

ARTICLE III. LANDSCAPING

Sec. 98-111. Plan approval.

- (a) Appropriate plans shall be submitted to the city which show the proposed landscape development, including figures to show compliance with this chapter. A plot plan drawn to a scale of normally not less than one inch equals 30 feet shall be submitted, which shall include dimensions and distances, and clearly delineate any existing and proposed landscape development. Such plot plan shall also include detailed drawings of the entire off-street parking area and the location of proposed buildings. Such plot plan shall be incorporated into the preliminary plat submitted to the planning and zoning commission. The proposed landscape plan and report must be submitted with the preliminary plat.
- (b) The proposed landscape plan, as well as the final plat approval, must be approved prior to issuance of a building permit.
- (c) Single-family residential properties shall be exempt from the requirements of this chapter, except any landscaping installed in common areas to be maintained by a homeowner's association or the city shall comply with the requirements set forth in this chapter.

(Ord. No. O-0012, § 79-16, 5-10-2000)

Sec. 98-112. Minimum devotion; vegetation barriers.

- (a) *Requirements.* Except as set forth in subsection (b) of this section, a minimum of ten percent of the developed area of any parcel of property which comes within the provisions of this chapter shall be devoted to landscape development and comply with the intent and purpose of this chapter in accordance with this article.
- (b) *Vegetation barriers.* The city council has established the following vegetative barriers for all areas where commercial zoning adjoins zoning of any other type:
 - (1) Vegetation barriers of 25 feet in width shall be maintained at all times where commercial and multifamily properties abut any single-family residential property or adjacent acreage that may become single-family residential in the future;
 - (2) Vegetation barriers of not less than 15 feet will be required for any commercial property that abuts any existing multifamily tract. All multifamily tracts shall leave a vegetation barrier of at least ten feet within their property lines on all multifamily projects that abut multifamily or commercial zoning;

- (3) Vegetation barriers shall be required between one commercial property abutting another commercial property of not less than 15 feet to the rear. A single commercial property (property not abutting another developed commercial property) shall have a vegetation barrier of at least ten feet;
- (4) In addition to the requirements set forth in subsections (b)(1)--(3) of this section, all parcels along the I-45 Highway Corridor (corridor commercial zoning) shall have a minimum 25-foot buffer from the highway right-of-way lines to act as a forest preserve, and at least 15 percent of the site shall be devoted to landscape development and comply with the intent and purpose of this chapter.

(Ord. No. O-0012, § 79-6, 5-10-2000)

Sec. 98-113. Installation; maintenance; planting criteria.

- (a) All landscape materials shall be installed in a sound workmanship like manner and according to accepted installation procedures.
- (b) The owner of a building or his designee shall be responsible for the maintenance of all landscape areas, which shall be maintained so as to present a healthy, neat and orderly appearance at all times, and shall be kept free from refuse and debris. All planted areas shall be watered, as necessary, to ensure growth and development. Such maintenance shall include the replacement of all dead plant material.
- (c) Planting criteria shall be as follows:
 - (1) *Trees.* Trees of species whose roots are likely to cause damage to public roadways or other public works shall not be planted closer than 12 feet to such public works or city right-of-way. Every effort shall be made to protect all trees during construction. In the interest of preservation, it shall be necessary that trees be protected on all land development during the construction process. Trees selected for preservation within a building site must be flagged. At the time of planting, trees shall be a minimum of three inches in caliper when measured three feet above grade.
 - (2) *Shrubs.* Shrubs shall be a minimum of two-gallon size, and at least two feet in height when measured immediately after planting.
 - (3) *Vines.* Vines shall be a minimum of 30 inches in height one year after planting, and may be used in conjunction with fences, screens or walls to meet screening requirements and specifications.

- (4) *Ground cover.* Ground cover, other than grass, shall be planted in a manner so as to present a finished appearance and reasonably complete coverage within one year after planting, typically four-inch minimum pots at 12 inches o.c. maximum.
- (5) *Lawn grass.* Grass areas shall be planted in species normally grown as permanent lawns in the county, such as Bermuda and Saint Augustine. Grass areas may be sodded, plugged, sprigged or seeded, except that solid sod shall be used in swales or other areas which are subject to erosion.
- (6) *Synthetic or artificial lawns or plants.* Synthetic or artificial lawns or plants shall not be used in lieu of any plant or vegetation requirements.

A current list of accepted landscape materials shall be available in the office of the city secretary.

(Ord. No. O-0012, § 79-10, 5-10-2000)

Sec. 98-114. Nonresidential requirements.

The standards set forth in this section shall apply to all nonresidential districts. Any area within a planned development district containing landscaping shall be regulated by the more restrictive standards.

- (1) The minimum landscaping area for nonresidential districts shall not be less than ten percent of the developed site area. Landscape areas shall include the following, as well as the areas detailed in subsections (2)--(5) of this section:
 - a. Landscaping along street rights-of-way;
 - b. Interior parking lot landscaping;
 - c. Corner lot landscaping;
 - d. Landscaping/screening for properties adjacent to residential areas.

If the total landscape area as required by subsections (2)--(5) of this section is less than ten percent of the pavement area of the site, additional landscaping shall be provided to meet the ten-percent requirement.

- (2) All commercial, industrial and other nonresidential uses shall comply with the following streetscape requirements:

- a. A landscaped edge shall be provided adjacent to all streets. The landscaped edge shall be a minimum width of ten feet (25 feet along I-45), excluding street rights-of-way. Within the landscaped edge, a minimum of one shade tree (three-inch caliper minimum) and one approved ornamental tree shall be planted every 500 square feet of landscaped area.
 - b. Where parking lots and drives abut the landscaped edge, ten shrubs (two-gallon minimum) shall be planted for every 500 square feet of landscaped edge. The number of required shrubs shall be calculated solely on the area of the required landscape edge. A berm may be placed within the landscaped edge in lieu of the required shrubs; however, a headlight screen must be accommodated, if necessary. The slope of the berm shall not exceed a three to one grade.
 - c. If the parking lot is located 50 feet or more from the street right-of-way line, shrubs or berms will not be required unless they are needed for a headlight screen.
 - d. The applicant shall be encouraged to plant a variety of ornamental trees and flowers in addition to the required plantings. Any permeable surface which is not occupied by trees, shrubs, planting beds, signs or other permitted fixtures shall be planted with turf or other living ground cover.
 - e. The required width of the landscaped edge may be reduced during plan review when public improvements are necessary.
- (3) Any nonresidential parking area shall provide interior landscaping in addition to the required landscape edge as follows:
- a. Interior landscaping shall include all areas within paved boundaries of the parking lot, as well as planting islands, curbed areas, corner lots, parking spaces and all interior driveways and aisles, except areas without parking spaces located on either side. Landscaped areas outside of the parking lot may not be used to meet the interior landscaping requirements.
 - b. There shall be eight square feet of interior landscaping for each parking space, or fraction thereof.
 - c. There shall be a minimum of one shade tree (three-inch caliper minimum) or an approved ornamental tree for every 15 parking spaces, or fraction thereof. The trees shall be evenly distributed, unless approved by the city administrator or his designee.

- d. All landscaped areas shall be protected by a raised six-inch concrete curb. Pavement shall not be placed closer than the drip line of the tree at the time of installation.
 - e. Where an existing parking area is altered or expanded to increase the number of spaces, interior landscaping shall be provided on the new portion of the lot in accordance with the standards set forth in subsections (3)a--d of this section.
 - f. The requirements listed in subsections (3)a--e of this section shall not apply to structured parking garages.
- (4) Corner lots at an intersection on two major or larger thoroughfares shall comply with the following landscaping requirements in addition to the required plantings for the landscaped edge and interior parking lot landscaping:
- a. A minimum 15-foot wide (25-foot along I-45) landscaped edge shall be located along all street right-of-way lines beginning at the corner and extending 175 feet or to the closest driveway. Beyond such point, the landscaped edge may be gradually reduced over a distance of 25 feet to ten feet in width, except along I-45.
 - b. Where the city council has determined there is a need for a right-turn lane at a location, the landscaped edge may be reduced to a minimum of 7.5 feet.
 - c. A minimum landscaped area of approximately 900 square feet shall be located at the intersection corner of a lot. Such landscaped area shall be provided within an area measured a minimum distance of 40 feet from the projected corner of the intersection on both sides of the lot.
- (5) Where a parking area is within 50 feet of residentially zoned property and is not screened from view by a screening wall, a continuous screen of shrubs (five-gallon minimum) must be placed adjacent to such parking area. The required landscaping shall comply with the following:
- a. The required shrubs shall create a minimum 42-inch high screen at the time of installation.
 - b. Drought and freeze-resistant shrubs shall be used, including, but not limited to:
 - 1. Burford Holly.
 - 2. Chinese Holly.

3. Eleagnus.
4. Juniper (several varieties).
5. Red Tip Photinia.
6. Wax Myrtles.
7. Yaupon Holly.

Other plans may be used with staff approval.

- (6) All landscape materials must meet the requirements set forth in the latest edition of the American Association of Nurseryman, Inc.'s "American Standard for Nursery Stock."

(Ord. No. O-0012, § 79-19, 5-10-2000)

Sec. 98-115. Authority of city secretary.

The city secretary shall be authorized to promulgate, or have promulgated, and file for public record and use, rules, regulations, standards and specifications for the construction, installation, design, location and arrangement of landscaped elements, but all such rules, regulations, standards and specifications shall be subject to the approval of the city council. Such rules, regulations, standards and specifications shall not conflict with this chapter or any other city ordinances. All landscape improvements shall be constructed, installed, designed, located and arranged by the developer in accordance with such rules, regulations, standards and specifications.

(Ord. No. O-0012, § 79-48, 5-10-2000)

Sec. 98-116. Nonconformity.

If any commercial establishment fails to conform to any of the provisions of this article, it shall be within the discretion of the city council to allocate funds for the provision of the vegetation barriers it deems necessary to fulfill the responsibility and obligation of section 98-112, and to charge the expense of such vegetation barriers to the respective property owner in the form of a lien upon such property. Property owners shall be responsible for any costs incurred in connection with such lien, action or judgment.

(Ord. No. O-0012, § 79-49, 5-10-2000)

Secs. 98-117--98-150. Reserved.