

ORDINANCE NO. 928

AN ORDINANCE AMENDING A PORTION OF THE TOWN OF BERTHOUD DEVELOPMENT CODE, CHAPTER 14, LANDSCAPING REGULATIONS.

Be it ordained by the Board of Trustees of the Town of Berthoud, Larimer and Weld Counties, Colorado that the Town of Berthoud Development Code "Landscaping Regulations" is hereby amended as follows:

Section 1.

The following paragraphs shall be added under Section 30-14-300 GENERAL LANDSCAPE DESIGN CRITERIA:

1. Proposed locations of plantings on public right-of-way must be approved by the Town Arborist prior to planting.
2. Spacing of trees on public right-of-way shall be maintained 30' to 40' on center. No trees shall be planted closer than 10 ft. to any water or sewer easement and no closer than 5 ft. for shrubs.
3. The design should include planting details and specifications including: Trees are to be planted no greater than 2" above final grade and no lower than flush with final grade. Tree wrap will be applied during October and removed during April of the first year using masking tape as attachment.
4. Monocultures should be avoided. In cases where more than 25 trees will be planted, no genus is to exceed 15% of the entire plant stock in the development. Avoid planting monocultures which can also exist in large planting blocks of the same tree.
5. All wire baskets, mesh, twine and containers are to be removed completely from all plant materials prior to planting. Removing the wire basket will not be an excuse for broken or crumbling root balls. The top 1/3 of burlap on ball and burlap trees must be removed prior to complete backfilling.

Paragraph E. of Section 30-14-303 E. shall be amended as follows:

- E. The Developer shall provide, install and guarantee for one (1) year, at least one (1) tree within the tree lawn area per 40 linear feet of lot line. Trees shall be planted in the tree lawn and meet the minimum size and material requirements specified in the Town's ordinances, codes and guidelines.

The following paragraph shall be added to Section 30-14-303:

- F. Evergreens, multi-stemmed trees, willows, cottonwoods, elms, aspens and birch will not be permitted in standard Tree Lawns and only in approved cases upon non-standard areas of public rights-of-way.

The following paragraph shall be added to Section 30-14-601

- D. Every reasonable effort shall be made by the developer to incorporate three (3) replacement trees for each tree to be removed on the development site. In cases where tree replacement at this ratio is not feasible on the development site as determined by the Town Arborist, replacement trees shall be placed at the same ratio on other Town owned public properties. For the purposes of establishing value for those replacement trees, a deciduous tree of 2-inch caliper size or an evergreen tree at least 6 feet in height shall be considered as suitable replacement stock. Tree stock shall be of quality consistent with A.A.N. (American Association of Nurserymen) and C.N.A. (Colorado Nursery Act, 1973 C.R.S., Title 35, Article 26 as amended) standards. A cash equivalent of the replacement trees at current fair market value might be substituted and considered at the discretion of the Town.

Section 2. Effective Date

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting March 26, 2002, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 9th day of April 2002. After the public hearing, the ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 9th day of April 2002.

TOWN OF BERTHOUD:

ATTEST:

Mary K Cowdin
Town Clerk Mary Cowdin

Milan Karspeck
MAYOR: Milan Karspeck

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