

ORDINANCE NO. 817

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE PASSED BY THE CITY COUNCIL ON MAY 11, 1965, AS HERETOFORE AMENDED, BY AMENDING ARTICLE VIII - LOCAL RETAIL DISTRICT, TO ADD SECTION 10 SITE LANDSCAPING; BY AMENDING ARTICLE IX - COMMERCIAL DISTRICT, TO ADD SECTION 10. SITE LANDSCAPING; BY AMENDING ARTICLE X, ARTICLE XI, AND ARTICLE XII - INDUSTRIAL DISTRICTS, TO ADD SECTION 10. SITE LANDSCAPING; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning

amendment; that the public demands its, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, Texas, and helps promote the general welfare and safety of this community, now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN, OF ADDISON, TEXAS:

SECTION 1. That Article VIII, Local Retail District, is hereby amended to add Section 10. to read as follows:

SECTION 10: REQUIRED SITE LANDSCAPING

A. Landscaped Area: The improving of land and placing thereon live flowers, shrubs, trees or grasses, decorative fixtures such as fountains, water treatments, sculptures, retaining walls, burms, fences and specially treated walkways shall be treated as and go toward the calculation of total landscaped area. Required sidewalks and access sidewalks may not be included in the calculated landscaped area.

B. All required landscaped open space shall be provided with adequate and inconspicuous irrigation systems and shall be properly maintained.

C. If the parking and maneuvering space exceeds 20,000 square feet, at least five (5%) percent thereof shall be maintained as landscaped area. In order to get credit toward the overall calculated required landscaped area, a tree either 15 feet in height or 3 inches in diameter will be required for each 2000 square feet of required landscaped parking area. It is the intent of this section to require design and construction of

parking areas in a manner whereby areas unusable for parking or maneuvering space be landscaped.

D. If all of the city R-O-W is landscaped and maintained to comply with the Streetscape Plan of Addison, such landscaped portion will reduce the amount of required landscaped area of the lot by that amount (square foot for square foot).

E. Local Retail (Office Uses): Twenty percent (20%) of the lot shall be maintained in landscaped open area. A landscaped buffer of twenty feet (20') will be required along all street frontage. City R-O-W may be included in the above 20' buffer and a reduction of five percent (5%) of the total required landscaped area will be allowed when the R-O-W is landscaped and maintained according to the Streetscape Plan of Addison.

F. Local Retail Permitted Uses: Fifteen percent (15%) of the lot shall be maintained in open landscaped area. A landscaped buffer of twenty feet (20') will be required along all street frontage. City R-O-W may be included in the above 20' buffer and a reduction of five percent (5%) will be allowed when the R-O-W is landscaped and maintained according to the Streetscape Plan of Addison.

G. The Landscape Development Department shall have the power to plant, preserve, spray, trim or remove any tree, shrub or plant on any parkway, alley or public ground belonging to the Town of Addison.

H. It shall be unlawful for any person, firm or corporation to cut or break any branch of any tree or shrub or

injure in any way the bark of said tree or shrub growing on public property.

SECTION 2: That Article VIII, Commercial District, is hereby amended to add Section 10 to read as follows:

SECTION 10. REQUIRED SITE LANDSCAPING

Prior to the issuance of a building permit for any nonresidential use, a landscape plan shall be permitted in compliance with these regulations.

A. Landscaped Area: The improving of land and placing thereon live flowers, shrubs, trees or grasses, decorative fixtures such as fountains, water treatments, sculptures, retaining walls, burms, fences and specially treated walkways shall be treated as and go toward the calculation of total landscaped area. Required sidewalks and access sidewalks may not be included in the calculated landscaped area.

B. All required landscaped open space shall be provided with adequate and inconspicuous irrigation systems and shall be properly maintained.

C. If the parking and maneuvering space exceeds 20,000 square feet, at least five (5%) percent thereof shall be maintained as landscaped area. In order to get credit toward the overall calculated required landscaped area, a tree either 15 feet in height or 3 inches in diameter will be required for each 2000 square feet of required landscaped parking area. It is the intent of this section to require design and construction of parking areas in a manner whereby areas unusable for parking or maneuvering space be landscaped.

D. If all of the city R-O-W is landscaped and maintained to comply with the Streetscape Plan of Addison, such landscaped portion will reduce the amount of required landscaped area of the lot by that amount (square foot for square foot).

E. Commercial Permitted Uses: Ten Percent (10%) of the lot shall be maintained in open landscaped area. A landscaped buffer of twenty feet (20') will be required along all street frontage. City R-O-W may be included in the above 20' buffer and a reduction of three percent (3%) will be allowed when the R-O-W is landscaped and maintained according to the Streetscape Plan of Addison.

F. The Landscape Development Department shall have the power to plant, preserve, spray, trim or remove any tree, shrub or plant on any parkway, alley or public ground belonging to the Town of Addison.

G. It shall be unlawful for any person, firm or corporation to cut or break any branch of any tree or shrub or injure in any way the bark of said tree or shrub growing on public property.

SECTION 3: That Article X, Industrial District, is hereby amended to add Section 10 to read as follows:

SECTION 10 REQUIRED SITE LANDSCAPING

Prior to the issuance of a building permit for any nonresidential use, a landscape plan shall be submitted in compliance with these regulations.

A. Landscaped Area: The improving of land and placing thereon live flowers, shrubs, trees or grasses, decorative

fixtures such as fountains, water treatments, sculptures, retaining walls, burms, fences and specially treated walkways shall be treated as and go toward the calculation of total landscaped area. Required sidewalks and access sidewalks may not be included in the calculated landscaped area.

B. All required landscaped open space shall be provided with adequate and inconspicuous irrigation systems and shall be properly maintained.

C. If the parking and maneuvering space exceeds 20,000 square feet, at least five (5%) percent thereof shall be maintained as landscaped area. In order to get credit toward the overall calculated required landscaped area, a tree either 15 feet in height or 3 inches in diameter will be required for each 2000 square feet of required landscaped parking area. It is the intent of this section to require design and construction of parking areas in a manner whereby areas unusable for parking or maneuvering space be landscaped.

D. If all of the city R-O-W is landscaped and maintained to comply with the Streetscape Plan of Addison, such landscaped portion will reduce the amount of required landscaped area of the lot by that amount (square foot for square foot).

E. Industrial Permitted Uses: Five Percent (5%) of the lot shall be maintained in open landscaped area. A landscaped buffer of twenty feet (20') will be required along all street frontage. City R-O-W may be included in the above 20' buffet.

G. The Landscape Development Department shall have the power to plant, preserve, spray, trim or remove any tree, shrub or plant on any parkway, alley or public ground belonging to the Town of Addison.

H. It shall be unlawful for any person, firm or corporation to cut or break any branch of any tree or shrub or injure in any way the bark of said tree or shrub growing on public property.

SECTION 4. That Article XI, Industrial District - 2, is hereby amended to add Section¹⁰. to read as follows:

SECTION¹⁰: REQUIRED SITE LANDSCAPING

Prior to the issuance of a building permit for any nonresidential use, a landscape plan shall be submitted in compliance with these regulations.

A. Landscaped Area: The improving of land and placing thereon live flowers, shrubs, trees or grasses, decorative fixtures such as fountains, water treatments, sculptures, retaining walls, burms, fences and specially treated walkways shall be treated as and go toward the calculation of total landscaped area. Required sidewalks and access sidewalks may not be included in the calculated landscaped area.

B. All required landscaped open space shall be provided with adequate and inconspicuous irrigation systems and shall be properly maintained.

C. If the parking and maneuvering space exceeds 20,000 square feet, at least five (5%) percent thereof shall be

maintained as landscaped area. In order to get credit toward the overall calculated required landscaped area, a tree either 15 feet in height or 3 inches in diameter will be required for each 2000 square feet of required landscaped parking area. It is the intent of this section to require design and construction of parking areas in a manner whereby areas unusable for parking or maneuvering space be landscaped.

D. If all of the city R-O-W is landscaped and maintained to comply with the Streetscape Plan of Addison, such landscaped portion will reduce the amount of required landscaped area of the lot by that amount (square foot for square foot).

E. Industrial Permitted Uses: Five Percent (5%) of the lot shall be maintained in open landscaped area. A landscaped buffer of twenty feet (20') will be required along all street frontage. City R-O-W may be included in the above 20' buffet.

F. The Landscape Development Department shall have the power to plant, preserve, spray, trim or remove any tree, shrub or plant on any parkway, alley or public ground belonging to the Town of Addison.

G. It shall be unlawful for any person, firm or corporation to cut or break any branch of any tree or shrub or injure in any way the bark of said tree or shrub growing on public property

SECTION 5: That Article XII - Industrial District-3, is hereby amended to add Section 10 to read as follows:

SECTION 10 REQUIRED SITE LANDSCAPING

Prior to the issuance of a building permit for any nonresidential use, a landscape plan shall be submitted in compliance with these regulations.

A. Landscaped Area: The improving of land and placing thereon live flowers, shrubs, trees or grasses, decorative fixtures such as fountains, water treatments, sculptures, retaining walls, burms, fences and specially treated walkways shall be treated as and go toward the calculation of total landscaped area. Required sidewalks and access sidewalks may not be included in the calculated landscaped area.

B. All required landscaped open space shall be provided with adequate and inconspicuous irrigation systems and shall be properly maintained.

C. If the parking and maneuvering space exceeds 20,000 square feet, at least five (5%) percent thereof shall be maintained as landscaped area. In order to get credit toward the overall calculated required landscaped area, a tree either 15 feet in height or 3 inches in diameter will be required for each 2000 square feet of required landscaped parking area. It is the intent of this section to require design and construction of parking areas in a manner whereby areas unusable for parking or maneuvering space be landscaped.

D. If all of the city R-O-W is landscaped and maintained to comply with the Streetscape Plan of Addison, such landscaped portion will reduce the amount of required landscaped area of the lot by that amount (square foot for square foot).

E. Industrial Permitted Uses: Five Percent (5%) of the lot shall be maintained in open landscaped area. A landscaped buffer of twenty feet (20') will be required along all street frontage. City R-O-W may be included in the above 20' buffet.

F. The Landscape Development Department shall have the power to plant, preserve, spray, trim or remove any tree, shrub or plant on any parkway, alley or public ground belonging to the Town of Addison.

G. It shall be unlawful for any person, firm or corporation to cut or break any branch of any tree or shrub or injure in any way the bark of said tree or shrub growing on public property.

SECTION 6: That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 7: That all ordinances of the city in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the city not in conflict with the provisions of this ordinance shall remain in full force and effect.

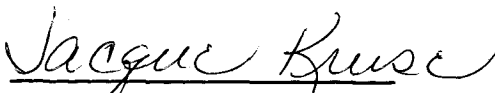
SECTION 8: That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 9. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its passage.

PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,
THIS THE 13 day of July, 1982.


MAYOR

ATTEST:


CITY SECRETARY

August 4, 1982
Effective Date