

ARTICLE VI. LANDSCAPING REQUIREMENTS

Sec. 41-209. Applicability of regulations.

- (a) This article shall apply to the following:
- (1) All new multifamily apartment houses.
 - (2) All new nonresidential developments.
 - (3) All new gasoline service stations.
 - (4) Existing multifamily houses and nonresidential developments which are improved, whether by attached or detached additions that exceed 50 percent of the value of the existing property.
 - (5) A change in land use of an existing commercial development.
- (b) This article shall not apply to existing nonresidential developments or multifamily apartment houses where there is no change of occupancy or additions less than 50 percent of the value.

(Ord. No. 903, 3-26-2001)

Sec. 41-210. 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:

Inert architectural material . Brick, stone, pebbles, aggregates, sand, natural forms (driftwood, fossils, seashells, etc.), water forms and other non-living landscape features. Concrete and asphalt paving shall not be considered inert architectural materials and shall not be used in landscape areas. Inert architectural materials shall not exceed 25 percent of any landscape area.

Planter . An area bounded by curb within a parking lot set aside for landscaping. A planter shall be no less than 135 square feet with a minimum dimension of 7 1/2 feet from the inside curb.

Plant material . Living trees, shrubs, vines, ground covers, sod, flowering annuals, biennials and perennials. Plastic or other artificial plant simulations shall not fulfill requirements for plant material.

Privacy fence or wall . A fence or wall shall be at least six feet in height constructed of masonry, or approved fence materials which obscure the outside view.

Tree . Any living self-supporting woody plant having at least one well defined stem and growing to a minimum clear wood height of five feet.

(Ord. No. 903, 3-26-2001)

Sec. 41-211. Property perimeter requirements.

- (a) Landscape area five feet in width shall be required along the front property line and along the side property lines to the building setback line or building, whichever distance is greater. Corner lots shall be treated as having two front property lines.
- (b) Landscape area(s) between the front property line(s) and the parking area(s) shall provide a three foot opaque screen within two years of planting using one of the following methods:
 - (1) Plant material or combination of plant material and inert architectural material that will form a continual evergreen hedge. The hedgerow plants shall be no less than five gallon size, spaced no more than 30 inches on center and of a type and variety specifically approved by the city.
 - (2) A berm, plant material, or combination of plant material and inert architectural material.
 - (3) An ornamental fence or wall, plant materials, or combination of plant material and inert architectural material.
- (c) Screening opacity may be reduced to 50 percent when a ten-foot landscape area is provided between the front property line(s) and an internal service drive.
- (d) Landscape areas along the side property lines shall be improved with plant material or a combination including inert architectural material.
- (e) On sites not abutting major thoroughfares, there shall be at least one tree of two-inch caliper for every 40 linear feet or fraction thereof of front property and side property landscape areas. Trees may be clustered but shall not be planted within any public road right-of-way or utility easement.
- (f) On sites abutting major thoroughfares, as designated in the official major street plan, there shall be at least one three of three-inch caliper for every 35 linear feet or fraction thereof or one tree of four-inch caliper for every 50 linear feet or fraction thereof of frontage. Trees shall be placed in a boulevard-type manner, approximately on center and a uniform distance from the curb.

- (g) Nonresidential development abutting an unscreened residential lot, as shown in a properly recorded map or plat of said subdivision, shall build or construct along that abutting property line a privacy fence or wall.
- (h) No landscaping exceeding three feet in height shall be located within a ten-foot radius of any driveway/street intersection. Trees within the ten-foot radius shall maintain a minimum of eight feet of visual clearance.
- (i) Vehicles shall not encroach upon perimeter landscape areas or planters. Either wheel stops must be provided to ensure no vehicle overhang or, in the case where wheel stops are not provided, the perimeter landscape shall be increased to eight feet in width. In such event the interior three feet of width shall be planted with grass or sod only.

(Ord. No. 903, 3-26-2001)

Sec. 41-212. Parking area requirements.

- (a) A parking lot, at a minimum of 20 stalls, shall provide a planter at the ratio of one for every ten parking stalls or fraction thereof. Planters shall not be attached on more than one side to required perimeter landscape areas. Each planter shall contain one tree or shrub at least four feet in height and plant material or combination of plant material and inert architectural material.
- (b) Planters may be aggregated but shall serve the entire parking area.
- (c) All commercial waste receptacles, storage areas, and electrical and mechanical equipment, such as transformers, heat pumps and air conditioners, shall be screened from view from the street.
- (d) Sidewalks immediately adjacent to parking areas acting as a curb shall be a minimum of six feet in width.

(Ord. No. 903, 3-26-2001)

Sec. 41-213. Planting and maintenance.

- (a) The owner of the property shall be responsible for maintenance of all landscaping in a healthy and growing condition. All unhealthy and dead plant materials shall be replaced at the next appropriate growing season or within six months, whichever comes first.
- (b) Trees shall be properly guyed and staked as necessary. Stakes and guy wires shall not interfere with either vehicular or pedestrian traffic.

- (c) Grass planted as a ground cover shall be sodded along the property lines(s) and on berms to reduce erosion, but otherwise may be sprigged or seeded. Other ground cover materials shall be planted as a continual border along property lines(s) to reduce erosion.
- (d) All landscape areas shall be provided with a readily available water supply located within 50 feet of plant material to be maintained.

(Ord. No. 903, 3-26-2001)

Sec. 41-214. Site plan requirements, approval, appellate procedures.

- (a) At the time of application for a building permit, a landscape plan shall be filed with the building department for review and approval. The landscape plan shall include:
 - (1) Plat or parcel boundaries drawn on a map of suitable scale showing property dimensions.
 - (2) Location of all proposed structures, driveways, parking spaces and other vehicular use areas, internal service drives and easements.
 - (3) Location of existing trees, proposed landscape areas and layout showing placement and spacing of plants.
 - (4) Plant list including type, size, variety and number of plants.
 - (5) Use and placement of inert architectural material within landscape areas.
 - (6) Landscape irrigation plan or exterior plumbing hose bib locations.
- (b) An exemption from the tree or planter requirement may be granted by the building official only:
 - (1) If existing trees are to be preserved which can be substituted for required trees; or
 - (2) If a drainage retention area, required by La Marque public works department, is landscaped to fulfill the same square footage requirements.
- (c) Appeal of any other requirement set forth herein shall be with the city building standards commission. The appellant shall clearly state in detail what adjustments are requested and propose an alternative landscape plan. The building standards commission may grant approval of the alternative landscape plan if found to be in compliance with accomplishing the basic intent and purpose.

(d) Prior to issuing a certificate of occupancy all screening and landscaping must be in place in accordance with the landscape plan.

(Ord. No. 903, 3-26-2001)

Secs. 41-215--41-236. Reserved.