



WESTMINSTER

Landscape Changes

Frequently Asked Questions (FAQ)

The purpose of this FAQ is to clarify the process for landscape changes. The City of Westminster Community Development Department staff regularly assist residents and businesses in Westminster seeking to update their landscaping with lower water using choices. Some of the potential barriers, and misconceptions, that arise include the City's landscaping regulations, the existence of HOA covenants, ODP amendments and cost. The questions and answers below identify questions that arise and solutions to facilitate landscape changes.

What are the City's landscape regulations?

The City's [landscape regulations](#) strive to balance water conservation and quality aesthetics. A properly landscaped property can reduce urban heat island – thus reducing the cost of cooling buildings and vehicles, reduce stormwater runoff and improve air quality. The regulations were last updated in 2004 as a result of concerns coming out of the 2002 drought. The median year built for homes in Westminster is 1985, therefore very few residential neighborhoods demonstrate the benefits of the revised 2004 regulations. These regulations are being updated as part of the scope of work for larger Unified Development Code project to further water conservation and efficiency methods from multiple angles including reductions in the required area of landscaping on a site, innovative irrigation design and maintenance practices, and additional options for planting design and selection. A new focus will be on regionally native species better suited for low water usage. The updated regulations are prospective with new development and not retroactive.

Is artificial turf allowed?

Yes, in certain circumstances. Artificial turf is allowed in single unit and duplex type development, when not adjacent to a street, park or open space. In practice this has allowed residents to install artificial turf in back yard areas without restrictions nor the need for City review. Artificial turf may also be considered in limited applications based on a case-by-case evaluation, such as with athletic fields.

City staff finished a pilot project with a single unit homeowner to install artificial turf in their front yard. After two years of observation through all four seasons, staff concluded the current interpretation of the regulations shall remain in place. The project revealed the use of artificial turf was not in support of City conservation goals, policies and code intent. Additionally, new state regulations have required restrictions in the application of artificial turf because of its contribution to negative environmental impacts such as the release of harmful chemicals, including plastics, microplastics, and perfluoroalkyl and polyfluoroalkyl chemicals into the environment and watersheds.

Is xeriscaping rocks simply rocking a yard?

No. [Denver Water](#) helped pioneer the xeriscaping concept due the dry climate in the region. A xeric landscape can be very colorful and include an extensive palette of vegetation. The City's [landscape regulations](#) require 50% of a front yard area in single-family neighborhoods to be vegetation, but not necessarily turfgrass. To learn more about xeric landscapes please consult the following resources:

- Waterwise Colorado <https://coloradowaterwise.org/XeriscapeColorado>
- Denver Water Xeriscape information <https://www.denverwater.org/residential/efficiency-tip/beautiful-xeric-landscape>
- Denver Botanic Gardens video <https://www.youtube.com/watch?v=ZpOeNINibaU>
- Colorado State University Extension <https://planttalk.colostate.edu/topics/water-wise-xeriscape/1904-learning-xeriscape/>
- Denver Botanical Garden gardening resources <https://www.botanicgardens.org/education/gardening-resources>
- Resource Central <https://resourcecentral.org/>

The Community Services Department has also prepared a [recommended and prohibited plant list](#).

What about HOA covenants/restrictions on landscaping?

Often when residents contact City staff about updating their landscaping, they are concerned about the potential to run afoul of Homeowner Association (HOA) restrictions. When staff receives such inquiries, staff reminds the customer of Colorado Revised Statutes 37-60-126 (11), which provides that restrictive covenants or common interest community covenants, codes, or restrictions that prohibit or limit xeriscape or drought-tolerant vegetative landscapes, or requires vegetation to consist wholly or partially of turfgrass, are unenforceable. The City has no authority to force revisions to private HOA covenants, however through the new Unified development Code staff is proposing that new HOA governing documents would be included in review of future residential projects.

What is an ODP and why does it matter?

An Official Development Plan (ODP) is the regulating plan for a specific neighborhood or commercial development. An ODP ensures a development is built in conformance with City requirements, codes and creates a functional, safe and attractive environment for residents and/or businesses. ODPs are not intended to be fixed. ODP amendments regularly occur to account for changing conditions such as changes to buildings, signage, amenity spaces and other site features. Westminster has historically taken extreme care in planning new development and such concern is the reason ODP amendments are required where changes to a site are requested.

Do I need to amend an ODP to change landscaping on my private property?

In most cases, **no**. For example, if a homeowner wants to change a high-water using turfgrass for a low-water using turfgrass, this would be considered "like for like" and

not require an ODP amendment regardless of the size of the landscape area. Similar to the artificial turf provisions, the rear yard area is not regulated and may also be changed without an ODP amendment.

When is an ODP amendment required to change landscaping?

ODP landscape amendments are required in locations outside of a homeowner's private property such as HOA common areas, within commercial development, or within public rights of way. The purpose of the landscape ODP amendment is to review plant selection and its relationship to irrigation methods, water consumption originally entitled on the ODP, plant material placement and proximity to easements, and evaluation of stormwater impacts to minimize adverse conditions for adjacent properties or impacts to streets and drainage facilities maintained by the City.

What is the cost of an ODP landscape amendment?

In the few instances where an ODP landscape amendment is required, the cost of an administrative review is based on the type of project. For HOA-initiated ODP amendments, staff has established a new "tier" of ODP amendment with a \$75 fee, which is a reduction from earlier procedures that required a \$250 fee. The \$75 fee is further waived for HOAs participating in the Parks, Recreation & Libraries Department's [Neighborhood Landscape Enhancement Grant program](#). Commercial ODP landscape amendments are \$250.

What other considerations need to be made when changing landscapes?

For residents living within an HOA, it is strongly advised that the HOA is consulted. As noted on page 1 above, HOAs are limited by state statute from preventing xeric or drought-tolerant vegetative landscapes and requirements for turfgrass are unenforceable. The City recognizes the cost of external suppliers and labor may be considerable and the City faces this same challenge as it retrofits areas in parks and municipal facilities with low-water landscaping.

Can the City help me find a firm to help design and/or install landscaping?

No. Out of fairness the City cannot identify a particular firm to design and/or install landscape changes. Some potential resources are:

- Colorado Association of Landscape Professionals <https://www.alcc.com/>
- American Society of Landscape Architects – Colorado <https://www.aslcolorado.org/>

As with any home improvement project it is recommended that you seek out qualified, highly rated professionals and many services are available online to find such recommendations. Many local plant retailers, including home improvement stores, may also offer recommendations and may connect with you a local contractor.

What City programs are available to assist me?

The City's Community Services (CS), Public Works and Utilities (PWU) and Parks, Recreation, and Libraries (PRL) Departments offer programs to support water conservation goals.

- CS programs include turf conversion incentives for large landscapes within common areas of HOA properties, and planting strip conversion templates with incentives for HOAs to remove turf grass in the areas between the sidewalk and back of curb along streets. The templates provide designs for waterwise plants and irrigation conversions while protecting existing trees.
- PWU programs include lawn removal, the grass to garden program, water-wise garden discounts, free irrigation consultations and leak detection and repair. PWU regularly expands programs and may offer new programs in the future. Please visit <https://www.westminsterco.gov/915/Conservation>
- PRL has the Neighborhood Landscape Enhancement Grant program that includes technical assistance the landscape architects on staff in the PRL Department and a variety of options for residential and commercial settings <https://www.westminsterco.gov/neighborhoodgrants>

For other questions, please email us at planning@westminsterco.gov.