

## ARTICLE II. LANDSCAPING

### Sec. 110-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Access way* means a paved area intended to provide ingress and egress of vehicular traffic from a public right-of-way to an off-street parking area or loading zone.

*Buffer* means a visual screen constructed of wood, concrete, block, masonry or landscape material in such a manner that adjacent property will be screened from the uses contemplated so noise, solid waste or other objectionable influences will be avoided. Such buffer shall be horizontal to the ground, a minimum of six feet in height, and 100 percent opaque except where extraordinary circumstances exist where additional height will more adequately accomplish the desired end. Prior to the construction of buffers, complete plans showing type of material, depth of beam, and structural support shall be submitted to the building permit office for analysis to determine whether or not the screen will withstand the pressures of time and nature and adequately accomplishes the purposes for which it was intended.

*Caliber,* in reference to trees, means the average diameter of the tree measured from four feet above the ground.

*Contiguous* means adjacent property whose property lines are shared or are separated by only a street, alley, easement or right-of-way.

*Developed area* means that portion of a plot or parcel upon which a building, structure, pavement, gravel or other improvements have been placed.

*Frontage* means lineal distance measured along all abutting street rights-of-way.

*Ground cover* means low-growing plants planted in such a manner as to form a continuous cover over the ground, such as lirioppe, low-growing varieties of honeysuckle, confederate jasmine, English ivy or others.

*Landscape development* means trees, shrubs, ground cover, vines or grass installed in planting areas for the purpose of fulfilling the requirements of this article.

*Paved ground surface area, paved area* or *paved ground area* means any paved ground surface area (excepting public right-of-way) used for the purpose of driving, parking, storing or displaying vehicles, boats, trailer and mobile homes, including new and used car lots and other open lot uses. Parking structures, covered drive-in parking

areas to the drip line of the covering, or garages shall not be considered as paved ground surface areas.

*Planting area* means any area designated for landscape planting having a minimum of ten square feet of actual plantable area and at least an inside dimension on any side of 18 inches.

*Reconstruction* means rehabilitation or replacement of a structure on property which either has been damaged, altered or removed or shall be altered to an extent exceeding 75 percent of the assessed valuation of such structure or 75 percent of the combined assessed valuation of such structure and land as shown on the most recent tax roll of the city.

*Shrub* means any self-supporting woody evergreen and/or flowering species.

*Street line* means that line limiting the right-of-way of the street and being identical with the property line of persons owning property fronting on the street.

*Tree* means any self-supporting woody plant of species that normally grow to an overall height of a minimum of 15 feet in the Lower Rio Grande Valley of Texas. Palm trees are also included in this category.

*Vines* means any of a group of woody or herbaceous plants that may climb by twining, by means of aerial rootlets or by means of tendrils or that may simply sprawl over the ground or other plants.

(Ord. No. 3-28-89, § 1(7-60), 3-28-89)

**Cross references:** Definitions generally, § 1-2.

### **Sec. 110-32. Required landscape installation.**

(a) The placement of landscape in off-street paved surface areas shall ensure that:

- (1) Off-street paved ground areas and adjacent rights-of-way are clearly and visually delineated;
- (2) Physical access between each such area is effectively limited to establish points of ingress and egress; and
- (3) Those established and acceptable ingress and egress points are clearly delineated.

(b) *Requirements.*

- (1) A minimum of ten percent of the developed areas of any parcel or property not covered by a building or structure that comes within the provisions of this article shall be devoted to landscape development and shall comply with the intent and purpose of this article.
  - (2) Any commercial or industrial use that has a side or rear contiguous to any noncommercial or nonindustrial use shall be buffered. Where such contiguous use is separated by only a street and such contiguous use sides-up to or faces the use for which the buffer is required, a masonry or concrete block fence six feet in height may be required by the city. The screen shall be located no closer to the street than the property line.
  - (3) Such planting shall be designed to break up paved areas in excess of 10,000 square feet.
- (c) *Credit for trees.* Trees contribute greatly to the quality of the community's environment through carbon dioxide absorption and oxygen generation, air purification by precipitation of dust particles, transpiration, reduction of heat by transpiration and the creation of shade, and to the improvement of the community's aesthetic qualities; and the extent of the above positive contributions are a function of the size of the tree rather than of the size of the planting area in which the tree is planted; therefore in recognition of the contributions made by trees to the objectives of this article, credit shall be given for each tree in accord with the following schedule:
- (1) Trees that are newly planted shall receive credit against the landscape area requirements according to the following schedule:
    - a. *Large trees.*
      1. Greater than 12-inch caliper, 200 square feet.
      2. Greater than six-inch caliper, 100 square feet.
    - b. *Medium trees.* Between three- and six-inch caliper, 50 square feet.
  - (2) In order to encourage the preservation of trees that are already established and growing, an additional credit of 100 square feet shall be given to existing trees that are preserved rather than planted.
  - (3) These credits shall apply where the tree is in a planting area whose least dimension is half the radius of the crown spread of the tree measured from the trunk center. In no case shall this least dimension be less than a radius of 2½ feet, measured from the center of the tree trunk to the near edge of the landscape area. The ground surface within such preserved planting areas shall be maintained in a porous or vegetative cover. Credit allowed for trees

shall be in addition to the actual square footage of planting area within which the tree is located.

(Ord. No. 3-28-89, § 1(7-2), 3-28-89)

**Sec. 110-34. General requirements.**

(a) *Installation.* All landscape materials shall be installed in a sound workmanship like manner and according to accepted good planting procedures.

(b) *Maintenance.* The owner of the building, or his manager or agent, 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 provided with readily available water supply and watered regularly to ensure continuous healthy growth and development. Maintenance shall include the replacement of all dead plant material.

(c) *Planting criteria.*

(1) *Trees.* Trees planted for credit under section 110-35 should be a minimum of six feet in height when measured immediately after planting. In case of palms, the required measurement should be six feet from ground level to base of palm fronds. Trees should be species having an average mature spread of crown of greater than 15 feet in the Lower Rio Grande Valley (excepting palms), having trunks that can be maintained in a clean condition for over six feet of clear wood measured from the ground. Trees having an average mature spread of crown less than 15 feet may be substituted by grouping the trees so as to create the equivalent of a 15-foot crown spread. Trees of species whose roots are likely to cause damage to public roadways or other public works should not be planted closer than 12 feet to such public works.

(2) *Shrubs.* Shrubs should be a minimum of one foot in height when measured immediately after planting.

(3) *Vines.* Vines should 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 buffer requirements and specifications.

(4) *Ground covers.* Ground covers other than grass should be planted in such a manner as to present a finished appearance and reasonably complete coverage within one year after planting.

(5) *Lawn grass.* Grass areas should be planted in species normally grown as permanent lawns in the city. Grass areas may be sodded, plugged, sprigged

or seeded except that solid sod shall be used in swales or other areas subject to erosion.

- (6) *Synthetic lawns or plants.* Synthetic or artificial lawns or plants shall not be used in lieu of plant requirements in this section.
- (7) *Architectural planters.* The use of architectural planters may be permitted in fulfillment of landscape requirements.

(Ord. No. 3-28-89, § I(7-4), 3-28-89)

**Sec. 110-35. Plan approval.**

- (a) Appropriate plans showing proposed landscape development, including figures to show compliance with this article, shall be submitted to the city. A plot plan drawn to scale normally of not less than one inch equals 30 feet shall include dimensions and distances and clearly delineate any existing and proposed landscaped development. Such plot plan shall also include detailed drawings of the entire off-street parking area and the location of proposed buildings.
- (b) This plan must be approved prior to issuance of a building permit.
- (c) Single-family and two-family residential property is exempt from the requirements of furnishing a plan as required of other properties.

(Ord. No. 3-28-89, § I(7-5), 3-28-89)