

DIVISION 6. LANDSCAPING REQUIREMENTS

Sec. 4-10-246. Purpose:

The purpose of this Chapter is to set minimum requirements for landscape and irrigation standards for properties with Multiple-Family and nonresidential land uses within the corporate limits of the city. The following regulations are designed to:

- 1) Preserve the value of property while promoting and enhancing the visual appearance of the City;
- 2) Reduce the negative effects of noise, glare, air pollution, and urban heat islands;
- 3) Reduce soil erosion and encourage the reduction of water run-off by decreasing large expanses of impervious area; and
- 4) Promote water conservation and water efficiency by incorporating drought-tolerant plant selections in properly designed landscape areas and using proper irrigation systems;

Sec. 4-10-247. Definitions:

Building Footprint: A Structure which is covered by a roof or canopy and is not open to the sky. This definition is not intended to include Carports.

Building Official: Head of the Department of Building Safety for the City of Amarillo.

Evergreen Tree: A tree with foliage that persists and remains green year round.

Excess Vegetation: Whether living, dormant, or dead:

- i) All grasses, weeds, and other plants in excess of eight (8) inches in height that are cultivated and growing in rank profusion; or
- ii) Noxious weeds; or
- iii) Uncultivated brush or weeds in excess of eight (8) inches in height; or
- iv) Shrubs and tree limbs that overhang or obstruct public sidewalks, streets, or alleys in violation of other provisions of this Code of Ordinances.

Provided however, the term Excess Vegetation shall not include cultivated flowers, gardens, and lawns.

Groundcover: Living landscape materials or low-growing plants, other than turf grasses, installed in such a manner so as to provide a continuous cover of the ground surface, and which upon maturity normally reach the average maximum height of 24 inches.

Hardscape: including but not limited to building foundation, concrete, asphalt, pavers, or stones set with mortar.

Living Landscape Materials: Living flowers, Groundcover, ornamental grasses, turf, shrubs, vines, and trees.

DRAFT LANDSCAPE ORDINANCE—Updated July 2014

Multiple-Family Land Use: A use which is designated to occupy three (3) or more Housing Units or Apartments or which is occupied as a home or place of Residence by three (3) or more Families living in independent Housing Units.

Non-Living Landscape Materials: Natural or man-made material free of uncultivated vegetation that is intended to reduce or eliminate watering, growth of Excess Vegetation, and inhibit water runoff while maintaining a pleasant aesthetic appearance. Acceptable examples include: Boulders, wood chips, artificial turf, mulch, crushed or decomposed granite, gravel, cobblestone, crushed rock, sand, ornamental glass, and lava rock. A permeable weed barrier shall be installed under all Non-Living Landscape Materials.

Ornamental Tree: A deciduous tree thirty (30) feet or less in height at maturity, planted primarily for its ornamental value such as flowers, leaf color, size, or shape.

Parking Lot Island: An area, protected by standard curb, and typically surrounded on at least two (2) sides by parking spaces or drive aisle.

Recommended Plant List: A list of perennials, Groundcover, ornamental grasses, turf, shrubs, vines, and trees on file with the Planning Department. The Planning Director may amend this list from time to time.

Shade Tree: A deciduous tree exceeding thirty (30) feet in height at maturity, planted for its high crown of foliage or overhead canopy.

Street Frontage: The property line where a Lot, Tract, or Parcel of land fronts right-of-way.

Total Required Landscaped Area: Ten percent (10%) of Building Footprint

Trash: Debris such as cans, glass, cartons, construction waste, dead tree stumps, dead trees, as well as other items as defined in Section 4-3-2(a) of the Amarillo Municipal Code.

Turf Grass: Cultivated grass typically used for lawns which require regular watering and mowing to maintain a desired height, color, and aesthetic appearance.

Zoning Board of Adjustment: Appointed by the City Council, this board is authorized to make special exceptions, in appropriate cases and subject to appropriate conditions and safeguards, to the terms of this Chapter in harmony with its general purpose and intent and in accordance with general or specific rules contained herein.

Sec. 4-10-248. Applicability:

Landscaping is required as follows:

- 1) Multiple–Family and nonresidential land uses located on any Lot, Tract, or Parcel of property and adjacent right-of-way in the R-1, R-2, R-3, MD, MF-1, MF-2, MH, O-1, O-2, NS, GR, CB, and LC Districts. This includes:
 - a. All new construction.
 - b. Redevelopment resulting in an increase of 3,000 square feet and 35% or more of the gross floor area of buildings on a site.
 - c. Expansion of existing parking lot area by more than 35% but less than 50% requires landscaping for the new area.
 - d. Expansion of existing parking lot area by 50% or more, landscaping is required for the entire site.
- 2) Multiple—Family and nonresidential land uses located on any Lot, Tract, or Parcel of property and adjacent right-of-way in the HC District shall meet the requirements of subsection (1) when the property fronts or sides on a freeway, expressway, State highway, or designated section line Arterial Street.
- 3) Nonresidential land uses located on any Lot, Tract, or Parcel of property and adjacent right-of-way in the I-1 and I-2 Districts shall meet the requirements of subsection (1) when the property fronts or sides on a freeway, expressway, or State highway.
- 4) Landscaping of property located within the Downtown Amarillo Urban Design District shall be subject to the Downtown Amarillo Urban Design Standards adopted in Division 3 of this chapter.

Sec. 4-10-249. Landscaping Standards:

Landscaping elements can include a combination of Living and Non-Living Landscape Materials. All landscape materials shall be resistant to wind and water erosion as well as growth of Excess Vegetation. Landscaping shall not be used which would conflict in any way with the sight distance requirements or sight restriction requirements of Chapter 16-3, Article III.

- 1) **Landscaping Area Requirements.**
 - a) An area equal to ten percent (10%) of the Building Footprint per Street Frontage shall be landscaped. Landscaping shall be located on that portion of the Lot situated between the proposed Building Line and the property line or lines adjacent to a Street and shall be permanently maintained. Where Section 4-10-170 does not require a Front Yard Setback for a Building, the Building must be set back to accommodate the required Landscaping.
 - b) Right-of-way between back of curb or edge of pavement to property line must be landscaped. However, in no case shall there be less than a 10-foot wide landscaped area.
 - c) Any landscaped area in the right-of-way in excess of ten (10) feet in width may be credited toward the Total Required Landscaped Area requirement.

- d) The combined total of Non-Living Landscape Materials shall not exceed fifty percent (50%) of Total Required Landscape Area.

2) **Tree Requirements.**

- a. All Shade and Ornamental Trees shall have a minimum caliper size of two (2) inches when measured one (1) foot above ground level. Evergreen Trees shall have a minimum height of six (6) feet above grade.
- b. No tree shall be placed or allowed to grow untrimmed in such a manner as to create a hazard to vehicular or pedestrian traffic.
- c. Street front trees. Trees shall be provided within the front yard at the equivalent of one (1) tree per forty (40) linear feet of Street Frontage, or a fraction thereof. If no front yard is required, then trees shall be placed within 15 feet of the property line parallel to the right-of-way. Trees planted in the right-of-way shall be no closer than 6 feet from back-of-curb or edge of pavement. In instances where overhead utilities exist, Ornamental Trees shall be used.
- d. Parking lot trees. Trees shall be required in parking areas at a minimum rate of one (1) tree per twenty (20) parking spaces. Trees shall be planted within Parking Lot Islands, with a minimum area of thirty-six (36) square feet with no interior dimensions less than four (4) feet measured at 90 degrees to the interior edges. Such trees shall be placed throughout the parking area to become an integral part of the parking design. Trees shall not impede the distribution of light throughout parking lot.

Number of Parking Spaces	Number of Parking Lot Trees Required
19 or fewer spaces	0
20 to 39 spaces	1
40 to 59 spaces	2
60 to 79 spaces, etc.	3, etc.

e) **Irrigation System Requirements.**

- a. Irrigation systems shall be designed and installed per applicable state law and Chapter 4-5 of the Amarillo Municipal Code.
- b. To ensure long-term viability, required landscape areas shall be irrigated by one or a combination of the following methods:
 - i. An automatic underground system,
 - ii. A drip irrigation system,
 - iii. An accessible water source located within 50 feet of each landscaping area
- c. Drip systems shall be required in confined spaces of 4 feet or less between Hardscape surfaces.

- d. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees or shrubs.
- e. The source of irrigation water, whether potable or reclaimed, shall be indicated on the landscape plan.
- f. All sprinkler systems shall be designed in such a manner as to minimize water runoff and to eliminate overspray into adjacent right-of-way, driveways, and parking areas.

Sec. 4-10-250. Landscaping and Irrigation Plan:

Prior to the issuance of a building permit or paving permit, an electronic copy of a landscape and irrigation plan shall be submitted to the Department of Building Safety for review and approval. The plan shall be drawn to scale, including the following details and all additional information necessary to illustrate compliance with the regulations of this Chapter:

1) Project Description

- a. Project name, address and designers contact information
- b. Statement of Acknowledgement for site maintenance

2) Site Elements

- a. Property lines
- b. Setback lines
- c. Building, driveway, sidewalk, and parking locations
- d. Public utility easements locations (Xcel, Atmos, Suddenlink, etc.)
- e. Overhead power lines
- f. Existing tree locations
- g. Proposed plant material and tree locations
- h. Type and placement of irrigation systems

3) Landscape Legend

- a. Plant material names, symbols, sizes and quantities
- b. Tree names, symbols, caliper of ornamental and shade trees, height of evergreen trees, and quantities

4) Landscape Ordinance Compliance Schedule.

Landscaping Requirements

- a. Total lot area
- b. Total Building Footprint
- c. Total Required Landscaped Area
- d. Total area of living landscape required
- e. Total area of living landscape provided
- f. Total area of non-living landscaping provided

Street Tree Requirements

- g. Total length of Street Frontage
- h. Total number of trees required per Street Frontage
- i. Total number of trees provided per Street Frontage

Parking Lot Tree Requirements

- j. Total number of parking spaces
- k. Total number of trees required per parking spaces
- l. Total number of trees provided per parking spaces

DRAFT LANDSCAPE ORDINANCE

Sec. 4-10-251. Landscape Point System:

All submitted landscape and irrigation plans as required under Section 4-10-250 must achieve a score of at least 20 points in order to be approved. Points are awarded for the following items:

- 1) 75% of all plant materials are water efficient as listed within the Recommended Plant List.....15 points
- 2) For all required trees, each tree size meets or exceeds 3 caliper inches.....2 points
- 3) All parking lot trees are planted in a Parking Lot Island greater than 64 square feet per tree.....5 points
- 4) For all areas 4 feet or less in any dimension, Non-Living Landscape Materials with a permeable weed barrier are used.....2 points
- 5) Preservation of each existing healthy tree 2 caliper inches or greater.....5 points
- 6) Subsurface irrigation is used for all Turf Grass10 points
- 7) Drip irrigation systems are used within all planting beds.....5 points
- 8) Landscape plan designed and sealed by a registered landscape architect.....2 points
- 9) Permeable weed barrier installed in all planting beds.....2 points
- 10) Landscaped area provided exceeds requirement by an additional 10 percent.....2 points
- 11) Installation of each additional parking lot tree above the minimum requirement.....2 points
- 12) Root barriers are used to prevent Hardscape damage as trees grow.....5 points
- 13) More than 50% of Total Required Landscaped Area is Blue grass or other cool season Turf Grass. This does not include tall turf-type fescue grass varieties.—5 points
- 14) Planting of each variety of tree not listed on the Recommended Plant List.....—2 points

Sec. 4-10-252. Installation Standards:

All requirements of this Section shall be complete prior to the receipt of a certificate of occupancy or final approval of a parking lot permit. If weather conditions prohibit the installation of landscaping, the Building Official may issue a temporary certificate of occupancy. Such issuance shall be contingent upon the property owner or Developer filing of record in the deed records of the proper county an instrument with associated Landscape Plans stating that the required Landscaping shall be installed within six (6) months of the issuance of the certificate of occupancy.

Failure to install landscaping in accordance with the plan shall cause revocation of the certificate of occupancy.

Sec. 4-10-253. Exemptions:

- 1) Landscaping shall not be required for a temporary use which will be in operation for a period of 180 days or less.
- 2) In cases where the desired location for landscaping for the required ten percent (10%) of Building Footprint is not within the front setback, the Planning Director or designee may provide written approval for alternative landscape locations.

DRAFT LANDSCAPE ORDINANCE

- 3) In cases where the desired location for required street front trees conflict with access to the lot, the Planning Director or designee may provide written approval for alternative placement. In no instance shall an alternate proposal result in a net reduction of the tree requirement as measured in total tree caliper inches.
- 4) Where it has been determined that site constraints exist which render conformance of a particular site to the landscape requirements impracticable, the Planning Director or designee may provide written approval for an alternate proposal, which provides for landscaping as intended by this Division, yet takes into account the constraints unique to the property in question. In determining the practicability and acceptability of the alternate proposal, the Planning Director or designee shall consider the following factors:
 - a. The configuration of the lot or tract in question;
 - b. The square footage of the property in question;
 - c. The square footage of the property being developed;
 - d. The zoning district of the property in question;
 - e. The zoning districts and landscaping on adjacent property;
 - f. The square footage of property abutting a roadway, compared with the square footage of the entire property;
 - g. The topography and soil on the property in question;
 - h. Alternate proposals of similarly situated properties; and/or
 - i. Other factors or materials relevant to the circumstances of the site in question.

An appeal of the Planning Director or designee decision may be made to the Zoning Board of Adjustment in accordance with the requirements and procedures in Article II, Division 2 of this Chapter.

Sec. 4-10-254. Maintenance Standards:

The property owner shall be responsible for the maintenance of all Living and Non-Living Landscape Materials. Living Landscape Materials shall be kept in healthy and growing conditions at all times so as to present a neat and orderly appearance, free from Excess Vegetation and Trash. Non-Living Landscape Materials shall be kept in a neat and orderly appearance, free from Excess Vegetation and Trash. Regular and normal maintenance of landscaping includes weeding, fertilizing, pruning, mowing, and irrigating. It shall also be the responsibility of the property owner to maintain any landscaping in the right-of-way as defined in Section 4-6-183.

Landscaping which dies shall be replaced by the owner as quickly as possible, but in any event no later than sixty (60) days after notification from the Building Official, with another living plant that is comparable to the existing plant or plant material specified in the approved landscape plan. The Building Official may extend this time period due to weather or other events outside of the control of the property owner.

DRAFT LANDSCAPE ORDINANCE

Sec. 4-10-255. Violation—Penalty.

- (a) The penalty for violation of these regulations shall be in accordance with the general penalty provisions contained in Section 1-1-5 of this Code of Ordinances. Each day any violation or noncompliance continues shall constitute a separate and distinct offense.
- (b) The City of Amarillo is specifically authorized to enforce this ordinance by appropriate civil action and this remedy is cumulative to the penal fine provided for above.

Sec, 4-10-256—4-10-265. Reserved.

DRAFT