

## **ARTICLE XXII-D. REQUIREMENTS FOR LANDSCAPE PLAN APPROVAL**

### **Sec. 1. Landscape plan required.**

At the time of site plan review, there shall be submitted to the city plan commission for its approval a landscape plan drawn to the same scale as the approved site plan and submitted with the same number of copies as the site plan.

(Ord. No. 2872-A, § 14, 2-25-92)

### **Sec. 2. Installation and maintenance.**

Except where otherwise provided, the person responsible for the property, whether owner or tenant, shall landscape all yard, setback, parking, service and recreational areas with lawns, trees, shrubs, flowers, vines, ground covers or other live plant materials which shall be permanently maintained in a neat and orderly manner as a condition of acceptance, by the owner or tenant, of a certificate of occupancy.

Once installed, all landscape materials shall be irrigated by a mechanical underground irrigation system and maintained in a living state. Dead or dying plant materials shall be removed and replaced in accordance with the approved landscape plan.

(Ord. No. 2872-A, § 14, 2-25-92)

### **Sec. 3. Living screens.**

Where the use of a living screen is proposed, such screen must be included as an element of the site plan and as an element of the landscape plan.

(Ord. No. 2872-A, § 14, 2-25-92)

### **Sec. 4. Nonliving elements of the landscape plan.**

There shall be permitted fountains, ponds, sculptures, planters, walkways, flagpoles, light standards and decorative screen-type walls as elements of landscaping in areas designated for landscaping. Decorative-type walls, planters and sculptures shall be 30 inches or less in height. The city plan commission shall be authorized to permit heights in excess of 30 inches where such is in the best interest of landscaping and will not, in the city plan commission's opinion, create a problem relative to public health, safety, convenience, prosperity and general welfare.

(Ord. No. 2872-A, § 14, 2-25-92)

**Sec. 5. Minimum areas to be landscaped.**

Areas of landscaped open space shall be provided on the same lot, parcel or tract as the building that is being served, and shall be provided in the following ratios:

- (1) For lots, parcels or tracts of land having a building or buildings with a total gross floor area of less than 75,000 square feet, landscaping, as described in section 2 above, shall be provided at a minimum ratio of seven percent of the gross land area.
- (2) For lots, parcels or tracts of land having a building or buildings with a total gross floor area of 75,000 square feet or more, landscaping, as described in section 2 above, shall be provided at a minimum ratio of ten percent of the gross land area.

(Ord. No. 2872-A, § 14, 2-25-92)

**Sec. 6. Minimum landscaping in parking areas.**

With respect to landscaping parking areas, a minimum of 20 percent of the required landscaping shall be provided in areas that are internal to the parking areas. In parking lots having only one row of parking, this requirement may be met with perimeter landscaping.

(Ord. No. 2872-A, § 14, 2-25-92)

**Sec. 7. Exclusion of floodways from minimum landscape requirements.**

For purposes of establishing compliance with the minimum area requirements for landscaping, no land within the 100-year floodway, as determined by the most recent FEMA study, shall be counted as fulfilling the minimum landscape area requirements.

(Ord. No. 2872-A, § 14, 2-25-92)

**Sec. 8. Requirements for landscape plan submittal.**

The landscape plan shall show in detail, but not be limited to, the location of each element of landscaping, a description by botanical or common name of each landscape element or group of elements, the number and size of each tree or planting container and the height of any proposed planter, sculpture or decorative screen.

(Ord. No. 2872-A, § 14, 2-25-92)

**Sec. 9. Elements to be considered in plan commission approval of landscape plans.**

The city plan commission shall consider the adequacy of the proposed landscaping and any other aspect deemed necessary by the city plan commission to promote the public health, safety, order, convenience, prosperity and general welfare.

(Ord. No. 2872-A, § 14, 2-25-92)

**Sec. 10. Conformity to requirements of comprehensive zoning ordinance.**

In the approval or disapproval of the landscape plan, the city plan commission shall not be authorized to waive or vary conditions and requirements contained in the comprehensive zoning ordinance or other valid ordinances of the City of Richardson.

(Ord. No. 2872-A, § 14, 2-25-92)

**Sec. 11. Landscape plan approval required for issuance of a certificate of occupancy.**

It shall be unlawful to issue a certificate of occupancy prior to the approval of the landscape plan by the city plan commission. Prior to the issuance of a certificate of occupancy, all approved screening and landscaping must be in place or, if seasonal considerations prohibit the completion of the landscaping, a temporary certificate of occupancy may be issued for such time as is reasonable to complete the landscaping.

(Ord. No. 2872-A, § 14, 2-25-92)

**Sec. 12. Approval of revised landscape plan.**

Where changes to a previously approved landscape plan are requested, and such changes will result in amendment or abandonment of any easement or right-of-way, or where the gross floor area of any structure will be increased by more than ten percent or 1,000 square feet, whichever is less, or if the approval of a revised site plan is required, the city plan commission shall be required to approve a revised landscape plan.

The requirements for a revised landscape plan submittal shall be the same as those for landscape plan submittal and the plan commission shall consider the same elements in the approval or disapproval of a revised landscape plan as for an original landscape

plan. In considering a revised landscape plan, the city plan commission shall not be authorized to waive or vary conditions and requirements contained in the comprehensive zoning ordinance, or amendments thereto, or other valid ordinances of the City of Richardson.

If the changes being proposed are of a minor nature as determined by the director of planning or designee, administrative approval of these minor revisions shall be permitted under the conditions described herein.

(Ord. No. 2872-A, § 14, 2-25-92)

### **Sec. 13. Administrative approval of minor revisions to an approved landscape plan or revised landscape plan.**

The director of planning, or designee, shall be authorized to approve minor amendments to previously approved landscape plans. Minor amendments are those amendments which provide for rearrangement or reconfiguration of landscape areas or materials, which are in conformance with an approved site plan and do not decrease the amount or quality of landscaping below that required by the comprehensive zoning ordinance. In the approval or disapproval of a minor revision to an approved landscape plan or revised landscape plan, the director of planning or designee shall not be authorized to waive or vary conditions and requirements contained in the comprehensive zoning ordinance, or amendments thereto, or other valid ordinances of the City of Richardson. All minor revisions that are approved administratively shall appear as an item on the next city plan commission agenda following approval for acknowledgement of staff action.

(Ord. No. 2872-A, § 14, 2-25-92)

### **Sec. 6. Landscape plan approval.**

- (a) At the time of site plan review, there shall be submitted to the city plan commission for its approval a landscape plan drawn to the same scale as the approved site plan, and submitted with the same number of copies as the site plan.
- (b) Except where otherwise provided, the person responsible for the property, whether owner or tenant, shall landscape all yard, setback, parking, service and recreational areas with lawns, trees, shrubs, flowers, vines, ground covers or other live plant materials, which shall be permanently maintained in a neat and orderly manner as a condition of acceptance by the owner or tenant of a certificate of occupancy.

Once installed, all landscape materials shall be irrigated and maintained in a living state. Dead or dying plant material shall be removed and replaced in accordance with the approved landscape plan.

- (c) Where the use of a living screen is proposed, such screen must be included as an element of the landscape plan.
- (d) There shall be permitted fountains, ponds, sculptures, planters, walkways, flagpoles, light standards and decorative screen-type walls as elements of landscaping in areas designated for landscaping. Decorative-type walls, planters and sculptures shall be 30 inches or less in height. The city plan commission shall be authorized to permit heights in excess of 30 inches where such is in the best interest of landscaping and will not in the city plan commission's opinion create a problem relative to public health, safety, order, convenience, prosperity and general welfare.
- (e) Reserved.
- (f) The landscape plan shall show in detail, but not be limited to, the location of each element of landscaping, a description or name of each landscape element or group of elements, the number and size of each tree and the height of any proposed planter, sculpture or decorative screen.
- (g) The city plan commission shall consider the adequacy of the proposed landscaping in the interest of promoting the public health, safety, order, convenience, prosperity and general welfare.
- (h) It shall be unlawful to issue an occupancy permit prior to the approval of the landscape plan by the city plan commission. Prior to the issuance of an occupancy permit, all approved screening and landscaping must be in place or if seasonal considerations prohibit the completion of the landscaping, a certificate of occupancy may be issued for such time as is reasonable to complete the landscaping.

(Ord. No. 644-A, § 1, 12-22-69; Ord. No. 2816-A, § 12, 1-14-91)

#### **Sec. 4. Area regulations.**

All buildings hereafter erected, constructed, reconstructed, altered, repaired or used in this district shall provide setbacks as follows:

*Front yard.* For all nonresidential uses, including institutional uses--40 feet. Within this front yard area, a landscape strip a minimum of ten feet in width shall be provided adjacent to any street. Within the ten-foot landscape strip, the developer shall install, and all subsequent owners shall maintain, plant materials as follows:

A minimum of one canopy tree and one ornamental tree shall be required for every 50 lineal feet of street frontage, generally as indicated on the attached exhibit labeled "Mixed Use District, Landscape Buffer (Adjacent to Street)." In addition, evergreen

shrubs, which shall reach a minimum height of 30 inches, shall be installed to buffer any parking areas adjacent to a street.

Plants shall be selected from the "recommend plan list," attached hereto and made a part of this ordinance.

For all residential uses permitted in the A-950-M district, the requirements of the appropriate zoning district shall apply as follows:

Apartment--A-950-M

Duplex--D-1400-M

Patio home--RP-1500-M

Single-family--R-1500-M

Town home--RA-1100-M

For properties developed as apartments, the 30-foot front yard setback shall be landscaped, at a minimum, with materials of the same type and in the same quantities as for nonresidential and institutional uses, except that a berm at least three feet in height may be substituted for all or a portion of the required evergreen shrubs.

*Side yard.* For nonresidential uses, including institutional uses--25 feet, except where the side of a nonresidential development abuts a single-family or duplex district, a 50-foot setback, exclusive of alley right-of-way, shall be required. This setback shall include a minimum eight-foot landscape strip adjacent to the required screening wall on the common property line between the residential and nonresidential uses and shall be measured from the face of the wall. Within this strip, the developer shall install, and all subsequent owners shall maintain, plant materials as follows:

A minimum of one canopy tree, or three ornamental trees, or an evergreen hedge which will reach a minimum height of ten feet, or a combination thereof, shall be required for every 30 lineal feet along the side property line.

Plants shall be selected from the "recommended plant list," attached hereto and made a part of this ordinance.

For apartment uses--15 feet, except where the side of an apartment development abuts on a single-family or duplex district, a 50-foot setback, exclusive of alley right-of-way, shall be required. This setback shall include a minimum eight-foot landscape strip adjacent to the required screening wall on the common property line between the apartment and single-family or duplex uses and shall be measured from the face of the wall. Within this strip, the developer shall install and all subsequent owners shall maintain plan material as follows:

- (a) For every 30 lineal feet along the screening wall, one canopy tree or three ornamental trees shall be installed; or
- (b) A continuous evergreen hedge which will reach a minimum of ten feet in height shall be installed; or
- (c) A combination of canopy trees, ornamental trees and evergreen hedge materials may be used to satisfy the requirements of this section.

Plants shall be selected from the "recommended plant list," attached hereto and made a part of this ordinance.

Where residential uses other than apartments occur, the side yard setback of the appropriate zoning district shall apply as follows:

Duplex--D-1400-M

Patio home--RP-1500-M

Single-family--R-1500-M

Town home--RA-1100-M

Where a development sides on a dedicated street, the front yard regulations shall apply to that side yard; provided, however, that the requirements of chapter 16, articles IV and V, which are not in conflict with the provisions contained herein, shall apply.

*Rear yard.* For nonresidential uses, including institutional uses--25 feet, except where the rear of a nonresidential development abuts on a single-family or duplex district, a 50-foot setback, exclusive of alley right-of-way, shall be required. This 50-foot setback shall be measured from the face of the required screening wall and shall include a minimum eight-foot landscape strip adjacent to the required screening wall on the common property line between the residential and nonresidential uses. Within the landscape strip, the developer shall install, and all subsequent owners shall maintain, plant materials as follows:

A minimum of one canopy tree, or three ornamental trees, or an evergreen hedge which will reach a minimum height of ten feet, or a combination thereof, shall be required for every 30 lineal feet along the rear property line.

Plants shall be selected from the "recommended plant list," attached hereto and made a part of this ordinance.

For apartment uses--25 feet, except where the rear of an apartment development abuts on a single-family or duplex district, a 50-foot setback, exclusive of alley right-of-way, shall be required. This setback shall include a minimum eight-foot landscape strip

adjacent to the required screening wall on the common property line between the apartment and single-family or duplex uses and shall be measured from the face of the wall. Within this strip, the developer shall install and all subsequent owners shall maintain plan material as follows:

- (a) For every 30 lineal feet along the screening wall, one canopy tree or three ornamental trees shall be installed; or
- (b) A continuous evergreen hedge which will reach a minimum of ten feet in height shall be installed; or
- (c) A combination of canopy trees, ornamental trees and evergreen hedge materials may be used to satisfy the requirements of this section.

Plants shall be selected from the "recommended plant list," attached hereto and made a part of this ordinance.

Where residential uses other than apartments occur, the rear yard setback of the appropriate zoning district shall apply as follows:

Duplex--D-1400-M

Patio home--RP-1500-M

Single-family--R-1500-M

Town home--RA-1100-M

*Floor area ratio.* For all nonresidential and institutional uses, a maximum floor area ratio of 0.5:1 shall be permitted.

*Residential density.* For multifamily uses, a maximum density of 18 units per acre shall be permitted. For all other residential uses permitted in the A-950-M district, the density regulations of the appropriate zoning district shall apply as follows:

Duplex--D-1400-M

Patio home--RP-1500-M

Single-family--R-1500-M

Town home--RA-1100-M

(Ord. No. 3038-A, § 1, 8-28-95)