City of Lubbock, Texas Special City Council Meeting September 26, 2024

Mark McBrayer, Mayor Christy Martinez-Garcia, Mayor Pro Tem, District 1 Gordon Harris, Councilman, District 2 David Glasheen Councilman, District 3 Brayden Rose, Councilman, District 4 Dr. Jennifer Wilson, Councilwoman, District 5 Tim Collins, Councilman, District 6



W. Jarrett Atkinson, City Manager Matt Wade, City Attorney Courtney Paz, City Secretary

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City Council Chambers, Citizens Tower, 1314 Avenue K, Lubbock, Texas

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Executive Session Disclosure Statement: The City Council reserves the right to adjourn into executive session at any time during the course of the meeting to discuss any item listed on this agenda as authorized by Chapter 551 of the Texas Government Code, including but not necessarily limited to §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations regarding Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices), §551.086 (Public Power Utilities: Competitive Matters), §551.087 (Deliberations regarding Economic Development Negotiations).

A quorum of the City Council will be physically present in City Council Chambers located in Citizens Tower, 1314 Avenue K, Lubbock, Texas, as it is the intent of the City Council to have a quorum physically present at this location. One or more members of the City Council, however, may participate in the meeting by video-conference call as permitted under Section 551.127 of the Texas Government Code.

Note: On occasion the City Council may consider agenda items out of order.

6:00 p.m. - The City Council Convenes in City Council Chambers in Open Session. This is a joint meeting with the Planning and Zoning Commission, and members of the Planning and Zoning Commission may participate in the discussion.

Regular Agenda

- 1. Call to Order Welcome and Introductions
- 1. 1. Introductory remarks and Presentation by the City of Lubbock Planning Staff on the proposed Amendments to the Unified Development Code.

- 1. 2. Hold a Joint Planning and Zoning Commission Meeting and Public Hearing with the City Council to discuss and take action to amend the Unified Development Code (Ordinance No. 2023-O0054) including but not limited to proposed amendments to Division 3.4, related to Trees, Landscaping, and Buffering, including, but not limited to, Section 39.03.014.b regarding General Provisions, Table 39.03.014-1 regarding Required Landscape Types, Sections 39.03.015 and 39.03.015.e regarding Development Landscaping and Groundcover Requirements, Tables 39.03.015-1&2 regarding Landscape Point System and Parking Lot Planting Requirements, Sections 39.03.016.d.1, 39.03.016.e.1, 39.03.016.e.3.A, 39.03.016.e.3.B.i, 39.03.016.e.4&6, and Tables 39.03.016-1 through 39.03.016-3 regarding Bufferyard Landscaping, Sections 39.03.019.a.2, 39.03.019.a.6.B, and 39.03.019.d.6 regarding Installation and Maintenance, Appendix A related to Plant List, Division 2.2, Tables 39.02.004.a-4, 39.02.004.b-4, 39.02.004.c-4, 39.02.004.d-4, 39.02.004.e-4, 39.02.006.a-4, 39.02.006.b-4, 39.02.006.c-4, 39.02.006.d-4, 39.02.006.e-4, 39.02.006.f-4, and 39.02.006.g-4 related to Zoning Districts and Standards, specifically Required Landscaping Types Summary, and Section 39.10.002, related to Definitions.
- 1. 3. Discussion regarding timeline and procedures regarding adoption of amendments to the Unified Development Code (Ordinance No. 2023-O0054).

1. 2.

Agenda Item

Hold a Joint Planning and Zoning Commission Meeting and Public Hearing with the City Council to discuss and take action to amend the Unified Development Code (Ordinance No. 2023-O0054) including but not limited to proposed amendments to Division 3.4, related to Trees, Landscaping, and Buffering, including, but not limited to, Section 39.03.014.b regarding General Provisions, Table 39.03.014-1 regarding Required Landscape Types, Sections 39.03.015 and 39.03.015.e regarding Development Landscaping and Groundcover Requirements, Tables 39.03.015-1&2 regarding Landscape Point System and Parking Lot Planting Requirements, Sections 39.03.016.d.1, 39.03.016.e.1, 39.03.016.e.3.A, 39.03.016.e.3.B.i, 39.03.016.e.4&6, and Tables 39.03.016-1 through 39.03.016-3 regarding Bufferyard Landscaping, Sections 39.03.019.a.2, 39.03.019.a.6.B, and 39.03.019.d.6 regarding Installation and Maintenance, Appendix A related to Plant List, Division 2.2, Tables 39.02.004.a-4, 39.02.004.b-4, 39.02.004.c-4, 39.02.004.d-4, 39.02.004.e-4, 39.02.006.g-4 related to Zoning Districts and Standards, specifically Required Landscaping Types Summary, and Section 39.10.002, related to Definitions.

Item Summary

Fiscal Impact

Staff/Board Recommending

Attachments

Landscape Amendments - 9-26-24 Joint Mtg.

Staff Proposed Amendments to Landscaping and Bufferyards

1. Section 39.03.015.e – Groundcover Requirements

- a. Current Language: Groundcover Requirements. Eligible groundcover area shall not include concrete, asphalt, or other impervious surfaces, with the exception of xeriscape groundcover, rocks, decorative pavers, or stamped, dyed concrete which may be used only within the first one and one-half feet of the parking island to allow persons to access their vehicle without stepping on landscaping. The height of the groundcover plant species chosen shall not interfere with the triangle established in Section 39.02.022, *Measurements*, along access drives or anywhere throughout the parking lot.
- b. Proposed Revision: Groundcover Requirements. Eligible groundcover area shall not include concrete, asphalt, or other impervious surfaces., with the exception of x Xeriscape groundcover, rocks (gravel), decorative pavers, or stamped, dyed concrete which may be used, provided there are a minimum of 5 live plants planted within the groundcover area, for every 100 square feet of the groundcover area only within the first one and one-half feet of the parking island to allow persons to access their vehicle without stepping on landscaping. The height of the groundcover plant species chosen shall not interfere with the triangle established in Section 39.02.022, Measurements, along access drives or anywhere throughout the parking lot.

2. Table 39.03.016-2 - Bufferyard Classifications and Division 3.4 Trees, Landscaping, and Buffering

a. Proposed Revision: Remove all references to shrubs and Natural Bufferyards.

b. Add:

- i. When a District Bufferyard is required along the rear property line, a minimum 7 foot tall solid masonry fence meeting the regulations in Section 39.03.016.e., may be installed along the rear property line, in lieu of the landscape bufferyard.
- ii. When a District Bufferyard is required along the rear property line adjacent to an alley, either a minimum 7 foot tall solid masonry fence meeting the regulations in Section 39.03.016.e., or the required landscape bufferyard with a minimum 7 foot tall solid wood fence, must be installed along the rear property line.
- **c.** Change the berm width from 34' to 18' on Type A.
- **d.** Change the berm width from 34' to 26' on Type B.
- e. Change the number of Ornamental Trees per 100 Linear Feet from 4 to 3 on Type C.
- f. Change the number of Canopy Trees per 100 Linear Feet from 4 to 3 on Type D.
- g. Change the number of Ornamental Trees per 100 Linear Feet from 6 to 3 on Type D.
- **h.** Amend <u>Figure 39.03.016-1 Bufferyard Examples</u> to only show the one bufferyard example for each of the four types.
- i. On Type D change Structural to Without Berm: 30
- j. On Height of Wall or Fence change from 6 to 7

Table 39.03.016-2 Bufferyard Classifications						
Bufferyard Type	Width (feet)	Required Plantir	Height of Wall or			
bulleryaru Type	width (leet)	Canopy	Ornamental	-Shrubs -	Fence / Berm (feet)	
А	Structural or Natural without berm: 5 Natural with berm: 18	1/4	2/4	-10 / 15 -	7 / 4	
В	Structural or Natural without berm: 10 Natural with Berm: 26	2/2	4/6	-15 / 20 -	7 / 4	
С	Structural or Natural without berm: 15 Natural with Berm:34	3/ 5	3 /6	28/20	7 / 4	
D	Structural: 30 Natural with Berm: 34	3 /	3 / 2	30/30 -	7 / 4	

3. Table 39.03.015-1 Landscape Points System

a. Proposed Revision: Change "One canopy or two ornamental trees per 1,000 square feet to 2,000 square feet." Change "Six shrubs per 1,000 square feet to 2,000 square feet."

Table 39.03.015-1 Landscape Points System					
Landscaping Element Location and Design Points Earned (Deducted (-					
Site Landscaping					
One canopy or two ornamental trees per 1,000 square feet of site landscaping area	 All areas not designated in Figure 39.03.015-1, Foundation Planting Example, as foundation plantings, bufferyards, parking lot landscaping, or utilized for pedestrian and vehicular access to the building (for example, sidewalks, parking spaces, loading spaces, service areas, and drive-in or drive-through facilities) shall be land- 	+15 for entire site			
Six shrubs per 1,000 square feet of site landscaping area	scaped with groundcover or consist of xeriscape groundcover, rocks, decorative pavers or stamped, dyed concrete, and designated as site landscaping area.	+10 for entire site			

4. Section 39.10.002 Definitions

- **a.** Current Language: Groundcover means plants of species that will not generally reach a height of more than two feet, installed in such a manner as to form a continuous cover over the ground. Groundcover includes sod, ornamental grasses, mulch, or perennial or seasonal plantings and are listed as a Groundcover in Appendix A, *Plant List*.
- b. Proposed Revision: Groundcover means plants of species that will not generally reach a height of more than two feet, installed in such a manner as to form a continuous cover over the ground. Groundcover includes sod, ornamental grasses, mulch, or perennial or seasonal plantings and are listed as a Groundcover in Appendix A, Plant List. Xeriscape groundcover, where a minimum of 5 live plants are planted within the groundcover area, for every 100 square feet of the groundcover area, is included in this definition.

5. Table 39.03.015-1 Landscape Points System

a. Proposed Revision: Replace this element with the proposal below:

Table 39.03.015-1						
	Landscape Points System					
Landscaping Element	Points Earned (+) or Deducted (-)					
or snaped to noid water						
50 percent of all plant material is water efficient as listed in Appendix A Plant List		+5				

Landscaping Element	Location and Design	Points Earned(+) or
		Deducted (-)
50 percent of all plant		+5
material in the non-turfed		
landscape areas is Zoned		
USDA 7, perennial, native,		
and water wise as defined by		
a creditable source (IE: Texas		
Tech University Dept. of Plant		
& Soil Sciences)		
100 percent of all plant		+10
material in the non-turfed		
landscape areas is Zoned		
USDA 7, perennial, native,		
and water wise as defined by		
a creditable source (IE: Texas		
Tech University Dept. of Plant		
& Soil Sciences)		

6. Section 39.03.019.a.6.B - Installation & Maintenance

a. Current Language: Two one-gallon shrubs are the equivalent of one three-gallon shrub. The minimum number of shrubs required per this Division is based on three-gallon shrubs. If one-gallon shrubs are used, the required number of shrubs shall increase to comply with the 2:1 ratio.

Table 39.03.019-1 Minimum Size of Plants at Installation					
Type of Plant Material Minimum Size at Installation					
Canopy Tree	3" caliper				
Ornamental Tree	2.5" caliper				
Evergreen Tree	6' in height				
Shrub	3 gal. container				

- b. **Proposed Revision:** Two one-gallon shrubs are the equivalent of one three-gallon shrub. The minimum number of shrubs required per this Division is based on three-gallon shrubs. If one-gallon shrubs are used, the required number of shrubs shall increase to comply with the 2:1 ratio.
- c. Change the minimum size for shrub from 3 gal. to 1 gal.

Table 39.03.019-1 Minimum Size of Plants at Installation					
Type of Plant Material Minimum Size at Installation					
Canopy Tree	3" caliper				
Ornamental Tree	2.5" caliper				
Evergreen Tree	6' in height				
Shrub	3 gal. container				

7. Section 39.10.002 - Definitions

- **a. Current Language: Canopy Tree** means a tree exceeding 30 feet in height at maturity, planted for its high crown of foliage or overhead canopy and listed as a Canopy Tree in Appendix A, *Plant List*.
- b. Proposed Revision: Canopy Tree means a tree whose canopy is a minimum of 20 feet in width exceeding 30 feet in height at maturity, planted for its high crown of foliage or overhead canopy and listed as a Canopy Tree in Appendix A, Plant List.
- c. Current Language: Ornamental Tree means a tree 30 feet or less in height at maturity, planted primarily for its ornamental value such as flowers, leaf color, size, or shape and listed as an Ornamental Tree in Appendix A, *Plant List*.
- d. Proposed Revision: Ornamental Tree means a tree whose canopy is a minimum of 10 feet in width 30 feet or less in height at maturity, planted primarily for its ornamental value such as flowers, leaf color, size, or shape and listed as an Ornamental Tree in Appendix A, Plant List.

8. Appendix A Plant List and Chapter 39 – Unified Development Code

a. Proposed Revision: Remove Appendix A in its entirety and all references to it within the UDC.

9. Section 39.03.019.a.2 – Installation and Maintenance

- **a. Current Language:** *Standards.* Within each category of required landscaping (canopy trees, ornamental trees, evergreen trees, and shrubs):
 - A. Not more than 60 percent shall be of any one genus; and
 - B. Not more than 40 percent shall be of any one species.
- **b.** Proposed Revision: Standards. Within each category of required landscaping (canopy trees, ornamental trees, evergreen trees, and shrubs):
 - A. Not more than 60 percent shall be of any one genus; and
 - B. Not more than 40 percent shall be of any one species.

10. Section 39.03.016.e.1 – Bufferyard Standards

- a. Proposed Revision: Generally.
 - A. Voluntary Increase in Bufferyard. Where a lower classification bufferyard is required, the applicant may voluntarily provide a higher classification bufferyard, in part or in whole.
 - B. *Groundcover Requirements*. In addition to the required plantings, walls, fences, and berms, the remaining portions of all bufferyards shall contain groundcover.
 - C. Landscape Points for Bufferyard. Where a bufferyard is needed, correct location and composition of bufferyard shall result in +10 points towards the total number of landscape points required on a project.

11. Section 39.03.014.b General Provisions and Table 39.03.014-1 Required Landscaping Types Summary

- **a. Current Language: Required Landscaping Types.** Table 39.03.014-1, *Required Landscaping Types Summary*, sets out the landscaping types eligible for points in each zoning district. Figure 39.03.014-1, *Illustrative Landscape Types*, depicts these types.
- b. Proposed Revision: Required-Eligible Landscaping Types. Table 39.03.014-1, Required Landscaping Types Summary, sets out the landscaping types eligible for points in each zoning district.
 Figure 39.03.014-1, Illustrative Landscape Types, depicts these the landscaping types eligible for points.
- c. Proposed Revision: Delete Table 39.03.014-1 in its entirety and all references to it.

12. Table 39.03.015-1 Landscape Points System

a. Proposed Revision: Remove the following items

Table 39.03.015-1 Landscape Points System					
Landscaping Element	Location and Design	Points Earned (+) or Deducted (-)			
Other	,				
100 to 50 percent of water in irrigation system comes from treated production water		+15			
25 to 45 percent of water in irrigation system comes from treated production water		 5			
100 percent of water in irrigation system comes from an approved well on-site		+10			
Use of locally sourced malch wherever mulch is provided on-site	- Shall be provided at a minimum depth of three inches.				

13. Table 39.03.015-1 Landscape Points System

a. Proposed Revision: Remove this item in its entirety

Table 39.03.015-1 Landscape Points System					
Landscaping Element	Location and Design	Points Earned (+) or Deducted (-)			
More than 35 percent of the required landscaping area is proposed to be turf grass		-10			

14. Section 39.03.016.e.3.B - Parking Bufferyard Standards

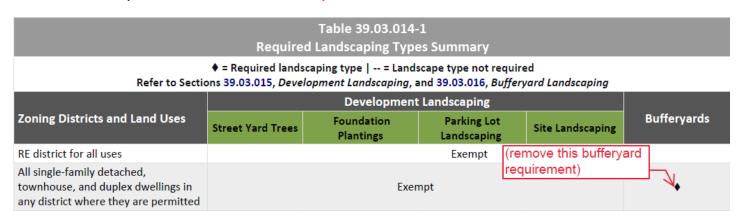
- **a. Current Language:** *Composition.* A parking area buffer shall be composed of one of the following screening devices that are two feet tall:
- **b. Proposed Revision:** *Composition.* A parking area buffer shall be composed of one any combination of the following screening devices that are two feet tall:

15. Section 39.03.019.e.6 - Installation and Maintenance

- **a. Current Language:** *Maintenance Easement.* In a multi-tenant development, a maintenance easement a minimum of five feet in width shall be dedicated to the homeowners' or property owners' association, PID, or TIF along applicable property lines within the development.
- b. Proposed Revision: Maintenance Easement. In a multi-tenant development, a maintenance easement a minimum of five feet in width shall be dedicated to the homeowners' or property owners' association, PID, or TIF along applicable property lines within the development.

16. Table 39.03.014-1 – Required Landscaping Types Summary

- **a. Current Language:** Bufferyards are required for new residential development that is developed using the Cluster subdivision option.
- b. Proposed Revision: Remove this requirement.



17. Table 39.03.015-1 – Landscape Points System

a. Proposed Revision: Replace all Parking Lot Landscape Elements with one element:

Table 39.03.015-1 Landscape Points System					
Landscaping Element	Location and Design		Points Earned (+) or Deducted (-)		
Endcap island with groundcover and one canopy tree or one evergreen or two ornamental trees	 At minimum, at the end of alternating parking rows. Each endcap island shall be a minimum of 9' wide and the length of the parking row with 10-foot curb radii on the side closest to the drive aisle. For example, if there is a single row of 90-degree parking spaces, the length is 18 feet; There is no need for all of these different categories of parking lot landscaping. Distill all of this down to one item: 	if	+10 for each double parking row with an endcap island and +5 for each single parking row with an endcap island		
Corner island with groundcover and one canopy tree or one evergreen or two ornamental trees	Landscape areas located within a parking lot as illustrated in Fig. 39.03.014-1	ne	+5 for each corner island		
Interior island with groundcover an d one canopy tree, one evergreen tree, or two ornamental trees or 15 shrubs	·		+10 for first one and +5 for each additional one		
Median with groundcover a nd ornamental grasses, shrubs, or planters	 At minimum, along the entire centerline of alternating double parking rows. Each median shall be a minimum of 5' wide. 		+10 for each median in a double parking row		

18. Table 39.03.015-1 – Landscape Points System - Other

a. Proposed Revision: Remove this item:

street or parking area	A berm (usually placed close to a parking lot) is one of the approved buffer types and its side slope is 25%. If that's allowed there, why is it penalized	-10
exceeds 20 percent	here? Remove this item.	

19. Section 39.03.016.e.4 - Street Bufferyard

- a. Current Language: Street Bufferyard. A street bufferyard shall be required for any new residential development that is developed using the Cluster subdivision option or any applicable development in the OF or AC zoning districts based on the classification of the adjacent street in the current City of Lubbock Master Thoroughfare Plan and according to Table 39.03.016-3, Street Bufferyard Requirements. The street bufferyard shall be located along the entire length of the street (except for alleys) and shall be owned and maintained by the property owner, homeowners' association, property owners' association, Public Improvement District (PID), or Tax Increment Finance District (TIF). These buffers shall meet the requirements of the district bufferyard standards in composition.
- b. Proposed Revision: Street Bufferyard. A street bufferyard shall be required for any new residential development that is developed using the Cluster subdivision option or any applicable development in the OF or AC zoning districts based on the classification of the adjacent street in the current City of Lubbock Master Thoroughfare Plan and according to Table 39.03.016-3, Street Bufferyard Requirements. The street bufferyard shall be located along the entire length of the street (except for alleys) and shall be owned and maintained by the property owner, homeowners' association, property owners'

association, Public Improvement District (PID), or Tax Increment Finance District (TIF). These buffers shall meet the requirements of the district bufferyard standards in composition.

20. Table 39.03.016-3 – Street Bufferyard Requirements

a. Proposed Revision:



21. Section 39.03.016.e.3.A – Parking Bufferyard Standards

- **c. Current Language:** *Applicability.* All parking areas with more than 10 parking spaces shall have a bufferyard between the street and the edge of the parking areas as follows:
- **d. Proposed Revision:** *Applicability.* All parking areas with more than 10 30 parking spaces between the building and the street shall have a bufferyard between the street and the edge of the parking areas as follows:

22. Section 39.03.016.e.3.B.i – Parking Bufferyard Standards - Composition

- a. Current Language:
 - i. Continuous hedge;
 - ii. Continuous row of ornamental grasses;

b. Proposed Revision:

- Continuous hedge; plant spacing at time of planting to provide continuous screening at time of plant maturity;
- ii. Continuous row of ornamental grasses;

23. Section 39.03.019.d.6 - Installation and Maintenance

- a. Current Language: Mulch and Inorganic Ground Cover. Wood-based mulch and inorganic ground cover, including rock and wood chips, may be used around all plantings and in all plant beds. Large areas of wood mulch or inorganic ground cover that do not contain plantings are not permitted except when used around a site amenity. Synthetic turf is prohibited except in limited applications deemed acceptable by the Director of Planning.
- **b.** Proposed Revision: Mulch and Inorganic Ground Cover. Wood-based mulch and inorganic ground cover, including rock and wood chips, may be used around all plantings and in all plant beds. Large areas of wood mulch or inorganic ground cover that do not contain plantings are not permitted except when

used around a site amenity. Synthetic turf is allowed prohibited except in limited applications deemed acceptable by the Director of Planning.

24. Section 39.03.015 - Development Landscaping

a. Current Language: None.

b. Proposed Revision: f. Contextual Landscape Requirement. Where an infill project is constructed on property zoned Industrial Park (IP), Light Industrial (LI), or General Industrial (GI) and the property is not adjacent to or across from any residentially zoned property, the infill site may match the landscape area coverage percentage and planting materials density on the average of those developed neighboring properties.

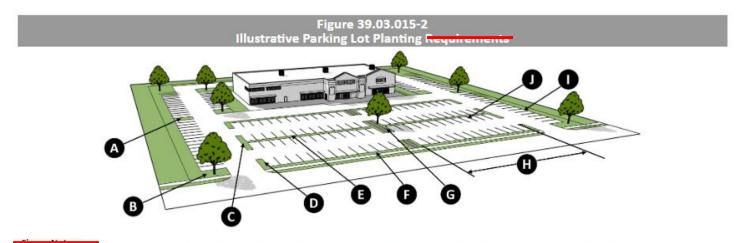
25. Section 39.03.015 - Development Landscaping

a. Current Language: None.

b. Proposed Revision: f. **Landscape Architect**. When the landscape plan is stamped and sealed by a licensed landscape architect, it shall result in +5 points towards the total number of landscape points required on a project.

26. Figure 39.03.015-2 – Illustrative Parking Lot Planting Requirements

a. Proposed Revision:



Interval, 1 = Single Parking Now, 3 = Double Parking Now

27. Section 39.03.016.d.1 - Composition of Bufferyards

a. Proposed Revision: Delete the language below in its entirety

d. Composition of Bufferyards.

- 1. Structural and Natural. Bufferyards, as established in Table 39.03.016-2, Bufferyard Classifications, may be classified as:
 - A. Structural Bufferyards. Structural bufferyards include the use of plant materials and a wall or fence to achieve the required level of buffering and screening; and
 - B. Natural Bufferyards. Natural bufferyards include the use of a higher density of plant materials to achieve the required level of buffering and screening. Any natural bufferyard may include an earthen berm; however, the Type D natural bufferyard requires a berm.

28. Table 39.03.016-1 - District Bufferyard Standards

a. Proposed Revisions:

- i. Move the **IP** district to the **LI** category
- ii. Move the MU-1 district to the MU-2 through MU-5 district
- iii. Remove the requirement for a Type B bufferyard when developing GI property adjacent to LI/IP
- iv. Remove the requirement for a Type A bufferyard when developing **SF-1/SF-2** property adjacent to **RE**
- v. Remove the requirement for a Type A bufferyard when developing AC/HC adjacent to NC/OF

Table 39.03.016-1 District Bufferyard Standards									
	ning of Parcel			Zon <u>i</u>	ng of Adjoining	District			
Proposed for Development		RE	SF-1, SF- 2, M U-1	MDR, HDR	MU-1 hrough	NC, OF	AC, HC, #P	LI, IP	GI
RE									
SF-	-1, SF-2, MU-1								
	MDR, HDR	В	Α						
MU-1	through MU-6	В	В						
	NC, OF	В	В	В	В				
	AC, HC, IP	С	С	С	В				
LI, IP		С	С	С	В	В	В		
	GI	D	D	D	С	С	С	<u>B</u>	