

### **Sec. 28-217. Preservation of vegetation.**

Existing mature vegetation (trees of six inches or greater in caliper) or native vegetation (including live oak, Spanish oak, cedar elm, shin oak, bald cypress, post oak, or black walnut and small native trees such as Texas madrone, black cherry, Texas mountain laurel, evergreen sumac, Mexican buckeye, flame leaf sumac or Texas persimmon) shall be preserved through:

- (1) Avoidance of clear-cutting outside necessary construction area.
- (2) Retention of existing vegetation in required yard areas, open space, screening areas, and boundary parking lot landscaping.

(Ord. No. 1986-49, § 1(8.705(f)), 9-16-86)

### **Sec. 28-218. Landscaping.**

- (a) *Definition.* Landscaping shall consist of plant material, including, but not limited to, grass, trees, shrubs, flowers, vines and other groundcover, native plant materials, planters, brick, stone, natural forms, water forms, aggregate or other landscape features, but not including the use of smooth concrete or asphalt; provided, however, that the use of brick, stone, aggregate or other inorganic materials shall not predominate over the use of organic plant material. Varieties of landscape material used shall be consistent with those listed in the Right-of-Way Improvement Plan for the city.
- (b) *Open space.* All open space on the site shall be permanently landscaped. All cuts and fills shall be restored with appropriate vegetation.
- (c) *Boundary landscaping.* In all R-2 through R-3, O, C, and M districts, boundary landscaping shall be provided along the abutting public rights-of-way (except an alley). Such landscaping shall consist of a combination of groundcover and deciduous and evergreen shrubs. One tree shall be required for every 50 feet of frontage or fraction thereof. Trees do not have to be placed at 50-foot intervals, but may be grouped to achieve the desired effect. Trees shall be a minimum of 5 feet in height and 3 inches in caliper (as measured 6 inches from the base). Two trees of 1.5 inch caliper or one multi-trunk tree, no trunk of which shall be less than 1.5 inch in caliper, may be substituted. Trees shall be placed so as not to obstruct sight distances or vehicular or pedestrian circulation. A proportionate increase in the required 25 per cent shrub coverage may be substituted for a decrease in the number of trees. Landscaping must include a combination of grass and/or groundcover and shrubs and must be visible from the public right-of-way. At least 25 per cent of the landscaped area must consist of shrubs. Shrub shall be defined as a woody ornamental plant with several permanent stems instead of a single trunk. The minimum shrub size shall be five gallon as defined by the American

Nursery Association. Boundary landscaping shall be appropriate to the character of the site and the landscaped areas shall be a size to allow proper maintenance. Parkway may be counted in meeting the minimum landscape requirements except where documented plans propose an action that will involve the eventual utilization of the parkway for such purposes as widening of a street, placement of a sidewalk or installation of storm drainage. Landscaping within the parkway shall be executed in such a manner as to provide for pedestrian passage. The boundary landscaping requirements of this section do not apply to property used for single-family residences.

- (d) *Interior parking lot landscaping.* For any off-street parking lot containing over 25 spaces, or for any combination of parking areas on a single lot providing more than 25 spaces, landscaping shall be required in the ratio of ten square feet of landscaped area for every 400 square feet of area occupied by such parking facilities. The required landscaping under this subsection (d) shall be interior landscaping. Interior landscaping shall be defined as any landscaping not located along the outer boundaries of the parking lot. Interior landscaping shall be spaced in such a way as to break up large expanses of paving thereby softening the overall appearance of the parking lot. One tree will be required for every 25 spaces. Trees may be grouped as long as they achieve the objective of softening the overall appearance of the parking lot. Trees shall be a minimum of 5 feet in height and 3 inches per caliper as measured 6 inches from the base. Two trees of one and a 1.5 inch caliper or one multi-trunk tree, no trunk which shall be less than 1.5 inching caliper, may be substituted. Increased landscaped area may be substituted for trees by increasing the landscaped area proportionate to the decrease in the number of required trees.

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Industrial developments in M-2 and M-3 districts that are over one hundred (100) acres in size, may substitute a 20 per cent increase in the boundary landscaping for the required interior parking landscaping for the site under consideration.

- (e) *Maintenance of landscaping.* All landscaping required in this section shall be maintained in a neat and healthy condition, and such maintenance shall be an ongoing obligation of the owner of the property. Plant material that dies shall be replaced by the property owner with living plant material that complies with the approved landscape plan within a period of 120 days.
- (f) *Stormwater management facilities.* Except in M-2 and M-3 districts, retention ponds or similar storm water management facilities will not be counted in meeting landscaping requirements in this section unless landscaped and located in an area that is visible from a public right-of-way.
- (g) *Expansions of existing sites.* The expansion of an existing development by 30 per cent or more of the original structures shall initiate the landscaping requirements specified in this section. Such developments may substitute a 20 per cent increase in the boundary landscaping for the required interior parking landscaping for the site under consideration.
- (h) *Completion of landscaping requirements.* All required landscaping must be in place prior to the issuance of a certificate of occupancy by the building official. In the event weather conditions are not suitable for planting, with the approval of the planning director and prior to the issuance of a certificate of occupancy, an irrevocable letter of credit or bond for the benefit of the City of Waco shall be provided to cover the cost of the planting. Planting may be deferred for a period up to six months after the issuance of a certificate of occupancy.

(Ord. No. 1986-49, § 1(8.705(g)), 9-16-86; Ord. No. 1998-82, § 1, 5-4-99; Ord. No. 2000-85, § 2, 12-14-00)

### **Sec. 28-219. Screening.**

- (a) Screening is required along all lot lines:
  - (1) In an R-3 district abutting a lot located in an R-1 or R-2 district.
  - (2) In an O, C or M district abutting an R district.
- (b) Such screening shall consist of:
  - (1) A solid wood fence or masonry wall at least six feet in height, with the finished side facing out from the lot on which such fence or wall is located.
  - (2) An all-season landscape screen four feet in width densely planted with a combination of deciduous and evergreen trees and shrubs which have an initial height of three feet and will attain a height of six feet within 36 months after installation.

(Ord. No. 1986-49, § 1(8.705(h)), 9-16-86; Ord. No. 1987-25, § 15, 5-12-87)

**Sec. 28-220. Signage.**

Signs shall be located in accordance with the requirements of article VIII.

(Ord. No. 1986-49, § 1(8.705), 9-16-86)

**Sec. 28-221. Building setback and orientation.**

In addition to the yard requirements applicable for the district in which a structure is located:

- (1) All buildings shall comply with the setback requirements of the building code.
- (2) Where more than one principal building is located on a lot, the distance between any multiple-family residential building and any other buildings on the lot shall be not less than ten feet; provided that such distance shall be increased by one foot for each two feet or fraction thereof by which each building exceeds 25 feet in height.

(Ord. No. 1986-49, § 1(8.705(j)), 9-16-86)

**Sec. 28-222. Lighting.**

- (a) Street lighting shall be provided in accordance with the city street lighting policy.
- (b) Where hazards exist which can be minimized or eliminated by lighting, or where use extends into hours of darkness, the lighting of parking areas, walks and drives may be required in such manner and during such hours as may be deemed necessary in the interest of public safety and security. Such lighting may be attached to a building or freestanding fixture. Freestanding fixtures should be kept to the minimum height needed to provide adequate lighting. The height and design of the fixture should be such as to minimize their effect on adjoining properties. Both freestanding and attached fixtures and exposed accessories should be harmonious with building design. No fixed spacing of on-site lighting shall be required; provided, that illumination is even through parking areas and along walks and drives.

(Ord. No. 1986-49, § 1(8.705(k)), 9-16-86)

**Sec. 28-223. Building elevations and materials.**

The intent of this division is to promote good design. Upgrading of the quality of development through better design and execution of projects is encouraged. Contrasting design, when sensitive to the surrounding environment, is recognized as a valid means of adding interest and vitality to an area. The elevations of buildings designed to be open to view from a public street or right-of-way, kind and texture of the building material of the buildings, and the relationship of building elevations and materials to adjacent buildings or structures create an architectural character for development, and the following standards are designed to promote quality and compatibility of building design:

- (1) Materials should be selected for suitability to the type of buildings and style in which they are used, and for harmony with adjoining buildings.
- (2) In any building in which the structural frame is exposed to view, the structural materials should also meet the above criteria.
- (3) Building components and appurtenances, including doors, windows, canopies and trim, should maintain a harmonious proportion to each other and to the building as a whole.
- (4) Mechanical equipment on roof, ground or building should be screened from public view at ground level with materials harmonious with the building, or located so as not to be visible from any public street or residential area.
- (5) Miscellaneous structures and objects, excluding works of art such as outdoor sculpture, adjacent to a building should be compatible with the architectural style of the main buildings in scale, materials and colors.
- (6) Variation in architectural detail, variations in building massing, or varied siting of individual buildings should be used to provide visual interests where more than one building is located on a single parcel.

(Ord. No. 1986-49, § 1(8.705(l)), 9-16-86)

#### **Sec. 28-224. Refuse and trash removal.**

For all uses, except where individual trash collection is to be provided for each townhouse, two-family or single-family dwelling unit, refuse or trash collection areas shall be provided at the rear of each structure, or positioned in or near the common parking lot or a driveway. Each such area shall be completely screened from view on three sides, with solid fencing of either wood or masonry construction, to a height of seven feet and shall include concrete pad. Each such refuse area shall be provided with closed and covered trash containers.

(Ord. No. 1986-49, § 1(8.705(m)), 9-16-86)