

TOWN OF WINTER PARK

ORDINANCE NO. 646
SERIES OF 2026

AN ORDINANCE OF THE WINTER PARK TOWN COUNCIL AMENDING SECTION 2-B-4 OF TITLE 7 OF THE WINTER PARK TOWN CODE, ADDING A NEW SECTION 3-H-9 TO TITLE 7 OF THE WINTER PARK TOWN CODE, REPEALING AND REENACTING ARTICLE 3.I OF TITLE 7 OF THE WINTER PARK TOWN CODE, ADDING A NEW SECTION (D) TO APPENDIX C OF TITLE 7 OF THE WINTER PARK TOWN CODE, AND AMENDING DEFINITIONS RELATED THERETO, ALL REGARDING LANDSCAPING, DEFENSIBLE SPACE AND SCREENING STANDARDS

WHEREAS, pursuant to § 5-C-1 of Title 7 of the Town Code of Winter Park (the "UDC"), the Planning Commission and the Town Council are required to review any text amendments to the UDC;

WHEREAS, on March 10, 2026, the Planning Commission held a properly-noticed public hearing and recommended approval of the Ordinance to the Town Council;

WHEREAS, on March 17, 2026, the Town Council held a properly-noticed public hearing on the Ordinance, with a second reading held on April 7, 2026; and

WHEREAS, the Town Council desires to amend the Town's landscaping, defensible space and screening standards and definitions related thereto to align with the recently adopted 2025 edition of the Colorado Wildfire Resiliency Code.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WINTER PARK, COLORADO, THAT:

Section 1. Section 2-B-3(C)(3)(c) of the UDC is hereby amended to read as follows:

Sec. 2-B-3 Limited and Special Uses

* * *

C. Specific Standards for Special Uses.

* * *

3. *Disposal/Recycling Facility.*

* * *

c. The site shall be surrounded by a landscape buffer ~~Type D buffer yard~~, except at points of ingress and egress;

Section 2. A new Subsection (c) is added to Section 2-B-4(F)(3) of the UDC to be read as follows:

Sec. 2-B-4 Accessory Structures

* * *

F. **Retaining Walls.**

* * *

3. Permitted retaining walls will blend with the natural setting as follows:

* * *

c. Retaining walls shall be constructed with either noncombustible or ignition-resistant materials when any of the following conditions exist:

1. The retaining wall is within eight feet (8') of a structure or property line (if the property line is less than eight feet (8') away from the structure);
2. The retaining wall is integral to the support of a structure; or
3. The retaining wall is integral to the egress from a structure to a public way, easement, or private road.

Section 3. A new Subsection I and Subsection J are added to Section 2-B-4 of the UDC to be read as follows:

Sec. 2-B-4 Accessory Structures

* * *

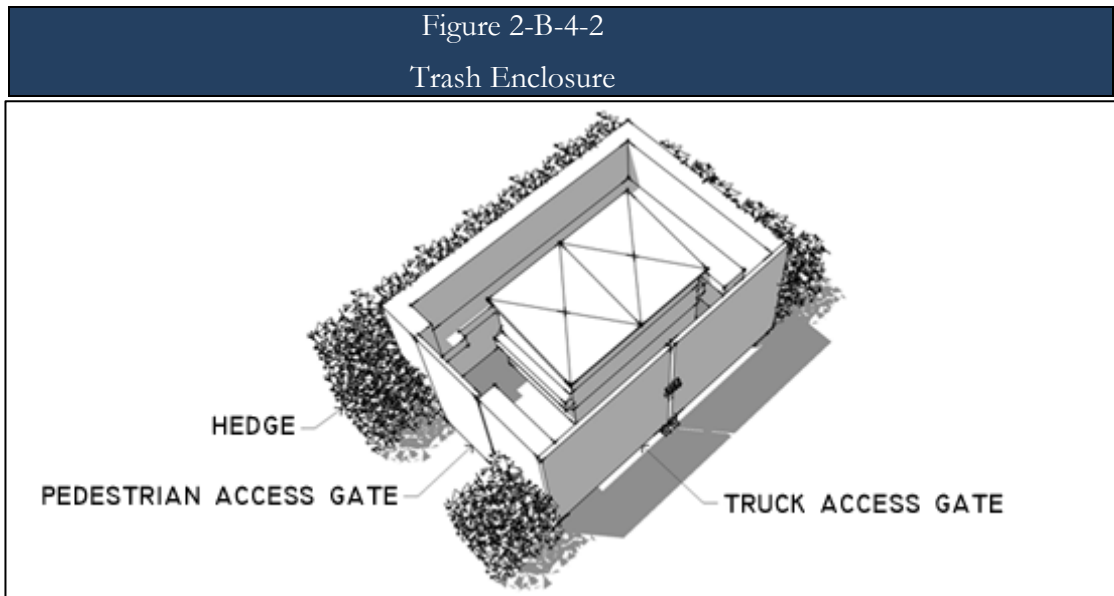
I. **Trash and Refuse, Storage, and Collection.** Except for a period of time beginning at six o'clock (6:00) AM on the morning of scheduled pickup and ending at eight o'clock (8:00) PM on the same day, all refuse/recycling and refuse/recycling containers shall be stored on the owner's premises and screened so as to prevent their being viewed from the street.

1. Bear proofing is encouraged on all trash containers and receptacles.
2. Multifamily and commercial properties shall have dumpsters with screening, as outlined in Subsection J., *Trash Enclosures* below.
3. Single-family detached properties and single-family attached properties, which contain no more than two (2) dwelling units, shall have trash cans constructed of metal or plastic with tightly attached covers.

J. **Trash Enclosures.** Bear-proof refuse and recycling containers and enclosures shall be provided for all multifamily, nonresidential, and mixed-use developments for collection of solid wastes. All containers are subject to the following standards:

1. The solid waste container enclosures shall be located no more than two-hundred feet (200') from the individual uses they are intended to serve.
2. Access to the solid waste enclosure shall be configured to meet the requirements of the solid waste hauler.

3. The solid waste enclosure shall have an opaque fence or wall constructed of wood, metal, or masonry and designed to match or complement the architecture of the principal building.
4. As shown in Figure 2-B-4-2, *Trash Enclosure* the enclosure must have:
 - a. Solid walls no less than six feet (6') in height;
 - b. Solid wood or metal service gates that remain closed except when servicing the container;
 - c. Solid covers or lids on each solid waste container that can be secured to prevent easy access;
 - d. A separate solid wood or metal pedestrian access gate that screens the container(s) from view; and
 - e. An adequate size to accommodate one (1) or more solid waste containers of a sufficient size to serve the use based on the frequency of solid waste collection.
5. Orient the truck access gate to face away from the street when feasible.
6. Setbacks shall be as follows:
 - a. Front and corner yards: No less than the required building setback for the principal structure;
 - b. Interior Side Yard: five feet (5'); and
 - c. Rear Yard: five feet (5').



Section 4. Section 3-A-7(H)(5)(b) of the UDC is hereby amended to read as follows:

Sec. 3-A-7 Measurements, Computations, and Exceptions

* * *

H. **Setbacks.**

* * *

5. *Setback Limitations.*

* * *

b. The setback reductions that are allowed by this Section shall not be allowed if the result would be encroachment into a required ~~landscaping buffer~~ landscaping buffer or an area that is designated for natural resource protection.

Section 5. Subsection 3-C-2-5(F) of the UDC is hereby repealed in its entirety and reenacted as follows:

Subsec. 3-C-2-5 Hillside and Ridgeline Design Standards

* * *

F. **Ridgeline Setback.**

1. Generally, buildings shall be set back forty-five feet (45') from the top of slope or ridgeline.

2. Property owners may elect to dedicate a ridgeline easement to protect highly visible and significant ridgelines and views. In the case of a ridgeline easement, the height of any structure shall be not less than fifty (50) vertical feet below the low point of the easement, and the structure must be a minimum of two hundred (200) horizontal feet from the nearest edge of the easement.

a. Easements may also be dedicated on hillsides that are not ridgelines.

b. In the area of the ridgeline easement, native vegetation shall remain undisturbed.

Section 6. Section 3-C-3 "Water Quality Setbacks and Vegetated Buffers" is hereby deleted in its entirety.

Section 7. Section 3-H-7(C)(2) of the UDC is hereby amended to read as follows:

Sec. 3-H-7 Vehicle Stacking Areas

* * *

DC. **Design.**

* * *

2. Stacking areas shall not be located between the façade of a building and the public street upon which the building fronts unless there is a grade change of a minimum of five feet (5') between the centerline of the street and the stacking area or alternatively, there is a ~~landscape buffer~~ landscape buffer of twenty percent (20%) opacity.

Section 8. Section 3-H-8(D)(2) of the UDC is hereby amended to read as follows:

Sec. 3-H-8 Access Management

* * *

D. Pedestrian Improvements.

* * *

2. Physical barriers that would prevent freedom of pedestrian travel between commercial and residential components that are adjacent to one another or within a mixed use project shall be limited to reasons of topography and as necessary for the public safety, screening of outdoor storage areas, and buffering the property boundaries of other zoning districts (as required in Article 3.I. Landscaping, Defensible Space, and Screening Standards ~~Sec. 3-H-5, *Bufferyards*~~).

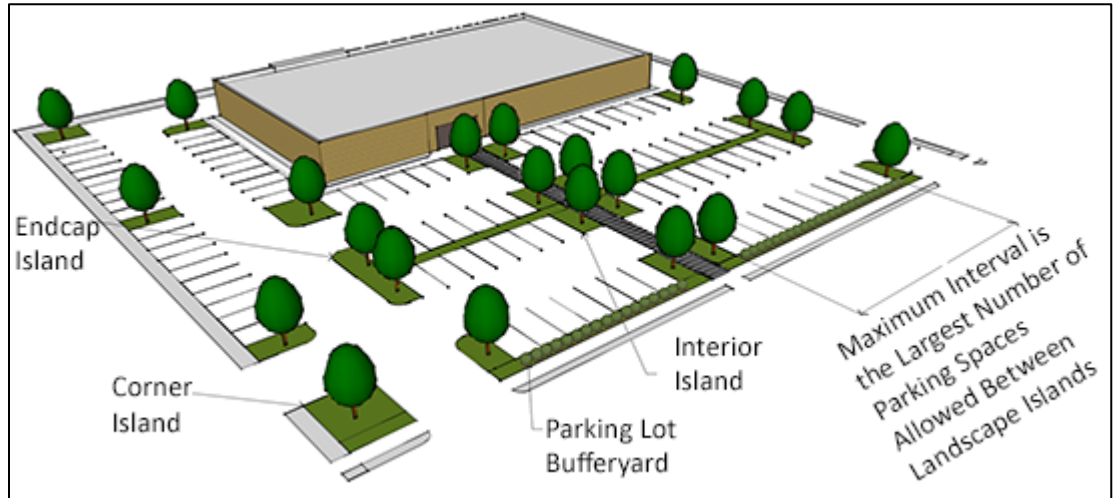
Section 9. A new Section 3-H-9 is hereby added to the UDC to be read as follows:

Sec. 3-H-9 Parking Lot Landscaping and Screening

A. Parking Lot Landscaping.

1. *General Requirements.* All parking areas shall meet the setback requirements in Sec. 3-H-5, *Parking Design Standards*.
2. *Parking Lot Landscape Areas.* As illustrated in Figure 3-H-9-1, *Parking Lot Landscape Areas* landscaping is required in all of the following areas for parking lots with forty (40) or more total parking spaces:
 - a. At both ends of parking aisles planted in islands that are not less than nine feet (9') wide and thirty-six feet (36') long, with ten-foot (10') curb radii on the side that face outward from the parking aisle.
 - b. In the middle of parking rows at intervals required by Subsection A.3 below, and planted in interior islands that are not less than eight feet (8') wide and thirty-two feet (32') long, with five-foot (5') curb radii at both ends.
 - c. At the corners of parking lots planted in corner islands, which is the area defined by the extension of the edges of intersecting parking modules.
3. *Snow Storage.* Snow storage areas shall be in conformance with Sec. 3-H-5-C.

Figure 3-H-9-1
Parking Lot Landscape Areas



4. *Planting Requirements.* Parking lot landscape islands shall be provided at an interval of one (1) island for each ten (10) parking spaces, or fraction thereof, planted as follows:

- a. No bay of parking spaces may extend for more than one hundred feet (100') without a landscaped island.
- b. Islands shall be protected by curbs and contain the following minimum amount of vegetative and ground cover materials:
 1. One (1) deciduous shade tree; or two (2) aspen or choke cherry trees; and
 2. Eight (8) durable shrubs, mulch, and irrigation.

B. **Surface Parking Lots.** Landscape buffers that are located at the edges of surface parking lots shall include a continuous masonry wall, berm, or hedge that is a minimum of three feet (3') in height between parking spaces and the street. This requirement shall be waived in areas where:

1. The elevation of the parking lot is three feet (3') or more below the elevation of the curb of the street.
2. Buildings or other structures provide the same or better screening effect.
3. The bufferyard opacity is a minimum of forty percent (40%).

Figure 3-H-9-2
Surface Parking Lot Landscaping



C. **Tuck-Under Parking Lots.** Tuck-under parking lots shall be located behind buildings. It shall be screened from view from adjacent properties and rights-of-way by buildings or a bufferyard that includes a masonry wall, berm, or combination thereof, that is a minimum of five feet (5') in height.

D. **Subterranean Parking Lots.** Access to subterranean parking lots shall be located at the sides or rear of the building if a ramp that is visible from outside the building provides more than four feet (4') of grade change.

E. **Structured Parking Lots.** Structured parking lots shall be screened from view from public rights-of-way and adjacent properties in one (1) or more of the following ways:

1. Liner buildings or other buildings that are not parking structures.
2. Topographical changes (e.g., construction into a hillside).
3. A six-foot (6') wide planting strip, planted with trees suitable for street tree installations, planted between twenty-five (25) and thirty-five (35) feet on center.
4. Any bufferyard that is a minimum of eighty percent (80%) opaque.

Section 10. Article 3.I. of the UDC is hereby repealed in its entirety and reenacted as follows:

ARTICLE 3.I. LANDSCAPING, DEFENSIBLE SPACE, AND SCREENING STANDARDS

Sec. 3-I-1 Purpose

The purpose of this Article is to protect life, property, and natural resources from the threat of wildfire while maintaining the Town's aesthetic character and ecological integrity. This Article sets forth the requirements for plant materials, landscaping, defensible space, and screening for all properties within the Town. These standards are intended to:

- A. Reduce structure ignition risk by establishing defensible space around buildings through zoning, spacing, and ignition-resistant plantings.
- B. Promote water-efficient, native landscaping compatible with the Town's high-altitude environment and drought conditions.
- C. Integrate wildfire safety with overall site design ensuring that landscape units, vegetation mix, front yard allocation, and screening elements support visual quality, canopy coverage, and environmental sustainability.
- D. Provide effective visual screening of structures, parking areas, service areas, and other site features while maintaining required defensible space and wildfire resilience.
- E. Streamline compliance and planning by utilizing a site-wide landscape unit system providing clarity for applicants and staff.
- F. Maintain compatibility with Colorado Wildfire Resiliency Code requirements, ensuring that local development aligns with Class 2 wildfire risk standards.

Sec. 3-I-2 Applicability

A. General Applicability.

- 1. These standards implement the Colorado Wildland-Urban Interface ("WUI") requirements and integrate the Town's values by promoting regulations that balance wildfire safety, ecological stewardship, and visual character.
- 2. The Town has adopted the official Colorado Wildfire Resiliency Code Map and is designated as Class 2, which identifies areas subject to moderate to high wildfire intensity. All development sites, disturbed areas, and landscaped areas within the Town shall comply with the applicable Class 2 standards of the Colorado Wildfire Resiliency Code, including the defensible space zone system (Zones 1-3), as described in further detail within these regulations.
- 3. This Article applies to all new development, redevelopment, and substantial improvements and, where specifically indicated, to existing trees and landscaping.
- 4. In the event of any conflict between these regulations and applicable state regulations, the state regulations shall prevail, except where the local regulations impose more restrictive standards.

B. Exceptions.

- 1. *Existing Conditions.* The legal occupancy or use of any structure or condition existing on the date of adoption shall be permitted to continue without change, except as is specifically covered in the UDC.
- 2. *Landscaping Adjustments.* The Community Development Director may authorize adjustments to landscaping or screening requirements where, due to site characteristics, strict compliance cannot reasonably be achieved and the proposed alternative is necessary to ensure compliance with the State Wildfire Resiliency Code. Any approved adjustment shall be the minimum necessary,

shall equally or better meet the design objectives of this Section, and shall fully comply with applicable wildfire resiliency requirements, including but not limited to defensible space Zones 1 through 3. This provision shall not be interpreted to allow reductions to required wildfire protection measures.

Sec. 3-I-3 Plant Material Standards

A. General Requirements.

1. All required plant-based landscaping shall consist of native and low water-use species appropriate for the Town's altitude and growing environment.
2. Ignition-resistant species are required in Structure Ignition Zone 1. Approved species shall be listed in Appendix C, maintained administratively.
3. Alternative native species may be approved by the Community Development Director if they meet the requirements of this Section.
4. No tree (does not include shrubs) shall be planted within ten (10) lateral feet of any overhead utility line.
5. No tree or shrub shall be planted over or within five (5) lateral feet of any underground utility line.
6. Plant materials shall not be installed where they may compromise a sight distance triangle (see 3.7.6, *Sight Triangle*, in the Standards).

B. Prohibited Plantings.

1. Nonfunctional turf, artificial turf, and invasive plant species are prohibited for the following:
 - a. New nonresidential developments or redevelopments requiring a building permit or site plan and multifamily developments of twelve (12) units or more; and
 - b. Projects that disturb more than fifty percent (50%) of existing landscaped areas.
2. Residential turf shall minimize irrigation demand and grass seed or sod must be native and hybridized for arid conditions or low water.
3. Noxious weeds, as defined by the Colorado Noxious Weed Act and the most recent Colorado Department of Agriculture Noxious Weed List. All properties must be maintained free of such noxious weeds.

C. Exceptions.

1. Turf or artificial turf installed prior to January 1, 2026, may be maintained.
2. Functional turf that is located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes, which may include a playground, sports field, picnic ground, an amphitheater, and a portion of a park.

Sec. 3-I-4 Landscape Unit System

A. **Required Landscape Units.** One (1) landscape unit shall be provided for every one hundred (100) square feet of the lot that is disturbed, as defined by the Limit of Disturbance (LOD).

B. **Landscape Unit Values.**

Plant Type	Minimum Size	Units
Deciduous Tree	2.5-inch caliper/or clump	6
Evergreen Tree	3-foot height	1 unit per ft of height (max 6 units)
Large Shrub	5-gallon	2
Small Shrub / Perennial	1-gallon	1

C. **Existing Vegetation.** All existing vegetation and undisturbed areas shall comply with the Colorado Wildfire Resiliency Code, including the requirements for Structure Ignition Zones 1 through 3. Existing vegetation may be credited toward landscape units, provided it meets the minimum size requirements for trees and the definitions for large and small shrubs as specified in these regulations. All existing vegetation proposed to count toward required landscape units shall be clearly identified on the landscape plan. Due to wildfire mitigation requirements, removal or modification of some existing vegetation may be necessary to achieve compliance with Structure Ignition Zones 1 through 3, particularly on heavily vegetated sites.

Sec. 3-I-5 Vegetation Mix and Site Distribution

A. **Vegetation Mix Requirements.**

1. Landscape designs are strongly encouraged to incorporate a balanced mix of trees and shrubs, including both deciduous and evergreen species, to create a cohesive and visually diverse landscape.
2. Plantings shall consist of native, drought-resistant seed mixes containing grasses and wildflowers, where appropriate.
3. Vegetative materials shall be periodically watered and maintained in healthy conditions until the plants become established, not to exceed two (2) growing seasons.

B. **Site Distribution.**

1. *Front Yard.* A minimum of twenty percent (20%) of total landscape units shall be located in the front yard.
2. *General Distribution.* Plant materials should be arranged and distributed throughout the property to provide visual softening, seasonal interest, and appropriate screening on all sides of the lot. The type, size, and placement of plant materials shall be responsive to site conditions, defensible space

requirements, sun and shade exposure, topography, and the character of the surrounding area.

Sec. 3-I-6 Structure Ignition Zones

Structure Ignition Zones are applied in conjunction with the landscape unit system and vegetation mix requirements.

A. Zone 1 (zero to five feet (0-5')).

1. *Materials.* Use noncombustible hardscape materials (rock, gravel, sand, concrete, pavers, bare earth) and approved ignition-resistant vegetation (from Appendix C).

2. *Plantings.* Remove all shrubs, slash, combustible mulch, or woody debris with the exception of ignition-resistant vegetation.

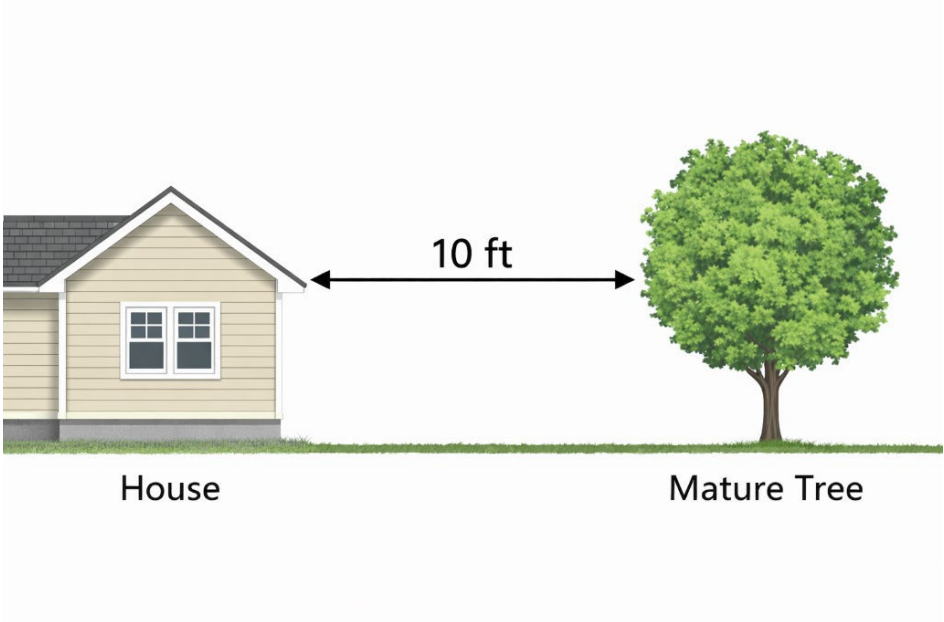
3. *Trees.* There shall be no planting of new trees in this zone. Existing trees must be removed unless they are mature trees of no less than ten inch (10") diameter at four and five tenths feet (4.5') above ground level. Mature trees must be pruned to maintain ten feet (10') clearance from structures.

4. *Spacing and Design.* Landscaping within Structure Ignition Zone 1 shall consist of a variety of landscaping treatments, which may include hardscaping and approved ignition-resistant vegetation as identified in Appendix C. The use of materials and design elements that break up the area and soften the transition between the ground plane and the structure is required. Plants should not be planted in large, continuous masses. Instead, use "islands" of plants separated by hardscapes (e.g. gravel paths). This may be accomplished through changes in elevation, variation in materials, or a combination of both. Illustrative examples are provided below.

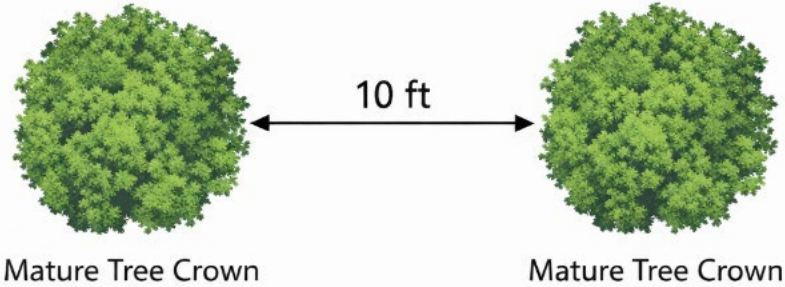


B. Zone 2 (five to thirty feet (5-30')).

- 1. *Dead Materials.* Remove dead material from live vegetation. Avoid large accumulations of surface fuels such as logs, branches, slash, and combustible mulch.
- 2. *Trees.* Tree crowns extending to within ten feet (10') of a structure shall be pruned to maintain a minimum clearance of ten feet (10'). Prune tree branches to a height of six to ten feet (6-10') from the ground or one third (1/3) of the total height of the tree, whichever is less.
- 3. *Shrubs.* Shrubs shall be at least ten feet (10') away from the edge of tree branches.



- C. **Zone 3 (thirty to one hundred feet (30-100') or to property line).**
 - 1. Maintain tree crown spacing between six (6) and ten (10) feet.



Sec. 3-I-7 Landscape and Defensible Space Plan

A. **Landscape and Defensible Space Plans.** All Landscape and Defensible Space Plans shall demonstrate the following:

1. *Structure Ignition Zones 1-3.* All structure Ignition Zones (Zones 1 through 3) shall be clearly delineated on the landscape plan, and documentation demonstrating compliance with the requirements of each zone shall be provided.
2. *Required vs. Provided Landscape Units.* A clear tabulation identifying the total number of landscape units required by this Section and the total number of landscape units proposed. The plan shall demonstrate how the provided landscaping meets or exceeds the required landscape unit count.
3. *Planting Locations.* The location of all proposed plant materials, including trees, shrubs, and groundcover, shall be clearly shown on the plan and identified by type and size. All plantings shall be depicted within the applicable Structure Ignition Zones to demonstrate compliance with zone-specific requirements. All plant species shall be clearly labeled or identified on the plan or within a plant schedule.
4. *Front Yard Landscaping Allocation.* The plan shall identify landscaping provided within required front yard areas and demonstrate compliance with any minimum front yard landscaping standards established by the UDC.
5. *Zone 1 Appendix C Compliance.* All proposed plant materials located within Structure Ignition Zone 1 shall be clearly identified on the landscape plan and demonstrated to comply with the approved plant list contained in Appendix C. Plant symbols, labels, or a plant schedule shall clearly indicate the applicable Appendix C category for each plant species.
6. *Site Improvements.* All proposed and existing improvements on the property shall be shown, including structures, driveways, walkways, retaining walls, utilities, and designated snow storage areas. The plan shall demonstrate how landscaping is coordinated with these improvements and avoids conflicts with site functionality and maintenance needs.
7. *Easements and Utilities.* All proposed and existing easements and utilities shall be clearly depicted in the plan. Landscaping shall be located outside of all easements unless the easement holder or authorizing agency provides written approval permitting landscaping within the easement area.

B. Landscaping Adjacent to Main Street (U.S. Highway 40). In addition to the above plan requirements, any landscaping proposed adjacent to Main Street shall be subject to Planning Commission review for compliance with the following criteria:

1. *Safety and Visibility.* Landscaping shall not obstruct sight distances, access points, or traffic control devices and shall maintain required sight triangles.
2. *Wildfire Compatibility.* Landscaping shall be compatible with the Town's adopted defensible space and wildfire mitigation standards, including the use of ignition-resistant species where required.
3. *Main Street Corridor Character.* Landscaping shall enhance the visual quality and mountain character of the Main Street corridor and avoid uniform or corridor-length monotony.

4. *Effective Screening.* Landscaping shall provide effective visual screening of development impacts, including buildings, parking areas, and site utilities, as viewed from Main Street, where feasible.

5. *Plant Suitability and Longevity.* Plant materials shall be suitable for local climate conditions and roadway exposure and capable of long-term viability with reasonable maintenance.

Sec. 3-I-8 Fences and Walls

A. **Fences and Walls.** All Landscape and Defensible Space Plans shall demonstrate the following:

1. *Purpose.* The purpose of these regulations is to maintain adequate visibility on private property and in public rights-of-way, to protect the light and air to abutting properties, to provide adequate screening by regulating height, location, and design, and to promote the movement of wildlife through portions of the Town.

2. *Privacy Gates.* Privacy gates are prohibited within the Town.

3. *Fence Design Standards.* The welfare of the Town is based to a great extent on the community's character, which includes natural terrain, open spaces, wildlife corridors, and wooded hillsides. The installation of fences and privacy gates in residential areas can erode this character by impeding views, hindering wildlife movement, and creating the image of a closed, unwelcoming community. It is the intent of the Town to limit fences in most situations in areas outside of the commercial zones (R-C, D-C, and C-1) in order to maintain the open, natural, and wooded alpine character of the Town and establish mandatory requirements for the erection of allowed fences in residential zone districts. Fence/Wall Permits are required; see Sec. 5-E-1, *Site Plan*. Temporary fences that are installed to protect a construction site shall comply with Sec. 2-B-5-E-2, *Temporary Construction Fencing*.

a. *General Design Standards:*

1. All fences require approval from the Town.

2. **Prohibited Materials:** Contemporary security fencing such as electrical wire, razor wire, barbed wire, or chain-link fencing (with and without slats), PVC, vinyl, and plastic fencing are prohibited.

3. Height limitations and solid-to-void ratio are set out in Table 3-I-7-1, *Permitted Height and Solid-to-Void Ratios*.

4. Rough sawn timbers, natural logs, and patinaed metal are preferred. Permitted Materials are set out in Table 3-I-7-2, *Permitted Materials*.

5. Fences shall have the finished side face away from the interior of the property being fenced.

**Table 3-I-7-1
Permitted Height and Solid-to-Void Ratios**

Yard Setback Type	Maximum Permitted Height	Maximum Solid-to-Void Ratio
Front ¹	4'	1:3
Corner ²	3'	1:3 or 1:5 ³
Side ¹	6'	NA
Rear	6'	NA

Table Notes:

Unless otherwise stated all measurements are in feet.

1. Measured from the front plane of the primary structure forward or, in the absence of a structure, from the front yard setback forward.
2. Fences shall not obstruct sight distance at intersections for a minimum distance of thirty-five feet (35') measured from property corners at intersections of streets, roads, highways, and railroads, except when the Town engineer determines that the fence, hedge, or wall should be less than three feet (3') in height to permit unobstructed vision of vehicles and pedestrians (intersection sight triangle), as defined by the Standards and Specifications for Design and Construction.
3. Only applicable if corner fence is within intersection sight triangle.

4. *Residential uses in the following zone districts (ME, R-1, R-2, R-C, D-C, C-1 and R-2-O).*

a. *Design Criteria.* Although discouraged in these zone districts, in all instances fences should complement the property and landscape rather than contain it. Fences delineating property boundaries are not permitted. Fences will be considered for approval by the Director only when demonstrated by the applicant that the design is consistent with the following criteria:

1. Fences shall have a maximum solid-to-void ratio of one to three (1:3), e.g. one inch (1") of solid material for every three inches (3") of opening. Pet fences are exempt from this requirement;
2. Fences shall not enclose an area greater than twenty-five percent (25%) of the total property or two thousand (2,000) square feet, whichever is more restrictive;
3. Fences shall ensure the proposed design does not hinder wildlife migration;
4. If a fence is part of a multifamily project, approval shall be received from the association, and the fence design shall be integrated with the property's overall landscape design; and
5. If a fence is located on a duplex, twin home, or townhouse property written approval shall be received from the adjoining property owner for that shared lot line, and the

fence design shall be integrated with the overall landscape and building design.

b. *Pet Fence.* Pet fences shall be located in a rear or side yard or where the fence is not visible from a public right-of-way. Pet fences shall be located to minimize their visibility to the greatest extent possible, which in most instances will require the fence posts to be located behind or to the side of a structure. Pet fences may incorporate a wire mesh or solid wood material to enclose pets. While both materials may be installed vertically on the fence posts, the wire mesh may also extend horizontally over the top of the enclosed pet area. The maximum area of a fenced pet enclosure shall be four hundred (400) square feet or twenty-five percent (25%) of the overall non-buildable area, whichever is more restrictive. The maximum height is limited to fifty-four inches (54").

c. *Hot Tub Fence.* Privacy fences around hot tubs shall not exceed six feet (6') in height and shall not exceed twenty-five feet (25') in total length. Such fences shall be architecturally compatible with adjacent buildings. Where a fence around a hot tub is highly visible, a Type A bufferyard shall screen the hot tub to soften the fence's visual impact.

5. *Commercial uses in the Following Zone Districts (R-C, C-1, D-C, O-S-F).*

a. *Compatibility.* Walls and fences shall be architecturally compatible with the style, materials, and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually "cohesive" by integrating architectural elements, such as brick (in the D-C zone district only) or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings, or through similar techniques. The length of a fence or wall shall not exceed ninety percent (90%) of the front lot line length.

b. *Materials.*

1. Solid walls and fences are permitted only in rear and side yards. Retaining walls are permitted where required for grading purposes. See Sec. 2-B-4(F), *Retaining Walls*. Hedges may be used in the same manner and for the same purposes as a fence or wall.

2. Fences used in front yards shall have a maximum solid-to-void ratio of one to three (1:3). Fence materials not listed in Table 3-I-7-2, *Permitted Materials* may be approved by the Director if they are materials of a similar nature. Where an applicant can demonstrate to the satisfaction of the Town that an alternative material would be architecturally compatible with the surrounding neighborhood, the Director may authorize such materials.

3. Solid fences shall be constructed to meet the wind design criteria of the adopted International Building Code, using a basic wind speed of ninety (90) miles per hour.
4. For details about integrating fences and walls into the surrounding landscape, see the Town's Design Guidelines: Appendix A, Section G, *Fences and Walls*.
5. Fences within eight feet (8') of a structure or property line (if the property line is less than eight feet (8') away from the structure) shall be constructed with noncombustible or ignition-resistant materials.

Table 3-I-7-2 Permitted Materials							
ZD	Split Rail	Buck & Rail	Wooden Post/Wire Mesh	Horizontal Wooden Board	Wrought Iron	Stone Pier ¹	Brick ¹
Residential							
M-E	P	P	P	P	--	--	--
R-1							
R-2							
R-2-O							
Mixed Residential							
R-C	--		--	P	P	P	--
C-1							
D-C							P
Table Notes:							
1. Stone walls or brick walls shall have a stone or cast stone cap.							

Sec. 3-I-9 Installation and Maintenance

A. **Generally.** Areas subject to the standards of this Article shall provide for the care and maintenance of landscaping and trees within the disturbed area or shall be installed per an approved landscape plan.

B. **Maintenance Responsibility.** The owner of the lot or parcel or the manager or agent (which may be a mandatory property owners' association if such is provided in the association's governing documents), shall be responsible for the maintenance of all landscaped areas and their plant materials, including adjacent landscaped portions of public rights-of-way.

C. **Site Protection.**

1. *Landscape Protected Zones.* Snow fencing or other highly visible materials shall be used to designate protected zones from building construction and to protect all existing trees, shrubs, ground covers, and grasses outside the construction zone.

2. *Drip Line Protection.* The landscape protected zone shall extend to the drip line of all trees over four inches (4") in caliper.

3. *Protected Area Disturbance.* Any areas designated protection zones that are disturbed at any time during the construction process shall be repaired to replicate the original condition. Replacement requirements for large trees damaged or killed shall be determined on a case-by-case basis.

D. **Soil Preparation.** In some locations, existing soils may be rocky, highly porous, infertile, or unsuitable due to construction activities. Prior to installing new plant materials in such locations, unsuitable soils shall be removed, and the remaining soils shall be amended with organic material to provide a viable growing medium.

E. **Tree Staking.** All new trees shall be staked or guyed with two (2) or three (3) points of connection, properly fastened and safely marked, for two (2) to three (3) years or until the roots are firmly established.

F. **Site Maintenance.**

1. *Generally.* All landscape development shall be adequately maintained to retain its aesthetic, operational, and safety functions. Refer to Section 4-1-2, *Removal of Rubbish, Trash and Refuse* in the Town Code of Winter Park for additional information.

2. *Plant Materials.* Plant material shall be watered, fertilized, and/or mowed in a timely manner. Insects and diseases shall be treated in accordance with professional recommendations.

3. *Dead Plant Materials.* Dead plant material shall be removed and replaced with an approved plant of comparable size within thirty (30) days from the time Town officials notify the owner of such a situation. Damaged branches shall be properly pruned at the correct time of year.

4. *Damaged Pavement.* Damaged pavement, walls, slopes, or drainage facilities shall be repaired within sixty (60) days from the time Town officials notify the owner of such problems. However, in emergency situations, Town officials may require immediate temporary repairs to keep pavements, walls, slopes, or drainage systems functional.

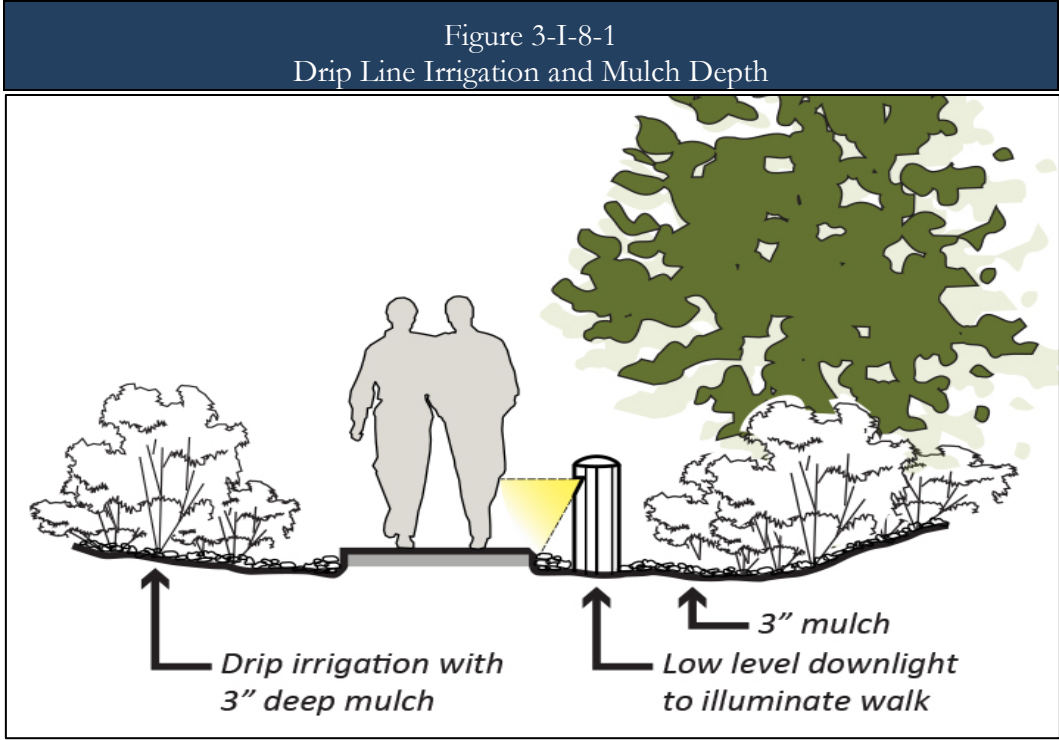
G. **Irrigation.**

1. Irrigation systems shall be designed to avoid sprinkling and unnecessary runoff onto paved areas, including parking, loading, and street pavement areas. Prevailing winds shall be considered in the design of the irrigation systems.

2. Irrigation of constrained areas such as street rights-of-way, parkways, and medians shall be by drip irrigation or other systems.

3. Xeriscaping is encouraged in lieu of traditional landscaping. Irrigation requirements set out in this Section may be waived per the Director in favor of xeriscaping.

4. Mulch two to three inches (2-3") deep with wood chips or rock (clean and variable size) are required for all tree, shrub, and perennial beds. (Section Figure 3-I-8-1, *Drip Line Irrigation and Mulch Depth*).



Section 11. The definition of "Open Space" in Article 7.C. of the UDC is hereby amended as follows:

Article 7.C. Definitions

Open Space means all areas of a parcel proposed for development that are open from ground to sky and are used for landscaping ~~bufferyard~~, resource protection, outdoor recreation, and leisure areas with permeable ground surfaces, naturalized stormwater best management practices, and vegetative landscaping, except landscape areas that:

1. Are used to reduce the depth of a parking stall;
2. Are less than five feet (5') in any dimension; and/or
3. Are in a residential subdivision and are allocated to private yards.

Section 12. Article 7.C. of the UDC is hereby amended by the addition of the following definitions to be inserted alphabetically:

Article 7.C. Definitions

Artificial Turf means synthetic materials developed to resemble natural grass.

Defensible Space means an area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared, or modified to slow

the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.

Functional Turf means turf located in a recreational use area or other space regularly used for civic, community, or recreational purposes, including playgrounds, sports fields, picnic grounds, amphitheaters, portions of parks, and playing areas of golf courses.

Home Ignition Zone means the home and the area around the home (or structure). The Home Ignition Zone takes into account both the potential of the structure to ignite and the quality of defensible space surrounding it.

Ignition-Resistant Vegetation means plants that are less likely to readily ignite from a flame or other ignition source and produce fewer embers. While they can still be damaged by fire, their foliage and stems do not significantly contribute to the intensity of the fire. Appendix C references the Town's approved Ignition-Resistant Vegetation.

Invasive Plant Species means plants that are not native to Colorado and:

- Are introduced accidentally or intentionally;
- Have no natural competitors or predators in the state; and
- Have harmful effects on the state's environment or economy.

Large Shrub means a woody, perennial shrub species that typically reaches a mature height greater than six (6) feet and up to approximately twelve (12) feet, with a generally multi-stemmed growth habit. Large shrubs are intended to provide visual screening, massing, and structure within landscaped areas.

Limit of Disturbance (LOD) means a strictly defined boundary on a construction or development site that delineates the maximum area where land-altering activities—such as clearing, grading, excavating, and material storage—are allowed. Anything outside this line must remain undisturbed, preserving existing vegetation, soil, and topography to manage erosion and runoff.

Nonfunctional Artificial Turf means artificial turf that is not functional turf.

Nonfunctional Turf means turf that is not functional turf. Nonfunctional turf includes turf located in street rights-of-way, parking lots, medians, or transportation corridors. Excludes turf used for water quality treatment compliance that is not irrigated or treated with herbicides.

Small Shrub means a woody, perennial shrub species that typically reaches a mature height of six (6) feet or less, with a compact or low-growing growth habit. Small shrubs are intended to provide ground-level layering, transitions, and accent plantings.

Tree Crown means the primary and secondary branches growing out from the main stem, together with twigs and foliage.

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

Wildland-Urban Interface means the geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels.

Section 13. Appendix C of the UDC is hereby amended by the addition of the following Section D to be read as follows:

Appendix C. Recommended Plant List

* * *

D. Ignition-Resistant Plant Recommendations (Zone 1).

1. *Purpose and Applicability.* This Section establishes a list of ignition-resistant plant species permitted within a Structure Ignition Zone 1 (zero to five feet (0-5') from structures) pursuant to Section 3-I-6(A) of the UDC. The intent of this Section is to reduce the likelihood of structure ignition during a wildfire event while supporting landscapes appropriate for high-elevation mountain environments. This Section applies only to new and replacement plantings within Structure Ignition Zone 1.

2. *Plant Species.* All plant species listed herein have been curated from Colorado State University (CSU) Extension ignition-resistance guidance and further refined to include species that are:

- a. Identified as ignition-resistant (generally CSU ignitability ratings of eight to ten (8-10));
- b. Native to Colorado or well adapted to Colorado mountain environments;
- c. Low water or very low-water use once established; and
- d. Capable of growing at elevations of approximately ten thousand feet (10,000') above sea level, accounting for Winter Park-area climate conditions including snow load, wind exposure, and short growing seasons.

3. *General Requirements.*

- a. No plant species shall be considered fireproof. Ignition resistance is dependent on species selection, spacing, irrigation, and long-term maintenance.
- b. All vegetation within Structure Ignition Zone 1 shall be maintained in a healthy, irrigated condition, free of dead or accumulated combustible material.
- c. The use of woody shrubs and trees within Structure Ignition Zone 1 shall be limited and carefully spaced to avoid fuel continuity adjacent to structures.
- d. Actual plant survivability at high elevation may vary based on microclimate conditions including without limitation solar exposure, wind, soil depth, and snow accumulation.

e. Final approval of plant material remains subject to Town review to ensure site-specific suitability.

4. *Approved Ignition-Resistant Plant Species.* The following species are approved for use within Structure Ignition Zone 1 and shall be considered presumptively compliant with the ignition-resistance, native/adapted, low-water, and high-elevation requirements of this Code, subject to compliance with all other applicable provisions.

a. Native and Adapted Perennials, Groundcovers, and Forbs (High elevation, low water, ignition resistant):

- *Achillea millefolium* – Common Yarrow
- *Allium cernuum* – Nooding Onion
- *Allium geberi* – Geyer's Onion
- *Antennaria parvifolia* – Small-leaf Pussytoes
- *Antennaria rosea* – Rosy Pussytoes
- *Aquilegia chrysantha* – Golden Columbine
- *Campanula rotundifolia* – Harebell
- *Claytonia lanceolata* – Western Spring Beauty
- *Erysimum capitatum* – Western Wallflower
- *Gaillardia aristata* – Blanketflower
- *Geranium caespitosum* – Rocky Mountain Geranium
- *Geum triflorum* – Prairie Smoke
- *Leucocrinum montanum* – Sand Lily
- *Mertensia lanceolata* – Prairie Bluebell
- *Penstemon caespitosus* – Mat Penstemon
- *Penstemon strictus* – Rocky Mountain Penstemon
- *Penstemon virens* – Front Range Beardtongue
- *Sedum lanceolatum* – Yellow Stonecrop

b. Native and Adapted Shrubs and Succulents (Restricted to limited, non-continuous plantings):

- *Opuntia spp.* – Prickly Pear Cactus
- *Yucca glauca* – Soapweed Yucca
- *Yucca baccata* – Banana Yucca
- *Symphoricarpos albus* – Snowberry

Woody shrubs shall be installed sparingly and shall not create continuous fuel beds adjacent to structures.

c. Native and Adapted Grasses (Optional, limited use). Grasses may be used only where maintained in a green, irrigated condition and kept below four (4) inches in height.

- *Bouteloua gracilis* – Blue Grama
- *Festuca ovina* – Sheep Fescue

5. *Prohibited Species in Structure Ignition Zone 1.* The following plant types are prohibited within Structure Ignition Zone 1 due to elevated fire risk:

- a. Evergreen trees and conifers of any species;
- b. Highly resinous or oily plants;
- c. Tall ornamental grasses exceeding four inches (4') in maintained height;
- d. Plants requiring high water inputs to maintain ignition-resistant characteristics; and
- e. Any species not listed in this Section unless approved pursuant to Subsection D.6.

6. *Alternative Species and Administrative Approval.* Plant species not specifically listed in this Section may be approved for use within Structure Ignition Zone 1 upon determination by the Community Development Director, or their designee, that the proposed species meets all of the following criteria:

- a. Native to Colorado or demonstrably adapted to high-elevation mountain environments;
- b. Low water or very low-water use once established;
- c. Exhibits ignition-resistant characteristics comparable to CSU Extension guidance (generally equivalent to ignitability ratings of eight to ten (8-10));
- d. Capable of sustained growth at elevations of approximately ten thousand feet (10,000') above sea level; and
- e. Will not create continuous or hazardous fuel conditions adjacent to structures.

7. *Interpretation and Updates.* This Section is intended to function as a living list. The Town may amend or update this Section as additional high-elevation ignition-resistance research becomes available or as site-specific performance data warrants. Compliance with this Section does not relieve property owners from ongoing defensible space and vegetation maintenance requirements established elsewhere in this Code.

Section 14. This Ordinance shall become effective on July 1, 2026.

INTRODUCED, APPROVED ON FIRST READING, AND ORDERED PUBLISHED IN FULL this ___ day of _____, 2026. A public hearing shall be held at the regular meeting of the Winter Park Town Council on the ___ day of _____, 2026, at 5:30 p.m., or as soon thereafter as possible, at the Winter Park Town Hall.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote
of _____ to _____ on the ____ day of _____, 2026.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk