

ORDINANCE NO. 2017-024

AN ORDINANCE OF THE CITY COUNCIL OF CASTROVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, SPECIFICALLY AMENDING THE TABLE OF CONTENTS; AND AMENDING ARTICLE 1 “GENERAL PROVISIONS”, SECTION 7 “SPECIAL DEFINITIONS NOTED AND RELATED TO USE REGULATIONS” BY ADDING DEFINITIONS; AND REPEALING SECTION 13 “SCREENING REGULATIONS”; AND REPLACING WITH SECTION 13 “BUFFER YARDS AND LANDSCAPING”; AND ADDING APPENDIX A, ENTITLED “TABLE 1 XERISCAPE LANDSCAPE PLANTINGS”; PROVIDING FOR SEVERABILITY; PROVIDING A CUMULATIVE CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Castroville is authorized to regulate zoning pursuant to Texas Local Government Code Chapter 211; and

WHEREAS, pursuant to such statutory authority the City Council has adopted the Comprehensive Zoning Ordinance, which is published by the City as a separate document from the Code of Ordinances published by the Municode Corporation, and

WHEREAS, City Council deems it appropriate to amend the Comprehensive Zoning Ordinance, specifically to amend the Table of Contents; and amend Article 1. *General Provisions*, Section 7: *Special Definitions Noted and Related to “Use Regulations”* by adding definitions; and repealing Section 13: *Screening Regulations*; and replacing with Section 13: *Buffer Yards and Landscaping*; and adding Appendix A, entitled *Table 1 Xeriscape Landscape Plantings*; and

WHEREAS, on the 14th day of June, 2017, the Planning and Zoning Commission conducted a properly advertised public hearing to receive citizen comments and testimony; and

WHEREAS, on the 12th day of July, 2017, the Planning and Zoning Commission made a recommendation to approve the amendment to the Comprehensive Zoning Ordinance; and

WHEREAS, on the 8th day of August, 2017, the City Council conducted a properly advertised public hearing to receive citizen comments and testimony regarding the proposed amendment.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTROVILLE, TEXAS, THAT:

Section one. Recitals adopted. City Council finds the above stated recitals to be true and correct and said recitals are adopted herein for all purposes.

Section two. Amendment to Table of Contents. The Table of Contents of the Comprehensive Zoning Ordinance is hereby amended is by inclusion of the substantive language as attached in Exhibit “A”, hereto, which is incorporated by reference herein for all purposes.

Section three. Amendment to Article 1. Article 1, *General Provisions*, Section 7: *Special Definitions Noted and Related to “Use Regulations”* is hereby amended by inclusion of the

substantive language as attached in **Exhibit “B”**, hereto, which is incorporated by reference herein for all purposes.

Section four. Repeal and Replace Section 13. Section 13, *Screening Regulations*, of the Comprehensive Zoning Ordinance is hereby repealed in its entirety and replaced with a new Section 13, *Buffer Yards and Landscaping* by inclusion of the substantive language as attached in **Exhibit “C”**, hereto, which is incorporated by reference herein for all purposes.

Section five. Add Appendix A. A new Appendix A, entitled *Table 1 Xeriscape Landscape Plantings* is hereby added to the Comprehensive Zoning Ordinance by inclusion of the substantive language as attached in **Exhibit “D”**, hereto, which is incorporated by reference herein for all purposes.

Section six. Directive to the City Secretary. The City Secretary is hereby directed and authorized to revise and republish the Comprehensive Zoning Ordinance to include the substantive language of **Exhibit “A”**, **Exhibit “B”**, **Exhibit “C”**, and **Exhibit “D”** hereto.

Section seven. Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of Castroville, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section eight. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section nine. Effective Date. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 8th DAY OF August, 2017.


TIMOTHY KELLEY, MAYOR

ATTEST:


DEBRA HOWE, CITY SECRETARY

APPROVED AS TO FORM:

DNRBH&Z PC

substantive language as attached in **Exhibit "B"**, hereto, which is incorporated by reference herein for all purposes.

Section four. Repeal and Replace Section 13. Section 13, *Screening Regulations*, of the Comprehensive Zoning Ordinance is hereby repealed in its entirety and replaced with a new Section 13, *Buffer Yards and Landscaping* by inclusion of the substantive language as attached in **Exhibit "C"**, hereto, which is incorporated by reference herein for all purposes.

Section five. Add Appendix A. A new Appendix A, entitled *Table 1 Xeriscape Landscape Plantings* is hereby added to the Comprehensive Zoning Ordinance by inclusion of the substantive language as attached in **Exhibit "D"**, hereto, which is incorporated by reference herein for all purposes.

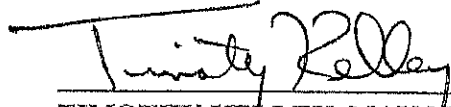
Section six. Directive to the City Secretary. The City Secretary is hereby directed and authorized to revise and republish the Comprehensive Zoning Ordinance to include the substantive language of **Exhibit "A"**, **Exhibit "B"**, **Exhibit "C"**, and **Exhibit "D"** hereto.

Section seven. Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of Castroville, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section eight. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section nine. Effective Date. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 8th DAY OF August, 2017.


TIMOTHY KELLEY, MAYOR

ATTEST:


DEBRA HOWE, CITY SECRETARY

APPROVED AS TO FORM:

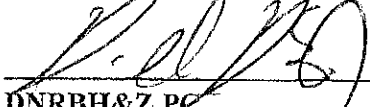

DNRBH&Z PC

Exhibit A

CONTENTS
COMPREHENSIVE ZONING ORDINANCE
CASTROVILLE, TEXAS

ARTICLE	PROVISION
ARTICLE I. Section 13.	Screening Regulations <u>Buffer Yards and Landscaping</u>
ARTICLE XII.	ENACTMENT
<u>APPENDICES</u> <u>Appendix A.</u>	<u>Table 1 Xeriscape Landscape Plantings</u>

Exhibit B

Article 1. General Provisions

Section 7: Special Definitions Noted and Related to “Use Regulations”

- (50) Bioretention Area – A stormwater collection area consisting of a ponding area with planting soil and plants that functions as a filtration device to remove pollutants.
- (51) Buffer Yard – An area without buildings or structures that includes a landscaped buffer strip and a masonry wall or wood fence that screens or blocks vision, noise, pollutants, and other negative by-products that is provided and maintained along the entire length of the boundary line between different zoning districts.
- (52) Building Setback Line - The setback shall be deemed to mean a line parallel to the lot line separated by the required setback distance between the lot line and the nearest point of a building or structure. The buffer yard building setback is supplemental to and applied in addition to minimum yard requirements and supplemental yard regulations.
- (53) Caliper - Tree caliper, or diameter, is measured six (6) inches above the ground for young and recently planted trees.
- (54) Canopy Tree - Trees that are trees with dense, wide-spreading branches that create canopies that provide shade and reach at least fifteen (15) feet in height at maturity. Canopy trees may be deciduous, evergreens or flowering fruit trees.
- (55) Evergreen Plant - A plant that does not lose its leaves and remains green in the winter.
- (56) Fence or Wall - A continuous vertical, freestanding structure of metal, masonry, composition or wood or any combination thereof resting on or partially buried in the ground and rising above the ground level, and use for confinement, screening or partition purposes.
- (57) Groundcover - Groundcover shall be grass, turf, sod, vines, bulbs, potted flowers, or bedding plants identified in Appendix A, Table 1, Xeriscape Landscape Plantings. Pebbles, wood chips, bark, mulch, straw and similar materials, may be used in conjunction with groundcover to delineate planting beds and complement planting design. Areas dedicated for lawns shall be cleared of debris, graded level, and covered with sod, turf, or grass seed.
- (58) Irrigation System - A water distribution system that ensures that all plant materials and landscaped areas are watered on a regular basis.
- (59) Landscaped Buffer Strip - A planted area consisting of trees, shrubs and groundcover required in a buffer yard.
- (60) Landscaped Area - An area of a lot that is improved with grass, shrubs, trees, other vegetation and/or ornamental objects. Typically, landscaped areas are designed and arranged to produce an aesthetically pleasing effect.

- (61) Shrub - A small to medium sized woody perennial plant, having several stems arising from the base, and usually does not exceed ten (10) to fifteen (15) feet in height at maturity. Shrubs may be evergreen or deciduous. A small shrub is no more than five (5) feet in height at maturity, and a medium shrub is between five (5) and ten (10) feet in height at maturity. A large shrub is ten (10) feet in height and up to twenty-five (25) feet in height at maturity.
- (62) Tree - Any self-supporting woody plant which visually produced one main trunk, and a more or less distinct and elevated head with many branches that typically reach at least fifteen (15) feet in height at maturity.
- (63) Visibility triangle - Within the area formed by the right-of-way lines of intersecting streets or streets and driveways, and a straight line connecting points on such right-of-way lines at a distance of twenty-five (25) feet from their point of intersection of streets and ten (10) feet from their point of intersection of streets and driveways, such connecting lines extending beyond the points to the curved lines, there shall be a cleared space with no obstructions between the height of three (3) feet and the height of ten (10) feet above the average street grade of each street as measured at the center line thereof.
- (64) Xeriscape - A type of landscaping with native plants that utilizes the existing environmental conditions to the best advantage, to conserve water and protect the environment by using site appropriate plants, an efficient watering system, proper planning and design, soil analysis, practical use of turf, the use of mulches and proper maintenance.

Exhibit C

Section 13: Buffer Yards and Landscaping

(1) Applicability – Buffer Yards

- a. When Required. A buffer yard consisting of an area without buildings or structures that contains a landscaped buffer strip and masonry wall or wood fence that screens or blocks vision, noise, pollutants, and other negative by-products shall be provided and maintained along the entire length of the boundary line between different zoning districts as specified in this section.
- b. Activities subject to Regulations: This section shall apply to any of the following, except where exempted pursuant to subsection C below:
 1. The construction or erection of any new occupiable building or structure with a floor area equal to or greater than one thousand (1,000) square feet for which a building permit is required.
 2. Any enlargement of a building or structure by more than two thousand five hundred (2,500) square feet.
 3. Any construction of a new parking lot regardless of size.
 4. Any enlargement of an existing parking lot by more than two thousand five hundred (2,500) square feet.
- c. Exemptions. This section shall not apply to the following situations:
 1. Agricultural uses.
 2. One-family and two-family residential uses adjoining other one-family and two-family residential uses of the same zoning classification.
 3. Multi-family residential uses adjoining other multi-family residential uses of the same zoning classification.
 4. Mobile home park uses adjoining other mobile home park uses of the same zoning classification.
 5. Nonresidential uses adjoining other nonresidential uses of the same zoning classification.
 6. Any use, building or structure for which only a change of use is requested, and which use does not increase the existing building square footprint by more than two thousand five hundred (2,500) square feet.
 7. Contiguous commercial parcels or land under the same ownership.
 8. Occupied one-family and two-family dwellings, and lots zoned H-E or R-A.
 9. Non-occupiable buildings or structures regardless of size such as cellular communication equipment and utility systems, sign support structures, sign monuments, or retaining walls that serve a utility or public infrastructure purpose. However, buildings or structures that serve a utility or public infrastructure purpose shall be screened if visible from a public street with vegetation.

10. Uses adjacent to a river or creek, power transmission or other easement where such right-of-way or easements are at least fifty (50) feet in width, or public street right-of-way at least fifty (50) feet in width.
 11. The reconstruction of an existing building of which fifty (50) percent or less of the floor area was destroyed or ruined by flooding, fire, windstorm or act of God. This exemption shall apply only where reconstruction of that building will not result in an increase in building size or paving area of the parking facilities to be provided by more than two thousand five hundred (2,500) square feet.
 12. Temporary buildings in place for a maximum of five (5) years and erected as construction contractor buildings, or as accessory buildings for elementary and secondary schools and institutions of higher education.
 13. Interior finish work or remodeling in a portion of a building that does not result in an increase in the paving area of the parking facilities within the street yard or in an enlargement of the exterior dimensions of an existing building by more than two thousand five hundred (2,500) square feet.
- d. Reduction in Required Buffer Yard. Table 1.13-2 provides the minimum landscape buffer strip widths. Such minimum widths shall be provided in a linear fashion along abutting properties where applicable. The width of the landscape buffer strip at any point along its length may be greater or less than the minimum required by Table 1.13-2 provided the total calculated area of the landscape buffer strip must remain the same and further provided that the minimum width of the landscape buffer strip at any point is not less than seventy-five (75) percent of the minimum width indicated by Table 1.13-2. The net buffer yard building setback for a property to be developed shall be reduced by no more than fifty (50) percent where a buffer yard exists on an abutting property, and the net buffer yard building setback satisfies the minimum buffer yard building setback requirements of this section. Should a retention pond or bioretention area be located in the buffer yard, the buffer yard building setback may be reduced by a 1:1 ratio, provided that a fence or wall and landscape buffer strip are installed in accordance with the provisions of this section. A buffer yard shall be required even when an alley is located between adjacent zoning districts; however, the buffer yard building setback may be reduced by a 1:1 ratio, provided that a fence or wall and landscaped buffer strip are installed in accordance with the provisions of this section.
- e. Open space. The landscaped buffer strip in buffer yards may count towards required parks, open space or greenways.

(2) Uses in Buffer Yards.

- a. Prohibited Uses in Buffer Yards – Structures, accessory structures, buildings, dwellings and accessory dwellings are not permitted in these areas except as provided for in (2) b. Such areas shall not be used for signs, grease traps/interceptors, dumpsters or other garbage containers, and any type of storage.

b. Permitted Uses and Structures within Building Setback Exclusive of Landscaped Buffer Strip:

1. All Properties - Detention or retention ponds, bioretention areas, natural drainage channels, walls, fences, retaining walls, sidewalks, trails and trail heads, surface parking areas, driveways, lighting, and structures required in conjunction with public utility services.

2. Multifamily and Non-residential Properties - Uncovered surface parking areas that provide automobile and truck access, and passive recreational amenities such as benches shall be permitted. Exterior lighting fixtures shall be permitted, provided the fixture shall not emit a significant amount of the fixture's total output above a vertical cut-off angle of ninety degrees. Off-street loading is permitted in accordance with Article V. Off-Street Parking, Stacking and Loading.

3. P-D Planned Development District with One-Family or Two Family Residential Use - Accessory structures incidental and subordinate to a residence and unenclosed swimming pools are permitted in accordance with Section 14.

(3) Required Buffer Yards Types for Adjoining Zoning Districts. A required buffer yard shall consist of an area without buildings or structures as defined by a building setback to the adjoining lot line of the different zoning district of which said setback area contains a landscaped buffer strip and a wall or fence as set forth in this section and described in Table 1.13-1 – Required Buffer Yard Types and Table 1.13-2 Required Buffer Yard Standards. A required buffer yard is based on a property's base zoning and the abutting property's base zoning, regardless if there is a specific use permit approved for said property or the abutting property.

Table 1.13-1 – Required Buffer Yard Types

Zoning District/ Abutting Zoning District	R-A One-Family Dwelling District, H-E Historic District, P-D Planned Development District with One- Family or Two-Family Residential Use	R-C General Residence District, M-H Mobile Home Parks, P-D Planned Development District with Multifamily Residential Use	P-D Planned Development District with Mixed Residential/ Commercial Use	C-F Neighborhood Business District, P-D Planned Development District with Commercial Use	C-G Central Business District	C-H Commercial District	I-I Industrial District or P-D Planned Development District with Industrial Use
R-A One-Family Dwelling District, H-E Historic District, P-D Planned Development District with One- Family or Two- Family Residential Use	None	A	B	B	None	C	D
R-C General Residence District, M-H Mobile Home Parks, P-D Planned Development District with Multifamily Residential Use	A	None	B	B	None	C	D
P-D Planned Development District with Mixed Residential/ Commercial Use	B	B	B	C	None	C	D
C-F Neighborhood Business District, P-D Planned Development District with Commercial Use	B	B	C	None	None	None	C ¹
C-G Central Business District	None	None	None	None	None	None	C ¹
C-H Commercial District	C	C	C	None	None	None	None
I-I Industrial District, P-D Planned Development District with Industrial Use	D	D	D	C ¹	C ¹	None	None

¹ Required buffer yard may be constructed without the landscaped buffer strip.

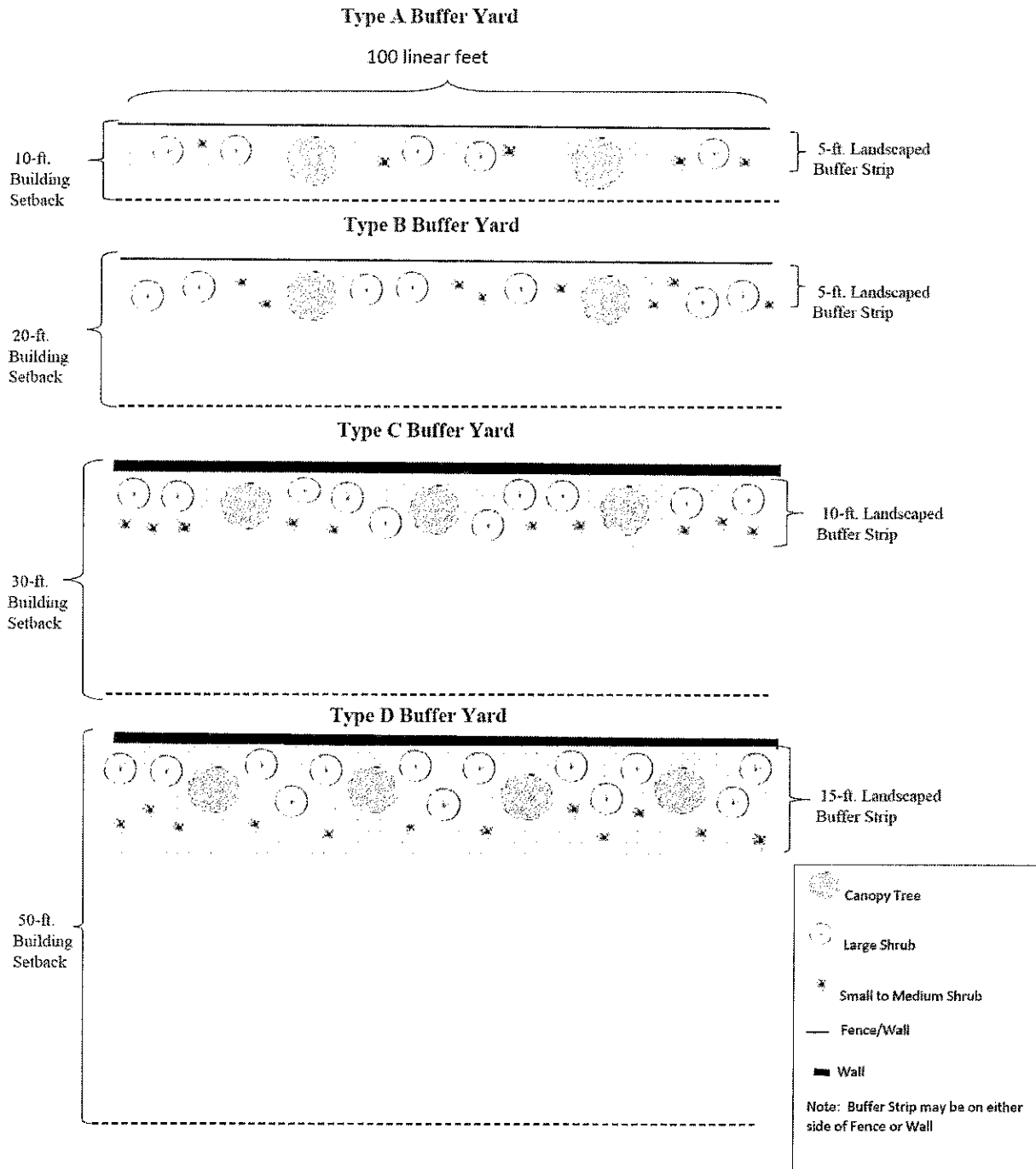
Table 1.13-2 Required Buffer Yard Standards

Buffer Yard Type	Buffer Yard Minimum Width	Landscaped Buffer Strip Standards	Fence or Wall Standards	Building Setback to Adjoining Lot Line
A	Ten (10) feet	<p>Minimum width: five (5) feet</p> <p>Minimum plantings:</p> <ul style="list-style-type: none"> two (2) canopy trees per one-hundred (100) linear feet, five (5) large and five (5) small to medium shrubs per one-hundred (100) linear feet, groundcover and/or grass plantings on the remainder of the landscaped buffer strip of which no more than 30% may have bark, mulch or permeable hardscape materials in lieu of groundcover or grass 	Minimum six (6) feet high solid fence or wall	Ten (10) feet
B	Twenty (20) feet	<p>Minimum width: five (5) feet</p> <p>Minimum plantings:</p> <ul style="list-style-type: none"> two (2) canopy trees per 100 linear feet, seven (7) large and eight (8) small to medium shrubs per one-hundred (100) linear feet, groundcover and/or grass plantings on the remainder of the landscaped buffer strip; however, up to 30% of the buffer strip may have bark, mulch or permeable hardscape materials in lieu of groundcover or grass 	Minimum six (6) feet high solid fence or wall	Twenty (20) feet
C	Thirty (30) feet	<p>Minimum width: ten (10) feet</p> <p>Minimum plantings:</p> <ul style="list-style-type: none"> three (3) canopy trees per 100 linear feet, ten (10) large and ten (10) small to medium shrubs per one-hundred (100) linear feet, groundcover and/or grass plantings on the remainder of the landscaped buffer strip; however, up to 30% of the buffer strip may have bark, mulch, or permeable hardscape materials in lieu of ground cover or grass 	Minimum six (6) feet high solid masonry wall	Thirty (30) feet
D	Fifty (50) feet	<p>Minimum width: fifteen (15) feet</p> <p>Minimum plantings:</p> <ul style="list-style-type: none"> four (4) canopy trees per one-hundred 100 linear feet, thirteen (13) tall and twelve (12) small to medium shrubs per one-hundred (100) linear feet, groundcover and/or grass plantings on the remainder of the landscaped buffer strip; however, up to 30% of the buffer strip may have bark, mulch or permeable hardscape materials in lieu of groundcover or grass 	Minimum eight (8) feet high solid masonry wall	Fifty (50) feet

Site design standards: The fence or wall and the landscaped buffer strip are permitted within the building setback. The landscaped buffer strip shall be installed adjacent to the fence or wall within the lot. If adjacent to R-A, H-E or P-D One-Family or Two-Family Residential Use, the landscaped buffer strip shall be installed between the fence or wall and the common property line; however, for all other adjoining zoning districts the landscaped buffer strip shall be located either

on the interior side of the fence or wall, or between the fence or wall and the common property line.

Figure 1.13-1 Buffer Yard Types – For Illustrative Purposes Only



(4) Fence and Wall Requirements for Buffer Yards.

- a. The owner and/or occupant of the use shall also erect and maintain a solid wall or fence, to the minimum height above the grade of adjacent property along the entire adjacent property line or within fifteen (15) feet of the property line except for minimum required front yards and visibility triangles. Walls and fences shall be continuous solid structures, one-hundred percent (100%) opaque, with a minimum of one-half (1/2) inch in thickness made of brick, stone, stucco, concrete, wood, synthetic wood,

or composite material. Corrugated and galvanized steel or metal sheets shall not be permitted.

- b. For a Type C and Type D buffer yard, a masonry wall shall be required.
- c. For a Type D buffer yard, a masonry wall shall be a minimum of eight (8) feet in height.
- d. Walls may be concrete, concrete block with stucco finish, masonry, stone or a combination of these materials. The support posts shall be placed on and faced toward the inside of the developing property so that the surface of the wall or fence is smooth and finished on the adjoining property side.
- e. Walls and fences shall be maintained structurally sound and in good repair.

(5) Landscaping and Irrigation Requirements.

- a. Purpose. This sub section is intended to provide a positive community image by promoting quality development, enhancing property values, and providing aesthetic quality, by providing landscape improvements with native and adaptive plants.
- b. Applicability. Landscape and irrigation requirements shall be applicable to all provisions in the Comprehensive Zoning Ordinance that require landscaping.
- c. All landscaping must be irrigated by an underground automatic irrigation system, provided, however, that, when the total area of the landscaped area is less than one thousand (1,000) square feet, an irrigation system shall not be required if there is a working water faucet located no more than one hundred (100) feet from every part of the landscaped area.
- d. The landscaped area shall be sodded with turf grass or ground cover that will provide the appearance of a finished planting. A landscaped buffer strip may have up to 30% of the area constructed with bark, mulch, or hardscape materials such as pavers, landscape rocks, pebbles, stones, gravel, decomposed granite, or crushed rock, provided the materials allow permeability of water. The landscaping shall be protected from vehicular encroachment by curbs, railroad ties, concrete retainers or other permanent barriers. Any landscaped area or buffer strip shall have mulch installed prior to planting.
- e. Landscape plan required. A landscape plan shall be submitted at the time an application for a building permit is submitted that provides a site plan showing the required plantings with a planting schedule and a written statement indicating the required plants. The landscape plan shall show:
 - 1. Calculation of net site area showing all existing and proposed structures, parking and access, other paved areas, and all required landscaped areas;
 - 2. Calculation of required landscape area;
 - 3. Location and dimensions of areas to be landscaped and total amount of landscaped area;
 - 4. Location, number and planting size of all trees, shrubs, and groundcover including both required and actual materials provided; and
 - 5. Location and coverage of required irrigation system.
- f. Landscaped Plantings.
 - 1. Plantings shall be selected from the list in Appendix A, Table 1. Other plantings may be selected, if the plantings are native or appropriate for xeriscape and approved by the City Arborist or a designee. Trees shall measure a minimum of two (2) inches caliper when measured six (6) inches above grade. Large shrubs shall be a minimum height of two (2) feet and small to medium shrubs shall be a minimum height of (1)

- foot at time of planting. Plant materials shall show a variety of texture, color shape and other characteristics.
2. When the required landscaping is placed in proximity to utility services, consideration shall be given to the estimated mature height of required plant materials. Understory trees which have an estimated mature height less than that of the overhead utility service may be substituted on a 2:1 ratio for canopy trees.
 3. Shrubs and vegetative groundcover may be grouped or clustered to present a more natural appearance. However, groups or clusters shall be distributed throughout the landscaped buffer strip. If no spacing measurement is specified, spacing between plants shall be based on the plant spread at maturity.
 4. Landscaped bioretention areas are encouraged for natural drainage channels to reduce runoff and increase infiltration of water into the soil.
 5. Protected trees, or existing trees and plants that are listed in Appendix A, Table 1 may be substituted using a one to one ratio, should they be located in the landscaped buffer strip.
- g. Modification of Landscape Requirements. The Community Development Director or a designee may approve minor variations in the location of required landscape materials due to unusual topographic constraints, site restrictions, siting requirements, preservation of existing stands of native trees or similar conditions. These minor changes may vary the location of required landscape materials, but may not reduce the amount of required landscape area or the required amount of landscape materials. The landscape plan shall be submitted and shall specify the modifications requested and present a justification for such modifications.
- h. Installation and Maintenance. All landscape materials shall be installed before the issuance of a Certificate of Occupancy. Should extraordinary circumstances delay the installation, the Community Development Director may extend the required installation up to 90 days with a temporary Certificate of Occupancy issuance. Upon completion of installation of all plant materials, the owner shall notify the Community Development Department of completion of installation and shall request inspection. Verification by the Community Development Department of installation in compliance with this Section shall be required. The owner shall maintain landscaping in a healthy, neat, and orderly condition.

Exhibit D.

Appendix A

**Table 1 Xeriscape Landscape Plantings
Trees**

Small: Fifteen (15) to twenty-five (25) Feet; Medium: Twenty (25) to Forty (40) Feet; Large: Forty (40) Feet and Higher (60'+)

Common Name	Scientific Name	Height	Remarks
Anacacho, Orchid tree*	Bauhania congesta	S—M	Semi-Evergreen, tree-shrub, white flower clusters
Anaqua*, Sandpaper tree	Ehretia anacua	M—L	Evergreen broadleaf; white flower clusters
Arizona Cypress	Cupressus arizonica	M—L	Evergreen conifer; gray green foliage; pyramidal shape
Texas Ash*, Green Ash	Fraxinus sp.	M—L	Deciduous; fast growing
Ashe Juniper*	Juniperus ashei	S—M	Evergreen conifer; green foliage, females fruit
Bald Cypress*	Taxodium distichum	L	Deciduous conifer; fine textured foliage; fall color
Big Tooth Maple*	Acer grandidentatum	M	Deciduous: full to partial sun: Medium water, fall color: no
Black Willow*	Salix nigra	M—L	Deciduous; riparian species
Bur Oak*	Quercus macrocarpa	L	Deciduous; large acorns and leaves, good shade tree
Carolina Buckthorn*	Rhamnus caroliniana	S—M	Semi-Evergreen; sun-shade, glossy leaves, reddish fruit
Cedar Elm*	Ulmus crassifolia	M—L	Deciduous; narrow canopy, good shade

tree for R.O.Ws

Chinquapin Oak*	<i>Quercus muhlenbergii</i>	M—L	Deciduous; round-topped tree; bold foliage
Condalia, Brazil Tree, Bluewood Condalia*	<i>Condalia hookeri</i> , <i>C. viridis</i>	S—M	Evergreen; delicate foliage; very drought tolerant; sun-shade, good shade tree
Crabapple, Texas*	<i>Mollis texana</i>	S—M	Deciduous, full to partial sun, spring flowering tree
Desert Willow*	<i>Chilopsis linearis</i>	S	Deciduous; pink tubular flowers; willow-like foliage, very drought tolerant
Deodar Cedar	<i>Cedrus deodara</i>	L	Evergreen; spreading pyramidal shape
Ebony, Texas*	<i>Pithecellobium flexicaule</i>	S	Evergreen; sun; white flowers
Escarpment Black Cherry*	<i>Prunus serotina</i> var. <i>eximia</i>	M—L	Deciduous; sun to shade; fall foliage
Eve's Necklace*	<i>Sophora affinis</i>	M—L	Deciduous; sun-shade; white to pink flowers
Goldenball Lead Tree*	<i>Leucaena retusa</i>	S—M	Deciduous; delicate foliage; fragrant yellow flowers
Hackberry*	<i>Celtis</i> spp.	M—L	Deciduous; prolific; wildlife favorite
Honey Locust	<i>Gleditsia triacanthos</i>	M	Deciduous; thornless varieties available
Huisache*	<i>Acacia farnesiana</i>	M	Deciduous; delicate foliage; fragrant yellow flowers
Italian Stone Pine	<i>Pinus pinea</i>	L	Drought tolerant, needs room to grow
Kidneywood*	<i>Eysenhardtia polystachya</i>	S	Deciduous; delicate tree-shrub; fragrant white flowers

Lacy Oak*	<i>Quercus laceyi</i>	M	Deciduous; sun-partial shade; hill county native, good shade tree
Live Oak*	<i>Quercus virginiana</i>	M—L	Evergreen-like; good shade tree
Mesquite*	<i>Prosopis glandulosa</i>	S—M	Deciduous; lacy spreading form
Monterrey Oak	<i>Quercus polymorpha</i>	S—M	Evergreen-like; good shade tree
Montezuma Cypress*	<i>Taxodium mucronatum</i>	L	Semi-evergreen: full sun: low water
Mexican Buckeye*	<i>Ungnadia speciosa</i>	S	Deciduous; pink-red spring flowers
Pecan*	<i>Carya illinoensis</i>	L+	Deciduous; needs lots of space; sensitive to root impact
Persimmon, Texas*	<i>Diospyros texana</i>	S—M	Deciduous; sun-shade, smooth bark; females has black pulpy fruit
Plum, Mexican*	<i>Prunus mexicana</i>	S	Deciduous; sun to shade; white flowers, fruit
Possum Haw*	<i>Ilex decidua</i>	S—M	Deciduous; sun-shade; female has red fruit
Retama, Paloverde*	<i>Parkinsonia texana</i>	S—M	Deciduous; fast growing, yellow flowers
Red Oak, Shumard*	Shumard <i>Quercus shumardii</i>	L	Deciduous; fall color, good shade tree
Red Oak, Texas*	<i>Quercus texana</i>	M	Deciduous; fall color, good shade tree
Redbud, Texas, Oklahoma, Mexican*	<i>Cercis canadensis</i> var <i>texana</i>	S—M	Deciduous; sun-shade, red/pink or white flowers
Rusty Blackhaw*	<i>Viburnum</i>	S	Deciduous; fall color, white flower

	rufidulum		clusters
Silk-tassel*	Garrya ovata	S	Evergreen; sun-shade
Spiny Hackberry*	Celtis pallida	S	Evergreen; greenish white flowers, yellow orange fruit
Sycamore, Mexican	Platanus mexicana	L	Deciduous; large leaves, good shade tree
Sycamore, Texas*	Platanus glabrata	L	Deciduous; large leaves, good shade tree
Texas Mountain Laurel*	Sophora secundiflora	S	Evergreen, part shade to full sun; fragrant purple flowers
Texas Pistache*	Pistacia texana	S	Semi-Evergreen; full sun to part-shade; red fruit
Wafer Ash, Hop tree*	Ptelea trifoliata	S	Semi-Evergreen; sun-shade; light green foliage
Western Soapberry*	Sapindus drummondii	M—L	Deciduous; full to partial sun; good shade tree, cluster large yellow flowers
Wild Olive*	Cordia boissiereri	S—M	Semi-Evergreen; large white flowers, hardy to 14°F
Yaupon Holly*	Ilex vomitora	S—M	Evergreen; sun-shade; female has red fruit

Shrubs

Large (Not Taller than Twenty-Five (25) Feet at Maturity)

Common Name	Scientific Name	Height	Remarks
Bay	Laurel noblis	6'—12'	Evergreen, sun-part sun, fragrant leaves
Buckeye*	Aesculus pavia	6'—12'	Deciduous (even in dry weather), shade, yellow or red flowers

Evergreen Sumac*	<i>Rhus virens</i>	4'—15'	Evergreen, sun-shade, red fruit
Flameleaf Sumac*	<i>Rhus lanceolata</i>	5'—15'	Sun-partial shade; deciduous; red berries in fall; fall color
Texas Mountain Laurel*	<i>Sophora secundiflora</i>	10'—25'	Tree-like evergreen shrub; purple spring flowers; sun, part shade
Texas Pistache	<i>Pistacia texana</i>	6'—12'	Semi-evergreen, sun

Medium (Five (5) to Ten (10) Feet at Maturity)

Common Name	Scientific Name	Height	Remarks
Glossy Abelia	<i>Abelia grandiflora</i>	5'—9'	Bronze evergreen foliage; white or pink; sun, part shade
Agarita*	<i>Mahonia trifoliata</i>	5'—9'	Holly-like evergreen foliage; yellow spring; red edible berries; sun-shade
Cenizo, Texas Sage*	<i>Leucophyllum</i> sp.	5'—9'	Dusty gray evergreen foliage; sun; blooms throughout summer; purple - pink flowers; several new varieties: including compact
Elbow Bush*	<i>Forestiera pubescens</i>	3'—6'	Deciduous; sun-shade, small white flowers, black fruit
Fragrant Sumac*	<i>Rhus aromatica</i>	3'—6'	Deciduous; part shade, fall color
Hogplum*	<i>Colubrina texensis</i>	4'—6'	Part shade, full sun; fragrant blooms
Juniper	<i>Juniperus</i> sp.	5'—10'	Tough evergreen; many varieties; sun, part shade
Mutablis Rose, Butterfly Rose, Old Blush	<i>Rosa chinensis</i> x (Mutablis)	3'—5'	Sun, large single petal flowers change color as ages
Pomegranate	<i>Punica granatum</i>	5'—10'	Sun, upright shrub; orange blooms; edible fruit; dwarf variety
Primrose Jasmine	<i>Jasminum mesnyi</i>	5'—8'	Evergreen, sun-shade, sprawling, yellow

flowers

Southern Wax Myrtle *Myrica cerifera* 3'—8' Evergreen, sun-shade, compact variety, available

White Brush* *Aloysia gratissima* 4'—8' Delicate; fragrant white flower; suckers, can be used as a hedge

Small (Not Taller than Five (5) feet at Maturity)

Common Name	Scientific Name	Height	Remarks
American Beautyberry	<i>Callicarpa americana</i>	3'—4'	Deciduous, fruit in fall and winter, purple; part shade
Agave, Century Plant	<i>Agave americana</i>	3'—5'	Sun, rosette, spine-tipped leaves
Barbados Cherry	<i>Malpighia glabra</i>	2'—4'	Evergreen, pink flowers, red fruit, sun-shade
Barberry	<i>Berberis thunbergii atropurpurea</i>	3'—5'	Evergreen; sun-part shade, color foliage
Grayleaf Cotoneaster	<i>Cotoneaster glaucophylla</i>	3'—5'	Sprawling evergreen shrub; dusty gray foliage; sun, part shade
Juniper	<i>Juniperus sp.</i>	2'—5'	Evergreen shrubs; many varieties available; sun
Mexican Butterfly Weed	<i>Asclepias tuberosa</i>	3'	Broad clusters of orange flowers
Mexican Oregano	<i>Poliomentha longiflora</i>	2'—3'	Evergreen, sun, pink flowers
Rock Rose*	<i>Pavonia lasiopetala</i>	2'—4'	Deciduous; sub-shrub, pink or purple flowers
Rosemary, Upright	<i>Rosmarinus officinalis</i>	3'—5'	Evergreen, sun-part shade; blue flowers

Red Yucca*	Hesperaloe parviflora	3'—4'	Sun, rosette, narrow leaves
Yucca*	Yucca spp.	3'—4'	Sun, rosette, narrow leaves, white flowers

Groundcover Plantings & Grasses

Common Name	Scientific Name	Height	Remarks
Asiatic Jasmine	Trachelospermum asiaticum	n/a	Evergreen; green or variegated foliage; sun, part shade, no flowers
Bermuda Grass	Cynodon dactylon	n/a	Excellent drought tolerance; poor shade tolerance; sun
Buffalograss*	Buchloe dactyloides	4"—6"	Excellent drought tolerance; poor shade tolerance; sun
Columbine Hinckley Columbine*	Aquilegia spp. A. hinckleyana	n/a	Evergreen, gray/green foliage, yellow flowers
Confederate Jasmine	Trachelospermum jasminoides	n/a	Evergreen; fragrant, white spring flowers; sun, part shade
Frogfruit*	Phyla incise (nodiflora)	n/a	Semi-evergreen, creeper, sun-part sun, white flowers
Lantana Purple, Gold	Lantana sp.	n/a	Deciduous, sun, purple, white or yellow flowers
Pigeonberry*	Rivina humilis	1'—2'	Semi-evergreen shrub
Prairie Mix	n/a	8"—12"	Mixture of Texas native Bunch, can add wildflowers
Rosemary, Prostrate	Rosmarinus officinalis	1'—2'	Evergreen sub-shrub, sun to part sun, blue flowers
Santolina	Santolina sp.	1'—2'	Species with green or silver foliage; sun
St. Augustine Grass	Stenotaphrum	n/a	Produces dense turf; shade areas only;

	secundatum		poor drought tolerance; sodded
Trailing Juniper	Juniperus sp.	n/a	Several varieties available; not suitable for wet, humid areas; sun
Verbena*	Verbena spp.	n/a	Evergreen, pink, purple, white, red flowers
Yarrow	Achillea millefolium	n/a	Gray or green gray leaves; many varieties

Groundcover Plantings- Vines

Common Name	Scientific Name	Height	Remarks
Autumn Clematis	Clematis sp.	n/a	Evergreen; fragrant white fall; sun, part shade
Carolina Jessamine*	Gelsemium sempervirens	n/a	Evergreen; yellow spring; sun, part shade
Confederate Jasmine	Trachelospermum jasminoides	n/a	Evergreen; fragrant white spring; sun, part shade
Coral Honeysuckle*	Lonicera sempervirens	n/a	Almost Evergreen; red blooms; part shade to full sun
Coral Vine, Queen's Wreath	Antigonon leptopus	n/a	Pink flowers in late summer and fall; sun
Fig Ivy	Ficus pumila (repens)	n/a	Evergreen; clings to walls; sun, part shade
Lady Banksia	Rosa banksia	n/a	Evergreen, flowers in yellow or white; sun-part shade
Scarlet Clematis*	Clematis texana	n/a	Shade to part shade, spring and summer blooms; red, rust, maroon, or rose-pink
Silverlace Vine	Polygonum ambertii	n/a	Fluffy masses of white; sun, part shade

Virginia Creeper*	Parthenocissus quinquefolia	n/a	Deciduous
-------------------	--------------------------------	-----	-----------

Groundcover Plantings - Perennials

Common Name	Scientific Name	Height	Remarks
Butterfly Weed	Asclepias spp.	3'	Semi-hardy perennial, orange flowers
Cigar Plant	Cuphea micropetala	3'—4'	Red, yellow; summer to fall flowers; sun
Fall Aster	Aster spp.	2'—3'	Semi-evergreen, sun-part sun, blue or white
Firebush	Hamelia patens	3'—5'	Reddish orange; summer to fall flowers; sun
Hinckley's Columbine*	Aquilegia hinckleyana	18"	Yellow; spring flowers; shade
Indigo Spires	Sage Salvia spp.	2'—3'	Semi-evergreen, sun, dark blue flowers
Lantana	Lantana sp.	1'—2'	Many colors; spring to fall flowers; sun
Mealy Cup Sage*	Salvia farinacea	3'	Sun, part shade; blue, white, purple flowers
Mexican Oregano	Poliomentha longiflora	1'—3'	Evergreen; pink; summer flowers; sun
Mexican Petunia	Ruellia sp.	1'—3'	Evergreen; tolerates shade; purple, pink, white flowers, suckers
Mexican Sage	Salvia leucantha	3'—4'	Semi-evergreen; blue; spring to fall flowers; sun
Mist Flower, Boneset	Eupatorium spp. and Ageratum spp.	2'—4'	Hardy perennial, white to blue flowers

Muhly Grass*	Muehlenbergia lindheimeri	3'	Evergreen; hardy perennial; sun
Pigeonberry*	Rivina humilis	1'—2'	Semi-evergreen shrub
Purple Cone Flower*	Echinacea purpurea	2'	Hardy perennial, rosette with pink or white flowers
Perennial Verbena*	Glandularia bipinnatifida	6"—1'	Many colors; spring to fall flowers; sun
Rock Rose*	Pavonia lasiopetala	2'—4'	Deciduous; sub-shrub, pink or purple flowers
Rosemary	Rosmarinus officinalis	1'—4'	Sun, part shade; blue flowers
Shrimp Plant	Justicia spp.	1'—2'	Hardy perennial, sun-part sun; orange, red flowers
Skullcap*	Scutellaria frutescens	1'	Evergreen sub-shrub; pink or purple flowers
Texas Betony*	Stachys coccinea	1'—2'	Evergreen, gray-green; red tubular flowers
Tropical Sage*	Salvia coccinea	2'—3'	Evergreen, red, pink blooms; part shade to full sun
Turk's Cap*	Malva viscus drummondii	1'—4'	Shade; red flowers
White Rain Lily*	Zephyranthes candida	1'	Ephemeral; sun, part shade; white

Groundcover Plantings— Ornamental Grasses

Common Name	Scientific Name	Height	Remarks
Big Bluestem*	Andropogon gerardi	1'—2'	Sun, clump grass

Eastern Gamagrass*	<i>Tripsacum dactyloides</i>	2'—3'	Dense, part shade, full sun
Inland Seoats*	<i>Chasmanthium latifolium</i>	2'—4'	Shade, dappled shade, part shade
Little Bluestem *	<i>Schizachyrium scoparium</i>	1'—2'	Evergreen, part shade, full sun
Maiden Grass	<i>Miscanthus sinensis</i>	3'—5'	Full sun, part shade, specimen or screening
Muhly Grass*	<i>Muehlenbergia lindheimeri</i>	2'—5'	Evergreen, part shade, full sun
Purple Fountain Grass	<i>Pennisetum setaceum</i> 'Rubrum'	2'—3'	Delicate color accent; full sun
Sideoats Grama*	<i>Bouteloua curtipendula</i>	2'—3'	Dappled shade, part shade, full sun
Switchgrass*	<i>Panicum virgatum</i>	3'	Part shade, full sun

Palms

Common Name	Scientific Name	Height	Remarks
California Fan Palm	<i>Washingtonia filifera</i>	15'—60'	Tree-like palm; sun. Hybrids with <i>W. robusta</i> can be taller
Dwarf Palmetto*	<i>Sabal minor</i>	3'—7'	Trunkless, bushy palm; sun, part shade
Texas Palmetto*	<i>Sabal texana</i>	10'—25'	Tall, native Texas palm; sun
Windmill Palm	<i>Trachycarpus fortunei</i>	10'—35'	Tree-like; sun; not considered a canopy; good foundation plant
Mexican Blue Palm	<i>Brahea armata</i>	12'—	Fan palm with blue-green leaves; sun

		25'	
Butia or Jelly Palm	<i>Butia capitata</i>	10'—15'	Feather palm with blue-green leaves; sun
European Fan Palm	<i>Chamaerops humilis</i>	6'—12'	Tough, clumping fan palm with spiny petioles
Mazari Palm	<i>Nannorrhops ritchiana</i>	6'—25'	Slow growing fan palm with blue-green leaves
Canary Island Date Palm	<i>Phoenix canariensis</i>	40'	Beautiful feather palm; may be damaged in very cold winters
Needle Palm	<i>Rhapidophyllum hystrix</i>	5'—6'	Clumping shrublike palm foliage for sun to part shade
Silver Saw Palmetto	<i>Sorenoa repens</i>	3'—6'	Clumping low palm in both blue and green forms

Riparian and Aquatic Plants

Common Name	Scientific Name	Height	Remarks
Button Bush*	<i>Cephalanthus occidentalis</i>	6'—10'	Large, deciduous shrub, sun, white ball shape flowers
Indigobush*	<i>Amorpha fruticosa</i>	6'—10'	Large, deciduous shrub, shade-sun, spikes of purple flowers
Roughleaf Dogwood*	<i>Cornus drummondii</i>	6'—15'	Large, deciduous shrub or tree, shade-sun, clusters of white flowers
Crab Apple*	<i>Crataegus texana</i>	8'—15'	Large, deciduous shrub or tree, shade-sun, large clusters of white flowers
Woolly Rosemallow*	<i>Hibiscus lasiocarpus</i>	3'—6'	Large shrub, white to rose flowers
Edwards Plateau Sedge*	<i>Carex microdonta</i>	1"—7"	Rhizomatous perennial, calcareous soils

Bear Grass*	Nolina sp.	2'—3'	Large clump, grass-like, shade-sun, good for bank stabilization
Purple Iris	Iris brevicaulis	1'— 1.5'	Hardy perennial, purple flowers
Pickerelweed*	Pontoderia cordata	5"—1'	Aquatic edge, sun, spikes of purple flowers
Horsetail	Equisetum laevigatum	1'— 1.5'	Rhizomatous, grass-like, shade-sun, water edge
Blue Water Lily*	Nymphaea	n/a	Floating, semi-sun-sun,
Pond Weed	Potamogeton illinoiensis	8"— 16"	Rhizomatous, whorls of purple flowers

*= Texas Native