

ORDINANCE NO. 414-97 *(Corrected)*

AN ORDINANCE AMENDING SOME SECTIONS OF CHAPTER 12 OF THE WILLOW PARK CODE OF ORDINANCES AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE OF THOSE NEW SECTIONS. IN ADDITION THIS ORDINANCE ADOPTS A NEW TABLE OF CONTENTS THAT REFLECTS THE AMENDMENT OF THE REFERENCED SECTIONS AND THE RENUMBERING OF SECTIONS WHOSE TERMS HAVE YET TO BE AMENDED, TO REFLECT THE NEW ORGANIZATIONAL STRUCTURE OF CHAPTER 12.

AND ADOPTING A REVISED TABLE OF CONTENTS FOR CHAPTER 12.

WHEREAS, the City Council for the City of Willow Park wishes to add or amend some of the provisions of Chapter 12 ZONING of the Willow Park Code of Ordinances and to adopt a new table of contents that both renumbers all sections of Chapter 12, whether said sections are newly created, amended existing sections or sections that existed in the old 1993 codification of Chapter 12 that have yet to be amended. In an attempt to avoid confusion the City Council also adopts the TABLE OF REVISIONS, contained in paragraph VIII, setting forth the sections of CHAPTER 12 as they were numbered in the 1993 codification of the Willow Park Code of Ordinances and a new list of added, amended and renumbered sections of Chapter 12. ALL OTHER PROVISIONS OF CHAPTER 12 SHALL REMAIN IN FULL FORCE AS PREVIOUSLY WRITTEN AND ADOPTED.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WILLOW PARK, TEXAS:

I.

Chapter 12, Section 12.000 “Purpose, Validity, Interpretation, Conflict, and Effective Date” is adopted as set forth in Exhibit ‘A’ attached hereto and incorporated herein by referenced as if set out verbatim.

II.

Chapter 12, Section 12.100 “Establishment of Zoning Districts and Boundaries” is adopted as set forth in Exhibit ‘B’ attached hereto and incorporated herein by referenced as if set out verbatim.

III.

Chapter 12, Section 12.200 “Establishment of Regulations and Restrictions” is adopted as set forth in Exhibit ‘C’ attached hereto and incorporated herein by referenced as if set out verbatim.

IV.

Chapter 12, Section 12.400 “Official Zoning Map” is adopted as set forth in Exhibit ‘D’

attached hereto and incorporated herein by referenced as if set out verbatim.

V.

Chapter 12, Section 12.500 “Schedule of Use Restrictions and Zoning Regulations” is adopted as set forth in Exhibit ‘E’ attached hereto and incorporated herein by referenced as if set out verbatim.

VI.

Chapter 12, Section 12.800 “Screening, Fences, and Landscape Requirements” is adopted as set forth in Exhibit ‘F’ attached hereto and incorporated herein by referenced as if set out verbatim.

VII.

The TABLE. OF CONTENTS FOR CHAPTER 12 is adopted as set forth in Exhibit ‘G’ attached hereto and incorporated herein by referenced as if set out verbatim.

VIII.

The TABLE OF REVISIONS is adopted as set forth in Exhibit ‘H’ attached hereto and incorporated herein by referenced as if set out verbatim.

IX.

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

AND IT IS SO ORDERED.

**PASSED, APPROVED AND ADOPTED by the City Council
Of the City of Willow Park, Texas, this _____ day of
_____, 199__ , by a vote of ___ to ___.**

APPROVED:

**LES COOLEY, MAYOR
CITY OF WILLOW PARK, TEXAS**

ATTESTED:

**HETTY HAGGARD, CITY SECRETARY
CITY OF WILLOW PARK, TEXAS**

EXHIBIT 'A'

ARTICLE 12.000 ZONING ORDINANCE

12.001 Purpose

The purpose of this ordinance is to zone the entire area of the City of Willow Park into districts as made and provided by V.T.C.A., Local Government Code, Chapter 211, as amended, in accordance with a comprehensive plan for the purpose of promoting health, safety, and the general welfare of the general public. The Zoning Districts have been designated to lessen congestion in the streets; to provide safety from fire, panic, and other dangers; to provide adequate light, air, water, and sewage; to prevent the overcrowding of land and undue concentration of population; and to provide and facilitate adequate provisions for transportation, parking, schools, parks, and other public requirements. Said districts have been created with fair and reasonable consideration; for the character of each district and its suitability for particular uses; to conserve the value of the land and buildings in each district; to insure harmonious and appropriate use of all property; and to prohibit inappropriate uses of property thereby promoting the general good and welfare of the public.

12.002 Interpretation and Conflict

In interpreting and applying the provisions of this ordinance, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare. It is not intended by this ordinance to interfere with, or abrogate, or annul any easement, covenants, or other agreements between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of the buildings, or premises, or upon height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations, or by easements, covenants, or agreements, the provision of this ordinance shall govern.

12.003 Validity

If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be adjudged or for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council, in adopting this ordinance, that no portion thereof, or provision, or regulation contained herein, shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, paragraph, subdivision, clause, phrase, or provision of this ordinance.

12.004 Conflicting Ordinances Repealed

All ordinances and parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed

12.005 Effective Date

This ordinance shall become effective from and after the date of its approval adoption as

provided by law

EXHIBIT 'B'

ARTICLE 12.100 ESTABLISHMENT OF DISTRICTS AND BOUNDARIES

A. The City of Willow Park defines, adopts, and establishes the following eleven (11) zoning 'districts' in order to regulate and restrict the following: the location of trades and industries; the location of buildings erected, reconstructed, altered or enlarged for specific uses; the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged; to determine the area of yards and other open spaces; and to limit the density of population. These eleven districts are broken into four classifications (hereafter referred to as 'class') which are referred to in the V.T.C.A. Local Government Code.

Class I – Special Purpose

1. 'AG' Agricultural District
2. 'FP' Flood Plain District
3. 'PD' Planned Development District

Class II – Residential

4. 'R-1' Residential District
5. 'R-2' Residential District
6. 'R-3' Multi-Family District
7. 'R-4' Manufactured Housing District

Class III – Business

8. 'O' Office District
9. 'LR' Local Retail District
10. 'C' Commercial District

Class IV – Industrial

11. 'L1' Light Industrial District

B. The districts above and the boundaries of such districts are shown upon the City's Official Zoning Map and made a part of this ordinance. The map and all the notations, references and other information shown thereon shall be as much a part of this ordinance as if the matters and information set forth by said map were all fully described herein. If, because of error or omission in the Official Zoning Map, any property in the City of Willow Park which is not shown as being in a specific district, and cannot be properly determined on any property in the City, such property shall be classified as 'AG' Agricultural until changed by amendment. (Such classification by the City does not establish County Agricultural Tax Status.)

C. Except as specifically authorized to the contrary in this Ordinance the following regulations shall apply in all districts:

1. No building permit, certificate of occupancy or other permit shall be issued, nor shall any use be made of land or any building or structure within the City of Willow Park unless a zoning district is specified for such land.
2. No building or structure shall be erected, reconstructed, altered or enlarged; nor shall any building or structure or land be used for any purpose other than is permitted hereafter in the district in which such building, structure or land is located, and no building, structure or land shall be used and no certificate of occupancy, nor building permit shall be issued for any use or purpose prohibited by ordinance or by the Constitution and laws of the United States of America or of the State of Texas.
3. No building or structure shall be erected, reconstructed, altered or enlarged to exceed the height or bulk limit herein established for the district in which such building is located.
4. No lot area shall be reduced or diminished so that the yards or other open spaces shall be smaller than prescribed by this ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.
5. No building permit shall be issued for any building or structure unless such building or structure is located on a platted lot or lots which have been described by an instrument recorded in the Parker County Deed Records in Texas, and the lot or lots front upon a legally established street. Notwithstanding the above, no building permit shall be issued for any building on and composed of a fractional part of any adjoining lot, or a lot and a fractional part of any adjoining lot, or the fractional parts of two adjoining lots.
6. No yard or other open space provided about any building or structure for the purpose of complying with the provisions of these regulations shall be considered as providing a yard or open space for any other building or structure; provided further that no yard or open space on an adjoining property shall be considered as providing a yard or open space on a lot whereon a building is to be erected.

D. Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the Zoning Map, the following rules shall apply:

1. Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be said boundaries.
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed as said boundaries.
3. Where district boundaries are indicated as approximately following a parallel to a

drainage course or other prominent physical feature, that parallel line shall be construed to be said boundaries.

4. Where district boundaries are so indicated that they are approximately parallel to the center of the streets, or the center lines of the right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale of said Zoning Map.
5. Where district boundaries are so indicated that they are approximately perpendicular to the center line or right-of-way lines of streets, highways, or drainage courses, such district boundaries shall be construed to be perpendicular to said street, highways, or drainage courses.
6. If the property is undivided, then the district boundary lines of the Zoning Map shall be determined by use of the scale appearing on the Map.
7. In the case of a district boundary line dividing a lot into two (2) parts the district boundary line shall be construed to be the lot line nearest the district boundary line as shown.
8. Whenever any street, alley, or other public way is vacated by official action of the City Council, the Zoning District adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all regulations of the extended district.
9. Where the streets or alleys on the ground differ from the streets or alleys as shown on the Zoning Map, the streets or alleys on the ground shall control.

EXHIBIT 'C'

ARTICLE 12.200 ESTABLISHMENT OF REGULATIONS and RESTRICTIONS

12.201 Height Regulations

- A. The height prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water towers, stage towers, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors, and necessary and allowable appurtenances.
- B. No structure may be erected to a height in excess of that permitted by the regulations of such airfield- zoning ordinance as it may exist at the time and whose regulations apply to the area in which the structure is being erected.

12.202 Special Front Yard Regulations

- A. Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage.
- B. When a building line has been established by plat or ordinance and such line requires a greater or lesser front yard setback than is prescribed by this ordinance for the district in which the building line is located, the required front yard shall comply with the building line so established by the most restrictive of such ordinance or plat.
- C. The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed four (4) feet and subsurface structures, platforms, or slabs may not project into the front yard to a height greater than forty (40) inches above the average grade.
- D. Where lots have a double frontage, running through from one street to another, a required front yard shall be provided on both streets unless a building line for accessory buildings have been established along one frontage on the plat or by ordinance, in which event only one required front yard need to be observed.
- E. If thirty (30) percent or more of the frontage of one side of a street between two intersecting in any residential district is improved with buildings prior to the effective date of this ordinance that have been observed an average front yard line with a variation in depth of not more than six (6) feet, then the average front yard so established shall be observed provided, however, that this regulation shall not be interpreted as requiring a front yard line of more than thirty (30) feet.

- F. Gasoline service station pump islands may not be located nearer than eighteen (18) feet to the front property line.

12.203 Side Yard Regulations

- A. On a corner lot the width of the yard along the side of the street shall not be less than any required front yard on the same side of such street between intersecting streets, provided, however, that the buildable width of a lot of record shall not be reduced to less than thirty (30) feet.
- B. No accessory building shall project beyond a required yard line along any street.
- C. For the purpose of the side yard regulations, an attached dwelling or multi-family dwelling shall be considered as one building occupying one lot.
- D. Where a lot of record at the time of the effective date of this ordinance is less than one-hundred (100) feet in width the required side yard may be reduced to provide a minimum buildable width of fifty (50) feet, provided, however, that no side yard shall be less than ten (10) feet.
- E. The area required in a yard shall be open to the sky, unobstructed except for the ordinary projections of window sills, belt courses, cornices, or other ornamental features.
- F. A roof overhang, an open fire escape or an outside stairway may not project more than four (4) feet into a required side yard.

12.204 (Future regulations)

12.205 Private Club Regulations

- A. In all districts, no person shall operate or cause to operate a Private Club licensed by the Texas Alcoholic Beverage Commission as part of any business within 300 feet of:
 - 1. A church
 - 2. A public or private elementary or secondary school
 - 3. Residentially zoned property
 - 4. A public park

The distance between any private club and the uses listed above shall be measured in a straight line, without regard for intervening structures or objects, from the closest exterior wall of the structure where a private club is conducted, to the nearest property line of a church or school, or to the nearest boundary of a residential district or public park.

- B. In all districts, no person shall operate or cause to operate a Private Club licensed by the Texas Alcoholic Beverage Commission as part of any business within 350

feet of another club.

The distance between any two businesses containing private clubs shall be measured in a straight line, without regard for intervening structures or objects, from the closest exterior wall of the structures in which such businesses are located.

12.206 Fire Protection Access

No Building except single-family dwellings shall be constructed in such a way that any part of the structure may be erected at a greater distance than the one hundred fifty (150) feet, if the owner thereof dedicates, constructs and maintains a fire lane or access easement having a minimum width of twenty (20) feet and a minimum height clearance of fourteen (14) feet terminating within one hundred (100) feet of the farthest point of the structure.

Any such fire lane or access easement more than one hundred fifty (150) feet long shall either connect at both ends to a dedicated street or be provided with a turn around having a minimum radius of fifty (50) feet.

All fire lanes or access easements dedicated to the City of Willow Park for such use, shall be of hard surface for the entire width thereof and maintained and kept in a state of good repair at all times by the owner of the premises, and the City of Willow Park shall not be responsible for the maintenance thereof. Such fire lanes shall be permanently marked as fire lanes and the owner of the property shall insure that the same such markings are kept and obviously displayed.

EXHIBIT 'D'

ARTICLE 12.400 OFFICIAL ZONING MAP

12.401 Establishment of Official Zoning Map

The City of Willow Park is hereby divided into zones, or districts as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.

12.402 Certification

The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Administrator, and bearing the seal of the city together with the date of adoption of the ordinance, under the following words:

“This is to certify that this is the Official Zoning Map referred to in Article 12.400 of the City of Willow Park, Texas, Code of Ordinance”.

12.403 Amendments and Changes

If, in accordance with the provisions of this ordinance and V. T. C. A., Local Government Code, chapter 211, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map promptly after the amendment has been approved by the City Council, together with an entry on the Official Zoning Map, which shall be signed by the Mayor and attested by the City Administrator, as follows:

“On (date), by official action of the City Council, the following change/changes were made in the Official Zoning Map: (brief description of the nature of the change).”

The amending ordinance shall provide that such changes or amendments shall not become effective until they have become duly entered upon the Official Zoning Map. No amendment to this ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under Article 12.2100 of Us ordinance.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning which shall be located in the Office of the City Administrator, shall be the final authority as the current zoning status

of land and water areas, buildings, and other structures in the city.

12.404 Replacement of Official Zoning Map

In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Council may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map.

The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof.

The signature of the Mayor, attested by the City Administrator, and bearing the seal of the city shall identify the new Official Zoning Map by the following words:

"This is to certify that Ns Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of Ordinance. "

12.405 Retention of Official Zoning Maps

Superseded versions of Official Zoning Maps shall be retained permanently in the City Archives and annotated by the origination date of the new Official Zoning Map.

EXHIBIT 'E'

ARTICLE 12.500 USE RESTRICTIONS AND ZONING REGULATIONS

The following sub-sections outline and establish the use regulations, zoning restrictions, and special regulations for each Zoning District.

12.501 CLASS I -- Special Purpose: 'AG' Agricultural District

A. Use Regulations: The 'AG' Agricultural District will be limited to the following uses:

1. Farms or ranches, orchards, truck gardens, nurseries for the growing of plants and similar Agrarian activities involving the growing of plants, or raising and pasturing of livestock.
2. Single family dwellings clearly incidental to the operation of the above listed activities, including dwellings on the same farm or ranch used exclusively for the housing of employees living on the premises; provided that tracts in the 'AG' District which have less than ten (10) contiguous acres in separate ownership shall be limited to one (1) principle dwelling provided that such principle dwelling shall have an allowable area of not less than allowed in a 'R-1' District.
3. Accessory buildings and structures clearly incidental to the above operations, including but not limited to barns, stables, equipment sheds, poultry houses, granaries, pump houses, water tanks, silos, and non-commercial feeding pens.
4. Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or a Public Utility Company, which installations are necessary for the public safety, governmental services, or the furnishing of utilities through the 'AG' District.
5. Public and Parochial schools, universities and colleges, not including correctional institutions, trade or commercial business schools.
6. Museums, libraries, parks, playgrounds, community centers, or recreational areas owned and operated by the City of Willow Park, Parker County, or the State of Texas, or owned by such agencies and operated under their control and supervision.
7. Churches
8. Storage yards, junkyards, and motor vehicle junk yards upon recommendation by the Planning and Zoning Commissions and approval by the City Council; subject to approval of the Special Use Process as outlined in Article 12.1200 of this ordinance.

B. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying).

1. Maximum height: Three (3) stories, but not to exceed forty (40) feet

2. Minimum lot area: Ten (10) acres
3. Minimum gross living area: Fifteen hundred (1,500) square feet
4. Minimum lot width: Not Applicable
5. Minimum lot depth: Not Applicable
6. Front yard setback: Thirty (30) feet
6. Rear yard setback: Twenty-five (25) feet
7. Side yard setback: Twenty-five (25) feet
8. Maximum lot coverage by structure: Compliance with the established setbacks
9. Required parking: Two (2) car garage for land uses described in Article 12.501.A.2 of this ordinance; all other uses will conform to Article 12.1100 of this ordinance and the UBC.
10. Required screening:
 - a) All uses other than those described in Article 12.501. A. 1, 2, 3, and 4 will have a six (6) foot masonry or wooden screening in compliance with Article 12.800 of this ordinance when abutting all residential districts, or as determined through the new development site plan review process.
 - b) Land uses described in Article 12.501.A.8 will have a stockade variety fence (non-transparent) around the perimeter of the property.
11. Minimum masonry coverage: Seventy-five per cent (75 %) first floor
12. Accessory building or use setback: Ten (10) feet minimums

C. Special Regulations:

1. All uses in the 'AG' District will require a new development site plan under the provision of Article 12.907 of this ordinance except for those described in Article 12.501.A. 1,2, and 3 of this ordinance.
2. Restrictions for the Special Use Permit should include the following:
 - a) first approval is not to exceed five (5) years
 - b) first extension not to exceed three (3) years
 - c) each subsequent extension is not to exceed two (2) years, and will follow the same procedures as the original approval.

12.502 CLASS I -- Special Purpose: 'FP' Flood Plain District

A. Use Regulations: The 'FP' Flood Plain District will be limited to the following uses:

1. Those uses described in Article 12.501.A. 1, 3, and 4 of this ordinance
2. Structures, installations and facilities installed, operated and maintained by public agencies for flood control purposes.
3. Public service structures, including railways and highway bridges, provided that the location thereof shall first be recommended by the Planning and Zoning Commissions and approved by the City Council.
4. Mining of soil, sand, gravel and minerals after recommendation by the Planning and Zoning Commissions and approval by the City Council.
5. Irrigation intakes and pumps
6. Industrial confessor water intake and outlet works
7. Sumps

8. Wildlife sanctuaries, woodland preserves, arboretums
9. Public or private reserve space
10. Hunting or fishing preserves
11. Boat rental, boat sales
12. Bridle, bicycle and, nature trails
13. Country clubs and recreation centers, excluding principal buildings
14. Golf courses, driving ranges, archery ranges
15. Christmas tree sales
16. Roads, driveways
17. Temporary buildings and structures accessory to the above uses, to be used for limited periods of time in accordance with all applicable ordinances and regulations.
18. Parks, playgrounds or recreational areas owned and operated by the City.

B. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying).

1. Maximum height: Three (3) stories, but not to exceed forty (40) feet
2. Minimum lot area: Forty thousand (40,000) square feet
3. Minimum gross living area: Not applicable
4. Minimum lot width: One hundred twenty (120) feet
5. Minimum lot depth: One hundred seventy-five (175) feet
6. Front yard setback: Not applicable
7. Rear yard setback: Not applicable
8. Side yard setback: Not applicable
9. Maximum lot coverage by structure: Not applicable
10. Required parking: All uses will conform to Article 12.1100 of this ordinance and the UBC.
11. Required screening: All uses other than those described in Article 12.502. A. 1, 2, and 3 of this ordinance will have a six (6) foot masonry or wooden screening in compliance with Article 12.800 of this ordinance when abutting all residential districts, or as determined through the new development site plan review process.
12. Minimum masonry coverage: Not Applicable
13. Accessory building or use setback: Ten (10) feet minimums

C. Special Regulations:

1. A thirty (30) foot setback is required from any right-of-way.
2. All uses in the 'FP' District will require a new development site plan under the provision of Article 12.907 of this ordinance.
3. All uses in the 'FP' District will comply with the FEMA Flood Damage Ordinance No. 399-96.
4. The fact that land or property is not classified as being within the 'FP' Flood Plain District shall not constitute assurance that said land or property is not subject

to local flooding and the designation of a 'FP' District.

12.503 CLASS I - Special Purpose: 'PD' Planned Development District

A. Use Regulations: The 'PD' Planned Development District is a specialized zoning concept which has two specific uses:

- 1) to set aside large parcels of land to be used for the development of mixed uses or special uses which will require approval of the Planning and Zoning Commissions and City Council.
- 2) to produce an overlay district to be used in conjunction with an existing base zoning district regardless of size, for the purpose of land uses which may require special controls to avoid interference with existing or planned uses.

Such uses which have already been zoned or have the potential of being zoned as a 'PD' Planned Development District include but are not limited to the following:

1. Industrial/Business Centers or Parks
2. Horse Racing Track and Associated Facilities
3. Truck Stop/Terminal or Motor Freight Terminal
4. RV Parks
5. Water/Sewer/Waste Treatment and Utility Facilities
6. Outside storage yards
7. Any land use regardless of existing zoning classification, but only in combination with another zoning district or districts which shall be known as the base zoning district.

All uses in the 'PD' Planned Development District will require a new development site plan under the provision of Article 12.907 of this ordinance.

B. Standards: are set accordingly or as determined through the new development site plan review process unless specified otherwise in this ordinance (the more stringent applying).

1. Maximum height: Three (3) stories, but not to exceed forty (40) feet
2. Minimum lot area: Forty thousand (40,000) square feet
3. Minimum gross living area: Fifteen hundred (1500) square feet
4. Minimum lot width: One hundred twenty (120) feet
5. Minimum lot depth: One hundred seventy-five (175) feet
6. Front yard setback: Twenty-five (25) feet
7. Rear yard setback: Twenty-five (25) feet
8. Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district.
9. Maximum lot coverage by structure: Forty percent (40%) or compliance with the more stringent base zoning district standards, or as determined through the site plan review process.
10. Required parking: Compliance with Article 12.1100 of this ordinance and the UBC or as determined through the new development site plan review process.
11. Required screening: Compliance with Article 12.800 of this ordinance or as

determined through the new development site plan review process.

12. Minimum masonry coverage: Fifty percent (50%) or compliance with the more stringent base zoning district standards, or as determined through the new development site plan review process.
13. Accessory building or use setback: Ten (10) feet minimums

A. Special Regulations:

1. All uses in the 'PD' Planned Development District will require a new development site plan under the provision of Article 12.907 of this ordinance.
2. Property classified under the 'PD' District which are overlaid over another zoning district must comply with the standards and special regulations of the more stringent base zoning district, or as determined through the new development site plan review process.
3. Property classified under the 'PD' District which are overlaid over another zoning district will revert back to base zoning district restrictions when the requested land use is discontinued, or as determined through the new development site plan review process.

12.504 CLASS 11 - Residential: 'R-l' Single Family District

A. Use Regulations: The 'R-l' Single Family District will be limited to the following uses:

1. Single-Family dwellings
2. Churches
3. Foster child care homes (maximum of six children includes those of the resident parents)
4. Libraries museums, parks and playgrounds, community centers and governmental facilities (excluding care Facilities, or under the control for the City or other governmental jurisdiction)
5. Golf courses (except commercially operated miniature golf courses and/or driving ranges)
6. Customary Home occupations (as defined in Article 12.300 - Definitions of this ordinance)
7. Public elementary and secondary schools
8. Accessory buildings or uses.
9. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

B. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying).

1. Maximum height: Two (2) stories, but not to exceed thirty (30) feet
2. Minimum lot area: Forty thousand (40,000) square feet
3. Minimum gross living area: Fifteen hundred (1,500) square feet
4. Minimum lot width: One hundred twenty (120) feet
5. Minimum lot depth: One hundred seventy-five (175) feet
5. Front yard setback: Thirty (30) feet
6. Rear yard setback: Twenty-five (25) feet

7. Side yard setback: Twenty-five (25) feet
8. Maximum lot coverage by structure: Forty per cent (40%)
9. Required parking: Two (2) car attached garage
10. Required screening: Six (6) foot masonry or wooden screening in compliance with Article 12.800 of this ordinance.
11. Minimum masonry coverage: Seventy-five per cent (75%) first floor
12. Accessory building or use setback: Ten (10) feet minimums

A. Special Regulations:

1. Dish satellite antennas shall be considered an accessory use in the 'R-1' District, provided such antennas shall be located in the rear yard. Front or side yard locations are permitted provided an approved screening device is used.
2. All manufactured homes located in this district shall meet all of the standard requirements of this ordinance; and in addition, shall meet all of the Special Regulations required in Article 12.507.C (Manufactured Home District).
3. Portable trailers may be used as offices or storage trailers located within a new sub-development subject to the following provisions;
 - a) No more than one (1) trailer per platted sub-division
 - b) Trailer must be located at least one hundred fifty (150) feet from any occupied residence
 - c) A time limit of one (1) year

12.505 CLASS II -- Residential: 'R-2' Single Family/Duplex District

A. Use Regulations: The 'R-2' Single Family/Duplex District will be limited to the following uses:

1. Any use permitted in Article 12.504 (R-1 Residential District)
2. Duplex Family Dwellings
3. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

A. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying).

1. Maximum height: Two (2) stories, but not to exceed thirty (30) feet
2. Minimum lot area: Forty thousand (40,000) square feet
3. Maximum family dwelling units: Two (2) dwelling units per acre
4. Minimum gross living area: Fifteen hundred (1,500) square feet per dwelling unit
5. Minimum lot width: One hundred (100) feet
6. Minimum lot depth: One hundred fifty (150) feet
7. Front yard setback: Twenty-five (25) feet
8. Rear yard setback: Twenty-five (25) feet
9. Side yard setback: Twenty-five (25) feet
10. Maximum lot coverage by structure: Forty per cent (40%)
11. Required parking: Two (2) car attached garage per dwelling unit
12. Required screening: Six (6) foot masonry or wooden screening in compliance with Article 12.800 of this ordinance.

13. Minimum masonry coverage: Seventy-five per cent (75%) first floor
14. Accessory building or use setback: Ten (10) feet minimums

C. Special Regulations:

Special Regulations Article 12.504. C. 1, 2, and 3 shall apply to this district.

12-506 CLASS II - Residential: 'R-3' Multi-Family District

A. Use Regulations: The 'R-3' Multi-Family District will be limited to the following uses:

1. Any use permitted in Article 12.505 (R-2 Residential District)
2. Triplexes, four-plexes, condominiums and garden apartments
3. Accessory uses and buildings
4. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

B. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying).

1. Maximum height: Two (2) stories, but not to exceed thirty (30) feet
2. Minimum lot area: Forty thousand (40,000) square feet
3. Maximum family dwelling units: Eight (8) dwelling units per acre
4. Maximum building unit area: Six thousand (6,000) square feet
3. Minimum gross living area: Six hundred seventy-five (675) square feet
4. Minimum lot width: One hundred (100) feet
5. Minimum lot depth: One hundred fifty (150) feet
6. Front yard setback: Twenty-five (25) feet
7. Rear yard setback: Twenty-five (25) feet
8. Side yard setback: Twenty-five (25) feet
9. Maximum lot coverage by structure: Forty per cent (40%)
10. Required parking: Two (2) covered spaces per dwelling unit
11. Required screening: Six (6) foot masonry or wooden screening in compliance with Article 12.800 of this ordinance.
12. Minimum masonry coverage: Seventy-five per cent (75 %) first floor Accessory building or use setback: Ten (10) feet minimums

C. Special Regulations:

1. Special Regulations Article 12.504.C. 1, 2, and 3 shall apply to this district.
2. All dwelling units in this district will require a new development site plan under the provisions of Article 12.907 of this ordinance.

12.507 CLASS II - Residential: 'R-4' Manufactured Housing District

A. Use Regulations: The 'R-4' Manufactured Housing District shall be limited to the following uses:

1. Manufactured Housing Parks in accordance with Federal and Texas State laws and regulations.
2. Manufactured Housing Subdivisions where the individual platted lots within the approved subdivision are intended to have separate ownership of each lot.
3. Accessory buildings and uses
4. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

B. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying).

1. Maximum height: Two (2) stories, but not to exceed thirty (30) feet
2. Minimum lot area: Forty thousand (40,000) square feet
3. Maximum family dwelling units: One (1) dwelling unit per acre
4. Minimum gross living area: Thirteen hundred (1,300) square feet
5. Minimum lot width: One hundred twenty (120) feet
6. Minimum lot depth: One hundred seventy-five (175) feet
7. Front yard setback: Thirty (30) feet
8. Rear yard setback: Twenty-five (25) feet
9. Side yard setback: Twenty-five (25) feet
10. Maximum lot coverage by structure: Forty per cent (40%)
11. Required parking: Two (2) car covered parking per dwelling unit. When the parking structure is partially enclosed, garage type openings shall not face the frontal street, as defined in Article 3.12 and Article 12.300 of this ordinance.
12. Required screening: Six (6) foot masonry or wooden screening in compliance with Article 12.800 of this ordinance.
13. Minimum masonry coverage: Thirty percent (30 %)
14. Accessory building or use setback: Ten (10) feet minimums

C. Special Regulations:

1. All manufactured housing will be HUD-approved as defined by the State of Texas.
2. All manufactured housing will be required to be secured with tornado tie downs spaced not more than eight (8) feet apart.
3. All manufactured housing will be anchored to a permanent concrete foundation, which shall include the access areas and entrances to the dwelling.
4. All manufactured housing anchored above grade will require masonry skirting.
5. No parking shall be permitted in the front yard except in a driveway.
6. Special Regulation of Article 12.504. C, I shall apply to this district.
7. Manufactured housing sales lots shall not be permitted within this district.

12.508 CLASS III -- Business: 'O' Office District

A. Use Regulations: The 'O' Office District will be limited to the following uses,

residential uses are not permitted in this district:

1. Banks, Financial Institutions
2. Blueprinting or Photostatting (not greater than 2,500 square feet)
3. Caterer or wedding service (no on-site food preparation)
4. Real Estate Offices
5. Professional Offices (architectural, drafting, engineering, accounting, legal, insurance, medical and dental clinics)
6. Artists Studios
7. Museums libraries, fine art centers, and similar cultural facilities
8. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

B. Zoning Standards: are set according unless specified otherwise in this ordinance (the more stringent applying)

1. Maximum height: Two (2) stories, but not to exceed thirty (30) feet
2. Minimum lot area: Not Applicable
3. Minimum gross living area: Not Applicable
4. Minimum lot width: One hundred (100) feet
5. Minimum lot depth: One hundred (100) feet
6. Front yard setback: Twenty-five (25) feet
7. Rear yard setback: Twenty-five (25) feet
8. Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district
9. Maximum lot coverage by structure: Sixty per cent (60%)
9. Required parking: Compliance with Article 12.1100 of this ordinance and the UBC or as determined through the new development site plan review process
10. Required screening: Compliance with Article 12.800 of this ordinance or as determined through the new development site plan review process
11. Minimum masonry coverage: Seventy-five per cent (75%) first floor
12. Accessory building or use setback: Ten (10) feet minimums

B. Special Regulations:

1. All uses in the 'O' District will require a new development site plan under the provision of Article 12.907 of this ordinance.

12.509 CLASS III - Business: 'LR' Local Retail District

B. Use Regulations: The 'LR' Local Retail District will be for retail sales only and limited to the following uses, residential uses are not permitted in this district:

1. Any uses permitted in Article 12.508 (Office District)
2. Antique Shops
3. Barber and beauty shops
4. Book and stationery stores, newsstands
5. Cleaning, pressing and laundry collection offices
6. Custom dressmaking or millinery shops
7. Day care nursery or schools

8. Express offices
9. Service stations (no repair work)
10. Health and medical products for personal use
11. Grocery stores, vegetable and meat markets
12. Photograph, portrait, camera shops and photo-finishing
13. Bakeries
14. Caterer or wedding service
15. Cigar or tobacco stores
16. Confectionery stores
17. Restaurants, cafes, cafeterias, delicatessen shops
18. Drug stores, health stores
19. Dry goods, variety, and notions stores
20. Florist, Jewelry, and Gift shops
21. Shoe-shine parlors
22. Radio and television sales and servicing
23. Tailor, clothing or wearing apparel shops
24. Mortuary, funeral homes and undertaker
25. Accessory buildings and uses customarily incident to any of the above uses. No accessory use shall be construed as allowing articles or material to be in the open or on the outside of the building.
26. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

B. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying)

1. Maximum height: Two (2) stories, but not to exceed thirty (30) feet
2. Minimum lot area: Not Applicable
3. Minimum gross living area: Not Applicable
4. Minimum lot width: One hundred (100) feet
5. Minimum lot depth: One hundred (100) feet
6. Front yard setback: Twenty-five (25) feet
7. Rear yard setback: Twenty-five (25) feet
8. Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district
9. Maximum lot coverage by structure: Sixty per cent (60%)
10. Required parking: Compliance with Article 12. 1 100 of this ordinance and the UBC or as determined through the new development site plan review process.
11. Required screening: Compliance with Article 12.800 of this ordinance or as determined through the new development site plan review process.
12. Minimum masonry coverage: Seventy-five per cent (75 %) first floor
13. Accessory building or use setback: Ten (10) feet minimums

A. Special Regulations:

1. All uses in the 'LR' District will require a new development site plan under the provision of Article 12.907 of this ordinance.

2. All retail shops will not exceed 7,200 square feet.

12.510 CLASS III - Business: 'C' Commercial District

A. Use Regulations: The 'C' Commercial District will be limited to the following uses, residential uses are not permitted in this district:

1. Any use permitted in Article 12.509 (Local Retail District)
2. Auditoriums, theaters, moving picture shows, having a seating capacity for not more than one thousand five hundred (1,500) people
3. Turkish baths and similar massage and health treatment facilities
4. Bicycles sales and repair shops
5. Aquariums, bird stores, pet shops, and taxidermist shops
6. Car washing facilities
7. Cleaning, dyeing and pressing works; laundry and washateria
8. Commercial parking areas
9. Business colleges and private schools operated as a commercial enterprise
10. Department stores
11. Small animal hospitals having no outside kennels
12. Electrical, gas, heating, plumbing appliances and supply sales, repair and installation services when limited to small shops, the principal business of which is a neighborhood service
13. Hardware, paint and wallpaper, interior decorating stores
14. Household and office furniture, furnishings and appliances
15. Hotels and motels
16. Golf courses including miniature, driving tees, driving ranges, and 'Pitch n' Putt' courses
17. Lodges and civic clubs
18. Nursery yards or buildings, provided that all incidental equipment and supplies including fertilizer and empty containers are kept within a building
19. Pawnshops
20. Musical instrument sales and supplies
21. Accessory buildings and incidental uses. No accessory use shall be construed as allowing articles or material to be in the open or on the outside of the building.
22. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

A. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying)

1. Maximum height: Not to exceed forty (40) feet
2. Minimum lot area: Not Applicable
3. Minimum gross living area: Not Applicable
4. Minimum lot width: One hundred (100) feet
5. Minimum lot depth: One hundred (100) feet
6. Front yard setback: Twenty-five (25) feet
7. Rear yard setback: Twenty-five (25) feet
8. Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any

residential district.

9. Required parking: Compliance with Article 12.1100 of this ordinance and the UBC or as determined through the new development site plan review process.
10. Required screening: Compliance with Article 12.800 of this ordinance or as determined through the new development site plan review process.
11. Maximum lot coverage by structure: Sixty (60) per cent
12. Minimum masonry coverage: Fifty percent (50 %)
13. Accessory building or use setback: Ten (10) feet minimums

A. Special Regulations:

1. All uses in the 'C' District will require a new development site plan under the provision of Article 12.907 of this ordinance.
2. Temporary and/or seasonal outside storage and sale of retail merchandise that is customary and incidental to the related business is permitted.

12.511 CLASS IV - Industrial: 'LI' Light Industrial District

A. Use Regulations: The 'LI' Light Industrial District will be limited to the following uses, residential uses are not permitted in this district:

1. All uses permitted in Article 12.510 (Commercial District)
2. Single-family dwelling when a part of a business approved for this district
3. Amusement or baseball parks
4. Automobile, truck and heavy equipment laundry and steam cleaning
5. Automated vending machines for recycling cans, bottles, etc.
6. Blemishing, horseshoeing or wagon shop
7. Body and fender work for automobiles and trailers
8. Storage yards, sales only
9. Dog and cat hospitals and outside kennels, when not less than one hundred (100) feet from Residential Districts (Article 12.504, 505, 506, 507)
10. Firewood sales when displayed and conducted entirely outdoors
11. Cabinet and Furniture manufacturing and repair
12. Machine shops, provided power does not exceed thirty (30) horsepower in the operation of any one machine
13. Manufacture of products from aluminum, brass, bronze, copper, steel, tin or other metals and from bone, leather, paper, rubber, shell, wire, or wood
14. Manufacture of pharmaceuticals, artificial flowers, ornaments, boats (small) twenty-eight (28) feet less in length, brooms or brushes, buttons and novelties, canvas products, clothing for wholesale trade, gas or electric fixtures, signs (including electric) provided power is not in excess of thirty (30) horsepower in the operation of any one machine
15. Monument or Marble working (finishing or carving only)
16. Pattern shops
17. Printing, lithographing, bookbinding, newspapers and publishing
18. Sheet metal shops using sheet metal of sixteen (16) gauge, or thinner
19. Spray painting or paint mixing
20. Storage in bulk of, or warehouses for, commodities and materials enumerated in

other Districts

21. Welding shop and custom work, not including structural welding
22. Electric Power Substation
23. Manufacture of 'high-tech' devices
24. Special exception uses after recommendation by the Planning and Zoning Commissions and approval by the City Council.

A. Zoning Standards: are set accordingly unless specified otherwise in this ordinance (the more stringent applying)

1. Maximum height: Not to exceed forty (40) feet.
2. Minimum lot area: Not Applicable
3. Maximum floor space area: Ten thousand (10,000) square feet not including offices for administrative purposes
4. Minimum lot width: One hundred (100) feet
5. Minimum lot depth: One hundred (100) feet
6. Front yard setback: Twenty-five (25) feet
7. Rear yard setback: Twenty-five (25) feet
8. Side Yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district
9. Maximum lot coverage by structure: Fifty percent (50%)
10. Required parking: Compliance with Article 12. 1 100 of this ordinance and the UBC or as determined through the new development site plan review process.
11. Required screening: Compliance with Article 12.800 of this ordinance or as determined through the new development site plan review process.
12. Minimum masonry coverage: Fifty percent (50%)
13. Accessory building or use setback: Ten (10) feet minimums

C. Special Regulations:

1. All uses in the 'LI' District will require a new development site plan under the provision of Article 12.907 of this ordinance.

EXHIBIT 'F'

ARTICLE 12.800 SCREENING, FENCING AND LANDSCAPE REGULATIONS

12.801 Screening Fence Requirements

- A.** A permanent screening fence not less than six (6) feet in height shall be erected prior to the issuance of a Certificate of Occupancy on properties zoned 'R-3', 'R-4', 'O', 'LR', or 'C', and which abuts on properties zoned 'R-1' and 'R-2'. No fence shall be required for schools, churches, and public buildings. Such screening fence shall be erected along the entire length of the common line between such property, on the property required to erect screening, and it shall be permanently and adequately maintained by the owner of the property on which the screening is required to be erected.
- B.** A permanent screening fence not less than six (6) feet in height shall be erected on 'O', 'LR', or 'C' zoned property which abuts on property 'R-1', 'R-2', or 'R-3', 'R-4', or which is separated from such property only by a public or private street thirty (30) feet or less in width. Such fence shall be erected along the entire length of the common line between such properties, or if there is an intervening street, along the non-residential property line closest to the street separating it from the residentially zoned property. Breaks for vehicular and pedestrian access shall be permitted, as well as for preservation of visibility triangles.
- C.** Where subdivisions are platted so that the rear yards of 'R-1', 'R-2', 'R-3' or 'R-4' zoned lots are adjacent to a dedicated street right-of-way or separated from a street by an alley or service road, the developer shall provide, at his sole expense, a screening fence wall with a minimum height of six (6) feet located on the street right-of-way line or a wooden screening fence with a minimum height of six (6) feet with masonry columns located on a maximum spacing of fifty (50) feet on centers which should be typically taller than the rest of the wall.
- D.** When a masonry fence is erected adjacent to a dedicated roadway the color of the wall shall be uniform and/or compatible on both sides of a thoroughfare between two intersecting streets. When walls are built in sections, the color shall be as closely similar as possible, but shall in no case be incompatible.
- E.** The exterior of all sides of each wall of screening fence shall be finished with the same material and shall be similar in appearance to the screening fence located on adjacent properties. Developers are encouraged to create offsets in the masonry fence to provide visual variety and locations for permitted landscaping.
- F.** In other than residential zoned district fences may be constructed to a maximum height of ten (10) feet above grade. In residentially zoned districts fences shall not be

erected to exceed eight feet above grade when located behind the front building line nor four and one-half (4.5) feet in height above grade when located within the required front yard or side yard on a corner lot adjacent to a side street.

- G. No fence will be permitted where it will create a visual or a safety hazard
- H. No fence shall be located within any easement except by prior written approval of those agencies having interest in such easement.

12.802 Landscaping Requirements

- A. **Purpose:** It is the Purpose of this Section to establish certain regulations pertaining to landscaping in the City of Willow Park. These regulations provide standards and criteria for new and replacement landscaping which is intended to improve the value of the property and improve the physical appearance of the city.
- B. **Scope:** The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new construction occurring within the City, except that single family detached dwellings be exempt.
- C. **Enforcement:** The provisions of this section shall be administered and enforced by the City Administrator, or designee. If, at any time after the issuance of a Certificate of Occupancy, the approved landscaping is found to be in non-compliance to the standards and criteria of this section, the City 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 thirty (30) days from the date of said notice to restore the landscaping as required. If the landscaping is not restored within the allotted time, such person shall be in violation of this ordinance.
- D. **Certificate of Occupancy:** Prior to the issuance of a Certificate of Occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the Landscape Plan required in Subsection E of this section.
 1. In the event that the approved proposed development requires an approved Subdivision Plat, Site Plan, or Master Development Plan, no such final approval shall be granted unless a Landscape Plan is submitted and approved.
 2. In any case in which an Occupancy Certificate is sought at a season of the year in which the City Administrator determines that it would be impractical to plant trees, shrubs or grass, or to lay turf, a temporary Certificate of Occupancy may be issued.
- E. **Landscape Plans:** The City Administrator, or designee, shall review such plans and shall approve it if plans are in accordance with the criteria of these regulations. If the plans are not in accord, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance. Landscape Plans shall contain the following information:

1. minimum scale of one inch equals fifty (50) feet;
2. location of all trees to be preserved;
3. location of all plants and landscaping materials to be used including paving, benches, screens, fountains, statues, or other landscape features;
4. species of all plants;
5. size of all plants;
6. spacing of plants;
7. types and description of landscape materials to be used;
8. layout and description of irrigation, sprinkler or water systems including placement of water sources;
9. description of maintenance provisions for the Landscape Plan;
10. persons responsible for the preparation of the Landscape Plan.

F. Maintenance: The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance in a neat and orderly manner at all times. This shall include mowing, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping.

G. General Standards: The following criteria and standards shall apply to landscape materials and installation:

1. **Quality:** Plant materials used shall conform to the standards of the American Standard for Nursery Stock, or equal thereto. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
2. **Trees:** Trees referred to in this section shall be of species common to this area of Texas and shall have an average spread of crown of greater than fifteen (15) feet at maturity. Trees having a lesser average mature crown than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) feet crown of spread. Trees shall be a minimum of two and one-half (2.5) caliper inches at the base at the time of planting. Fifty percent (50%) of required trees to be planted shall be of the strong hardwood varieties, such as, but not limited to, varieties of oak, pecan, ash, and walnut.
3. **Shrubs and Hedges:** Shrubs shall be a minimum of one (1) foot in height when measured immediately after planting. Hedges, where installed shall be planted and maintained, and will grow to a minimum of thirty (30) inches at maturity.
4. **Vines:** Vines shall be a minimum of two (2) feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet screening requirements as specified.
5. **Ground Cover:** Ground covers used in lieu of grass in whole and in part shall be

planted in such manner as to give a finished appearance and reasonably complete coverage within one year of planting.

6. **Lawn Grass:** Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales, berms or other areas subject to erosion.
7. **Other Appropriate Material:** Includes but is not limited to lava rock, wood barks and chips, and other non-living landscape material.
8. **Credit for Existing Trees:** Any trees preserved on a site meeting the herein specifications shall be credited toward meeting the tree requirement of any landscaping provision of this section. Trees of exceptional quality due to size, large canopy cover, trunk diameter, rareness, age or species, may at the discretion of the City Administrator or designee, be credited as two trees for the herein minimum requirements.

H. Minimum Requirements for Off-Street Parking and Vehicular Use Area: Parking areas and vehicular use areas are to be landscaped to improve the value of the property and improve the physical appearance of the city. The interior perimeter of such areas shall be landscaped in accordance to the following criteria:

1. **Interior Landscaping:** A minimum of ten percent (10%) of the gross parking areas shall be devoted to living landscaping which includes grass, ground cover, 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.
 - a. Interior landscape areas shall be protected from vehicular encroachment of overhang through appropriate wheel stops or curbs.
 - b. Interior areas of parking lots shall contain planting islands located throughout so as to best relieve the expanse of paving. Planter islands must be located at the terminus of all row of parking. Such islands shall contain at least one (1) tree. The remainder shall be landscaped with shrubs, lawn, ground cover and other appropriate material. Light standards shall be considered islands for this purpose. Interior planter islands shall have a minimum size of one-half (1/2) parking space width times length of parking space. Landscaping will not create a visual or safety hazard.
2. **Perimeter Landscaping:** All parking lots and vehicular use areas shall be buffered from all abutting properties and/or public rights-of-way with a wall, fence, hedge, berm, trees, or other durable landscape. Plants used in buffer areas shall conform to standards as stated in Section G.
 - a. Whenever an off-street parking or vehicular use area abuts a public right-of-way, a perimeter landscape area of at least fifteen (15) feet in depth shall be maintained between the abutting right-of-way and the off-street parking or vehicular use area.

- b. Whenever an off-street parking or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least ten (10) feet in width shall be maintained between the edge of the parking area and the adjacent property line. Whenever such property is zoned or used for residential purposes, the landscape buffer shall include a wall, hedge, or berm not greater than eight (8) feet nor less than three (3) feet in height.
- c. Necessary access ways from the public right-of-way shall be permitted through all landscaping. The maximum width for access ways shall be:
 - fifty (50) feet for non-residential two-way movements;
 - thirty (30) feet for residential two-way movements;
 - twenty (20) feet for non-residential one-way movements;and fifteen (15) feet for residential one-way movements.

I. Requirements for Non-vehicular Open Space: In addition to the landscaping of off-street parking and vehicular areas, all remaining open spaces shall be treated so as to enhance the appearance, and to screen any distracting or unsightly structure (i.e. dumpster bin, etc.)

- 1. Grass, ground cover, shrubs, and other landscape materials shall be used to cover all open ground within twenty (20) feet of any building or paving or other use such as storage.
- 2. In all non-residential zoning districts, a minimum of fifteen (15) percent of the total site area shall be devoted to feature landscaping with not less than fifty (50) percent of die landscaping being located in the front yard.
- 3. Trees shall be planted in non-vehicular open space to meet the following requirements:
 - a. If less than thirty percent (30%) of the site is non-vehicular open space than one (1) tree shall be planted per 2,500 square feet of open space;
 - b. If thirty to forty nine percent (30 -- 49%) of the site is non-vehicular open space, then one (1) tree shall be planted per 3,00 square feet of open space.
 - c. If fifty percent (50%) or more of the site is non-vehicular open space, then one (1) tree shall be planted per 4,000 square feet of open space.

J. Requirements for Visibility: Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions of any traffic control devices and/or blind comers at intersections. Whenever an access way intersects a public right-of-way, or when the subject property abuts the intersection of two or more public rights-of-way, a triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between three (3) feet and six (6) feet.

The triangular areas are:

- 1. The areas of property on both sides of the intersection of an access way and a

public right-of-way shall have a triangular visibility area with two (2) sides of each triangle being ten (10) feet in length from the point of the intersection and the third side being a line connecting the ends of the other two sides.

2. The areas of property located at a corner formed by the intersection of two or more public rights-of-way shall have a triangular visibility area with two (2) sides of each triangle being twenty (20) feet in length from the point of the intersection and the third side being a line connecting the ends of the other two sides.

Landscaping, except required grass and low ground cover, shall not be located closer than three (3) feet from the edge of any access way pavement.

In the event other visibility obstructions are apparent in the proposed Landscape Plan, as determined by the City Administrator or designee, the requirements set forth herein may be reduced to the extent to remove the conflict.

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NEW CODE #	1993 CODE#
12-000 Purpose, Validity, Interpretation, Conflict, Etc	Exhibit A Preface, 22.00, 23.00, 24.00
12-100 Establishment of Zoning Districts and Boundaries	Exhibit A Section 2.00
12.200 Establishment of Regulations and Restrictions	Exhibit A Section 2.00. 8.00
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12.1800 Compliance with Regulations	Exhibit A Section 18.00
12.1900 Schedule of Fees and Expenses	Exhibit A Section 19.00
12.2000 Amendments	Exhibit A Section 20.00
12.2100 Violations and Penalties	Exhibit A Section 21.00