

DATE: April 19, 2016
TO: Honorable Mayor & City Council
FROM: M. Nathan Barbera, 1st Vice Chair, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of April 18, 2016

**AGENDA ITEM NO. 1 - PUBLIC HEARING
ZONING CASE 2016-001
APPLICANT: CITY OF PLANO**

Request to amend Article 8 (Definitions) and Article 17 (Landscaping and Tree Preservation) of the Zoning Ordinance to consider various amendments to landscape regulations. Tabled February 16, 2016 and March 21, 2016.

APPROVED: 6-0 **DENIED:** _____ **TABLED:** _____
Speaker Card(s) Received **Support:** 0 **Neutral:** 1 **Oppose:** 0
Letter(s) Received **Support:** 0 **Neutral:** 0 **Oppose:** 1
Petition(s) Received 0 **# Of Signatures** 0

STIPULATIONS:

Recommended for approval as follows:

(Proposed additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Amend Section 8.200 (Terms Defined) of Article 8 (Definitions), portion of section to read as follows:

Landscape

The physical features of a property contributing to its aesthetic appearance through the addition of ornamental objects and/or plant material including, but not limited to, ground cover, grass, shrubs, and trees.

Amend Subsection 17.100.1 (Landscape along Street Rights-of-Way) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), portions A, B, and E of subsection to read as follows:

- A. A landscape edge shall be provided adjacent to all streets. The landscape edge shall be a minimum width of 10 feet, exclusive of street rights-of-way. Within the landscape edge, ~~one shade tree (3-inch caliper minimum) or an approved ornamental tree shall be planted per 3 caliper inches of shade trees or 6 caliper inches of ornamental trees shall be planted~~ caliper per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees shall be calculated solely on the area of the required landscape edge. See Figure 17-1.
- B. Where parking lots and drives abut the landscape edge, and where berms and low walls are not used, 10 shrubs (5-gallon minimum) shall be planted per 500 square feet of landscape edge to create a headlight screen. The number of required shrubs shall be calculated solely on the area of the required landscape edge. See Figure 17-1. Shrubs must be drought tolerant, native or well adapted, and have a mature height between 30 inches and 42 inches. A berm may be placed within the landscape edge in lieu of the required shrubs unless needed for a headlight screen. The berm must be 18 to 40 inches above the average grade of the street and parking lot curbs. The slope of the berm shall not exceed a ~~3~~ three to one grade.
- E. The applicant is also encouraged to plant a variety of ornamental trees and flowers in addition to the required plantings. Any permeable surface not occupied by trees, shrubs, planting beds, signs, or other permitted fixtures shall be planted with turf or other living groundcover. Gravel, bark mulch, synthetic turfs, or other similar materials are not acceptable.

Amend Subsection 17.100.2 (Interior Parking Lot Landscaping) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), portions A and C of subsection to read as follows:

- A. Interior landscaping shall generally include all areas within the paved boundaries of the parking lot as well as planting islands, curbed areas, corner lots, parking spaces, and all interior driveways and aisles except those with no parking spaces located on either side. Per the development incentives and standards in Article 18, up to 50% of the required interior parking lot landscaping may be placed outside of the parking lot to meet the interior landscaping requirement. All parking lot trees planted outside the perimeter of the parking lot must be located no closer than 5 feet and no greater than 15 feet from the back of the parking lot curb. See Figure 17-2. (If approved, Figure 17-2 will be updated.)
- C. There shall be one shade tree (3-inch caliper minimum) or an approved ornamental tree for every ~~45~~ 12 parking spaces or fraction thereof. Ornamental trees may be substituted for shade trees at a ratio of two to one with approval of the Director of Planning Department's Landscape Architect or designee. Ornamental trees shall be 8 feet to 10 feet in height, if single

trunked, or a total of 3-inch caliper and 8 feet to 10 feet in height, if multi-trunked.

Amend Subsection 17.100.5 (Landscaping for Below-grade Open Parking Structures in the Front Yard of Nonresidentially Zoned Properties) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), subsection to read as follows:

~~.5 Landscaping for Below-grade Open Parking Structures in the Front Yard of Nonresidentially Zoned Properties~~

~~Where below-grade open parking is provided in the front yard setback, the required landscaping shall comply with the following regulations: Where a parking structure is within 100 feet or less of the street right-of-way, the following is required:~~

- ~~A. An 18-15-foot wide landscape edge buffer shall be provided between the below-grade parking structure and the street right-of-way. The landscape edge buffer is exclusive of the street rights-of-way.~~
- ~~B. The 18-15-foot wide landscape edge buffer shall include a minimum 3-foot tall berm, measured from the property line after grading. The berm shall not exceed a 3 three to one slope. One shade tree (3-inch caliper minimum) or an approved ornamental tree shall be provided per 50 feet of street frontage, exclusive of entry drives and pedestrian access points. within the landscape edge between the below-grade open parking and the street right-of-way Ornamental trees (minimum 8 to 10 feet in height) may be substituted for shade trees at a ratio of 2:1.~~
- ~~C. The landscape buffer shall include 10 shrubs (minimum 5-gallon) per required shade tree. If a decorative trellis is used as part of the facade structure, vines may count as part of the minimum shrub requirement. If the parking structure has open sides on the ground level, the shrubs shall be planted to cover no more than 60% of the facade facing the street right-of-way.~~
- ~~D. A maximum of 60% of any one species of tree is allowed for any required planting.~~

Delete in its entirety Subsection 17.100.6 (Landscaping for Above-Ground and/or At-Grade Parking Structures) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), as follows:

~~**.6 Landscaping for Above-ground and/or At Grade Parking structures.**~~

~~—These standards shall apply to all non-residential districts, except BG and CB-1, and shall be in addition to other landscaping requirements as required in this article.~~

~~A. Where an above-ground and/or at-grade parking structure is located 100 feet or less from the adjacent street right-of-way, the required landscaping shall comply with the following regulations:~~

- ~~i. A minimum 10-foot landscape edge shall be provided adjacent to the exterior perimeter of the parking structure.~~
- ~~ii. Within the required landscape edge, one shade tree (minimum 3-inch caliper) shall be provided for every 50 lineal feet of parking structure frontage, exclusive of entry drives and pedestrian access points. Ornamental trees (minimum 8 to 10 feet in height) can be substituted for shade trees at a ratio of 2:1.~~
- ~~iii. Additionally, 10 shrubs (minimum 5-gallon) per required shade tree shall be provided within the required landscape edge. If a decorative trellis is used as part of the façade structure, vines may count as part of the minimum shrub requirement. The shrubs must be planted as to not cover more than forty percent, (40%) of the open side of the lower level. If a decorative trellis is used as part of the façade structure, vines may count as part of the minimum shrub requirement.~~
- ~~iv. A maximum of 60% of any one species is allowed for any required planting stated above.~~

~~B. Where an above-ground and/or at-grade parking structure is located great than 100 feet from the adjacent street right-of-way, the required landscaping shall comply with the following regulations:~~

- ~~i. Within a maximum of 10 feet from the exterior perimeter of the parking structure, one shade tree (minimum 3-inch caliper) shall be provided for every 50 lineal feet of parking structure frontage, exclusive of entry drives and pedestrian access points. Ornamental trees (minimum 8 to 10 feet in height) can be substituted for shade trees at a ratio of 2:1.~~
- ~~ii. A maximum of 60% of any one species is allowed for any required planting stated above.~~

Amend Subsection 17.200.1 (Multifamily and Retirement Housing Landscaping Requirements) of Section 17.200 (Residential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), portions F and H of subsection to read as follows:

F. Parking areas shall be landscaped in addition to the required landscape edge. Seventeen square feet of landscaping for each parking space shall be provided within the paved boundaries, including one shade tree (3-inch

caliper minimum) or an approved ornamental tree per 10 parking spaces. Ornamental trees may be substituted for shade trees at a ratio of two to one with approval of the ~~Planning Department's Landscape Architect~~ Director of Planning or designee. Ornamental trees shall be 8 feet to 10 feet in height, if single trunked, or a total of 3-inch caliper and 8 feet to 10 feet in height, if multi-trunked. Per the development incentives and standards in Article 18, up to 50% of the parking lot landscaping may be placed outside of the parking lot to meet the landscaping requirement. Required parking lot trees placed outside the perimeter of the parking must be planted no closer than 5 feet and no greater than 15 feet from the back of the parking lot curb.

- H. One shade tree (3-inch caliper minimum) or an approved ornamental tree per 1,000 square feet of required open space shall be provided. All trees must be drought tolerant native or well adapted plants as determined by the Director of Planning or designee. No more than 60% of any one species is allowed.

Amend Subsections 17.300.1 (Preston Road Overlay District), 17.300.2 (Dallas North Tollway Overlay District), 17.300.3 (190 Tollway/Plano Parkway Overlay District), and 17.300.4 (State Highway 121 Overlay District) of Section 17.300 (Overlay District Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), portion C of subsections to read as follows:

- C. ~~A mechanical~~ digitally controlled automatic irrigation system shall be installed to ensure maintenance of plant materials in a living and growing condition.

Amend Section 17.400 (Landscape Maintenance Requirements) of Article 17 (Landscaping and Tree Preservation), section to read as follows:

Landscape Maintenance Requirements Compliance

- .1 All plant material and landscape shall be maintained in a healthy and growing condition ~~and must be replaced with plant material of similar variety and size and shall comply with the approved landscape plan, if, damaged, destroyed, or removed.~~
- .2 ~~Landscape areas shall be kept free of trash, litter, weeds, and other such materials or plants not a part of the landscaping. It is an offense to:~~
- A. Fail to maintain plant material in a healthy and growing condition.
 - B. Fail to maintain plant material and landscape in compliance with the approved landscape plan.
 - C. Fail to provide a digitally controlled automatic irrigation system for all landscaping with appropriate shut-off devices, manual over-ride, freeze

sensor, and rain sensor designed with zones to water plants based on similar water needs.

D. Fail to comply with the tree preservation requirements in Sec. 17.800.

~~.3 An automatic irrigation system is required for all landscaping. The irrigation system shall be designed with efficient water usage as an operational goal. The design shall include appropriate shut-off devices, manual over-ride, freeze sensor and rain sensor. The irrigation system shall be designed with zones to water plants based on similar water needs.~~

~~.4.3 The requirements listed in Sec. 17.400.1 through Sec. 17.400.3 above shall not apply to single-family, patio home, single-family residence attached, and two-family platted lots with the exception of property owned and maintained by a homeowners association.~~

~~.5.4 Any developer desiring to install and maintain landscaping materials and irrigation facilities within the city right-of-way must first enter into and execute a "Median Right-of-Way Landscape and Irrigation Agreement." Landscaping and irrigation facilities may be installed within the city right-of-way with approval of the Director of Planning or designee.~~

~~.6.5 Entryway or amenity features within city right-of-way may be developed under the responsibility of a homeowners association or commercial property owners association. Documents shall be submitted, reviewed, and approved by the city. with approval of the Director of Planning or designee.~~

Amend Section 17.500 (Landscape Design Requirements) of Article 17 (Landscaping and Tree Preservation), section to read as follows:

Required trees and plants shall be native to this area, or well adapted, and shall comply with the list of trees and plants that are suitable for local soil and climate conditions as compiled by the Planning Department's Landscape Architect. A minimum of 50% of the required landscape trees and plants must come from the Planning Department's Approved Plant List. Landscape design shall exhibit the application of water conservation through creative design and shall be reviewed for compliance with the following principles:

- .1 Careful landscape design that applies water conservation methods,
- .2 Soil protection and improvement,
- .3 Careful selection and design of turf areas,
- .4 Use of site appropriate plant material with water conservation in mind, and

- .5 The use of mulch around all plant material and areas that are not turf or hardscape.

Amend Section 17.600 (Alternative Landscape Design) of Article 17 (Landscaping and Tree Preservation), section to read as follows:

- .1 Per the development incentives and standards in Article 18, alternative landscape design intended to improve storm water quality and/or intended to decrease storm water quantity will be considered if submitted as part of a site-specific storm water management plan. Alternative landscape design shall be subject to approval by the standards for landscape plan approval as listed in Sec. 17.700 and in Article 18.
- .2 Roof and vertical gardens are permitted subject to the requirements of the Building Code, but shall not be counted toward required landscape.

Amend Subsection 17.800.1 (Definitions) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portions of subsection to read as follows:

Caliper Inch: Method of measuring the diameter of a tree trunk. The point of measurement is approximately 6 inches above the top of the root ball. This is used as a measuring standard for nursery grown trees.

Diameter at Breast Height, (DBH): Method of measuring the trunk diameter of existing trees in a natural setting. The point of measurement is approximately 48 inches above existing grade.

~~Drip Line: A vertical line run through the outermost portion of the crown of a tree and extending to the ground.~~

Root Protection Zone: The area under a tree canopy to be protected. This area is measured by one foot of radius per one inch of Diameter at Breast Height.

Amend Subsection 17.800.3 (Exemptions) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portions C and H of subsection to read as follows:

~~C. For all nonresidential and multifamily developments, the building pads as defined above, plus proposed public street rights-of-way, public utility easements, off-street parking areas, driveways, and fire lanes and drive aisles are exempt. Sufficient area to allow the normal operation of construction equipment for these improvements is also exempt.~~

~~H. Hackberry (Celtis occidentalis), Bois d'Arc (Malcura pomifera), and Cottonwood (Populus deltoides) are exempt from tree protection and~~

~~preservation requirements except when located in a floodplain or watercourse as defined by the City of Plano or other government agencies.~~

H. Native or well adapted species of trees may be exempted with approval by the Director of Planning or designee if diseased, presenting a public health or safety hazard, or in severe decline.

Amend Subsection 17.800.4 (Tree Preservation Requirements) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portion B of subsection to read as follows:

B. No tree 8 inches in ~~caliper~~ DBH or larger may be removed unless it is located in areas specifically exempted in Sec. 17.800.3 or the city has approved removal. These trees must be preserved unless the health and condition of the tree warrants removal, as determined by the ~~city~~ Director of Planning or designee.

~~C. The Caliper of a tree shall be measured at 4 feet above ground level for tree survey purposes.~~

Amend Subsection 17.800.5 (Tree Survey and Preservation Plan Required) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portion C of subsection to read as follows:

C. Field Inspections

Prior to the approval by the ~~Planning Department's Landscape Architect~~ Director of Planning or designee of a tree preservation plan, the applicant shall mark all trees to be preserved in a manner to allow for quick field and plan coordination and notify the city of the marking. The city shall inspect and verify the marking within 2 weeks.

- i. Prior to the commencement of grading, all tree markings, protective fencing such as plastic mesh and erosion control measures must be installed by the developer and must be inspected by the city.
- ii. The city may issue a stop-work order at any time if tree preservation requirements are not being met.
- iii. Within 2 weeks of notification by the Engineering Department that final acceptance of the subdivision is imminent, a final inspection of the tree preservation methods must be performed.

Amend Subsection 17.800.6 (Requirements for Tree Preservation) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portion B of subsection to read as follows:

- B. The developer shall erect a plastic mesh fence, or other approved fencing material, a minimum of 4 feet in height around each tree or group of trees to prevent the placement of debris or fill within the ~~drip-line~~ root protection zone. The fence shall be installed prior to the release of any permit. If the protection fence is found removed, down, or altered at any time during construction prior to final inspection or landscape installation, a stop work order may be issued by the Engineering Department. A maximum 25% encroachment into the root protection zone may be permitted with approval of the Director of Planning or designee.

Amend Subsection 17.800.8 (Replacement of Trees) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portion H of subsection to read as follows:

- H. If the physical limitations of the subject property are such that all of the replacement trees cannot be properly located, the developer shall locate the extra trees in public rights-of-way, medians, on private open space areas, or in public park land with the approval of the ~~Planning Department's Landscape Architect or the Urban Forester~~ Director of Planning or designee. The developer may pay a fee to the city in lieu of tree replacement.

FOR CITY COUNCIL MEETING OF: May 9, 2016 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

RH/ks

xc: City of Plano

CITY OF PLANO
PLANNING & ZONING COMMISSION

April 18, 2016

Agenda Item No. 1

Public Hearing: Zoning Case 2016-001

Applicant: City of Plano

DESCRIPTION:

Request to amend Article 8 (Definitions) and Article 17 (Landscaping and Tree Preservation) of the Zoning Ordinance to consider various amendments to landscape regulations. Tabled February 16, 2016 and March 21, 2016.

REMARKS:

This zoning case was tabled at the March 21, 2016 meeting. It must be removed from the table for consideration.

At its meeting on December 21, 2015, the Planning & Zoning Commission called a public hearing to consider amendments to Article 17 (Landscaping and Tree Preservation) and related sections of the Zoning Ordinance pertaining to landscape regulations. These regulations have not been comprehensively revised since 2003. Staff has reviewed various issues related to methodology, clarification, and expansion of regulations in order to recommend updates consistent with current environmental and community needs.

The City of Plano requires applicants to provide general tree surveys, landscape plans, and tree preservation plans in order to review compliance with landscape regulations during the development review process. These development plans are reviewed by the city's certified landscape architect, and as needed, in consultation with the city's certified arborist. Finally, as properties develop, the city's Engineering and Property Standards inspectors review the landscaping for installation and maintenance compliance.

The following is a summary of the issues as well as a brief description regarding staff's recommendation for changes.

ISSUES:

Plant Diversity

The iTree survey conducted in 2014 found that plant diversity needs improvement throughout the city. In order to promote diversity, and allow more flexibility in regard to tree plantings, staff is proposing to restrict the percentage of tree species per lot, and allow smaller trees to be planted in lieu of a minimum number of caliper inches. Smaller trees have a lower mortality rate because of their ability to adapt, therefore, allowing for additional small tree plantings will help create a denser canopy cover for properties. The associated changes are found within Subsections 17.100.1A, 17.100.1B, 17.100.1E, and 17.200.1H.

Additionally, staff is proposing to adopt an approved plant list which will help reduce plant loss due to environmental incompatibility and encourage species that require less irrigation. The plant list will be maintained and updated by staff, which would allow it to be adjusted, as needed, based upon current planting trends and market availability. The recommended plant list is attached as Exhibit A.

General Landscape

The following recommendations are provided in order to update and clarify regulations associated with general landscape standards:

1. Definition for landscape: The Zoning Ordinance does not currently contain a definition for landscape. A definition is proposed within Subsection 8.200.
2. Headlight screening for parking lots: These requirements are in place to screen automobile headlights from adjacent streets and residential zoning districts. The recommended changes are intended to reduce incidences of poor plant selection. (Subsections 17.100.1B and 17.100.1E)
3. Permeable areas: Staff is proposing to disallow the sole use of bark, gravel, or stone as a material for certain permeable areas such as parking lot islands. These materials would be permitted when used in combination with plant materials. (Subsections 17.100.1E)
4. Parking lot trees: Staff is proposing to allow trees to be placed within a certain distance of the perimeter of the parking lot, rather situated within the parking lot itself. This will encourage thoughtful placement of trees as well as more flexibility in parking lot design. Additionally, staff is proposing to update the minimum tree requirements from one tree per 15 parking spaces to one tree per 12 parking spaces. This increase will bring the city up to date regarding current trends within Texas. (Subsections 17.100.2A and 17.100.2C)
5. Parking structure screening: Several updates are proposed including consolidating the requirements, modifying the area where trees may be planted, and limiting shrub planting to allow more growing room for trees and improve Fire Department access to the structures. Finally, in order to increase diversity, staff

is proposing to limit the percentage of species used. (Subsections 17.100.6A and 17.100.6B)

6. Overlay districts: Within the overlay district regulations, the term “mechanical” is used to define minimum standards in regard to irrigation requirements. This term is out of date and should be updated to “digitally controlled automatic” to reflect current terminology. (Subsections 17.300.1C, 17.300.2C, 17.300.3C, 17.300.4C)
7. Compliance: After discussions with the Neighborhood Services Department and Legal Department, staff is proposing amendments in order to clarify required compliance with landscape regulations. (Subsection 17.400)

Tree Preservation Methodology

Under the current tree preservation regulations, staff has noticed that a large amount of canopy cover can be removed without requiring that it be replaced. Most of the canopy loss occurs because of the exemption of some native species considered “nuisance” trees such as Hackberry and Cottonwood. Although these species may not be the most aesthetically pleasing, they are still native, adaptive trees which can grow to significant sizes. The automatic exemption from mitigation has resulted in the loss of a large number of healthy well-formed trees. In order to address this issue, staff is proposing to remove these species from the exemption list, and instead propose regulations to exempt trees that are considered unhealthy, or present a safety concern.

Additionally, staff is concerned that the automatic exemption of any tree within a proposed parking lot allows for an inordinate loss of healthy trees. For this reason, staff is proposing to allow exemptions for trees within parking lots when necessary for fire lanes, handicap parking, and mandated utility easements. These recommended updates can be found in Subsections 17.800.3C and 17.800.3H.

Tree Preservation

The following recommendations are provided in order to update and clarify regulations associated with tree preservation:

1. Adding terms and definitions for “Caliper Inch” and “Diameter at Breast Height (DBH)”: Caliper is a diameter measurement more commonly associated with nursery grown trees. Diameter at Breast Height is more commonly associated with older existing trees found grown in the natural environment. Staff recommends differentiating the different methods and requiring the “Diameter at Breast Height” method when inventorying existing trees. (Subsections 17.800)
2. Tree preservation fencing: During site inspections, it has been noted that required tree preservation fencing is not always maintained. In order to address this issue, the recommended updates include clarity of maintenance for fencing, as well as, the opportunity for staff to initiate a stop work order if the fence is not properly maintained. (Subsection 17.800.6B)

3. Tree protections: In an effort to provide clarification regarding tree planting protections, the recommended updates include standards related to the minimum area of coverage and root protection zone. Additionally, encroachment into these areas is permitted up to a maximum of 25 percent, at the discretion of staff. (Subsections 17.800.6B)

Conformance to the Comprehensive Plan

The Comprehensive Plan includes several recommendations that apply to this zoning case:

1. Land Use Action Statement #1 - Review and evaluate the Zoning Ordinance and make appropriate amendments based upon the policies within the plan.
2. Open Space and Natural Resource Conservation Action Statement #7 - Evaluate the commercial landscaping requirements as part of the Urban Forestry plan updates to ensure zoning regulations meet the intent of the urban forestry policies.
3. Regional Water Conservation Action Statement #6 - Require drought resistant and native plants for all new development and replacement of current landscaping throughout the city.

This zoning case is a part of the city's continued efforts to review and evaluate the Zoning Ordinance for potential improvements. The proposed amendments have been coordinated with the city's Urban Forester and are consistent with the intent and recommendations of the Urban Forestry Plan. The updated language will require drought resistant and native plants, and staff believes the proposed changes are consistent with the recommendations of the Comprehensive Plan.

Summary

This zoning case includes language intended to update portions of Article 17 (Landscaping and Tree Preservation) of the Zoning Ordinance. The proposed amendments and revisions reflect current environmental trends regarding increased emphasis on the use of native and adapted plant material, increased knowledge of plant needs, and more consistency with zoning requirements and requests from the public. The recommended updates are in conformance with the recommendations of the Urban Forestry Plan and the Comprehensive Plan. For these reasons, staff recommends approval of the zoning case.

RECOMMENDATION:

Recommended for approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Amend Section 8.200 (Terms Defined) of Article 8 (Definitions), portion of section to read as follows:

Landscape

The physical features of a property contributing to its aesthetic appearance through the addition of ornamental objects and/or plant material including, but not limited to, ground cover, grass, shrubs, and trees.

Amend Subsection 17.100.1 (Landscape along Street Rights-of-Way) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), portions A, B, and E of subsection to read as follows:

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- B. Where parking lots and drives abut the landscape edge, and where berms and low walls are not used, 10 shrubs (5-gallon minimum) shall be planted per 500 square feet of landscape edge to create a headlight screen. The number of required shrubs shall be calculated solely on the area of the required landscape edge. See Figure 17-1. Shrubs must be drought tolerant, native or well adapted, and have a mature height between 30 inches and 42 inches. A berm may be placed within the landscape edge in lieu of the required shrubs unless needed for a headlight screen. The berm must be 18 to 40 inches above the average grade of the street and parking lot curbs. The slope of the berm shall not exceed a ~~3~~ three to one grade.
- E. The applicant is also encouraged to plant a variety of ornamental trees and flowers in addition to the required plantings. Any permeable surface not occupied by trees, shrubs, planting beds, signs, or other permitted fixtures shall be planted with turf or other living groundcover. Gravel, bark mulch, synthetic turfs, or other similar materials are not acceptable.

Amend Subsection 17.100.2 (Interior Parking Lot Landscaping) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), portions A and C of subsection to read as follows:

- A. Interior landscaping shall generally include all areas within the paved boundaries of the parking lot as well as planting islands, curbed areas, corner lots, parking spaces, and all interior driveways and aisles except those with no parking spaces located on either side. Per the development incentives and standards in Article 18, up to 50% of the required interior parking lot landscaping may be placed outside of the parking lot to meet the interior

landscaping requirement. All parking lot trees planted outside the perimeter of the parking lot must be located no closer than 5 feet and no greater than 15 feet from the back of the parking lot curb. See Figure 17-2. (If approved, Figure 17-2 will be updated.)

- C. There shall be one shade tree (3-inch caliper minimum) or an approved ornamental tree for every ~~45~~ 12 parking spaces or fraction thereof. Ornamental trees may be substituted for shade trees at a ratio of two to one with approval of the Director of Planning Department's Landscape Architect or designee. Ornamental trees shall be 8 feet to 10 feet in height, if single trunked, or a total of 3-inch caliper and 8 feet to 10 feet in height, if multi-trunked.

Amend Subsection 17.100.5 (Landscaping for Below-grade Open Parking Structures in the Front Yard of Nonresidentially Zoned Properties) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), subsection to read as follows:

~~.5 Landscaping for Below-grade Open Parking Structures in the Front Yard of Nonresidentially Zoned Properties~~

~~Where below-grade open parking is provided in the front yard setback, the required landscaping shall comply with the following regulations: Where a parking structure is within 100 feet or less of the street right-of-way, the following is required:~~

- A. ~~An 18-15-foot wide landscape edge buffer shall be provided between the below-grade parking structure and the street right-of-way. The landscape edge buffer is exclusive of the street rights-of-way.~~
- B. ~~The 18-15-foot wide landscape edge buffer shall include a minimum 3-foot tall berm, measured from the property line after grading. The berm shall not exceed a 3 three to one slope. One shade tree (3-inch caliper minimum) or an approved ornamental tree shall be provided per 50 feet of street frontage, exclusive of entry drives and pedestrian access points. within the landscape edge between the below-grade open parking and the street right-of-way. Ornamental trees (minimum 8 to 10 feet in height) may be substituted for shade trees at a ratio of 2:1.~~
- C. ~~The landscape buffer shall include 10 shrubs (minimum 5-gallon) per required shade tree. If a decorative trellis is used as part of the facade structure, vines may count as part of the minimum shrub requirement. If the parking structure has open sides on the ground level, the shrubs shall be planted to cover no more than 60% of the facade facing the street right-of-way.~~
- D. ~~A maximum of 60% of any one species of tree is allowed for any required planting.~~

Delete in its entirety Subsection 17.100.6 (Landscaping for Above-Ground and/or At-Grade Parking Structures) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), as follows:

~~.6 Landscaping for Above-ground and/or At Grade Parking structures.~~

~~—These standards shall apply to all non-residential districts, except BG and CB-1, and shall be in addition to other landscaping requirements as required in this article.~~

~~A. Where an above-ground and/or at-grade parking structure is located 100 feet or less from the adjacent street right-of-way, the required landscaping shall comply with the following regulations:~~

- ~~i. A minimum 10 foot landscape edge shall be provided adjacent to the exterior perimeter of the parking structure.~~
- ~~ii. Within the required landscape edge, one shade tree (minimum 3-inch caliper) shall be provided for every 50 lineal feet of parking structure frontage, exclusive of entry drives and pedestrian access points. Ornamental trees (minimum 8 to 10 feet in height) can be substituted for shade trees at a ratio of 2:1.~~
- ~~iii. Additionally, 10 shrubs (minimum 5-gallon) per required shade tree shall be provided within the required landscape edge. If a decorative trellis is used as part of the façade structure, vines may count as part of the minimum shrub requirement. The shrubs must be planted as to not cover more than forty percent, (40%) of the open side of the lower level. If a decorative trellis is used as part of the façade structure, vines may count as part of the minimum shrub requirement.~~
- ~~iv. A maximum of 60% of any one species is allowed for any required planting stated above.~~

~~B. Where an above-ground and/or at-grade parking structure is located great than 100 feet from the adjacent street right-of-way, the required landscaping shall comply with the following regulations:~~

- ~~i. Within a maximum of 10 feet from the exterior perimeter of the parking structure, one shade tree (minimum 3-inch caliper shall be provided for every 50 lineal feet of parking structure frontage, exclusive of entry drives and pedestrian access points. Ornamental trees (minimum 8 to 10 feet in height) can be substituted for shade trees at a ratio of 2:1.~~
- ~~ii. A maximum of 60% of any one species is allowed for any required planting stated above.~~

Amend Subsection 17.200.1 (Multifamily and Retirement Housing Landscaping Requirements) of Section 17.200 (Residential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), portions F and H of subsection to read as follows:

- F. Parking areas shall be landscaped in addition to the required landscape edge. Seventeen square feet of landscaping for each parking space shall be provided within the paved boundaries, including one shade tree (3-inch caliper minimum) or an approved ornamental tree per 10 parking spaces. Ornamental trees may be substituted for shade trees at a ratio of two to one with approval of the ~~Planning Department's Landscape Architect~~ Director of Planning or designee. Ornamental trees shall be 8 feet ~~to~~ 10 feet in height, if single trunked, or a total of 3-inch caliper and 8 feet to 10 feet in height, if multi-trunked. Per the development incentives and standards in Article 18, up to 50% of the parking lot landscaping may be placed outside of the parking lot to meet the landscaping requirement. Required parking lot trees placed outside the perimeter of the parking must be planted no closer than 5 feet and no greater than 15 feet from the back of the parking lot curb.

- H. One shade tree (3-inch caliper minimum) or an approved ornamental tree per 1,000 square feet of required open space shall be provided. All trees must be drought tolerant native or well adapted plants as determined by the Director of Planning or designee. No more than 60% of any one species is allowed.

Amend Subsections 17.300.1 (Preston Road Overlay District), 17.300.2 (Dallas North Tollway Overlay District), 17.300.3 (190 Tollway/Plano Parkway Overlay District), and 17.300.4 (State Highway 121 Overlay District) of Section 17.300 (Overlay District Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), portion C of subsections to read as follows:

- C. A ~~mechanical~~ digitally controlled automatic irrigation system shall be installed to ensure maintenance of plant materials in a living and growing condition.

Amend Section 17.400 (Landscape Maintenance Requirements) of Article 17 (Landscaping and Tree Preservation), section to read as follows:

Landscape Maintenance Requirements Compliance

- .1 All plant material and landscape shall be maintained in a healthy and growing condition ~~and must be replaced with plant material of similar variety and size and shall comply with the approved landscape plan, if, damaged, destroyed, or removed.~~

- .2 ~~Landscape areas shall be kept free of trash, litter, weeds, and other such materials or plants not a part of the landscaping. It is an offense to:~~
 - A. Fail to maintain plant material in a healthy and growing condition.

- B. Fail to maintain plant material and landscape in compliance with the approved landscape plan.
 - C. Fail to provide a digitally controlled automatic irrigation system for all landscaping with appropriate shut-off devices, manual over-ride, freeze sensor, and rain sensor designed with zones to water plants based on similar water needs.
 - D. Fail to comply with the tree preservation requirements in Sec. 17.800.
- ~~.3 An automatic irrigation system is required for all landscaping. The irrigation system shall be designed with efficient water usage as an operational goal. The design shall include appropriate shut-off devices, manual over-ride, freeze sensor and rain sensor. The irrigation system shall be designed with zones to water plants based on similar water needs.~~
- ~~.4.3 The requirements listed in Sec. 17.400.1 through Sec. 17.400.3 above shall not apply to single-family, patio home, single-family residence attached, and two-family platted lots with the exception of property owned and maintained by a homeowners association.~~
- ~~.5.4 Any developer desiring to install and maintain landscaping materials and irrigation facilities within the city right-of-way must first enter into and execute a "Median Right of Way Landscape and Irrigation Agreement." Landscaping and irrigation facilities may be installed within the city right-of-way with approval of the Director of Planning or designee.~~
- ~~.6.5 Entryway or amenity features within city right-of-way may be developed under the responsibility of a homeowners association or commercial property owners association. Documents shall be submitted, reviewed, and approved by the city. with approval of the Director of Planning or designee.~~

Amend Section 17.500 (Landscape Design Requirements) of Article 17 (Landscaping and Tree Preservation), section to read as follows:

Required trees and plants shall be native to this area, or well adapted, and shall comply with the list of trees and plants that are suitable for local soil and climate conditions as compiled by the Planning Department's Landscape Architect. A minimum of 50% of the required landscape trees and plants must come from the Planning Department's Approved Plant List. Landscape design shall exhibit the application of water conservation through creative design and shall be reviewed for compliance with the following principles:

- .1 Careful landscape design that applies water conservation methods,
- .2 Soil protection and improvement,
- .3 Careful selection and design of turf areas,

- .4 Use of site appropriate plant material with water conservation in mind, and
- .5 The use of mulch around all plant material and areas that are not turf or hardscape.

Amend Section 17.600 (Alternative Landscape Design) of Article 17 (Landscaping and Tree Preservation), section to read as follows:

- .1 Per the development incentives and standards in Article 18, alternative landscape design intended to improve storm water quality and/or intended to decrease storm water quantity will be considered if submitted as part of a site-specific storm water management plan. Alternative landscape design shall be subject to approval by the standards for landscape plan approval as listed in Sec. 17.700 and in Article 18.
- .2 Roof and vertical gardens are permitted subject to the requirements of the Building Code, but shall not be counted toward required landscape.

Amend Subsection 17.800.1 (Definitions) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portions of subsection to read as follows:

Caliper Inch: Method of measuring the diameter of a tree trunk. The point of measurement is approximately 6 inches above the top of the root ball. This is used as a measuring standard for nursery grown trees.

Diameter at Breast Height, (DBH): Method of measuring the trunk diameter of existing trees in a natural setting. The point of measurement is approximately 48 inches above existing grade.

~~Drip Line: A vertical line run through the outermost portion of the crown of a tree and extending to the ground.~~

Root Protection Zone: The area under a tree canopy to be protected. This area is measured by one foot of radius per one inch of Diameter at Breast Height.

Amend Subsection 17.800.3 (Exemptions) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portions C and H of subsection to read as follows:

C. For all nonresidential and multifamily developments, the building pads as defined above, plus proposed public street rights-of-way, public utility easements, off-street parking areas, driveways, and fire lanes and drive aisles are exempt. Sufficient area to allow the normal operation of construction equipment for these improvements is also exempt.

~~H. Hackberry (*Celtis occidentalis*), Bois d'Arc (*Malcura pomifera*), and Cottonwood (*Populus deltoides*) are exempt from tree protection and~~

~~preservation requirements except when located in a floodplain or watercourse as defined by the City of Plano or other government agencies.~~

H. Native or well adapted species of trees may be exempted with approval by the Director of Planning or designee if diseased, presenting a public health or safety hazard, or in severe decline.

Amend Subsection 17.800.4 (Tree Preservation Requirements) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portion B of subsection to read as follows:

B. No tree 8 inches in ~~caliper~~ DBH or larger may be removed unless it is located in areas specifically exempted in Sec. 17.800.3 or the city has approved removal. These trees must be preserved unless the health and condition of the tree warrants removal, as determined by the ~~city~~ Director of Planning or designee.

~~C. The Caliper of a tree shall be measured at 4 feet above ground level for tree survey purposes.~~

Amend Subsection 17.800.5 (Tree Survey and Preservation Plan Required) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portion C of subsection to read as follows:

C. Field Inspections

Prior to the approval by the ~~Planning Department's Landscape Architect~~ Director of Planning or designee of a tree preservation plan, the applicant shall mark all trees to be preserved in a manner to allow for quick field and plan coordination and notify the city of the marking. The city shall inspect and verify the marking within 2 weeks.

- i. Prior to the commencement of grading, all tree markings, protective fencing such as plastic mesh and erosion control measures must be installed by the developer and must be inspected by the city.
- ii. The city may issue a stop-work order at any time if tree preservation requirements are not being met.
- iii. Within 2 weeks of notification by the Engineering Department that final acceptance of the subdivision is imminent, a final inspection of the tree preservation methods must be performed.

Amend Subsection 17.800.6 (Requirements for Tree Preservation) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portion B of subsection to read as follows:

B. The developer shall erect a plastic mesh fence, or other approved fencing material, a minimum of 4 feet in height around each tree or group of trees to prevent the placement of debris or fill within the ~~drip line~~ root protection zone.

The fence shall be installed prior to the release of any permit. If the protection fence is found removed, down, or altered at any time during construction prior to final inspection or landscape installation, a stop work order may be issued by the Engineering Department. A maximum 25% encroachment into the root protection zone may be permitted with approval of the Director of Planning or designee.

Amend Subsection 17.800.8 (Replacement of Trees) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), portion H of subsection to read as follows:

H. If the physical limitations of the subject property are such that all of the replacement trees cannot be properly located, the developer shall locate the extra trees in public rights-of-way, medians, on private open space areas, or in public park land with the approval of the ~~Planning Department's Landscape Architect or the Urban Forester~~ Director of Planning or designee. The developer may pay a fee to the city in lieu of tree replacement.

Planning Department Approved Plant List

April 18, 2016

SHADE TREES

Bigtooth Maple	Acer grandidentatum
Arizona Cypress**	Cupressus arizonica
Texas Ash	Fraxinus texensis
Ginkgo**	Ginkgo biloba
Chinese Pistache	Pistachio chinensis
Chinkapin Oak**	Quercus muhlenbergii
Lacey Oak**	Quercus laceyi
Shumard Red Oak	Quercus shumardii
Bur Oak	Quercus macrocarpa
Live Oak	Quercus virginiana
Bald Cypress	Taxodium distichum
Montezuma Cypress**	Taxodium mucronatum
Cedar Elm	Ulmus crassifolia

ORNAMENTAL TREES

Shantung Maple	Acer truncatum
Redbud	Cercis canadensis
Desert Willow**	Chilopsis linearis
Washington Hawthorn**	Crataegus phaenopyrum
Texas Persimmon	Diospyros texana
Savannah Holly	Ilex attenuate
Deciduous Yaupon	Ilex decidua
Yaupon	Ilex vomitoria
Crapemyrtle	Lagerstroemia spp.
Southern Magnolia	Magnolia spp.
Wax Myrtle	Myrica cerifera
Mexican Plum**	Prunus mexicana
Sumac	Rhus spp.
Mexican Buckeye	Ungnadia speciose
Rusty Blackhaw**	Viburnum rudiolum
Vitex**	Vitex agnus-castus

SHRUBS

Abelia	Abelia spp.
Barberry	Berberis spp.
Burning Bush**	Euonymus alatus
Burford Holly	Ilex cornuta var.
Yaupon Holly	Ilex vomitoria var.
Juniper	Juniperus spp.
Texas Sage	Leucophyllum frutescens var.
Wax Myrtle	Myrica spp.
Nandina	Nandina spp.
Indian Hawthorn	Rhapiolepis spp.
Sumac**	Rhus spp.
Viburnum**	Viburnum spp.

**Preferred Species to Encourage Biodiversity

Zoning Case 2016-001

An Ordinance of the City of Plano, Texas, amending Section 8.200 (Terms Defined) of Article 8 (Definitions) and specific sections in Article 17 (Landscaping and Tree Preservation); of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to various amendments to landscape regulations; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 9th day of May, 2016, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 9th day of May, 2016; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Section 8.200 (Terms Defined) of Article 8 (Definitions); of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such additional definition to read as follows:

Landscape

The physical features of a property contributing to its aesthetic appearance through the addition of ornamental objects and/or plant material including, but not limited to, ground cover, grass, shrubs, and trees.

Section II. Subsection 17.100.1 (Landscaping along Street Rights-of-Way) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, portions A, B, and E of subsection to read as follows:

- A. A landscape edge shall be provided adjacent to all streets. The landscape edge shall be a minimum width of 10 feet, exclusive of street rights-of-way. Within the landscape edge, 3 caliper inches of shade trees or 6 caliper inches of ornamental trees shall be planted per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees shall be calculated solely on the area of the required landscape edge. See Figure 17-1.
- B. Where parking lots and drives abut the landscape edge, and where berms and low walls are not used, 10 shrubs (5-gallon minimum) shall be planted per 500 square feet of landscape edge to create a headlight screen. The number of required shrubs shall be calculated solely on the area of the required landscape edge. See Figure 17-1. Shrubs must be drought tolerant, native or well adapted, and have a mature height between 30 inches and 42 inches. A berm may be placed within the landscape edge in lieu of the required shrubs unless needed for a headlight screen. The berm must be 18 to 40 inches above the average grade of the street and parking lot curbs. The slope of the berm shall not exceed a three to one grade.
- E. The applicant is also encouraged to plant a variety of ornamental trees and flowers in addition to the required plantings. Any permeable surface not occupied by trees, shrubs, planting beds, signs, or other permitted fixtures shall be planted with turf or other living groundcover. Gravel, bark mulch, synthetic turfs, or other similar materials are not acceptable.

Section III. Subsection 17.100.2 (Interior Parking Lot Landscaping) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, portions A, C, and Figure 17-2 of subsection to read as follows:

- A. Interior landscaping shall generally include all areas within the paved boundaries of the parking lot as well as planting islands, curbed areas, corner lots, parking spaces, and all interior driveways and aisles except those with no parking spaces located on either side. Per the development incentives and standards in Article 18, up to 50% of the required interior parking lot landscaping may be placed outside of the parking lot to meet the interior landscaping requirement. All parking lot trees planted outside the perimeter of the parking lot must be located no closer than 5 feet and no greater than 15 feet from the back of the parking lot curb. See Figure 17-2.

BASIC REQUIREMENTS

1. 8 SF. OF PERMEABLE LANDSCAPE AREA FOR EACH PARKING SPACE
2. ONE (1) SHADE TREE FOR EACH FIFTEEN (15) PARKING SPACES.

EXAMPLE



PERMEABLE LANDSCAPE AREA WITHIN THE LIMITS OF THE PARKING LOT.

LANDSCAPE AREA REQUIRED: 888SF (111 SPACES x 8SF)

LANDSCAPE AREA PROVIDED: 4,693.5SF (SEE PLAN)

PARKING LOT TREES REQUIRED : 7.4 = 8 (111 / 15 ROUNDED TO THE NEXT WHOLE NUMBER

PARKING LOT TREES PROVIDED:

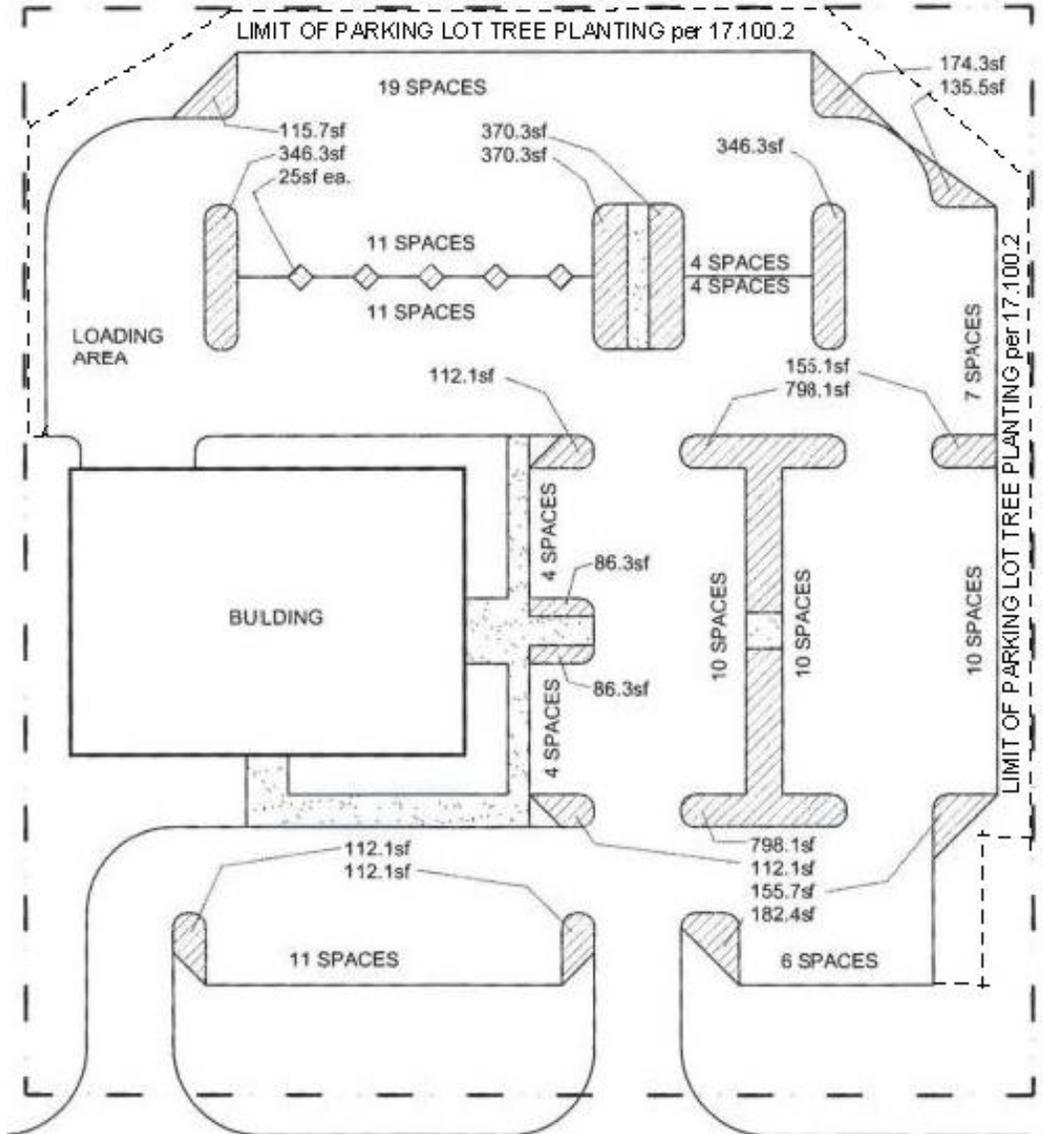


Figure 17-2: Interior Parking Lot Landscaping

- C. There shall be one shade tree (3-inch caliper minimum) or an approved ornamental tree for every 12 parking spaces or fraction thereof. Ornamental trees may be substituted for shade trees at a ratio of two to one with approval of the Director of Planning or designee. Ornamental trees shall be 8 feet to 10 feet in height, if single trunked, or a total of 3-inch caliper and 8 feet to 10 feet in height, if multi-trunked.

Section IV. Subsection 17.100.5 (Landscaping for Below-grade Open Parking Structures in the Front Yard of Nonresidentially Zoned Properties) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, subsection to read as follows:

.5 Landscaping for Parking Structures

Where a parking structure is within 100 feet or less of the street right-of-way, the following is required:

- A. A 15-foot wide landscape buffer shall be provided between the parking structure and the street right-of-way. The landscape buffer is exclusive of the street rights-of-way.
- B. The 15-foot wide landscape buffer shall include one shade tree (3-inch caliper minimum) or an approved ornamental tree per 50 feet of street frontage, exclusive of entry drives and pedestrian access points. Ornamental trees (minimum 8 to 10 feet in height) may be substituted for shade trees at a ratio of 2:1.
- C. The landscape buffer shall include 10 shrubs (minimum 5-gallon) per required shade tree. If a decorative trellis is used as part of the facade structure, vines may count as part of the minimum shrub requirement. If the parking structure has open sides on the ground level, the shrubs shall be planted to cover no more than 60% of the facade facing the street right-of-way.
- D. A maximum of 60% of any one species of tree is allowed for any required planting.

Section V. Subsection 17.100.6 (Landscaping for Above Ground and/or At-Grade parking Structures) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, subsection to be deleted in its entirety.

Section VI. Subsection 17.200.1 (Multifamily and Retirement Housing Landscaping Requirements) of Section 17.200 (Residential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, portions F and H of subsection to read as follows:

- F. Parking areas shall be landscaped in addition to the required landscape edge. Seventeen square feet of landscaping for each parking space shall be provided within the paved boundaries, including one shade tree (3-inch caliper minimum) or an approved ornamental tree per 10 parking spaces. Ornamental trees may be substituted for shade trees at a ratio of two to one with approval of the Director of Planning or designee. Ornamental trees shall be 8 feet to 10 feet in height, if single trunked, or a total of 3-inch caliper and 8 feet to 10 feet in height, if multi-trunked. Per the development incentives and standards in Article 18, up to 50% of the parking lot landscaping may be placed outside of the parking lot to meet the landscaping requirement. Required parking lot trees placed outside the perimeter of the parking must be planted no closer than 5 feet and no greater than 15 feet from the back of the parking lot curb.

- H. One shade tree (3-inch caliper minimum) or an approved ornamental tree per 1,000 square feet of required open space shall be provided. All trees must be drought tolerant native or well adapted plants as determined by the Director of Planning or designee. No more than 60% of any one species is allowed.

Section VII. Subsections 17.300.1 (Preston Road Overlay District), 17.300.2 (Dallas North Tollway Overlay District), 17.300.3 (190 Tollway/Plano Parkway Overlay District), and 17.300.4 (State Highway 121 Overlay District) of Section 17.300 (Overlay District Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, portion C of all such subsections to read as follows:

- C. A digitally controlled automatic irrigation system shall be installed to ensure maintenance of plant materials in a living and growing condition.

Section VIII. Section 17.400 (Landscape Maintenance Requirements) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, section to read as follows:

Landscape Compliance

- .1 All plant material and landscape shall be maintained in a healthy and growing condition and shall comply with the approved landscape plan.

- .2 It is an offense to:
 - A. Fail to maintain plant material in a healthy and growing condition.

 - B. Fail to maintain plant material and landscape in compliance with the approved landscape plan.

C. Fail to provide a digitally controlled automatic irrigation system for all landscaping with appropriate shut-off devices, manual over-ride, freeze sensor, and rain sensor designed with zones to water plants based on similar water needs.

D. Fail to comply with the tree preservation requirements in Sec. 17.800.

- .3 The requirements listed above shall not apply to single-family, patio home, single-family residence attached, and two-family platted lots with the exception of property owned and maintained by a homeowners association.
- .4 Landscaping and irrigation facilities may be installed within the city right-of-way with approval of the Director of Planning or designee.
- .5 Entryway or amenity features within city right-of-way may be developed under the responsibility of a homeowners association or commercial property owners association with approval of the Director of Planning or designee.

Section IX. Section 17.500 (Landscape Design Requirements) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, section to read as follows:

Required trees and plants shall be native to this area, or well adapted, and suitable for local soil and climate conditions. A minimum of 50% of the required landscape trees and plants must come from the Planning Department's Approved Plant List. Landscape design shall exhibit the application of water conservation through creative design and shall be reviewed for compliance with the following principles:

- .1 Careful landscape design that applies water conservation methods,
- .2 Soil protection and improvement,
- .3 Careful selection and design of turf areas,
- .4 Use of site appropriate plant material with water conservation in mind, and
- .5 The use of mulch around all plant material and areas that are not turf or hardscape.

Section X. Section 17.600 (Alternative Landscape Design) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, section to read as follows:

- .1 Per the development incentives and standards in Article 18, alternative landscape design intended to improve storm water quality and/or intended to decrease storm water quantity will be considered if submitted as part of a site-specific storm water management plan. Alternative landscape design shall be subject to approval by

the standards for landscape plan approval as listed in Sec. 17.700 and in Article 18.

- .2 Roof and vertical gardens are permitted subject to the requirements of the Building Code, but shall not be counted toward required landscape.

Section XI. Subsection 17.800.1 (Definitions) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, portions of subsection to read as follows:

Caliper Inch: Method of measuring the trunk diameter of a nursery grown tree. The point of measurement is approximately 6 inches above the top of the root ball.

Diameter at Breast Height (DBH): Method of measuring the trunk diameter of existing trees in a natural setting. The point of measurement is approximately 48 inches above existing grade.

Root Protection Zone: The area under a tree canopy to be protected. This area is measured by one foot of radius per one inch of DBH.

Section XII. Subsection 17.800.3 (Exemptions) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, portions C and H of subsection to read as follows:

- C. For all nonresidential and multifamily developments, the building pads, proposed public street rights-of-way, public utility easements, and fire lanes are exempt. Sufficient area to allow the normal operation of construction equipment for these improvements is also exempt.
- H. Native or well adapted species of trees may be exempted with approval by the Director of Planning or designee if diseased, presenting a public health or safety hazard, or in severe decline.

Section XIII. Subsection 17.800.4 (Tree Preservation Requirements) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, portion B of subsection to read as follows and portion C of subsection to be deleted in its entirety:

- B. No tree 8 inches in DBH or larger may be removed unless it is located in areas specifically exempted in Sec. 17.800.3 or the city has approved removal. These trees must be preserved unless the health and condition of the tree warrants removal, as determined by the Director of Planning or designee.

Section XIV. Subsection 17.800.5 (Tree Survey and Preservation Plan Required) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, portion C of subsection to read as follows:

C. Field Inspections

Prior to the approval by the Director of Planning or designee of a tree preservation plan, the applicant shall mark all trees to be preserved in a manner to allow for quick field and plan coordination and notify the city of the marking. The city shall inspect and verify the marking within 2 weeks.

- i. Prior to the commencement of grading, all tree markings, protective fencing such as plastic mesh and erosion control measures must be installed by the developer and must be inspected by the city.
- ii. The city may issue a stop-work order at any time if tree preservation requirements are not being met.
- iii. Within 2 weeks of notification by the Engineering Department that final acceptance of the subdivision is imminent, a final inspection of the tree preservation methods must be performed.

Section XV. Subsection 17.800.6 (Requirements for Tree Preservation) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, portion B of subsection to read as follows:

- B. The developer shall erect a plastic mesh fence, or other approved fencing material, a minimum of 4 feet in height around each tree or group of trees to prevent the placement of debris or fill within the root protection zone. The fence shall be installed prior to the release of any permit. If the protection fence is found removed, down, or altered at any time during construction prior to final inspection or landscape installation, a stop work order may be issued by the Engineering Department. A maximum 25% encroachment into the root protection zone may be permitted with approval of the Director of Planning or designee.

Section XVI. Subsection 17.800.8 (Replacement of Trees) of Section 17.800 (Tree Preservation and Protection) of Article 17 (Landscaping and Tree Preservation), of the Comprehensive Zoning Ordinance No. 2015-5-2, portion H of subsection to read as follows:

- H. If the physical limitations of the subject property are such that all of the replacement trees cannot be properly located, the developer shall locate the extra trees in public rights-of-way, medians, on private open space areas, or in public park land with the

approval of the Director of Planning or designee. The developer may pay a fee to the city in lieu of tree replacement.

Section XVII. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section XVIII. The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section XIX. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section XX. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section XXI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 9TH DAY OF MAY, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY