

**PLANNING AND ZONING COMMISSION
MEETING AGENDA
CITY HALL, 3200 DIANA DRIVE
SEPTEMBER 28, 2021 at 6:00 PM**

A quorum of the Planning and Zoning Commission will be present at City Hall. However, some members of the Commission may be unable to attend and will be participating by video conference. Like all Planning and Zoning Commission meetings, the meeting will be broadcast live over the City of Richland Hills website for those who wish to watch from home.

1. CALL TO ORDER

2. EXECUTIVE SESSION

A. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. Refer to posted list attached hereto and incorporated herein. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.**

B. Reconvene: Action necessary on items discussed in Executive Session

3. PUBLIC COMMENTS

This is the public's opportunity to address the Planning & Zoning Commission about non-agenda items. In compliance with the Texas Open Meetings Act, Commission members and city staff are prevented from discussing non-agenda items and may only respond with statements of factual information or existing city policy.

REGULAR AGENDA

- 4.** Approve minutes from the August 24, 2021 Planning and Zoning Commission meeting
- 5.** Consider a final plat of Lot 9, Block 10, Richland Hills Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7116 Dover Lane, Richland Hills, Texas 76118. **PUBLIC HEARING**
- 6.** Consider a zoning change on the property described as Popplewell, S Survey Abstract 1241 Tract 1E, Tarrant County, Texas otherwise known as 7100 Baker Boulevard, Richland Hills, Texas 76118 and Greenfield Subdivision-RchInd Lots

4, 5, 6 and 7, Tarrant County, Texas otherwise known as 3209 Ash Park Drive, Richland Hills, Texas 76118 from Mixed Use (MX) to Planned Development No. 2021-0639 with MF-2 multiple family residential medium density uses and with certain modifications to the Code of Ordinances. **PUBLIC HEARING**

7. ADJOURNMENT

A quorum of the City Council or other Boards may be present at this meeting

CERTIFICATE

I hereby certify that the above agenda was posted on this the 23rd day of September 2021 by 5:30 p.m., on the official bulletin board at the Richland Hills City Hall, 3200 Diana Drive, Richland Hills, Texas, pursuant to the Texas Government Code, Chapter 551.

Cathy Bourg
Cathy Bourg
City Secretary



ACCESSIBILITY STATEMENT

The Facility is wheelchair accessible. If you plan to attend this public meeting and have a disability that requires special arrangements, please notify the City Secretary 48 hours in advance at (817) 616-3810 and reasonable accommodations will be made to assist you.

Memorandum

To: Richland Hills Planning and Zoning Commission

From: Cathy Bourg, City Secretary

Date: September 28, 2021

Subject: Minutes from the August 24, 2021 Regular Planning and Zoning Commission Meeting

Agenda Item:

Approve minutes from the August 24, 2021 Planning and Zoning Commission meeting.

Background Information:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

August 24, 2021 Draft Minutes

Suggested Motion:

Motion to approve the minutes from the August 24, 2021 Planning and Zoning Commission meeting

**RICHLAND HILLS PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL, 3200 DIANA DRIVE
AUGUST 24, 2021
DRAFT MINUTES**

Members Present

Michael Wilson, Chair
Jackson Durham, Place 3
Mary Witt, Place 4
Kelle Jones, Place 5

Members Absent

Kenneth Keating, Alternate

Staff Present

Logan Thatcher, Assistant to the City Manager
Cathy Bourg, City Secretary
Alecia Kreh, City Attorney

1. CALL TO ORDER

Commission Chair Wilson called to order at 6:00 p.m.

2. EXECUTIVE SESSION

A. EXECUTIVE SESSION: PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071. REFER TO POSTED LIST ATTACHED HERETO AND INCORPORATED HEREIN. EXECUTIVE SESSION MAY BE HELD, UNDER THESE EXCEPTIONS, AT ANY TIME DURING THE MEETING THAT A NEED ARISES FOR THE PLANNING AND ZONING COMMISSION TO SEEK ADVICE FROM THE CITY ATTORNEY AS TO THE POSTED SUBJECT MATTER OF THIS PLANNING AND ZONING COMMISSION MEETING.

None

B. RECONVENE: Action necessary on items discussed in Executive Session

3. PUBLIC COMMENTS

None

REGULAR AGENDA**4. Approve minutes from the June 22, 2021 Planning and Zoning Commission meeting.**

Motion: Motion was made by Commission Member Durham and seconded by Commission Member Jones to approve the minutes from the June 22, 2021 Planning and Zoning Commission meeting.

Motion carried by a vote of 4-0.

5. Consider a zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and amending Chapter 91, Article V to establish development standard for boarding houses. PUBLIC HEARING

Logan Thatcher, Assistant to the City Manager presented a zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and amending Chapter 91, Article V to establish development standard for boarding houses.

After further review and discussion from City Council, staff is bringing forward amendments to the Boarding House Zoning Ordinance. The proposed amendments will dictate where Boarding Houses are allowed and also the requirements that must be met.

Proposed Zoning Text Amendments**Amendment 1**

The first amendment to Article 3, Section 3.02 "Use Chart" would allow Boarding Houses as an authorized use in the MF-2 - Multiple-Family Residential Medium Density, and MF-3 - Multiple-Family Residential High Density zoning districts and by removing the allowance of a Specific Use Permit (SUP) in the SF-E – Single-Family Residential Estate, SF-10 – Single-Family Residential, SF-7– Single Family-Residential, and MF-1 – Two-Family (Duplex).

Amendment 2

The second amendment would delete subsection (A)(21) under Article 3, Section 3.02.01 "Conditional Development Standards".

Amendment 3

The third amendment adds Chapter 91, Article V, "Residential Development Ordinance," is hereby amended by adding Section 91-502, "Boarding House Development Regulations" to read as follows.

“Sec. 91-502. – Boarding House development regulations.

- (a) This section shall apply to all boarding houses within the City.
- (b) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such boarding house.
- (c) No sign advertising a home occupation shall be placed on property where a boarding house is located.
- (d) Register and receive annual inspections as outlined:
 - (1) All boarding houses shall be registered annually. If there is any change in occupancy of any sleeping unit longer than three weeks, registration shall be updated at that time.
 - (2) Inspections shall be required annually. It shall be the responsibility of the property owner to request and schedule an inspection at the time of annual registration.
 - (3) The fees for registration and required annual inspection for each boarding house are as shown in the city's fee schedule.
- (e) Parking
 - (1) A parking site plan shall be included with the initial registration application.
 - (2) The parking site plan shall comply with all applicable parking requirements for multi-family use districts as outlined in Section 91-501. Additionally, one designated parking space must be provided on the premises for each sleeping unit. Tandem parking spaces are not permitted. Waivers may be applied for and granted in accordance with Section 91-501(e).
- (f) The owner of a boarding house shall obtain and maintain rental property insurance or landlord insurance at all times. Proof of insurance shall be provided during annual registration.”

The Commission discussed and asked questions of Staff and the City Attorney.

Chairman Wilson opened the public hearing – Time 6:18 p.m.

None

Chairman Wilson closed the public hearing – Time 6:18 p.m.

Motion: Motion was made by Commission Member Durham and seconded by Commission Member Witt to recommend approval of zoning text amendment to Chapter 90 of the Comprehensive Zoning Ordinance of the City of Richland Hills by amending Article 3 to allow for Boarding Houses to be an authorized use by right within specified zoning districts and amending Chapter 91, Article V to establish development standard for boarding houses.

Motion carried by a vote of 4-0.

6. ADJOURNMENT

There being no further business to come before the Commission, Chair Wilson declared the meeting adjourned at 6:36 p.m.

ATTEST

APPROVED

Cathy Bourg, City Secretary

Michael Wilson, Chairman

Memorandum

To: Richland Hills Planning and Zoning Commission

From: Logan Thatcher, Assistant to the City Manager

Date: September 28, 2021

Subject: 7116 Dover Lane Replat

Agenda Item:

Consider a final plat of Lot 9, Block 10, Richland Hills Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7116 Dover Lane, Richland Hills, Texas 76118. Texas **PUBLIC HEARING**

Background Information:

The property at 7116 Dover Lane is a 35,683 square foot lot owned by Thi Sua Vang. Mr. Vang purchased the property in 2015.

Lot 9 was previously platted as one full lot in 1948. However, through metes and bounds, the top portion has been sold numerous times without a proper plat being filed at that time of the portion being divided.

Mr. Vang would like to build a main structure on his property. With the lot being platted it would leave his lot at 0.819 of an acre. This lot is currently zoned as SF-E. Mr. Vang will not be able to meet the minimum lot size of 1 acre. He is requesting a variance along with the replat.

Staff has reviewed the replat request and recommends approval.

Financial Considerations:

Approval of the replat will not require additional funding from the city

Legal Review:

N/A

Board/Citizen Input:

Planning and Zoning Commission consideration: September 28, 2021

City Council consideration: October 25, 2021

Attachments:

Replat Application
Location Map
Property Photo
Original Plat
Proposed Replat
SF-E Requirements

Suggested Motion:

Motion to recommend approval of a final plat of Lot 9, Block 10, Richland Hills Addition, an addition to the City of Richland Hills, Tarrant County, Texas otherwise known as 7116 Dover Lane, Richland Hills, Texas 76118.Texas



CITY OF RICHLAND HILLS, TEXAS

3200 DIANA DRIVE • RICHLAND HILLS, TEXAS 76118 •
 PHONE (817) 616-3770 • FAX (817) 616-3752
 NEIGHBORHOOD SERVICES

Plat Application

Indicate application type				
Preliminary Plat	Final Plat	Amended Plat	<u>Replat</u>	Vacated Plat
Property Owner Information				
Name	THI SUA VANG			
Address	7116 ROOSEVELT AVE DOWER LN Richland Hill TX 76118			
Contact Number	817-247-9036			
Contact E-Mail	ClubViper@MSN			
I, the undersigned owner or authorized agent of the following described real property, located in the City of Richland Hills, Texas, hereby make application for a plat request as indicated above. The property is legally described as, <u>Richland Hill addition ^{Block} 10 LOT 9</u> (Provide legal description of property on line above)				
Signature				Date
6/28/21				
Size/Dimension of Property				
Area (square feet or acres)	Width (feet)		Length (feet)	
36,000				
Applicant Information				
Name	FRANK VANG			
Address	7116 PAYTE LN NRH TX 76182			
Contact Number	817-247-9036			
Contact E-Mail	ClubViper@MSN			
Subject Site (Address)				
For Official Use. Do not write below this line				
Case Number	20210531	Date Received	06-28-21	
Accepted by	VRaney			
Comments	Receipt # 321375 CC			





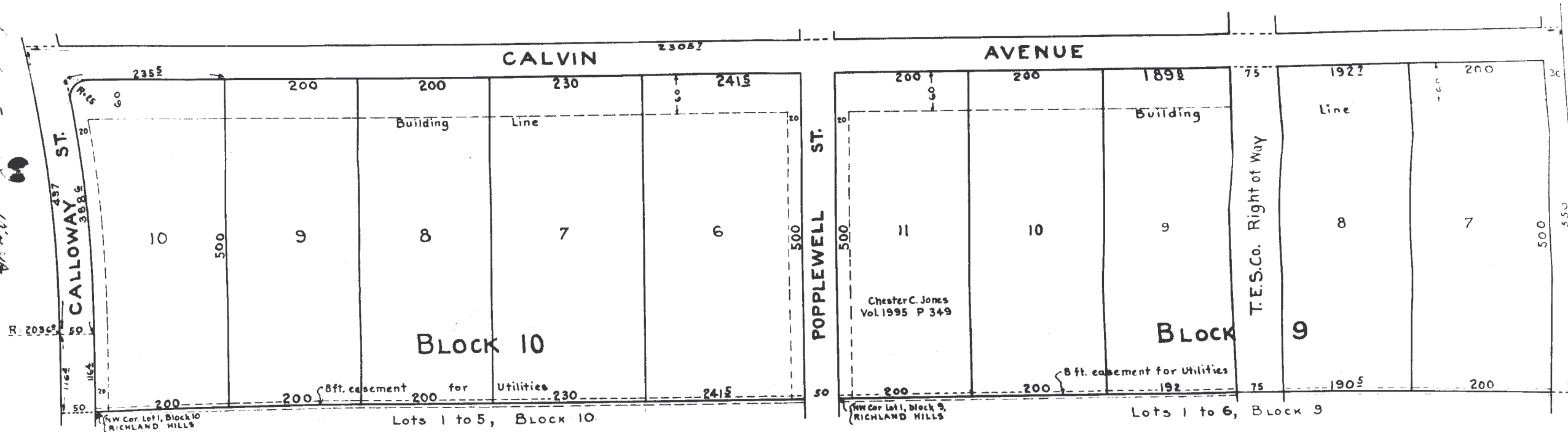
1 Melvin Mel Faulk
Clerk of the Commissioners Court of Tarrant Co., Texas.
By Jean Harris
Deputy

An Addition to
FORT WORTH, TEXAS.
Surveyed in July, 1948, Brookes Baker.
Scale: 1 inch=100 ft.

Approved: - 8 7 78
CITY PLAN COMMISSION
FORT WORTH, TEXAS
By W. P. Phillips
Chairman

U.R. M. Conell
Secretary

MELVIN "MEL" FAULK, County Clerk.



DEDICATION

of

Lots Seven (7) to Eleven (11) inclusive,
in Block Nine (9), and Lots Six (6) to
Ten (10) inclusive, in Block Ten (10), of
"RICHLAND HILLS".

THE STATE OF TEXAS |

COUNTY OF TARRANT |

BAKER BROS. CO., a corporation, organized under the laws
of the State of Texas, being the owner of the following described
tract of land, situated in Tarrant County, Texas, to-wit:

A part of the A. G. Walker Survey, situated about
seven miles Northeast of the Court House in Tar-
rant County, Texas,
BEGINNING at the Northwest corner of Lot 1, Block
10, Richland Hills, an Addition to Fort Worth,
Texas.

THENCE West 50 feet;

THENCE North 116-4/10 feet to the beginning of a
curve to the left whose radius is 2036 feet;

THENCE Northerly along said curve 437 feet;

THENCE East 2305-7/10 feet;

THENCE South 550 feet;

THENCE West 2209 feet to the place of beginning,
and containing 28-68/100 acres.

do hereby adopt the attached map and plat as our plan for sub-
dividing said tract of land, to be known as Lots Seven (7) to
Eleven (11) inclusive, in Block Nine (9), and Lots Six (6) to
Ten (10) inclusive, in Block Ten (10), of RICHLAND HILLS, an Ad-
dition to Fort Worth, Texas (other parts of Richland Hills hav-
ing been heretofore dedicated); and we do hereby dedicate to the
use of the public, the streets as shown on this attached map and
plat, except that we reserve for ourselves, our successors and
assigns the easements hereinafter more fully described.

In order to secure uniformity and stabilization in the
development of said above described lots, and to carry out a gen-
eral plan for the protection, benefit, use and convenience of the
purchasers hereof, Dedicators hereby adopt the following protec-
tive restrictions and covenants, which shall run with the land
and shall be binding on the purchasers of said lots, their heirs,
executors, administrators and assigns, as follows:

1.

All of said lots as shown on the attached map and plat and as above described, shall be residential lots, and no structure shall be erected on any such lot other than one single family detached dwelling not exceeding two stories in height, and a one or two car garage and a servant's house not exceeding one story in height; each such dwelling to be constructed of brick, brick veneer, stone, or stucco (and if stucco, the stucco shall be on plaster lathe or concrete blocks), containing not less than 1250 square feet in the ground floor area thereof; and no business or profession shall be carried on in any such dwelling, garage or servant's house, and no garage apartment shall at any time be erected thereon.

2.

No spirituous, vinous or malt liquors, beers or other intoxicants shall be sold or permitted to be sold upon any such lot, and no dwelling or other building thereon shall ever be used as a night club, dance hall, or for any character of gambling.

3.

None of said lots shall be sold to or occupied by persons other than those of the Caucasian race; but this restriction shall not prohibit the occupancy of servant houses by servants employed on the premises.

4.

No trailer, basement, camp, tent, shack, garage, barn, or other outbuilding erected on any such lot shall at any time be used as a residence, either temporarily or permanently, nor shall any structure of a temporary character be permitted thereon.

5.

All outbuildings, including servant's houses and garages, shall be situated not less than 90 feet from the front property line of each lot, except that a garage may be made a part of the dwelling.

6.

All outbuildings and all of the outside wooden parts of residences, shall be painted with not less than three coats of paint.

7.

Building lines as shown on the attached map and plat shall be observed, and no building shall be located nearer to the front lot line or nearer to the side lot line than the building set-back line shown on the attached map and plat; and where no side building line is shown, no building shall be located nearer than five feet to any side lot line.

8.

Dedicators reserve a perpetual easement in, on and under the lots of the width and extent as shown on the attached map and plat, for the purpose of laying, placing and maintaining utilities, and Dedicators reserve a perpetual easement in, on and under the streets as shown on the attached map and plat, for the purpose of laying, placing and maintaining utilities, with the right to go upon such lots and streets to place, erect, repair, maintain and remove utility installations without interference; and no building shall be erected over the part of a lot where such easement is shown to be reserved.

9.

No purchaser shall resubdivide any lot so as to use a part of any such lot for a building.

10.

Upon the violation of any of the foregoing restrictions and covenants, at the sole option of the Dedicators, the lot or lots upon which such violations have occurred shall immediately and absolutely revert to Dedicators, their heirs, executors, administrators and assigns, but any such reversion shall be subject to any and all liens and mortgages against such lot or lots; and in addition to such reversionary option, and in the event any owner or occupant of a lot shall violate or attempt to vio-

late any of such restrictions and covenants, it shall be lawful for any other person or persons owning any of the lots in the addition, as shown by the attached map and plat, to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any such restrictions and covenants, and to either prevent such violations or recover damages on account thereof.

11.

Invalidation of any one or more of such covenants and restrictions shall in nowise affect the others, which shall remain in full force and effect.

12.

No building shall be erected, placed or altered on any lot until building plans and specifications therefor and lot plans showing its location, have been approved in writing, as to conformity and harmony with these restrictions and covenants by a committee composed of E. L. Baker, J. B. Baker, Jr. and Richard U. Simon. Any two members of said committee shall have the authority to act at any time herein. In the event of the death, physical disability, or refusal or failure of any member of the committee to faithfully and diligently perform his duties thereon, Baker Bros. Co. shall have the right, without notice, to remove such member and appoint a new member in his stead, such appointment to become final upon the filing of a written designation thereof in the office of the County Clerk.

13.

Dedicators reserve the right to sell, transfer and assign all rights, easements, reservations and privileges herein provided.

This instrument shall be binding upon Dedicators, their heirs, executors, administrators and assigns.

This 4th day of September, 1948.

BAKER BROS. CO., a Corporation.

ATTEST:

B. Barber
Secretary

R. F. Schen
Vice President

OFFICE OF THE NOTARY PUBLIC

Notary Public, a Notary Public in and for
said County and State, on this day personally appeared _____

E.L. Baker, Vice President of Baker Bros. Co., a
corporation, known to me to be the person whose name is sub-
scribed to the foregoing instrument and acknowledged to me that
the same was the act of the said Baker Bros. Co., a corporation,
and that he executed the same as the act of such corporation
for the purposes and consideration therein expressed, and in
the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 14th day
of September, 1948.

[Signature]
Notary Public in and for
Tarrant County, Texas.

A portion of the above described tract of land having
been heretofore conveyed to Chester C. Jones, Sr. and his wife,
Eva Jones, the said Chester C. Jones, Sr. and wife,
Eva Jones, do hereby adopt, confirm and ratify the fore-
going dedication and the restrictions and covenants as above set
forth, and do hereby agree that the property owned by them lying
within the property as hereinabove dedicated, is and shall be
subject to the foregoing covenants and restrictions in the same
manner and to the same extent as if such dedication had been
made prior to the conveyance to them.

Chester C Jones Sr
Eva Jones

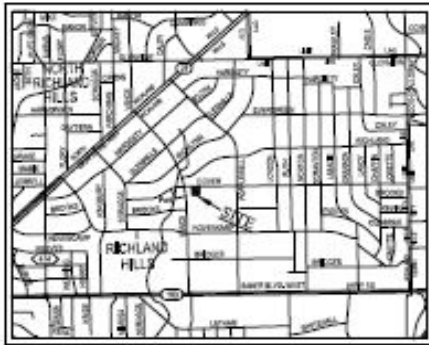
THE STATE OF TEXAS

COUNTY OF TARRANT

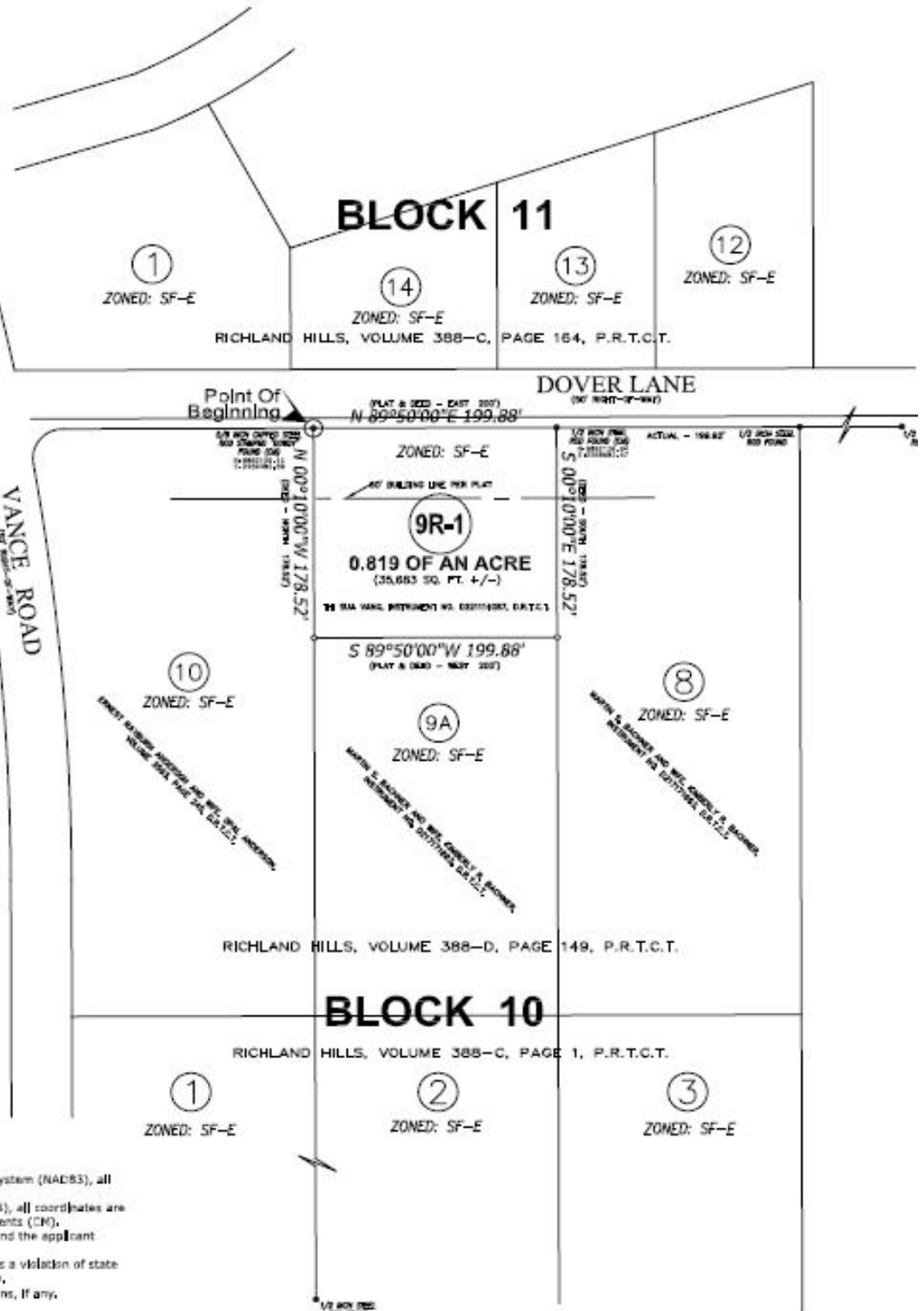
BEFORE ME, the undersigned, a Notary Public in and for
said County and State, on this day personally appeared Chester
C. Jones, Sr. and Eva Jones, his wife, both
known to me to be the persons whose names are subscribed to the
foregoing instrument, and acknowledged to me that they each exe-
cuted the same for the purposes and consideration therein expressed,
and the said Eva Jones, wife of the said Chester
C. Jones, Sr., having been examined by me privily and apart from
her husband, and having the same fully explained to her, she,
the said Eva Jones, acknowledged such instru-
ment to be her act and deed, and she declared that she had wil-
lingly signed the same for the purposes and consideration there-
in expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 14th
day of September, A. D. 1948.

[Signature]
Notary Public in and for

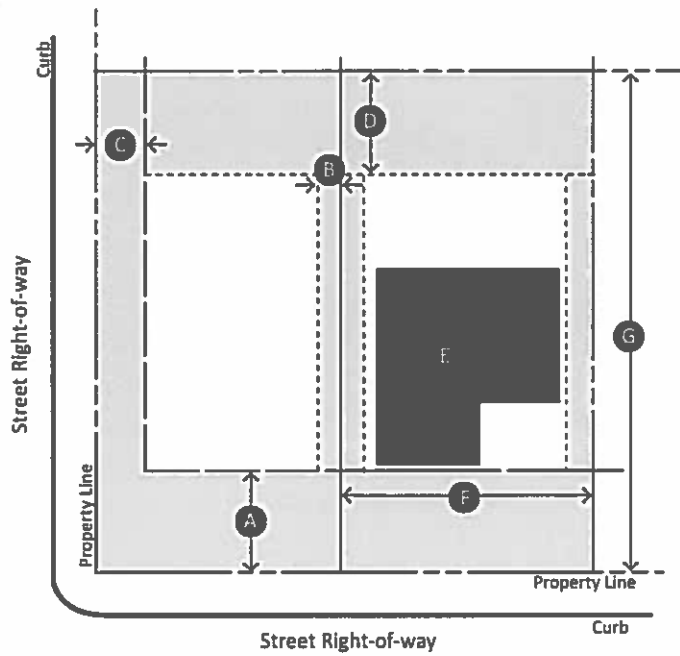


VICINITY MAP



NOTES

- 1) The purpose of this final plat is to create one platted lot.
- 2) The coordinate data provided is based on the Texas Coordinate System (NAD83), all coordinates are grid.
- 3) Bearing Source is relative to the Texas Coordinate System (NAD83), all coordinates are grid and the northwest and northeast corners are control monuments (CM).
- 4) This property may be subject to charges related to impact fees, and the applicant should contact the City regarding any applicable fees due.
- 5) Selling a portion of any lot in this addition by metes and bounds is a violation of state law and City ordinance and is subject to penalties imposed by law.
- 6) This plat does not alter or remove existing covenants or restrictions, if any.

(D) Area Regulations**SF-E Single-Family Residential Estate**

	Height	35' maximum
A	Front Yard	30' minimum
B	Side Yard - Interior	15' minimum
C	Side Yard - Street	25' minimum
D	Rear Yard	25' minimum
E	Building Size	2,000 sq. ft. minimum
F	Lot Width	80' minimum
G	Lot Depth	120' minimum
	Lot Size	1 acre minimum
	Lot Coverage	40% maximum

Memorandum

To: Richland Hills Planning and Zoning Commission

From: Logan Thatcher, Assistant to the City Manager

Date: September 28, 2021

Subject: PUD 2021-0639 Baker Landing

Agenda Item:

Consider a zoning change on the property described as Popplewell, S Survey Abstract 1241 Tract 1E, Tarrant County, Texas otherwise known as 7100 Baker Boulevard, Richland Hills, Texas 76118 and Greenfield Subdivision-Rchlnl Lots 4, 5, 6 and 7, Tarrant County, Texas otherwise known as 3209 Ash Park Drive, Richland Hills, Texas 76118 from Mixed Use (MX) to Planned Development No. 2021-0639 with MF-2 multiple family residential medium density uses and with certain modifications to the Code of Ordinances.

PUBLIC HEARING

Background Information:

The applicant for this zoning change is the Skorburg Company. They are requesting a zoning change from mixed use through a planned development to retain MF-2 multiple family residential medium density use. They are proposing to build 80 multi-family townhomes on the property known as 7100 Baker Boulevard and 3209 Ash Park Drive Lots 4,5,6 and 7.

Staff has reviewed the proposal on multiple occasions and has found some items that are not in accordance with the standards and code. However, the Skorburg group is seeking approval of the planned development based off their standards. Attached below is a chart showing what the MF-2 requirements are along with what they are proposing within their development standard. They are also seeking a variance in Section 91-501: Multiple-family development regulations regarding the garages of the units facing Ash Park. Their request is: "All units within Lots 15, 16, 17 and 18 as depicted on the concept plan shall be allowed to front on to Ash Park Drive." According to the city's code this would be in violation which is the reasoning for including this in the planned development.

The Skorburg Company has also attached a preliminary landscape plan and has stated that the plan will be in accordance with our landscape ordinance.

Standard	MF-2 Current Requirement	Planned Development Standard
Height	3 stories maximum, but not to exceed 45'	40 feet; 2 stories
Front Yard (minimum)	25 feet	20 feet
Side Yard – Interior (minimum)	8 feet	5 feet
Side Yard – Street (minimum)	15 feet	5 feet
Rear Yard (minimum)	25 feet	5 feet
Building Size (minimum)	One-Bedroom 600 SF Two-Bedroom 900 SF Three-Bedroom 1,200 SF	1,200 SF
Lot Width (minimum)	75 feet	20 feet*
Building Width (minimum)	Not Specified	75 feet
Lot Depth (minimum)	120 feet	80 feet
Lot Size (minimum)	1-3 dwelling units 9,000 SF Each additional dwelling unit 1500 SF	6,000 feet
Lot Coverage	50% Maximum	N/A
Density	Up to 16 units per gross acre	11.4 units per acre

*Lots shall be platted as individual single-family lots.

Financial Considerations:

The applicant is requesting financial incentives that will be approved by City Council at a later date.

Board/Citizen Input:

Planning and Zoning Commission consideration: September 28, 2021

City Council consideration: October 25, 2021

Attachments:

PUD Application
Location Map
Property Photo
PUD Proposal
Landscape Plan

PUD Plan
MF-2 Ordinance
Landscape Ordinance

Suggested Motion:

Motion to (*approve/deny*) a zoning change on the property described as Popplewell, S Survey Abstract 1241 Tract 1E, Tarrant County, Texas otherwise known as 7100 Baker Boulevard, Richland Hills, Texas 76118 and Greenfield Subdivision-RchInd Lots 4, 5, 6 and 7, Tarrant County, Texas otherwise known as 3209 Ash Park Drive, Richland Hills, Texas 76118 from Mixed Use (MX) to Planned Development No. 2021-0639 with Mixed Use (MX) uses and with certain modifications to the Code of Ordinances.



City of Richland Hills Zoning Application

Application Type

- ☐ Specific Use Permit
- ☒ Planned Development
- ☐ Zoning Text Amendment
- ☐ Zoning Map Amendment

Applicant Information

Applicant's Name: Adam Shiffer

Business Name: Skorburg Company

Phone: (214) 888-8845 Email: Ashiffer@skorburgcompany.com

Property Information

Property Address 7100 Baker Blvd Square Feet 7.044 Acres

Building Owner Lynn Llewellyn Farley and John Carter Llewellyn Deed Date 4/30/2021

Company Llewellyn Realty Phone (817) 737-3103

Owner Address 3535 W. 7th St, Fort Worth TX, 76107

Owner's Phone # (817) 737-3103 Owner's Email JCL@LRET.com

Previous Occupant Llewellyn Realty, LP, PRD Ash Park, LLC

Current Zoning MX - Mixed Use

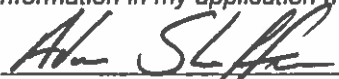
Zoning Request

Please describe the nature of your request

PD request for 83 high quality townhomes that will make a beautiful and enduring community that upholds and enhances the quality of the
surrounding environment.

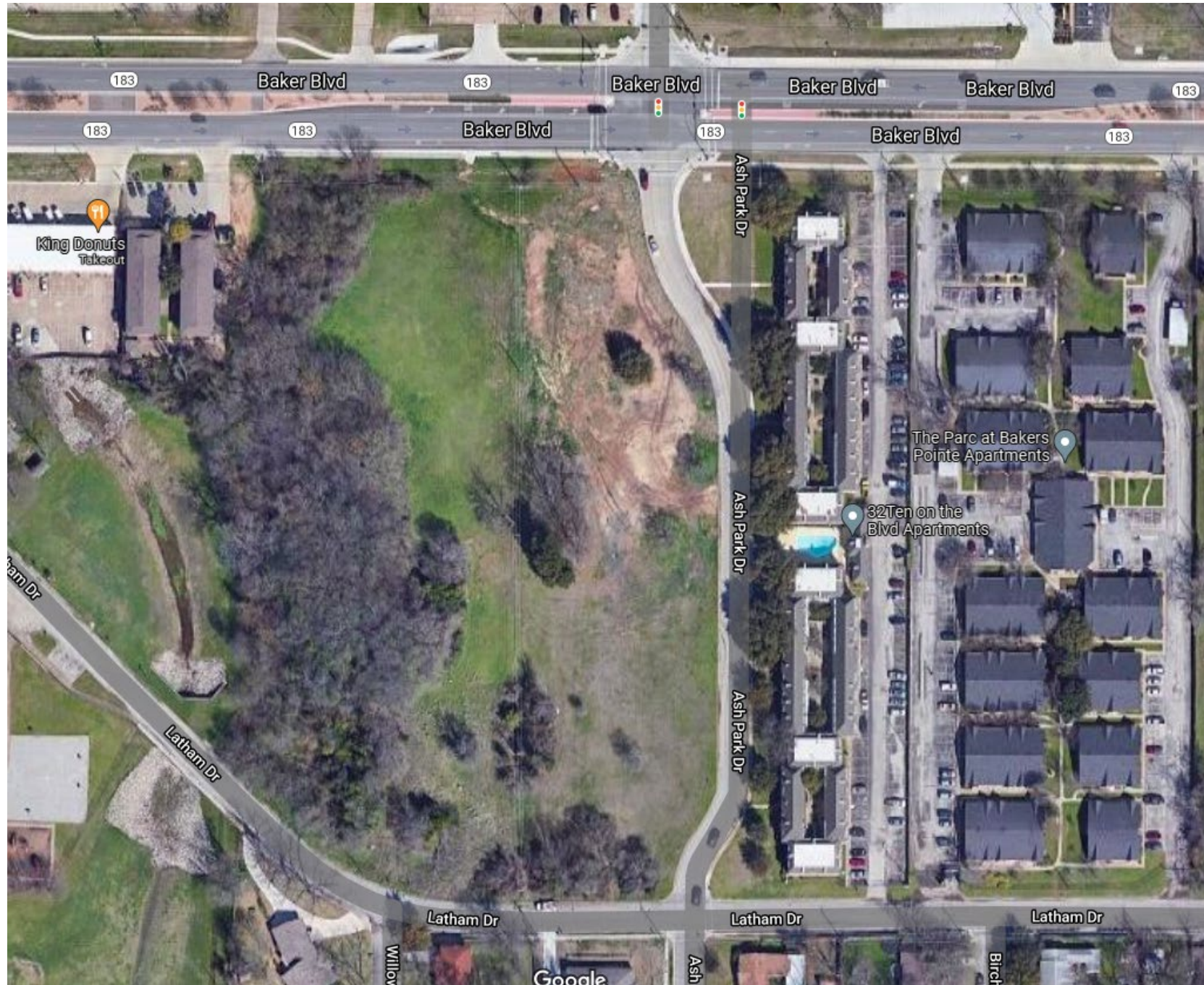
Signature

I certify that my answers are true and complete to the best of my knowledge and I understand that false or misleading information in my application may result in zoning violations.

Signature:  Date: 8/9/2021

Public Hearing Information	
Planning & Zoning Hearing Date _____	City Council Hearing Date _____
This Zoning Case has been:	
☐ Approved ☐ Denied ☐ Approved with amendments	Ordinance # <u>20210639</u> ← Permit
Notes _____ _____ _____	
Processed By <u>VRangel</u>	

receipt # 325012 check









Baker Landing Development Standards

Neighborhood Design

The Baker Landing proposed development is a sustainable neighborhood with the intent to promote: (1) the natural features of the current landscape, (2) sidewalks and open space throughout the neighborhood, and (3) high quality housing product that will make a beautiful and enduring community that upholds and enhances the quality of the surrounding environment. The housing product offered in Baker Landing is in high demand and very desirable for growing suburban areas. The property is currently vacant land that is zoned for mixed use. We are requesting the subject property be rezoned to a Planned Development that will incorporate a mix of 4-unit and 5-unit front-entry townhome buildings with a minimum building size of 1,200 SF.

In this vicinity, there is a deficiency of smaller high-quality homes, which allow for less yard maintenance and right-sized homes for aging “baby boomers” who want to stay in Richland Hills as well as young professionals who are drawn toward a more suburban lifestyle with convenient access to an elementary school, Interstate 820, and Highway 121. The requested rezoning is compatible in scale with uses on other properties in the vicinity. There is existing single-family development to the south, multifamily along the eastern border and northwest corner of the site as well as light commercial uses directly north and further northwest. The site is bordered by public uses to the southwest in close proximity to Windmill Park and the former Richland Elementary school site owned by Birdville ISD. The proposed rezoning creates a logical, high quality transitional zoning with product variety between detached single family lots to the south, the multifamily use to the east and the light commercial uses along Baker Blvd.



Proposed Development Standards

This Residential Planned Development (R-PD) District shall adhere to all the conditions of the Richland Hills Code of Ordinances, as amended, and adopt a base district of MF-2 Multiple Family Residential Medium Density. The following regulations shall be specific to this R-PD District.

- A. *Permitted Land Uses.* Uses in this R-PD shall be limited to those permitted in the MF-2 Multiple Family Residential Medium Density, as amended, and subject to the following regulations as shown on the PD Concept Design Map.
- B. *Site Development Standards.* Development of the property shall comply with the development standards of the MF-2 zoning district and the standards described below.

1. Lot dimensions and setbacks shall be as follows

Standard	MF-2 Current Requirement	Planned Development Standard
Height	3 stories maximum, but not to exceed 45'	40 feet; 2 stories
Front Yard (minimum)	25 feet	20 feet
Side Yard – Interior (minimum)	8 feet	5 feet
Side Yard – Street (minimum)	15 feet	5 feet
Rear Yard (minimum)	25 feet	5 feet
Building Size (minimum)	One-Bedroom 600 SF Two-Bedroom 900 SF Three-Bedroom 1,200 SF	1,200 SF
Lot Width (minimum)	75 feet	20 feet*
Building Width (minimum)	Not Specified	75 feet
Lot Depth (minimum)	120 feet	80 feet
Lot Size (minimum)	1-3 dwelling units 9,000 SF Each additional dwelling unit 1500 SF	6,000 feet
Lot Coverage	50% Maximum	N/A
Density	Up to 16 units per gross acre	11.4 units per acre

*Lots shall be platted as individual single-family lots.

2. The development shall include approximately +/- 99,667 SF of total open space and approximately +/- 54,997 SF of common area open space out of the floodplain. All common open space areas and amenities shall be owned and maintained by a homeowner's association to be established prior to the 1st certificate of occupancy being issued. The common open space areas shall generally comply with what is shown on the site plan (Exhibit A). Developer shall have the flexibility to move or adjust the size of the open space shown on the concept plan at the time of platting to accommodate design needs so long as the total SF of open space shown does not decrease by more than 15%.
3. Unless approved otherwise by the City of Richland Hills, Baker Landing shall be required to have an active and in good standing Homeowners Association in perpetuity that will own and maintain all open spaces, amenities and fencing as prescribed in this zoning ordinance.
 - a. All fencing located within and abutting HOA open spaces shall be maintained by the Homeowners Association.

- b. The HOA shall also be responsible for maintaining the natural floodplain area along the western boundary of Baker Landing.
 - c. The Homeowners Association shall maintain all sidewalks, landscaping, irrigation and any other amenities located within the boundaries of the HOA common area lots.
- 4. All units within Lots 15, 16, 17 and 18 as depicted on the concept plan shall be allowed to front on to Ash Park Drive.
- 5. Fencing shall be designed and installed as shown on the Fencing Plan and depicted on the Landscape Plan (Exhibit B).
- 6. A five-foot sidewalk shall be constructed adjacent to all internal streets and the lots fronting onto Ash Park Dr.
- 7. The number of parking spaces provided shall exceed the minimum requirement of 2 spaces per dwelling unit plus 1 additional space per every 4 units for guest parking.
- 8. The site plan and landscaping shall be in conformance with the site visibility standards set forth in the City ordinance.
- 9. All designated crosswalks shall be constructed of stamped and stained concrete.
- 10. The development shall include a cluster mailbox. The location and design shall be approved by the Development Review Committee and US Postal Service.
- 11. Decorative landscape shall be included in common area open spaces bordering Ash Park Drive and street trees shall be planted along Baker Blvd.
 - a. A landscape plan for the development shall be approved by the Development Review Committee prior to construction.
 - b. All landscaped areas will be maintained as a master irrigation system.

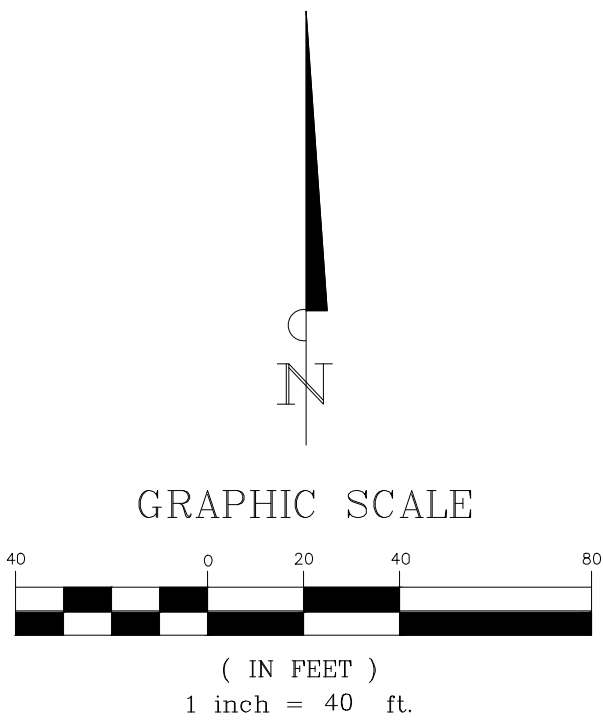
Building Design Standards

- 12. Exterior wall materials - 75% of each façade (excluding doors and windows) shall consist of masonry construction materials and/or fiber-reinforced cementitious board.
- 13. Garages shall be front entry with driveways providing street access.
- 14. A minimum roof pitch of 6:12 (inches of rise per inches of run) from side to side shall apply to the predominant roof, except a tile or slate roof may have a minimum roof pitch of 5:12 (inches of rise per inches of run) from side to side. A variety of roof pitches may be incorporated into the roof design provided that the predominant roof meets the minimum roof pitch requirement. Porches, dormers and shed roofs shall have a minimum 3:12 (inches of rise per inches of run).

15. All multi-tenant buildings will include a monitored fire alarm and a fire sprinkler system that is compliant with NFPA standard 13D. Additionally, buildings will be constructed with fire suppression walls with resistance ratings certified for United States.
16. Each building shall include at least four of the following architectural elements.
 - a. Awnings/canopies;
 - b. Balconies (a minimum of 25 square feet in size);
 - c. Dormers;
 - d. Offsets within each building (minimum 20 feet to receive credit);
 - e. Patio (a minimum of 25 square feet in size);
 - f. Porches (a minimum of 25 square feet in size);
 - g. Stoops (a minimum of two feet tall by four feet wide);
 - h. Varied roof height in building (minimum ten-foot difference);
 - i. Sconce lighting
 - j. Decorative banding or molding
 - k. Decorative overhangs above garage doors
 - l. Eyebrow soldier course over garage doors
 - m. Decorative brackets on garage doors
 - n. Decorative garage doors
- C. *Amendments to Approved Planned Developments.* A major amendment or revision to the Residential Planned Development shall be processed in the same manner as the original approval with the exception that the City Manager or designee may approve minor amendments or revisions to the R-PD standards provided the amendment or revisions does not significantly:
 1. Alter the basic relationship of the proposed uses to adjacent uses;
 2. Change uses approved other than to a less intense use such as single family detached;
 3. Increase approved densities, height, site coverage or floor areas;
 4. Decrease on-site parking requirements;
 5. Reduce minimum yards or setbacks; or
 6. Change traffic patterns.

Exhibit A

- Exhibit B**



SITE DATA TABLE	
Area	7.044 ACRES
Existing Zoning	MX - Mixed Use
Proposed Zoning	PD - Planned Development
Proposed Land Usage	Townhomes
Lots / Units	80
Minimum Lot Width	20 Ft.
Minimum Lot Depth	80 Ft.
Front Setback	20 Ft.
Rear Setback	5 Ft.
Side Setback	5 Ft.
Side Setback (adjacent to ROW)	5 Ft.

7.044 ACRES
SIMCOE POPPLEWELL SURVEY
CITY OF RICHLAND HILLS
TARRANT COUNTY, TEXAS

PROJECT:

CONCEPT
PLAN

PROJECT NO.:
090-18-005

SCALE: 1" = 40'

DRAWN BY:

CKD BY:

SHEET NUMBER

1 OF 1

BANNISTER
ENGINEERING
240 North Mitchell Road | Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
TBPLS REGISTRATION NO. 10193823

Sec. 91-501. Multiple-family development regulations.

- (a) *Applicability.* This section shall apply to the MF-2 Multiple-Family Residential Medium Density, MF-3 Multiple-Family Residential High Density, and MX Mixed Use Districts, and any other districts or development specified in this section.
- (b) *Building orientation and construction.*
 - (1) *Parking.*
 - a. Parking is only allowed between the building and a public street when located at or beyond the required landscape buffer and screened with a headlight screen of earthen berms and/or a row of shrubs.
 - b. Parking between the building and a public street is also subject to tree planting requirements specified in subsection (d)(2) Other Parking and Circulation Requirements, below.
 - c. Buildings with enclosed garages, when adjacent to a public street, must face garage doors internally to the development. Garage doors may not face a public street.
 - (2) *Detached garages.*
 - a. No detached garages may be located between residential buildings and a public street.
 - b. Structured parking garages consisting of more than one level must meet appropriate building setbacks as specified in the zoning ordinance.
 - (3) *Pedestrian connections.* Gated or un-gated pedestrian connections will be provided to adjacent schools, parks, and nonresidential developments.
- (c) *Exterior material requirements and design elements.*
 - (1) *Exterior materials.*
 - a. The exterior facades of a main building or structure shall be constructed of 85 percent Class 1: Masonry Construction on the first and second floors and 50 percent on all other floors.
 - (2) *Design elements.*
 - a. Flat roofs are prohibited.
 - b. All residential windows shall be operable, with the exception of decorative windows, transoms and side lights. The windows in living areas and bedrooms, except for dormer windows, shall be a minimum 15 square feet in size.
 - c. All stairs (except entry stairs and stoops to individual units and shared hallways) and elevated walkways shall be screened with architectural features to avoid a direct view of a stairwell from public streets and open space.
 - d. All multifamily buildings must use four or more of the following architectural features:
 - 1. Awnings/canopies;
 - 2. Balconies (a minimum of 25 square feet in size);
 - 3. Dormers;
 - 4. Offsets within each building (minimum 20 feet to receive credit);
 - 5. Patio (a minimum of 25 square feet in size);
 - 6. Porches (a minimum of 25 square feet in size);

7. Stoops (a minimum of two feet tall by four feet wide);
 8. Varied roof height in building (minimum ten-foot difference);
 9. Others as approved by the zoning administrator.
- e. Mailrooms or mail kiosks shall be 100 percent masonry and constructed of the same materials as the main structure.
- (3) *Facade articulation.* In order to ensure the aesthetic value and visual appeal of multiple-family land uses and structures, facade articulation shall be required. See definition of articulation in section 8. Definitions of the zoning ordinance.
- a. Facade articulation of at least three feet in depth or offset shall be required for every 30 feet in horizontal surface length.
 - b. Facade offsets shall be shown, along with calculations verifying that the building elevations meet the above requirement, on a building facade (elevation) plan, and shall be submitted for review along with the site plan.
- (d) *Parking and circulation standards.*
- (1) *Garages, when provided.*
- a. Garages shall be 100 percent masonry and be constructed of the same materials as the main structure.
 - b. The garage may be part of the dwelling structure.
 - c. Garages shall be set back a minimum of eight feet from the circulation aisle.
 - d. The garage shall not be used for storage, thereby prohibiting the parking of an operable vehicle.
- (2) *Other parking and circulation requirements.*
- a. Parking located between the building and a public street shall be at or beyond the required landscape buffer and requires a large tree every five parking spaces along the first row of parking and a head light screen in addition to perimeter landscaping requirements.
 - b. Subgrade parking under all or a portion of the building will not count against building height if half or more of subgrade parking is below the average finish grade of the first floor.
 - c. Dead-end drive aisles shall have a maximum of ten parking spaces.
 - d. Mail kiosk shall have a minimum of five of the required parking spaces for the development within 50 feet, unless a drive-through facility is provided.
 - e. Enclosed garage parking spaces shall be a minimum of ten by 20 feet.
 - f. Drive aisles within the apartment complex must be configured to decrease speed and shall have a maximum of 500 feet in a straight length without an offset of a minimum of 30 feet, unless other traffic calming measures are approved by the zoning administrator and fire chief.
 - g. Access to a public street in a single-family neighborhood will be limited access and will not function as a primary access point for the complex.
 - h. Access to single-family alleys is prohibited.
 - i. Direct access to a median opening is required when the property is located on a divided thoroughfare. This shall be one of the minimum two points of access required.

- (e) *Waiver.* The city manager is authorized to grant a waiver to these requirements if necessary to result in a higher quality development and/or to carry out the recommendations of the comprehensive plan.

(Ord. No. 1274-14, § 5(Exh. E), 5-6-2014)

Sec. 91-200. Landscaping.

- (a) *Purpose.* Landscaping is accepted as adding value to property and is in the interest of the general welfare of the city. The provision of landscaped areas also serves to increase the amount of a property that is devoted to pervious surface area, which in turn helps to reduce the amount of impervious surface area, stormwater runoff, and consequent non-point pollution in local waterways.
- (b) *Applicability.*
 - (1) The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new or altered (i.e., at least 20 percent of the original floor area) construction occurring within the city.
 - a. Existing buildings that are altered less than 20 percent shall not be required to meet the standards contained in this landscape ordinance.
 - (2) Additionally, any use requiring a specific use permit or a planned development zoning designation must comply with these landscape standards unless special landscaping standards are otherwise provided for in the ordinance establishing the SUP or PD District.
 - (3) All properties located in the BP Business Park District must comply with the standards when a new tenant moves into the BP Business Park District or within 18 months of the approval of the BP Business Park District, whichever comes first.
- (c) *Certificate of occupancy required.*
 - (1) It shall be unlawful to issue an occupancy permit prior to the approval and complete installation of the landscape and irrigation plans.
 - (2) When it is not possible to complete the landscape installation as quickly as desired or needed, an extension of time may be granted and a temporary certificate of occupancy may be issued for variable periods up to 45 days.
- (d) *Landscape plan.*
 - (1) *Requirement.* Prior to the issuance of a building, paving, grading or construction permit for any use other than agricultural uses, a landscape plan shall be submitted to the zoning administrator. The landscape plan may be shown on the site plan (provided the site plan remains clear and legible) or may be drawn on a separate sheet.
 - (2) *Review.* The city shall review such plans (as part of the site plan review described in section 6.06 Site Plan Requirements of the zoning ordinance), and approve the plans if the plans are in accordance with the criteria of these regulations. If the plans are not in conformance, they shall be denied and shall be accompanied by a written statement setting forth the changes necessary for compliance.
 - (3) *Submittal requirements.* Landscaping plans shall be prepared by a person knowledgeable in plant material usage and landscape design (e.g., landscape architect, landscape contractor, landscape designer, etc.) and shall contain the following minimum information:
 - a. Minimum scale of one inch equals 50 feet; show scale in both written and graphic form;
 - b. Location, size and species of all trees to be preserved;
 - c. Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site, or other landscape features;
 - d. Species and common names of all plant materials to be used;

- e. Size of all plant material to be used (container size, planted height, etc.);
 - f. Spacing of plant material where appropriate;
 - g. Layout and description of irrigation, sprinkler, or water systems including location of water sources;
 - h. Description of maintenance provisions;
 - i. Name and address of the person(s) responsible for the preparation of the landscape plan;
 - j. North arrow/symbol, and a small map showing where the property is located;
 - k. Date of the landscape plan.
- (e) *General standards and specifications.*
- (1) *Quality.*
 - a. The best professional practices of the American Society of Landscape Architects, the International Society of Arboriculture, the American Nursery and Landscape Association and Texas Nursery and Landscape Association regarding planting installation, trimming, pruning and fertilization shall apply to the landscape standards and specifications included in this section.
 - b. Nursery standards shall be the American Standard for Nursery Stock, ANSI Z60.1-2004.
 - c. Pruning standards shall be the International Society of Arboriculture Pruning Guidelines ANSI A300 - Pruning Guidelines.
 - d. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
 - (2) *Approved plant list for new plantings or replacements.* The following is a required list of trees for new plantings or replacements of existing trees. Other species may be acceptable for new plantings; however, their suitability for the proposed planting area shall be approved by the zoning administrator.

Canopy Trees	
Aristocrat Pear	Lacebark Elm
Bald Cypress*	Lacey Oak*
Bigtooth Maple*	Live Oak*
Blackjack Oak*	Panicked Golden Raintree
Bradford Pear	Pecan*
Bur Oak*	Post Oak*
Caddo Maple*	Red Maple*
Cedar Elm*	Saucer Magnolia
Chinese Pistachio	Shumard Oak*
Chinquapin Oak*	Southern Magnolia*
Chitalpa	Texas Ash*
Crabapple*	Texas Red Oak*
Durand Oak*	Trident Maple*
Ginkgo	Western Soapberry*
Honey Locust*	

<u>Evergreen Trees</u>	
Austrian Pine	Loblolly Pine*
Eastern Red Cedar*	Nellie R. Stevens
Eldercane Pine	Saucer Magnolia
Japanese Black Pine	Savannah Holly
Leyland Cypress	Southern Magnolia*
Little Gem Magnolia	Yaupon Holly*
<u>Ornamental Trees</u>	
Crape Myrtle	Mexican Plum*
Desert Willow*	Possumhaw Holly*
Eve's Necklace*	Rusty Blackhaw Viburnum*
Forest Pansy Redbud	Texas Redbud*
Japanese Maple	Vitex
Mexican Buckeye*	Wax Myrtle*
<u>Low-Growing Shrubs</u>	
Barberry	Juniper
Big Muhly*	Knockout Rose
Black Dalea*	Mealy Blue Sage*
Black-Eyed Susan*	Mexican Hat*
Blackfoot Daisy*	Nandina*
Cherry Sage*	Skeleton-Leaf Goldeneye*
Dwarf Pomegranate	Spineless Prickly Pear*
Dwarf Yaupon Holly	Upright Rosemary
Grayleaf Cotoneaster	Variegated Pittosporum
Green Pittosporum	
<u>Tall Shrubs</u>	
Agarita*	Eleagnus
Agave*	Red Yucca*
American Beautyberry*	Smooth Sumac*
Chinese Photinia	Texas Sage*
Dwarf Burford Holly	Yucca ssp.*
Dwarf Palmetto*	
<u>Turf Grasses</u>	
Bermuda	
Buffalograss*	
St. Augustine	

Tifway (Tifton 419)	
<u>Ornamental Grasses</u>	
Big Bluestem*	Mexican Feathergrass*
Bushy Bluestem*	Seep Muhly*
Cedar Sedge*	Sideoats Grama*
Gulf Muhly*	
Indian Grass*	
Inland Seaoats*	
Lindheimer Muhly*	
Little Bluestem*	
<u>Vines and Groundcovers</u>	
Asian Jasmine	
Carolina Jessamine*	
Confederate Jasmine	
Coral Honeysuckle*	
Crossvine*	
Fig Ivy	
Frogfruit*	
Giant Liriope	
Honeysuckle	
Horseherb*	
Lyreleaf Sage*	
Perennial Verbena	
Pigeonberry*	
Pink Evening Primrose*	
Santolina	
Sedum*	
Texas Wisteria*	
Virginia Creeper*	
White Rain Lily	
Wood Fern*	

* Indicates a Native Texas Plant

(3) *Trees.*

- a. *Minimum caliper size.* Canopy trees shall have a minimum caliper of three inches, and ornamental trees shall have a minimum caliper of two inches, when measured 12 inches above ground, and shall be selected from the list of approved trees (see subsection (e)(2) Approved Plant List for New Plantings or Replacements, above).

- b. *Crown.*
 - 1. Canopy trees shall have an average spread of crown of greater than 15 feet at maturity.
 - 2. Trees having a lesser average mature crown of 15 feet may be substituted by grouping the same to create the equivalent of a 15-foot crown of spread.
- (4) *Shrubs and hedges.*
 - a. Shrubs shall be a minimum of three gallons.
 - b. Hedges, where installed, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen that will be three feet high within one year after time of planting.
- (5) *Turf grass.* Grass areas may be sodded, plugged, sprigged or seeded.
- (6) *Vines.* Vines shall be a minimum of two feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet screening requirements as specified.
- (7) *Groundcover.* Groundcovers used in lieu of grass in whole and in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one year of planting.
- (f) *Minimum landscaping requirements for nonresidential and multiple-family developments.*
 - (1) *Minimum front yard.*
 - a. *Landscape.* Front yards may be landscaped with grass, shrubbery, vines, or trees and on part may be paved or surfaced for minimum access, driveways and sidewalks.
 - b. *Percentage of landscaping in the front yard.* In all nonresidential zoning districts, not less than 50 percent of the landscaping shall be located in the required front yard and shall be in accordance to subsection (f)(3) Open Space Landscaping Requirements, below.
 - 1. In calculating the amount of landscaping for the front yard, if landscape areas within off-street parking/vehicular use areas are within the front yard, then they shall be counted towards the 50 percent landscaping minimum.
 - (2) *Minimum requirements for off-street parking and vehicular use areas.* Parking lots, vehicular use areas and parked vehicles are to be effectively screened from the public view and adjacent property. Both the interior and perimeter of such areas shall be landscaped in accordance to the following criteria. Areas used for parking or vehicular storage that are under, on, or within buildings and the BP Business Park District are exempt from these standards:
 - a. *Interior landscaping.* A minimum of ten percent of the gross parking area shall be devoted to living landscaping that includes grass, groundcover, plants, shrubs and trees. Gross parking area is to be measured from the edge of the parking and/or driveway paving and sidewalks. The following additional criteria shall apply to the interior of parking lots:
 - 1. *Wheel stops/curbs.* Interior landscape areas shall be protected from vehicular encroachment of overhang through appropriate wheel stops or curbs.
 - 2. *Tree minimum.* There shall be a minimum of one tree planted for each 400 square feet or fraction thereof of required interior landscape area.
 - 3. *Planter/planting islands.* Interior areas of parking lots shall contain planting islands located so as to best relieve the expanse of paving. Planter islands must be located no further apart than every 12 parking spaces and at the terminus of all rows of parking. Such islands shall contain at least one tree. The remainder shall be landscaped with shrubs, lawn, groundcover and other appropriate material not to exceed three feet in height. Interior planter islands shall have a minimum size of ten feet by 18 feet.

- (i) *Exemption.* Planter islands shall not be required for parcels/lots containing less than 35,000 square feet.
 - (ii) *Variation.* The Zoning Administrator may approve planter islands required by this subsection (f)(2)a.3, Planter/Planting Islands to be located further apart than 12 parking spaces in order to preserve existing trees in interior parking areas.
- b. *Perimeter landscaping.* All parking lots and vehicular use areas shall be screened from all abutting properties and/or public rights-of-way with a wall, fence, hedge, berm or other durable landscape barrier. Any living barrier shall be established in a two-foot minimum width planting strip. Plants and materials used in living barriers shall be at least 30 inches high at the time of planting and shall be of a type and species that will attain a minimum height of three feet one year after planting. Any landscape barrier not containing live plants or trees shall be a minimum of three feet high at time of installation.
 - 1. Whenever an off-street parking or vehicular use area abuts a public right-of-way, except a public alley, a perimeter landscape area of at least 15 feet in depth shall be maintained between the abutting right-of-way and the off-street parking or vehicular use area. An appropriate landscape screen or barrier shall be installed in this area and the remaining area shall be landscaped with at least grass or other groundcover.
 - 2. Perimeter landscape areas shall contain at least one tree for each 50 lineal feet or fraction thereof of perimeter area.
- (3) *Open space landscaping requirements.* In addition to the landscaping of off-street parking and vehicular use areas, all remaining open spaces on any developed lot or parcel shall conform to the following minimum requirements:
 - a. Grass, groundcover, shrubs, and other landscape materials shall be used to cover all open ground within 20 feet of any building or paving or other use such as storage.
 - b. All structures shall be treated with landscaping so as to enhance the appearance of the structure and to screen any detractive or unsightly appearance.
 - c. Trees shall be planted in remaining open space at one tree per 4,000 square feet of open space area.
 - d. All open space shall have grass or lawn covering.
 - e. Properties in the BP Business Park District that have at least 15 feet of open space between the building and public right-of-way shall plant trees every 15 to 20 lineal feet within the open space. In areas where there may be issues with setback requirements, public utilities, etc. a waiver may be requested from the city manager.
- (4) *Permeable surface around trees.* All existing trees that are to be preserved shall be provided with undisturbed, permeable surface area under (and extending outward to) the existing dripline of the tree. All new trees shall be provided with a permeable surface under the dripline a minimum of five feet by five feet.
- (5) *Required landscaping buffer when abutting a property zoned for single-family or two-family residential.*
 - a. *Buffer required.* A landscape buffer of at least five feet in depth shall be provided and maintained along the length of the nonresidential or multiple-family development that is abutting a single-family or two-family zoned property.

1. *Enhanced buffer required for large parcels.* Properties more than 250 feet in depth (if residential property is abutting the rear yard) or in width (if residential property is abutting the side yard) shall provide a ten-foot buffer.
 - b. *Canopy trees required.* Canopy trees, included in the approved plant list for new plantings or replacements, with a minimum caliper of three inches shall be planted on 30-foot centers for the length of the buffer.
 1. *Enhanced planting required for large parcels.* Properties more than 250 feet in depth (if residential property is abutting the rear yard) or in width (if residential property is abutting the side yard) shall provide two rows of trees.
- (g) *Minimum landscaping requirements within new single-family, two-family (duplex), and manufactured home developments.* The following are minimum landscaping requirements for new single-family, two-family, and manufactured home lots and developments. These requirements apply within SF-10 Single-Family Residential, SF-7 Single-Family Residential, MF-1 Two-Family (Duplex) Residential, and MH Manufactured Home (HUD Code) Zoning Districts (excludes the SF-E Single-Family Residential Estate Zoning District).
 - (1) *Tree by lot requirements.* Each single-family lot shall have two large canopy trees placed in front of the front building line with a minimum three-inch caliper and a minimum six feet in height at the time of planting.
 - (2) *Additional requirements.* Each single-family lot shall have:
 - a. Four evergreen shrubs, shrubs, or small trees;
 - b. Solid vegetative groundcover or lawn for the entirety of the lot that is not otherwise covered by building(s) and/or driveway area(s).
- (h) *Sight distance and visibility.*
 - (1) *Setback clearance zone.* Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections. Whenever an intersection of two or more public rights-of-way occurs, a triangular visibility area, as described below, shall be created. Landscaping within the triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between 30 inches and eight feet. Trees may be permitted in this area provided they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area. The triangular areas are:
 - a. The areas of property on both sides of the intersection of an alley accessway and public right-of-way shall have a triangular visibility area with two sides of each triangle being a minimum of 15 feet in length from the point of intersection and the third side being a line connecting the ends of the other two sides.
 - (2) *Corner properties.* The areas of property located at a corner formed by the intersection of two or more public rights-of-way (or a private driveway onto a public road) shall have a triangular visibility area with two sides of each triangle being a minimum of 25 feet in length along the right-of-way lines (or along the driveway curb line and the road right-of-way line) from the point of the intersection and the third side being a line connecting the ends of the other two sides.
 - (3) *Proximity to accessways and driveways.* Landscaping, except required grass and low groundcover, shall not be located closer than three feet from the edge of any accessway pavement or driveway.
 - (4) *Reduction to remove visibility obstruction.* In the event that other visibility obstructions are apparent in the proposed landscape plan, as determined by the zoning administrator, the requirements set forth herein may be reduced to the extent to remove the conflict.
- (i) *Maintenance.*

- (1) *Responsibility and condition.* The owner, tenant and/or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times.
 - (2) *Nonconformance.* If, at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be not in conformance with the standards and criteria of this article, the zoning administrator shall issue notice to the owner, citing the violation and describing what action is required to comply with this section. The owner, tenant or agent shall have 90 calendar days from date of said notice to establish/restore the landscaping, as required. If the landscaping is not established/restored within the allotted time, then such person shall be in violation of this article.
 - (3) *Irrigation required.* All required landscaped areas shall be equipped with, and 100 percent covered by, an automatic, underground irrigation system with freeze and moisture sensors to prevent watering during periods of time with rain or when temperatures are at or below 32 degrees Fahrenheit. A registered landscape architect licensed to practice within the State of Texas shall design the irrigation system. If appropriate and attractive xeriscape planting techniques are utilized (these techniques are encouraged by the city, if designed and maintained appropriately), the requirement for an underground irrigation system may be waived if an alternative irrigation system/device is approved at the time of landscape plan approval.
 - a. *Exemptions.*
 1. Single-family, two-family, and manufactured home lots and developments shall be exempt from the above irrigation system requirements.
 2. The BP Business Park District is not required to install and maintain irrigation when planting trees per the open space landscaping requirements above.
 - (j) *Waiver.* The city manager is authorized to grant a waiver to these requirements if necessary to result in a higher quality development and/or to carry out the recommendations of the comprehensive plan.
- (Ord. No. 1274-14, § 2(Exh. B), 5-6-2014; Ord. No. 1375-18, § 1(Exh. A), 12-10-2018)