

# Weed Ordinance Update

Community Development



# Nuisance Weeds

- Weed regulations contained in Chapter 6 - Nuisances, Article II - Specified Nuisances, Section 6-2012 - Weeds and Vegetation
- Enforcement of Chapter 6 is by the Neighborhood Services Division
- NS conducts both reactive and proactive enforcement (work plan, active notifications, engagement with large tract owners)



# Previous State (pre 2012)

Two tiers:

- Any property (developed / undeveloped) one acre or less - 6 inches anywhere
- Any property larger than one acre - 6 inches within twenty feet of developed lot or within forty feet of any road.



# Current State (post 2012)

Three tiers:

- Any developed property regardless of area and undeveloped property less than one acre - 8 inches anywhere
- Undeveloped property more than one acre but less than five acres - 16 inches anywhere
- Undeveloped property more than five acres – 16 inches within 20 feet of adjacent developed property, tract, parcel or adjacent roadway – no height limit elsewhere\*



# Current State

- \*Ord. 2051 passed in 2015 clarified undeveloped properties more than five acres must cut weeds 20 feet from the boundary of the right-of-way line of the adjacent road – not just from the edge of the physical roadway.



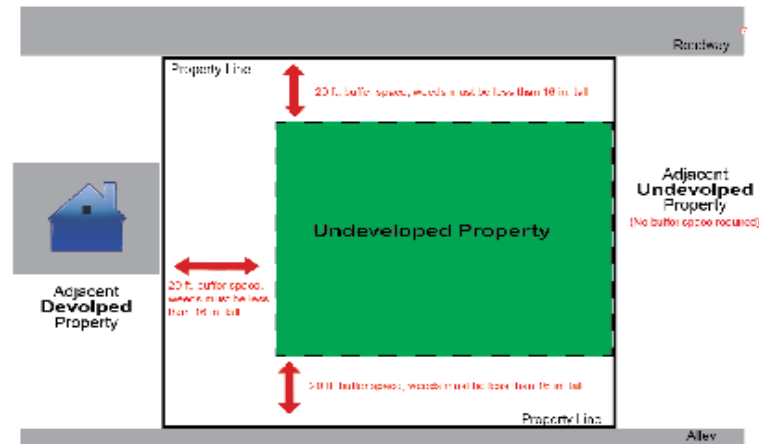
# Code Comparison

| Previous State   | Current State  |
|--|--|
| <b>Properties less than 1 acre in size:</b> 6 inch max height for entire property.   | <b>Developed property and properties less than one (1) acre in size:</b> 8 inches maximum height entire property.  |
| <b>For properties larger than 1 acre:</b> 20' perimeter (6 inches maximum height) where adjacent to a developed parcel, and 40' perimeter (6 inches maximum height) where adjacent to a roadway. | <b>1 to 5 acre properties:</b> 16 inch maximum height entire property.   |
| N/A  | <b>Properties over 5 acres:</b> 20' perimeter from right-of-way / property boundary, 16 inch maximum height. Interior has no limitations                         |
| <b>Exempt:</b> ornamental grass, native plant material or other materials identified in the city-approved plant list and landscape specifications or any other list approved by the city.        | <b>Exempt:</b> existing exemptions, plus authorized agricultural uses (except within for a 20' strip adjacent to an Arterial roadway, which must not exceed 16") |
|  | <b>NOTE:</b> Contiguous parcels under single ownership can be aggregated into a single "property."   |

# City Comparison

|          |                              |  |
|----------|------------------------------|--|
| BRIGHTON | DEVELOPED PROPERTY           | 6 INCHES ANYWHERE ON PROPERTY  |
|          | PROPERTY > 1 ACRE            | 6 INCHES WITHIN 20 FEET OF ANY ADJACENT DEVELOPED PROPERTY, DEDICATED STREET OR OTHER RIGHT OF WAY. NO LIMIT ELSEWHERE.                    |
|          | ADJACENT RIGHT OF WAY        | 6 INCHES BETWEEN PROPERTY LINE AND CURB FACE, FLOW LINE EDGE OF PAVEMENT, CENTERLINE OF ALLEY  |
| THORNTON | PROPERTY < 5 ACRES           | 8 INCHES ANYWHERE ON PROPERTY  |
|          | PROPERTIES > 5 ACRES         | 8 INCHES WITHIN 100 FEET OF PROPERTY LINE OF ANY PROPERTY OR RIGHT OF WAY. NO LIMIT ELSEWHERE.   |
|          | ADJACENT RIGHT OF WAY        | NOT SPECIFICALLY ADDRESSED – A MIXED BAG DEPENDING ON HISTORY / SHARED RESPONSIBILITY  |
| AURORA   | DEVELOPED PROPERTY           | 8 INCHES ANYWHERE ON PROPERTY  |
|          | UNDEVELOPED PROPERTY         | 12 INCHES WITHIN 200 FEET OF ANY DEVELOPED PROPERTY, DEDICATED STREET. NO LIMIT ELSEWHERE.   |
|          | ADJACENT RIGHT OF WAY        | 8 INCHES ADJACENT TO DEVELOPED PROPERTY, 12 INCHES ADJACENT TO UNDEVELOPED PROPERTY. WHEN HEIGHT IS EXCEEDED WEEDS MUST BE CUT TO 6 INCHES |
| GREELEY  | DEVELOPED PROPERTY           | 12 INCHES ANYWHERE ON PROPERTY   |
|          | VACANT / UNIMPROVED PROPERTY | 12 INCHES ANYWHERE ON PROPERTY   |
|          | ADJACENT RIGHT OF WAY        | 12 INCHES  |

**Figure 1:** Undeveloped property with 20 ft. of buffer space within the property line, measured next to any adjacent developed property, roadway or alley.



**Figure 2:** Property Owners are responsible for maintaining areas in the public right-of-way **beyond** property lines, extending to the **center** of the right-of-way next to the property.



**Figure 3:** Example Images



**Incorrect:** There is no buffer space and weeds are not maintained beyond the property line.



**Correct:** Buffer space exists and weeds are maintained beyond the property line.



# Council's Desire for Change

Change to current state in 2012

- Consistency between private property and City property
- Developers of large parcels not near existing developments concerned with burden



Questions?

