

ORDINANCE NO. 2017-3906_____

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 7.6.B "APPLICATION OF SECTION", SECTION 7.6.D "PLANTING AND SCREENING REQUIREMENTS", AND SECTION 7.9.B "DETENTION POND AESTHETIC DESIGN" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

- PART 1: That Chapter 12, "Unified Development Ordinance," Section 7.6.B, "Application of Section," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", that Chapter 12, "Unified Development Ordinance," Section 7.6.D, "Planting and Screening Requirements," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "B", and that Chapter 12, "Unified Development Ordinance," Section 7.9.B, "Detention Pond Aesthetic Design," of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "C" attached hereto and made a part of this ordinance for all purposes.
- PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 27th day of July, 2017.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT “A”

That Chapter 12, “Unified Development Ordinance,” Section 7.6.B, “Application of Section,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“B. Application of Section.

The landscaping requirements of this Section apply to all land located in the City of College Station proposed for site development with the exception of those zoned NG-1, NG-2, and NG-3. The requirements also do not apply to single-family, duplex, townhouse, or mixed use developments in the MU district, except as follows:

1. The requirements of this Section have limited application to properties developed for duplexes, as follows:
 - a. A minimum of two hundred (200) points of landscaping as calculated in this Section shall be provided for each new duplex unit;
 - b. Where parking is provided in the front yard, an eight-foot landscaped setback shall be required between the property line and the nearest side of the parking pad. This eight-foot setback area must be landscaped and contain a three-foot high screen consisting of a continuous berm, hedge, or wall. In addition, an eight-foot landscaped setback shall be required between the dwelling unit and the nearest side of the parking pad; and
 - c. The maintenance and completion requirements of this Section also apply to duplex uses. Every development must employ an irrigation system. All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.
2. The requirements of this Section have limited application to properties developed for single-family and townhouse uses, as follows:
 - a. A minimum of two (2) trees of at least two (2) inches in caliper or one (1) tree of four-inch caliper shall be planted on each lot with every new single-family home.
 - b. For townhouse developments, the Administrator may allow the required trees to be dispersed throughout the development, including common areas.
 - c. The landscaping requirements of this Section shall apply to manufactured home parks, but not to individual manufactured homes on separate lots.

3. The requirements of this Section have limited application to properties developed in the MU Mixed-Use district, as follows:
 - a. Within fifty (50) feet of the property line along the street, and located between the structure and the public right-of-way, street, or public way, one (1) canopy tree for every twenty-five (25) linear feet of frontage shall be installed. One (1) existing tree (minimum four-inch caliper) may be substituted for a new tree.
 - b. Canopy trees must be selected from the College Station Streetscape Plant List and may be grouped as desired so long as the canopy trees are reasonably dispersed across each public right-of-way, street, or public way frontage.
 - c. Parking areas adjacent to a right-of-way shall be screened from the right-of-way. Screening is required along one hundred (100) percent of the street frontage (such as ten (10) shrubs for every thirty (30) linear feet of frontage), with the exception of areas within the visibility triangle. Screening may be accomplished using plantings, berms, structural elements, or combinations thereof, and must be a minimum of three (3) feet above the parking lot pavement elevation. Walls and planting strips shall be located at least two (2) feet from any parking area. Where the street and the adjacent site are at different elevations, the Administrator may alter the height of the screening to ensure adequate screening. Fifty (50) percent of all shrubs used for screening shall be evergreen.
 - d. One hundred (100) percent coverage of groundcover, decorative paving, decorative rock, or a perennial grass is required in parking lot islands, swales and drainage areas, and the parking lot setback unless otherwise landscaped or existing plants are preserved. One hundred (100) percent coverage of groundcover or perennial grass is also required in all unpaved portions of street or highway right-of-way or on adjacent property that has been disturbed during construction. If grass is to be used for groundcover, one hundred (100) percent live grass groundcover is required whether by solid sod overlay or pre-planting and successful takeover of grasses. No point value shall be awarded for ground cover.
 - e. All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.
4. All landscaping/streetscaping requirements under this Section shall run with the land once the development has begun and shall apply against any owner or subsequent owner.
5. The landscaping requirements of this Section apply to all unsubdivided property, improved subdivided lots and to other improved lands where buildings or structures are being added or replaced within the City.
6. Each phase of a multi-phase project shall comply with this Section.

7. All plantings must be in accordance with the College Station Plant List, or as deemed appropriate by the USDA for Zone 8 in their Hardiness Zone Map. The plant list is approved and amended as needed by the Administrator.”

EXHIBIT “B”

That Chapter 12, “Unified Development Ordinance,” Section 7.6.D, “Planting and Screening Requirements,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“D. Planting and Screening Requirements.**1. General Requirements.**

- a. Every project must expend a minimum of fifty (50) percent of its point total on canopy trees.
- b. For sites subject to the Non-Residential Architectural Standards of this UDO, canopy trees in a site or as part of a building plot in excess of ten (10) acres shall have a minimum allowable tree caliper of at least two (2) inches. Canopy trees in a site or as part of a building plot in excess of fifteen (15) acres shall have an increased minimum allowable tree caliper of at least two and one-half (2.5) inches.
- c. Landscaping must be reasonably dispersed throughout all visible areas of the site.
- d. One hundred (100) percent coverage of groundcover, decorative paving, decorative rock, or a perennial grass is required in parking lot islands, swales and drainage areas, and the parking lot setback unless otherwise landscaped or existing plants are preserved. When decorative rock is used, it shall be designed such that it will not migrate into sidewalks or other paved areas. One hundred (100) percent coverage of groundcover or perennial grass is also required in all unpaved portions of street or highway right-of-way or on adjacent property that has been disturbed during construction. If grass is to be used for groundcover, one hundred (100) percent live grass groundcover is required whether by solid sod overlay or pre-planting and successful takeover of grasses.
- e. All landscape materials shall be installed in accordance with the current planting procedures established by the most recent addition of The American Standard for Nursery Stock, as published by the American Association of Nurserymen.
- f. For existing plantings, the Administrator may require a health appraisal.
- g. All new plantings must be irrigated. An irrigation system shall be designed so that it does not negatively impact existing trees and natural areas. Soaker hose and drip irrigation system designs may be permitted as the Administrator deems appropriate.

2. Streetscape .

- a. Within fifty (50) feet of the property line along all major arterials, freeways, and expressways as designated on the Thoroughfare Plan, one (1) canopy tree for every twenty-five (25) linear feet of frontage shall be installed;
- b. Within fifty (50) feet of the property line along all other roadways including public ways, one (1) canopy tree for every thirty-two (32) feet of frontage shall be installed;
- c. Fractional amounts shall be increased to the nearest whole number;
- d. Two (2) non-canopy trees may be substituted for one (1) canopy tree;

- e. Trees used to meet the requirement along one (1) streetscape frontage shall not be counted toward another frontage;
- f. Canopy and non-canopy trees must be selected from the Administrator's Streetscape Plant List and may be grouped as desired so long as the trees are reasonably dispersed across each frontage; and
- g. One (1) existing tree (minimum four-inch caliper) may be substituted for a new tree. Existing trees must be of acceptable health, as determined by the Administrator.

3. Additional Landscaping along Large Building Façades.

This subsection applies to sites subject to the Non-Residential Architectural Standards of this UDO:

- a. Sites with building façades that face a public right-of-way or public way and that exceed two hundred (200) feet in length shall place landscaping between the façade and roadway;
- b. One (1) canopy tree is required for every forty (40) feet of façade length. Fractional amounts shall be increased to the nearest whole number;
- c. The trees shall be placed within fifty (50) feet of the building facade;
- d. Two (2) non-canopy trees may be substituted for one (1) canopy tree; and
- e. Trees counting toward Streetscape planting requirements may also count toward the Additional Landscaping along Large Building Façades requirement.

4. Parking Screening.

- a. Parking areas adjacent to a right-of-way or public way shall be screened from the right-of-way or public way.
- b. Screening may be accomplished using plantings, berms, structural elements, or combinations thereof as described below, and must be a minimum of three (3) feet above the parking lot pavement elevation.
- c. Walls and planting strips shall be located at least two (2) feet from any parking area.
- d. Where the street and the adjacent site are at different elevations, the Administrator may alter the height of the screening to ensure adequate screening.
- e. A minimum fifty (50) percent of all shrubs used for screening shall be evergreen.
- f. The following options are allowed as parking lot screening methods:
 - i. A solid hedgerow (such as ten (10) shrubs for every thirty (30) linear feet of frontage) to screen the parking to a height of three (3) feet. The screening must be a minimum of twenty-four (24) inches at planting and reach thirty-six (36) inches within one (1) calendar year of planting, and such method is certified to meet these requirements by a registered Landscape Architect, landscape designer, or landscape contractor;
 - ii. Berms with a minimum height of three (3) feet as measured from the parking lot pavement, and a maximum slope of 1:3. Berms may be designed around trees that are barricaded for tree preservation. Where there will be gaps in berm screening

for the preservation of existing trees, other screening methods shall be used to meet the minimum three-foot screening requirement; or

iii. Half-berms with a minimum height of three (3) feet as measured from the parking lot pavement, and a maximum allowable slope of 1:3. Retaining walls shall be designed to face the parking lot and sidewalks located between the retaining wall and right-of-way or public way may not be closer than three (3) feet to the top of a retaining wall.

g. For redeveloping sites maintaining existing parking lot perimeters, the Administrator may authorize the use of masonry walls, or lower the minimum berm height to a height that may be safely maintained in the existing parking setback when additional parking lot screening is provided. The cumulative height of plant material and berm shall be a minimum of three (3) feet.

h. Variations to the requirements of this section may be approved if the landscape/streetscape plan is sealed by a registered Landscape Architect and approved by the Administrator. Such plans must show reasonable evidence that the requirements, as set forth in this section were used as a guide.

5. Detention Ponds.

Detention ponds shall be integrated into the overall landscaping theme and design of the site as described in Section 12-7.9.B. Detention Pond Aesthetic Design.”

EXHIBIT “C”

That Chapter 12, “Unified Development Ordinance,” Section 7.9.B, “Detention Pond Aesthetic Design,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“B. Detention Pond Aesthetic Design.

Detention ponds should be treated as aesthetic site amenities, adding quality and depth to the visual environment of the site. Therefore, the detention pond area shall be integrated into the overall landscaping design of the site by reasonably dispersing the required landscaping points.

1. Unless the landscape plan is sealed by a landscape architect and approved by the Administrator, only plantings found in the College Station Plant List for Detention Pond Areas may be used in a detention area.

Variations to the requirements of this Section may be approved if the development project is employing Leadership in Energy and Environmental Design (LEED) development standards, using stormwater management to acquire LEED points. The project must be LEED certifiable (it does not have to be registered as a LEED project but must be eligible for certification), be sealed by a Landscape Architect, and show reasonable evidence that the requirements as set forth in this Section were used as a guide.”

ORDINANCE NO. _____

Page 9 of 9