

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL AMENDING CHAPTER 6, LAND DEVELOPMENT REGULATIONS, OF THE LEWISVILLE CITY CODE, BY AMENDING SECTION 6-123, MULTI-FAMILY AND NON-RESIDENTIAL LANDSCAPING REQUIREMENTS, TO INCREASE THE REQUIRED LANDSCAPE STRIP AND ALLOW FOR REDUCTIONS OF THE STRIP IN CERTAIN CIRCUMSTANCES; PROVIDING FOR A REPEALER, SEVERABILITY, A PENALTY, AND AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Lewisville has set forth goals for preserving and improving the City's built environment including landscapes, protecting the health and safety of its residents and visitors, and fostering its economy; and

**WHEREAS**, the City has adopted the Lewisville 2025 Plan with Big Move Number 2: Extending the Green which desires to improve the City's built environment by connecting Lewisville's neighborhoods and business to the Green Centerpiece both physically and visually, in part by promoting green corridors to influence site design, streetscapes and development expectations, thus improving overall health of residents and quality of life within the City; and

**WHEREAS**, the City adopted the Lewisville 2025 Plan with Big Move Number 4: Thriving Neighborhoods which recognizes the importance of maintaining property values, and promoting reuse of existing structures as the community ages in increasing and maintaining quality of life within the City, and the City has identified improvements to landscaping, site design, building design, and durability of structures as strategies to accomplish these goals; and

**WHEREAS**, the City has adopted the Lewisville 2025 Plan with Big Move Number 9: Sustainability which is identified as a critical part of the community character and unique to

Lewisville, and which set an action priority to update design standards regarding buildings, landscaping, green infrastructure, and site design in order to promote this identity and improve quality of life within the City; and

**WHEREAS**, the City has set forth goals to reduce stormwater runoff, improve water quality, provide for natural flora and fauna, enhance the environment, and improve air quality in order to protect and improve the health and productivity of residents, workers, and visitors to the City, and finds increased tree plantings and pervious areas contribute to meeting these goals; and

**WHEREAS**, the City has set forth goals to create and strengthen community identity along its corridors through enhanced aesthetics and placemaking tools including building standards, aesthetics standards, landscaping, and streetscaping, in order to improve overall quality of life and foster economic development within the City; and

**WHEREAS**, the City has acknowledged the reality of redevelopment challenges along existing commercial corridors and desires to facilitate redevelopment along these corridors while preserving community character and aesthetic standards; and

**WHEREAS**, the City finds that the design, construction and maintenance of buildings and landscapes within the City can have a significant impact on the City's environment, sustainability, resource usage and efficiency, and the health and productivity of residents, workers, and visitors to the City; and

**WHEREAS**, the City Council of the City of Lewisville has determined that for the health, welfare and safety of its citizens certain amendments to the Lewisville City Code of Ordinances, Chapter 6, Land Development Code, are necessary.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS:**

**SECTION 1.** Chapter 6, Section 6-123, Multi-family and non-residential landscaping requirements, is hereby amended by deleting the current language in its entirety and in its place inserting the following new language:

**Sec. 6-123. - Multi-family and non-residential landscaping requirements.**

- (a) These standards shall apply to all commercial, industrial and multi-family zoning districts and to all non-residential uses allowed in single-family detached and attached residential districts. These standards may be met by saving existing trees on the site or planting new trees from the approved list.
- (b) A landscaped strip shall be provided adjacent to all public and private streets. The landscaped strip shall be a minimum of thirty feet, exclusive of street right-of-way.
- (c) A single row of shade (3” caliper minimum) spaced thirty feet on-center with a second alternating row of ornamental trees spaced thirty feet on-center is required within the landscape strip with trees. All privacy and security fences must be placed on the interior side of the required landscape strip.
- (d) Evergreen shrubs must be provided for screening within the landscape strip. The shrubs must be a minimum of two feet in height at time of planting. The screening must extend along the entire street frontage of the lot, exclusive of driveways and visibility clips. A landscape berm may be provided in lieu of required shrubs. The berm must be a minimum of 36 inches above the average grade of the street and parking lot curbs with a slope not to exceed 3:1. If a parking lot is located a minimum of 50 feet from the street right-of-way line, no shrubs or berm will be required.
- (e) The landscape strip and associated plantings or berm may be reduced if the following standards are met based on development type and building size:
  - (1) Multifamily development may reduce the landscape strip to ten feet in width with one shade tree (3” caliper minimum) per every 500

square feet of landscape strip with evergreen shrubs or landscape berm provided for screening only along parking lots and vehicle maneuvering areas; provided that, it does not consist of less than 80 percent brick veneer, measured as the aggregate total of all exterior walls elevations (excluding doors and windows) of each building.

- a. *Multi-family additions.* All additions must match existing exterior material ratios in order to preserve the reduced landscaping standards.
- b. *Multi-family accessory buildings.* The exterior finish of accessory buildings over 200 square feet must match the existing material ratios of the primary structure in order to preserve the reduced landscaping standards. This requirement shall not apply to accessory buildings less than 200 square feet.

(2) Non-residential buildings on a lot that is within 200 feet or served by a driveway or mutual access easement that connects to SH 121, SH 121 Business, FM 407, FM3040/Hebron Parkway, FM 544, FM 1171, IH-35E, Valley Ridge Boulevard, MacArthur Boulevard and Denton Tap Road may reduce the landscape strip and associated plantings as follows:

- a. Non-residential buildings of 50,000 square feet or less may reduce the landscape strip to ten feet in width with one shade tree provided per 500 square feet of landscape strip; provided that, the building does not consist of less than 80 percent brick veneer.
- b. Non-residential buildings between 50,001-100,000 square feet may reduce the landscape strip to fifteen feet in width with two shade or ornamental trees per 500 square feet of landscape strip; provided that:
  1. A tilt wall or pre-cast construction types are used and the building does not consist of less than 50 percent brick veneer on the front elevation;
  2. Each building elevation shall provide architectural features including reveals, articulations, chamfered edges, etc. so that areas bordered by said features do not exceed 100 square feet in size; and
  3. A minimum of two colors must be used on each elevation. Eighty percent of each elevation must utilize natural and/or earth tone colors. In addition, each elevation may have 20 percent of another type of color if opted.

- c. Non-residential buildings over 100,000 square feet may reduce the landscape strip to fifteen feet in width with two shade or ornamental trees per 500 square feet of landscape strip; provided that:
  - 1. A tilt wall or pre-cast construction types are used the building does not consist of less than 10 percent brick veneer based on the street facing elevation but applied anywhere on the building;
  - 2. Each building elevation shall provide architectural features including reveals, articulations, chamfered edges, etc. so that areas bordered by said features do not exceed 100 square feet in size; and
  - 3. A minimum of two colors must be used on each elevation. Eighty percent of each elevation must utilize natural and/or earth tone colors. In addition, each elevation may have 20 percent of another type of color if opted.
- (3) Non-residential buildings other than those included in Section 6-123 (e)(2) above may reduce the landscape strip to ten feet in width with one shade tree per 500 square feet of landscape strip; provided that, the building does not consist of less than 80 percent masonry veneer.
- (f) Interior parking areas shall be landscaped in addition to the required landscaped strip. Trees must be provided in each parking lot spaced at a ratio of one shade tree (2.5" inch caliper minimum) for each 15 parking spaces provided, or any fraction thereof. These trees must be spaced a maximum of 15 parking spaces apart. In the case of mini warehouses, such parking spaces shall be determined by the number of parallel parking spaces contained in the required loading and unloading lanes. Additionally, interior parking lot landscaping shall be provided in accordance with the following table. Interior landscaping for mini warehouse parking may be planted on the interior or the perimeter of the property.

Total Parking Area	Interior Landscape Area
0—24,999 square feet	5 percent
25,000—49,999 square feet	8 percent
50,000 square feet and larger	10 percent

- (g) Except for customer and employee parking, parking lot landscape requirements do not apply to storage or standing parking spaces incidental to uses, such as sales and rental of motor vehicles, mobile homes, boats, trailers or other similar uses.

- (h) To calculate the total parking area and the subsequent percentage of required interior lot landscaping, total the square footage of parking spaces, planting islands, curbed areas and all interior driveways and aisles except those with no parking spaces located on either side. Landscaped areas located outside the parking lot may not be used to meet the interior landscaping requirement.
- (i) The required landscaping for parking lots shall be more or less evenly distributed throughout the parking lot, although adjustments may be approved by the community development department where the shape or size of the parking lot, the location of existing trees or other natural constraints reasonably prevent such distribution.
- (j) All landscaped areas, including the permeable areas and drip lines around trees and planting beds used for visual screening which abut any parking lot or vehicular travel area, shall be protected with curbs, parking blocks or similar barriers sufficient to protect them from vehicular intrusion.
- (k) An automatic irrigation system is required for all landscaping. Water conservation is encouraged.

**SECTION 2. REPEALER.** Every ordinance or parts of ordinances found to be in conflict herewith are here by repealed.

**SECTION 3. SEVERABILITY.** If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

**SECTION 4. PENALTY.** Any person, firm or corporation who violates any provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the municipal court, shall be subject to a fine of not more than \$500.00 for each offense, unless the violation relates to fire safety, zoning or public health and sanitation in which case the fine shall not exceed \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

**SECTION 5. EFFECTIVE DATE.** This ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law.

**SECTION 6. EMERGENCY.** It being for the public welfare that this ordinance be passed creates an emergency and public necessity and the rule requiring this ordinance be read on three separate occasions be, and the same is hereby, waived and this ordinance shall be in full force and effect from and after its passage and approval and publication, as the law in such cases provides.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF \_\_\_\_ TO \_\_\_\_, ON THIS THE 5TH DAY OF AUGUST, 2019.**

**APPROVED:**

\_\_\_\_\_  
Rudy Durham, MAYOR

**ATTEST:**

\_\_\_\_\_  
Julie Worster, CITY SECRETARY

**APPROVED AS TO FORM:**

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Lizbeth Plaster, CITY ATTORNEY