

ORDINANCE NO. 2024-41

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEAGUE CITY BY AMENDING SECTION 125-4.20, ENTITLED “LANDSCAPING AND BUFFER YARDS” OF CHAPTER 125, ENTITLED “UNIFIED DEVELOPMENT CODE” TO UPDATE VARIOUS REGULATIONS RELATED TO THE APPLICABILITY OF LANDSCAPING REQUIREMENTS, PROVIDING FOR CODIFICATION, PUBLICATION, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That Sub-Section 125-4.20.2 (Landscaping) shall be amended to read as follows:

4.20.2 Landscaping. These provisions are intended to promote attractive development and preserve the appearance and character of area surrounding new development. These provisions apply to all development for which landscaping is required under this Ordinance and to Planned Developments.

a. *Applicability.* These regulations shall apply to:

1. All new residential and non-residential subdivisions;
2. All new construction other than individual single family residences;
3. Additions of 50 percent or more to existing buildings and uses in all multi-family residential and non-residential districts.
4. New construction and expansion by 50 percent or more of all existing permanent non-residential uses in residential districts.
5. Addition or expansion of an existing site or building by more than 5,000 square feet;

b. *Landscaping Plan.* When landscaping is required, a landscaping plan shall be submitted in conjunction with other application materials, as provided for in this Ordinance. Landscaping may include trees, shrubs, ground cover, vines, walkways, ponds, fountains, benches, sculpture, shade structures and other materials used for enhancing the exterior appearance of a development or parking area.

c. *Preparation and Completion of Landscaping Plan.* A landscaping plan must be prepared by a landscape designer, a State-licensed landscape architect, or other qualified person and no significant or substantive changes to approved landscaping plans may be made without prior written approval by the Building Official. Evidence of completion of required landscaping must be supplied to the City Planner or designee and submitted prior to issuance of an occupancy permit for new construction.

- d. *Components of Landscaping Plan.* A landscaping plan shall include a site plan, drawn to scale with a north arrow, that is equal to standard architectural or engineering quality and indicates the following:
1. The species and size of all existing trees greater than 1.5-inch caliper, showing those that are proposed for removal and those proposed for retention;
 2. All proposed plant materials clearly labeled and drawn to size at maturity;
 3. Adjacent land uses;
 4. Plant list, indicating common names, scientific names and varieties, quantities, planting sizes, and types, and plant spacing for hedges and screens for all plant materials proposed;
 5. Description of the proposed method of protecting existing trees during construction; and
 6. Irrigation system.
- e. *Required Materials.* Native and wildlife beneficial species preferred. All plant materials shall be suitable for League City soils and climatic conditions, the plant's slope exposure, shall meet the following requirements:
1. *Uniform Distribution.* Plant material should be distributed so as to provide a relatively uniform planting. Where the planting is along a street and some visibility into the development is desired, the plant material may be arranged to provide view corridors.
 2. *Ground Cover.* Ground cover must be appropriate to the surface conditions of the area. Grass is the default landscaping material, although in parking lots and on steep slopes, other ground covers able to withstand the physical conditions are appropriate.
 3. *Combination of Materials.* The landscaped planting areas should be entirely pervious except for fence or wall structures and walks that provide pedestrian access. No more than 25 percent of a landscaped area should have gravel, stones, wood chips, or paving.
- f. *Parking Area Landscaping.* Landscaping requirements for parking areas are set forth Section 4.19 this Article.
- g. *Maintenance.* All required planting must be permanently maintained as approved in good growing condition and replaced with new plant materials when necessary to ensure continued compliance with applicable landscaping requirements.
- h. *Irrigation.* A programmable automatic irrigation system shall be provided to all landscaped areas. Water conservation fixtures shall be used in accordance with applicable City

requirements.

i. *Surety for Delayed Installations.* There may be cases where landscaping cannot be completed prior to building occupancy due to weather or other conditions. In these instances, the City may require surety to be provided in the amount of 120 percent of the estimated cost of the landscaping to be provided. The form of the surety must be approved by the City Attorney.

j. *Special Landscape Setback Requirements.*

1. *Applicability.* The landscape setback requirements in this subsection shall apply to the following districts: Commercial and Mixed Use, Industrial, Public and Semi-Public, and Open Space Districts and the Commercial Revitalization Overlay District. A minimum 10-foot-wide landscaped setback is required along all street frontages. The landscape setback shall consist of the following:

i. One non-invasive tree or palm variety plant for every 30 feet of linear street frontage, excluding driveways. Trees may be planted in clusters or spaced linearly rather than being on 30-foot centers. The minimum size of the tree should be one and one-half (1½) inch caliper (15 gallons) upon installation and shall have a minimum trunk height of six (6) feet upon installation; and

ii. A continuous hedge consisting of shrubs that are not less than three (3) feet or more than four (4) feet in height and planted in three- (3) or five (5)-gallon container stocks upon installation. The landscape hedge shall be set back a minimum of three (3) feet and a maximum of six (6) feet from the perimeter of any parking space, driveway, or any access aisle.

iii. In lieu of a landscape hedge noted above, a berm measuring not less than three (3) feet or more than four (4) feet in height from finish grade of the parking lot may be utilized. The berm shall be set back a minimum of three (3) feet and a maximum of six (6) feet from the perimeter of any parking space, driveway, or any access aisle. The maximum slope shall not exceed 4:1.

2. In lieu of providing a landscape setback as described in j.1 above, the following may be utilized:

i. Fifty percent (50%) of the ground floor of the building shall be built to the property line;

ii. Parking shall be located behind or at the side of buildings, except for passenger drop-off areas which may be located at the building entry;

iii. Loading areas shall be screened so as not to be visible from public streets; and

- iv. Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.

k. *Percent of Landscaped Area.* The zoning districts listed in the table below require a percent of the area to be landscaped. The minimum percent of landscaped area is provided in the table.

Zoning District	CN	CG	CO	CM	IL	IG	PS	OS	CRC
Minimum % Landscaped Area	10	15	15	15	10	10	10	50	15

l. *Screening of Parking Areas.* Parking areas and parking access aisles parallel to and within 75 feet of rights-of-way shall be screened from view from those rights-of-way, public parks and public buildings with one of the following:

1. *Landscape Screening.* Where landscaping is used as a substitute screening method, hedges shall be installed as described in j.1. of this section. Additionally, the hedges shall not be located in public rights-of-way. Plant materials shall be an evergreen species. Ground cover and shrubs planted within sight distance triangles shall not exceed a height of 24 inches at maturity.
2. *Berms.* Where a berm is used as a substitute screening method, berms shall meet the requirements described in j.1.ii above. Berms shall not be located in public rights-of-way.
3. *Parking Screen Fences.* Fences shall be not less than three (3) feet nor more than four (4) feet measured from finish grade of the parking lot. Fences shall be set back a minimum of three (3) feet and a maximum of six (6) feet from the perimeter of any parking space, driveway, or any access aisle, as measured from the back of the curb. Fences shall not be placed in public rights-of-way or on top of any retaining walls. Fences shall be constructed of decorative block, brick, stone, or similar materials and finished on both the interior and exterior elevations.
4. *Parking Lot Trees.* Non-Invasive trees or palm varieties shall be planted in the parking lot at a ratio of 1 tree for every 8 spaces. Trees shall be dispersed throughout the parking lot to maximize the shading effect on the parking spaces. These trees are exclusive of trees planted around the perimeter of the parking lot. Parking lot trees, when planted, shall have a minimum trunk height of six (6) feet and a minimum two (2) -inch single trunk caliper measurement or one and one-half (1½) -inch average trunk caliper for multiple trunk trees, measured four (4) feet above grade. This size of tree is generally referred to as a 24-inch box. The minimum trunk height of parking lot trees shall be six (6) feet. The end spaces in a row of parking spaces shall be separated from drive aisles by landscape islands or peninsulas that are a minimum width of six (6) feet. The landscape planter for any parking lot tree shall have a minimum area of 50 square feet and a minimum interior width of five (5) feet.

Section 2. Savings. All rights and remedies which have accrued in favor of the City under

this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 5. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 6. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective immediately upon passage.

PASSED first reading the _____ day of _____, 2024.

PASSED AND ADOPTED the _____ day of _____, 2024.

NICK LONG
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL
City Attorney