

## § 7.3 LANDSCAPING

### 7.3.1 Purpose and Intent

The landscape requirements established by this Section are intended to:

- A. Preserve, enhance, and beautify the appearance and character of the City.
- B. Increase the compatibility of adjacent uses and minimize the potential negative impacts to neighboring uses.
- C. Create transitional areas between uses or zoning districts of different intensities.
- D. Promote water conservation and other environmentally friendly practices by incorporating of xeriscape.
- E. Provides a positive environmental impact by improving stormwater management, air quality, and biodiversity.

### 7.3.2 Applicability

#### A. New Development

- 1. New construction on property in all zoning districts, except for properties located in either the MH or RV Districts, both of which are subject to separate and distinct design criteria in their respective districts.
- 2. Landscape plans submitted as part of the commercial building permit application must be signed and sealed by a Texas Registered Landscape Architect or Texas Certified Nursery Professional.
- 3. For single-family and two-family dwelling residential building permit applications, proposed site landscaping and supporting information may be indicated on a site plan in lieu of providing a full landscape plan, which does not need to be signed and sealed by a Texas Registered Landscape Architect or Texas Certified Nursery Professional. Content and information to be provided on the site plan will be at the discretion of the Director of Development Services or designee.

#### B. Existing Development

Existing development must install the required landscape when any of the following occur.

- 1. New construction of a principal building, including construction of additional principal buildings within an existing development.
- 2. Any increase in ground level area by 1,000 square feet or more of existing structures up to 10,000 square feet, or any increase in the floor area by 10% or more of existing structures greater than 10,000 square feet.
- 3. Destruction of more than 50% of an existing nonconforming structure, as defined by Section 9.4, whose reconstruction does not qualify for an exception under Section 9.2.1.E, must comply with all landscaping requirements and must be treated as new development. If destruction is less than 50%, compliance is not required unless the ground level floor area is increased as described in item c above.
- 4. Any demolitions and subsequent single-family and two-family dwelling redevelopment of a residential property that is exempted under Section 9.2.1.E and/or Section 9.5.2 may be eligible for a reduced tree planting requirement up to 50% of the requirement.

#### C. Applicability to Overlay Districts

In the overlay districts of Article 6, the required landscape must be provided according to the underlying zoning district, unless specifically modified by the overlay district.

### **7.3.3 Landscape Plan Requirements**

**A.** When an application is made for a building permit on any site where these landscape requirements are applicable, the building permit application must be accompanied by a landscape plan containing the following information:

1. The date, scale, north arrow, title, and name of owner.
2. An accurate 1" = 20' or larger scale site plan of the lot(s) or parcel(s) with boundary lines and dimensions.
3. Total area of the street yard(s), street setback areas and computations of required landscaped areas.
4. A point chart listing plant names, size, point value and the total number of landscapes points accumulated.
5. Existing and proposed utility lines, both overhead and underground, and easements on or adjacent to the lot(s) or parcel(s).
6. Existing and proposed driveway approaches, sidewalks adjacent to the street and the edge of roadway pavement with visibility triangles clearly indicated.
7. Existing and proposed paving and structures with respective heights.
8. The location, size and the scientific and common names of landscaping which is to be installed and maintained on the site for fulfillment of this Section.
9. An indication of the current zoning and land use on surrounding properties.
10. Any factors which may affect the practical application of this Section, such as significant topographical features, water courses and bodies of water, etc.
11. The certification on the landscape plan by a Texas Registered Landscape Architect or Texas Certified Nursery Professional certifying that the plans satisfy the requirements of this Section.
12. Landscaping for properties located within a floodplain must be evaluated for consistency with the City's Flood Hazard Prevention Code for rising water, diversion of water and impact on adjoining properties.

**B.** Payment of the appropriate landscape plan review as published in the Development Services Department fee schedule, which is adopted under Chapter 14 of the Municipal Code.

**C.** Any deviations from previously approved landscape plans must receive written approval from the Director of Development Services prior to installation.

### **7.3.4 Alternative Compliance**

The Director of Development Services or designee may approve alternative compliance with this Section 7.3 in special cases where there are practical difficulties with the development of a site to strictly comply with the requirements of this Section. If a person as described by Section 3.27.2.A wishes to appeal the determination of the Director of Development Services, they may file such an appeal with the Director of Development Services or designee through the steps outlined in Section 3.27. The following guidelines must be used by the Board of Adjustment to determine if alternative compliance may be approved:

**A.** That satisfying the requirements of this Section would prohibit an owner of property from using land for a use that this UDC expressly permits.

**B.** That the practical difficulties of meeting the requirements of this Section are unique to that property, and not general in character.

**C.** That the alternative compliance will not adversely affect: the adjoining property; the health, safety, and welfare of the public; the purpose and intent of this Section; the purpose and intent of the Comprehensive Plan; and the alternative compliance is done in the public interest.

- D. Financial hardship due to meeting the requirements of this Section is not sufficient for alternative compliance.
- E. Any required street yard landscape area may be reduced by a maximum of 35%, provided that the remaining area must be provided with additional planting to achieve three times the number of points required for the street yard. This permissible reduction does not apply to the IO Island Overlay District.

*For example, if 100 square feet requires a point density of 0.15 points per square foot of street yard area, 65 square feet would require total points equal to (65 X 0.15) plus (35 X 3 X 0.15).*

No Reduction (0.15 point per square foot)  
 $100sf \times 0.15 = 15$  total required points

With Reduction (0.15 points per square foot)  
Reduce area to 65sf (the maximum 35% reduction of land)  
Landscape area: 65sf  
 $65sf \times 0.15 = 9.75$  points  
Reduced area: 35sf area  
Step 1:  $35sf \times 0.15 = 5.25$  points  
Step 2:  $5.25$  points  $\times 3 = 15.75$   
Total points required in 65sf area:  $9.75 + 15.75 = 25.5$  total required points

### 7.3.5 Required Planting Size

- A. All trees within nonresidential or multi-family properties must be a minimum of 2.5 inches caliper in size or greater.
- B. All trees within single-family and two-family dwelling must be a minimum of 1.5 inches caliper in size or greater.
- C. All palms within single-family and two-family dwelling must be a minimum of five foot trunk height.
- D. All palms within nonresidential or multi-family properties must be a minimum of seven foot trunk height
- E. Minimum three gallon container size shrubs are required.

### 7.3.6 Landscape Requirements for Street Yards

#### A. General Applicability

1. For the purposes of this Section, a street yard means any yard that abuts a street, including front yards and corner side yards.
2. On multi-family and nonresidential building sites with multiple street frontage, the street yard landscape must be provided as follows. Respective frontage must be based on highest to lowest traffic volumes.
  - a. Primary street - A minimum of 100% of the landscaped area and points, as required
  - b. Frontage along a second street – A minimum of 80% of the landscaped area and points, as required
  - c. Frontage along a third street – A minimum of 67% of the landscaped area and points, as required
  - d. Frontage along a fourth street – A minimum of 60% of the landscaped area and points, as required
3. If the predominant soil is sandy loam, a palm tree with a minimum trunk height of five feet may be planted to meet the requirements of this Section.

#### B. FR, SF-E, SF-10, SF-6, SF-4.5, 2F, and TH Districts

In the FR, SF-E, SF-10, SF-6, SF-4.5, 2F, and TH Districts, except as noted elsewhere, the minimum required open space must be 50% of the total street yard. Open space must consist of groundcover and free of any impervious material.

1. For new single-family and two-family dwelling residential construction, the following minimum number of street yard trees must be installed prior to the issuance of a certificate of occupancy/completion:
  - a. SF-6, SF-4.5, 2F, TH Districts: Two canopy trees or one canopy tree and one understory tree.
  - b. SF-10 District: Two canopy trees
  - c. SF-E District: Three canopy trees
  - d. FR District: Five canopy trees
2. Required street yard trees must be planted outside of any recorded or prescriptive easement and in a manner that maintains a minimum five foot diameter clear space ring that is centered on the tree planting to ensure that on-premise utility lines or building foundations are not compromised due to root spread.
3. In the SF-4.5 District, the required trees may be planted as follows: one tree in the street yard and one tree in the rear yard.
4. All required street yard trees must be in accordance with the approved plant list in Appendix A.

**C. Single-Family, Two-Family, and Townhouse Dwellings in MF-1, MF-2, and Nonresidential Districts**

Single-family, two-family, and townhouse dwellings located within the MF-1, MF-2, and Nonresidential Districts, must provide a minimum required open space of 50% of the total street yard. Open space must consist of groundcover and free of any impervious material.

1. For new residential construction, two canopy trees or one canopy tree and one understory tree must be installed prior to the issuance of a certificate of occupancy/completion.
2. Required street yard trees must be planted outside of any recorded or prescriptive easement and in a manner that maintains a minimum five foot diameter clear space ring that is centered on the tree planting to ensure that on-premise utility lines or building foundations are not compromised due to root spread.
3. All required street yard trees must be in accordance with the approved plant list in Appendix A.

**D. MF-1 and MF-2 Districts**

The minimum required landscaped area must be 30% of the total street yard. Open space must consist of groundcover and free of any impervious material. The street yard must be landscaped with plant material to achieve a minimum of 0.06 points per square foot of total street yard area. See item C above for single-family, two-family, and townhouse dwellings in these districts.

**E. RP, NO, NC, RMU, CMU, GC, CBD, and CC Districts**

The minimum required landscaped area is 15% of the total street yard. The street yard must be landscaped with plant material to achieve a minimum of 0.02 points per square foot of total street yard area. See item C above for single-family, two-family, and townhouse dwellings in these districts.

**F. RC District**

The minimum required landscaped area is 15% of the total street yard. The street yard must be landscaped with plant material to achieve a minimum of 0.02 points per square foot of total street yard area. A canopy tree listed in the plant list (Appendix A) must be planted in the designated landscape areas every 30 feet on center.

**G. LI, HI, and IC Districts**

1. The minimum required landscaped area is 15% of the total street yard. The street yard must be landscaped with plant material to achieve a minimum of 0.02 points per square foot of total street yard area.
2. When a building site is used for uses permitted only in the HI District, the site may alternatively have a continuous screen of trees and shrubs planted adjacent to property lines abutting non-industrial zoning districts and street frontages so that such site is totally screened from all such zones and streets. The trees and/or shrubs must be of a variety that will mature to at least eight feet in height. This planting cannot be provided within the visibility triangles of driveways or streets.

**H. Development in the Extra-Territorial Jurisdiction**

Within the City's Extra-Territorial Jurisdiction (ETJ), developments must abide by the following schedule:

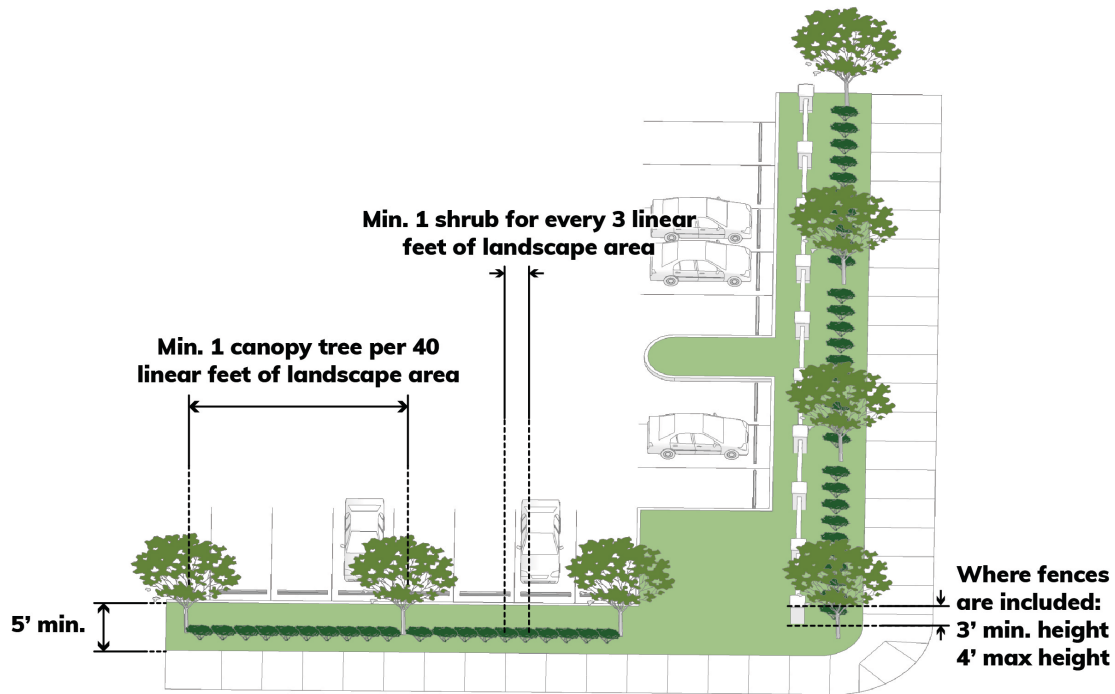
1. Properties half-acre to one acre in size: Three canopy trees
2. Properties greater than one acre in size: Four canopy trees

### **7.3.7 Landscape Requirements for Parking Lots**

#### **A. Required Parking Lot Street Edge Landscape**

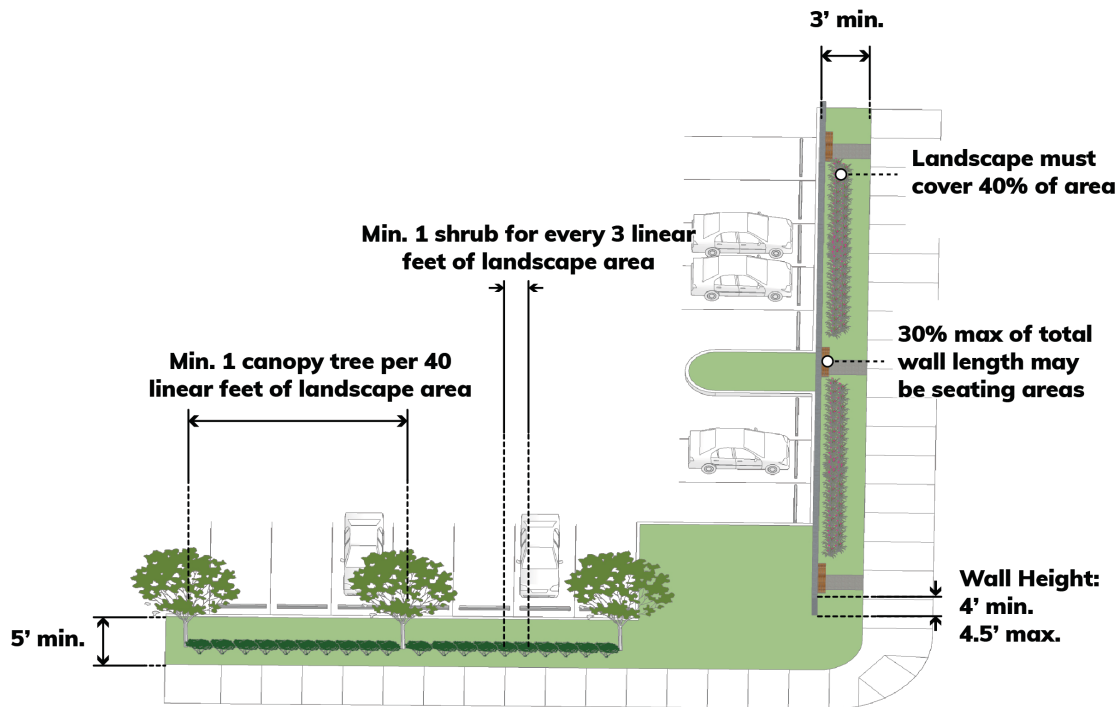
1. A landscape treatment is required along all edges of any parking lot abutting the street. This does not include alleys. The landscape treatment must run the full length of the street edge, except for points of ingress or egress.
2. The landscape area for parking lot landscape along a street must be a minimum of five feet in width. In addition, there must be a minimum linear clear distance of 18 inches between the perimeter landscape area and any wheel stops or curbs to accommodate vehicle bumper overhang.
3. The perimeter landscape area must be planted as follows:
  - a. A minimum of one canopy tree must be planted for every 40 linear feet of landscape area, spaced linearly on-center. Trees may be spaced at various intervals based on specific site requirements, but the total number of trees planted must be no less than one per 40 linear feet of landscape area.
    - i. Alternatively, two ornamental trees may be planted for each canopy tree. Ornamental trees may be spaced at various intervals based on specific site requirements.
  - b. A minimum of one shrub must be planted for every three linear feet of landscape area, spaced linearly on-center.
  - c. Fences or walls are permitted within this area. Such fences or walls must be constructed of high quality, durable materials such as masonry, stone, brick, iron, or any combination thereof. Chain link is prohibited. Fences must be a minimum of three feet in height to a maximum of four feet in height.
  - d. A minimum of 80% of the landscape area outside of required tree and shrub masses must be planted in live groundcover, perennials, and/or grass. Rain gardens, bioswales, and similar stormwater management landscape elements also meet this requirement.

PARKING LOT LANDSCAPE ALONG A STREET



4. The following is an accepted alternative to the planting requirements of item 3 above:
  - a. A low pedestrian wall of a minimum of four feet in height to a maximum of 4.5 feet in height constructed of masonry, concrete, or similar permanent material may be installed.
  - b. In this alternative, the parking lot screening area of item 2 above may be reduced to three feet in width.
  - c. Shrubs, groundcover, perennials, ornamental grasses, and other native planting types must be planted in front of such wall along the street, facing toward the street, covering a minimum of 40% of the total screening area.
  - d. Up to 30% of the total length of such wall (item a above) may be designed as a seating wall. Where seating areas are included, the minimum wall height does not apply and plantings are not required in front of that portion of the seating wall.

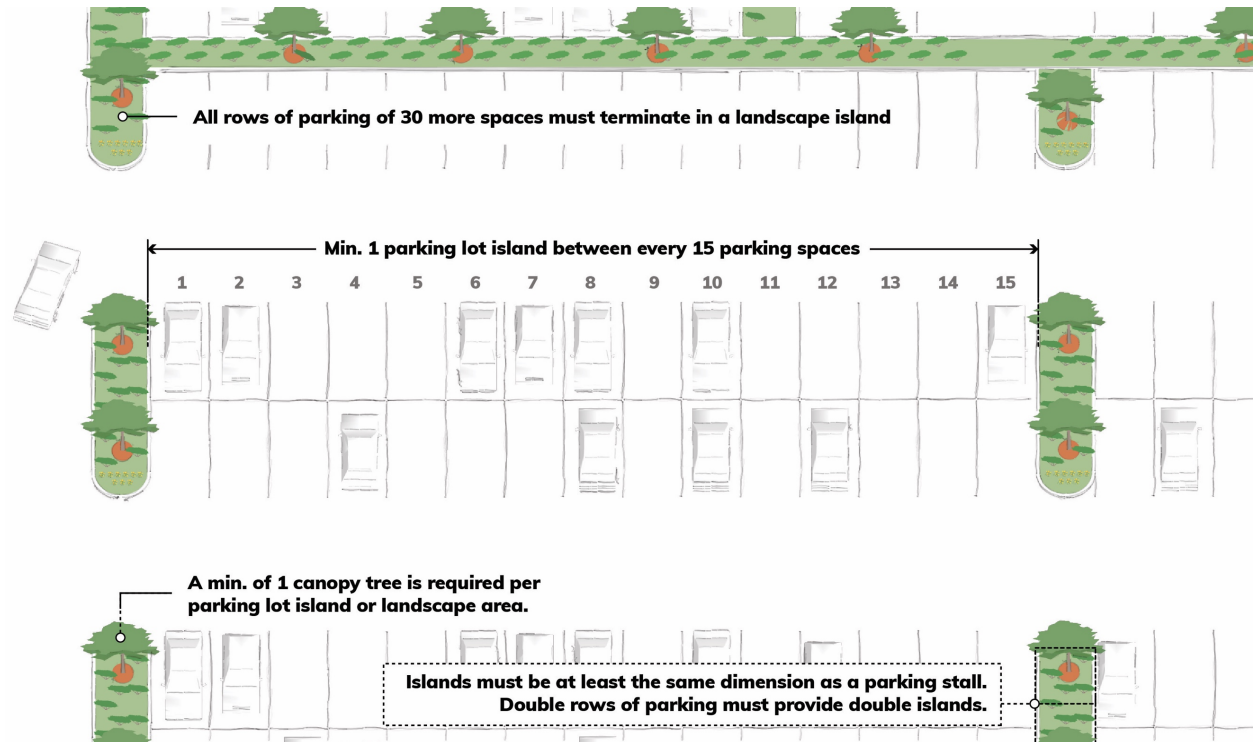
**PARKING LOT LANDSCAPE ALONG A STREET – WALL ALTERNATIVE**  
*Area where wall is present may be reduced to three feet in width*



**B. Interior Parking Lot Landscape**

1. Any parking lot of 15 or more spaces is required to install interior parking lot landscape.
2. One parking lot island must be provided at a minimum between every 15 parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every 15 spaces. In addition, all rows of parking spaces of 30 or more spaces must terminate in a landscape island.
3. Parking lot islands must be, at minimum, the same dimension as a parking stall. Double rows of parking must provide parking lot islands that are, at minimum, the same dimension as the double row.
4. A minimum of one canopy tree must be provided for every parking lot island.
5. A minimum of 80% of the landscape area outside of required trees must be planted in live groundcover, perennials, and/or grass. Rain gardens, bioswales, and similar stormwater management landscape elements also meet this requirement. This percentage may be reduced to 50% if the parking lot island is designed to accommodate pedestrian access.
6. The use of stormwater management elements, such as sunken islands, perforated curbs, rain gardens and bioswales, is encouraged in landscape areas. When a parking lot island is designed for stormwater management, the tree requirement may be exempted when it is determined that trees may not thrive as part of such design.
7. All landscaping in or adjacent to a vehicular use area must be protected from vehicular damage by a raised concrete curb six inches in height or equivalent barrier, however, the barrier need not be continuous.
8. Landscaped areas adjacent to vehicular use areas must be landscaped so that no plant material greater than 12 inches in height will be located within two feet of the curb, wheel stop, or other protective barrier.

### INTERIOR PARKING LOT LANDSCAPE



#### B. Irrigation

1. All required landscaping must be irrigated by one or both of the following methods and must meet all City Plumbing Code requirements:
  - a. An underground sprinkler and/or drip system; or
  - b. A hose attachment within 75 feet of all required landscaping.
2. An exception to item 1 above may be applied if xeriscape landscaping and adequate mulching is used. This exception is not allowed in the IO Island Overlay District or the RC District.
3. Automatic irrigation systems should be operated between the hours of 6:00 p.m. and 10:00 a.m. to reduce loss of water to evaporation and wind.
4. Rain sensors are required on all in-ground sprinkler systems for the purpose of overriding the normal cycle of an irrigation system when an adequate amount of rainfall has been received.
5. An installer of an irrigation system must be licensed by the Texas Commission on Environmental Quality and registered annually with the City Development Services Department.



### 7.3.8 Point Schedule

The following point schedule and requirements apply in all zones to ground planted with established perennial plants in landscaped areas. New or existing plants which are larger than the maximum size listed are not credited with additional points.

#### A. General Requirements for Points

1. A minimum of 50% of all required points must be achieved through tree or palm plantings.
2. Healthy existing trees with a minimum 1.5 inches in caliper or greater and healthy existing palms of a minimum five feet trunk height achieve the same amount of points as indicated in point schedules.
3. Points will be given for trees, palms, shrubs, or groundcover planted in the street right-of-way if all of the following criteria exist:
  - a. The landscaping is within 15 feet of the subject lot or parcel property line.
  - b. The street pavement is at its ultimate width according to the current Urban Transportation Plan.
  - c. Underground utilities are not located in the area where plant material is to be planted.
  - d. Plant material will not create conflicts with pedestrian and vehicular safety or conflict with overhead or underground utility lines.
  - e. A variance has been granted by the Board of Adjustment.
  - f. In the case of state-owned right-of-way, written authorization from the Texas Department of Transportation to utilize street right-of-way for landscape planting has been obtained.
4. Credit will be given for tree and palm preservation within the street yard or landscaping areas. Trees and/or palms preserved from the plant list (Appendix A) in compliance with this Section may satisfy the tree and palm requirements of this Section.
  - a. All trees and palms to be preserved within an approved building site must be flagged and encircled with protective fencing that extends beyond the full spread of the tree branches. No construction activity may occur in an area that constitutes more than 50% of the critical root zone (as measured from the edge of the drip line to the trunk of the tree and palm) for each tree or palm being reserved. The critical root zone must be left in a pervious condition after construction and development are completed. The root protection zone for each preserved tree or palm must remain unpaved until approval has been given by the Director of Development Services.
  - b. A reduction of up 5% of the required parking spaces is permitted when healthy, existing trees or palms identified in the plant list are preserved on the property to satisfy the tree and palm requirement of this Section. Landscape areas which qualify for the reduction of required parking spaces must provide impervious area of the critical root zone on a square foot for square foot basis. An average parking space, including aisles, is 350 square feet.

#### B. Point Schedule for Trees

Point Schedule for Trees	
Size	Point Credit*
5 ½" Caliper	200 points
5" Caliper	160 points
4 ½" Caliper	105 points
4" Caliper	80 points
3 ½" Caliper	55 points
3" Caliper	45 points
2 ½" Caliper	40 points
*Point credit is given for trees selected from the list of trees in the plant list.	

**C. Point Schedule for Palms**

Point Schedule for Palms		
Scientific Name	Common Name	Point Credit
<i>Arecastrum romanzoffinum</i>	Queen Palm (Cocos Plumose)	15 pts/trunk ft.
<i>Brahae armata</i>	Mexican Blue Palm	20 pts/trunk in.
<i>Butia capitata</i>	Pindo, Jelly Palm, Cocos Australis	20 pts/trunk ft.
<i>Chamaerops humulis</i>	Mediterranean Fan Palm	5 pts/ft. of overall height
<i>Livistona chinensis</i>	Chinese Fan Palm	20 pts/trunk ft.
<i>Phoenix canariensis</i>	Canary Island Date	10 pts/trunk ft.
<i>Phoenix dactalifera</i>	Texas Date Palm	10 pts/trunk ft.
<i>Sabal palmetto</i>	Cabbage Palm (Florida Sabal)	15 pts/trunk ft.
<i>Sabal texana</i>	Texas Sabal	20 pts/trunk ft.
<i>Syagrus romanzonffiana</i>	Cocos Plumosa	15 pts/trunk ft.
<i>Trachycarpus fortunei</i>	Windmill Palm	5 pts/trunk ft.
<i>Washingtonia robusta</i>	Fan Palm	12 pts/trunk ft.
<i>Washingtonia filifera</i>	Fan Palm (Freeze Hardy)	20 pts/trunk ft.

**D. Point Schedule for Shrubs, Vines, Groundcovers and Herbaceous Perennials**

Point Schedule for Shrubs, Vines, Groundcovers and Herbaceous Perennials	
SIZE	POINT CREDIT
15 gallon	7 points
10 gallon	5 points
5 gallon	3 points
2 to 3 gallon	2 points
1 gallon	1 point
*4 inch pot	0.3 points
*The only groundcover species acceptable in a 4" pot size are Asian Jasmine and Wedelia	

**7.3.9 Landscape Maintenance and Inspection**

- A.** At the time of application, the owner must agree, and does by their application agree, that they will maintain all required landscaping. All required landscaped areas must be maintained so as to present a healthy, neat, and orderly appearance conforming to Chapter 53, of the Municipal Code (trimming of trees and shrub overhanging streets and sidewalks) at all times and must keep all landscaping free from refuse and debris.
- B.** The installation of landscape material, as shown on the approved landscape plan, must be certified by the property owner's landscape architect, certified nursery professional, or registered professional engineer, and must be inspected and approved by the Director of Development Services prior to the issuance of a certificate of occupancy. Landscape installation may be delayed for up to six months during a declared natural disaster or demonstration of supply chain interruption. Any extension beyond six months requires approval by the Board of Adjustment.
- C.** Diseased, dead, or missing required plant material must be satisfactorily treated or replaced within 30 days or a date approved by the Director of Development Services with the same plan variety and size.
- D.** An inspection fee will be assessed for the inspection of a landscaping, as shown on the approved landscape plan. The Director of Development Services must inspect all required landscape areas 12 months after issuance of a certificate of occupancy to ensure continuous healthy growth and the replacement of dead or missing required plant material.
- E.** All landscape materials must be in compliance with the American Standard for nursery stock (ANSI-Z60.1-1986) and installed in a sound, workman-like manner and according to accepted good planting procedures for the Corpus Christi area.
- F.** All residential structures constructed after October 1, 2022, in single-family, two-family, and townhouse districts are required to have the required landscaping per Section 7.3.6, A. of this UDC.

### **7.3.10 Enforcement**

**A.** The Director of Development Services or designee must review each landscape plan submitted to determine if it complies with the requirements of this Code and other applicable sections of the Municipal Code. All landscape plans must comply with the mandatory requirements for the site. However, effective October 1, 2021, all new single-family and two-family dwelling residential building permits may be subject to abbreviated landscaping requirement of one canopy tree or one understory tree within the street yard at a minimum size of a one inch caliper until October 1, 2022.

**B.** All landscaping must be installed in accordance with the approved landscape plan before a certificate of occupancy is issued for any construction on the lot or parcel except as otherwise provided.

**C.** If the required landscaping is not submitted, the landscape inspector may, when demonstrated extenuating circumstances prevent the installation of landscape improvements, issue a temporary certificate of occupancy. The owner of the property will have a period of 90 days to provide the necessary landscaping to meet the requirements of this Code for commercial building permits, as shown on the approved landscape plan or a revised landscape plan must be submitted for review and approval.

**D.** The landscape inspector or one of his staff will re-inspect each site no sooner than nine months and no later than 12 months after issuance of the certificate of occupancy to ensure compliance with these landscaping requirements.

**E.** At the time of application, the owner must agree, and does by his application agree, that he will maintain all required landscaping.

**F.** It will constitute a violation of this Section for any person to fail to install the landscaping required hereunder, to fail to permanently maintain such landscaping, or to fail to comply with any other provision of this Section, and any violation of this Section is subject to Article 10 of this Code.

**G.** In the event landscaping does not comply with the approved landscape plan or the requirements of this Section, the City will cite the violation pursuant to the following requirements:

- 1.** The property owner has 30 days or a date approved by the Director of Development Services from the date of such notice to comply with the approved landscape plan and the requirements of this Section.
- 2.** If after 30 days, the landscaping is not in compliance with the approved landscape plan and the requirements of this Section, the property is in violation. A fine will be assessed per day until such landscaping is in compliance.
- 3.** In the event that any owner of a landscaping fails to maintain the landscaping according to the standards of this Section, the City has the right to recover the cost of enforcement, including reasonable attorney fees. The City may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the landscaping and take maintenance action. The cost of such maintenance is charged to the party having the primary responsibility for maintenance of the landscaping.
- 4.** If noncompliance continues beyond a reasonable period as determined by the Director of Development Services, the certificate of occupancy for such use will be revoked.