landscape code and irrigation design standards. The plan also recommends leveraging insights from the 2024 Del Corazon policy audit to inform revisions to landscape policies. Additionally, it emphasizes the critical role of climate change resilience and reliability as central benefits of improved water efficiency. By prioritizing the efficient use of water and encouraging climate-appropriate, drought-tolerant, and fire-resilient landscapes, Longmont aims to ensure a reliable water supply while enhancing resilience to climate change and natural hazards.

Specific Plan goals: gradually reduce treated water use by 3% from 2024 – 2030. The water savings outlined in this plan will be achieved by reducing total per capita use by 0.4% per year on average for the next seven years or 3% from 2024 - 2030 through the totality of Longmont's greater water efficiency efforts including specific program measures, water loss control, land use policies, and state and federal regulations. This goal also focuses on achieving savings with the following actions:

1. Reduce irrigated non-functional turf on City properties. Steadily reduce and replace non-functional irrigated turf from City properties with water-wise landscaping.

2. Continue to expand raw water irrigation on City properties. Continue to strategically convert parks and other City properties from potable irrigation to non potable irrigation as feasible.
3. Integrate water efficiency across City departments. Foster a culture where City leadership and staff understand the value of water and work across departments to collaborate, find holistic mechanisms in promoting water efficiency, and integrate water with land use planning. Eliminating potable irrigation on all City properties from 12 a.m. – 6 a.m. on Mondays during the irrigation season is a simple peak shaving and demand shifting measure that will help reduce the need to expand water treatment capacity in the future
4. Promote water efficiency equitably. Preserve the natural environment in our watershed by committing to responsible, environmentally sound, and efficient use of our precious water resource while also ensuring that water efficiency practices meet the following equitable goals:
  1. Help ensure all people have access to safe, clean, affordable drinking water and wastewater services.
  2. Encourage the distribution of the economic, social and environmental benefits identified in this plan throughout the whole community.
  3. Promote resiliency to climate risks such as flood, drought, and wildfires.
  4. Provide for all members of the community to meaningfully participate in water efficiency related decision-making processes with access to useful and translated water efficiency information.

## **Policy Assessment**

In January 2024, the City partnered with Del Corazon Consulting to produce an assessment of Longmont’s existing landscaping standards and relevant water regulations. This assessment has been included as **Attachment B**.

The 2024 policy assessment gave 16 total recommendations for the City to consider, to strengthen and enhance water policies and practices. These recommendations include a wide scope of actions, which include but are not limited to updates to Code and policy, updates to the comprehensive plan and other guiding documents, and modifications to City standard operating procedures and practices. Some of these recommendations can be implemented at a staff level and are already under consideration or underway; these include modifications to the approved landscape materials list, and approved landscape design templates for new and existing residential and commercial developments. For the purpose of this request for Council action, please consider the following recommendations from the Policy Assessment:

### *7.4 Recommendation D: Develop consistent xeriscape principals and standards*

Modifications to Municipal Code Section 15.05.040.C.2.e Ground Covers to address applying xeriscape practice in landscaped areas. This Code section presently reads: “Irrigated lower

water consuming grass or other vegetation or material suitable for the areas shall be the primary ground cover in areas where hardscape is not proposed.” Staff recommend modifications to this Code section to expand on water-saving practices to allow for other varieties of ground cover, that are suited for Colorado’s climate, reduce the use of non-functional turf in project design, and enhance the use of xeric landscape practices.

### *7.6 Recommendation F: Adopt a non-essential turf policy and modify drought resilient grass standards*

Prohibiting non-essential turf and limiting residential turf is increasingly considered to be the best practice for landscape treatment in Colorado’s climate. This recommendation encourages the City of Longmont to adopt landscape regulations that do the following:

- limit turf to a percent of the total landscaped area;
- limit turf to specific locations within landscaped areas;
- allow a maximum amount of turf within a project/site;
- and/or limit the types of grass that can be installed

SB24-005 requires the prohibition of new non-functional turf on commercial, institutional, or industrial property, common interest community property, or a street right-of-way, parking lot, median, or transportation corridor. Council could consider an expansion of this requirement to additional areas to include new residential construction.

### **CPTED Best Practices**

Crime Prevention Through Environmental Design (CPTED) is a concept that proper design and effective use of the built environment can lead to a reduction in crime, and an improvement in quality of life. CPTED has standards and concepts specific to site landscape design, which can be implemented into municipal codes and standard operating procedures. A full summary of CPTED practices has been included as **Attachment C**.

While in the process of updating the Landscape Code, staff have identified this opportunity to include additional updates with the purpose of incorporating CPTED best practices for landscape design into LMC 15.05.040. These modifications would be implemented to require the following:

- planting and selection of landscape materials are required to ensure open sight lines and eliminate areas of concealment
- limit shrubs to 3 feet in height and below all windowsills
- prune trees to ensure at least 6 feet of space between the lowest branches and the ground

Implementation of CPTED standards may require modifications to more than one subsection of LMC 15.05.040, as well as potentially the creation of a new subsection within this chapter.



## **Conclusion**

Staff request that Council direct staff to return to a future City Council meeting with recommended amendments to LMC 15.05.040. These recommended amendments include:

1. Amend LMC 15.05.040 to demonstrate compliance with SB24-005 for future non-functional turf installation in all commercial and industrial properties, street rights-of-way, parking lots, medians, and transportation corridors. Consider additionally expanding on these amendments to also include residential areas.
2. Amend LMC 15.05.040 to strengthen the ground cover requirements to allow additional xeric ground covers, and not promote turf as the primary allowable groundcover in landscaped areas.
3. Amend LMC 15.05.040 to encourage several CPTED best practices in landscape design.

## **ATTACHMENTS:**

**Attachment A:** SB24-005 Full Text

**Attachment B:** Longmont Resilient Landscapes Policy Assessment

**Attachment C:** CPTED Best Practices