



CALL TO ORDER

CITIZEN COMMENTS

This is an opportunity for citizens to address the commission on any matter over which they have authority, whether it is or is not posted on the agenda. The commission is not permitted to discuss or take action on any presentations concerning an item not listed on the agenda. Citizens may speak up to three (3) minutes or the time limit determined by the mayor or presiding officer.

PUBLIC HEARING, ACTION & BRIEFING ITEMS:

- A. Approve minutes dated November 7, 2023.
- B. Discuss and take action **an Ordinance modifying the Comprehensive Zoning Plan to allow artificial turf.** *(The Commission held a public hearing on this item in October and November. In November, the Commission tabled this item and requested staff schedule the city engineer to speak on the topic at the December meeting.)*
- C. Discuss and take action **on a request to modifying the Use Table in the Comprehensive Zoning Plan to allow massage parlors.** *(Staff has been asked if the Commission would consider modifying the use table to allow massage parlors in the Commercial district. If the Commission would like to proceed, staff will publish the required legal notices, post a public hearing, and draft an ordinance for consideration at the January 2nd meeting.)*

ADJOURN

The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meeting Act.

This facility is wheelchair accessible & handicapped parking spaces are available. Requests for accommodations for the hearing impaired must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (817) 710-2526 for assistance.

A quorum of the council or other board and committees may be present at this meeting; however, no council, board or committee discussions or actions will be taken. I certify that the above notice was posted on the bulletin board at the Westworth Village City Hall, 311 Burton Hill Road, Westworth Village, Texas on this, the 1st day of December 2023, at 5pm, in accordance with Chapter 551 of the Texas Government Code.

Brandy G. Barrett, TRMC
City Administrator/City Secretary





ATTENDEES:	Chairperson	Richard Cervenka
	Member	Darla Thornton
	Member	Margaret Worthington
	Member	Nyles Nielsen
	Member	Dani Briones
	Member	Sarah Jones
	Member	Anita Gray
	Mayor	L. Kelly Jones
	City Administrator/ City Secretary	Brandy Barrett
	Chief of Police	Kevin Reaves
	City Attorney	Brenda McDonald

ABSENT: Deputy City Secretary Elisa Greubel

CALLED TO ORDER at 6:00 pm by Chairperson Richard Cervenka.

CITIZEN COMMENTS

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- Imran Khan, 5836 Carb
- There were no other citizen comments.

PUBLIC HEARINGS, ACTION, & BRIEFING ITEMS

A. Approval of minutes from Planning and Zoning Meeting dated August 3, 2023.

- **MOTION to approve the August 3, 2023, meeting minutes.**
- **MADE BY:** Anita Gray. **SECOND BY:** Margaret Worthington.
- **Motion passed** by a vote of 7 Ayes and 0 Nays.

B. Approval of minutes from Planning and Zoning Meeting dated October 3, 2023.

- **MOTION to approve the October 3, 2023, meeting minutes.**
- **MADE BY:** Margaret Worthington. **SECOND BY:** Anita Gray.
- **Motion passed** by a vote of 7 Ayes and 0 Nays.

C. Chairman Cervenka opened a Public Hearing at 6:05PM to receive citizen comments on the request to modify the Comprehensive Zoning Plan to allow artificial turf. (*Per the Comprehensive Zoning Plan only living plant materials mulch, artificial turf is not allowed.*)

- The following spoke:
 - Teddy Berdan, 5722 Popken Dr

The Chair closed Public Hearing at 6:09 PM.

D. Discuss and take action **an Ordinance modifying the Comprehensive Zoning Plan to allow artificial turf.** *(The Commission held a public hearing on this item in October and requested staff due further research and draft an ordinance for consideration.)*

Following a lengthy discussion on the topic which included concerns about imperviousness, soil quality in the area, industry standard and heat the following motions were made:

- **MOTION to recommend the city council deny the use of artificial turf.**
- **MADE BY:** Margaret Worthington. **SECOND BY:** none
- **Motion died due to lack of second.**

Following additional discussion, the commission requested staff again consult with the city engineers and have them attend the December meeting to answer questions specific to the Storm Drainage plan and how the use of artificial turf will impact the city, specifically in the following areas: perviousness of existing soil vs artificial turf, identify industry standards, TCEQ concerns on stormwater drainage and plastics in the environment, heat factor vs rock or mulch, and if water conservation is achieved through its use.

- **MOTION to table action on the item to the December 5th meeting.**
- **MADE BY:** Margaret Worthington. **SECOND BY:** Sarah Jones.
- **Motion passed** by a vote of 6 Ayes and 1 Nays (Nyles Nielsen).

E. Chairman Cervenka opened a Public Hearing at 6:45PM to receive citizen comments on a site plan for 6660 Hawks Creek Ave, Westworth Village, TX.

- The following spoke:
 - Ken Loose, 1320 Hemphill
 - Renee Efimoff, Arlington, TX
 - Cameron Pope, 6908 Golf Green Dr
 - Lindsey Garner, 8904 Sirocka Dr
 - Travis Clegy, 9800 Hillwood Parkway

The Chair closed Public Hearing at 6:52 PM.

F. Discuss and take action **on the site plan for 6660 Hawks Creek Ave, Westworth Village, TX.** *(If the site plan is approved or approved with modifications, the property owner would like to seek approval to re-plot the property. However, if the site plan is denied, the property owner has requested the plat application be withdrawn without consideration or action.)*

Following a review of the project by Ms. Barrett, the City Attorney reported the site plan meets all the requirements in the Comprehensive Zoning Ordinance and must be approved.

- **MOTION to recommend the city council approve the site plan for 6660 Hawks Creek Ave as presented.**
- **MADE BY:** Nyles Nielsen. **SECOND BY:** Richard Cervenka.
- **Motion passed** by a vote of 7 Ayes and 0 Nays.

G. Discuss and take action **on the plat application for 6660 Hawks Creek Ave, Westworth Village, TX.** *(If the site plan in Item C is denied, the property owner has requested this plat application be withdrawn without consideration or action.)*

The City Attorney reported the plat meets all the requirements in the Comprehensive Zoning Ordinance and must be approved.

- **MOTION to recommend the city council approve the plat for 6660 Hawks Creek Ave as presented.**
- **MADE BY:** Darla Thornton. **SECOND BY:** Sarah Jones.

- **Motion passed** by a vote of 7 Ayes and 0 Nays.

H. Chairman Cervenka opened a Public Hearing at 6:58PM to receive citizen comment on the Specific Use Permit and site plan for 6405 Westworth Blvd, Westworth Village, TX.

- The following spoke:
 - Sam Brous, 556 8th Ave
 - Mark House, 3920 Potomac Ave
 - Robert Petrie, 7217 Charlene Ct
 - Michael Bachand, 5905 Westworth Falls Way

The Chair closed Public Hearing at 7:07 PM.

I. Discuss and take action **on the Specific Use Permit and site plan for 6405 Westworth Blvd, Westworth Village, TX.**

Following a review of the project by Ms. Barrett the Commission discussed its concerns about the number of carwashes already in that area and the city attorney's comment regarding approval was for the lot, not for this specific business.

- **MOTION to recommend the city council approve the Specific Use Permit and site plan for 6405 Westworth Blvd.**
- **MADE BY:** Nyles Nielsen. **SECOND BY:** Darla Thornton.

Following additional discussion, regarding tree mitigation, the property owner agreed to submit a tree mitigation plan prior their presentation to city council. They agreed to do so.

- **MOTION to amend the original motion to recommend the city council approve the Specific Use Permit and site plan for 6405 Westworth Blvd provided a tree mitigation plan was submitted.**
- **MADE BY:** Margaret Worthington. **SECOND BY:** Nyles Nielsen.
- **Motion to amend the original motion passed** by a vote of 7 Ayes and 0 Nays.
- **Amended motion passed** by a vote of 7 Ayes and 0 Nays.

ADJOURNED at 7:34 PM by Richard Cervenka, Chair.

MINUTES APPROVED on this the 5th day of December 2023.

Richard Cervenka, Chair

SIGNATURE ATTESTED BY:

Brandy G. Barrett, TRMC
City Administrator/ City Secretary



PUBLIC HEARING, BRIEFINGS AND ACTION ITEMS ON THE AGENDA:

ITEM B: Modifying the Comprehensive Zone plan to allow artificial turf

Excerpt from the City Engineers most recent report dated November 29, 2023, the full report is included in the packet.

- *Available academic research and regulatory guidance yield inconsistent results for universal C factor and percent imperviousness determination for artificial turf, which may or may not vary significant by product, underlayment, and installation methods.*
- *Given lack of available research, guidelines, or national standards, we recommend an assumption of 100% imperviousness for artificial turf.*
- *The Westworth Village Master Drainage Plan dated September 2021 identified zoning districts SF-R-1 and SF-R-2 as 70% impervious. Current City ordinances limit this value to 55%. If City Council would like to provide flexibility for artificial turf, they may increase this value to 70%, but it is not our recommendation to permit higher impervious cover percentages for these areas due to the lack of capacity in the existing drainage facilities in these areas.*

STAFF RECOMMENDATION:

Staff recommendations have not changed, the city engineers will attend the meeting to answer questions on from the Commissioners. The pros and cons on this topic are vast and divisive, however the proposed ordinance provides opportunities for it to be used, while restricting its application to mitigate some of the immediate concerns regarding increased stormwater drainage and water quality.

Brandy Barrett

Brandy Barrett

Subject: FW: Artificial Turf
Attachments: Runoff Coefficient and Percent Impervious Recommendation for Artificial Turf.pdf

All,

Please see attached for the revised memo. Changes are on the second page that summarizes findings/recommendations. [This link](#) also includes the supplemental documents that I sent on November 8th.

In addition to the memo, we obtained the following information, below.

- Though there was a presentation regarding some City of Austin staff's discussion on conditions needing to be met to prove impervious cover is less than 100% impervious, this wasn't actually adopted officially by City of Austin staff. Rather, the only ordinances in place at the City includes the assumption that artificial turf is 100% impervious, which has been in place at the City for a while.
 - I spoke with City of Austin staff who confirmed what I stated above. City staff stated that the reason it wasn't officially adopted is because it is hard to prove turf is less than 100% impervious and oftentimes the installation includes compacted base. Staff stated there is one instance where the City is allowing turf to not be considered as 100% impervious with a local school district as part of an interlocal agreement, but that is due to a public benefit for the City for turf to be installed at this location. City staff also mentioned in the environmental impacts (metal, PFAS, microplastics, etc.) that is a concern.
- As previously mentioned, TCEQ staff also stated via email they consider turf as 100% impervious. I forwarded this email to you all on 11/15/2023.
- DFW Turf Solutions (<https://dfwturf.com/>) is a frequently used manufacturer of artificial turf in the DFW area. I understand there is a compacted base layer (gravel/granite) that is installed prior to the install of artificial turf. Their spec sheets include a "drain rate" in inches per hour, which is the rate of draining the lawn into the downstream system, not an infiltration rate.

Thanks,
Kate

Kate E. Ploetzner, P.E., CFM

Kimlev-Horn | 13455 Noel Road; Two Galleria Office Tower, Suite 700; Dallas, TX 75240

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TECHNICAL MEMORANDUM

To: Brandy Barrett – City of Westworth Village
Cody Cooke-Morse – City of Westworth Village
From: Kate Ploetzner, P.E., CFM – Kimley-Horn and Associates, Inc.
Jessica Little, E.I.T. – Kimley-Horn and Associates, Inc.
Cc: Josh Kercho, P.E. – Kimley-Horn and Associates, Inc.
Date: November 29, 2023
Subject: Runoff Coefficient and Percent Impervious Recommendation for Artificial Turf

Kimley-Horn and Associates, Inc. (Kimley-Horn) understands the City of Westworth Village (City) desires a recommendation of the C factor and percent impervious value for artificial turf. The C factor is an empirical coefficient used in the Rational Method that represents the relationship between rainfall and runoff. The City requested Kimley-Horn to review previously-prepared research and publicly available data from multiple sources for this evaluation. Material utilized in the development of this memorandum are indicated on the next page.

The impact to runoff can be affected by several environmental factors and the impermeability of the layer installed under the artificial turf.

Research performed by Texas A&M University in 2021 includes detailed runoff information for two isolated rainfall events within the two-year continuous experiment on 4.1-meter x 8.2-meter research plots of artificial turf. The report from this research measured a peak rainfall intensity of 2.75 mm/2-minute and a peak runoff of 0.7 L/s for an October 2018 rainfall event. The report also measured a rainfall intensity of 1.5 mm/2-minute and a peak runoff of 0.25 L/s for a June 2019 rainfall event. These provide inconsistent outcomes when comparing the two events. Kimley-Horn calculated the Rational Method C factors of 0.59 and 0.91 for the October 2018 and June 2019 rainfall events, respectively. In addition to these two rainfall events' varying results, the 2021 research by Texas A&M University also noted an inconsistent trend of runoff in the entire experiment, which included 34 analyzed runoff events over the two-year period [1].

The City of Austin currently requires artificial turf to be considered as 100% impervious. A revision to this requirement was considered which would permit several conditions to be met in order to lower the percent impervious, including the condition that the turf is installed without an impermeable liner between the natural ground and the boundary layer, inclusive of underdrain layers [2]. Another condition considered is requirement that neither runoff volume nor runoff flow rate is increased when compared to undeveloped conditions [2]. However, per discussions with City of Austin staff, this revision was never adopted due to the difficulty in proving that artificial turf is less than 100% impervious. A technical paper published by Advanced Drainage Systems, Inc. and other ordinances of municipalities outside of Texas also suggests assuming a C factor of 1 (100% imperviousness) for synthetic turf.

In 2016, the ASCE Journal of Irrigation and Drainage Engineering published research which concluded “that a single unique C factor in the rational framework could not adequately account for the more complex rainfall-runoff response of the synthetic turf drainage system” [4].

Based on the above information, our conclusion is the following:

- Available academic research and regulatory guidance yield inconsistent results for universal C factor and percent imperviousness determination for artificial turf, which may or may not vary significant by product, underlayment, and installation methods.
- Given lack of available research, guidelines, or national standards, we recommend an assumption of 100% imperviousness for artificial turf.
- The Westworth Village Master Drainage Plan dated September 2021 identified zoning districts SF-R-1 and SF-R-2 as 70% impervious. Current City ordinances limit this value to 55%. If City Council would like to provide flexibility for artificial turf, they may increase this value to 70%, but it is not our recommendation to permit higher impervious cover percentages for these areas due to the lack of capacity in the existing drainage facilities in these areas..

Data Sources:

- [1] Chang B., Wherley B., Aitkenhead-Peterson J. A., McInnes K. J., 2021. Effects of Urban Residential Landscape Composition on Surface Runoff Generation. Texas A&M University Department of Soil and Crop Sciences.
- [2] Kelly M., Hollon, M. 2014. Austin Presentation of Watershed Protection Ordinance (WPO) Phase 2. Presentation for City of Austin Watershed Protection Stakeholder Meeting.
- [3] Technical Note 5.19A AdvanEdge Drainage Layout for Synthetic Turf Fields. 2022. Advanced Drainage Systems, Inc.
- [4] Hudepohl M. R., Buchberger S. G., Shuster W. D. 2016. Hydrology of Synthetic Turf Fields: Modeling Approach with Field Data. Journal of Irrigation and Drainage Engineering. ASCE.



AN ORDINANCE OF THE CITY OF WESTWORTH VILLAGE AMENDING CHAPTER 14 OF THE CITY OF WESTWORTH VILLAGE CODE OF ORDINANCE, ADDING THE ARTIFICIAL TURF DEFINITION, AND ITS APPLICATIONS AND MAINTENANCE IN LANDSCAPING; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY CLAUSE; REPEALING AND REPLACING CONFLICTING PROVISIONS OF ORDINANCES HEREWITH; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council has received the recommendations of the Planning and Zoning Commission concerning the matters herein dealt with, which recommendations were made after the holding of a public hearing before said Commission on such matters; and

WHEREAS, notice has been published of the time and place of a public hearing held before the City Council concerning the changes herein made, which public hearing has been duly held; and,

WHEREAS, the City Council has determined that the amendment to the Comprehensive Zoning Ordinance herein made is in the best interest of the health, safety and general welfare of the citizens of the City of Westworth Village;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTWORTH VILLAGE, TEXAS, that:

Section 1. That Article 1, In General, Section 14.1.5, Definitions of the Code of Ordinances of the City of Westworth Village is hereby modified adding the following definition:

“Artificial turf/lawn: any variety of synthetic, carpetlike materials made to resemble turf/grass and used as a playing surface or in place of living plant materials.”

Section 2. That Article 4, Development Standards, Division 2, Landscape Requirements, Sections 14.4.8 through 14.4.18 of the Code of Ordinances of the City of Westworth Village is hereby replaced in its entirety and shall read as follows:

Sec. 14.4.8 Purpose

Landscaping is accepted as adding value to property and is in the interests of the general welfare of the City. The provision of landscaped areas also serves to increase the amount of a property that is devoted to pervious surface area which, in turn, helps to reduce the amount of impervious surface area, stormwater runoff, and consequent nonpoint pollution in local waterways. Therefore, landscaping is hereafter required of new development and redevelopment of existing properties.

Sec. 14.4.9 Scope and Enforcement

The standards and criteria contained within this Division are deemed to be minimum standards and shall apply to all new, or altered ~~landscaping, exceeding thirty percent (30%) of the original floor area, and all new~~ construction occurring within the City. Additionally, any use requiring a Specific Use Permit or a PD zoning designation must comply with these landscape standards unless special landscaping standards are otherwise provided for in the ordinance establishing the SUP or PD district. The provisions of this Section shall be administered and enforced by the City Administrator or his/her designee. The landscape standards in this Section apply to nonresidential and multifamily developments, including uses such as schools and churches within a residential zoning district, and ~~minimal front yard landscaping standards apply~~ to single-family and duplex residential developments and individual lot/tracts.

If at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be not in conformance with the standards and criteria of this Section, the City Administrator or his/her designee shall issue notice to the owner, citing the violation and describing what action is required to comply with this Section. The owner, tenant or agent shall have thirty (30) days from date of said notice to establish/restore the landscaping, as required. If the landscaping is not established/restored within the allotted time, then such person shall be in violation of this Chapter.

Sec. 14.4.10 Permits

No permits shall be issued for building, paving, grading or construction until a detailed landscape plan is submitted and approved by the City Administrator or his/her designee, along with the site plan and engineering/construction plans. A landscape plan shall be required as part of the site plan submission, as required in [Article 2, Division 6](#) of this Chapter. The landscape plan may be shown on the site plan (provided the site plan remains clear and legible) or may be drawn on a separate sheet. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan.

In any case in which a certificate of occupancy is sought at a season of the year in which the City Administrator or his/her designee determines that it would be impractical to plant trees, shrubs or ground cover, or to successfully establish turf areas, a temporary certificate of occupancy may be issued provided a letter of agreement from the property owner is submitted that states when the installation shall occur. All landscaping required by the landscaping plan shall be installed within six (6) months of the date of the issuance of the certificate of occupancy.

Sec. 14.4.11 Landscape Plan

Prior to the issuance of a building, paving, grading or construction permit for any use, a landscape plan as part of the site plan shall be submitted to the Planning and Zoning Commission. The Commission, shall review such plans and shall provide City Council with a recommendation and City Council shall take final action on such plans. If the plans are in accordance with the criteria of these zoning regulations an action of approval shall be taken. If the plans are not in conformance, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance. Landscaping plans shall be prepared by a person knowledgeable in plant material usage and landscape design (e.g., landscape architect, landscape contractor, landscape designer, etc.) and shall contain the following minimum information:

- A. Minimum scale of one inch (1") equals fifty feet (50'); show scale in both written and graphic form.
- B. Location, size and species of all trees to be preserved (do not use "tree stamps" unless they indicate true size and location of trees).
- C. Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site, or other landscape features.
- D. Species and common names of all plant materials to be used.
- E. Size of all plant material to be used (container size, planted height, etc.).
- F. Spacing of plant material where appropriate.
- G. Layout and description of irrigation, sprinkler, backflow prevention systems, or water systems including location of water sources in accordance with TCEQ Chapter 344 rules.
- ~~G.H.~~ Plans must include the square footage and description of all impervious surface area on the lot, including artificial turf/lawn materials, pools, sidewalks, driveways, patios, sheds, etc.
- ~~H.I.~~ Description of maintenance provisions.
- ~~I.J.~~ Name and address of the person(s) responsible for the preparation of the landscape plan.
- ~~J.K.~~ North arrow/symbol, and a small map showing where the property is located.
- ~~K.L.~~ Date of the landscape plan.

Sec. 14.4.12 General Standards

The following criteria and standards shall apply to landscape materials and installation:

- A. All non-paved surfaces shall be completely covered with living plant material. Exceptions are granted for the following:
 - 1. Landscaping materials such as wood chips and gravel may be used under trees, shrubs and other plants, but shall not comprise a significant portion more than 25% of the total pervious surface area.
 - 2. Artificial turf/lawn materials shall be considered impervious surface, used to accentuate the living landscape, and is permitted as follows:
 - i. Requires a landscaping permit with a detailed plan showing all impervious surfaces on the lot

- with accurate measurements of each and all living plant surfaces.
- ii. Permit application must include manufacturer specifications demonstrating compliance with the Artificial Turf Standards (see table).
- iii. Permit application must include manufacturer recommended maintenance/cleaning procedures and schedules and all removal and recycling procedures.
- iv. Must be installed by a professional artificial turf installer, registered with the city, and recommended by the manufacturer.
- v. No person shall modify existing artificial turf installations or install new artificial turf without first completing the landscape permit application and subsequently receiving an artificial turf permit.

Artificial Turf Standards Table:

<u>Turf Component</u>	<u>Allowed</u>	<u>Not Allowed</u>
<u>Blade & Backing</u>	<u>Lead-free polyethylene, polypropylene, vegetable-based or combination</u>	<u>Nylon or Plastic</u>
<u>Infill</u>	<u>Clean washed sand, silica sand, cork or zeolite</u>	<u>Crumb Rubber</u>
<u>Warranty</u>	<u>Minimum 10-year warranty</u>	
<u>Tear Grab Strength</u>	<u>Minimum 200 pounds</u>	
<u>Turf Bind Strength</u>	<u>Minimum 8 pounds</u>	
<u>Flammability</u>	<u>Pass the pill burn test for flammability</u>	
<u>Recyclability</u>	<u>Must be recyclable at the end of life</u>	
<u>Appearance</u>	<u>Allowed</u>	<u>Not Allowed</u>
<u>Color</u>	<u>Include a minimum of two shades of green blade colors and contain a tan thatch color. Color must mimic natural turf.</u>	<u>Colors that do not mimic natural turf.</u>
<u>Texture</u>	<u>Three-dimension ridge, spine cross-section and uneven tips</u>	
<u>Length</u>	<u>Blade between 1.5” to 2.5”</u>	
<u>Thickness</u>	<u>Tuft spacing of no more than 3/8” between rows</u>	
<u>Installation</u>	<u>Allowed</u>	<u>Not Allowed</u>
<u>Seams</u>	<u>Sewn Seams</u>	<u>Glued seams</u>
<u>Edges</u>	<u>Edges not visible</u>	
<u>Base</u>	<u>Compacted aggregate; sloped to direct drainage to the street or alley</u>	
<u>Anchoring</u>	<u>Permanently anchored</u>	
<u>Location</u>	<u>In residential yards, not visible from a public right of way.</u>	<u>Under a downspout without being directly connected to a French drain</u>
<u>Maintenance</u>	<u>Allowed</u>	<u>Not Allowed</u>
<u>Grooming & Wear</u>	<u>Maintained in clean and attractive conditions in compliance with all manufacturers grooming and maintenance recommendations.</u>	<u>Weeds, holes, discolorations, fading, stains, tears, seam separations, uplifted surfaces, heat degradations, depressions, odors, or excessive wear.</u>
<u>Damage</u>	<u>Damaged and worn areas must be repaired or removed and replaced in a manner that results in consistent appearance with existing artificial turf.</u>	

- B. Plant materials shall conform to the standards of the approved plant list for the City of Westworth Village (see [Section 14.4.17](#) for the approved plant list) and the current edition of the “American Standard for Nursery Stock” (as amended), published by the American Association of Nurserymen. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
- C. Trees shall have an average crown spread of greater than fifteen feet (15') at maturity. Trees having a lesser average mature crown of fifteen feet (15') may be substituted by grouping the same so as to create the equivalent of fifteen feet (15') of crown spread. Large trees shall be a minimum of three inches (3") in caliper (measured four feet (4') above the ground) and seven feet (7') in height at time of planting. Small ornamental trees shall be a minimum of one and one-half inch (1.5") in caliper and five feet (5') in height at time of planting. All new trees shall be provided with a permeable surface under the dripline a minimum of five feet (5') by five feet (5') diameter.
- D. Shrubs not of a dwarf variety shall be a minimum of two feet (2') in height when measured immediately after planting. Hedges, where installed for screening purposes, shall be planted and maintained so as to form a continuous seventy-five percent (75%) visual screen which will be at least six feet (6') high within three (3) years after time of planting, except for parking lot/tract/headlight screens, which shall form a continuous, solid visual screen three feet high within two years after planting.
- E. Vines not intended as ground cover shall be a minimum of two feet (2') in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening requirements as set forth.
- F. Grass areas shall be sodded, plugged, sprigged, or hydro-mulched, except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.
- G. Ground covers used in lieu of grass in whole and in part shall be planted in such a manner as to present a finished appearance and reasonably completed coverage within one (1) year of planting.
- H. All landscaped areas shall be equipped with an automatic, underground irrigation system with freeze and moisture sensors to prevent watering at inappropriate times. Landscaped areas having less than ten (10) square feet in area may be irrigated by some other inconspicuous method. If appropriate xeriscape planting techniques are utilized, the City Council may waive the requirement for an underground irrigation system at the time of site plan approval. However, the landscaping shall be
- I. required to be maintained in a healthy, living and growing condition, and any irrigation devices shall not be visible from public streets or walkways.
- J. Earthen berms shall have side slopes not to exceed 33.3 percent (three feet (3') of horizontal distance for each one foot (1') of vertical height). All berms shall contain necessary drainage provisions as may be required by the City's Engineer.
- K. Clear Cutting Prohibited. Clear cutting of trees is prohibited within the City of Westworth Village. Cutting of trees and land clearing may be done for development purposes, with a tree removal permit in accordance with an approved final plat and/or engineering site plan. Cutting of trees and land clearing for other-than-development purposes shall be considered by the City Council. The existing natural landscape character of the city shall be preserved to the extent reasonable and feasible. In an area along the street frontage containing a stand of recommended trees, the developer shall use best good faith effort to preserve such trees.

Sec. 14.4.13 Minimum Landscaping Requirements for Nonresidential and Multifamily Developments

- A. For all nonresidential and multifamily developments, including schools, churches, day care facilities, and other similar uses in a residential district, at least twenty percent (20%) of the lot/tract area shall be pervious, permanently landscaped area. For corner lot/tracts, a six hundred (600) square foot landscaped area shall be provided at the street intersection, which can be counted toward the twenty percent (20%) requirement.
- B. A minimum twenty-five-foot (25') landscaped street buffer adjacent to the right-of-way of any arterial is required for the first two hundred and fifty feet (250') from the beginning (i.e., tangent) point of the street corner radius. Beyond the first 250 feet, the landscaped street buffer may either continue at the 25-foot width (developer's option), or it shall transition down to a required width of fifteen feet (15') along the remainder of the arterial frontage (minimum length of transition shall be one hundred feet (100')). A minimum fifteen-foot (15') landscaped street buffer shall be required along any street frontage for any other nonresidential or multifamily development (including schools, churches, day care facilities, and other similar uses in a residential district). Corner lot/tracts fronting two (2) arterials shall provide the appropriate required landscape buffer on both street frontages. One (1) large shade tree, four (4) small ornamental trees and four (4) shrubs (five (5) gallon minimum) shall be required per fifty (50) linear feet (or portion thereof) of street buffer frontage. Trees should be grouped or clustered to facilitate site design and to provide an aesthetically pleasing, natural looking planting arrangement. The landscaped street buffer area may be included in the required landscape area percentage.
- C. Landscape areas within parking lot/tracts should generally be at least one parking space in size, with no landscape

area less than fifty (50) square feet in area. Landscape areas shall be no less than five feet (5') wide, shall equal a total of at least sixteen (16) square feet per parking space, and shall be dispersed throughout the parking area (i.e., not confined to the perimeter). There shall be a landscaped area with at least one (1) large shade tree within sixty feet (60') of every parking space. There shall be a minimum of one (1) large shade tree planted within the parking area for every ten (10) parking spaces for parking lot/tracts having more than twenty (20) spaces. Within parking lot/tracts, landscape areas should be located to define parking areas and to assist in clarifying appropriate circulation patterns. Landscape islands shall be located at the terminus of all parking rows and within bays of parking such that bays do not generally exceed fifteen (15) parking spaces in length, and all islands shall contain at least one (1) tree (large or ornamental). All landscape areas shall be protected by a monolithic concrete curb or wheel stops, and shall remain free of trash, litter, and car bumper overhangs.

- D. Each lot/tract shall provide a minimum five foot (5') wide landscaped buffer strip around the sides and rear perimeters of the lot/tract, provided that each side or rear lot/tract line does not abut residentially zoned property, which requires a screening wall, per Article 4, Division 4 of this Chapter. Within the five foot (5') perimeter buffer, shall be provided a four foot (4') tall screen comprised of hardy, evergreen shrubs, decorative walls with shrubs, or similar landscaping. If a side or rear lot/tract line abuts a residentially zoned property, and for nonresidential and institutional uses in residential zoning districts, then that portion(s) of the perimeter buffer strip shall observe the required screening per Article 4, Division 4 of this Chapter, shall be a minimum of ten feet (10') in width, and shall be required to have one (1) large shade tree, in lieu of the four foot (4') high screen described above for every thirty linear feet (30') for overstory screening/buffering for the adjacent residences.
- E. Only shrubs, ground covers and small ornamental trees shall be used under existing or proposed overhead utility lines.
- F. Vehicular driveways from the public right-of-way and sidewalks, in accordance with City regulations, shall be permitted through all required landscaping.

Sec. 14.4.14 Minimum Landscaping Requirements for Single-Family and Two-Family Residential Developments

- A. For all single-family and two-family developments, each residential lot/tract shall be required to have either two (2) canopy shade trees (3" minimum caliper) or one (1) canopy shade tree (3" minimum caliper) and two (2) ornamental trees (2" minimum caliper). All single-family residential lots of less than 7,200 square feet shall have either one (1) canopy shade tree (3" minimum caliper) or two (2) ornamental trees (2" minimum caliper).
- B. The shade trees shall be a minimum of three inch (3") caliper measured forty-eight inches (48") above the ground. If the tree is located on a slope, measurement shall be from the highest side of the slope. The shade trees shall be selected from the current approved tree list contained in [Section 14.4.17](#).
- C. Minimum height required. Shade trees: seven feet (7').

Sec. 14.4.15 Sight Distance and Visibility

- A. Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections (see Section 14.4.35 for visibility requirements at street intersections and corners).
- B. Landscaping, except required grass and low ground cover, shall not be located closer than three feet (3') from the edge of any vehicular pavement in order to avoid visibility problems when plant materials mature.
- C. In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the City Administrator or his/her designee, the requirements set forth herein may be slightly reduced, if necessary, to remove the conflict.

Sec. 14.4.16 Maintenance

- A. The owner, tenant and/or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not be limited to, mowing, edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Artificial turf/lawn areas shall be kept in like-new condition, in compliance with manufactures recommendations (see Artificial Turf Standards table). Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size, within ninety (90) days. Trees with a trunk diameter in excess of six inches (6") measured four foot (4') above the ground may be replaced with ones of similar variety having a trunk diameter of no less than three inches (3") measured four foot (4') above the ground on a caliper-inch for caliper-inch basis (e.g., for a 6" tree, two 3" replacement trees shall be required). A

time extension may be granted by the City Administrator or his/her designee if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his/her agent.

- B. It shall be the duty of any person or persons owning or occupying real property bordering on any street to prune trees next to the street in such manner that they will not obstruct or shade the streetlights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct the view from any street or alley intersection (see visibility requirements, Section 14.4.35). The minimum clearance of any portion of a tree overhanging public street right-of-way shall be fourteen feet (14'), and overhanging a public sidewalk shall be eight feet (8').
- C. Failure to maintain any landscape area in compliance with this Section is considered a violation of this Section and may be subject to penalties of Section 14.5.3.

Sec. 14.4.17 Approved Plant List

Table 14.4-2 Approved Plant List	
Common Name	Scientific Name
Canopy Trees	
Bald Cypress	Taxodium distichum
Texas Red Oak	Quercus texana
Bur Oak	Quercus macrocarpa
Live Oak	Quercus virginiana (Escarpment)
Red Oak	Quercus shumardi
Lacey Oak	Quercus glaucoides
Chinquapin Oak	Quercus muhlenbergii
Escarpment Live Oak	Quercus fusiformis
Post Oak	Quercus stellata
Cedar Elm	Ulmus crassifolia
Lace Bark Elm	Ulmus parvifolia
Chinese Pistache	Pistacia chinensis
Texas Ash	Fraxinus texensis
Pecan (native)	Carya illinoensis
Southern Magnolia	Magnolia grandiflora
Black Walnut	Juglans nigra
Eastern Red Cedar	Juniperus virginiana
Bigtooth Maple	Acer gradidentatum
Caddo Maple	Acer saccharum
Western Soapberry	Sapindus drummondii
Osage Orange	Maclura pomifera (thornless and fruitless)
Ornamental Trees	
Yaupon Holly	Ilex vomitoria
Possumhaw Holly	Ilex decidua

Crape Myrtle	<i>Lagerstroemia indica</i>
Redbud	<i>Cercis canadensis</i>
Eve's Necklace	<i>Sophora affinis</i>
Texas Mountain Laurel	<i>Sophora secundiflora</i>
Prairie Crabapple	<i>Pyrus ioensis</i>
Mexican Plum	<i>Prunus mexicana</i>
Wax Myrtle	<i>Myrica cerifera</i>
Hawthorne	<i>Crataegus phaenopyrum</i>
Hawthorne	<i>Crataegus crus-galli</i>
Hawthorne	<i>Crataegus reverchonii</i>
Chaste Tree	<i>Vitex agnus-castus</i>
Mexican Buckeye	<i>Ungnadia speciosa</i>
Rusty Blackhaw Viburnum	<i>Viburnum rufidulum</i>
Smoketree	<i>Cotinus obovatus</i>
Smoketree	<i>Cotinus caggyria</i>
Desert Willow	<i>Chilopsis linearis</i>
Goldenball Leadtree	<i>Leucaena rietusa</i>
Texas Buckeye	<i>Aesculus glabra</i> var. <i>arguta</i>
False Indigo	<i>Amorpha fruticosa</i> var. <i>angustipolic</i>
Texas Persimmon	<i>Diospyros texana</i>
Carolina Buckthorn	<i>Rhamnus caroliniana</i>
Prairie Flame-leaf Sumac	<i>Rhus lanceolata</i>
Shrubs	
Cenizo	<i>Leucophyllum frutescens</i>
Red Yucca	<i>Hesperaloe parviflora</i>
Lantana	<i>Lantana horrida</i>
Turk's Cap	<i>Malvaviscus drummondii</i>
Pavonia	<i>Pavonia lasiopetala</i>
Prickly Pear	<i>Opuntia phaeacantha</i>
Cherry Sage	<i>Salvia greggii</i>
Rough Leaf Dogwood	<i>Cornus drummondii</i>
American Beautyberry	<i>Callicarpa americana</i>
Bird of Paradise	<i>Caesalpinia gilliesii</i>
Coralberry	<i>Symphoricarpos obiculatus</i>
Elaeagnus	<i>Elaeagnus macrophylla</i>
Holly, Dwarf yaupon	<i>Ilex vomitoria</i>

Holly, Dazzler	Ilex cornuta ‘Dazzler’
Holly, Nellie R. Stevens	Ilex x ‘Nellie R. Stevens’
Hypericum, Upright	Hypericum patulum
Mahonia, Leatherleaf	Mahonia bealeii
Nandina, Compact	Nandina domestica compacta
Nandina, Gulfstream	N. d. ‘Gulfstream’
Nandina, Standard	N. domestica
Photinia, Chinese	Photinia serrulata
Privet, Southern River	Ligustrum vulgare
Privet, Variegated	Ligustrum luicidum ‘variegata’
Spiraea, Anthony Waterer	Spiraea x bumalde ‘goldflame’
Sumac, Smooth	Rhus glabra
Wax Myrtle, Dwarf	Myrica pusilla

Sec. 14.4.18 Non-desirable Plant Materials

The following plant materials are non-desirable. Due to their detrimental impact on foundations, sidewalks and other impervious areas, their negative impact on the built environment, and/or their intolerance to natural conditions, these plant materials shall not be used. If these materials are existing, they do not have to be removed from the site. They may not, however, be counted towards meeting any landscaping required by this article.

Table 14.4-3 Non-Desirable Plant Materials	
American Elm	Mimosa
Arizona Ash	Mulberry
Bois d’Arc	Siberian Elm
Cottonwood	Silver Maple
Fruitless Mulberry	Sycamore
Hackberry	Weeping Willow
Lombardy Poplar	

Section 3: CONFLICT OF ORDINANCES

This Ordinance shall be cumulative of all ordinances of the City of Westworth Village, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances in which the conflicting provisions of such ordinances are hereby repealed.

Section 4: REPEAL

All ordinances or parts of ordinances, orders, resolutions, rules, regulations, policies or provisions of the City of Westworth Village in force when the provision of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

Section 5: SAVINGS CLAUSE

All rights and remedies of the City of Westworth Village are expressly saved as to any and all violations of the provisions of any ordinances affecting health and safety which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the courts.

Section 6: 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 provided by law.

AND IT IS SO ORDERED, PASSED AND APPROVED on this 14th day of November 2023.

L. Kelly Jones, Mayor

ATTEST:

Brandy G. Barrett, TRMC
City Administrator/City Secretary

APPROVED AS TO FORM:

Brenda McDonald, City Attorney

DRAFT