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**GRAND JUNCTION CITY COUNCIL  
MONDAY, APRIL 29, 2024  
WORKSHOP, 5:30 PM  
FIRE DEPARTMENT TRAINING ROOM  
625 UTE AVENUE**

**1. Discussion Topics**

- a. Community Recreation Center Final Design
- b. Water-Wise Landscaping and Turf Limitation on Single-Family and Duplex Lots
- c. Impact Fee Exemptions and Waivers for Affordable Housing
- d. Board & Commissions Selections

**2. City Council Communication**

An unstructured time for Councilmembers to discuss current matters, share ideas for possible future consideration by Council, and provide information from board & commission participation.

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*What is the purpose of a Workshop?*

The purpose of the Workshop is to facilitate City Council discussion through analyzing information, studying issues, and clarifying problems. The less formal setting of the Workshop promotes conversation regarding items and topics that may be considered at a future City Council meeting.

*How can I provide my input about a topic on tonight's Workshop agenda?*

Individuals wishing to provide input about Workshop topics can:

1. Send input by emailing a City Council member ([Council email addresses](#)) or call one or more members of City Council (970-244-1504)
2. Provide information to the City Manager ([citymanager@gjcity.org](mailto:citymanager@gjcity.org)) for dissemination to the

City Council. If your information is submitted prior to 3 p.m. on the date of the Workshop, copies will be provided to Council that evening. Information provided after 3 p.m. will be disseminated the next business day.

3. Attend a Regular Council Meeting (generally held the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of each month at 5:30 p.m. at City Hall) and provide comments during "Public Comments."
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## Grand Junction City Council

### Workshop Session

Item #1.a.

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**Meeting Date:** April 29, 2024  
**Presented By:** Ken Sherbenou, Parks and Recreation Director  
**Department:** Parks and Recreation  
**Submitted By:** Ken Sherbenou

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### Information

#### **SUBJECT:**

Community Recreation Center Final Design

#### **EXECUTIVE SUMMARY:**

The Grand Junction Community Recreation Center (CRC) is at the final design stage and is ready to be presented to City Council and the community at this Council workshop as well as community presentations the following day. This work is the culmination of almost a year's worth of in-depth design as well as many decades of planning and community effort to bring the new Recreation Center to fruition.

#### **BACKGROUND OR DETAILED INFORMATION:**

The Community Recreation Center (CRC), when constructed, will fill a major gap in the community's infrastructure by being the first multipurpose indoor recreation center in Grand Junction. Every other western slope community has a recreation center, including Delta, Durango, Montrose, Cortez, Meeker, Fruita, and Gunnison. The 2021 Parks, Recreation and Open Space Master Plan, driven by community input such as a statically valid mail survey, revealed that the highest priority of the community was to build a community recreation center. This was further confirmed by a statistically valid phone survey conducted by professors from CMU that was facilitated in February 2022.

Following this result, the City conducted a feasibility study for a community recreation center in 2022 that resulted in the CRC Plan. With an extensive public process and multiple opportunities for community feedback, this CRC Plan envisioned the construction and operation of an approximately 83,000 square foot facility that is planned to provide, but not be limited to, a multi-generational aquatic area with lazy river, zero depth entry, playground and slides, a cool water lap pool, and a warm water therapy pool, a multi-sport gymnasium, an indoor walk/jog track, fitness and weights area, multipurpose meeting rooms, and other community gathering and recreation

spaces. The plan was adopted by City Council in November 2022 and led to an April 4, 2023, ballot proposal asking voters to authorize a 0.14 percent sales tax increase and to authorize the City to incur debt to fund the new recreation center.

After a successful election, the City issued a Request for Proposals (RFP) that led to the selection of Barker-Rinker-Seacat and Chamberlin Architects, along with a full team of engineers in all requisite trades, to complete design and engineering of the CRC. Following the selection of BRS - Chamberlin Architects, the City released an RFP for Construction Management - General Contractor (CMGC) services for the new CRC. FCI constructors was selected to serve as the Construction Manager/General Contractor.

FCI and BRS and their sub-consultants, along with City staff and the Parks and Recreation Advisory Board (PRAB), have been diligently working to progress the CRC design in preparation for construction. The concept design in the 2022 CRC Plan was evolved to the schematic level of design and presented to the community in September 2023. Prior to that last community-wide engagement, PRAB held several special meetings. PRAB has subsequently held monthly special meetings to engage and advise as the design has evolved.

FCI has provided in-depth cost opinions in the schematic design phase and the design development phase, along with constructability guidance and engagement with sub-consultants who will be submitting formal bids. This has ensured keeping the project on budget while informing decisions that maximize community benefit. BRS has also led the update of the Pro Forma to account for the design that has the CRC at 109,000 square feet (approximately 2,000 square feet of this total is currently an add alternate). This effort focuses on exceeding community expectations for the new community recreation center. FCI and BRS will be in attendance at the Council workshop to further update the Council on the final design of the CRC and the coming construction.

Following these community-wide presentations, BRS will create construction documents that FCI will use to gather formal bids in all the trades necessary to construct the CRC. An early release package likely to include earthwork and deep foundations is anticipated this summer to come to City Council for consideration, followed by a Guaranteed Maximum Price (GMP) that will guarantee delivery of the CRC as represented in the construction documents below a certain agreed upon price. The official groundbreaking is scheduled for Saturday, June 1 at 10 a.m. at Matchett Park. A 5k walk/run, a disc golf tournament, a virtual tour of the staked out CRC and other family-friendly activities are planned before and after the 10 a.m. groundbreaking ceremony. The CRC construction is then scheduled to proceed for approximately 22 months with a CRC grand opening anticipated in mid 2026.

**FISCAL IMPACT:**

For discussion purposes only.

**SUGGESTED ACTION:**

For discussion and update purposes only.

**Attachments**

None



## Grand Junction City Council

### Workshop Session

Item #1.b.

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**Meeting Date:** April 29, 2024

**Presented By:** Daniella Acosta, Senior Planner, Timothy Lehrbach, Senior Planner

**Department:** Community Development

**Submitted By:** Dani Acosta Stine and Tim Lehrbach

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### Information

#### **SUBJECT:**

Water-Wise Landscaping and Turf Limitation on Single-Family and Duplex Lots

#### **EXECUTIVE SUMMARY:**

In the ongoing effort to stem water shortage issues, the State of Colorado General Assembly recently passed legislation restricting the installation of non-native, water-intensive turf and expanding property owner rights to install xeriscape, particularly in residential areas subject to homeowners association (HOA) rules. The bill does not apply to residential properties; however, some cities within Colorado are beginning to adopt regulations to limit turf on residential properties.

Staff conducted research on the recent developments at the state level with regard to turf limitation and water-wise landscaping. Staff also surveyed 20 cities and one county to identify localities actively regulating turf in single-family residential or duplex development, as well as to understand the spectrum of possible regulatory tools to limit turf on these types of properties. Staff further examined existing Grand Junction regulations and their effects on the installation of turf and water consumption. Finally, staff compiled goals pertaining to water-wise landscaping and tree canopy from the 2020 One Grand Junction Comprehensive Plan and other adopted plans.

This workshop will discuss staff's research findings and request feedback from the City Council concerning the preferred approach, if any, to the management or regulation of turf in single-family or duplex development to advance adopted goals.

#### **BACKGROUND OR DETAILED INFORMATION:**

On March 15, 2024, Governor Jared Polis signed into law Senate Bill 24-005 (SB 24-005), which bans the installation of Non-Functional Turf and artificial turf on commercial, industrial, public/civic properties and common interest properties. The law

also bans the installation of non-native/invasive plant species on these properties. This bill is the latest in recent legislation to help Colorado become more water-wise. The law, however, does not address or apply to turf installation on residential properties, particularly single-family and duplex lots.

The workshop will brief City Council about what is happening at the state level regarding turf limitation, discuss the City of Grand Junction’s current approach to turf limitation and promoting water-wise landscaping, share findings on what other localities are doing to limit turf on single-family and duplex properties through regulation, and request City Council direction whether the City should pursue developing its own set of regulations to limit turf on these types of properties to promote adopted goals pertaining to water-wise landscaping and to support the expansion of tree canopy.

**RECENT DEVELOPMENTS ON TURF LIMITATIONS**

As indicated previously, SB 24-005 completely bans the installation of Non-Functional Turf and artificial turf on commercial and industrial, and public/civic properties. Functional Turf, as defined in the bill, is “...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 playground; sport fields; picnic grounds; amphitheaters; portions of parks; and the playing areas of golf courses, such as driving ranges, chipping and putting greens, tee boxes, greens, fairways, and roughs.” Non-Functional Turf is all turf which is not Functional Turf. The exemptions to this ban include turf on residential properties, and the bill grandfathered non-residential properties with existing Non-Functional Turf installed prior to January 1, 2025. The bill also exempts turf that is used for water quality treatment solutions as required by federal, state, or local water quality permitting standards from the definition of Non-Functional Turf. Furthermore, some additional flexibility is provided on the use of grass seed and sod that has been hybridized for arid climates. The provisions of the bill will be effective January 1, 2025.

The Department of Local Affairs (DOLA) is currently wrapping up the final draft of a Model Land Use Code, which includes a section on landscaping. The Model Land Use Code provides a template to help cities and counties in Colorado draft land-use and development regulations. The tentative timeline for release is June 2024. The current draft language suggests a percentage maximum of 25 percent of the total landscaped area for turf limitation and optional alternatives. DOLA staff have shared that the 25 percent suggestion is not fixed in terms of what is recommended as the gold standard for turf maximums. Actual turf maximums will likely need to be based on the water conservation goals of each individual locality.

**CURRENT CITY REGULATIONS AND EFFORTS**

The City updated its landscape code regulations on January 23, 2023, which included the introduction of a 15 percent turf maximum for non-functional turf on non-residential and multifamily properties. The Zoning and Development Code (ZDC) defines non-functional turf as “an area of turf measuring no less than 30 feet in width and length with a minimum area of 1,500 square feet for the purposes of common recreational uses open to the public, members of a neighborhood, or clients and/or customers of a

commercial or office use”.

The City also already bans the installation of invasive species and has several tools in place, such as the Suitable Plant List, to ensure staff can apply the regulations in a standardized manner. The Suitable Plant List also indicates which species meet the required minimums for water-wise and native plants. These standards require that:

- At least 25 percent of proposed shrubs are native or native alternatives.
- At least 90 percent of proposed shrubs are xeric, xeric-low, xeric-medium, or low water.
- At least 50 percent of proposed trees have a “preferred planting” status.
- No more than 15 percent of proposed trees have a “limited” status.

While single-family and duplex subdivisions adhere to these regulations as it relates to landscaping required along the perimeter street frontage(s) of a development, the ZDC does not currently regulate landscaping or limit turf on individual single-family and duplex lots. GJMC 21.07.030(a)(2) provides that “The landscaping requirements of this Code shall not apply to a lot zoned for one or two dwelling units.”

There are several areas where the City’s current regulations do not comply with SB 24-005. The State bill dictates an outright ban on non-functional turf, while the city permits Non-Functional Turf so long as it is no more than 15 percent of the total landscaped area. The City will have to eliminate this maximum to become compliant with State law. The bill also bans artificial turf, which the City does not regulate currently. The City will also need to clarify turf bans on common interest properties or HOA-maintained properties, which likely include HOA tracts within residential and non-residential subdivisions such as street-frontage tracts for landscaping.

Because SB 24-005 does not prevent a local entity from allowing the installation of grass seed or sod that has been genetically modified for low water needs and arid conditions, there may be an opportunity to update the Suitable Plant List to include these hybrid species.

Apart from existing regulations, the City's Turf Conversion Program is an existing non-regulatory effort led by the City’s Utilities Department to assist property owners by providing a rebate of \$1 per square foot of living turf when converted to low water plants. The City also provides a tree assessment, support with calculating a water budget, and other irrigation related rebates. To qualify for the program, properties must be within the City’s Water Service Area and must convert 500-2,000 sf of turf on residential (including single-family & duplex lots) properties or 500-3,000 sf of turf on non-residential properties. Some goals of the program include reducing outdoor water use by 40 percent, decreasing the heat island effect, protecting existing trees, and expanding the urban tree canopy.

## **EXISTING CONDITIONS**

Staff examined six single-family residential subdivisions platted and constructed over the past 30 years to gain a sense of the prevalence of turf in existing single-family development in the absence of regulations limiting turf on those properties. The absence of turf regulations yields wildly different outcomes across subdivisions and over time, reflecting varying aesthetic and functional preferences. Nevertheless, the sample of 532 lots yielded the following observations:

- Installing turf in both front and rear yards was the predominant landscape preference in those lots platted prior to 2000.
- Front yard turf is decreasing over time.
- Where turf is installed in more recent developments, it is largely in the rear yard.

While it can be assumed that limitations on turf installation will further reduce the extent of turf installation, it is noteworthy that the trend appears to be a reduction in the presence of turf on single-family properties over time.

### **REGIONAL REGULATIONS ON TURF LIMITATIONS**

Staff surveyed 20 cities and one county. Of the 21 jurisdictions included in the review, eleven of the cities and the lone county were on the Front Range, two were on the Western Slope and two were in the Intermountain West. Outside Colorado, three were in Arizona, two were in Utah, and one was in Nevada. The review revealed that nine out of the 21 jurisdictions have ordinances that regulate and restrict turf on single-family and duplex lots. The eight of the nine localities were located on the Front Range of Colorado.

Of those nine localities, staff developed a matrix of regulations based on the classification of regulatory tools those localities employed (Exhibit 2). To assess the level of regulation (from least regulated to most regulated) for each locality, staff tallied up the number of tools identified in each ordinance. The locality with the highest number of points (i.e., the greatest number of tools employed) was concluded to be the most regulated. Castle Rock and the City and County of Broomfield were determined to be the most regulated in regard to single-family and duplex lots. These jurisdictions employ tools such as restricting new landscape installations to the rear or less visible yards, regulating the front yard, requiring an approved plants list, adherence to ColoradoScape principles, applying compliance for home expansions, requiring a water budget and WaterSense Certification for irrigation plans, and completely banning the installation of Kentucky Bluegrass.

The most ubiquitous tool present in the ordinances reviewed was setting turf area maximums. Eight out of the nine localities with regulations dictate some sort of turf maximum either as a square footage maximum, regardless of lot size, or as a percentage of the lot or landscape area. Castle Rock features the strictest maximum, restricting turf to only 500 sf, while Cedar City bases its maximums on lot size:

- 8 percent or max of 1500 sf of total lot size for lots up to 20,000 sf

- Max of 2,000 sf for lots greater than 20,000 sf
- Max of 600 sf for lots smaller than 7,500 sf even if that amount exceeds 8 percent.

Percentages for turf maximums in other localities ranged from 25 percent to 45 percent. Some localities relied on either a percentage of the lot size/landscape area or a limit of 500 sf, whichever was less. Of note, the City of Thornton uniquely prescribes a turf minimum of 25 percent in addition to a turf maximum of 50 percent.

### **CITY OF GRAND JUNCTION GOALS**

The City has adopted goals and strategies related to water conservation and tree canopy, which may be advanced by the adoption of water-wise or turf-limiting regulations. The 2020 One Grand Junction Comprehensive Plan includes Plan Principle 8: Resource Stewardship. Among its goals are “1. Promote water conservation and protect water quality” and, “5. Manage the City’s Urban Forest and Water Wise Landscaping within the City.” Each goal includes strategies for the installation and maintenance of water-wise, drought-tolerant landscaping. The goals also call for the adoption or update of plans addressing water conservation and urban forestry management.

The 2022 Grand Junction Regional Water Efficiency Plan was completed by the City in collaboration with Clifton Water District and Ute Water Conservancy District. Among its background findings is a dramatic difference in treated water demand between the summer and winter months. Within the City of Grand Junction water service area, for example, the demand for treated water in July is 2.9 times greater than January demand. This difference is attributed to lawn irrigation and the operation of home cooling systems during the summer months and may also be seen as a function of unregulated turf in single-family development as well as other existing development. These demand totals do not account for the additional irrigation provided by the region’s untreated ditch irrigation, which is unmetered.

The Water Efficiency Plan sets a goal of 1.4 percent reduction in per-capita residential water demand each year. Objectives to reach this goal include the City’s turf replacement program, monitoring and controlling for service and main line leakage, and the update of the City’s landscaping code (which occurred in 2023). While the plan reflects optimism about the efficacy of its stated objectives, it can be expected that further limitations on turf installation (whether by the state alone or supplemented by City of Grand Junction regulations), would contribute significantly to meeting or exceeding the 1.4 percent reduction goal.

The City’s recently adopted Urban Forestry Management Plan sets targets for tree canopy citywide and within each land use category as defined by the Comprehensive Plan. Canopy goals for Residential Low (25 percent), Residential Medium (25 percent), and Residential High (20 percent), along with Parks and Open Space (20 percent), can be expected to be the largest contributors to the citywide canopy goal of 18 percent. As

of 2019, the citywide canopy was 13 percent, while canopy in the residential land use categories ranged from 12 percent in Residential High to 16 percent in Residential Low.

The absence of tree planting requirements and the allowance of unlimited turf in single-family and duplex residential development may inhibit the growth and health of mature tree canopy to meet the City's goals. Among the regulatory tools surveyed in other jurisdictions, there are several which support tree growth and health in addition to their water conservation benefits, including turf area limitations and mandating water-wise species. Trends towards water-wise landscape requirements and meeting water conservation goals may therefore present opportunities for advancing tree canopy goals. These goals may be mutually supportive but may also require the careful selection of regulatory, educational, and other tools.

### **WORKSHOP DISCUSSION**

Staff requests feedback from the City Council concerning the regulation of landscaping in single-family and duplex development, generally, as well as direction on which regulatory tools, if any, are appropriate and/or inappropriate to consider for the advancement of the City's adopted goals for water-wise landscape and tree canopy.

### **FISCAL IMPACT:**

For discussion only.

### **SUGGESTED ACTION:**

For discussion only.

### **Attachments**

1. Exhibit 1. Senate Bill 24-005 - Prohibition of Non-Functional Turf, Artificial Turf and Invasive Plant Species
2. Exhibit 2. Regulations Matrix
3. Exhibit 3. Regulations Survey
4. Exhibit 4. Draft DOLA Model Land Use Code Landscaping Excerpt
5. Exhibit 5. Turf Conversion Program Presentation

# An Act

SENATE BILL 24-005

BY SENATOR(S) Roberts and Simpson, Bridges, Hinrichsen, Buckner, Cutter, Exum, Fields, Jaquez Lewis, Marchman, Michaelson Jenet, Priola, Winter F., Fenberg;

also REPRESENTATIVE(S) McCormick and McLachlan, Amabile, Bacon, Bird, Boesenecker, Brown, Daugherty, deGruy Kennedy, Duran, Epps, Froelich, Garcia, Herod, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lukens, Mabrey, Martinez, Marvin, Mauro, Ortiz, Parenti, Rutinel, Sirota, Snyder, Story, Titone, Valdez, Velasco, Weissman, Willford, McCluskie.

CONCERNING THE CONSERVATION OF WATER IN THE STATE THROUGH THE PROHIBITION OF CERTAIN LANDSCAPING PRACTICES.

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

**SECTION 1.** In Colorado Revised Statutes, **add** article 99 to title 37 as follows:

**ARTICLE 99**  
**Prohibition of Nonfunctional Turf,  
Artificial Turf, and Invasive Plant Species**

**37-99-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY

*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.*

FINDS THAT:

(a) AS COLORADO CONTINUES TO GRAPPLE WITH THE IMPACTS OF CLIMATE CHANGE, GREEN URBAN SPACES, SUCH AS URBAN TREE CANOPIES, ARE A VITAL ADAPTATION TOOL FOR MITIGATING THE IMPACTS OF CLIMATE CHANGE, ESPECIALLY FOR MITIGATING THE URBAN HEAT ISLAND EFFECT, WHICH CAN INCREASE ENERGY COSTS, AIR POLLUTION, AND HEAT-RELATED ILLNESSES AND DEATHS;

(b) HOWEVER, WATER SUPPLY IN THE WESTERN UNITED STATES IS UNDER INCREASING PRESSURE DUE TO CLIMATE CHANGE AND INCREASING DEMAND;

(c) MANY COMMUNITIES IN THE STATE OVERUSE NONNATIVE GRASS FOR LANDSCAPING PURPOSES, WHICH REQUIRES LARGE AMOUNTS OF WATER TO MAINTAIN;

(d) WHILE THERE ARE APPROPRIATE AND IMPORTANT USES FOR TURF, INCLUDING FOR CIVIC, COMMUNITY, OR RECREATIONAL PURPOSES SUCH AS USE IN PARKS, SPORTS FIELDS, AND PLAYGROUNDS, MUCH OF THE TURF IN THE STATE IS NONFUNCTIONAL, LOCATED IN AREAS THAT RECEIVE LITTLE, IF ANY, USE, AND COULD BE REPLACED WITH LANDSCAPING THAT ADHERES TO WATER-WISE LANDSCAPING PRINCIPLES WITHOUT ADVERSELY IMPACTING QUALITY OF LIFE OR LANDSCAPE FUNCTIONALITY;

(e) PROHIBITING THE INSTALLATION, PLANTING, OR PLACEMENT OF NONFUNCTIONAL TURF IN APPLICABLE PROPERTY IN THE STATE CAN HELP CONSERVE THE STATE'S WATER RESOURCES;

(f) INSTALLED VEGETATION THAT ADHERES TO WATER-WISE LANDSCAPING PRINCIPLES CAN HELP REDUCE OUTDOOR DEMAND OF WATER; AND

(g) ADDITIONALLY, ARTIFICIAL TURF CAN CAUSE NEGATIVE ENVIRONMENTAL IMPACTS, SUCH AS EXACERBATING HEAT ISLAND EFFECTS IN URBAN AREAS AND RELEASING HARMFUL CHEMICALS, INCLUDING PLASTICS, MICROPLASTICS, AND PERFLUOROALKYL AND POLYFLUOROALKYL CHEMICALS, INTO THE ENVIRONMENT AND WATERSHEDS.

(2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT

PAGE 2-SENATE BILL 24-005

PREVENTING THE INSTALLATION, PLANTING, OR PLACEMENT OF NONFUNCTIONAL TURF, ARTIFICIAL TURF, AND INVASIVE PLANT SPECIES IN APPLICABLE PROPERTY IN THE STATE IS:

(a) A MATTER OF STATEWIDE CONCERN; AND

(b) IN THE PUBLIC INTEREST.

**37-99-102. Definitions.** AS USED IN THIS ARTICLE 99, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) (a) "APPLICABLE PROPERTY" MEANS:

(I) COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL PROPERTY;

(II) COMMON INTEREST COMMUNITY PROPERTY; OR

(III) A STREET RIGHT-OF-WAY, PARKING LOT, MEDIAN, OR TRANSPORTATION CORRIDOR.

(b) "APPLICABLE PROPERTY" DOES NOT INCLUDE RESIDENTIAL PROPERTY.

(2) "ARTIFICIAL TURF" MEANS AN INSTALLATION OF SYNTHETIC MATERIALS DEVELOPED TO RESEMBLE NATURAL GRASS.

(3) "COMMERCIAL, INSTITUTIONAL, OR INDUSTRIAL" HAS THE MEANING SET FORTH IN SECTION 37-60-135 (2)(b).

(4) "COMMON INTEREST COMMUNITY" HAS THE MEANING SET FORTH IN SECTION 38-33.3-103 (8).

(5) "COMMON INTEREST COMMUNITY PROPERTY" MEANS PROPERTY WITHIN A COMMON INTEREST COMMUNITY THAT IS OWNED AND MAINTAINED BY A UNIT OWNERS' ASSOCIATION, SUCH AS ENTRYWAYS, PARKS, AND OTHER COMMON ELEMENTS AS DEFINED IN SECTION 38-33.3-103 (5).

(6) "DEPARTMENT" MEANS THE DEPARTMENT OF PERSONNEL CREATED IN SECTION 24-1-128 (1).

(7) "FUNCTIONAL TURF" MEANS 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 PLAYGROUNDS; SPORTS FIELDS; PICNIC GROUNDS; AMPHITHEATERS; PORTIONS OF PARKS; AND THE PLAYING AREAS OF GOLF COURSES, SUCH AS DRIVING RANGES, CHIPPING AND PUTTING GREENS, TEE BOXES, GREENS, FAIRWAYS, AND ROUGHS.

(8) "INVASIVE PLANT SPECIES" HAS THE MEANING SET FORTH IN SECTION 37-60-135 (2)(e).

(9) "LOCAL ENTITY" MEANS A:

(a) HOME RULE OR STATUTORY CITY, COUNTY, CITY AND COUNTY, TERRITORIAL CHARTER CITY, OR TOWN;

(b) SPECIAL DISTRICT; AND

(c) METROPOLITAN DISTRICT.

(10) "MAINTAIN" OR "MAINTAINING" MEANS AN ACTION TO PRESERVE THE EXISTING STATE OF NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR AN INVASIVE PLANT SPECIES THAT HAS ALREADY BEEN INSTALLED, PLANTED, OR PLACED.

(11) "NATIVE PLANT" MEANS A PLANT SPECIES THAT IS INDIGENOUS TO THE STATE OF COLORADO.

(12) "NEW DEVELOPMENT PROJECT" MEANS A NEW CONSTRUCTION PROJECT THAT REQUIRES A BUILDING OR LANDSCAPING PERMIT, PLAN CHECK, OR DESIGN REVIEW.

(13) (a) "NONFUNCTIONAL TURF" MEANS TURF THAT IS NOT FUNCTIONAL TURF.

(b) "NONFUNCTIONAL TURF" INCLUDES TURF LOCATED IN A STREET RIGHT-OF-WAY, PARKING LOT, MEDIAN, OR TRANSPORTATION CORRIDOR.

(c) "NONFUNCTIONAL TURF" DOES NOT INCLUDE 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.

(14) "REDEVELOPMENT PROJECT" MEANS A CONSTRUCTION PROJECT THAT:

(a) REQUIRES A BUILDING OR LANDSCAPING PERMIT, PLAN CHECK, OR DESIGN REVIEW; AND

(b) RESULTS IN A DISTURBANCE OF MORE THAN FIFTY PERCENT OF THE AGGREGATE LANDSCAPE AREA.

(15) "SPECIAL DISTRICT" HAS THE MEANING SET FORTH IN SECTION 32-1-103 (20).

(16) "TRANSPORTATION CORRIDOR" MEANS A TRANSPORTATION SYSTEM THAT INCLUDES ALL MODES AND FACILITIES WITHIN A DESCRIBED GEOGRAPHIC AREA, HAVING LENGTH AND WIDTH.

(17) "TURF" HAS THE MEANING SET FORTH IN SECTION 37-60-135 (2)(i).

(18) "UNIT OWNERS' ASSOCIATION" HAS THE MEANING SET FORTH IN SECTION 38-33.3-103 (3).

(19) "WATER-WISE LANDSCAPING" HAS THE MEANING SET FORTH IN SECTION 37-60-135 (2)(1).

**37-99-103. Prohibition of nonfunctional turf, artificial turf, and invasive plant species - local entities - construction or renovation of state facilities.** (1) ON AND AFTER 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.

(2) ON OR BEFORE JANUARY 1, 2026, A LOCAL ENTITY SHALL ENACT OR AMEND ORDINANCES, RESOLUTIONS, REGULATIONS, OR OTHER LAWS

REGULATING NEW DEVELOPMENT PROJECTS AND REDEVELOPMENT PROJECTS ON APPLICABLE PROPERTY IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION.

(3) THE DEPARTMENT 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 PROJECT FOR THE CONSTRUCTION OR RENOVATION OF A STATE FACILITY, WHICH PROJECT DESIGN COMMENCES ON OR AFTER JANUARY 1, 2025.

(4) NOTHING IN THIS SECTION PROHIBITS:

(a) A LOCAL ENTITY FROM MAINTAINING, OR ALLOWING ANY PERSON TO MAINTAIN, ANY NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES INSTALLED, PLANTED, OR PLACED BEFORE JANUARY 1, 2026;

(b) THE DEPARTMENT FROM MAINTAINING, OR ALLOWING ANY PERSON TO MAINTAIN, ANY NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES INSTALLED, PLANTED, OR PLACED AT A STATE FACILITY BEFORE JANUARY 1, 2025;

(c) A LOCAL ENTITY OR THE DEPARTMENT FROM INSTALLING, OR ALLOWING ANY PERSON TO INSTALL, GRASS SEED OR SOD THAT IS A NATIVE PLANT OR HAS BEEN HYBRIDIZED FOR ARID CONDITIONS;

(d) A LOCAL ENTITY OR THE DEPARTMENT FROM ESTABLISHING PROHIBITIONS ON, OR REQUIREMENTS FOR, NONFUNCTIONAL TURF, ARTIFICIAL TURF, OR INVASIVE PLANT SPECIES THAT ARE MORE STRINGENT THAN THE REQUIREMENTS OF THIS SECTION; OR

(e) A LOCAL ENTITY OR THE DEPARTMENT FROM INSTALLING, OR ALLOWING ANY PERSON TO INSTALL, ARTIFICIAL TURF ON ATHLETIC FIELDS OF PLAY.

**SECTION 2. Act subject to petition - effective date - applicability.** (1) 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.

(2) This act does not apply to projects approved by the department of personnel or a local entity before the effective date of this act.



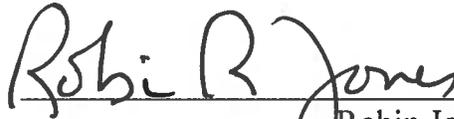
Steve Fenberg  
PRESIDENT OF  
THE SENATE



Julie McCluskie  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

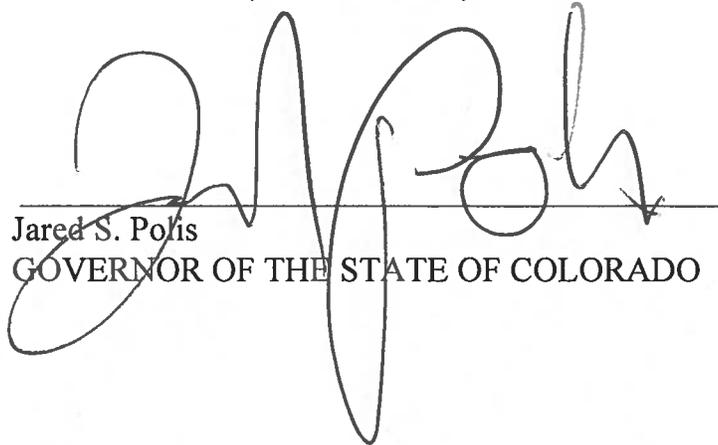


Cindi L. Markwell  
SECRETARY OF  
THE SENATE



Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED Friday March 15<sup>th</sup> 2024 at 2:15 pm  
(Date and Time)



Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO

# Matrix of Regulations

This matrix solely includes the cities and county surveyed that did have some form of single-family/duplex lot regulations.

Type of Regulation	Castle Rock	Aurora	Arapahoe	Broomfield	Northglenn	Thornton	Colorado Springs	St. George	Cedar City
Regulate Front Yard		X		X					
Regulate Back Yard	X								
Restricts New Installation to Rear Yard	X	X							
Turf Maximums (Square footage and/or percentage)	X	X	X	X	X	X	X		X
ColoradoScape Specified	X								
Complete Ban Kentucky Bluegrass/Cool-Season Turf	X								
Partial Ban on Kentucky Bluegrass/Cool-Season Turf			X	X					
Approved Plants List	X		X	X					
Watering Restrictions			X						
WaterSense Certification for Irrigation Plans				X					
Applies Regulations to Home Expansions (not just new construction)				X					
Water Budget Required									
Lawn Size Maximums								X	
Regulations only apply to lots of a certain size.									X
<b>Points</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>



City/County	Summary of Regulation	Regulation	Citation	Region
City of Castle Rock	All new residential development prohibited from installing any lawn turf in the front yard and is limited to 500 square feet in the back yard. Require adherence to ColoradoScape and banned Kentucky Bluegrass installation. Require 75 percent plant coverage (at maturity).	<b>ColoradoScape turf regulation</b> Beginning January 2023, all new residential development is prohibited from installing any lawn turf in the front yard and is limited to 500 square feet in the back. Commercial spaces are prohibited from having turf in non-essential areas. Instead, a ColoradoScape landscape will be required, incorporating low-water plants and materials. ColoradoScape aims to add color and versatility to outdoor landscapes, keeping a specific Castle Rock aesthetic, so typically 75% plant coverage (at maturity) is required.  <b>Kentucky Bluegrass ban</b> In 2018, new development (residential and commercial) were no longer allowed to install the high-water use Kentucky Bluegrass. Other alternatives, such as Texas Hybrid and native grasses that take less water, are recommended.	<a href="https://crconserve.com/196/Guidelines#:~:text=ColoradoScape%20turf%20regulation,square%20feet%20in%20the%20back">https://crconserve.com/196/Guidelines#:~:text=ColoradoScape%20turf%20regulation,square%20feet%20in%20the%20back</a>	Front Range
City of Aurora	Turf is limited to 45 percent or 500 sf, whichever is less, of the rear lot for single-family and duplex lot. No turf permitted in the front yard, with the exception of alley-loaded single-family homes. In this case, turf is also limited to 45 percent or 500 sf of the front and back yards.	Turf option: shall not exceed the lessor of 45 percent or 500 sq. ft. New turf installation are limited to the rear lots of residential homes and the front yards of of alley-loaded residential homes and shall not exceed the lessor of 45% or 500 square feet of the front or back yard areas.	<a href="https://aurora.municipal.codes/UDO/146-4.7.5">https://aurora.municipal.codes/UDO/146-4.7.5</a>	Front Range
Arapahoe County	Arapahoe County is currently updating their Landscape Code Regulations. The proposed code amendments include limiting turf on single-family and duplex lots to 25 percent of the combined yard area or a maximum of 500 sf on a lot, whichever is less. The proposed amendments include banning the installation of Kentucky Bluegrass and any turf specie that require over 18 gallons per square foot or 29 inches of irrigation annually unless approved on a case-by-case basis.	Turf is limited to 25 percent of the total combined yard area or a maximum of 500 square feet on a lot, whichever is less. Bans Kentucky Bluegrass and turf that require over 18 gallons per square foot or 29 inches of irrigation annually unless approved on a case-by-case basis. (Currently Updating)		Front Range
City and County of Broomfield	Turf limitations apply only to front and visible side yards. Turfgrass cannot exceed 30% of the area that is required to be landscaped. Irrigation systems installed must meet EPA WaterSense certification requirements. Regulations apply to new construction or an expansion that is 65 percent or greater. Non-living materials such as stone, masonry and steel (used for edging) may not comprise more than 25% of the landscaped area	a. Turf sod or turf grass seed shall be selected from the Arapahoe County approved plant list. Kentucky bluegrass and other high water use turf that require over 18 gallons per square foot, or 29 inches of irrigation annually are prohibited except as approved by Arapahoe County on a case-by-case basis for limited uses such as high pedestrian traffic areas, sports fields, or water quality control measures. b. In single-family detached, single-family detached cluster, two-family and townhome residential development, turf shall be limited to 25 percent of the total combined yard area or a maximum of 500 square feet on a lot, whichever is less.	<a href="https://files.arapahoe.co.gov/Public%20Works_Development/planning_land%20development/Proposed%20Code%20Amendments/LDC21-001%20%20Landscape%20Code%20Amendment%202-5-24.pdf">https://files.arapahoe.co.gov/Public%20Works_Development/planning_land%20development/Proposed%20Code%20Amendments/LDC21-001%20%20Landscape%20Code%20Amendment%202-5-24.pdf</a>	Front Range
City of Northglenn	High water use turf restricted to no greater than 30 percent of the required landscape area.	(2) To the maximum extent practicable, the total amount of high-water use landscaping, pursuant to the City's specifications, shall not exceed 50 percent of the required landscaped area and the total amount of high-water use turf grass shall not exceed more than 30 percent of the required landscaped area.	<a href="https://municode.northglenn.org/ch11/content_11-4.html">https://municode.northglenn.org/ch11/content_11-4.html</a>	Front Range
City of Thornton	Turf grass shall account for a minimum of 25 percent up to a maximum of 50 percent of the area required to be landscaped.	b. A minimum 75 percent of the area required to be landscaped shall have a ground surface cover of living plant materials that reflect a mix of evergreen and deciduous canopy, understory, ground cover or turf grass plant material. Turf grass shall account for a minimum of 25 percent up to a maximum of 50 percent of the area required to be landscaped.1.The foliage crowns of deciduous trees do not count in calculating compliance with this provision. Weeds shall not be considered as living plant materials; however, ornamental grasses, ground covers, deciduous and evergreen shrubs and trees and turf grass shall be considered as living plant materials.2.Up to 25 percent of the area required to be landscaped may be covered with mulch, pavers, decorative concrete or other materials as determined during the development permit process. Plant material located in rock mulch, pavers or decorative concrete shall be selected from low and ultra-low water-demand plant lists.	<a href="https://library.municode.com/co/thornton/codes/code_of_ordinances?mode=CO_CH18DECO_ARTVDEST_DIV3LA_SS18-558-18-564RE">https://library.municode.com/co/thornton/codes/code_of_ordinances?mode=CO_CH18DECO_ARTVDEST_DIV3LA_SS18-558-18-564RE</a>	Front Range
City of Colorado Springs	No more than twenty-five (25) percent of the portion of a lot not covered by a primary or accessory structure or a driveway, patio, deck, or walkway, and no contiguous area less than one hundred (100) square feet in area, shall be planted with High Water Use Turfgrass. High Water Use Turfgrass shall be hydrozoned and irrigated separately because of its unique water demand.	E. Special Requirements: The following requirements shall apply to attached or detached single-family or two-family dwelling residential projects: 1. Maximum High Water Use Turfgrass: To reduce the use of the City's limited water resources for outdoor irrigation: a. No more than twenty-five (25) percent of the portion of a lot not covered by a primary or accessory structure or a driveway, patio, deck, or walkway, and no contiguous area less than one hundred (100) square feet in area, shall be planted with High Water Use Turfgrass. The one hundred (100) square foot limit shall not apply to the Parkway. b. The irrigation water service connection shall be sized appropriately to accommodate irrigation during the hours and days outlined in the Water Shortage Ordinance, Chapter 12, Article 4, Part 13 of the Code of the City of Colorado Springs. All irrigation water shall be metered and have appropriate backflow prevention as identified by Colorado Springs Utilities Water Line Extension and Service Standards.	<a href="https://codellibrary.amegale.com/codes/coloradospringsco/latest/coloradosprings_co/0-0-0-52704">https://codellibrary.amegale.com/codes/coloradospringsco/latest/coloradosprings_co/0-0-0-52704</a>	Front Range
St George, Utah	St. George's approach does not directly restrict turf or have any restrictions on species of turf but rather limits the size of lawns based on lot size. Their code defines lawns as non-agricultural land planted in closely mowed, managed grasses. For lots up to 20,000 sf, lawns cannot be no more than 8 percent of the lot or a maximum of 1,500 sf. Lots greater than 20,000 sf are restricted to 2,000 sf of lawn. For lots smaller than 7,500 sf, lawns are restricted at 600 sf.	2. The total lawn area for any residential lot shall not exceed eight percent (8%) of the total lot size, regardless of zoning, up to a maximum of one thousand five hundred (1,500) square feet for lots up to twenty thousand (20,000) square feet. Lots which are greater than twenty thousand (20,000) square feet may have a lawn area of up to two thousand (2,000) square feet. Lots which are less than seven thousand five hundred (7,500) square feet may have a lawn area of up to six hundred (600) square feet even if that amount exceeds eight percent (8%) of the lot size. All lots must comply with subsection B3 of this section. Definition of Lawn: "LAWN: Nonagricultural land planted in closely mowed, managed grasses." <a href="https://stgeorge.municipal.codes/Code/10-2-1">https://stgeorge.municipal.codes/Code/10-2-1</a>	<a href="https://stgeorge.municipal.codes/Code/10-2-3">https://stgeorge.municipal.codes/Code/10-2-3</a>	Utah
Cedar City, Utah	Residential lawn areas shall not exceed 50% of the total landscaped area for front and side yards. Lawn limitations do not apply to small residential lots with less than 250 square feet of landscaped area.	Residential lawn areas shall not exceed 50% of the total landscaped area for front and side yards. Lawn limitations do not apply to small residential lots with less than 250 square feet of landscaped area.	<a href="https://cedarcity.municipalcodeonline.com/book?type=ordinances&amp;name=ARTICLE_26-VI_LANDSCAPING">https://cedarcity.municipalcodeonline.com/book?type=ordinances&amp;name=ARTICLE_26-VI_LANDSCAPING</a>	Utah

d. Permitted Turf and Irrigation

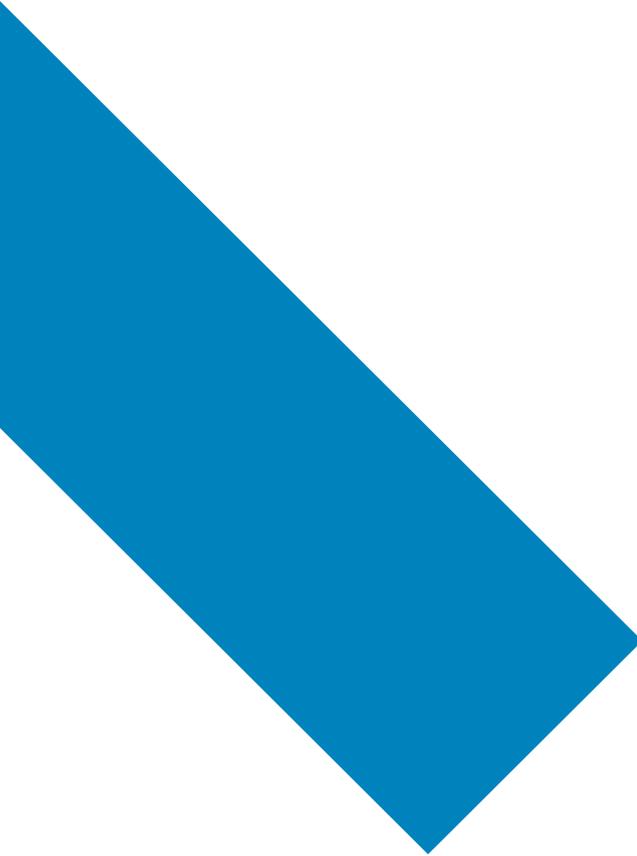
(1) No more than [25] percent of the total landscaped area of any lot or parcel, as shown on the submitted landscaping plan, may be vegetated with water intensive turf such as Kentucky bluegrass or fescue.

[OPTION] No more than [25] percent of the total landscaped area of any lot or parcel in the R-FM, MU-L, MU-G, MU-DT, MU-BP, or I zoning districts, as shown on the submitted landscaping plan, may be vegetated with water intensive turf such as Kentucky bluegrass or fescue.

[OPTION] No more than [25] percent of the total landscaped area, or no more than [2,000] square feet of more than of any lot or parcel, as shown on the submitted landscaping plan, may be vegetated with water intensive turf such as Kentucky bluegrass or fescue.

(2) No more than [25] percent of the total landscaped area of any lot or parcel, excluding areas planted with low water use grasses, as shown on the submitted landscaping plan, may be irrigated with overhead spray.

[OPTION] No more than [25] percent of the total landscaped area of any lot or parcel in the R-FM, MU-L, MU-G, MU-DT, MU-BP, or I zoning districts, excluding areas planted with low water use grasses, as shown on the submitted landscaping plan, may be irrigated with overhead spray.



# Turf Conversion Program

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**Susan Carter**

**Water Conservation Specialist**

# Goals of the Program

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## Save water.

- Reduce non-functional turf.
- Reduce outdoor water use by 40%.

## Fit the landscape to the area.

- Reduce heat.
- Protect trees.
- Reduce fire risk.
- Appropriate plant selection.

## Other.

- Reduce maintenance.
- Provide pollinator habitat.
- Increase the tree canopy.

# Turf water use

- Kentucky Bluegrass is not native.
- It is often overwatered.
- Summer dormancy.

- Use bluegrass when functional.
- Rethink the front yard.
- Backyard turf options: Buffalograss, blue grama, Fult's alkali, Dog Tuff

- Save water by removing turf.
- Select plants that match with the ecosystem!



Colorado State University

# What the city is offering

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- A rebate of \$1 per square foot per turf converted to low water plants.
- Assessment of trees, if needed.
- Calculation of a water budget.
- Other irrigation related rebates.



# Do I qualify?

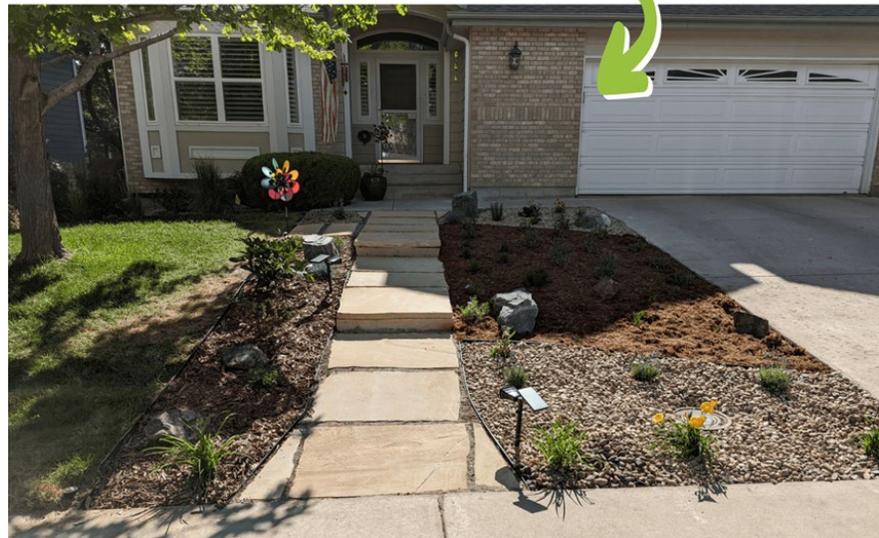
1. City of Grand Junction  
Water Service area

2. Living Turf:

- 500-2,000 square feet  
Residential
- 500-3,000 square feet  
Non-residential



Example: Thornton's landscape rebate program can take your yard from this ... to this.



Each year, a 3,500 square foot lawn uses ~84,000 gallons of water. The same yard with 40% turf/60% low-water plants, only uses 49,000 gallons.

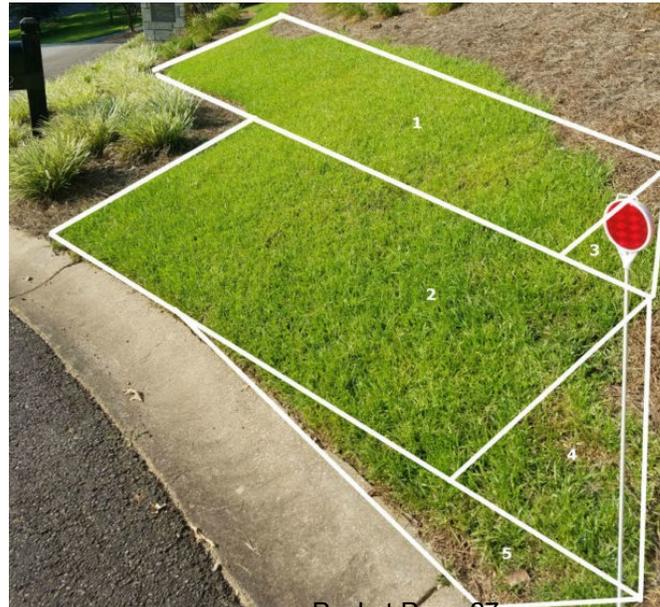
# Needed to apply

## Qualification

- Do you meet?
- Are you ready to convert your turf to Water wise landscape?

## Living Turf

- Need before measurements.
- Before photos.



Packet Page 27

## Other needs

- Landscape design / plan
- Home Ignition Zone (HIZ)
- 50% plant coverage
- Very low to moderate water loving plants.
- Irrigation: pre and post.

# Water Wise Landscapes

- Can be beautiful.
- Take planning and design.
- Select plants- right plant, right place.
- Can be creative, lower maintenance and **lower water**.

Make it a Grand-Scape.



Example of Water Wise  
perennials from High  
Country Gardens



# Waterwise landscape





# Reduce Heat

Cities tend to create heat islands from buildings and hardscape.

- Required 50%+ coverage of area / rock with plants.

Avoid all rock landscapes, concrete, and artificial turf heat.

- Artificial turf +80 degrees F or more.
- Rock +20 degrees F.



Turfgrass replacement.  
CSU Extension.



# Tree protection

- Tree roots: twice to five times the height in spread.
- Be careful when digging, tilling, spraying chemicals, compaction...
- Call: help determining if tree health.
- Water outside the drip line.

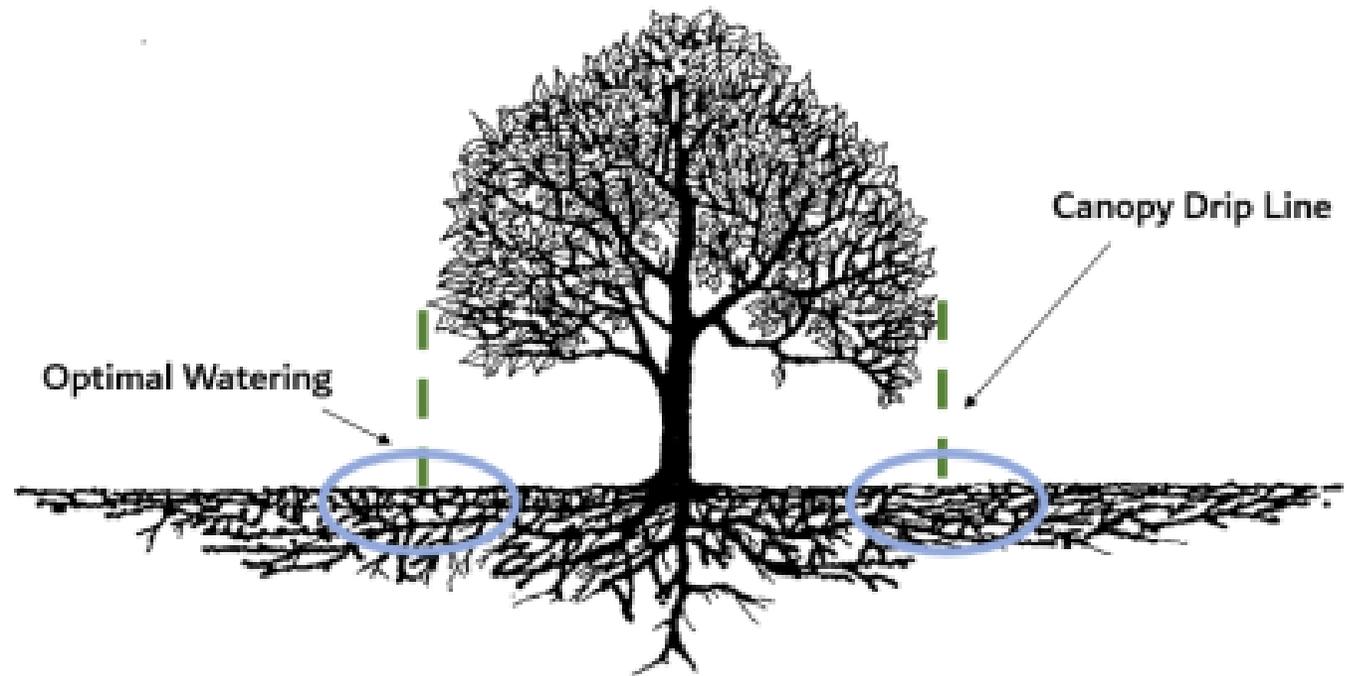
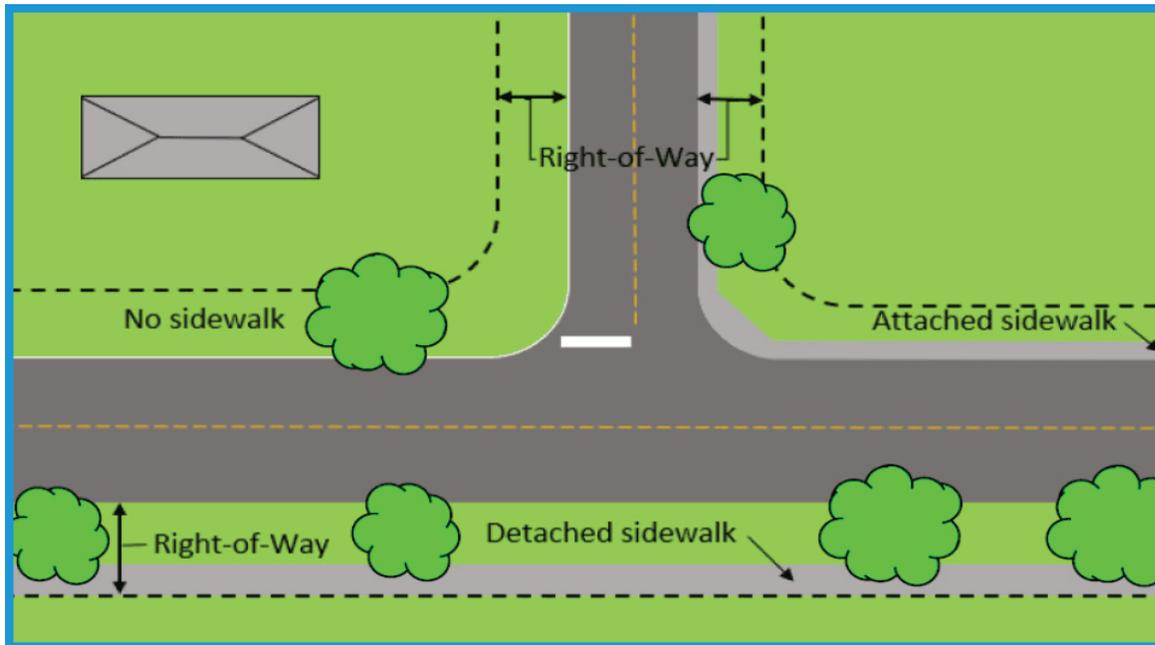


Image From Urban Forestry Plan

# Tree care



- Right of way trees: property owner's responsibility to water.
- Submit pruning or health care requests.
- Grass can be removed but the tree was using that water!
- Slowly change the watering from frequent to infrequent and deep.
- Plant more trees!

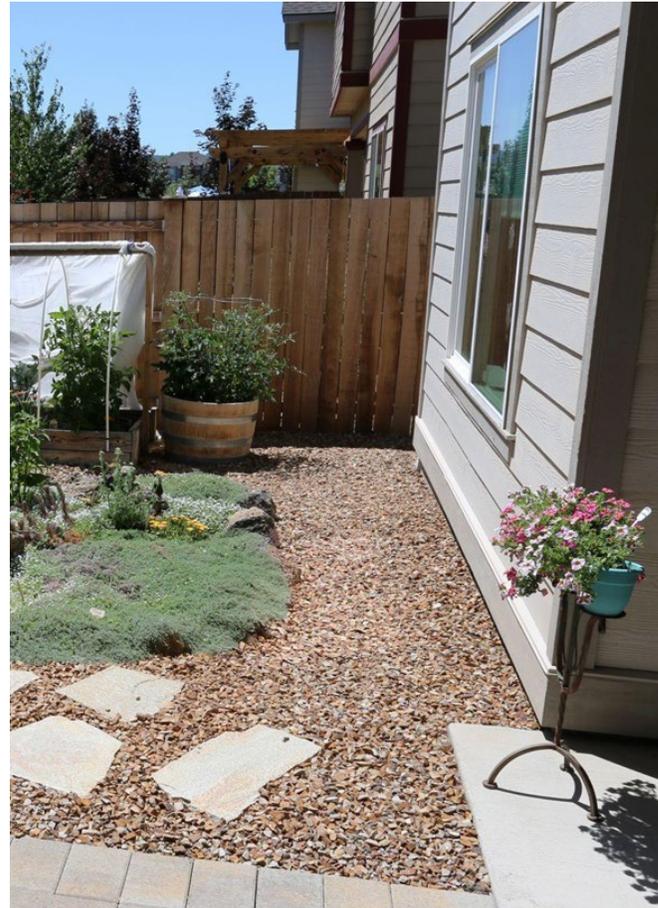
# Fire resistant

- First five (5') feet to keep wildfire from becoming house fire.
- Use permeable fire-resistant materials: Stone, fine rock, flagstone, granite fines, pavers...
- Avoid attaching wood fence to house.

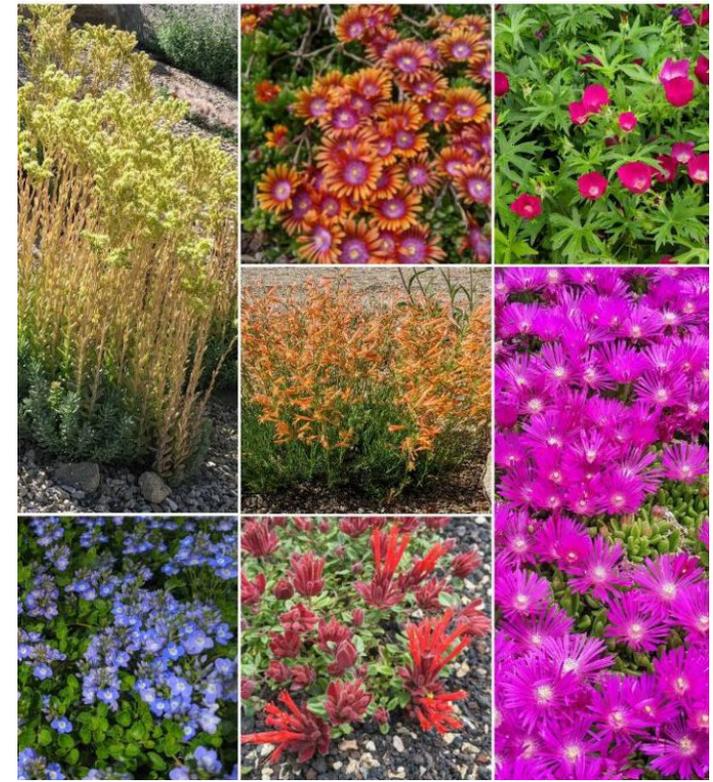


# Home ignition zone

- Consider fire resistant plants, nothing 100% fireproof.
- Group plants together in islands, break up with a rock border or path.
- Ideally within 30' use fire resistant plant materials.



OSU Extension  
Packet Page 34



Plantselect.org

# Attracting Pollinators

- Pollinators: Birds, bees, flies, beetles, moths, bumblebees, wasps...
- Native insects typically like variety.
- Spring-fall pollen and nectar.
- Bare ground for nesting.



Syrphid fly visiting a flower.

*Image: Whitney Cranshaw, Colorado State University, Emeritus.*



# Use more native plants

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- Native plants are acclimated.
- Most natives need less water.
- Very low water using natives need as little as once a month watering, once established.
- Plant a variety.



Garden in the CSU Extension Mesa County,

Photo: Susan Carter



CSU Extension Water-wise garden –  
seasonal blooming.

## How to renovate

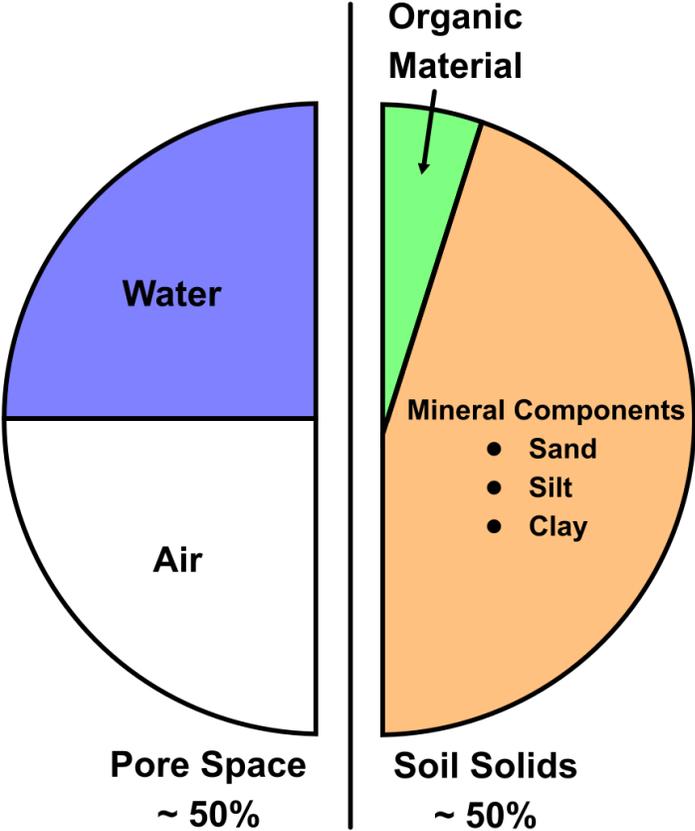
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Steps to help remove the bluegrass and  
create a beautiful water wise landscape.

# Soil- the foundation

- Soil routine test- Lab report:  
pH, OM, texture, minerals...
- Native soil 1-2% OM.
- 5% organic matter ideal.
- Some plants tolerate / like less.
- Ignore pH, avoid acid loving plants.

# Components of Soil



Wikimedia commons

# Plant Selection

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Plant characteristics.

Base on requirements.

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Visit local nurseries, catalogs, CSU plant lists, GJ suitable plant list...

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Fit the Grand Junction environment.

Organize together.

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Group plants.

Hydrozones:

Sun, water, soil, wind...

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Develop a “theme”:

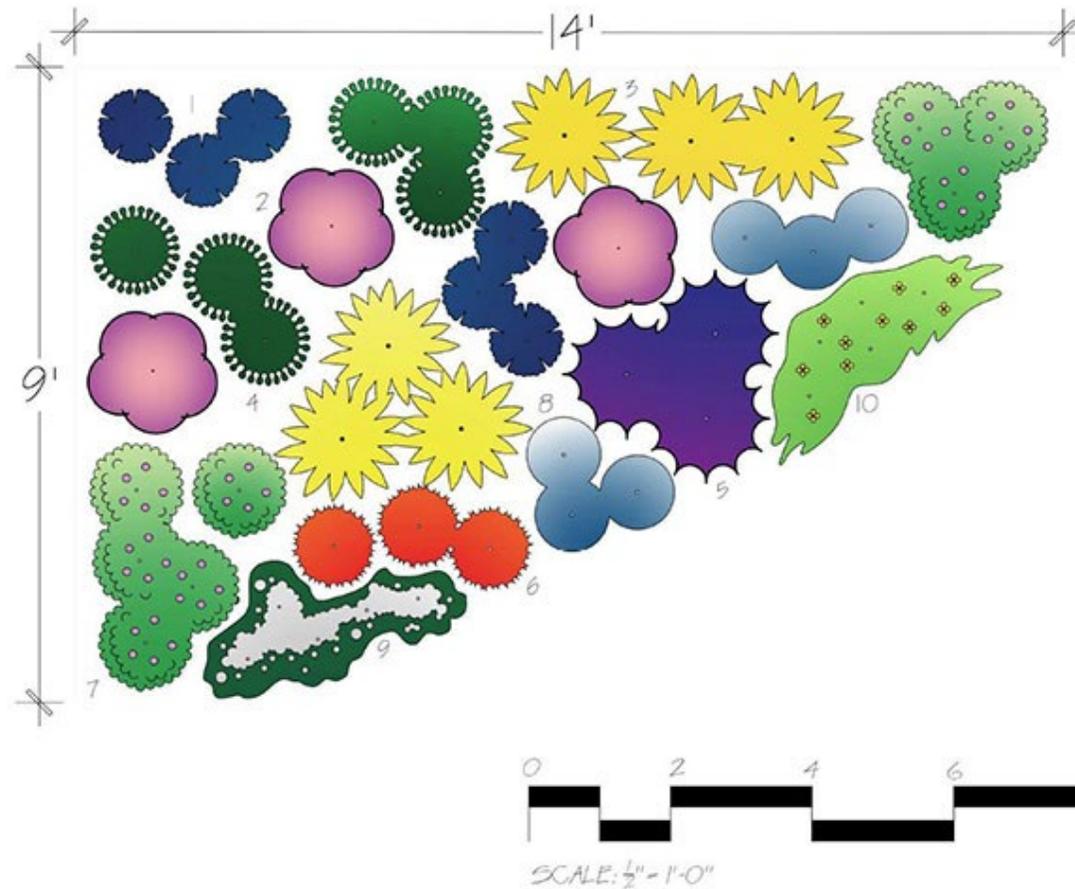
Fire resistant, pollinator friendly, semi-desert, edible...



Autumn Amber sumac, [PlantSelect.org](https://www.PlantSelect.org)

# Design

- Do your own.
- Hire someone for consult or design..
- Get ideas locally & online.
- Draw to scale.



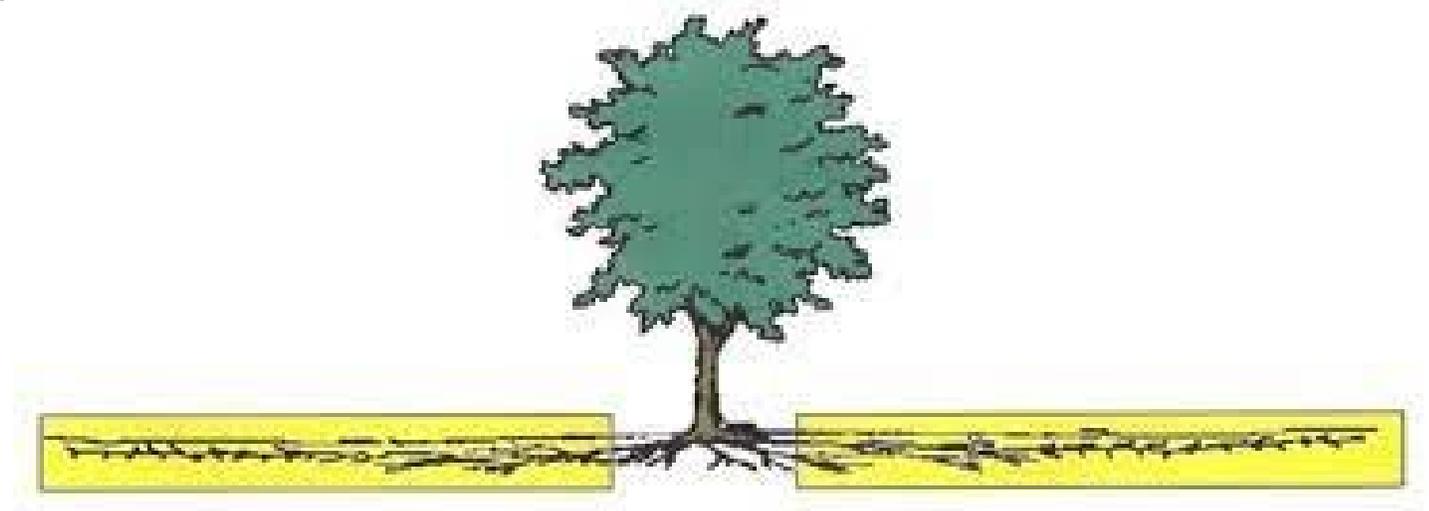
## Sunny Low-Moderate Water Corner Planting:

1. Delphinium, 2. Peony, 3. Black-eyed Susan
4. Shasta Daisy, 5. Aster, 6. Butterfly weed,
7. Cranesbill, 8. Columbine. 9. Candytuft,
10. Evening Primrose. CSU Extension

# Lawn Removal with trees

Are existing trees and plants involved?

- Do the least amount of damage to roots!
- Glyphosate: good choice.
- Avoid cutting roots.
- Avoid compaction.



CSU Extension, CMG



# Lawn Removal

No trees involved.

- Cut, till, scrap, or dig.
- Try to save topsoil.
- Haul to dump, free if clean or compost your own.
- CALL 811 FIRST!



Sheet mulching. CA Native Plant Soc.



Sod Cutter, UC Sonoma.

The smothering technique.

- Cover with Kraft paper and 3-4” of wood mulch.
- Keep wet to breakdown the paper! Can prevent water and air movement.

# Soil Amendment

Compost should look and smell good.



Soil preparation



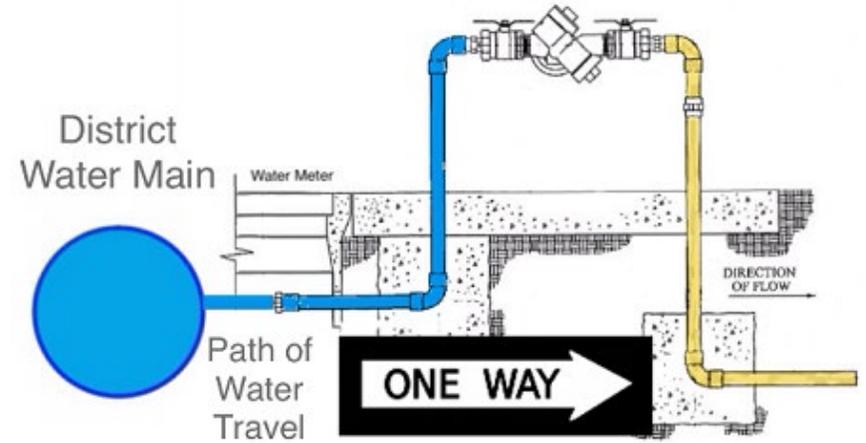
CSU Extension images.

Tips:

- Amend the soil to match your site and plant needs.
- Use soil test results.
- Maximum amount of 5%.
- A landscape remodel is an opportunity to amend everything or:
- Amend each planting hole.

# Irrigation

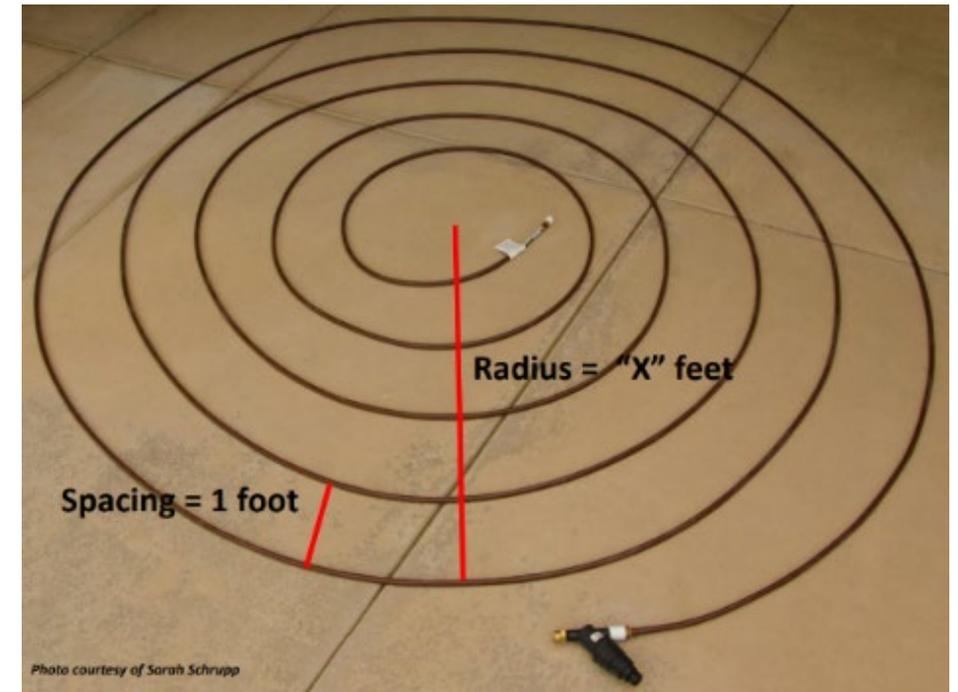
- Modification or new installation?
- Drip most efficient.
- Any system can be more efficient!
- Backflow prevention.
- Don't forget existing plants.
- Some rebates available.



# Tree irrigation



*Drip Irrigation for mature trees,  
N. Nevada Horticulture*



*Tree Ring Irrigation Contraption  
UC Davis*

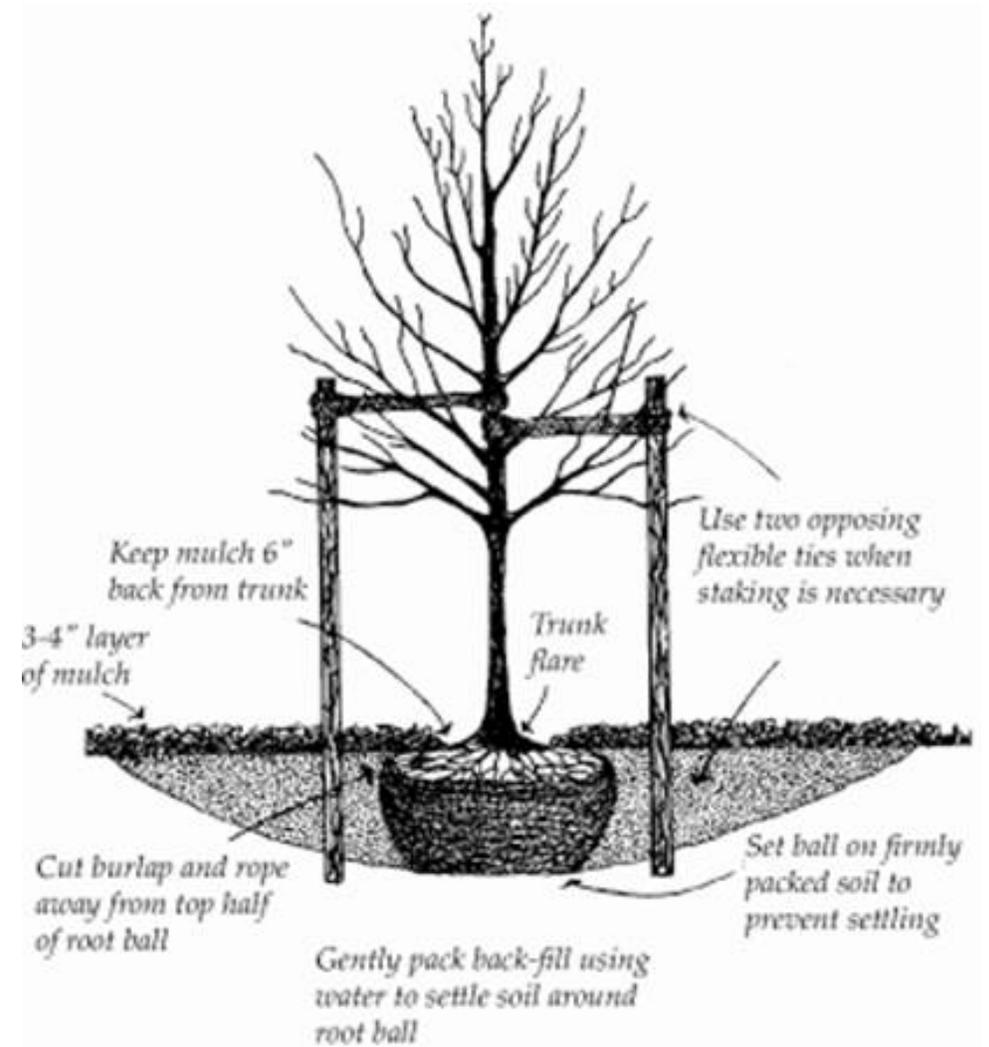
Tree Drip Kit: Drip irrigation that spirals around the trunk, past the drip line of the tree. Add rings as the tree grows.

# Plant buying and installation

- Healthy plants to start:
  - Not rootbound. Remove roots.
- Planting depth and hole width.
- Water to establish.



Photo: UF Laura Sanagorski



# Mulch

- Avoid using weed fabric. Lowers drought tolerance, weeds grow on top, microbes die.
- Wood mulch improves soil.
- Free wood chips: West Ave. off Riverside Parkway. Arborists?
- Rock is okay with good plant coverage.



# Water Seasonally

- Based on time of year, age and type of plants, soils, humidity...
- Waterwise will use less water!
- Water efficiently!

*Suggested times to run your watering system*

## OUTDOOR WATERING GUIDE



Month	Days / Week	Spray	Rotor
MAY	1 - 2x	2 cycles of 6 mins.	2 cycles of 16 mins.
JUNE	2 - 3x	2 cycles of 8 mins.	2 cycles of 18 mins.
JULY	2 - 3x	2 cycles of 9 mins.	2 cycles of 20 mins.
AUG	2 - 3x	2 cycles of 8 mins.	2 cycles of 18 mins.
SEP	1 - 2x	2 cycles of 7 mins.	2 cycles of 16 mins.
OCT	1x	2 cycles of 6 mins.	2 cycles of 16 mins.

Lawn example, note July and August are peak watering.

# Maintenance

- Weed Control to City code or beyond.
- Removal of turf regrowth.
- Replace plants.
- Other timely care.



Castle Rock before and after.

# Review: Application Design Criteria

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1. Turf removal: Home: 500-2000 sf, businesses: 500-3000 square feet.
2. Home Ignition Zone.
3. Plants for pollinators, natives, fire-resistance, trees.
4. Use very low to moderate moisture plants: GJ Suitable Plants list.
5. Plants must cover 50% of area within 3-5 years (mature size).
6. Maintain the health of landscape.

# Application Process

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1. Approval before removing the lawn.
2. Measure the yard, take photos.
3. What is current and future irrigation?
4. Need a design w/ materials that meets criteria.
5. Discussion/class about a watering efficiently.
6. Start and End dates.



# Rebate requirements

- Keep your receipts.
- Call when complete for final inspection.
- Take final pictures.
- We will track water use for the grant.
- Use other rebates.



The Seasons, Redlands, Low water landscape example

# Questions?

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## Contact

Susan Carter,  
Water Conservation Specialist  
910 Main Street

[Susan.carter@gjcity.org](mailto:Susan.carter@gjcity.org)  
(970) 256-4187



Image from High Country Gardens



## Grand Junction City Council

### Workshop Session

Item #1.c.

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**Meeting Date:** April 29, 2024

**Presented By:** Ashley Chambers, Housing Manager, Tamra Allen, Community Development Director

**Department:** Community Development

**Submitted By:** Ashley Chambers, Housing Manager

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### Information

#### **SUBJECT:**

Impact Fee Exemptions and Waivers for Affordable Housing

#### **EXECUTIVE SUMMARY:**

This item concerns the formulation of a policy for Impact Fee Exemptions and Waivers, specifically targeting the facilitation of Affordable Housing unit development to increase overall housing production. The focus is on first, the unique situation whereby Colorado Law exempts Housing Authorities from paying fees related to development and the consideration of whether to exempt or waive/backfill all or some of the fees due for the recent "The Current" project by Grand Junction Housing Authority (GJHA). Second, there will be a discussion with the Council if there is a desire to establish a more structured incentive policy for other affordable housing developers.

#### **BACKGROUND OR DETAILED INFORMATION:**

Impact fee exemptions and impact fee waivers were the subjects of inquiry at the January 30, 2024, special meeting, during which funding for the Grand Junction Housing Authority (GJHA) "The Current" project was approved. It was represented at that meeting that the City is exempting \$757,184 in fees for the project. The question arose whether the City should "backfill" the fee accounts with non-fee revenue. Colorado's law (C.R.S. 29-4-227(1)) exempts housing authorities from paying development-related fees due to the local government; as such, these projects have not been paid nor backfilled by other City funds.

Other low- and moderate-income housing projects are not exempt from fee payment by local code or state law. Typically, low-income housing projects have approached the City to pay all or a portion of the development fees that are due. If requests are approved, funds have been allocated from the General Fund or other sources like the Community Development Block Grant (CDBG). The City has historically taken the

position that the fees are not exempt and need to be paid in full; however, the Code provides the City Council with the discretion to pay for some, none, or all of the impact fees imposed on low-or moderate-income housing development to promote housing affordability as enabled by CRS.290290194.5(c)(5).

At the April 1 workshop, Council discussed various options for the the fees as they related to GJHA's "The Current" project. The options ranged from:

1. Exempt all fees
2. Exempt all impact fees, and the City pays on behalf of GJHA the Plant Investment Fees
3. Exempt all Plant Investment Fees, and the City pays on behalf of GJHA the Impact Fees
4. The City pays on behalf of GJHA all fees due

Staff recommends continuing to exempt from payment those governments and housing authorities that are exempt from state law and City Code from fee payment and continuing the practice of not backfilling those fees. The fees related to The Current are as follows. The cost associated with each option is provided below as it relates to options 1-4 listed above.

Fee Type	Fee Amount	Option 1	Option 2	Option 3	Option
Major Site Plan Application	\$785	\$0	\$0	\$0	785
Stormwater Inspection Fee	\$973	\$0-	\$0	\$0	\$973
Open Space Fee	\$281,000	\$0	\$0	\$281,000	\$281,000
Police Impact Fee	\$12,258	\$0	\$0	\$12,258	\$12,258
Fire Impact Fee	\$28,620	\$0	\$0	\$28,620	\$28,620
Parks Impact Fee	\$51,948	\$0	\$0	\$51,948	\$51,948
Transportation Impact Fee	\$166,050	\$0	\$0	\$166,050	\$166,050
Sewer Plant Investment Fee	\$215,550	\$0	\$215,550	\$0	\$215,550
<b>Total</b>	<b>\$757,184</b>	<b>\$0</b>	<b>\$215,000</b>	<b>\$539,876</b>	<b>\$757,184</b>

At the City Council Workshop on April 1, 2024, Council also requested that a future workshop be scheduled to discuss the formalization of a more specific policy that would provide a structure for the city to consider fee exemptions, waiver of fees, or the City paying fees on behalf of an Affordable Housing project. For entities not exempted from fee payment, the City Council should discuss its preferred approach, which could include one of the following:

1. Continue to require fees to be paid for non-exempted entities building affordable

housing. Funding to backfill could be provided by the City on a case-by-case basis or through a formalized affordable housing incentive policy. Either backfilling option would require funding to be assigned through the annual budget process from General Fund dollars.

2. Require Enterprise Fund Fees (water and sewer) to be paid, but not Impact fees (pursuant to GJMC 21.02.0670(a)(10))

3. Do not require either Enterprise Funds nor Impact Fees to be paid (in full or part), (pursuant to GJMC 21.02.0670(a)(10))

City fees for a new dwelling unit in 2024 costs approximately the following:

	Fee	Multi-Family	Single-Family (1,250 to 1,649 sq.ft.)
Impact Fees	Transportation	\$ 3,075	\$ 3,285
	Parks	\$ 962	\$ 1,429
	Police	\$ 227	\$ 346
	Fire	\$ 530	\$ 805
	Open Space*	\$ 555	\$ 750
	<b>Subtotal</b>	<b>\$ 5,349</b>	<b>\$ 6,615</b>
Enterprise	Water PIF/Tap**	\$ 2,539	\$ 5,510
	Sewer PIF	\$ 3,992	\$ 5,544
	<b>Subtotal</b>	<b>\$ 6,531</b>	<b>\$ 11,054</b>
	<b>Total</b>	<b>\$ 11,880</b>	<b>\$ 17,669</b>
*Variable based on appraised value of land			
**Based on a 2-inch water meter (assuming a 12-unit building), and a ¾ inch water meter (Single-family)			

Should the community be successful in developing affordable housing consistent with the Proposition 123 goal of 125 units per year, it would equate to between approximately \$1,485,000 (all multifamily) and \$2,208,625 (all single-family) in fees annually. These figures assume the units are newly constructed versus preservation or acquisition of existing units.

Staff is seeking direction on the preferred direction of Council in regard to 1) GJHA's The Current Fees and 2) a policy formalizing a potential affordable housing production incentive.

**FISCAL IMPACT:**

The GJHA's fees for "The Current" totaled \$757,184. If directed to backfill all or part of "The Current" project, funds in the amount up to \$757,184 would need to be allocated from the City's 2024 Adopted Budget or general fund reserves. The fiscal impact of a formalized incentive or waiver policy for future GJHA or other non-exempt affordable housing projects will range depending on the utilization and Affordable Units proposed within any given year and could be developed as part of the annual budget process.

**SUGGESTED ACTION:**

For Discussion and Direction Only.

**Attachments**

1. RES-Affordable Housing Production Incentive 04.29.2024

**CITY OF GRAND JUNCTION, COLORADO  
RESOLUTION NO. XX-\_\_**

**A RESOLUTION ADOPTING AN AFFORDABLE HOUSING PRODUCTION INCENTIVE FOR  
AFFORDABLE FOR SALE AND FOR RENT UNITS IN THE  
CITY OF GRAND JUNCTION, COLORADO**

**RECITALS:**

In May 2021 the City in conjunction with several housing agencies completed a Grand Valley Housing Needs Assessment (HNA). The HNA showed a poverty rate in Grand Junction of 16% which is well above the state average, a rental housing gap of 2,168 units for households earning less than \$25,000 (roughly 30% to 50% Average Monthly Income [AMI]), a need for accessible housing units for the 15% of the City's population that are disabled, and a generalized substandard condition of housing units within the community.

In response to and informed by the HNA, in October 2021, the City Council adopted a Housing Strategy outlining twelve (12) strategies tailored to address certain needs identified in the HNA with two of the top needs being production and availability gaps including needs for additional affordable rentals and affordable homeownership opportunities. Strategy 5 calls for the City to “formalize existing incentives and consider additional incentives for affordable housing development.”

In August 2023, the City Council approved Resolution 65-23 and adopted a definition of *Affordable Housing* as rental housing units affordable to households making 60 percent AMI or below, or for-sale housing units that are affordable to households making 100 percent AMI or below. Additionally, attainable housing rental housing units affordable to households making 80 percent to 100 percent AMI and for-sale housing that is affordable to households making 100 percent to 140 percent. And, included a goal to increase affordable housing stock by 124 annually (or 372 over three years).

By adopting this Resolution, the City Council establishes and provides an incentive to produce Affordable Housing units.

For the reasons stated in the Recitals, the City Council of the City of Grand Junction does hereby adopt the Affordable Housing Production Incentive for Affordable For Sale and For Rent units to become effective immediately and without further action by the City Council, the terms and provisions of this resolution shall expire on December 31, 2027.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND  
JUNCTION, COLORADO:

The 2024 Affordable Housing Production Incentive together with the Administrative Procedures, Attachment A hereto, are hereby adopted and made effective immediately (also

known as the “Effective Date” for purposes of Attachment A, Administrative Procedures) as follows:

1. Upon application and a determination by the City that an Affordable Housing project has or will be able to conform to the Grand Junction Municipal Code, the City Manager is authorized to pay from the General Fund, in an amount not to exceed the approved budget for such expenditure, all applicable Development Impact Fees (Transportation Capacity Payment [TCP], police, fire, parks) and Plant Investment Fees (water, sewer), and Open Space in lieu of dedication fees collectively referred to as “Fees” for the Affordable Housing units that have an affordability term of at least 30 years and are determined by the City to be “affordable” as defined and described below.
  - a. Affordable For Sale Units
    - For sale units at 100% AMI or below receive Fee waivers.
  - b. Affordable For Rent Units
    - For rent units at 60% AMI or below receive 100% Fee waivers.
    - A Project providing at least one (1) Affordable rental unit that comprise at least 10% of rental units at 60% AMI receive a 25% Fee waiver for the Project or that part of a mixed-use Project that is residential.
    - A Project providing at least two (2) Affordable rental units that comprise at least 20% of rental units at 60% AMI receive a 40% Fee waiver for the Project or that part of a mixed-use Project that is residential.
2. Without further action by the City Council, the Affordable Housing Production Incentive shall expire on December 31, 2027.

ADOPTED AND APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
XXXXX  
President of the Council

\_\_\_\_\_  
Amy Phillips  
City Clerk

**ATTACHMENT A**  
**AFFORDABLE HOUSING PRODUCTION INCENTIVE**  
**ADMINISTRATIVE PROCEDURES**

**Application.**

1. For 2024, applications will be available no later than 60 days after the Effective Date. In future years, no later than July 1 of a given year, applications may be made to the City for an Affordable Housing Production Incentive.
2. At a minimum, the application for an Affordable Housing Production Incentive Project (Project) shall include the following:
  - a. Project Name, property ownership, developer's, or entity(s) information;
  - b. Description of how the Project will address the City's housing needs and whether the units in the Project will be "for sale" or "for rent." The Project description shall include but not be limited to an explanation of how many people the Project will serve, the level of need served as determined by AMI and/or if there are other considerations made for population served;
  - c. Description of the Project timeline, whether the Project is dependent on other grant funding or entitlements, whether the Project will be phased, and if there any known uncertainties for the Project;
  - d. Description of the developer's experience with and capacity to implement the Project;
  - e. Amount of incentive being requested as determined by the Affordable Unit count and/or portion of project that is residential.
  - f. A preliminary financing plan and letter from a State or Federally chartered commercial bank or lender expressing the ability, expertise, and financial capability of the developer's ability to complete the Project.

**Application Review and Funding Reservation.**

3. An application found by the City in its sole discretion to be consistent with the Affordable Housing Production Incentive and that demonstrates ability and capacity to perform will be recommended by the City Manager (or designee) for funding.
4. During the City's annual budget process, City Council will review the recommendations and consider the suitable Project(s) for funding during the following fiscal year(s). If an Affordable Housing Production Incentive is for more than one year each year shall be subject to annual appropriation. The City Council may utilize the General Fund or other special revenue funds such as dedicated revenue for affordable housing for the repayment of the fees to appropriate Enterprise Fund(s) and/or Development Impact Fees in the amount of fees waived for a Project(s) pursuant to this incentive policy.

**Incentive Agreement.**

5. Should an Incentive be approved by City Council, the City and the developer and Project entity(ies) shall execute an Affordable Housing Production Agreement, which agreement shall at minimum provide:
  - a. The value of the Fee waiver as a not to exceed amount
  - b. Terms for the commencement and completion of the Project

- c. Payment schedule whereby the Fees waived upon the completion of the Project will be credited or paid by the City pursuant to the Affordable Housing Production Incentive
- d. Remedy for default
- e. Recording memorandum
- f. A Land Use Restriction Agreement and/or Deed Restriction requiring affordability of the Affordable Units for a 30-year term.
- g. Other provisions, as deemed appropriate by the City Attorney.

**Maintenance of Agreement**

- 6. The City shall either directly or through a contractor:
  - a. Income qualify renters and/or buyers; and,
  - b. Review and approve lease agreements verifying maximum rent (plus utilities and other expenses related to the rental of the unit) do not exceed 60% AMI for the tenant. No unit or portion of a unit shall be sublet; and
  - c. Conduct periodic audits at intervals determined necessary or appropriate of the Projects compliance with the Affordable Housing Production Incentive agreements. Audits shall include but not limited to compliance with deed restrictions, lease terms and income qualifications of buyers and tenants.
- 7. Deed restricted “for sale” units shall be subject to an annual equity appreciation cap (e.g., 3% per year).

**Definitions.**

- I. “Affordable Unit” means any primary or multi-family dwelling unit for rent for 60% Area Median Income or below or a primary or multi-family dwelling unit for sale for 100% Area Median Income or below.
- II. “Area Median Income - AMI” means the area median income as regularly determined and published by the United States Department of Housing and Urban Development (HUD).
- III. “Fees” means
  - a) “Sewer Plant Investment Fee” means a plant investment fee (PIF) collected on behalf of Persigo Wastewater Treatment Facility. Does not include any fee collected by any other wastewater provider.
  - b) “Water Plant Investment Fee” means a plant investment fee (PIF) collected on behalf of the City of Grand Junction. Does not include any fee collected by any other water provider.
  - c) “Development Impact Fees or Impact Fee” means certain fees now collected or as may be later applied and collected, also known as Development Impact Fee(s), for the purposes of police, fire, parks and recreation, transportation capacity and/or other governmental functions and services.



**Grand Junction City Council**

**Workshop Session**

**Item #1.d.**

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**Meeting Date:** April 29, 2024  
**Presented By:** City Council  
**Department:** City Council  
**Submitted By:** Amy Phillips

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**Information**

**SUBJECT:**

Board & Commissions Selections

**EXECUTIVE SUMMARY:**

Annually, the City Council reviews and determines who on the City Council will represent the City Council on various boards, committees, commissions, authorities, and organizations.

**BACKGROUND OR DETAILED INFORMATION:**

The City Council assigns its members to serve on a variety of Council-appointed boards, committees, commissions, and authorities, as well as a number of outside organizations. Assignments will be discussed at this City Council Workshop and a resolution will formalize that discussion at the May 1, 2024, City Council meeting.

**FISCAL IMPACT:**

There is no direct fiscal impact from this action.

**SUGGESTED ACTION:**

Determine who on the City Council will represent the City Council on various boards, committees, commissions, authorities, and organizations.

**Attachments**

1. CITY COUNCIL FORMAL ASSIGNMENT WORKSHEET 2024 (1)

# CITY COUNCIL FORMAL ASSIGNMENT WORKSHEET 2024/2025

## External Agencies

Board/Organization	Meeting Day/Time/Place	2023/2024 Assignments	2024/2025 Assignments
Associated Governments of Northwest Colorado (AGNC)	3rd Wednesday of each month @ 9:00 am different municipalities	Anna Stout  Voting member	
Business Incubator Center	1 <sup>st</sup> Wednesday of each month @ 7:30 am, 2591 Legacy Way	Dennis Simpson  Ex-Officio /non-voting	
Colorado Municipal League-Policy Committee	CML Office	Anna Stout Participation per Committee Rules	
Downtown Development Authority/Downtown BID	4th Thursdays @ 7:30 am @ Growl Agency, 750 Main St. Nov. & Dec meetings are the 2 <sup>nd</sup> Thursday of the month	Abe Herman  Voting member	
Grand Junction Economic Partnership	3rd Wednesday of each month @ 7:30 am @ GJEP offices, 122 N. 6 <sup>th</sup> Street No March or November meetings	Cody Kennedy  Voting member	
Grand Junction Housing Authority	2 <sup>nd</sup> Tuesday of each month @ 5:00 pm @ GJHA Offices at 8 Foresight Circle	Randall Reitz <b>Alternate</b> Scott Beilfuss  Voting member	
Grand Junction Regional Airport Authority	3 <sup>rd</sup> Tuesday of each month @ 11:30 am @ the Airport Terminal Building (additional meetings as needed)	Randall Reitz  Voting member	
Grand Valley Regional Transportation Committee (GVRTC)	4 <sup>th</sup> Monday of each month @ 3:00 pm @ City Hall Auditorium	Jason Nguyen  Voting member	



Board/Organization	Meeting Day/Time/Place	2022/2023 Assignments	2023/2024 Assignments
Homeless Coalition	3 <sup>rd</sup> Thursday of each month at 10 a.m. at Mesa County Public Library	Scott Beilfuss  Ex officio /non-voting	
Horizon Drive Association Bus. Improvement District	3 <sup>rd</sup> Wednesday of each month at 10:30 a.m., Horizon Drive Conference Room	Dennis Simpson  Voting member	
Las Colonias Development Corporation	Meets as needed and scheduled	Cody Kennedy  Voting	
Mesa County Separator Project Board (PDR)	5X a year-Feb., April, June, Sept. and Dec. @ Networks Unlimited, 515 S. 7 <sup>th</sup> St.	Mayoral Assignment	Mayoral Assignment
One Riverfront	2 <sup>nd</sup> Monday of every even month @ 5:30 p.m. in the Old Courthouse 1 <sup>st</sup> Floor Training Room A, 3 <sup>rd</sup> Floor Annex,	Jason Nguyen  Non-voting member	
Air Service Alliance	1 <sup>st</sup> Friday of every even month @ 9:00 am @ Chamber of Commerce	Dennis Simpson  Non-voting member	
Museum of the West	???	Cody Kennedy  Voting	
Colorado Water Congress	Weekly Virtual Meetings during the State Legislative Session	Anna Stout  Voting	

## Internal Boards and Commissions

Board Name	Meeting Day/Time/Place	2022/2023 Assignments	2023/2024 Assignments
Commission on Arts and Culture <sup>1</sup>	4 <sup>th</sup> Wednesday of each month at 4:00 p.m. Except Nov. and Dec.	Scott Beilfuss  Voting /TBD	
Forestry Board	First Thursday of each month at 8:30 a.m. Parks Office 2529 High Country Ct.	Cody Kennedy  Voting member	
Parks Improvement Advisory Board (PIAB)	Quarterly, 2nd Tuesday @ noon @ various locations (usually Hospitality Suite)	Abe Herman <b>Alternate</b> Cody Kennedy  Voting member	
Parks & Recreation Advisory Board	1 <sup>st</sup> Thursday @ noon usually at the Hospitality Suite	Abe Herman  <b>Alternate</b> Cody Kennedy  Voting member	
Persigo Board (All City and County Elected)	Annually and as needed	All  Voting members	All
Property Committee	Meets as needed and scheduled	Anna Stout Abe Herman	
Riverview Technology Corporation	Annual meeting in January 1 <sup>st</sup> Wednesday of the month at 9 a.m. at 2591 Legacy Way	Dennis Simpson  Ex-Officio /non-voting	
Urban Trails Committee	2 <sup>nd</sup> Wednesday of each month @ 5:30 pm	Jason Nguyen <b>Alternate</b> Abe Herman  Voting member unless appointed by the City Manager	

<sup>1</sup> Bylaws and appointing resolutions are under revision. The recommendation will be that the Councilmember be a voting member.

Board Name	Meeting Day/Time/Place	2022/2023 Assignments	2023/2024 Assignments
Historic Preservation Board	1 <sup>st</sup> Tuesday of each month at 4:00 p.m. usually in the Auditorium	Scott Beilfuss Council service on the HPB is optional – if a Councilmember is appointed then the appointee is a voting member	
Visit Grand Junction	2 <sup>nd</sup> Tuesday of each month at 3:00 p.m. Various locations	Anna Stout <b>Alternate</b> Cody Kennedy Voting member	