

SECTION 37 LANDSCAPE REQUIREMENTS

37.1 PURPOSE:

Landscaping is accepted as adding value to property and is in the interest of the general welfare of the City. Therefore, landscaping is hereafter required of new development, except single-family and agricultural uses, adjacent to public streets. Single-family uses are generally not required to provide extensive landscaping at the time of development because they rarely fail to comply with the requirements set forth herein.

37.2 SCOPE AND ENFORCEMENT:

The standards and criteria contained within this Section are deemed to be minimum standards and shall apply to all new, or altered (exceeding thirty percent (30%) of the original floor area), construction occurring within the City, except that single-family or duplex dwellings shall be exempt. Additionally, any use requiring a Specific Use Permit or a PD zoning designation must comply with these landscape standards. The provisions of this Section shall be administered by the Building Official or his designee. The landscape standards in this Section apply only to nonresidential and multi-family parcels.

If at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be in nonconformance to the standards and criteria of this Section, the Building Official or his designee shall issue notice to the owner, citing the violation and describing what action is required to comply with this Section. The owner, tenant or agent shall have thirty (30) days from date of said notice to restore the landscaping as required. If the landscaping is not restored within the allotted time, such person shall be in violation of this Ordinance.

37.3 PERMITS:

No permits shall be issued for building, paving, grading or construction until a detailed landscape plan is submitted and approved by the Building Official. A conceptual or generalized landscape plan shall be shown as part of the site plan as required in Section 40. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan.

In any case in which a certificate of occupancy is sought at a season of the year in which the Building Official determines that it would be impractical to plant trees, shrubs or grass, or to lay turf, a temporary certificate of occupancy may be issued provided a letter of agreement from the property owner is provided stating when the installation shall occur. All landscaping required by the landscaping plan shall be installed within six (6) months of the date of the issuance of the certificate of occupancy.

37.4 LANDSCAPE PLAN:

Prior to the issuance of a building, paving, grading or construction permit for any use other than single-family detached or duplex dwellings, a landscape plan shall be submitted to the department of Planning. The Building Official or his designee shall review such plans and shall approve same if the plans are in accordance with the criteria of these regulations. If the plans are not in accord, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance.

Landscaping plans shall be prepared by a person knowledgeable in plant material usage and landscape design (e.g., landscape architect, landscape contractor, landscape designer, etc.) and shall contain the following minimum information:

- A. Minimum scale of one inch (1") equals fifty feet (50');

- B. Location, size and species of all trees to be preserved (do not use "tree stamps" unless they indicate true size and location of trees).
- C. Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site, or other landscape features
- D. Species of all plant material to be used
- E. Size of all plant material to be used
- F. Spacing of plant material where appropriate
- G. Layout and description of irrigation, sprinkler, or water systems including placement of water sources
- H. Description of maintenance provision
- I. Person(s) responsible for the preparation of the landscape plan
- J. Mark indicating North
- K. Date of the landscape plan

37.5 GENERAL STANDARDS:

The following criteria and standards shall apply to landscape materials and installation:

- A. All required landscaped open areas shall be completely covered with living plant material. Landscaping materials such as wood chips and gravel may be used under trees, shrubs and other plants.
- B. Plant materials shall conform to the standards of the approved plant list for the City of Lampasas (see Appendix A-4 for the approved plant list) and the American Standard for Nursery Stock. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
- C. Trees shall have an average spread of crown of greater than fifteen feet (15') at maturity. Trees having a lesser average mature crown of fifteen feet (15') may be substituted by grouping the same so as to create the equivalent of fifteen feet (15') crown of spread. Large trees shall be a minimum of two inches (2") in caliper (measured six inches (6") above the ground) and seven feet (7') in height at time of planting. Small trees shall be a minimum of one inch (1") in caliper and five feet (5') in height.
- D. Shrubs not of the dwarf variety shall be a minimum of two feet (2') in height when measured immediately after planting. Hedges, where installed for screening purposes, shall be planted and maintained so as to form a continuous, unbroken, solid visual screen which will be three feet (3') high within two (2) years after time of planting.
- E. Vines not intended as ground cover shall be a minimum of two feet (2') in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening requirements as set forth.
- F. Grass areas shall be sodded, plugged, sprigged, hydro-mulched or seeded except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.
- G. Ground covers used in lieu of grass in whole and in part shall be planted in such a manner as to present a finished appearance and reasonably completed coverage within one (1) year of planting.

- H. All required landscaped open space shall be provided with adequate and inconspicuous irrigation systems. Areas totaling less than ten (10) square feet may be irrigated by other methods.
- I. Any trees preserved on a site meeting the herein specifications may be credited toward meeting the tree requirement of any landscaping provision of this Section according to the following table:

<u>Circumference of Existing Tree</u>	<u>Credit Against Tree Requirement</u>
6" to 8"	1.0 tree
9" to 30"	1.5 trees
31" to 46"	2.0 trees
47" or more	3.0 trees

Due to their limited height and size, mesquite trees will receive only fifty percent (50%) of the above credit for tree preservation. All other existing trees may receive credit if they are not on the City's approved plant material list but approved by the Building Official or his designee. Should any required tree designated for preservation in the landscape plan die, the owner shall replace the tree with a two inch (2") minimum caliper tree in accordance with the credits listed above. Tree circumference shall be measured four and one-half feet (4½') above natural grade. No living trees greater than eight inches (8") in caliper may be cut, destroyed or damaged on the development site until approved as part of the site plan requirements in this Ordinance.

- J. Earthen berms shall have side slopes not to exceed 33.3 percent (three feet (3') of horizontal distance for each one foot (1') of height). All berms shall contain necessary drainage provisions as may be required by the City's engineer.

37.6 MINIMUM LANDSCAPING REQUIREMENTS FOR NONRESIDENTIAL AND MULTI-FAMILY:

- A. For all nonresidential and multi-family parcels with less than two hundred fifty feet (250') of frontage adjacent to a dedicated public right-of-way, at least fifteen percent (15%) of the street yard shall be permanent landscape area. Nonresidential and multi-family parcels having two hundred fifty feet (250') or more of frontage shall have at least twenty percent (20%) of the street yard in permanent landscape area (see Illustration 13 for example). The street yard shall be defined as the area between the building front and the front property line. For gasoline service stations, a requirement of a minimum fifteen percent (15%) landscape area for the entire site, including a six hundred (600) square foot landscape area at appropriate intersection corners, which can be counted toward the fifteen percent (15%) requirement.
- B. A minimum ten-foot (10') landscape buffer (interior parkway) adjacent to right-of-way of any major thoroughfare street is required. Corner lots fronting two (2) major thoroughfares shall be required to observe the ten-foot (10') buffer on both street frontages. All other street frontages shall observe a minimum five-foot (5') landscape buffer. Developers shall be required to plant one (1) large tree per forty (40) linear feet or portion thereof of street frontage. Trees may be grouped or clustered to facilitate site design. The landscaped portion of interior parkways may be included in the required landscape area percentage. The interior parkway is defined as that area on private property between the street right-of-way line and the curb of the parking area or building area.
- C. Landscape areas within parking lots should generally be at least one parking space in size, with no landscape area less than fifty (50) square feet in area. Landscape areas shall be no less than five feet (5') wide and shall equal a total of at least sixteen (16) square feet per parking space. There shall be a landscaped area with at least one (1) tree within sixty feet (60') of every parking space. There shall be a minimum of one (1) tree planted in the parking area for every ten (10) parking spaces within parking lots with more than twenty (20) spaces. Within parking lots, landscape areas should be located to de-

fine parking areas and assist in clarifying appropriate circulation patterns. A landscape island shall be located at the terminus of all parking rows, and should contain at least one tree. All landscape areas shall be protected by a monolithic curb or wheel stops and remain free of trash, litter, and car bumper overhangs.

- D. All existing trees which are to be preserved shall be provided with a permeable surface under the existing dripline of the tree. All new trees shall be provided with a permeable surface under the dripline a minimum of four feet (4') by four feet (4').
- E. A minimum of fifty percent (50%) of the total trees required for the property shall be large trees as specified on the approved plant list. Small trees shall be used under existing or proposed overhead utility lines.
- F. Necessary driveways from the public right-of-way shall be permitted through all required landscaping in accordance with City regulations.

37.7 TREE PRESERVATION:

During any construction or land development, the developer shall clearly mark all trees to be maintained and may be required to erect and maintain protective barriers around all such trees or groups of trees. The developer shall not allow the movement of equipment or the storage of equipment, materials, debris or fill to be placed within the drip line of any trees.

During the construction stage of development, the developer shall not allow cleaning of equipment or material under the canopy of any tree or group of trees to remain. Neither shall the developer allow the disposal of any waste material such as, but not limited to, paint, oil, solvents, asphalt, concrete, mortar, etc., under the canopy of any tree or groups of trees to remain.

No attachment or wires of any kind, other than those of a protective nature, shall be attached to any tree.

37.8 SIGHT DISTANCE AND VISIBILITY:

Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections. Whenever an intersection of two (2) or more public rights-of-way occurs, a triangular visibility area, as described below, shall be created. Landscaping within the triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between three (3) and six (6) feet. Trees may be permitted in this area provided they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area. The triangular areas are:

- A. The areas of property on both sides of the intersection of an alley accessway and public right-of-way shall have a triangular visibility area with two (2) sides of each triangle being a minimum of ten feet (10') in length from the point of intersection and the third side being a line connecting the ends of the other two (2) sides.
- B. The areas of property located at a corner formed by the intersection of two (2) or more public rights-of-way shall have a triangular visibility area with two (2) sides of each triangle being a minimum of twenty-five feet (25') in length from the point of the intersection and the third side being a line connecting the ends of the other two (2) sides. (See Illustration 12 also)

Landscaping, except required grass and low ground cover, shall not be located closer than three feet (3') from the edge of any accessway pavement.

In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the Building Official, the requirements set forth herein may be reduced to the extent to remove the conflict.

37.9 **MAINTENANCE:**

The owner, tenant and/or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not to be limited to, mowing (of grass of six inches (6") or higher), 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 material 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 materials which die shall be replaced with plant material of similar variety and size, within ninety (90) days. Trees with a trunk diameter in excess of six inches (6") measured twenty-four inches (24") above the ground may be replaced with ones of similar variety having a trunk diameter of no less than three inches (3") measured twenty-four inches (24") above the ground. A time extension may be granted by the Building Official if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent.

Failure to maintain any landscape area in compliance with this Section is considered a violation of this Section and may be subject to penalties of Section 47.