



A G E N D A

**Regular Meeting of the Bedford Planning and Zoning Commission
Thursday, June 25, 2026
Bedford City Hall
2000 Forest Ridge Drive
Bedford, Texas 76021**

Council Chamber Regular Session 6:00 p.m.

**COMPLETE PLANNING & ZONING COMMISSION AGENDAS AND BACKGROUND INFORMATION
AVAILABLE FOR REVIEW ONLINE AT <http://www.bedfordtx.gov>**

CALL TO ORDER & ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Consider approval of the Planning and Zoning Commission meeting minutes for the following:
 - a. May 28, 2026

ITEMS FOR INDIVIDUAL CONSIDERATION

2. Consider approval of a Final Plat of Block 17R Lot CR3 of the Stonegate Addition being a replace of Lots CR1 and C Block 17R of the Stonegate Addition being a 1.35 acre tract. The property is located on the east side of Brown Trail between Gold Hawk Lane and Old Kirk Road, commonly known as 1412 Brown Trail. (PLAT-26-1)

ITEMS FOR DISCUSSION

3. Receive an update on the zoning ordinance re-write and discuss revisions to Section 5.5 entitled Screening Requirements, Section 5.6 entitled Landscaping Requirements, and Section 5.15 entitled Tree Preservation.

EXECUTIVE SESSION

Planning & Zoning Commission may seek legal advice in an executive session pursuant to Section 551.071.

Take any action necessary as a result of the Executive Session.

(Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda.)

ADJOURNMENT

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the outside window in a display cabinet at the City Hall of the City of Bedford, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: **Friday, June 19, 2026 at 5:00 p.m.**, and remained so posted at three business days before said meeting convened.



Wes Morrison, Director of Development

Date Notice Removed

(Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in City functions and activities. Auxiliary aids and services or accommodations must be requested in writing to the City Secretary's Office a minimum of seventy-two hours (72) hours prior to the scheduled starting time of the posted meeting. Requests can be delivered in person or mailed to the City Secretary's Office at 2000 Forest Ridge Drive, Bedford, TX 76021, or emailed to CitySecretary@bedfordtx.gov. Some requests may take longer due to the nature, extent and/or availability of such auxiliary aids, services, or accommodations.)



June 25, 2026

**REGULAR MEETING OF THE BEDFORD
PLANNING AND ZONING COMMISSION**

AGENDA ITEM #1

Approval of Minutes

May 28, 2026

**PLANNING & ZONING COMMISSION
MEETING MINUTES OF MAY 28, 2026**

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The Planning and Zoning Commission of the City of Bedford, Texas met in Regular Session at 6:00 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive, Bedford, Texas on the 28th day of May 2026:

CALL TO ORDER & ROLL CALL

Vice-Chairman Jacobsen called the meeting to order at 6:00 p.m. and conducted a roll call. The following people were present:

Vice-Chairman: Tom Jacobsen

Members: Roger Gallenstein
Dorothy Crawford
Kate Barlow
Duke Loper
JR Smith
Aaron Lee – Alternate

Members Absent: Bruce Emery
Mike Ingraham

A quorum of the Commission was present.

Staff present included:	Wes Morrison	Director of Development
	Jennifer Drysdale	City Attorney/TOASE
	Micah Hays	Community Development Coordinator

APPROVAL OF MINUTES

- 1. Consider approval of the Planning and Zoning Commission meeting minutes for the following:
 - a. May 14, 2026****

With no discussion, a motion was made.

Motion: Commissioner Lee made a motion to approve the minutes as presented, seconded by Commissioner Barlow.

**PLANNING & ZONING COMMISSION
MEETING MINUTES OF MAY 28, 2026**

Motion approved unanimously by a vote of 7-0-0

ITEMS FOR INDIVIDUAL CONSIDERATION

- 2. Conduct a public hearing and consider making a recommendation to City Council regarding a rezoning of the property legally described as First State Addition Lot C from Heavy Commercial to Heavy Commercial / Specific Use Permit – Massage Salon. The property is generally located east of Central Drive, south of Plaza Parkway, and commonly known as 1908 Central Drive. (SUP-26-2)**

Vice-Chairman Jacobsen introduced the item and recognized Wes Morrison to provide the staff report.

Mr. Morrison gave a presentation and an overview of the Specific Use Permit application stating the proposed use is Massage Parlor and there are no proposed changes to the exterior of the structure or parking. Mr. Morrison detailed how this location was previously a Massage Parlor, but has been vacant for three months, thus the nonconforming use was no longer applicable. However, the previous business was shut down due to a police investigation. Mr. Morrison detailed the Comprehensive Plan, stating that this area has been designated Place Focused Commercial, with a majority of nearby uses being offices focused on professional services.

Property owners of properties nearby to the property in question were notified of the Specific Use Permit, as well as a sign placed on the property in question. No responses were received for or against.

Staff recommended that a Massage Parlor does not fit in this area, as well as 14 other Massage Parlors existing within the City.

Commissioner Smith asked if this building has suites and if this proposed business will occupy one suite. Staff stated the building has five or six suites and the proposed business will only occupy one suite.

Commissioner Barlow inquired if the current applicant is different from the owner of the business which was under police investigation. Staff stated that to their knowledge, the applicant is not the same as the previous owner.

Vice-Chairman Jacobsen inquired what nearby uses are present. Staff stated that other business in the building are a bank, financial services, and professional offices.

**PLANNING & ZONING COMMISSION
MEETING MINUTES OF MAY 28, 2026**

Commissioner Lee asked if the stated 6,000 sq. ft. included in the Specific Use Permit application is for the suite or the entire building. Staff stated that the building is 6,000 sq. ft. with the specific suite being 1,800 sq. ft.

Vice-Chairman Jacobsen opened a Public Hearing at 6:08 PM.

No members of the public were present.

Vice-Chairman Jacobsen closed the Public Hearing at 6:09 PM.

Commissioner Smith inquired if other tenants in the building were uses such as doctors or other uses which could have synergy with a Massage Parlor. Staff stated that uses are financial services and professional offices, such as for a construction company.

Commissioner Smith stated that previously, the Planning & Zoning Commission approved a different Massage Parlor. Commissioner Smith asked if that Massage Parlor had nearby uses which had synergy with a Massage Parlor. Staff stated that is correct, the previous Massage Parlor had synergistic uses, while this application does not.

Commissioner Lee asked if there was a chiropractor located within the building where the proposed Massage Parlor is to be located. Staff stated this was not known at the time.

Motion: Commissioner Gallenstein made a motion to deny SUP-26-2 as presented, seconded by Commissioner Smith.

Motion approved unanimously by a vote of 7-0-0

EXECUTIVE SESSION

Planning & Zoning Commission may seek legal advice in an executive session pursuant to Section 551.071.

Take any action necessary as a result of the Executive Session. (Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda)

The commission did not convene in Executive Session.

**PLANNING & ZONING COMMISSION
MEETING MINUTES OF MAY 28, 2026**

ADJOURNMENT

Motion: Commissioner Lee made a motion to adjourn, seconded by Commissioner Smith.

Motion Approved unanimously by a vote of 7-0-0

Bruce Emery
Chairman

ATTEST: _____
Wes Morrison
Director of Development



CITY OF
BEDFORD
2000 Forest Ridge Drive - Bedford, TX 76021
(817)952-2100 www.bedfordtx.gov

June 25, 2026

**REGULAR MEETING OF THE BEDFORD
PLANNING AND ZONING COMMISSION**

AGENDA ITEM #2

PUBLIC HEARING

**PLAT-26-1
1412 Brown Trail**



Plat Application No. PLAT-26-1

P&Z Meeting Date:	June 25, 2026
Agenda Caption:	Consider approval of a Final Plat of Block 17R Lot CR3 of the Stonegate Addition being a replace of Lots CR1 and C Block 17R of the Stonegate Addition being a 1.35 acre tract. The property is located on the east side of Brown Trail between Gold Hawk Lane and Old Kirk Road, commonly known as 1412 Brown Trail. (PLAT-26-1)
Applicant:	Camileo 1 st Realty LCC, 1412 Brown Trail, Bedford, Texas 76022
Owner:	David Coley, 1128 Glade Road, Colleyville, Texas 76034

Summary of Request: The subject property is currently two commercial lots on Brown Trail with one common ownership. The property owner is wishing to combine the two lots to facilitate an expansion of the existing business located at 1412 Brown Trail. The plan is to demolish the building at 1420 Brown Trail and expand the building at 1412 Brown Trail.

The lot is accessed by Brown Trail and served with an existing 12" water line along the front of the property in the Brown Trail right-of-way. The site is also served by an 8" sewer line that runs through the middle of both lots. This line will have to be abandoned and relocated during the expansion of the existing business. That will be done after the property owners engineer submits plans and is approved by the City Engineer.

Staff Findings : The final plat is in substantial compliance with the zoning on the property and the City's Subdivision Regulations, therefore staff recommends approval of the plat.

In accordance with Texas Local Government Code Chapter 212, if the plat meets all the provisions of the local Subdivision Ordinance and Texas Local Government Code, the approval body must approve the plat.

Attachments:

Exhibit A:	Location/Aerial Map
Exhibit B:	Final Plat

EXHIBIT A

Location/Aerial Map

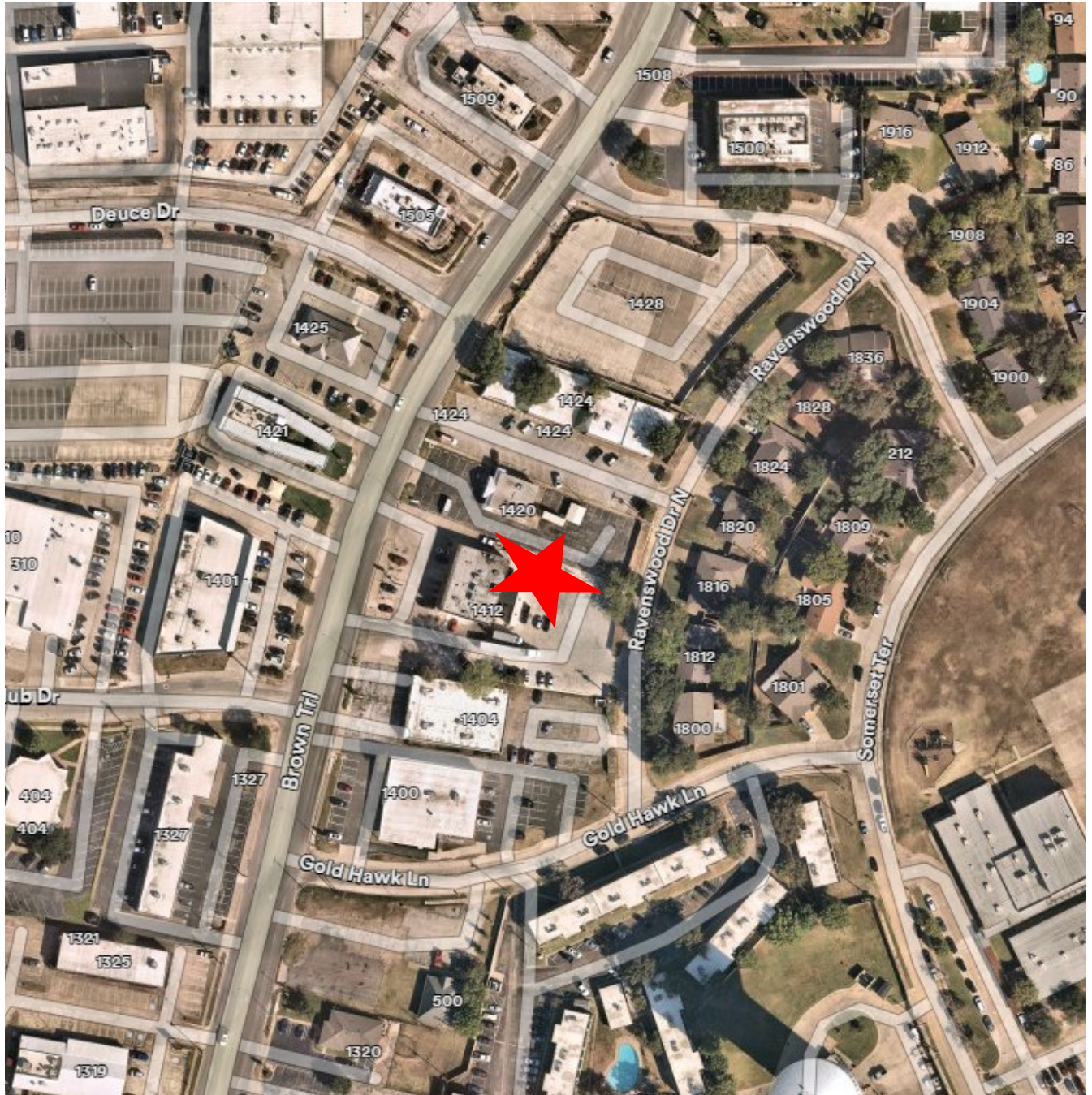
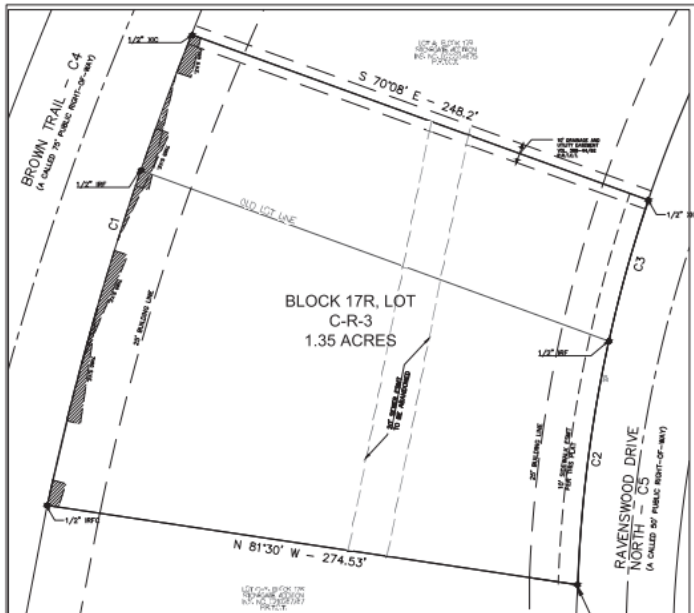




EXHIBIT B

Final Plat



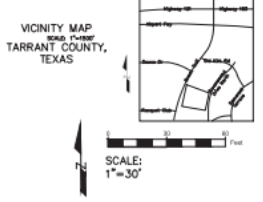
NO.	SECTION	AREA	ACRES	PERCENT	OWNER	OWNER ADDRESS
1	17R	1.35	1.35	100.00	WHITESTONE ENVIRONMENTAL, LLC	100 CENTRAL DRIVE SUITE 408, BEDFORD, TEXAS 76021

GENERAL NOTES

- Surveying based on the state plane coordinate system, Texas North Central Zone 4252, North American Datum of 1983, Adjustment Realization of 2011.
- Notice: Being a portion of the plat for review and issuance is a violation of City subdivision ordinance and state platting statute and is subject to fees and withdrawal of platting and building certificates.
- According to the Final Inspection State Map (FISM) (Generalized) from the ADMINISTRATIVE RECORD SUBCOMMITTEE, 2008, the subject property is located within the following zones: Zone T - Area determined to be suitable for 225-year development based on flood elevation determinations.
- The purpose of this report is to combine 2 into one use for the development.
- ALL DRAINAGE EASEMENTS SHALL BE KEPT CLEAR OF FENCES, SIGNAGE, FOUNDATIONS, PLUMBING, AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY.
- No improvements greater than 2 feet in height will be allowed within the existing easements boundary that is limited to fences, walls, landscaping, signs, etc.
- This plat does not offer or remove existing deed restrictions or covenants, if any, on this property.
- The City of Bedford reserves the right to require additional high flow elevation or city lot within the subdivision. The minimum elevations shown are based on the most current information available at the time this plat is filed and may be subject to change.

This plat shall be returned to _____ Date _____

BOUNDARY LINE
UTILITY EASEMENT
ROAD CENTERLINE



WHITESTONE ENVIRONMENTAL, LLC
COUNTY OF TARRANT

WHEREAS, CAMBLED 1ST REALTY LLC in the corner of a called 0.824 acre tract as described in a deed from TD Group LLC to Cambled 1st Realty and recorded in D 21747776, and a called 0.424 acre tract as described in a deed from 1420 Brown Trail LLC to Cambled 1st Realty and recorded in D 22408702, both of the Real Property Records of Tarrant County, Texas, and being more particularly described as follows:

BEING more or less a 0.424 acre tract and found at the most westerly corner of said portion of Lot C, and of the most northerly corner of a tract of land conveyed to SDC Enterprises, LLC recorded in Instrument No. 201507872, said point also being in the west line of Ravenswood Drive North.

TRINCE & BRITZ is, with the south line of heretofore described tract of land, a distance of 274.53 feet to a point for the southwest corner of heretofore described tract of land and the northeast corner of said tract of land conveyed to SDC Enterprises, LLC, said point also being in the east line of Brown Trail and at the beginning of a curve to the right whose radius is 1113.70 feet and whose chord bears N 17°10'01" E, 201.5 feet.

TRINCE is a northerly direction with said west line of the heretofore described tract of land and a distance of 177.88 feet to a 1/2" wide and continuing with said curve to the right a total distance of 222.04 feet to a rounded "R" mark for the northeast corner of heretofore described tract, and the southwest corner of a called 0.735 acre tract conveyed to 2400 Stonegate Addition, recorded in Instrument No. 202204267, Official Public Records, Tarrant County, Texas, and on the west line of Brown Trail.

TRINCE & BRITZ is a distance of 106.5 feet to a rounded "R" mark for the northeast corner of heretofore described tract, and the southeast corner of said tract conveyed to 2400 Stonegate Addition, and being on the west line of Ravenswood Drive North, and at the beginning of a curve to the left whose radius is 623.70 feet, and whose chord bears N 10°54'41" E, 74.81 feet.

TRINCE is a southerly direction with the west line of heretofore described tract on the west line of Ravenswood Drive North, also with the said curve to the left, commencing at an arc distance of 74.81 feet to an 1/2" wide and round under a line and at the beginning of a curve to the left whose radius is 600.50, and whose chord bears S 07°48'41" E, 125.91 feet.

TRINCE is a westerly direction with the east line of heretofore described tract and the east line of Ravenswood Drive North, also with the said curve to the left, on an arc distance of 125.73 feet to the POINT OF BEGINNING, and containing 1.35 acres of land, more or less.

APPROVAL BY THE PLANNING AND ZONING COMMISSION

Date: _____

Chairperson, Planning and Zoning Commission

Planning and Zoning Secretary

NOX, HEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT CAMBLED 1ST REALTY, LLC, does hereby adopt this Plat, depicting the heretofore described property as Lot C-R-3, Block 17R of Stonegate Addition, as contained in the City of Bedford, Tarrant County, Texas, and does hereby dedicate to public use the same for the purposes and conditions herein set forth.

CAMBLED 1ST REALTY, LLC

By: _____

Name: _____

Title/Date: _____

By: _____

Name: _____

Title/Date: _____

STATE OF TEXAS
COUNTY OF TARRANT

I, the undersigned, a Notary Public in and for said County and State aforesaid, do HEREBY CERTIFY, that CAMBLED 1ST REALTY, LLC, personally known to me to be the same person whose names are subscribed to the foregoing instrument as such authorized signatories, appeared before me that day in person and acknowledged they signed and delivered said instrument on their free and voluntary act, and on the free and voluntary act of the State, for the uses and purposes therein set forth.

GIVEN UNDER my hand and Notarial Seal this _____ day of _____, 2026

Notary Public

W
S

FINAL PLAT
BLOCK 17R LOT CR3 OF
THE STONEGATE ADDITION

BEING A REPLAT OF LOTS CR1 AND
C BLOCK 17R OF THE STONE GATE
ADDITION BEING A 1.35 ACRE
TRACT

PREPARED DATE: DECEMBER 2025,
JANUARY 2026
REVISION DATE: MARCH 2026
CASE NO.: WC-257028
SHEET 1 OF 1

WHITESTONE
ENVIRONMENTAL, LLC
100 CENTRAL DRIVE SUITE 408, BEDFORD, TEXAS 76021
www.whitestoneenv.com
Phone: 409.946.2759
REGISTRATION NUMBERS: F-23721 &
S-10194970



June 25, 2026

**REGULAR MEETING OF THE BEDFORD
PLANNING AND ZONING COMMISSION**

AGENDA ITEM #3

Discussion Items

**Zoning Ordinance Update - Landscaping,
Screening, Bufferyard and Tree
Preservation Ordinance Amendments**

Draft Sign Ordinance Discussion

P&Z Meeting Date: June 25, 2026

Agenda Caption: Receive an update on the zoning ordinance re-write and discuss revisions to Section 5.5 entitled Screening Requirements, Section 5.6 entitled Landscaping Requirements, and Section 5.15 entitled Tree Preservation.

Background: Staff will provide an update to the zoning ordinance re-write and how they propose we move forward with updating our zoning regulations.

Attached are the existing Landscaping and Screening sections of our existing ordinance and a draft of revision of that section. The bulk of the proposed draft was drafted by our consultant working on the entire zoning ordinance. Staff have made some changes to make it more user friendly and match our current zoning districts. Staff will be prepared to go over the two drafts and discuss next steps.

Staff Contact: Wes Morrison, Director of Development, wes.morrison@bedfordtx.gov

Attachments:

Exhibit A: Existing Section 5.5 and 5.6 of the Zoning Ordinance

Exhibit B: Draft Section 5.5 Landscaping, Screening and Buffering

Section 5.5 Screening Requirements

5.5.A Fences, Walls, and Hedges

Notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required side or rear yard, the maximum height of such permitted fences being eight (8) feet. Decorative fences will be permitted in any required front yard as long as vision is not impaired and height does not exceed two and one-half (2.5) feet.

5.5.B Fences Abutting Incompatible Districts

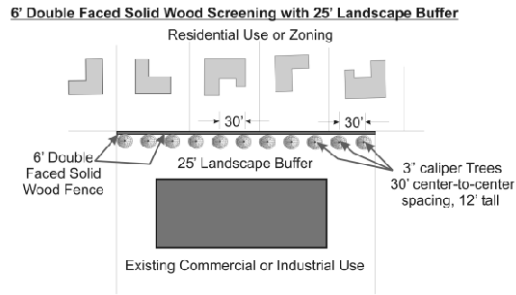
- (1) In commercial and industrial zoning districts that abut a lot or tract currently zoned or being used for residential purposes, or abut a lot or tract zoned or for residential purposes, a solid masonry fence (a visual barrier) or masonry wall at least six (6) feet in height will be erected and shall be adequately maintained by the owner of such commercial or industrial lot or tract. Such fence shall be required to be located adjacent to the property lines requiring a landscape buffer area on the commercial or industrial zoned lot or tract. If there is an existing masonry fence or wall at least six (6) feet in height on the abutting residential lot or tract, no additional masonry screening is required. The residential lot or tract owner (or Home Owners Association) is responsible for the maintenance of the masonry screening located on the residential lot or tract. Fence locations other than adjacent to the property lines may be allowed under specific site plan approval by the City Council.
- (2) Where the commercial or industrial district abuts a lot zoned for residential purposes, but such lot is not currently being used for residential purposes, the City shall permit the owner to pay into escrow, for the construction of a six (6) feet high masonry wall, an amount of money equal to the cost of constructing such wall, as a condition precedent to the issuance of a Certificate of Occupancy. The amount to be placed into escrow will be based upon the cost of the construction of the masonry wall as determined by the City Manager or designee.
- (3) If the residentially- zoned property is developed for a residential use within seven (7) years after the money is placed into escrow, sums equal to the construction cost of the masonry wall will be withdrawn from the escrow account to fund such construction. If the residentially- zoned property is not developed within the seven (7) years after the money is place into escrow, then the escrowed amount shall be used by the City to construct such masonry wall. In the event the abutting residential property is rezoned to a nonresidential use within seven (7) years after the money is placed into escrow, the remaining amount in the escrow account as of the rezoning date shall be refunded to the owner. No refunds will be made by the City to any owner after the seven (7) year period has expired, nor shall the City ever be liable for payment of interest in any deposits or refunds provided for herein.
- (4) An exception to the screening requirement may be granted by the City Council after a recommendation from the Planning and Zoning Commission, when considering approval of the site plan. The exception may be granted if the City Council finds that the subject property's unique land-based conditions, such as site topography, the presence of floodplain, or other natural features of the property, will serve as an equivalent method of buffering the two adjacent incompatible land uses. Financial or economic hardship shall not justify the granting of an exception.

(Ord. No. 2024-3407, § 2, 4-23-24)

5.5.C Screening of Auto Storage Areas

Auto repair businesses that provide temporary auto- storage areas shall screen those areas with a six (6) foot permanent fence.

5.5.D Screening of Exposed Mechanical Units, Dumpsters & Permanent Recycling Containers

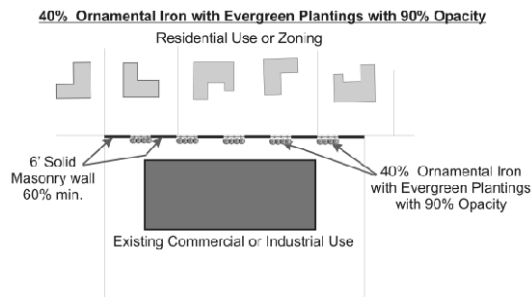


All exposed mechanical units located on grade shall be appropriately screened from view by either the use of live plant material of the evergreen variety, or fencing. All exposed roof- mounted mechanical units (including fans, vents, cooling towers, etc.), which extend above the roof or parapet line shall be screened from public view. Garbage/refuse facilities (dumpsters) and permanent paper recycling containers will be screened on at least three (3) sides with a masonry wall of at least six feet (6') in height. Permanent for the purposes of this subsection shall mean any placement that exceeds 90 days per calendar year."

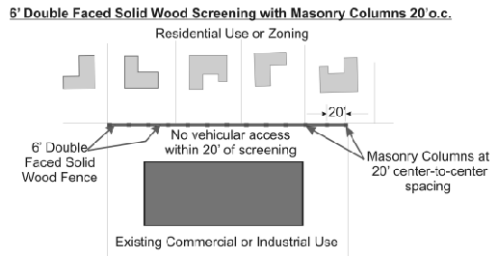
5.5.E Nonconforming Screening

Existing commercial and industrial lots or tracts where the screening provided on August 1, 2003 is nonconforming, must construct a fence in conformance with one of the following alternative screening methods by November 14, 2004. The screening element(s) shall be adequately maintained by the owner. The property owner must apply for the building permit to construct the alternative screening method by May 14, 2004. For the purposes of this section, all wood screening fences must be constructed with 0.095 gauge steel posts at least 2 3/8" in diameter, in concrete footings, with spacing no greater than eight (8') feet on center.

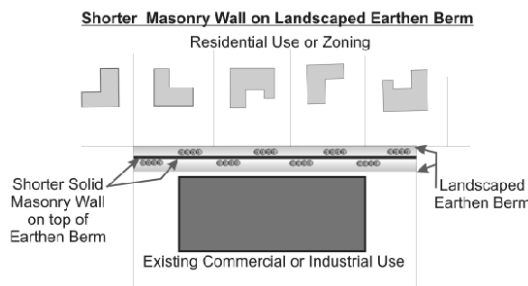
- (1) A solid masonry fence or masonry wall at least six (6) feet in height.



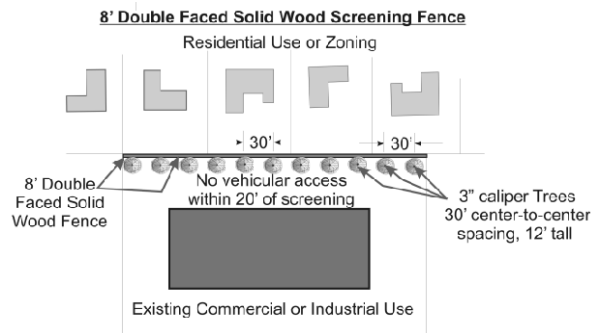
- (2) A screening wall at least six (6) feet in height composed of a minimum of 60% solid masonry and up to 40% of the area of the (including columns) composed of ornamental iron with evergreen landscape plantings, six feet (6') in height at the time of planting, providing a visual screen with an opacity of at least 90%;



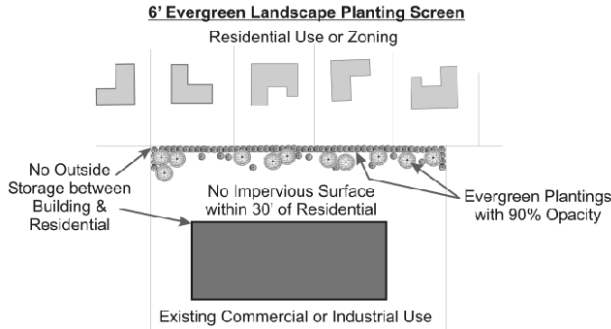
- (3) A double-faced solid wood screening fence six (6') feet in height with masonry columns constructed at twenty foot (20') spacing center-to-center with no vehicular access within twenty feet (20') of the screening fence;
- (4) A six (6') foot tall double-faced solid wood screening fence with a landscaping buffer at least twenty-five feet (25') in width with at least one three inch (3") caliper tree, twelve feet (12') in height, every thirty feet (30');



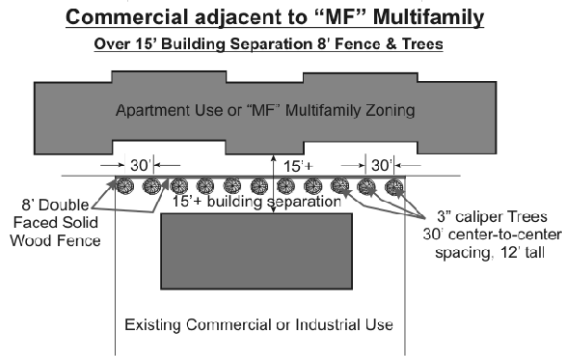
- (5) A shorter masonry wall constructed on top of a landscaped earthen berm such that the overall height of the screening is at least six feet (6') from the normal ground level of the adjacent properties;



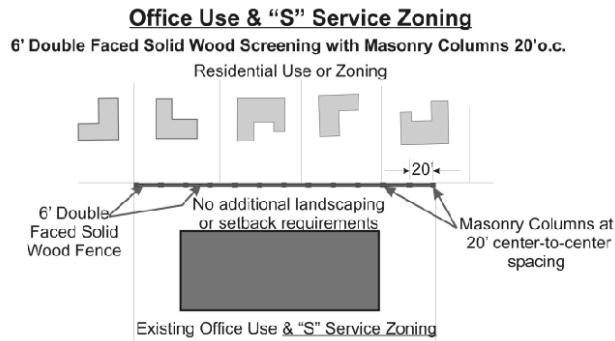
- (6) A double-faced solid wood screening fence with two feet of additional in height for at total height of eight feet (8') with no vehicular access within twenty feet (20') of the screening fence and with at least one three inch (3") caliper tree, twelve feet (12') in height, every thirty feet (30');



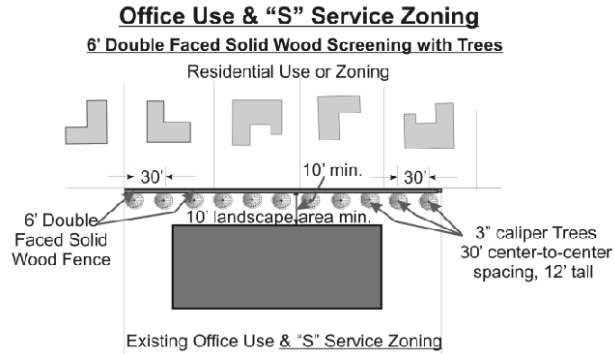
- (7) A continuous evergreen landscape planting screen, six feet (6') in height at the time of planting, providing a visual screen with an opacity of at least 90%, with the building setback a minimum of thirty feet (30') from the residential property with no impervious surface (parking area, maneuvering area, fire lane or vehicular access area) or outside storage between the building and the property line (only a pedestrian sidewalk is allowed in this area);



- (8) If the adjacent zoning or use is apartments or the zoning is "MF" Multifamily and the building separation from the commercial building and the apartment building is over fifteen (15') feet, a double-faced solid wood screening fence eight (8') feet in height with at least one three inch (3") caliper tree, twelve feet (12') in height, every thirty feet (30');



- (9) If the business use is professional offices and the zoning is "S" Service Commercial and not a Specific Use Permit, a double-faced solid wood screening fence six feet (6') in height with masonry columns constructed at twenty foot (20') spacing center-to-center. Professional offices as, used in this section, includes the Business and Professional Services uses allowed by right in the "S" Service Commercial zoning district, "Section 3.1 Schedule of Permitted Uses".



- (10) If the business use is professional offices and the zoning is "S" Service Commercial and not a Specific Use Permit, a double-faced solid wood screening fence six (6') feet in height with at least one three inch (3") caliper tree, twelve feet (12') in height, every thirty feet (30') within a landscape area a minimum of ten (10') feet in width;
- (11) An alternative screening method, from those listed above, may be requested as a Special Exception to be considered by the Zoning Board of Adjustment. The commercial property owner shall present evidence that an alternate screening element customized for that particular property's unique conditions is needed. The Zoning Board of Adjustment can consider any and all evidence and testimony presented including, but not limited to, financial or economic hardships or costs. Any special exception granted by the Zoning Board of Adjustment shall apply to the record owner of the property on the date the special exception is granted, and shall not run with the land. The special exception shall not be applicable to subsequent owners of the property.

5.5.F Masonry Construction

Masonry construction shall include 4" x 8" bricks, decorative block, split face stone construction, natural stone, stucco, or other masonry material approved and constructed in accordance with the Bedford Building Code; but shall not include concrete masonry unit (CMU) blocks.

Section 5.6 Landscaping Requirements

5.6.A Purpose

The purpose of this section is to establish landscaping requirements in zoning districts "MF", "S", "L", "H", and "I" to enhance the community's ecological, environmental, aesthetic qualities, and beautification efforts. It is the intent of this section to reduce the negative effects of glare, noise, erosion, and sedimentation caused by expanses of impervious and un-vegetated surfaces within the urban environment. It is the intent of this section to preserve and improve the natural and urban environment by recognizing that the use of landscaping elements can contribute to the processes of air purification, oxygen, regeneration, groundwater recharge, noise abatement, glare and heat, provision of habitats for wildlife, and enhance the overall beauty of the City of Bedford.

5.6.B Landscape Installation Required

Twenty (20) percent of the total land area in any proposed development or construction occurs for any use after the effective date of this Ordinance shall be landscaped. This twenty (20) percent requirement shall apply to each phase as it is developed. This twenty (20) percent requirement may be reduced through the application of credits granted in the manner described in Subsection 5.6 E, Credits Toward Landscaping Requirements.

5.6.C Landscape Plan Required

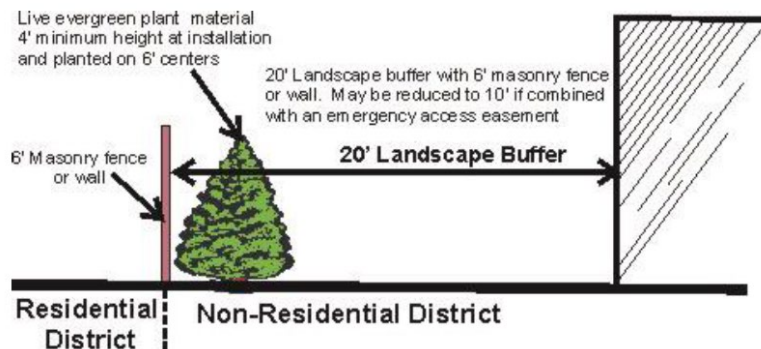
A landscaping plan shall be submitted to the City for approval. The landscape plan may be submitted as a part of the site plan. The landscape plan shall contain the following information:

- (1) Location of all existing trees with indication as to those to be preserved.
- (2) Location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscaping features.
- (3) Species of all plant material to be used.
- (4) Size of all plant material to be used.
- (5) Spacing of plant material where appropriate.
- (6) Layout and description of irrigation, sprinkler, or water system, including placement of water sources.
- (7) Description of maintenance provisions of the landscaping plan.
- (8) Persons responsible for the preparation of the landscape plan.

5.6.D Locational Criteria

The following locational criteria shall apply to the landscaping provided:

- (1) Not less than forty (40) percent of the total landscaping shall be located in the designated front yard.



- (2) Developments in "S", "L", "H", AND "I" zoning districts which abut districts zoned residential or multi-family shall provide a minimum twenty (20) foot wide green belt of "live plant material of the evergreen variety", a minimum of four (4') feet in height at the time of installation, and planted on six (6) foot centers, for the entire distance along which the development abuts the residential or multi-family districts. A planting mix of larger trees of evergreen variety is permitted with a reduction in "on center" planting requirements. Equal coverage must be maintained. However, any variation of the planting mix and/or the "on center" distance must be included on a landscape plan prepared by a landscape architect and/or landscape professional and approved by the Building Official. Where an emergency access easement is required, the green belt may be reduced to ten (10) feet.
- (3) It is the intent of this Ordinance that all required landscaping shall be designed in such a manner as to encourage the landscaping to be in several groupings of landscape planting distributed on all sides fronting public highways.
- (4) Landscape planting shall not be erected or installed in such a manner to interfere with traffic view or impose a safety hazard.

- (5) Landscaping of City Rights-of-way on Abutting Streets - Street Trees: At the option of the owner-developer, and issuance of a permit by the City, the owner-developer may landscape the city rights-of-way easement on public streets adjoining the subject property with a combination of grass or ground cover and trees with the following limitations:
- a. The trees shall be located on twenty-five (25) foot centers, and shall be a minimum of two (2) inches in diameter at the time of installation. Trees planted in street rights-of-way must be maintained so that the lowest branches are no lower than nine (9) feet above the ground in order to allow adequate visibility.
 - b. The trees shall not be arranged in a manner to interfere with traffic flow or traffic view. The decision of the traffic engineering office of the City of Bedford shall be final in questions regarding traffic view or traffic safety.
 - c. Trees shall not be permitted in rights-of-way containing City's water and sanitary sewer mains.
 - d. No trees or vertical plants shall be permitted within five (5) feet of any fire hydrant.
 - e. The owner recognizes that the City or any franchised utility will not be responsible for damage to any landscaping while performing repairs or maintenance to its system.
 - f. If the owner-developer elects to provide landscaping within the right-of way this landscaping will count toward the total landscaping required.

For each of exclusive of driveways, sidewalks, and paved areas, there shall be allowed a three (3) square foot credit against the overall landscaping requirement of twenty (20) percent of the total land area in the development up to a maximum and not to exceed three (3) percent.

5.6.E Credits Toward Landscaping Requirements

Credits toward the landscaping requirements may be granted in the following manner; however credit shall not reduce the total required landscaped area to less than ten (10) percent: (These credits will be applied against the percentage requirements indicated in Subsection 5.6 B, Landscape Installation Required.)

Schedule of Possible Credits:

Additional Enhancement	Credit
Three-inch tree (trunk diameter measured 12" above grade)	200 sq. ft.
Six-inch tree (trunk diameter measured 12" above grade)	400 sq. ft.
Ten (10) one-gallon shrubs	100 sq. ft.
Twenty-five (25) square feet of flower bed(s)	100 sq. ft.

5.6.F Installation and Maintenance

- (1) All landscaping shall be permanently maintained and adequate provisions shall be made at the time of installation for adequate inconspicuous watering sources. Failure to permanently maintain any such landscaping shall be deemed a violation of the zoning ordinance.
- (2) Should any of the plant material used in any landscaping required under this Ordinance die, the owner of the property shall have ninety (90) days after notification from the City to obtain and install suitable replacement plant material. Synthetic or artificial lawn or plant material shall not be used to satisfy the requirements of this Ordinance.

-
- (3) Landscaped area shall be kept free of trash, litter, weeds, and other material or plants not a part of the landscaping.
 - (4) All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.

5.6.G Landscaping of Parking Lots

It is the intent of this section to encourage design and construction of parking areas in a manner whereby areas within the parking lot are landscaped as well as areas considered unusable for parking or maneuvering space. The following minimum requirements shall be observed:

- (1) A minimum of ten (10) percent of the gross parking area shall be devoted to living plant material. Gross parking area shall be measured from the edge of the parking and/or driveway paving and sidewalks.
- (2) Interior areas of parking lots shall contain landscaped areas located so as to best relieve the expanse of paving.
- (3) Landscape material, which is located within the interior of a parking lot, shall be surrounded by a curb of four (4) inches in height.
- (4) Landscaping within a parking lot shall not create a visibility obstruction. A visibility obstruction within a parking lot is defined as landscaping between twenty four (24) inches in height and seven (7) feet in height. No shrubs shall exceed twenty four (24) inches in height. Tree canopies shall be at least seven (7) feet in height.
- (5) For large existing trees located in the parking area, which are being retained and incorporated into the landscape plan, an appropriate aeration system or an alternative method of protecting the tree must be provided and detailed in the landscape plan.

5.6.H Certificate Of Occupancy

- (1) All landscaping shall be completed and installed in accordance with the approved landscape plan within six (6) months of a certificate of occupancy being granted. If the developer cannot install the landscaping required within the six (6) month period they must provide documentation stating the reason for the delay and a schedule indicating when installation will occur.
- (2) If these requirements have not been satisfied within the six (6) month period, from when the certificate of occupancy is issued, the property owner shall be considered in violation of the zoning ordinance of the City of Bedford and shall be subject to the penalties established herein.

5.6.I Nonconforming Uses and/or Structures

All uses that are in existence at the time of the adoption of this landscape ordinance, which do not meet the requirements provided herein, will be considered as being legal nonconforming to these landscape requirements. These nonconforming uses/structures will be subject to Section 2.3, Nonconformities, unless otherwise provided for in this section.

5.6.J Relief From Landscaping Requirements

Upon completion of the following, relief from landscaping requirements may be granted in situations where the individual circumstances of an existing facility limit the applicants' ability to comply with the requirements of this Ordinance:

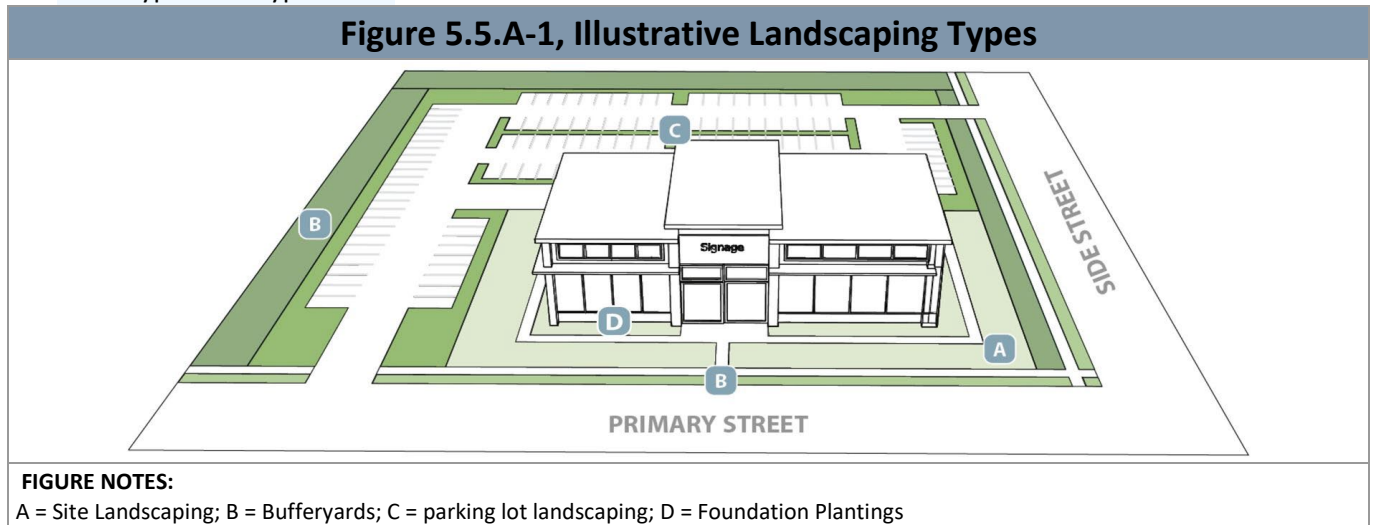
-
- (1) The applicant shall provide the City with an alternative landscape plan for review and approval.
 - (2) Said landscape plan will illustrate a plan to landscape the area as available, provide for irrigation, and provide a phasing schedule for completing the plan.
 - (3) The installation of landscaping as indicated by the landscape plan is completed and approved by the City.

Division 5.5 Landscaping, Screening & Buffering

Sec. 5.5.A General Provisions

- A. **Purpose.** These landscaping regulations provide standards and criteria for new landscaping with live plant material, and are intended to promote the value of property, enhance the general welfare, and improve the physical appearance of the city.
1. It is the intent of this section to establish requirements for the installation and maintenance of landscaping and buffering elements and other means of site improvement on existing and newly developed property in order to enhance the communities ecological, environmental and aesthetic qualities.
 2. It is the intent of this section to reduce the negative effects of increases in air temperatures, glare, noise, erosion and sedimentation caused by expanses of impervious and unvegetated surfaces within the urban environment.
 3. It is the intent of this section to preserve and improve the natural environment by recognizing that the use of landscaping elements can contribute to the processes of air purification; oxygen regeneration; ground water recharge; storm water runoff retardation; and the abatement of noise, glare and heat.
 4. It is the intent of this section to safeguard and enhance property values and protect public and private investment.
- B. **Applicability.** The provisions of the landscaping regulations contained in this section shall apply in the following situations:
1. When an existing building is proposed for remodeling, alteration, addition, or expansion, in which the value of the proposed construction exceeds 50 percent of the current appraised value of the existing structures, excluding the value of the land;
 2. When an existing building is proposed for an addition that will increase the square footage of the existing building by 15 percent or greater;
 3. Upon all new construction; or
 4. As a requirement of the approval of a special use permit or planned unit development.
 5. For purpose of this regulation, the value shall be that shown on the most recent tax roll of the Tarrant Appraisal District.
- C. **General Criteria.**
1. The standards contained in this section are considered minimum standards and shall apply to all zoning districts. Agricultural uses and single-family residences and their accessory buildings shall be exempt from the requirements of this article except as provided in subsection **(C(2))** of this section.
 2. All single-family and two-family residential properties shall provide a minimum of three three-inch caliper trees of a species found on the approved plant list in Appendix A. At least one such tree must be located in front of the required front building line.
 3. All landscaping shall be installed prior to the issuance of a certificate of occupancy. A certificate of occupancy will be issued only when the building official determines that all landscaping has been installed in accordance with the approved landscape plan. If it is determined by the building official that planting of live material is hindered by adverse weather conditions, an extension of time may be granted for a period of up to six months.

- D. **Landscaping Types.** All nonresidential uses are required to incorporate foundation plantings, parking lot landscaping, site landscaping and bufferyards into their site design unless otherwise specified within this Section. Figure 5.5.A-1, *Illustrative Landscape Types*, depicts the conceptual location of these types on a typical site.



E. **Approved and Prohibited Plants.**

1. *Approved Plant List.* All required plantings, replacement plantings, or trees that are eligible for tree preservation credit shall be selected from the Approved Plants section of Plant List in Appendix A of this Section.
2. *Approved Plant Materials.* Only plants from the Plant List count towards the landscape requirements of this Section. The Administrative Official may add approved plants to the Plant List if the applicant demonstrates that the species is not on any of the following lists:
 - a. The Texas State Noxious Weed List, U.S. Department of Agriculture; or
 - b. The Prohibited Plant List in Appendix A.
3. *Prohibited Plants.* Plant species that are listed as prohibited in the Plant List are not allowed to be planted after the effective date of this Ordinance, and a person may not request that a prohibited plant be added to the Plant List.

- F. **Protection of Planting Areas.** All required planting areas shall be protected by wheel stops, six-inch curbs, or similar structures. Curbs may be punctuated to allow for storm water flows into biological treatment areas, as applicable, pursuant to an approved drainage plan, provided that the punctuations do not interfere with their protective function.

G. **Distance from Utilities.** As measured from the nearest easement line of such utilities:

1. *Overhead Lines.* No large trees shall be planted so that the mature canopy of the tree will be under or within 10 lateral feet of any overhead utility lines.
2. *Underground Lines or Fire Hydrants.* No large trees shall be planted within five lateral feet of any underground water, wastewater, or transmission line or fire hydrant.

- H. **Visibility Triangle.** Landscaping, whether required or at the property owner's option, shall not encroach into the visibility triangle established in Section 5.7, Visibility at Intersections.
- I. **Existing Landscaping and Vegetation.** The property owner shall make every effort to incorporate existing, healthy, mature trees and shrubs into the landscape design. Existing trees and other plants in reasonably healthy condition may be removed only if the owner or applicant has satisfactorily demonstrated to the Administrative Official that site constraints necessitate their removal. An evaluation of the existing landscaping proposed to be removed is required.
- J. **Credit for Existing Plants, Fences, and Walls.**
1. *Generally.* An applicant may count existing plants, fences, and walls towards the requirements of this Division provided that:
 - a. The plants, fences, and walls comply with the standards of this Section (including being a species on the Approved Plant List in Appendix A);
 - b. The plants are in good health;
 - c. The applicant attests and the Administrative Official verifies that the fences or walls are structurally sound, in good repair, and of an upright condition;
 - d. The height and level of screening of the fence or wall meets the intent of this Section with regard to buffering; and
 - e. The applicant records an agreement with the City that includes appropriate assurances that if the existing fence or wall deteriorates, or is damaged, destroyed, or removed, the applicant will repair or replace it with a fence or wall that meets the bufferyard standards of this Division.
 2. *Existing Landscaping Credit.* Credit shall be given for existing trees according to the standards of Subsection Sec. 5.5.D, Tree Preservation.
- K. **Landscape Plan.** Prior to the issuance of a Building Permit or approval of a site plan application (if applicable) on any property to which this Section applies, a Landscape Plan shall be required. Landscape plans shall be prepared by a licensed landscape architect, certified nurseryman or master gardener. The Landscape Plan shall contain, at minimum, the following information:
1. Location of all existing trees with indication as to those to be preserved-;
 2. Location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscaping features-;
 3. Species of all plant material to be used-;
 4. Size of all plant material to be used-;
 5. Spacing of plant material where appropriate-;
 6. Layout and description of irrigation, sprinkler, or water system, including placement of water sources-;
 7. Description of maintenance provisions of the landscaping plan-;
 8. Persons responsible for the preparation of the landscape plan-; and
 9. Any other information needed to demonstrate compliance with this Division.

L. **Design of Walls.** All plans and details for masonry walls that are part of a required buffer shall be designed and sealed by a licensed professional engineer, and shall be approved by the Building Official.

M. **Alternative Compliance.**

1. *Generally.* This Section is not intended to discourage innovative and aesthetically pleasing landscaping. Therefore, an applicant may submit an Alternative Compliance Landscape Plan if it meets the requirements of this Subsection and the design features uphold the purpose statements and the intent for this Division.
2. *Applicability Conditions.* A site is eligible for an Alternative Compliance Landscape Plan if site constraints prohibit strict compliance with the requirements set forth in this Division in a minimum of one of the following manners:
 - a. The subject property is peculiarly shaped, through no action of the owner or previous owner, or contains extensive undeveloped area;
 - b. The subject property has space limitations as a result of the locations of existing structures, paved areas, surrounding existing development, and other built features; or
 - c. The subject property contains unique natural features such as soil characteristics, topography, geological characteristics, water features, and significant existing vegetation.
3. *Criteria.* When considering approving an Alternative Compliance Landscaping Plan, the Administrative Official shall use the following criteria:
 - a. The subject property meets at least one of the applicability conditions above;
 - b. The Alternative Compliance Landscape Plan upholds the purpose statements for this Division established in Sec. 5.5.A, *Purpose*;
 - c. The design of the Alternative Compliance Landscape Plan is equal to or better than that of a conventional Landscape Plan meeting the standards of this Division; and
 - d. Financial hardship is not justification for alternative compliance.
4. *Final Decision.* The Administrative Official may approve the Alternative Compliance Landscape Plan if all the criteria in Paragraph 3, above, are met. Decisions on Alternative Compliance Landscape Plans may be appealed to the Board of Adjustment in accordance with Chapter 6 of the Zoning Ordinance, *Appeal of Administrative Decision*.

N. **Replacement of Dead Landscaping.** All persons subject to this Division must replace dead landscaping or landscaping that has been removed by any means and for any reason within 45 days of receipt of written notification by the Administrative Official. Failure to replace landscaping as required by this section shall constitute a violation of this Zoning Ordinance punishable as provided in Chapter 6, *Penalties for Violation*.

Sec. 5.5.B Development Landscaping

A. **Generally.** Development landscaping consists of areas devoted to foundation plantings, landscaping of parking lots, and general site landscaping.

- B. **Minimum Landscaped Area.** An area not less than 20 percent of the total lot area shall be landscaped. No area shall be maintained with bare soil. All ground surfaces not used for buildings, sidewalks, roadways, or other impermeable surfaces shall be covered with live grass, turf, shrubbery, trees, ground cover, flowering plants or appropriate mulching and only those areas with live plant materials shall be included in the calculation for determining compliance with the percentage of lot coverage.
- C. **Foundation Plantings.** Nonresidential buildings of 25,000 square feet or less must install foundation planting areas along the front and side foundation lines where not impeded by building entrances, loading areas, parking spaces, or sidewalks. Foundation planting areas may also be required at the rear of the building if visible from streets, other buildings, or open spaces.
1. **Location.** Foundation planting areas, as illustrated in Figure 5.5.B-1, *Foundation Plantings*, below, shall be adjacent to the base of the building, the minimum width for foundation planting area on the front and corner is ten (10) feet, on the side is six (6) feet and rear (if applicable) is four (4) feet.
 2. **Number of Plantings.** A minimum of one small or evergreen tree and five shrubs shall be planted within the foundation planting areas that face the front and corner setbacks per every 50 linear feet, measured parallel to the building.
 3. **Groundcover.** The remaining portions of the planting area shall be planted with groundcover or consist of rocks or decorative pavers.

Figure 5.5.B-1, Foundation Plantings



- D. **Landscaping of Parking Lots.**
1. **Generally.** All areas within the parking lot's perimeter are counted toward the landscape requirement, including the planting islands, curbed areas, parking spaces, and all interior driveways and aisles. The required parking lot landscaping shall be calculated as shown in Table 5.5.B-2, *Parking Lot Landscaping Requirements*.
 2. **Curb Stops.** Landscape islands and medians shall be protected by wheel stops or four-inch curbs. Curbs may be punctuated to allow for stormwater flows, provided that the punctuations do not interfere with their protective function.

Table 5.5.B-2, Parking Lot Landscaping Requirements

Total Off-street Parking Area	Percent of the Off-Street Parking Area that Must be Landscaped
7,000—49,999 square feet	10
50,000 - 149,999 square feet	12
150,000 square feet or more	15

3. *Plantings.*
 - a. Fifty percent of the required parking lot landscaping shall be located within the parking lot as an island or as a median, as depicted in Figure 5.5.B-2, *Parking Lot Features*, in order to be applied towards the landscaped requirements of this Section. The remaining 50 percent of the required parking lot landscaping may be located outside of the parking lot, but must be located forward of the rear building line of the primary structure and be visible from the public street.
 - b. Parking lot islands shall be a minimum of 180 square feet. Medians shall be a minimum width of five feet.
 - c. Parking lot islands and medians shall consist of groundcover including ornamental grasses, native grasses, or other perennial flowering plants. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
 - d. A minimum of one large tree and four shrubs shall be planted and maintained for each 350 square feet of parking lot landscaping.

4. *Exemptions.* The following are exempt from the parking lot landscaping requirements of this Subsection.
 - a. Parking areas that are less than 7,000 square feet in area;
 - b. Areas used for the outdoor storage of vehicles for sale, rental, or lease; and

Figure 5.5.B-2, Parking Lot Features



FIGURE NOTES:

A = Island | B = Median

E. Site Landscaping.

1. *Generally.* Site landscaping consists of all other pervious areas of a site that are not covered by required foundation plantings, parking lot landscaping, and bufferyards.
2. *Plantings.*
 - a. One large or three small trees shall be required per 1,000 square feet of site landscaping area.
 - b. Six shrubs shall be required per 1,000 square feet of site landscaping area.
 - c. One shrub shall be required per four linear feet of sign base on each side of the sign.
3. *Groundcover or Mulch.* Groundcover or mulch is required in areas used for site landscaping.
4. *Landscaping of City Rights-of-way on Abutting Streets - Street Trees.* At the option of the applicant the Administrative Official may approve landscaping of the City rights-of-way on public streets adjoining the subject property with a combination of ornamental grasses or ground cover and large trees with the following limitations:
 - a. The large trees shall be located on 25-foot centers. Trees planted in street rights-of-way must be maintained so that the lowest branches are no lower than nine feet above the ground in order to allow adequate visibility.
 - b. This landscaping option shall not be permitted in rights-of-way containing public water and sanitary sewer mains.

- c. No landscaping shall be permitted within five feet of any fire hydrant.
- d. The City or any franchised utility is not responsible for damage to any landscaping while performing repairs or maintenance to its system.
- e. The landscaping under this option shall count toward the total landscaping required.

Sec. 5.5.C Bufferyard Landscaping

- A. **Generally.** Required bufferyards are based on the amount of buffering and screening they provide. Bufferyards are classified in terms of intensity from less ("Class A") to moderate ("Class B") to heavier ("Class C").

- B. **Bufferyard Types.** Bufferyards, as depicted in Figure 5.5C-1, *Bufferyards*, below, may be required:
 - 1. Zoning Districts. Provide buffering elements for visual buffering between zoning districts of different character in order to mitigate the effects of potential nuisances such as dirt, litter, noise, heat, and glare of lights; and to provide spacing between different uses that may be considered incompatible, in the form of a district bufferyard;
 - 2. Parking. Around parking areas, in the form of a parking bufferyard; and
 - 3. Streets. Along public and private streets in the form of a street bufferyard.

Figure 5.5.C-1, Bufferyards

District Bufferyard



Parking Bufferyard



Street Bufferyard



C. General Bufferyard Standards.

1. *Parking and Structures.* The parking of vehicles and the placement of structures, except as provided, is not allowed in a required bufferyard.
2. *Breaks.* Breaks for pedestrian, bicycle, and vehicle access are permitted. Driveways or walkways shall cross a buffer at as near a perpendicular angle as practical.
3. *Location.* A required bufferyard shall be located at the outer perimeter of the property, parallel to and extending to the property line, and, in the case of a district bufferyard, shall be provided along the entire site immediately abutting the property line.
4. *Ground Cover.* In addition to the required plantings, walls, fences, and berms, remaining portions of all bufferyards shall contain a minimum of 50 percent ground cover listed in the Plant List in Appendix A. The remainder of the remaining portions of all bufferyards may consist of mulch, decorative pavers, and other materials approved by the Administrative Official.
5. *Calculation.* Where a fraction of a 100-foot segment of a bufferyard is required, then a fraction of the required amount of plantings shall be required. For example, if 350-foot long property line requires a Natural Type A Bufferyard, the final 50 feet shall require one-half of the required plantings.

D. District Bufferyard.

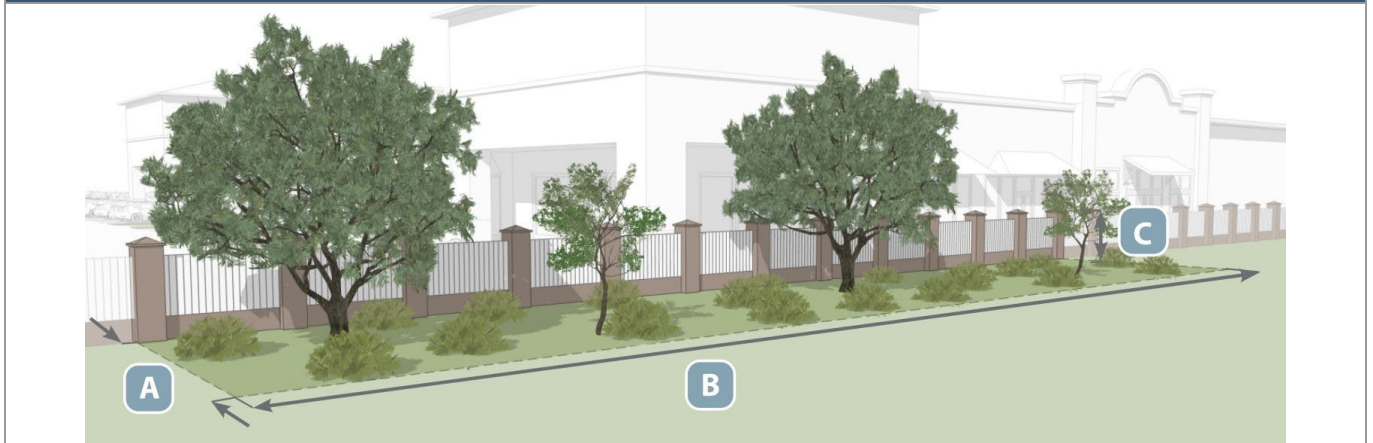
1. *Composition of District Bufferyards.*
 - a. District bufferyards, as established below may be classified as:
 - i. Structural district bufferyards include the use of a wall, fence, or berm to achieve the required level of buffering; and
 - ii. Natural district bufferyards are wider than structural bufferyards and include a higher density of plantings to achieve the required level of buffering.
 - b. District bufferyards between zoning land uses or zoning districts. For any non-residential or multi-family construction which abuts a single-family attached or single-family detached land use or zoning district, shall comply with the bufferyard described in Table 5.5.C-2.
2. *Fences and Walls.* Fences and walls that are part of required district bufferyard shall:
 - a. Be six feet in height;
 - b. Be composed of treated wood, composite material, or masonry only, with unacceptable materials including, but are not limited to, plywood, corrugated steel sheets, and chain-link with or without weave mesh or slats;
 - c. Not encroach into the public right-of-way;
 - d. Include stone or brick columns (in the case of a wood fence) spaced a minimum of 30 feet apart with the finished side of the fence facing the adjacent property;
 - e. Be maintained by the business or homeowner or homeowners' or property owners' association, as applicable; and
 - f. Be of a consistent design for the entirety of the development.
3. *Berms.*
 - a. Berms that are part of a required district bufferyard shall have:
 - i. A minimum two-foot-wide flat area on top; and

- ii. Stabilized slopes of not less than three feet horizontal for each one foot vertical.
 - b. In order to accommodate a berm, the bufferyard may need to be wider than required in Table 5.5.C-2, *District Bufferyard Type Specifications and Illustrations*, above.
4. *Exemption.* A district bufferyard is not required if the applicant can demonstrate that the subject property is separated from the adjacent property by a natural area that meets or exceeds the level of screening required by the applicable bufferyard. In such instances, the applicant shall record a covenant to prohibit the removal of such planting, with periodic maintenance allowed.

Table 5.5.C-2, District Bufferyard Specifications and Illustrations

Width (Structural / Natural) (A)	Required Plantings per 100 Linear Feet (B) (Structural / Natural)			Height of Wall, or Fence / Berm (C)
	Large	Small	Shrubs	
20' / 30'	2 / 3	2 / 3	20 / 30	6 / 4

Structural Bufferyard Illustration



Natural Bufferyard Illustration

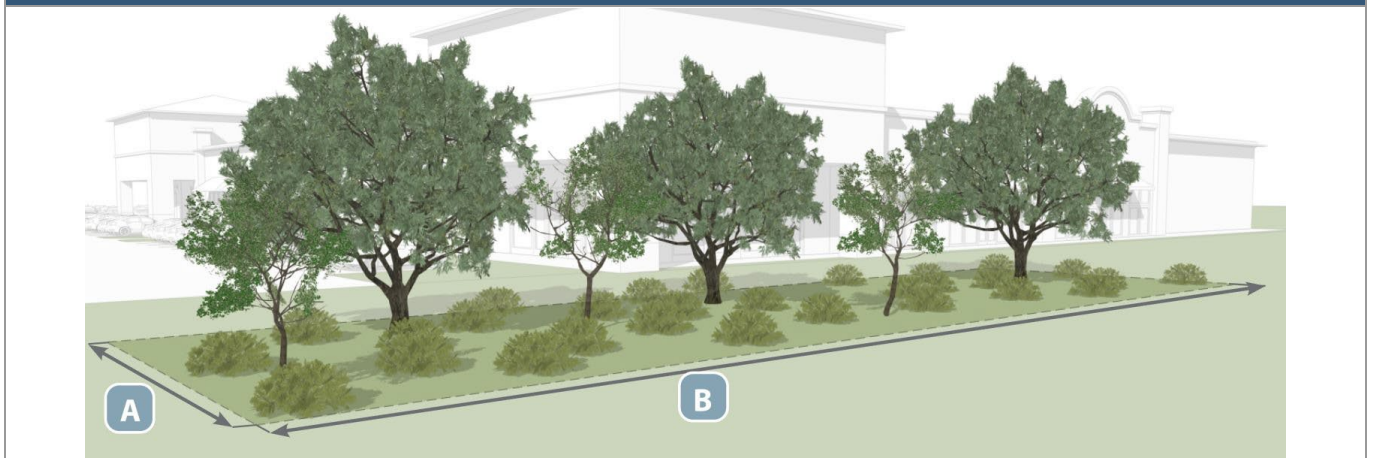


TABLE NOTES:
NA = Not applicable

E. Parking Bufferyard.

1. *Applicability.* All surface parking areas with more than 10 parking spaces abutting a public street (not including an alley) shall require a parking buffer in the form of one of the following options. Where a parking area abuts a street, only a parking bufferyard is required.
2. Parking bufferyard options:
 - a. Natural: This option shall be ten (10) feet in width and consists of a continual row or double row of shrubs with two (2) small evergreen tree per 100 linear feet.
 - b. Structural: This option shall be five (5) feet in width and consists of a street screen structure that shall be four (4) feet in height along all streets. Street screen structure shall be constructed with similar materials as the principal structure on the lot and incorporate a combination of ten (10) shrubs per 100 linear feet. The street screen structure shall not be allowed within the visibility triangle.
 - c. Berm: This option shall be ten (10) feet in width and consists of a berm that meets the requirements of Paragraph D.3, Berms, above, with one (1) small evergreen tree and ten (10) shrubs per 100 linear feet.

B. Street Bufferyard.

1. *Location.*
 - a. Street bufferyards shall be required outside of the existing street right-of-way and outside of future rights-of-way of all public and private streets along the entire length of the property, excluding driveway openings.
 - b. A street bufferyard shall include an area beginning at the property line adjacent to a street right-of-way, extending into the private property to establish the required width as listed in this Subsection.
 - c. The street bufferyard's trees, shrubs, ground cover, and other landscaping shall be placed and maintained so as not to cause a visual obstruction and so as not to violate the visibility triangle established in Sec. 3.4.A, Measurements.
2. *Widths and Plantings.* The widths and plantings within a street bufferyard shall be as required for natural district boundary bufferyards in Table 5.5.C-3.

Table 5.5.C-3, Street Bufferyard Widths & Plantings				
Street Name	Roadway Types (per Existing Mobility & Connectivity Map in Comprehensive Plan)			
	Freeway & Major Thoroughfare	Minor Thoroughfare	Collector	Other
Width	30 feet	20 feet	10 feet	10 feet
Shrubs	20 per 100 linear feet	20 per 100 linear feet	10 per 100 linear feet	10 per 100 linear feet
Small Trees	2 per 100 linear feet	--	--	--
Large Trees	3 per 100 linear feet	2 per 100 linear feet	2 per 100 linear feet	1 per 100 linear feet

3. *Where Required.* Street yard buffering shall be required for all nonresidential development in accordance with Table 5.5.C-3. Roadways types identified in the above table are referenced on the Existing Mobility & Connectivity Map found in the Comprehensive Plan.

Sec. 5.5D Tree Preservation and Landscaping Credits

- A. **Purpose.** The purpose of this Section is to promote site planning that furthers the preservation of mature trees and natural areas, to protect trees during construction, to facilitate site design and construction that contribute to the long-term viability of existing trees; and to control the removal of trees when necessary. It is further the purpose of this Section to achieve the following broader objectives:
 1. *Clearing.* Prohibit the indiscriminate clearing of property;
 2. *Comprehensive Plan.* Achieve the Comprehensive Plan goals and objectives
 3. *Positive Image.* Maintain and enhance a positive image for the attraction of new residents and business enterprises to the City;
 4. *Health of Trees and Environment.* Protect the healthy quality of trees and promote the natural ecological environmental and aesthetic qualities of the City; and
 5. *Site Planning.* Promote site planning that is sensitive to the location of existing trees in an effort to save quality trees.
- B. **Exemptions.** A Tree Removal Mitigation Permit shall be issued, and tree protection and replacement requirements of this Section shall not apply under any of the following circumstances. The burden of proof as a qualified exemption is upon the remover of a tree.
 1. *Approved Plans.* All construction activities for which final construction plans and Building Permit applications have been submitted prior to the effective date of this Section shall be exempt.
 2. *Diseased Trees.* The tree is diseased, damaged beyond the point of recovery, or in danger of falling as determined by the City prior to the removal of the tree. The removal of a diseased tree by the City or an individual is required to reduce the chance of spreading disease to adjacent healthy trees.
 3. *Public Safety.* The tree endangers the public health, welfare or safety, and immediate removal or pruning is required.
 4. *Utility Service Interruption.* The tree has disrupted a public utility service due to a natural disaster. Removal shall be limited to the portion of a tree reasonably necessary to reestablish and maintain reliable utility service.
 5. *Homestead Properties of Two Acres or Less.* The owner of a property of two acres or less that is used for a homestead shall be exempt from the tree protection and replacement requirements specified in this Code.
 6. *Trees Under 10" on Residential Properties.* The tree is:
 - a. Is located on a property that is an existing one-family or two-family dwelling that is the person's residence; and
 - b. Is less than 10 inches in diameter at the point on the trunk four and one-half feet above the ground.
- C. **Location.** Typically, each replacement tree shall be planted on the same property as the tree that was altered. However, if the replacement tree cannot be planted on the same lot or tract in accordance with universally accepted arboricultural standards, the agent charged with mitigating the alteration of a protected tree may choose any or a combination of the following:

1. *Other Property.* Replacement on other private property within the City, with the approval of the owners of both the property on which the protected tree was altered and the property on which the replacement tree is to be planted. In such an instance, the owner of the property on which the replacement tree is to be planted shall agree, in writing, to maintain the replacement tree to the standards established in this Division;
 2. *Public Property.* Replacement on public property as approved by the Administrative Official;
 3. *Fee-in-Lieu of Replacement.* Payment to the Tree Reforestation Fund as established by this Section; or
 4. *Combination.* A combination of the above options at the discretion of the Administrative Official.
- D. **Size and Number.** A sufficient number of trees, the aggregated diameter of which shall be one and one-half times that of the diameter at breast height (DBH) of each tree altered. Each replacement tree shall be at least three inches in DBH.
- E. **Responsibility for Replacing Protected Tree.** The Administrative Official will determine the time of replacement, and the location of the replacement tree and approve the agent responsible for replacing a wrongfully altered protected tree. The requirement to replace trees shall be binding upon the person subject to such order even if such person sells, assigns, or transfers the property. In the event of such a sale, assignment or transfer of property, the person subject to such order may either obtain the consent of the person to whom the property was sold, assigned or transferred to permit the replacement on such property, or may make payment to the Tree Reforestation Fund as provided in this Section.
- F. **Time of Replacement.** Any replacement trees required to be planted must be planted not later than 90 days after the order of the Administrative Official, or within 30 days of the date any appeal from such order becomes final, provided however that the Administrative Official may require the deferral of the planting of replacement trees up to an additional 180 days based on weather and other arboreal considerations, and further provided that the Administrative Official may, upon request of the person subject to the requirement, approve delaying the planting of replacement trees up to an additional 180 days if the person subject to the order provides the City with a surety bond in an amount equal to the cost of purchasing and planting such trees or pay this amount into the Restoration Fund within the earlier of the following:
1. Within 180 days of the last date approved for such delayed planting; or
 2. The date of issuance of the first Certificate of Occupancy on any portion of the subject property. The surety bond must be issued by a company licensed to do business within the State of Texas and shall be authorized and approved as to form by the City Attorney.
- G. **Protection, Longevity, and Duration.**
1. If a replacement tree dies within three years from the date it was planted, the person subject to the requirement to plant the replacement tree must replace the dead tree with another replacement tree within 90 days of the order of the Administrative Official ordering such replanting. This requirement to replace trees shall be placed upon the person subject to such order even if such person sells, assigns, or transfers the property. In the event of such a sale, assignment or transfer of property, the person subject to such order may either obtain the consent of the person to whom the property was sold, assigned or transferred to permit the replacement on such property or may make payment to the Tree Reforestation Fund as provided by this Section.

2. For existing trees located on a property that are being preserved, an appropriate aeration system or an alternative method of protecting the tree must be provided and detailed in the landscape plan.
- H. **Mitigation for Trees Removed On-Site.** It is the desire of the City that as many trees as possible be preserved and protected on-site.
1. *Protected Tree Replacement.* Protected Trees shall be replaced by planting trees on the property equal to the total caliper inches as calculated by using the replacement rate in Table 4.4.D-1, *Mitigation Ratio Based on Size of Protected Tree.*

Table 5.5.D-1, Mitigation Ratio Based on Size of Protected Tree	
Size of Protected Tree (Diameter at Brest Height)	Mitigation Ratio (in caliper inches)
Less than 6"	No mitigation
6" to 18"	1:1
18" to 25"	2:1
Greater than 25"	3:1

2. *Tree Credits.* If any protected tree is preserved outside of the building pad, credit for preservation shall be given that will be counted toward the mitigation requirements for the removal of protected trees within the building pad.
 - a. Any tree that is preserved and receives positive credit toward mitigation is exempt from being used to fulfil required landscaping.
 - b. [Table 5.5.D-2, establishes](#) list of credit available for the preservation of protected trees on a site or project.

Table 5.5.D-2, Credits Based on Size of Protected Tree	
Size of Protected Tree (Diameter at Breast Height)	Positive Credits
6" to 10"	1:1
10" to 18"	3:1
18" to 24"	4:1
Greater than 24"	5:1

3. *Tree Reforestation Fund.* A person required to comply with [this](#) Section may request to make payment to the Tree Reforestation Fund or other specifically dedicated fund approved by the City Council for such payments in accordance with the following requirements:
 - a. The amount of the payment required in lieu of each replacement tree shall be the average cost of a quality tree of similar size and type to the replacement tree which would otherwise have been required by this Section, plus the cost of planting such a tree, as determined by the City Council and provided in a fee schedule published by the City.
 - b. The funds shall be used only for purchasing and planting trees on private property approved by the City Manager, on public property, [for maintenance of trees on public property including but not limited to pruning, watering \(irrigation\) and pesticide/disease treatment/prevention,](#) for acquiring wooded property which shall remain in a naturalistic state in perpetuity, for establishing a landscape or wildlife preserve or similar nature area

as approved by the City Council, or for educating the public on the aesthetic and health benefits of conservation and environmental preservation.

- c. Staff shall submit annual reports to the City Council on the deposits and disbursements from the Tree Reforestation Fund.

4. *Requirements for Municipal/Public Domain Property, Rights-of-way, and Easements*:

- a. All construction and maintenance activities within municipal/public domain property, rights-of-way or easements by the City, franchise utility companies, cable providers, telecommunication providers or other eligible entities shall be in accordance with this Section and may be subject to the requirements for tree protection and replacement specified in this Ordinance if extensive quality trees are removed for the project.
- b. A Tree Removal Mitigation Permit shall not be required, and trees may be removed within the public rights-of-way and utility easements. However, no construction or maintenance activity shall begin until construction plans showing protected trees to be removed and the limit of construction activity have been approved by the Director of Public Works.
- c. The City shall have the right to plant, prune, and maintain street trees and park trees within the municipal/public domain property as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public properties. The City may remove or cause or order to be removed any tree or part thereof that is in an unsafe condition, or that by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or which is affected with any injurious fungus, insect, or other pest.

J. **Tree Protection Requirements.**

1. *Generally.* Unless otherwise exempted by this Section, the following procedures shall apply to protect any protected tree for which a Tree Removal mitigation Permit is required.
2. *Construction Plan Requirements.* All persons submitting Construction Plans shall insure that such plans comply with the requirements of this Section.
3. *Prohibited Activities.* The following activities are prohibited within the limits of the critical root zone, as depicted in Figure 5.5.D-1, *Critical Root Zone Illustration*, of any protected tree subject the provisions of this Section:
 - a. *Material Storage.* No storage or placement of any materials intended for use in construction or waste materials accumulated due to excavation or demolition shall be placed within the limits of the critical root zone of any protected tree.
 - b. *Equipment Cleaning/Disposal.* No equipment shall be cleaned or other liquids, including, without limitation, paint, oil, solvents, asphalt, concrete, mortar or similar materials deposited or allowed to flow into the critical root zone of a protected tree.
 - c. *Tree Attachments.* No signs, wires, or other attachments other than those of a protective nature, shall be attached to any protected tree.
 - d. *Vehicular Traffic.* No vehicular and/or construction equipment traffic or parking shall take place within the critical root zone of any protected tree other than on existing pavement. This restriction does not apply to single incident access within the critical root zone for purposes of establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance, emergency restoration of utility service, or routine mowing operations.

- e. *Grade Changes.* No grade changes shall be allowed within the limits of the critical root zone of any protected tree unless adequate protective construction methods are approved in advance by the Administrative Official.
 - f. *Impervious Paving.* No paving with asphalt, concrete or other impervious materials shall be placed within the limits of the critical root zone of a protected tree except as otherwise allowed by this Section.
4. *Heavy Equipment.* No heavy equipment, including but not limited to trucks, tractors, trailers, bulldozers, bobcat tractors, trenchers, compressors, and hoists, shall be allowed inside the dripline of any protected tree on any construction site without prior written approval of the Administrative Official.
5. *Construction Projects.* The following procedures shall be followed on all types of construction projects (including residential, commercial, and municipal/public domain projects).
- a. *Protective Fencing.*
 - i. Prior to the issuance of any building or earth disturbance permit, or commencing construction, the owner, contractor or subcontractor shall construct and maintain, for each protected tree on a construction site, a protective fencing which encircles the outer limits of the critical root zone of the tree to protect it from the construction activity or in cases of heavily wooded sites, as approved by the Administrative Official.
 - ii. All protective fencing shall be in place prior to commencement of any site work and remain in place until all exterior construction activity at the site has been completed.
 - iii. Protective fencing shall be at least four feet high, clearly visible, and shall have a tree protection sign affixed to the fence every 20 feet in such a manner to be clearly visible to workers on site.
 - iv. The use of orange vinyl construction fencing, or other similar fencing is generally permitted only if there is no construction or vehicular activity within 10 feet of the fence. If construction activity or vehicular traffic is expected within 10 feet of the fence, the fence shall be constructed of chain link or other similar metal, wooden materials or semi-rigid vinyl tape fencing supported with a top support wire or equivalent support material affixed to metal or wooden posts, all of which shall be six feet in height.
 - v. All protective fencing shall be supported at a maximum of 10-foot intervals by approved methods sufficient to keep the fence upright and in place for the duration of the construction.
 - vi. The owner shall cause the required fencing to be installed and maintained for the duration of the construction.
 - b. *Trenching.* For permits involving trenching, such as sewer services, irrigation systems or underground electrical work, the applicant shall provide sufficient plans to provide protection of the trees in the vicinity of the work.
 - c. *Signs.* The "tree protection sign" tree preservation instruction details sheet and approved Tree Removal Mitigation Permit shall be posted at each entrance to the subject property upon which one or more trees subject to the permit is situated, and at any other location designated by the Administrative Official.
 - d. *Inspection.* All the above conditions must be adhered to and inspected by a City inspector prior to the issuance of any permits.

6. In situations where a protected tree remains in the immediate area of intended construction and the Administrative Official–determines the tree bark to be in danger of damage by construction equipment or other activity, the contractor or subcontractor shall protect the tree by enclosing the entire circumference of the tree trunk with two inches x four inches lumber encircled with wire or other means that do not damage the tree. The intent is to protect the bark of the tree against incidental contact by large construction equipment. The contractors shall comply with the requirements of this Section regarding bark protection.
7. *Construction Methods.*
 - a. *Boring.* Boring of utilities under the critical root zone of a protected tree shall be required in those circumstances where it is not possible to trench around the critical root zone of the protected tree. When required, the bore shall be a minimum depth of forty-eight (48) inches.
 - b. *Grade Change.* If the Administrative Official–approves the grade change within the critical root zone of a protected tree, the procedures noted in the City's standard detail sheet shall be followed.
 - c. *Trenching.* No trenching shall cross the critical root zone of any protected tree, unless approved in writing by the Administrative Official or exempted from the application of this Section. Trenching within the critical root zone shall require the issuance of a Tree Removal Mitigation Permit. The placement of underground utility lines is encouraged to be located outside of the critical root zone of protected trees. Irrigation system lines shall be placed outside of the critical root zone, except the minimum number of single head supply lines required to irrigate within the critical root zone which is allowed within the critical root zone. Any such irrigation line shall be installed along the horizontal line that bisects the tree trunk, in the manner that has the least possible encroachment into the critical root zone, and that extends no further into the critical root zone as is necessary to provide proper irrigation.
 - d. *Root Pruning.* All roots two inches or larger in diameter which are exposed as a result of trenching or other excavation shall be cut off square with a sharp medium tooth saw and covered with pruning compound within two hours of exposure.

Figure 5.5.D-1, Critical Root Zone Illustration

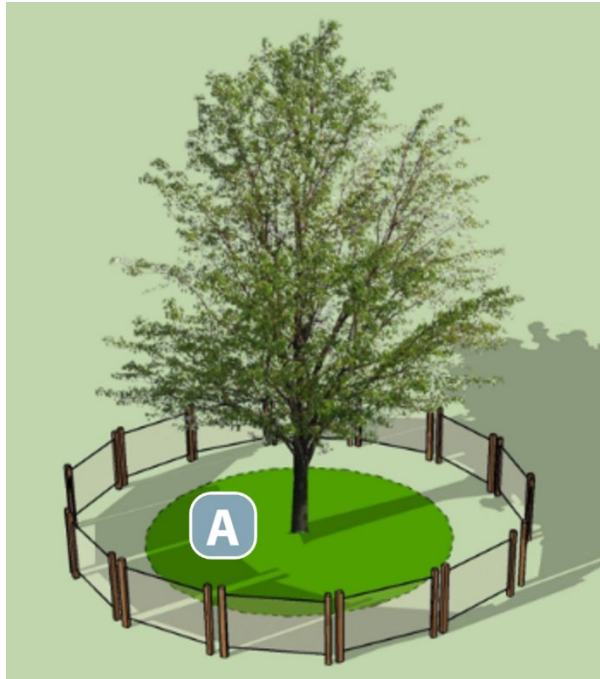


FIGURE NOTES:

A = Critical Root Zone

K. Public Trees.

1. *Maintenance.* The City shall be responsible for the administration and maintenance of all trees and associated vegetation located on all municipal/public domain property, including public street rights-of-way, City-owned parks, and City-owned properties.
2. *Written Plan.* It shall be the responsibility of the City to develop and administer a written plan for care, preservation, pruning, removal, or disposition of trees and associated vegetation on all municipal/public domain property.

L. **Tree Transplantation.** The City may request to enter a property following the approval of a Tree Removal Mitigation Permit or development plans, for a property to inspect the site for any trees marked for removal that may be transplanted. The City will pay all costs associated with the removal and transplantation of designated trees to public parks, public facilities, or public rights-of-way.

M. **Tree Pruning Restrictions.** No protected tree shall be pruned in a manner that significantly disfigures the tree or in a manner that would reasonably lead to the death of the tree.

1. *Allowed Pruning.* Protected trees may be strategically pruned to allow construction or demolition of a structure. All pruning shall take place in accordance with approved Arboricultural techniques. Reasonable pruning of trees also may be performed or contracted to be performed by the owner of the tree when unrelated to construction activity.
2. *Tree Topping.* It shall be unlawful as a normal practice for any person, firm, or City department to top any street tree, park tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this Section at the determination of the City.

N. Enforcement.

1. *Permit Required.* No development or earth disturbance activity shall commence until all applicable requirements of this Section are met and a notice to proceed or a Tree Removal Mitigation Permit has been issued for the site.
2. *Acceptance of Improvements.* No acceptance of public improvements shall be authorized until it is determined that all requirements of this Section are met and all fines for violations of this Section have been paid to the City or otherwise disposed of through the Municipal Court. No acceptance of public improvements shall be authorized until all replacement trees have been planted or appropriate payments have been made to the Tree Reforestation Fund.
3. *Certificate of Occupancy.* No Certificate of Occupancy for nonresidential construction or final building inspection for residential construction shall be issued until it is determined that all requirements of this Section are met and all fines for violations of this section have been paid to the City or otherwise disposed of through the Municipal Court. No Certificate of Occupancy shall be issued until all replacement trees have been planted or appropriate payments have been made to the Tree Reforestation Fund.
4. *Escrow Account.* Notwithstanding the above provisions, public improvements may be accepted, and Certificate of Occupancy may be issued before all trees have been replaced if an escrow account is established by the City in the amount equal to the prevailing rate for installed trees with a two-year guarantee, plus 15 percent to cover administrative costs.

Sec. 4.4.E Screening

- A. **Fences, Walls, and Hedges.** Notwithstanding other provisions of this Ordinance, fences, walls, and hedges may be permitted in any required side or rear yard, the maximum height of such permitted fences being six feet. Decorative fences are permitted in any required front yard as long as vision is not impaired and height does not exceed two and one-half feet.
- B. **Screening of Auto Storage Areas.** Auto repair businesses that provide temporary auto-storage areas shall screen those areas with a six-foot permanent fence.
- C. **Screening of Exposed Mechanical Units, Dumpsters & Permanent Recycling Containers.** All exposed mechanical units located on grade shall be appropriately screened from view by either the use of live plant material of the evergreen variety, or fencing. All dumpsters and permanent recycling containers shall be screened on all sides with a masonry screening wall being a minimum six (6) in height and metal gate matching the aesthetic of the primary structure. All exposed roof-mounted mechanical units (including fans, vents, cooling towers, etc.), which extend above the roof or parapet line shall be screened from public view.
- D. **Masonry Construction.** Masonry construction shall include four inches by eight inches bricks, decorative block, split face stone construction, natural stone, stucco, or other masonry material approved and constructed in accordance with the Bedford Building Code; but shall not include concrete masonry unit (CMU) blocks.

Sec. 5.5.F Installation and Maintenance

A. Property Owner Responsibilities.

1. All landscaping shall be permanently maintained and the owner of the property shall make adequate provisions at the time of installation for adequate inconspicuous watering sources. Failure to permanently maintain any such landscaping shall be deemed a violation of this Zoning Ordinance.
2. Should any of the plant material used in any landscaping required under this Ordinance die, the owner of the property shall have 90 days after notification from the City to obtain and install

suitable replacement plant material. Synthetic or artificial lawn or plant material shall not be used to satisfy the requirements of this Ordinance.

3. The owner of the property shall keep all landscaped areas free of trash, litter, weeds, and other material or plants not a part of the landscaping.
 4. The owner of the property shall maintain all plant material in a healthy and growing condition as is appropriate for the season of the year.
- B. **Irrigation.** In order to provide reasonable assurance that all required plants will thrive, an adequate automatic irrigation system shall be installed. Manual watering is permitted if all parts of the landscape improvements are within 100 feet of one or more hose bibs, and if the required landscaped area does not exceed 1,500 square feet.
- C. **Installation and Maintenance.**
1. *Nursery Stock.* Trees and shrubs planted pursuant to this Division shall be good, healthy nursery stock.
 2. *Owners Responsible for Installation.* Property owners are responsible for installing landscape materials required by this Division in accordance with standard practices of horticultural professionals.
 3. *Tree Measurement.* Trees to be removed or preserved shall be measured by diameter at breast height and trees or shrubs to be planted shall be measured according to Table 5.5.F-1, Minimum Size of Plants at Installation.
 4. *Continual Maintenance.* Maintenance of landscaping shall include continuous removal of weeds, mowing, trimming, edging, cultivation, reseeding, plant replacement, appropriate fertilization, spraying, control of pests, insects, and rodents by nontoxic methods whenever possible, watering, and other operations necessary to assure normal, healthy plant growth.
 5. *Free of Trash, Litter, and Weeds.* Landscaped areas shall be kept free of trash, litter, weeds, and other such materials that are not a part of the landscaping.
 6. *Replacement of Damaged or Dead Vegetation.* Any damaged or dead trees, shrubs, or ground cover shall be removed and replaced within six months, or by the next planting period, whichever comes first, by plant material similar in type to that which was removed.
 7. *Minimum Size of Plants at Installation.* Required plantings shall be of the sizes set out in Table 5.5.F-2, *Minimum Size of Plants at Installation*.

Table 5.5.F-2, Minimum Size of Plants at Installation	
Type of Plant Material	Minimum Size at Installation
Large Tree	3 in. caliper
Small Tree	2.5 in. caliper
Evergreen Tree	6 ft. in height
Shrub	5-gallon container

Sec. 4.4.G Relief From Landscaping Requirements

- A. **Generally.** It is not the intent of this Division to discourage innovative and aesthetically pleasing landscaping. Thus, an applicant may submit an Alternative Compliance Landscape Plan. The Administrative Official may approve the Plan if it meets the requirements of this Section and the design features uphold the purpose statements for this Section and the Zoning Ordinance. The Alternative Compliance Landscape Plan shall demonstrate compliance with applicable provisions of

this Division, and, where the design cannot comply, shall show how the proposed design provides outcomes that are equal to or better than the requirements of this Division. In addition, the Plan shall provide for irrigation and propose a phasing schedule for completing the Plan.

- B. **Applicability Criteria.** A site is eligible for an alternative compliance landscape plan if site constraints prohibit strict compliance with the requirements set forth in this Division in a minimum of one of the following manners:
1. *Shape and Size.* The subject property is peculiarly shaped, through no action of the owner or previous owner, or contains extensive undeveloped area;
 2. *Limitations.* The subject property has space limitations as a result of the locations of existing structures, paved areas, surrounding existing development, and other built features; or
 3. *Features.* The subject property contains unique natural features such as soil characteristics, topography, geological characteristics, water features, and significant existing vegetation.
- C. **Criteria.** When considering approving an alternative compliance landscaping plan, the Director of Development shall consider and make affirmative findings on the following criteria:
1. *Applicability Criteria.* The subject property meets at least one of the applicability criteria above;
 2. *Upholds Purposes.* The alternative compliance landscape plan upholds the purpose statements for this Section established in Section 5.5.A.Purposes;
 3. *Equal or Better Than the Standard.* The Alternative Compliance Landscape Plan is equal to or better than a plan meeting the standards of this Section; and
 4. *Financial Hardship Not Valid.* Financial hardship is not justification for alternative compliance.
- D. **Final Decision.** The Administrative Official may approve the alternative compliance landscape plan if all the criteria in paragraph (c), above, are met. Decisions on alternative compliance landscape plans may be appealed to the Board of Adjustment in accordance with Chapter 6, Appeal of Administrative Decision.

Appendix A Plant List

- A. **Generally.** The following tables set out the approved and prohibited types of plants that may be used in landscape areas and bufferyards.
- B. **Approved Large Trees.** Table A-1, *Large Tree List*, sets out the large trees that may be used to satisfy the landscaping requirements of this Section.

Table A-1, Large Tree List	
Botanical Name	Common Name
Fagus grandifloia	American Beech
Fraxinus velutina	Arizona Ash
Taxodium distichum	Bald Cypress
Ulmus crassifloia	Cedar Elm
Quercus falcate var. pagodifolia	Cherrybark Oak
Ulmus parvifolia	Chinese / Lacebark Elm
Fraxinus pennsylvanica	Green Ash
Quercus virginiana	Live Oak
Taxodium Mucronatum	Montezuma Cypress
Quercus Nuttallii	Nuttall Oak
Carya illinoensis	Pecan
Acer rubrum 'Drummondii'	Red Maple
Quercus Shumardii	Shumard Oak
Pinus Elliottii	Slash Pine
Quercus falcate	Southern Red Oak
Pinus glabra	Spruce Pine
Quercus Michauxii	Swamp Chestnut Oak
Plantanus occidentalis	Sycamore
Quercus nigra	Water Oak
Quercus alba	White Oak
Quercus phellos	Willow Oak
Ulmus alata	Winged Elm

- C. **Approved Ornamental Trees.** Table A-2, *Small Tree List*, sets out the small trees that may be used to satisfy the landscaping requirements of this Zoning Ordinance.

Table A-2, Small Tree List	
Botanical Name	Common Name
Michelia Figo	Banana Shrub, Magnolia Fuscata
Juniperus chinensis	"Glaucous" Blue Vase Juniper
Callistemon rigidus	Bottlebrush

Table A-2, Small Tree List

Botanical Name	Common Name
Ilex cornuta	"Burfordii" Burford Holly
Camellia japonica	Camellia
Camellia Sasanqua	Camellia Sasanqua, upright
Chioanthus virginicus	Chinese Fringe Tree
Ilex cornuta	"Rotunda" Chinese Holly
Pistacia chinensis	Chinese Pistachio
Ternstroemia gymnanthera	Cleyera
Lagerstroemia indica and hybrid	Crape Myrtle
Ilex cornuta	"Burfordii Nana" Dwarf Burford Holly
Ilex crenata	"Compacta" Dwarf Japanese Holly
Myrica pusilla	Dwarf Wax Myrtle
Cornus florida	Flowering Dogwood
Koelreuteria bipinnata	Golden Rain Tree
Quercus glauca	Japanese Evergreen Oak
Eriobotrya japonica	Loquat
Prunus mexicana	Mexican Plum
Ilex x 'Nellie R. Stevens'	Nellie Stevens Holly
Crataegus marshallii	Parsley Hawthorn
Prunus cerasifera	Purple Leaf Plum
Betula nigra	River Birch
Ilex x attenuata 'Fosteri'	Foster Holly
Elaeagnus pungens	Silverberry
Magnolia virginiana	Sweet Bay Magnolia
Cercis Canadensis	Texas Redbud

- D. **Approved Shrubs.** Table A-3, *Shrub List*, sets out the shrubs that may be used to satisfy the landscaping requirements of this Zoning Ordinance.

Table A-3, Shrub List

Botanical Name	Common Name
Large	
Laurel noblis	Bay
Aesculus pavia	Buckeye
Rhus virens	Evergreen Sumac
Rhus lanceolata	Flameleaf Sumac
Sophora secundiflora	Texas Mountain Laurel
Pistacia texana	Texas Pistache

Table A-3, Shrub List

Botanical Name	Common Name
Medium	
Abelia grandiflora	Glossy Abelia
Mahonia trifoliata	Agarita
Leucophyllum sp.	Texas Sage
Forestiera pubescens	Elbow Bush
Rhus aromatica	Frangrant Sumac
Colubrina texensis	Hogplum
Juniperus sp.	Juniper
Rosa chinensis x (Mutablis)	Mutablis Rose, Butterfly Rose, Old Blush
Punica granatum	Pomegranate
Jasminum mesnyi	Primrose Jasmine
Aloysia gratissima	White Brush
Small	
Callicarpa americana	American Beautyberry
Agave americana	Agave, century plant
Malpighia glabra	Barbados Cherry
Berberis thunbergii atropurpurea	Barberry
Cotoneaster glaucophylla	Grayleaf Cotoneaster
Juniperus sp.	Juniper
Asclepias tuberosa	Mexican Butterfly Weed
Poliomentha longiflora	Mexican Oregano
Pavonia lasiopetala	Rock rose
Rosmarinus officinalis	Rosemary, Upright
Hesperaloe parviflora	Red Yucca
Yucca spp.	Yucca

- E. **Approved Groundcover, Ornamental Grasses, and Perennials.** Table A-4, *Approved Groundcover and Ornamental Grasses* sets out the shrubs that may be used to satisfy the landscaping requirements of Division 4.4, *Tree Preservation, Landscaping, and Buffering*.

Table A-4, Approved Groundcover and Ornamental Grasses

Botanical Name	Common Name
Groundcover	
Trachelospermum asiaticum	Asiatic Jasmine
Trachelospermum jasminoides	Confederate Jasmine
Aquilegia spp., A. hinckleyana	Hinckley's Columbine
Lantana sp.	Lantana
Rivina humilis	Pigeonberry*

Table A-4, Approved Groundcover and Ornamental Grasses

Botanical Name	Common Name
Rosmarinus officinalis	Rosemary, prostrate
Santolina sp.	Santolina
Juniperus sp.	Trailing Juniper
Verbena spp.	Verbena
Achillea millefolium	Yarrow
Ornamental Grasses	
Andropogon gerardi	Big Bluestem
Tripsacum dactyloides	Eastern Gamagrass
Chasmanthium latifolium	Inland Sea oats
Schizachyrium scoparium	Little Bluestem
Miscanthus sinensis	Maiden Grass
Muehlenbergia lindheimeri	Muhly Grass
Pennisetum setaceum 'Rubrum'	Purple Fountain Grass
Bouteloua curtipendula	Sideoats Grama
Panicum virgatum	Switchgrass

- F. **Prohibited Plants.** Table A-5, *Prohibited Plants*, sets out the plants that are prohibited in all landscape areas. In addition, plants on the [Texas State Noxious Weed List](#) are prohibited.

Table A-5, Prohibited Plants List

Botanical Name	Common Name
Alternanthera philoxeroides	Alligatorweed
Cardiospermum halicacabum	Balloonvine
Orobanche ramose	Branched Broomrape
Schinus terebinthifolius	Brazilian Peppertree
Pyrus calleryana	Callery "Bradford" Pear
Alhagi maurorum	Camelthorn
Triadica sebifera	Chinese Tallow Tree
Myriophyllum spicatum	Eurasian Watermilfoil
Convolvulus arvensis	Field Bindweed
Landoltia punctata	Giant Duckweed
Arundo donax	Giant Reed (Poaceae)
Convolvulus arvensis	Hedge Bindweed
Eichhornia azurea	Hyacinth, Rooted Water
Eichhornia crassipes	Hyacinth, Floating Water
Hydrilla verticillata	Hydrilla
Rottboillia cochinchinensis	Itchgrass
Cuscuta japonica	Japanese Dodder

Table A-5, Prohibited Plants List

Botanical Name	Common Name
<i>Pueraria Montana</i> var. <i>lobata</i>	Kudzu
<i>Lagarosiphon major</i>	Lagarosiphon
<i>Melaleuca quinquenevria</i>	Paperbark
<i>Lythrum salicaria</i>	Purple Loosestrife
<i>Tamarix</i> spp. Saltcedar	Saltcedar
<i>Salvinia</i> (all species)	Salvinia
<i>Nassella trichotoma</i>	Serrated Tussock
<i>Panicum repens</i> Torpedograss	Torpedograss
<i>Solanum Viarum</i>	Tropical Soda Apple
<i>Ipomeoea aquatic</i>	Water Spinach
<i>Pistia stratiotes</i>	Waterlettuce