

ORDINANCE NO. 365-A

AN ORDINANCE OF THE CITY OF MANOR, TEXAS AMENDING ORDINANCE 365, SECTION 2(B)(1) TO REQUIRE LANDSCAPING PLANS FOR AREAS ZONED R-3; AMENDING SECTION 2(C)(1) TO PROVIDE FOR LANDSCAPE REQUIREMENTS FOR INSTITUTIONAL ZONED AREAS; AMENDING SECTION 2(C)(4) TO MODIFY LANDSCAPING PLACEMENT; AMENDING SECTION 2(C)(6) REDUCING ADDITIONAL REQUIRED PLANTINGS FOR INSTITUTIONAL ZONED AREAS; AMENDING SECTION 2(C) PROVIDING FOR A REPLACEMENT TREE RATIO; AMENDING SECTION 2(D)(1) TO REQUIRE SCREENING FOR DUMPSTER ENCLOSURES; AND PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, OPEN MEETINGS CLAUSES, AND EFFECTIVE DATE.

Whereas, the City Council of the City of Manor finds that the establishment of landscaping and screening requirements and regulations within the City of Manor will promote the general health, safety, and welfare of the City; and

Whereas, the City Council of the City of Manor finds that the general health, safety, and welfare of the City will be protected and promoted by the adoption and enforcement of minimum landscaping and screening regulations to enhance and protect the environmental, ecological, and aesthetic appeal of the City of Manor;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MANOR, TEXAS, THAT:

Section 1. Findings. That the above premises and findings of facts are found to be true and correct and incorporated into the body of this ordinance as if copied in their entirety.

Section 2. Amendment of Section 2(b)(1), Ordinance 365, Landscaping and Screening Regulations. Section 2(b)(1) is hereby amended in its entirety to read as follows:

- (1) Installation and Plan. All landscape materials shall be installed according to American Association of Nurserymen (AAN) standards. An approved landscape plan shall be required for all new development in any zoning district, save and except A, OS, R-1, and R-2 districts.

Section 3. Amendment of Section 2(c)(1), Ordinance 365, Landscaping and Screening Regulations. Section 2(c)(1) is hereby amended in its entirety to read as follows:

- (1) A minimum percentage of the total lot area of property on which development occurs after the effective date of this Ordinance, shall be devoted to landscape development in accordance with the following schedule:

<u>Zoning or Use</u>	<u>Percentage</u>
(i) Multi-family Structures	20%
(ii) Open Space	20%
(iii) Office and Professional Uses	15%
(iv) Commercial or Retail Uses	15%
(v) Industrial or Manufacturing Uses	10%
(vi) Institutional Uses	10%
(vii) Agricultural	None
(viii) Single Family Residential	See (2) of this Section

Section 4. Amendment of Section 2(c)(4), Ordinance 365, Landscaping and Screening Regulations. Section 2(c)(4) is hereby amended in its entirety to read as follows:

- (4) Placement. Landscaping shall be placed upon that portion of a tract that is being developed. Fifty percent (50%) of the required landscaping area and required plantings shall be installed between the front property lines and the building being constructed. Undeveloped portions of a tract or lot shall not be considered landscaped, except as specifically approved by the Commission. Landscaping placed within public rights-of-way shall not be credited to the minimum landscape requirements by this Section. Auto sales facilities, golf courses, and similar facilities may place up to ninety percent (90%) of required landscaping along the side or back property lines of the tract with approval of the Commission.

Section 5. Amendment of Section 2(c)(6), Ordinance 365, Landscaping and Screening Regulations. Section 2(c)(6) is hereby amended in its entirety to read as follows:

- (6) Required plantings.
- (a) Institutional (I) zoned districts: For every six hundred (600) square feet of landscape area, two (2) trees and four (4) shrubs shall be planted for the first twenty thousand (20,000) square feet of landscape area. For every six hundred (600) square feet of landscaped area in excess of twenty thousand (20,000) square feet shall plant one-eighth (1/8) tree and three (3) shrubs.

- (b) All other zoning districts save and except Agricultural (A) and Single Family (R-1)(R-2): For every six hundred (600) square feet of landscaped area, two (2) trees and four (4) shrubs shall be planted.
- (c) To reduce the thermal impact of unshaded parking lots, additional trees shall be planted, if necessary, so that no parking space is more than fifty (50) feet away from the trunk of a tree, unless otherwise approved by the Commission.

Section 6. Amendment of Section 2(c), Ordinance 365, Landscaping and Screening Regulations. Section 2(c) is hereby amended to add Section 2(c)(8) as follows:

- (8) Replacement tree ratio.
 - (a) 1:2 for Significant Trees eighteen (18) caliper inches and larger, and;
 - (b) 1:1 for Significant Trees between eight (8) and eighteen (18) caliper inches, and;
 - (c) Replacement trees shall not be required for the removal of trees smaller than eight (8) caliper inches. The removal of Significant Trees eighteen (18) caliper inches or larger requires Commission approval.
 - (d) A fee-in-lieu, determined at time of request, for this Section may be granted by City Council

Section 7. Amendment of Section 2(d)(1), Ordinance 365, Landscaping and Screening Regulations. Section 2(d)(1) is hereby amended to read as follows:

- (1) In addition to the landscaping requirements of this Section, the screening of off-street parking, loading spaces and docks, refuse, dumpster and outside storage areas, satellite dishes larger than 18 inches in diameter, antennas, mechanical equipment, and the rear of structures on reverse frontage lots must be screened from view from the street or public rights-of-way. This Section does not apply to areas of Auto Sales Facilities where automobiles are displayed for sale. Automobiles displayed for sale in an Auto Sales Facility must be kept clean and neatly parked on a paved area, with all wheels on the paved area.

Section 8. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this ordinance are hereby amended to the extent of such conflict and shall hereinafter read as provided herein. To the extent only, if any, necessary to accomplish the purposes of this ordinance, any such term, condition or provision of any ordinance of the city that is in conflict herewith is hereby repealed to the extent of such conflict.

Section 9. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.


Section 10. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the *Open Meetings Act, Chapt. 551, Loc. Gov't Code.*

Section 11. Effective Date. This ordinance shall take effect immediately from and after its passage and publication.

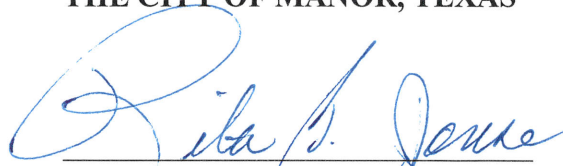
PASSED AND APPROVED on this the 1ST day of June, 2016.

ATTEST:

THE CITY OF MANOR, TEXAS



Frances Aguilar, City Secretary



Rita Jonse, Mayor