

- (a) An Alternative Landscaping Plan may be submitted allowing deviation from the standards of this section based on existing site characteristics such as existing buildings, parking areas, and other site features that make it difficult to comply with these requirements. The Alternative Landscaping Plan must meet the requirements of this section to the extent possible and must use appropriate alternatives to ensure that the objectives of this section are met. The Alternative Landscaping Plan must be approved by the Planning Director. An unfavorable decision by the Planning Director may be appealed to the Board of Adjustment for final determination.

Section 4.2.2.7 Definitions

- (a) **Landscape Area** is an area on a site specifically designated for landscaping.
- (b) **Landscaping** is any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees).
- (c) **Non-opaque** means a chain-link fence or other fence in which vertical or horizontal members are a minimum of four inches apart.
- (d) **Pedestrianway** is a sidewalk or pathway physically separated from traffic, parking areas, and driving aisles.
- (e) **Street trees** are trees that are planted within the parkway or on private property within 10 feet of the property line adjacent to a street. Street trees are commonly placed in the parkway between the curb and the sidewalk.
- (f) **Street Yard** is an area on a site adjacent to a street that is subject to a building setback.

Division 3 – Tree Preservation

Section 4.2.3.1 Prupose

- (a) The purpose of this section is to establish regulations to provide incentives for the preservation and/or replacement of existing trees within the city of Abilene and to provide requirements for the protection of trees during construction, development, or redevelopment.

Section 4.2.3.2 Tree Preservation Credits

- (a) This paragraph applies only to nonresidential and multifamily development. For every premium tree preserved, the developer shall be given credit for two trees as required by this ordinance, for trees in applicable locations. Only trees in good condition, having been protected in accordance with the tree protection requirements, shall be considered for credit. A maximum credit of one hundred percent (100%) of the required trees shall be allowed per site. Determination of

credits shall be made by the Planning Director upon completion of site improvements.

Section 4.2.3.3 Requirements for Tree Protection During Construction

(a) In order to qualify for tree preservation credit, developers shall adhere to the following tree protection measures on all construction sites.

- (1) Prior to grading, brush removal, or construction, the developer shall clearly tag or mark all trees to be preserved.
- (2) The developer shall erect a plastic mesh fence, or other approved fencing material, a minimum of four feet in height around each tree or group of trees to prevent the placement of debris or fill within the drip line.
- (3) During the construction phase of development, the developer shall prohibit cleaning, parking, or storage of equipment or materials under the canopy of any tree or group of trees being preserved. The developer shall not allow the disposal of any waste material such as, but not limited to, paint, oil solvents, asphalt, concrete, mortar, etc. in the canopy area.
- (4) No attachments or wires of any kind, other than those of a protective nature shall be attached to any tree.
- (5) No fill or excavation may occur within the drip line of a tree to be preserved unless there is a specific approved plan for use of tree wells or retaining walls. Major changes of grade (six inches or greater) will require additional measures to maintain proper oxygen and water exchange with the roots. In addition, the developer should adhere to the following guidelines to protect the trees to be preserved:
 - a. With grade changes, a reinforced retaining wall or tree well of a design approved by the city should be constructed around the tree no closer than half the distance between the trunk and the drip line. The retaining wall should be constructed so as to maintain the existing grades around a tree or group of trees.
 - b. At no time should a wall, pavement, or porous pavement be placed closer than five feet or one foot for every two inches in caliper, whichever is greater, to the trunk of the tree.
 - c. Root pruning may be necessary when the critical root zone is to be disturbed.
 - d. If a patio, sidewalk, drive, parking lot, or other paved surface must be placed within the drip line of an existing tree, material such as a porous pavement or other approved construction method that will allow the passage of water and oxygen may be required.

Section 4.2.3.4 Definitions

(a) For the purpose of this section, the following terms are defined:

- (1) **Drip Line** means a vertical line run through the outermost portion of the crown of a tree and extending to the ground.
- (2) **Premium Tree** means any of the trees noted as such on the "Recommended Trees and Shrubs" list maintained by the Planning Director with a trunk diameter of at least 6 caliper inches.
- (3) **Caliper** of a tree means the diameter of the tree as measured at four feet above ground level.

Division 4 – Screening, Buffering & Fencing

Section 4.2.4.1 Fences, Walls and Hedges

- (a) **Opaque Fences, Walls and Hedges.** Opaque fences, walls and hedges are permitted in the required front yard of any lot in all RS and the Medium Density (MD) zoning districts, only if the height of such fence, wall or hedge does not exceed the height represented by a line connecting a height of seven feet (7') at the building line with a height of two and one-half (2 ½') at the front property line. No such fence, wall or hedge may exceed two and one-half feet along the front property line.
- (b) **Non-Opaque Fences, Walls and Hedges.** Non-opaque fences should not exceed a line connecting a height not to exceed seven feet (7') at the building line with a height of four feet (4') at a setback of seven feet (7') from the front property line. The four-foot (4'), non-opaque fence may extend to the front property line. Non-opaque shall be defined as a chain-link fence or other fence in which vertical or horizontal members are a minimum of four inches apart.
- (c) **Fences, Walls and Hedges in Rear, Interior and Exterior Yards.** Fences, walls and hedges are permitted in rear yards, interior yards, and exterior yards, and shall not exceed seven feet (7') in height between the property line and the building setback line. Reverse (or double) frontage lots and lots having a street on more than two (2) sides shall meet the same requirements on each yard adjoining a street as those lots facing said street. This shall not apply to lots backing up to an arterial street or freeway.
- (d) **Location.** All fences, walls or hedges shall be located at least ten feet (10') from the curb or edge of pavement, whichever is closer, of all streets.
- (e) **Fences, Walls and Hedges in Non-Residential Zoning Districts.** Fences, walls and hedges in non-residential zoning districts must be located on private property and a minimum of ten feet (10') from any curb or edge of pavement where no curb exists. The maximum height permitted for such fences is ten feet (10'). If fence is adjacent to a street or in a street front yard, the maximum height shall be four feet (4').