

## **ARTICLE VII. LANDSCAPING, FENCES, WALLS, SCREENING AND OUTDOOR STORAGE REQUIREMENTS**

### **DIVISION 1. GENERALLY**

#### **Sec. 84-330. Purpose and intent.**

The purpose and intent of this article is as follows:

- (1) *Stabilizing ecological balance.* To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, ground water recharge, and storm water runoff retardation, while at the same time aiding in noise, glare and heat abatement.
- (2) *Retention of native vegetation.* To ensure that the local stock of native trees and vegetation is retained and replenished.
- (3) *Adequate light and air.* To assist in providing adequate light and air and in preventing overcrowding of land.
- (4) *Visual buffering.* To provide visual buffering and enhance the beautification of the city.
- (5) *Enhancement of property values.* To safeguard and enhance property values and to protect public and private investment.
- (6) *Economic base.* To preserve and protect the unique identity and environment of the city and to preserve the economic base attracted to the city by such factors.
- (7) *Conservation.* To conserve energy.
- (8) *Protection.* To protect the public health, safety and general welfare.

(Ord. No. 1133, § 1(7-100), 3-22-94)

#### **Sec. 84-331. Landscaping requirements.**

This article specifies the standards for the treatment of open space in a manner so as to promote safety, preserve property value, promote the general welfare of the city, and to enhance the aesthetic quality of the community.

(Ord. No. 1133, § 1(7-200), 3-22-94)

### **Sec. 84-332. Applicability.**

Except as otherwise provided below, these regulations shall apply to all land within the city. Such landscaping standards shall become applicable at such times as an application for a building permit is made. These requirements remain with any subsequent owner.

- (1) *Exemptions.* These requirements shall not apply to building permits for the following:
  - a. Land in planned development districts having a specifically approved landscape plan;
  - b. Substantial restoration within a period of 12 months for a building which has been damaged by fire, explosion, flood, tornado, riot or calamity of any kind;
  - c. Remodeling as long as the front and side exterior walls of the building remain in the same position.
- (2) *Prior approvals.* Where a specific landscape plan has been approved prior to the effective date of this chapter, the landscaping requirements of the city in effect at the time of such approval shall apply.

(Ord. No. 1133, § 1(7-201), 3-22-94)

### **Sec. 84-333. Landscaping standards for one-and two-family dwellings.**

All one- and two-family dwellings shall have installed not less than 14 locally adapted shrubs and two two-inch caliper locally adaptable large trees. Such required landscaping shall be located within the front yard and be in a thriving condition at time of final inspection of the main structure.

(Ord. No. 1133, § 1(7-202), 3-22-94)

### **Sec. 84-334. Landscaping standards for other than one- or two-family dwellings.**

- (a) *Area required.* On all lots, not less than 15 percent of the area of the street yard shall be landscaped area. All of the required landscaped area shall be located in the street yard and parking lots.
- (b) *Trees required.* At least one large tree of at least three inches in caliper and 12 feet in initial height shall be provided as follows:

- (1) *Street yards less than 10,000 square feet.* In street yards of less than 10,000 square feet, one tree per 1,000 square feet, or fraction thereof, of street yard shall be maintained.
  - (2) *Street yards between 10,000 and 100,000 square feet.* In street yards of more than 10,000 square feet and not more than 100,000 square feet, not less than ten trees plus one tree per 2,000 square feet, or fraction thereof, of street yard area over 10,000 square feet shall be maintained.
  - (3) *Street yards of more than 100,000 square feet.* In street yards of more than 100,000 square feet, not less than 55 trees plus one tree per 4,000 square feet, or fraction thereof, of street yard area over 100,000 shall be maintained.
  - (4) *Credit for existing trees.* An existing or planted tree of at least six inches in diameter and at least 15 feet in height shall be considered as two trees for purposes of satisfying this requirement. All existing trees used to satisfy the minimum required number of trees shall be maintained in an undisturbed permeable area contained within the drip line of the tree.
  - (5) *Ornamental trees.* In lieu of one large tree, two small trees (as listed on the plant list contained herein) may be used. Said small trees shall be a minimum of six feet in height at the time of planting. Not more than 50 percent of the required large trees may be substituted by installing ornamental trees at a rate of two ornamental trees to one large tree. All newly planted trees shall be planted in permeable area of not less than three feet in diameter.
- (c) *Shrubbery required.* Placement of shrubbery shall be taken into consideration as to the plant at full maturity, and be located so as not to conflict with vehicular or pedestrian traffic visibility. Shrubbery shall be provided as follows:
- (1) *Street yards of less than 10,000 square feet.* In street yards of less than 10,000 square feet, not less than one shrub shall be maintained for every 50 square feet of the area required to be landscaped.
  - (2) *Street yards between 10,000 and 100,000 square feet.* In street yards having at least 10,000 and not more than 100,000 square feet, 30 shrubs plus one shrub per 100 square feet of required landscaped area over 1,500 square feet shall be provided.
  - (3) *Street yards more than 100,000 square feet.* In street yards of more than 100,000 square feet, not less than 165 shrubs plus one shrub per 500 square feet of required landscaped area over 15,000 square feet shall be maintained.
- (d) *Ground cover required.* Ground cover shall be provided as follows:

- (1) *Street yards less than 10,000 square feet.* In street yards of less than 10,000 square feet, not less than ten percent of the land area required to be landscaped shall be maintained in ground cover.
- (2) *Street yards 10,000 square feet or more.* In street yards of 10,000 square feet or more, not less than 150 square feet of ground cover plus five percent of the required landscaped area over 1,500 square feet (up to 4,000 square feet) shall be maintained in ground cover.

The remaining landscaped area shall be maintained in lawn grass and bedding plants, with mulch used around bedding plants, shrubs and trees. All ground cover areas shall be kept clear of weeds and undergrowth.

- (e) *Parking lots and vehicular use areas.* A minimum amount of the total area of all vehicular use areas shall be devoted to landscaped islands, peninsulas or medians.
  - (1) *Street yard area.* The minimum total area in such islands, peninsulas and medians in the street yard shall be 90 square feet for each 12 parking spaces. Landscape islands, peninsulas and medians located in the street yard may be included in calculating the minimum required landscape in the street yard.
  - (2) *Nonstreet yard area.* The minimum total area in such islands, peninsulas and medians in the nonstreet yard shall be 60 square feet for each 12 parking spaces.
  - (3) *Distribution of islands, medians, and peninsulas.* The number, size, and shape of islands, peninsulas, and medians, in both street and nonstreet yards shall be at the discretion of the applicant. All required islands, peninsulas and medians shall be more or less evenly distributed throughout such parking areas, respectively; however, the distribution and location of landscaped islands, peninsulas, and medians may be adjusted to accommodate existing trees or other natural features so long as the total area requirements for landscaped islands, peninsulas, and medians for the respective parking areas above is satisfied.
- (f) *Indiscriminate clearing prohibited.* The existing natural landscape character (especially native oak, elm and pecan trees) shall be preserved to the extent reasonable and feasible. In an area of the street yard containing a stand of trees, the applicant shall use best good faith efforts to preserve such trees. In determining compliance with this subsection, the administrator shall consider topographical constraints on design, drainage, access and egress, utilities, and other factors reasonably related to the health, safety and welfare of the public which necessitated disturbance of the existing natural character; the nature and quality of the landscaping installed to replace it; and such other factors as may be relevant and proper. Indiscriminate clearing or stripping of the natural vegetation is prohibited.

- (g) *Irrigation.* All required landscaping shall be irrigated by an underground irrigation system approved by the administrator.
- (h) *Erosion control.* All impervious areas shall be maintained with groundcover and shrubbery in a manner to control erosion.
- (i) *Protection.* All required landscaped areas which are adjacent to pavement shall be protected with concrete curbs or equivalent barriers (such as railroad ties, continuous border plants or hedgerows).
- (j) *Obstruction prohibited.* Landscaping shall not be located or placed to obstruct any emergency equipment such as fire hydrants and sprinkler system connections, etc., nor shall landscaping be placed in a manner to obstruct emergency ingress/egress access to the building. Landscaping shall not obstruct views between the street and access drives or parking aisles near street yard entries and exits, nor shall any landscaping obstruct views within the radius of any curb return. Sight triangles shall be provided within the property at all driveways and street intersections. Sight triangles shall be eight feet by 70 feet with the eight-foot leg within the property along the driveway.
- (k) *Maintenance.* All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping.

Landscaped areas shall be kept free of trash, litter, weeds, and other such materials or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant material which dies shall be replaced with plant material of similar variety and size.

- (l) *Right-of-way.* Landowners are encouraged to landscape nonpaved publicly-owned street right-of-way abutting their land. Provided, however:
  - (1) *Removal of landscaping.* The city may at any time remove or require the landowner to remove any landscaping located within any right-of-way or public easement for the purpose of public safety, access to utilities and to perform any public improvements within said right-of-way or public easement.
  - (2) *Traffic regulations.* Such landscaping in the right-of-way shall observe established rules and regulations pertaining to traffic and pedestrian safety.
- (m) *Parking lot lighting.* Landscape provided in vehicular and pedestrian use areas shall be designed so that the maturing of the landscaping will not conflict with the lighting scheme.

- (n) *Recommended plants.* All plants used to satisfy this chapter shall be of a species common or adaptable to this area of Texas. The following is a list of recommended plants within each plant material type. The applicant may propose plants other than those listed if the plant is appropriate for the intended use.

### Recommended Plants

TABLE INSET:

| Common Name              | Botanical Name                     | Comments                                 | Evergreen? | Height         | Growth       | Water        |
|--------------------------|------------------------------------|--|------------|----------------|--------------|--------------|
| <i>Large Trees</i>       |                                    |  |            |                |              |              |
| <i>Afghan Pine</i>       | <i>Pinus elderica</i>              | <i>Fast growing, drought tolerant</i>    | <i>No</i>  | <i>25--50'</i> | <i>Rapid</i> | <i>Mod</i>   |
| <i>Bald Cypress</i>      | <i>Taxodium distichum</i>          | <i>Likes wet feet, fall color</i>        | <i>No</i>  | <i>50'+</i>    | <i>Mod</i>   | <i>Moist</i> |
| <i>Bradford Pear</i>     | <i>Pyrus calleryana "Bradford"</i> | <i>Shiny foliage, disease resistant</i>  | <i>No</i>  | <i>25--50'</i> | <i>Mod</i>   | <i>Mod</i>   |
| <i>Bur Oak</i>           | <i>Quercus macrocarpa</i>          | <i>Nice branching shade tree</i>         | <i>No</i>  | <i>50'+</i>    | <i>Rapid</i> | <i>Mod</i>   |
| <i>Cedar Elm</i>         | <i>Ulmus crassifolia</i>           | <i>Nice for shade</i>                    | <i>No</i>  | <i>25--50'</i> | <i>Mod</i>   | <i>Mod</i>   |
| <i>Lacebark Elm</i>      | <i>Ulmus parvifolia</i>            | <i>Fast growth, disease resistant</i>    | <i>No</i>  | <i>25--50'</i> | <i>Rapid</i> | <i>Mod</i>   |
| <i>Live Oak</i>          | <i>Quercus virginiana</i>          | <i>Long lived</i>                        | <i>Yes</i> | <i>25--50'</i> | <i>Slow</i>  | <i>Dry</i>   |
| <i>Pecan</i>             | <i>Carya illinoensis</i>           | <i>Texas state tree, great for shade</i> | <i>No</i>  | <i>70'</i>     | <i>Mod</i>   | <i>Moist</i> |
| <i>Pistache</i>          | <i>Pistachia chinensis</i>         | <i>Fall color, rapid growth</i>          | <i>No</i>  | <i>25'</i>     | <i>Rapid</i> | <i>Mod</i>   |
| <i>Red Oak</i>           | <i>Quercus Shumardii</i>           | <i>Red fall color excellent shade</i>    | <i>No</i>  | <i>50'+</i>    | <i>Rapid</i> | <i>Mod</i>   |
| <i>Southern Magnolia</i> | <i>Magnolia grandiflora</i>        | <i>Large evergreen</i>                   | <i>Yes</i> | <i>60--70'</i> | <i>Mod</i>   | <i>Moist</i> |
| <i>Small Trees</i>       |                                    |  |            |                |              |              |
| <i>Crape Myrtle</i>      | <i>Lagerstroemia indica</i>        | <i>Summer blooms in many colors</i>      | <i>No</i>  | <i>&lt;25'</i> | <i>Rapid</i> | <i>Mod</i>   |

|                            |  |  |            |                |              |                |
|----------------------------|--|--|------------|----------------|--------------|----------------|
| <i>Japanese Black Pine</i> | <i>Pinus thunbergi</i>                 | <i>Evergreen ornamental</i>              | <i>Yes</i> | <i>&lt;25'</i> | <i>Mod</i>   | <i>Mod</i>     |
| <i>Mexican Plumb</i>       | <i>Plumus mexicana</i>                 | <i>Bright white flowers</i>              | <i>No</i>  | <i>&lt;25'</i> | <i>Mod</i>   | <i>Mod</i>     |
| <i>Purpleleaf Plum</i>     | <i>Prunus cerasifera</i>               | <i>Purple foliage, flowers in spring</i> | <i>No</i>  | <i>&lt;25'</i> | <i>Rapid</i> | <i>Mod-dry</i> |
| <i>Redbud</i>              | <i>Cercis canadensis</i>               | <i>Pink flowers in spring</i>            | <i>No</i>  | <i>&lt;25'</i> | <i>Mod</i>   | <i>Mod</i>     |
| <i>Yaupon Holly</i>        | <i>Ilex vomitoria</i>                  | <i>Very hardy, great in small areas</i>  | <i>Yes</i> | <i>&lt;25'</i> | <i>Rapid</i> | <i>Mod-dry</i> |
| <i>Shrubs</i>              |  |  |            |                |              |                |
| <i>Dwarf Burford Holly</i> | <i>Ilex cornuta "Bufordii nana"</i>    | <i>Shiny green leaf</i>                  | <i>Yes</i> | <i>5'</i>      | <i>Mod</i>   | <i>Mod</i>     |
| <i>Dwarf Chinese Holly</i> | <i>Ilex cornuta "Rotunda"</i>          | <i>Low rounded growth, tough</i>         | <i>Yes</i> | <i>3'</i>      | <i>Slow</i>  | <i>Mod</i>     |
| <i>Dwarf Yaupon</i>        | <i>Ilex vomitoria "nana"</i>           | <i>Dense rounded growth</i>              | <i>Yes</i> | <i>3'</i>      | <i>Slow</i>  | <i>Mod</i>     |
| <i>Flowering Quince</i>    | <i>Chanomeles "Texas Scarlet"</i>      | <i>Red flower, early spring</i>          | <i>No</i>  | <i>6'</i>      | <i>Mod</i>   | <i>Mod</i>     |
| <i>Forsythia</i>           | <i>Forsythia intermedia</i>            | <i>Yellow flower in early spring</i>     | <i>No</i>  | <i>6'</i>      | <i>Mod</i>   | <i>Mod</i>     |
| <i>Japanese Barberry</i>   | <i>Berberis thunbergi</i>              | <i>Thorns, red foliage</i>               | <i>Yes</i> | <i>2--5'</i>   | <i>Slow</i>  | <i>Mod</i>     |
| <i>Nandina</i>             | <i>Nandina Domestica</i>               | <i>Red winter foliage</i>                | <i>Yes</i> | <i>6'</i>      | <i>Rapid</i> | <i>Mod</i>     |
| <i>Pampas Grass</i>        | <i>Cordateria Selloana</i>             | <i>Fall flower</i>                       | <i>Yes</i> | <i>6'</i>      | <i>Rapid</i> | <i>Mod</i>     |
| <i>Photinia</i>            | <i>Photinia Fraseri</i>                | <i>Tall, red foliage spring/fall</i>     | <i>Yes</i> | <i>15'</i>     | <i>Rapid</i> | <i>Mod</i>     |
| <i>Sea Green Juniper</i>   | <i>Juniperus Chinensis "Sea Green"</i> | <i>Arching growth</i>                    | <i>Yes</i> | <i>6'</i>      | <i>Mod</i>   | <i>Mod</i>     |
| <i>Spiraca</i>             | <i>Spiraca prunifolia</i>              | <i>White flower, April--May</i>          | <i>No</i>  | <i>6'</i>      | <i>Mod</i>   | <i>Mod</i>     |
| <i>Tam Juniper</i>         | <i>Juniperus sabina "Tam"</i>          | <i>Low growth, tolerates heat</i>        | <i>Yes</i> | <i>5'</i>      | <i>Mod</i>   | <i>Dry</i>     |
| <i>Texas Sage</i>          | <i>Leucophyllum</i>                    | <i>Gray foliage,</i>                     | <i>Yes</i> | <i>6'</i>      | <i>Slow</i>  | <i>Mod-</i>    |

|                           |                                      |                               |            |             |              |            |
|---------------------------|--------------------------------------|-------------------------------|------------|-------------|--------------|------------|
|                           | <i>frutescens "nana"</i>             | <i>blooms after rain</i>      |            |             |              | <i>dry</i> |
| <i>Ground Covers</i>      |                                      |                               |            |             |              |            |
| <i>Asian Jasmine</i>      | <i>Trachelospermum asiaticum</i>     | <i>Rapid spread</i>           | <i>Yes</i> | <i>1.5'</i> | <i>Rapid</i> | <i>Mod</i> |
| <i>Euonymus Coloratus</i> | <i>Euonymus fortunei "coloratus"</i> | <i>Winter color</i>           | <i>Yes</i> | <i>1.5'</i> | <i>Mod</i>   | <i>Mod</i> |
| <i>Juniper Species</i>    | <i>Jun. horizontalis, procumbens</i> | <i>Tolerates heat/drought</i> | <i>Yes</i> | <i>1.5'</i> | <i>Slow</i>  | <i>Mod</i> |
| <i>Mondo Grass</i>        | <i>Ophiopogon japonicus</i>          | <i>Small dark leaves</i>      | <i>Yes</i> | <i>8"</i>   | <i>Rapid</i> | <i>Mod</i> |
| <i>Monkey Grass</i>       | <i>Liriope muscari</i>               | <i>Hardy, blue flower</i>     | <i>Yes</i> | <i>1.5'</i> | <i>Rapid</i> | <i>Mod</i> |
| <i>Vinca/Periwinkle</i>   | <i>Vinca Minor</i>                   | <i>Shade, blue flowers</i>    | <i>No</i>  | <i>1.5'</i> | <i>Rapid</i> | <i>Mod</i> |

(Ord. No. 1133, § 1(7-202), 3-22-94; Ord. No. 1170, § I, 4-11-95)

**Sec. 84-335. Approval procedures.**

(a) *Landscape plan required.* A landscape plan shall be required containing the following information:

- (1) Date, graphic scale, north arrow, title and name of applicant/owner.
- (2) Location of existing boundary lines and dimensions of the tract.
- (3) Approximate centerline of existing water courses; location of significant drainage features; and the location and size of existing and proposed streets, alleys, utility and emergency access easements and sidewalks.
- (4) Location, size, and type (tree, shrub, groundcover or grass) of landscaping in proposed areas and location and size of proposed landscaped areas.
- (5) Location and species of existing trees having trunks of six inches or larger in diameter and the approximate size of their crowns.
- (6) Information necessary for verifying the required minimum amount of landscaped area.
- (7) Plans for protecting retained existing trees from damage during construction.
- (8) Location and size of the proposed irrigation system.

- (b) *Professional requirement.* Landscape plans for projects which incorporate over two acres of lot area shall be prepared and signed by a licensed professional landscape architect. All irrigation plans shall be prepared and signed by a licensed irrigator or other professional authorized by the state to design such systems.
- (c) *Plan approval.* Landscaping and irrigation shall be installed in accordance with plans approved by the administrator. Should the administrator deny a landscaping scheme for noncompliance with the requirements the applicant, may, within seven days of the decision, appeal that decision to the planning and zoning commission. The planning and zoning commission shall be the final judge as to whether the proposed landscape plans complies with the intent of these regulations. However, not less than three-quarters of all the members of the planning and zoning commission shall be required to overturn the decision of the administrator.
- (d) *Fee required.* An inspection fee in an amount set by council shall be collected by the administrator at the time of application of a building permit.
- (e) *Fiscal arrangements.* If, at the time of an application for a certificate of occupancy, required landscaping is not yet in place for seasonal consideration, the applicant shall make fiscal arrangements (by bond, certificate of deposit, or letter of credit) satisfactory to the city in the amount of \$2.00 per square foot of required landscaping not yet in place to ensure that such shall be installed. Any applicant making such fiscal arrangements shall also grant to the city license to enter upon the land for the purposes of installing the required landscaping in the event that such landscaping is not installed by the applicant within nine months. Such fiscal arrangements shall be for a period of not less than 12 months.

(Ord. No. 1133, § 1(7-203), 3-22-94)