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**CITY OF PORT LAVACA**

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**COUNCIL MEETING: APRIL 10, 2023**

**DATE:** 4.6.2023

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** JODY WEAVER, INTERIM CITY MANAGER

**SUBJECT: PROPOSED LANDSCAPE ORDINANCE IN ANTICIPATION OF APPLYING FOR A SCENIC CITY CERTIFICATION**

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- **COMPREHENSIVE PLAN (2016):** Under the top Action item is listed “Develop Landscaping regulations for non-residential and multiple family developments ...”
- Scenic Texas was inspired by the visionary leadership of first lady Lady Bird Johnson and is the only statewide 501(c)(3) non-profit organization dedicated to the preservation and enhancement of our state’s visual environment. Scenic Texas. They help Texans safeguard the scenic qualities of Texas roadways, countryside, and communities. One of their programs is the Scenic City Certification Program which recognizes and supports Texas municipalities that implement high-quality scenic standards for public spaces. Once a city is accepted into the program, there are resources available to help us continue to improve on our ordinances and practices to sustain and improve our scenic beauty.
- There are 5 ranks in the Scenic City program. Two of our regional neighbors which have been certified as Scenic Cities are Cuero and El Campo, both of whom are Silver (middle ranking). Applications, with a \$1,500 application fee are accepted between Feb 1 and April 30 each year. If accepted, there is a \$750.00 annual fee.
- There are 3 mandatory requirements to even be considered: One, having to do with landscaping and the other two, with signage.
  - 1) Section 1- Streetscape (Landscaping): Trees and landscaping along major roadways, city streets, street median and in parking lots are required.

After discussion at Monday’s workshop, my hope is to bring a proposed landscape ordinance to Council for a 1<sup>st</sup> reading on April 10 with a 2<sup>nd</sup> reading on April 24, in time to apply for the Scenic City certification.

regulations for consideration and discussion:

Applicability: new development, redevelopment and substantial improvements – definitions will be needed

Exceptions: single family home developments

Required amount of Landscaping: Min. **10%** of the available site which is defined as the total area of the private property less the area of all buildings and secured and fenced areas. 70% of this required amount must be located in the area between the front of the building and the front property line (i.e. the front yard so to speak, so it can be seen from the road). This 70% can be adjusted by the Pre-Development committee for Multi-family projects or others where it makes more sense to have the landscaping dispersed throughout the site. The landscaping is to be provided on the private property. The developer is to construct a sidewalk and provide grass sod within the right-of-way unless otherwise approved.

Eligible landscaping: To count towards the required 10%, the plant must be suitable for our region in accordance with the USDA Hardiness Zone Map. You can use plants that aren't on this list, but they wouldn't count towards the 10%. If a plant is listed as invasive and/or noxious per USDA they are not allowed.

- Landscaped areas shall include a combination of the following types of materials: trees, shrubs, annual and/or perennial plants, vines, grass, and/or groundcover. Nonliving, durable materials commonly used in landscaping, such as, but not limited to organic mulches, rocks, pebbles, sand, walls and fences, but excluding paved surfaces, may also be utilized in landscaped areas. Pervious, decorative paving materials and brick pavers may be included in the form of walkways or driveways through landscaped areas; however, off-street parking areas paved with such materials shall not be considered as landscaped areas.
- All landscaped areas shall be protected by concrete curbing or other acceptable devices which prohibit vehicular access to and encroachment of these areas.
- At least one tree shall be provided per 800 square feet of landscaped area required by the provisions of this section. A landscaped area of at least five feet by five feet shall be provided surrounding each tree. shall be a minimum caliper of two (2) inches and a minimum height of five (5) feet when planted. Outdoor car lots and other exhibitors of merchandise will be exempt from the tree requirement on any part of the landscaped areas that directly abut the show or display area.
- Shrubs, annual and/or perennial plants, vines, grass, and ground cover planted to meet the requirements of this section shall be good, healthy nursery stock. Shrubs shall be a minimum of one (1) foot in height or width when planted.
- Grass areas shall be planted in species normally grown as permanent lawns in The City of Port Lavaca. Grass areas may be sodded, plugged, sprigged or seeded, except that solid sod shall be used in the right-of-way, street yard and swales or other areas subject to erosion.