

DIVISION 3. - LANDSCAPING AND TREE PRESERVATION

STATEMENT OF PURPOSE

The purpose of these landscaping, street tree, screening, and buffer requirements is to provide standards that will protect the health, safety and general welfare of the public, enhance property values, and improve the appearance of the community through preservation of natural resources, trees, and native plants and maintaining the ecological balance of the area. These minimum requirements will:

- Safeguard and enhance property values and protect public and private investment.*
- Encourage preservation of existing trees and other significant vegetation.*
- Encourage proper selection, installation, and maintenance of plant materials that result in the conservation of natural resources, including water.*
- Reduce the negative environmental effects of development while protecting and enhancing the value of developed properties and the surrounding area.*
- Reduce soil erosion and increase infiltration in permeable land areas essential to stormwater management and aquifer recharge.*
- Mitigate air, dust, noise, heat and chemical pollution and glare and other adverse environmental effects of development.*
- Reduce the "heat island" effect of impervious surfaces, such as parking lots, by cooling and shading the surface area and breaking up large expanses of pavement.*
- Establish a landscape theme including street trees and streetscape designs to be used throughout the city to promote the overall character and identity of the community.*
- Address the design of entryways into the city to express the community's values.*
- Preserve existing native vegetation as an integral part of the wildlife habitats, and incorporate native plants and ecosystems into landscape design.*
- Promote innovative and cost-conscious approaches to the design, installation, and maintenance of landscaping while encouraging xeriscape planting techniques, water and energy conservation.*
- Screen unsightly equipment or materials from the view of persons on public streets or adjoining properties and buffering from uncomplimentary land uses.*
- Maintain and increase property values by requiring site appropriate landscaping to be incorporated into development that is designed and installed by a qualified landscape professional.*

- *Promote walkable, pedestrian-scale streetscapes, traditional neighborhoods, and compact centers by exempting uses which relate to each other functionally and visually from certain requirements of this section.*
- *Promote water conservation through efficient landscape and irrigation design.*
- *To promote and protect the health, safety, and welfare of the public by creating an urban environment that is aesthetically pleasing and that promotes economic development through an enhanced quality of life.*
- *To select tree and other plant materials that take into consideration climate change to ensure that species planted today can tolerate future climate conditions. Species with a high carbon storage capacity should also be prioritized as a climate mitigation strategy.*

This section implements the following policies of the master plan:

- *Neighborhoods, Policy 3c: Amend the landscape and other applicable ordinances to include buffering provisions between residential and nonresidential uses.*
- *Natural Resources, Policy 2a: Create guidelines for demolition and construction which protects trees and other vegetation.*
- *Natural Resources, Policy 2c: Continue to implement and update, as necessary, the landscape and tree ordinances for public and private properties to emphasize preservation of established native vegetation and use of locally native or adapted drought tolerant species.*
- *Natural Resources, Policy 2d: Continue to implement and update, as necessary, the landscape and tree ordinances for public and private properties to emphasize preservation of established native vegetation and use of locally native or adapted drought tolerant species.*

(Ord. No. [2022-11-03-0831](#), § 2, 11-3-22, eff. 1-1-23)

Sec. 35-510. - Buffers.

STATEMENT OF PURPOSE

The intent of buffering is to implement Policy 3c of the Neighborhoods Element of the Master Plan to provide landscaped separation between residential and nonresidential uses and to screen from view certain land uses that may create visual clutter and distraction. The standards of this section provide for increases in the width and the opacity of the bufferyard as the land use intensity of the new or expanded development increases.

General Reference Information: Ch 34. Art. IV. Div. 1 Sec 34-275 (1)-(8)

General Reference Information: Ch 34. Art. IV. Div. 1 Sec. 34-273 (2)c.**(a) Applicability.**

- (1) **Activities Subject to Buffer Regulations.** This section shall apply to any of the following, except where exempted pursuant to subsection (2), below.
- A. The construction or erection of any new occupiable building or structure for which a building permit is required.
 - B. Any enlargement exceeding one thousand (1,000) square feet or ten (10) percent in area, whichever is greater, of the exterior dimensions of an existing building for which a building permit is required. When a building or parking lot is enlarged to the extent that a buffer of at least one hundred (100) feet in lineal footage is required, the requirements of this section shall be applied incrementally such that buffers shall be required only in proportion to the enlarged building area or off-street parking area to the existing development. For example, a ten (10) percent increase requires ten (10) percent of the required buffering that would otherwise be required for the entire development. No buffer is required if the incremental footage imposed by this section is less than one hundred (100) lineal feet.
 - C. Any construction of a new parking lot regardless of size.
 - D. Expansion of an existing parking lot by more than two thousand (2,000) square feet or ten (10) percent in area whichever is greater.
- (2) **Exemptions.** This section shall not apply to the following situations:
- A. Residential uses adjoining residential uses within any residential zoning district.
 - B. Agricultural uses.
 - C. Nonresidential uses adjoining other nonresidential uses of the same zoning classification.
 - D. The reconstruction of an existing building of which fifty (50) percent or less of the floor area was destroyed or ruined by flooding, fire, windstorm or act of God. This exemption shall apply only where reconstruction of that building will not result in an increase in building size or paving area of the parking facilities to be provided.
 - E. Interior finish work or remodeling in a portion of a building unless the work results in an increase in the paving area of the parking facilities within the street yard or in an enlargement of the exterior dimensions of an existing building.
 - F. Any use, building or structure for which only a change of use is requested, and which use does not increase the existing building square footage.
 - G. Single-family dwellings.
 - H. Contiguous commercial parcels or land areas under common ownership.

Commentary: Subsection H addresses situations where a parcel is rezoned with several different zoning districts, and one of the districts acts as a "buffer" for the other. For example, a landowner rezones part of a parcel to "L," with a strip adjoining a residential area zoned "O-1." A type "E" buffer is normally required between the "L" and "O-1" districts. No buffer is required between the portion of the parcel zoned "L" and "O-1" internal to the property in this situation.

- I. Accessory structures less than three hundred (300) square feet in size such as decks, sheds, playhouses, gazebos, security guard huts and non-mobile food vending stands.
 - J. Non-occupiable buildings that provide only maintenance access to the interior of the structure such as ice and water vending machines, DVD kiosks and automated teller machines.
 - K. Non-occupiable buildings or structures regardless of size that serve a utility or infrastructure purpose such as flagpoles, retaining walls, above-ground backflow preventers, sign monuments and sign support structures, cellular and communication equipment and utility systems.
- (3) **Buildings Within Street Yard of Another Building.** A building located within the street yard of another building shall be considered as a separate building site unless it has previously been included within an approved landscape plan.
- (4) **Reduction in Required Bufferyards.** Table 510-2 indicates net minimum bufferyard widths. Such minimum widths shall be provided in a linear fashion along abutting properties where applicable. The width of the bufferyard at any point along its length may be greater or less than the minimum required by Table 510-2 provided that the total calculated area of the bufferyard must remain the same and further provided that the minimum width of the bufferyard at any point is not less than fifty (50) percent of the minimum width indicated by Table 510-2. The net bufferyard area for a property to be developed shall be reduced by no more than fifty (50) percent where:
- A. A bufferyard exists on an abutting property, and the net bufferyard satisfies the minimum bufferyard requirements of this section; or
 - B. The adjoining property owners have provided a written agreement restricting the use of an established or proposed use triggering the bufferyard requirement to the uses provided for in the current zoning district. Should the property that was subject to the bufferyard requirement be rezoned after the date of the written agreement, the adjoining property owner's written agreement shall be null and void and the applicable bufferyard shall be required.
 - C. The required bufferyard area may be reduced in width up to twenty (20) percent where a natural area is provided in accordance with Table 510-2 (Type N).

- (5) The Board of Adjustment may reduce or eliminate the depth or composition of any required bufferyard upon findings of fact that support the request for the variance.
 - (6) Irrigation systems newly installed after January 1, 2010 in residential dwellings may not cover more than ten thousand (10,000) square feet of landscape with spray or rotor irrigation heads. The use of drip irrigation or micro-sprays may be used to expand the coverage size upon approval of the residential landscape plan by SAWS.
- (b) **Landscape Plan.** Landscape materials for bufferyards shall be consistent with Appendix "E" to this chapter. A registered landscape architect, where required by this subsection, shall develop a plan that utilizes xeric landscaping and native plants to the extent practicable. Activities subject to this section which exceed four thousand three hundred (4,300) square feet of impervious surface shall include materials installed in conformance with an approved landscape plan bearing the seal of a registered landscape architect. The landscaping plan shall be approved as provided in section 35-476 of this chapter.
- (c) **Types of Bufferyards Required.**
- (1) Table 510-1 shows when a bufferyard shall be required to buffer an adjoining zoning district. Uses in the "adjoining zoning district" are not required to provide the bufferyard. The applicant shall install the type of bufferyard as indicated in the table.

Commentary: For example, if the proposed development is located in an "I-1" zoning district (see row (10) of the table), and the "adjoining zoning district" is zoned "RE" (see the column (2) under adjoining zoning district), then the applicant shall install a type E buffer. In addition, if the development adjoins a street classified as a "major arterial" (see column (12) under the adjoining street classification), then the applicant shall install a type C bufferyard where the front yard adjoins the street right-of-way line. However, a proposed development zoned "RE" (see row (2) of the table) which adjoins an "I-1" district (see column (10) of the table) is not required to provide a bufferyard.
 - (2) In order to encourage the preservation of natural vegetation, the applicant may substitute a type "N" buffer consistent with subsection (d), Table 510-2 for any category of required.

Table 510-1
Required Bufferyards

Zoning District	Adjoining Zoning District											Adjoining Street Classification		
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
	RP**	RE, R-20, NP-15, NP-10, NP-8**	R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR**, TOD-TR	MF-18, MF-25, MF-33**	MF-40, MF-50, MF-65	NC***	O-1, O-1.5, C-1, C-2, C-2P***	O-2, C-3, BP, MXD, MPCD, All TOD-MX, All TOD-HI	D	L, I-1***	I-2***	Primary Arterial****	Secondary Arterial****	Collector****
(1) RP	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(2) RE, R-20, NP-15, NP-10, NP-8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(3) R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR, TOD-TR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(4) MF-18, MF-25, MF-33	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	F	A	N/A	N/A
(5) MF-40, MF-50, MF-65	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	A	N/A	N/A
(6) NC	C	C	B	N/A	N/A	N/A	N/A	N/A	N/A	E	E	B	A	A
(7) O-1, O-1.5, C-1, C-2, C-2P	C	C*	B	N/A	N/A	A	N/A	N/A	N/A	E	E	B	A	A
(8) O-2, C-3, BP, MXD, MPCD, All TOD-MX, All TOD-HI	C	C *	C	C	N/A	A	N/A	N/A	N/A	N/A	D	B	B	A
(9) D	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

(10) L, I-1	E	E	D	E	E	E	E	N/A	N/A	N/A	N/A	C	C	B
(11) I-2	F	F	F	F	F	E	E	D	N/A	N/A	N/A	C	C	B

;sz=8q;Notes: ;hg;A, B, C, D, E, F: Bufferyard Type Designations as shown in Table 510-2 below.

N/A: Not applicable—Bufferyard not required.

* Where a use zoned "O-1," "C-1," "C-2" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "D" buffer shall be applied. Where a use zoned "BP," "O-2" or "C-3" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "F" buffer shall be applied.

** Where a nonresidential use is located in a single-family or multi-family district as indicated in Table 510-1 the required buffer is equivalent to that required of an O-1, C-1, C-2 use (column 7).

***Where a commercial or office zoned property that is less than one (1) acre and abuts an industrial zoned property, a landscaped bufferyard is not required provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1. Where a commercial or office zoned property that is equal to or greater than one (1) acre, and abuts an industrial zoned property, a Type A bufferyard is required, provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1.

**** Note to adjoining street classification (12) Primary Arterial, (13) Secondary Arterial, and (14) Collector for when the adjoining street has an easement or easements that preclude provision of required buffer planting, a five (5) foot strip for planting outside and abutting the outmost extent of those easements may be provided in lieu of the required bufferyard width.

(d) Buffer Types.

- (1) There are seven (7) types of bufferyards. Table 510-2 shows the minimum width and number of trees and/or plants required for each one hundred (100) lineal feet for each bufferyard. Figure 510-1 illustrates a typical bufferyard for each type. Each bufferyard type provides several plant material options. The applicant may either plant new trees or plants, or preserve existing trees or plants, within the required buffer which meet the requirements of this subsection.

Table 510-2
Minimum Plant Materials Required for Each Bufferyard Type

Bufferyard Type	Minimum Width (in feet)	Trees ¹		Shrubs ³			Fence (F), Berm (B) or Wall (W) ⁷
		Canopy	Understory ²	Large ³	Medium ⁵	Small ⁶	
A	10	2	2	-	-	16	-
Option	10	2	2	-	8	-	-
B	15	2	2	8	12	-	-
Option	15	2	2	6	8	6	-
C	15	2	4	9	8	-	F or W
Option	15	2	3	10	10	-	F or W
D	25	2	4	9	8	-	F or W
Option	25	2	3	10	10	-	B
E	30	2	4	14	4	4	F or W
Option	30	2	3	12	8	4	B
F	40	2	4	9	5	-	B & W
Option	40	1	4	6	8	8	B
N ⁸	20% reduction with minimum of 10 feet	Any combination of trees or shrubs is acceptable where: (1) the existing vegetation provides at least the number of equivalent planting units required by the required by Table 510-1 (see subsection (d)(2), below), or (2) the existing vegetation provides complete visual screening from the adjoining property.					-

;sz=8q; ¹ Canopy trees required for bufferyard types D, E, and F shall be a minimum of medium/large, shade trees that reach a mature height of 30+ feet minimum. See Appendix "E." Where existing or proposed overhead electric lines conflict with tree canopies, small to medium trees may substitute for

canopy trees.

² An understory tree is a small to medium deciduous tree, with a mature height of 15 to 25 feet.

³ At a minimum, 50 percent of the shrubs for bufferyard types D, E and F shall be evergreen.

⁴ A large shrub is no more than 25 feet in height at maturity and may be either deciduous or evergreen.

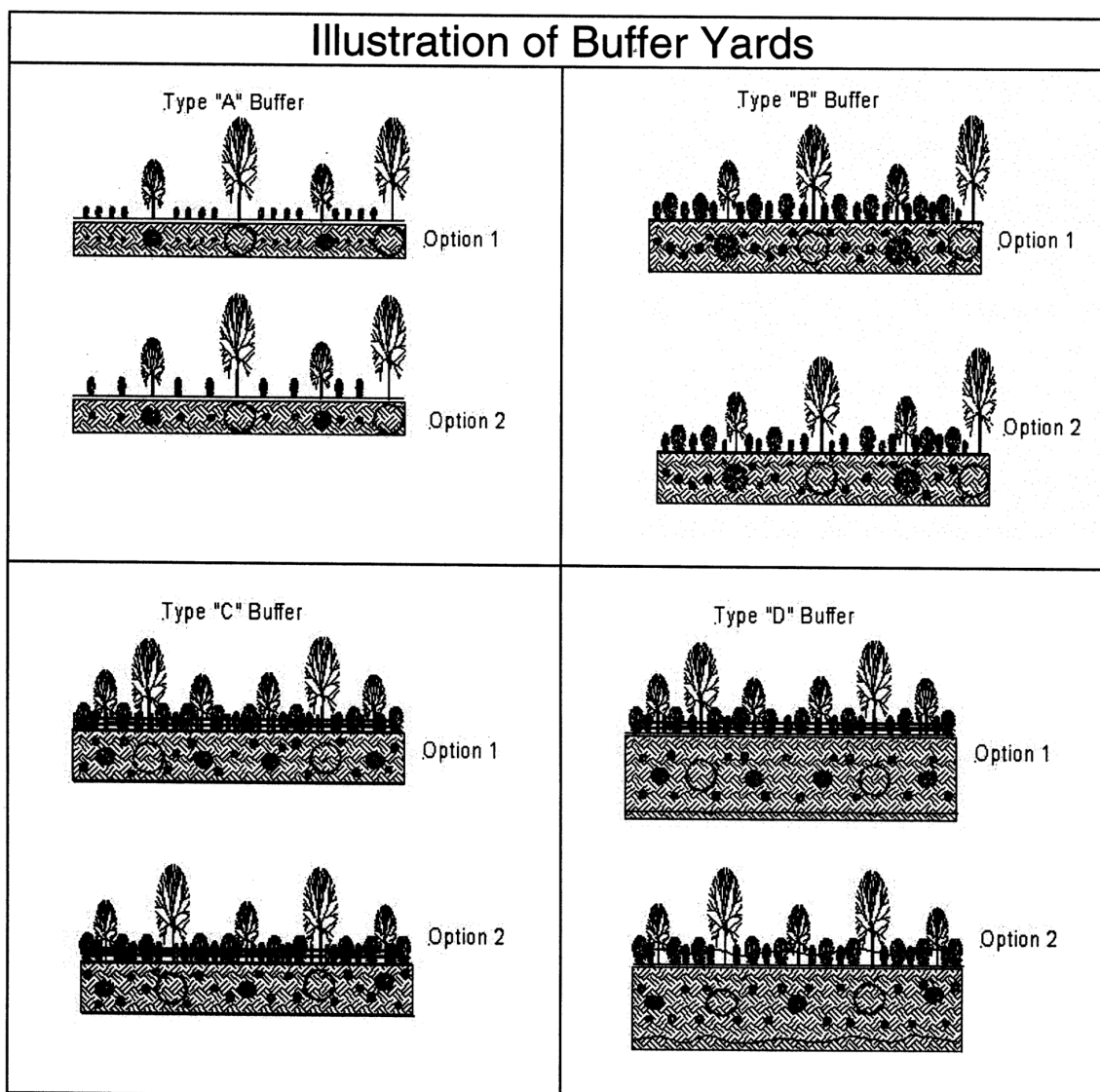
⁵ A medium shrub is between 5 and 10 feet in height at maturity and may be deciduous or evergreen.

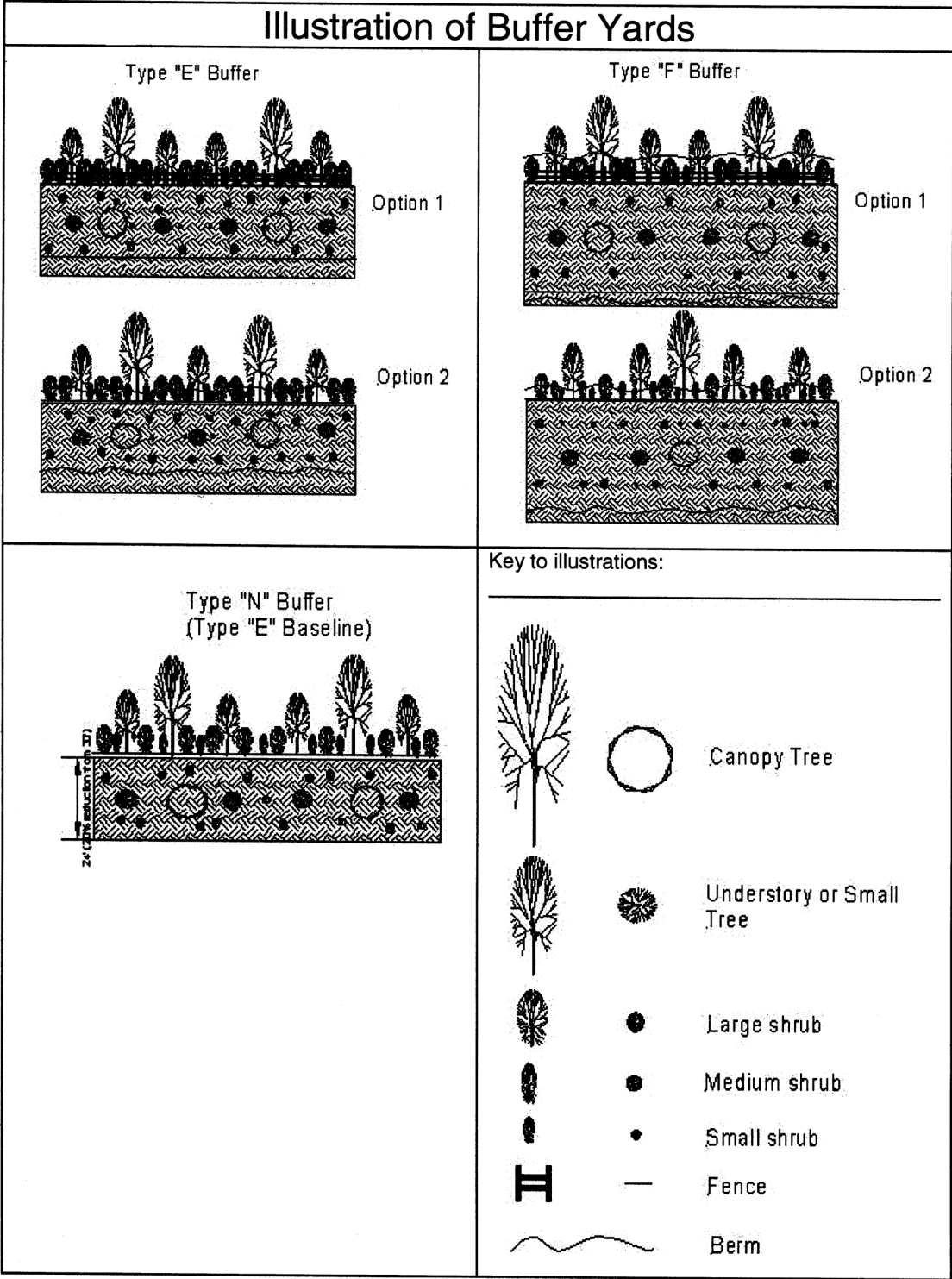
⁶ A small shrub is no more than 5 feet in height at maturity and may be either deciduous or evergreen.

⁷ A fence or wall a minimum height of six (6) foot high and two (2) one-half (½) inches thick shall be required where the land use abuts a residential district. The fence, wall or berm is required in addition to the trees and shrubs required by Table 510-2.

⁸ Natural area with native vegetation may be used to meet any of the above bufferyards requirements if the criteria of Table 510-2 are met. The width of a bufferyard shall be reduced by twenty (20) percent when the criteria of Table 510-2 provided that the minimum width shall not be less than ten (10) feet. Irrigation requirements may be waived if no additional planting is required to meet this criteria.

35-510(d) continued





A	<u>2.3</u>
B	<u>5.2</u>
C	10.8
D	10.8
E	11.7

(e) **Location of Bufferyard.**

- (1) A bufferyard required by this section shall be provided along the lot line of abutting uses as indicated by Table 510-1.
- (2) Bufferyards are not required along the front property line where streetscape planting is provided in accordance with section 35-512.

(f) **Permitted Uses Within the Bufferyard.** No active recreation area, storage of materials, parking, or structures, except for necessary utility boxes and equipment or retaining walls, shall be located within the bufferyard. The bufferyard may be included in the required building setback. Bufferyards may be used as a greenway as defined in the parks/open space standards. Where there is no other alternative to provide vehicular access to a site no more than one driveway may traverse through a bufferyard provided the width of the bufferyard shall be increased to provide an equivalent net amount of bufferyard area.

(g) **Size and Type of Plant Materials.** Trees shall measure a minimum of one and one-half (1½) inch caliper when measured six (6) inches above grade. Shrubs shall reach a mature height within five (5) growing seasons but in no case shall required shrubs measure less than the height required by Table 511-1 at the time of planting, when measured from the grade to the top horizontal plane of the shrub. Plant materials shall be selected from the plant list in Appendix "E." Substitutions may be permitted based on the recommendation of the qualified landscape professional preparing the plan. In addition, if a listed species is infested by fungi, disease or pests, a substitution may be recommended. In no case shall monoculture be permitted. Plant materials shall show a variety of texture, color, shape and other characteristics.

(h) **Fences and Walls.**

- (1) Fences or walls shall be a minimum height of six (6) feet when used in type D or E, and F bufferyards.
- (2)

No fence or wall shall be required if an existing fence or wall on abutting property meets the requirements of this section.

- (3) The fence or wall shall be solid and one hundred (100) percent opaque, except as otherwise required herein. Fence material shall be a minimum of one-half (½) inch in thickness and of wood, precast concrete, metal, or wrought iron with an adjoining hedge which provides an opaque barrier. Corrugated and galvanized steel or metal sheets shall not be permitted.
- (4) Walls may be concrete, concrete block with stucco finish, masonry, stone or a combination of these materials. The support posts shall be placed on and faced toward the inside of the developing property so that the surface of the wall or fence is smooth on the adjoining property side.
- (i) **Berms.** Berms shall have a slope not greater than the slope created in three (3) horizontal feet with a one-foot vertical rise. The surface of the berm that is not planted with trees and shrubs shall be covered with grass, perennial ground cover, vines, woody and herbaceous perennials, with mulch. Grass or other coverings shall be maintained in conformance with applicable city codes.
- (j) **Irrigation Required.** Where an irrigation system is required, the irrigation system shall comply with the requirements of 30 TAC Chapter 344, §§ 344.72—344.77. No irrigation is required for a type "N" buffer if no additional planting is required. An inground irrigation system consisting of water lines, water emitters and a controller is required to have a separate meter service if the San Antonio Water System is the water purveyor. In addition to the above irrigation requirements the installation shall be designed in compliance with subsection 35-511(c)(6), Landscaping.

(Ord. No. 95573 § 7) (Ord. No. 96564 § 2) (Ord. No. 98697 § 6) (Ord. No. 100126 § 4) (Ord. No. 2006-11-30-1333, § 2, 11-30-06) (Ord. No. 2010-11-18-0985, § 2, 11-18-10) (Ord. No. 2012-10-18-0829, § 2, 10-18-12; Ord. No. 2015-12-17-1077, § 2, 12-17-15; Ord. No. 2022-11-03-0831, § 2, 11-3-22, eff. 1-1-23; Ord. No. 2024-12-19-1017, § 2, 12-19-24, eff. 1-1-25)

Sec. 35-511. - Landscaping.

STATEMENT OF PURPOSE

In addition to the purposes recited generally for this division, the purpose of this section is:

- *To improve the appearance of commercial properties when viewed from the street.*
- *To screen the unattractive aspects of commercial properties.*

(a) **Applicability.**

- (1) **Generally.** This section shall apply to any of the following, except where exempted pursuant to subsection (3), below:

A.

The construction or erection of any new occupiable building or structure for which a building permit is required.

- B. Any enlargement exceeding one thousand (1,000) square feet or ten (10) percent in area, whichever is greater, of the exterior dimensions of an existing building for which a building permit is required.
 - C. Any construction or reconstruction (complete removal of the pavement structure including surface course and base material) of a parking lot.
 - D. Expansion of an existing parking lot by more than two thousand (2,000) square feet or ten (10) percent in area whichever is greater. Parking lots in residential zoning districts shall be subject to the requirements of subsection (e) of this section.
- (2) **Expansion.** When a building or parking lot is enlarged, the requirements of this section shall be applied incrementally such that landscaping shall be required in the same proportion that the enlarged building area or off street parking area has to the existing development. For example, a ten (10) percent increase requires ten (10) percent of the required landscaping.
- (3) **Exemptions.** This section shall not apply to the following situations:
- A. Single-family, duplex, triplex or four-plex residential uses located within a residential zoning district.
 - B. Agricultural uses.
 - C. The reconstruction of an existing building of which fifty (50) percent or less of the floor area was destroyed or ruined by flooding, fire, windstorm or act of God. This exemption shall apply only where reconstruction of that building will not result in an increase in building size or paving area of the parking facilities to be provided.
 - D. The reconstruction of an existing parking lot which consists of fifty (50) percent or less of the existing surface area. In no case shall an expansion of parking lot be considered an exemption for the purposes of this section.
 - E. Interior finish work or remodeling in a portion of a building unless the work results in an increase in the paving area of the parking facilities within the street yard or in an enlargement of the exterior dimensions of an existing building.
 - F. Any use, building or structure for which only a change of use is requested, and which requires no structural modifications that would increase its volume or scale.
 - G. Single-family dwellings.
 - H. Non-occupiable buildings or buildings that provide only maintenance access to the interior of the structure such as ice and/or water vending machines, DVD kiosks and automated teller machines.
 - I.

Accessory structures less than two hundred (200) square feet in size such as decks, sheds, playhouses, gazebos, security guard huts and non-mobile food vending stands.

- J. Non-occupiable buildings or structures regardless of size that serve a utility or infrastructure purpose such as flagpoles, retaining walls, above-ground backflow preventers, sign monuments and sign support structures, cellular and communication equipment and utility systems.

(4) **Buildings Within Street Yard of Another Building.** A building located within the street yard of another building shall be considered as a separate building site unless it has previously been included within an approved landscape plan.

(b) **Landscape Plan.** Activities subject to this section which exceed four thousand three hundred (4,300) square feet of impervious surface shall include landscape materials installed in conformance with the approved landscape plan bearing the seal of a registered landscape architect. If all landscape buffer, landscape and tree preservation requirements have been met by the utilization of existing trees and vegetation, the seal of a registered landscape architect is not required.

(c) **Mandatory Criteria.**

(1) **Screening.** Off-street loading spaces, refuse and outdoor storage areas, antennas, satellite dishes, and mechanical equipment within the street yard shall be screened from all public streets. The screening shall be a minimum of six (6) feet in height or a height sufficient to obscure the area or equipment requiring the screening, whichever is less. The screening may be provided by plants, a solid screen fence or wall, or a combination thereof. The height of plants shall be based on reaching their size at maturity within five (5) growing seasons.

(2) **Acceptable Landscape Materials.**

- A. No artificial plant materials shall be used to satisfy the requirements of this section.
- B. Plant materials required by this section shall be consistent with appendix E and shall comply with the minimum size requirements of Table 511-1 at the time of installation. Plant height shall be measured from the average grade level of the immediate planting area to the top horizontal plane of the shrub at planting, for single trunk trees, the measurement shall be taken at six (6) inches above grade level, and for multi-trunk trees, the tree shall be measured from the average grade level of the immediate planting area.
- C. Planting areas shall consist of permeable surface areas only. The permeable surface areas for shrubs may be included within permeable surface areas required for trees.
- D. In satisfying the requirements of this section, the use of four (4) inches of organic mulch material shall be provided at the time of planting.
- E. Each large tree, small tree or large shrub shall be planted at least thirty (30) inches from the edge of any paved surface.

Table 511-1

	Minimum Caliper at the Time of Planting	Minimum Height at the Time of Planting	Minimum Planting Area
Trees	1½ inches for single trunk trees	Not applicable unless multi-trunk trees, in which case the tree shall be a minimum of six (6) feet in height at the time of planting	Trees shall be planted in a pervious area of not less than one hundred sixty-two (162) square feet or 18 feet by nine feet (18' x 9') as required in parking areas; Two trees: shall have an area of not less than two hundred fifteen (215) square feet. Each additional tree shall increase pervious planting area by fifty-four (54) square feet
Small Trees	1½ inches for single trunk trees	Six (6) feet for multi-trunk trees	Twenty-five (25) square feet (all trees planted for parking lot shading requirements and/or mitigation shall be planted in a pervious area not less than one hundred sixty-two (162) square feet or nine feet by 18 feet (9' x 18') as required by subsections 35-511(c)(7)C., 35-523(m)(1)
Large Shrubs	Not applicable	Two (2) feet	Nine (9) square feet
Small to Medium Shrubs	Not applicable	One (1) foot	Eight (8) square feet

Reference 35-511(c)(7)C.: Trees shall be planted within an island not less than nine (9) feet wide by eighteen (18) feet deep or one hundred sixty-two (162) square feet.

35-523(m)(1): Mitigation or replacement trees required by this section must have a minimum caliper of one and one-half (1.5) inches measured six (6) inches above grade at the time of installation and, shall be planted in a pervious area of at least one hundred sixty-two (162) square feet per tree.

- (3) **Protection of Plant Areas.** Plant areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.
- (4) **General Maintenance.** Required plants shall be maintained in a healthy condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pest prevention, pruning, and other maintenance of all plantings as needed. Any plant that dies shall be replaced with another living plant that is comparable to the existing plant materials or plant materials specified in the approved landscape plan within ninety (90) days after notification by the city. The director of planning and development services may extend this time period up to an additional ninety (90) days due to weather considerations. If the plants have not been replaced after appropriate notification and/or extension, the property owner, or his designee or lessee, shall be in violation of this chapter.
- (5) **Utility Lines.** Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs plants within a utility easement, it shall make every reasonable effort to preserve the plants and return them to their prior locations after the utility work. However, if some plants die, it shall be the obligation of the property owner to replace them.
- (6) **Irrigation.** Landscaped areas shall be irrigated with a system that is suitable for the type of plantings installed. An irrigation system will be required on projects when any one (1) of the following are used to meet the requirements of this chapter:
 - A. An area greater than two thousand (2,000) square feet of new landscape; or
 - B. More than ten (10) trees will be installed; or
 - C. Projects which exceed four thousand three hundred (4,300) square feet of impervious surface.

If an irrigation system is not required as above, a hose bib must be installed within one hundred (100) feet of the newly installed plant material. No irrigation is required for turf areas. Where an irrigation system is required, the irrigation system shall comply with the requirements of 30 TAC Chapter 344, §§ 344.60, 344.61, and 344.62. An in-ground irrigation

system consisting of water lines, water emitters and a controller is required to have a separate water service if the San Antonio Water System is the purveyor. In addition to the above irrigation requirements, the following is required:

A. Design requirements:

1. Pressure.
 - i. System to be designed to the lowest static pressure available in an annual twelve-month period.
 - ii. If static pressure exceeds design pressure by fifteen (15) PSI or more in any zone a flow control device shall be installed.
 - iii. Pressure at any point within a zone shall not vary by more than ten (10) percent from the design sprinkler operating pressure.
2. Provide separate zones for:
 - i. Turf.
 - ii. Plants with dissimilar water requirements.
 - iii. Areas with greater or lesser sun exposures.
 - iv. Slopes from flat/level areas (topographic information is required for zoning for slope and flat/level area design).
3. Sprinkler head spacing.
 - i. Head spacing shall not exceed fifty (50) percent of diameter.
 - ii. Spacing shall make allowance for local wind conditions.
 - iii. Trim perimeters with correct arc and radii selection to eliminate water thrown onto non-landscaped areas.
 - iv. Show radius/diameter and arc of coverage of a representative number of each type of sprinkler head.
4. Landscape water schedule - produce a water schedule for the landscape at a minimum of eighty (80) percent ET (evapotranspiration) as determined by the local ET.

B. Equipment.

1. Controller requirements.
 - i. On/off rain switch or other rain shut off device that does not alter program.
 - ii. Multiple programming capacity.
 - iii. Controllers capable of a minimum of three (3) cycles per program.
2. Valves: Flow control devices on all remote control valves (including a master control valve).

3. Sprinklers.

- i. Use of low-angle heads is encouraged.
 - ii. Pop-up sprinklers and shrub risers will be at a height to clear turf, trees, shrubs, other planting and objects such as fences allowing no obstruction of spray pattern.
 - iii. Pop-up type shrub risers should be used in areas where pedestrians/auto traffic may occur. Drip irrigation should be used in areas between the curb and sidewalk and parking lot areas where over spray onto pavement may occur in accordance with manufacturer's recommendations.
 - iv. Low head drainage is to be eliminated or minimized through design or by use of check valves.
 - v. Sprinkler heads shall be attached to rigid lateral lines with flexible material, swing joints to reduce potential for breakage.
4. Any device on a pressurized line (such as a quick-coupler valve) should be preceded by some sort of isolation valve separate from the primary shut-off valve.

(7) Parking Lot Shading.

- A. **Applicability.** Shading shall be required for parking lots subject to this section that are located within the project area, and any parking areas (excluding driveways or garages) in residential districts. Canopy trees, as defined in Appendix "A," shall be provided to shade a minimum of twenty-five (25) percent of a parking lot. Medium or large trees may be used. A "parking lot" does not include an area used exclusively for the display of motor vehicles for sale as part of an automobile dealership.
- B. **Calculation of Shaded Area.** Existing trees preserved on a site within twelve (12) feet of any edge of a parking lot or in an island or peninsula not less than nine (9) feet by eighteen (18) feet shall be calculated at one hundred (100) percent of the shade coverage shown in Appendix "E," under "shade area."

Newly planted trees planted in an island or peninsula not less than nine (9) feet by eighteen (18) feet shall be calculated at seventy-five (75) percent of the shade coverage shown in Appendix "E," under "shade area."

Newly planted trees planted adjacent to a parking lot within twelve (12) feet of any edge of a parking lot shall be calculated at fifty (50) percent of the shade coverage shown in Appendix "E," under "shade area." An example calculation is as shown:

The parking area is ten thousand (10,000) square feet; therefore two thousand five hundred (2,500) square feet of shade is required. If Cedar elm trees are used at a value of eight hundred seventy-five (875) square feet of shade per tree, 2.9 or three (3)

trees are required to be planted.

- C. **Design.** Trees shall be planted within an island not less than nine (9) feet wide by eighteen (18) feet deep.

(d) **Artificial Lots.**

- (1) If a building site is over two (2) acres in size, the applicant may request that the director of planning and development services designate an artificial lot to satisfy the requirements of this article. If requested, the director of planning and development services shall designate an artificial lot consistent with the purposes and requirements of this article and in accordance with the criteria below.
- (2) An artificial lot may be designated by the director of planning and development services if it:
 - A. Wholly includes the area on which the construction work is to be done;
 - B. Does not exceed seventy-five (75) percent of the area of the building site; and
 - C. Depicts and includes all proposed and existing buildings and structures, access drives, appurtenant parking required for the building expansion or new building construction, and other areas functionally appurtenant to the buildings or structures.

(e) **Elective Criteria.**

- (1) **Generally.** In addition to the mandatory requirements, landscape plans shall earn a minimum of seventy (70) points awarded for elective requirements. As an exception to this requirement, landscape plans for commercial projects which do not include off-street parking within the street yard shall earn a minimum of twenty-five (25) points and those in a designated "gateway corridor " adopted pursuant to section 35-339.01 shall earn eighty-five (85) points.
- (2) **Tree Preservation.** A maximum of forty (40) points shall be awarded for the preservation of existing healthy trees. Full credit in accordance with the criteria listed below shall be earned for the preservation of trees within the street yard up to thirty (30) points. Half credit may be earned for preserving trees within the street yard above thirty (30) points. Half credit may also be earned for preserving trees outside the street yard up to a maximum of fifteen (15) points. These points shall be included within the maximum forty (40) points permitted by this elective. Points shall be tabulated for each tree retained in accordance with the following criteria:

Description	Points Awarded
*DBH equal to or exceeding 4, but less than 6 inches	3
*DBH equal to or exceeding 6, but less than 12 inches	4

*DBH equal to or exceeding 12, but less than 18 inches	6
*DBH equal to or exceeding 18 inches	8

* DBH - Diameter at breast height at 4.5 feet aboveground.

Where credit for the preservation of existing trees is being requested, these areas shall be protected as follows.

- A. A protective barrier, beginning at the outside of the drip line of the tree, to protect the root protection zone shall be erected and maintained until construction is completed.
 - B. During construction, no excess soil, additional fill, equipment, liquids, or construction debris shall be placed inside the protective barrier, upon the root protection zone, nor shall any soil be removed from within the barrier.
 - C. The proposed finished grade and elevation of land within the root protection zone of any tree to be preserved shall not be raised or lowered more than two (2) inches. Wellings and retaining methods are allowed outside the root protection zone and shall be done in conformance with the Texas A & M University, Extension Landscape Horticulture, "Protecting Existing Landscape Trees from Construction Damage Due to Grade Changes," Everett E. Janne and Douglas F. Welch, PhD., authors.
 - D. The root protection zone for each preserved tree shall remain unpaved and shall have a two- to four-inch layer of mulch installed to help retain moisture and to prevent erosion.
- (3) **Screening of Surface Parking.** Twenty-five (25) points are awarded for screening a surface parking lot within the street yard in accordance with the following subsections.
- A. The screening must extend along the entire street frontage of the surface parking lot, exclusive of driveways.
 - B. The screening must be at least thirty (30) inches in height. If plants are used, they must achieve the minimum height and form an opaque visual barrier at maturity. If non-living materials are used to satisfy the screening requirement, plants must be provided along a minimum of twenty-five (25) percent of the screen's frontage.
 - C. Any screening placed in a clear vision area must comply with the restrictions contained in section 35-506 of this chapter.
- (4) **Parking Lot Shading.** Twenty (20) points are awarded for compliance with subsection (c)(7), above. Further, an additional:
- A.

Five (5) points are awarded when surface parking lots include canopy trees, as defined in Appendix "A," which shade a minimum of thirty-five (35) percent of any individual parking lot; and

- B. Fifteen (15) points are awarded when surface parking lots include canopy trees, as defined in Appendix "A," which shade a minimum of fifty (50) percent of any individual parking lot.
- (5) **Street Trees.** Twenty-five (25) points are awarded for the installation of large trees that meet the following requirements:
- A. The trees extend along a minimum of seventy-five (75) percent of the total frontage of the street yard of the parcel;
 - B. The trees shall be spaced on average no more than fifty (50) feet apart measured from trunk to trunk provided the distance between trees does not exceed one hundred (100) feet; and
 - C. The trees shall be located no more than seventeen (17) feet from the street right-of-way line.
- (6) **Understory Preservation.** Fifteen (15) additional points can be earned for preservation of existing vegetation adjacent to parking lots or by planting new vegetation utilizing a mixture of canopy trees with understory trees (small species) and large to small shrubs with ground plane perennials. Minimum area of understory preservation shall be ten (10) feet by twenty (20) feet. Where understory does not exist on a site under canopy trees, new understory plants from Appendix "E" may be installed to meet the above criteria.

Where credit for the preservation of existing understory is being requested, these areas must be protected as follows:

- A. A protective barrier must be erected around the perimeter of each understory area to be preserved and maintained until construction is completed.
 - B. During construction, no excess soil, additional fill, equipment, liquids, or construction debris shall be placed inside the protective barrier nor shall any soil be removed from within the barrier.
 - C. The proposed finished grade and elevation of land within six (6) feet of an understory area to be preserved shall not be raised or lowered more than three (3) inches unless compensated for by welling or retaining methods.
- (7) **Infill or Commercial Retrofit Use Patterns.** Twenty-five (25) points shall be awarded for the provision of landscaping for an infill or commercial retrofit use pattern where not more than four thousand three hundred (4,300) square feet of impervious surface is added.

(f)

Variances. The director of planning and development services may consider and administratively approve variances in situations where the applicant does not strictly comply with the requirements of this section but is willing to provide a comparable alternative. The planning commission is designated in accordance with Section 118, Paragraph 3, of the City Charter to consider all other variance requests and to consider appeals from the decisions of the director of planning and development services. Appeals shall be in writing and must be submitted within thirty (30) days of the director of planning and development services' decision.

The commission may grant variances upon finding from the evidence presented that the following conditions exist:

- (1) Strict compliance with the requirements of this section will unreasonably burden the use of the property and/or will result in substantial financial hardship or inequity to the applicant;
- (2) The circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the owner; and
- (3) The intent and general purposes of this section are preserved.

The applicant shall provide all evidence necessary for the director of planning and development services and planning commission to make their determinations. A variance granted under the provisions of this section shall apply only to the specific building site and structures for which the variance was requested. A fee as specified in Appendix "C" shall be required for each variance request from the planning commission.

(Ord. No. 95573 § 7 and 17, Amendment G) (Ord. No. 97602 § 3 and 4) (Ord. No. 98697 § 4 and 6) (Ord. No. 100126 § 4) (Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2006-11-30-1333, § 2, 11-30-06) (Ord. No. 2012-10-18-0829, § 2, 10-18-12; Ord. No. 2015-12-17-1077, § 2, 12-17-15)

Sec. 35-512. - Streetscape Planting Standards.

(a) Applicability.

- (1) **Generally - Interior and Exterior Streets.** (Streetscape provisions are not applicable on existing exterior streets.) In addition to developments subject to the landscaping standards, above, the following shall be subject to the streetscape planting standards as provided herein:
 - (A) All developments with five (5) or more parking spaces; and
 - (B) All developments requiring subdivision review.

Streetscape planting standards shall not apply to any street classification unless street trees are required by the street improvement standards, subsection 35-506(d), above. In addition, the streetscape requirement shall not create a major plat from a minor plat.

- (2) **Expansion.** When a building or parking lot is enlarged, the requirements of this section shall be applied incrementally such that landscaping shall be required in the same proportion that the enlarged building area or off-street parking area has to the existing development. For example, a

ten (10) percent increase requires ten (10) percent of the required street trees, with a minimum of one (1) tree to be planted.

- (3) **Waivers and Exemptions.** Should existing site conditions and/or existing development of the property render the planting of street trees impracticable, the applicant may submit a waiver or modification request in accordance with section 35-483 of this chapter. Local streets within a residential subdivision which service residential lot driveways shall be exempt from the requirements of this section.

(b) **Minimum Requirements.**

(1) **Options.**

- A. Where no existing or proposed overhead utility lines exist, street trees shall be large trees (see Appendix "E"), planted within the twelve-foot planting strip and shall be located a minimum three (3) feet from the back of the curb (BOC). One (1) large street tree shall be required every fifty (50) feet or fraction thereof, measured as an average of the street frontage along the particular street. Irrigation shall be provided for planted street trees for a minimum of three (3) years for establishment.
- B. If existing or proposed overhead utility lines exist along the right-of-way that are greater than thirty-five (35) feet in height, then the trees shall be medium size (see Appendix "E"), planted within the twelve-foot plant strip and shall be located a minimum of three (3) feet from the back of curb. Medium trees shall be planted every thirty (30) feet. Irrigation shall be provided for planted street trees for a minimum of three (3) years for establishment.
- C. If existing or proposed overhead utility lines exist along the right-of-way that are lower than thirty-five (35) feet in height, then the tree shall be a small tree (see Appendix "E"), planted within the twelve-foot plant strip and shall be located a minimum of three (3) feet from the back of curb. Medium trees shall be planted every thirty (30) feet. Irrigation shall be provided for planted street trees for a minimum of three (3) years for establishment.
- D. As an alternative to the streetscaping requirement in the rights-of-way, requirements may be met by planting large to medium trees within the median. Minimum median width for tree planting will be eighteen (18) feet. Where left turn lanes are provided, the minimum width will be eight (8) feet. One (1) medium tree shall be planted every fifty (50) feet and shall be a minimum of six (6) feet from the BOC. Where left turn lanes and/or crossovers are provided, the planting shall begin fifteen (15) feet from the nose of the turning island. Preservation of existing trees and understory vegetation may be used to meet this requirement. Irrigation shall be provided.
- (2) In no instance for the options established in subsection (b)(1)A, (b)(1)B, and (b)(1)C shall the distance between street trees exceed one hundred feet (100) on center. Street trees shall be planted in an even, linear spacing. If shifts to the linear spacing not exceeding two (2) feet are

required due to the location of existing infrastructure, development or required sight distance, these shifts may be approved by the director of development services.

- (3) Preservation of existing trees to meet this requirement is not only permissible, but is recommended. A fifteen-foot existing vegetation buffer along the right-of-way line is required for this option. Waivers for spacing and alignment may be given in order for existing trees to meet the street tree requirement.

(Ord. No. 98697 § 1) (Ord. No. 100126 § 4) (Ord. No. 2006-11-30-1333, § 2, 11-30-06)

Sec. 35-513. - Tree Preservation (See section 35-523, below.).

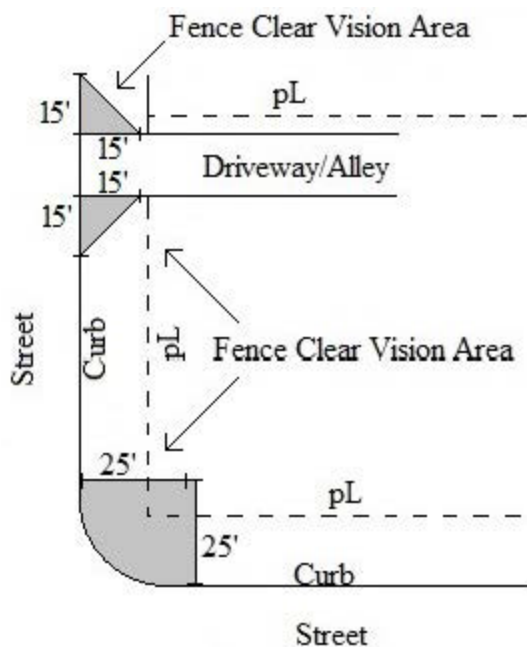
Sec. 35-514. - Fences.

(a) General.

- (1) No fence may be constructed, repaired, or expanded within the city limits without first obtaining a building permit for such work, with the exception of any fence work specifically exempted by chapter 10, subsection 10-6(e) of the City Code.

(2) Fence Clear Vision Area.

- a. **Street Intersections on Residential Corner Lots.** No fence exceeding three (3) feet in height within the city or ETJ shall be erected, constructed, or built on a corner lot within the area formed by measuring twenty-five (25) feet in each direction from the street curb.
- b. **Driveway, Accessway, or Alley Intersections on Residential Lots.** No fence exceeding three (3) feet in height within the city or ETJ shall be erected, constructed, or built within a triangle formed by measuring fifteen (15) feet in each direction from the point where a driveway, accessway, or alley intersects with the street curb.
- c. **Administrative Exception.** Subsections a. and b. above notwithstanding, where it can be demonstrated that a lesser fence clear vision area would be required utilizing the standards of subsection 35-506(d)(5) intersection sight distance, an administrative exception may be granted to allow a lesser fence clear vision area than otherwise would be required for a similarly situated property.
- d. **Variances.** Variances to this section may be permissible in accordance with section 35-482.
- e. **Review.** All fence clear vision areas are subject to review by the development services department.



- (3) Freestanding walls, not an integral load bearing portion of a structure, whether constructed of masonry or wood framing, shall be considered fencing. Walls connected to a commercial or industrial building and designed as a visual and noise barrier between a loading dock or similar use and a residential use, shall not be considered fencing and may extend to a height of sixteen (16) feet and a distance of fifty-five (55) feet from the building. For residential uses, walls connected to a dwelling unit, creating and enclosing a courtyard with access to the interior, shall be permitted with a maximum wall height of one-story. The enclosed courtyard shall meet all setbacks and be considered part of the home floor area. Walls to be constructed in excess of eight (8) feet in height shall require certification by a licensed engineer that the foundation and support structure are designed to sustain wind loads in accordance with the International Building Code.
- (4) All solid screen fences allowed to be constructed in excess of eight (8) feet in height shall require certification by a licensed engineer that the foundation and support structure are designed to sustain wind loads in accordance with the International Building Code.
- (5) If the subject property is within a historic district, corridor overlay or a neighborhood conservation district the historic preservation officer (or their designee) or the director of development services (or their designee) shall make a finding of compliance and compatibility with the provisions of the historic, corridor and/or neighborhood conservation district prior to issuance of a building permit for any fence.
- (6) All fences shall be constructed of wood, chain link, stone, rock, concrete block, pre-cast concrete panels, masonry brick, brick, decorative wrought iron or other material(s) which are similar in durability. The following materials shall not be used for fencing:
 - a. Cast-off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence.

- b. Plywood less than five-eighths (5/8) inch thick, plywood not of a grade approved by the development services director, particle board, paper, and visqueen plastic, plastic tarp, or similar material.
 - c. Barbed wire, razor wire, and other similar fencing materials capable of inflicting significant physical injury; provided, however, that barbed wire may be permitted by right within a governmental facility and through an administrative exception of the development services director for private nonresidential facilities where all of the following findings of fact are made:
 - 1. The barbed wire, where proposed to be located, will not be capable of inflicting significant physical injury to the general public,
 - 2. The fence proposed with barbed wire is located behind a minimum setback line except where surrounded by established industrial uses,
 - 3. The barbed wire is demonstrated by the applicant as a requirement for facility operations and for secured areas within the facility,
 - 4. The barbed wire conforms with the requirements of section 6-2 of the building code.
 - d. Sheet, roll or corrugated metal.
- (7) Variances to this section shall be in accordance with section 35-482.
- (8) Retaining walls shall not be considered a fence however shall conform to the following requirements:
- a. Retaining walls on private property shall be in conformance with the International Building Code.
 - b. Retaining walls along or within public rights-of-way shall be in conformance with the International Building Code, article IX of chapter 6 of the City Code and where greater than three (3) feet in height shall include plans designed, signed and sealed by a licensed engineer.
 - c. Where a barrier is required by the International Building Code to be located on the top of a retaining wall, such barrier shall not be considered a fence.
- (9) Fences used to display a message shall comply with chapter 28, "Signs and Billboards."

(b) Fencing Alternatives.

- (1) **Sport Court Fencing.** Fencing, screening and/or back stops for sport courts such as basketball, tennis, batters cages, etc. shall be constructed only in the side or rear yard and shall be located no closer than five (5) feet to a side or rear property line of an adjacent single-family use or residential zoning district and/or a public or private street. The maximum height for sport court fencing shall be limited to twelve (12) feet in height.

(2)

Large Lot Fencing. Predominantly open fencing at a maximum height of six (6) feet may be permitted in the front yard of any residential lot with at least twenty thousand (20,000) square feet in area by right and on all other residential lots regardless of lot size by special exception pursuant to section 35-399.04. Where permitted by right each of the following conditions must be met to construct a six-foot predominantly open fence in the front yard:

- A. The primary building meets the minimum required building setback for the district in which it is located; and
 - B. The lot has at least one hundred (100) feet of street frontage.
- (3) **Fencing of Vacant Lots or Parking Lots.** A predominantly open fence not exceeding a height of six (6) feet may be constructed on a vacant lot or parking lot. However, at such time that a house or structure is constructed on the lot, that portion of the fence constructed in the front yard shall be removed or reduced in height to a maximum of three (3) feet in height for a solid fence and four (4) feet in height for a predominantly open fence unless said lot and fence meet the criteria to allow a higher fence as outlined in this chapter.
- (4) **Combined Fence.** As defined in section 35-A101 "Fence (combined)" may be permitted in the front yard up to the height allowed for a predominantly open fence provided that the solid portion shall not exceed three (3) feet in height.
- (5) **Planned Development.** A planned unit development (PUD) district may designate side and rear yard fence heights up to eight feet in height through a PUD plan adopted by the planning commission pursuant to section 35-413

(c) **Height Limitation.**

- (1) Except for the provisions in section (b) above no fence shall exceed the following table of heights. In addition, the maximum permitted fence height shall not exceed that of the maximum permitted fence height for the abutting property except as provided in subsection (c)(2). The board of adjustment may allow fences of greater height by special exception, subject to section 35-399.04 of this chapter or by variance subject to Section 35-482 if the height of the fence exceeds that height allowances for a special exception. The height shall be the vertical distance measured from the lowest adjacent ground level (either inside or outside the fence) to the top of the tallest element of the fence material, excluding decorative features affixed to the top of any column, pillar or post. The height of any existing retaining walls, either an integral part of a fence or upon which a fence may be erected, shall be calculated in the height of the fence, except in the following instances:
- A. The retaining wall is necessary for structural soundness/integrity of building construction on the lot; or
 - B. The retaining wall is abutting a drainage easement or drainage infrastructure.

Table of Heights
Maximum Permitted Fence Heights

Permitted Use	Front Yard	Side Yard	Rear Yard
Single-Family or Mixed Residential Use	3'0" solid fence 5'0" combined or predominantly open fence Except as provided by (b) (2)	6'0"	6'0"
Multi-Family Use (see also subsection <u>35-514(f)</u> below)	3'0" solid fence 5'0" combined or predominantly open fence	6'0"	6'0"
Commercial & Office Use	3'0" solid fence 5'0" combined or predominantly open fence	6'0"	6'0"
Industrial Use ¹	8'0" ¹	8'0" ¹	8'0" ¹
Government Facilities, Churches, Schools, Swimming Pools, Stormwater Management Facilities, & Parks (Public property, including parks, require HDRC review)	8'0"	8'0"	8'0"
Vacant Lots, Parking Lots	3'0" solid fence 6'0" combined or predominantly open (see also subsection <u>35-514(b)</u> (3) above)	6'0"	6'0"

Footnotes:

¹ This subsection shall not apply to fences erected as required by Chapter 16, Article VII of the Code (Salvage Yards and Auto Dismantlers), or in § 35-510 of this chapter. Buffer fences shall be limited in height in accordance with section 6-2 of the building code.

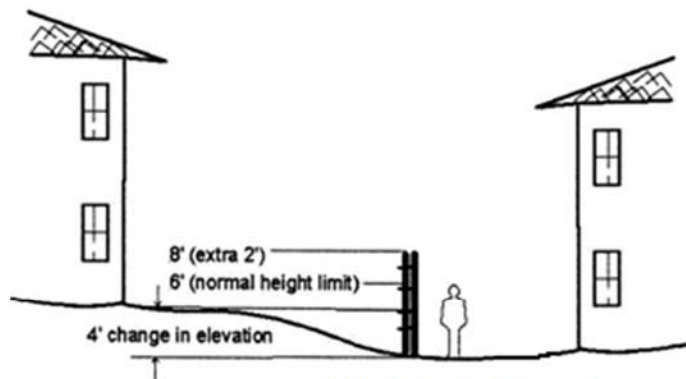


Figure 1: Additional height allowed pursuant to Section 35-514(c)(2)A

- (2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:
- A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or
 - B. The fence is erected along a side or rear lot line which abuts an alley, railroad ROW, or a street with a classification other than a local street; or
 - C. The fence is a sound barrier or a security fence for a public or institutional use; or
 - D. The additional fence height is permitted by the city council pursuant to a rezoning or specific use authorization; or
 - E. The fence is located on a side or rear lot line of a single-family, duplex, or mixed-residential use which abuts a multi-family residential, commercial, industrial, or park use.
 - F. The fence is located in a side or rear yard of a single-family residential property that contains a below ground swimming pool/hot tub or above ground swimming pool in the rear yard or in the side or rear yard of a single-family property that abuts one with a below ground swimming pool/hot tub or above ground swimming pool.
 - G. In any side or rear yard where a slope is present, the height of a fence may be adjusted to allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six (6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet. In order to maintain a uniform appearance, whenever a fence higher than six (6) feet is allowed by this subsection, all side and rear yard fences may be allowed up to eight (8) feet in height above grade.

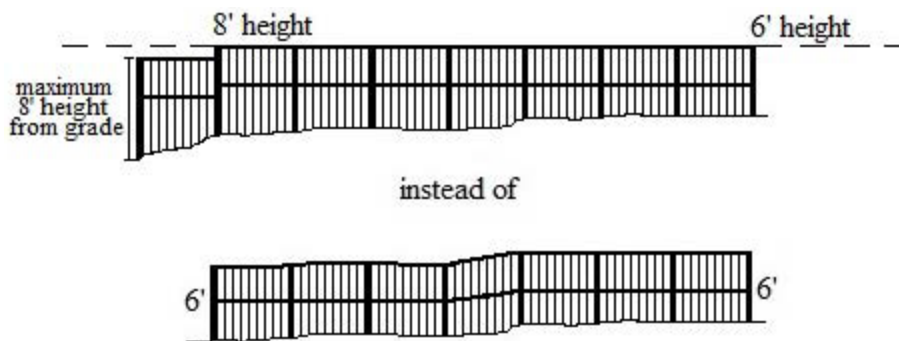
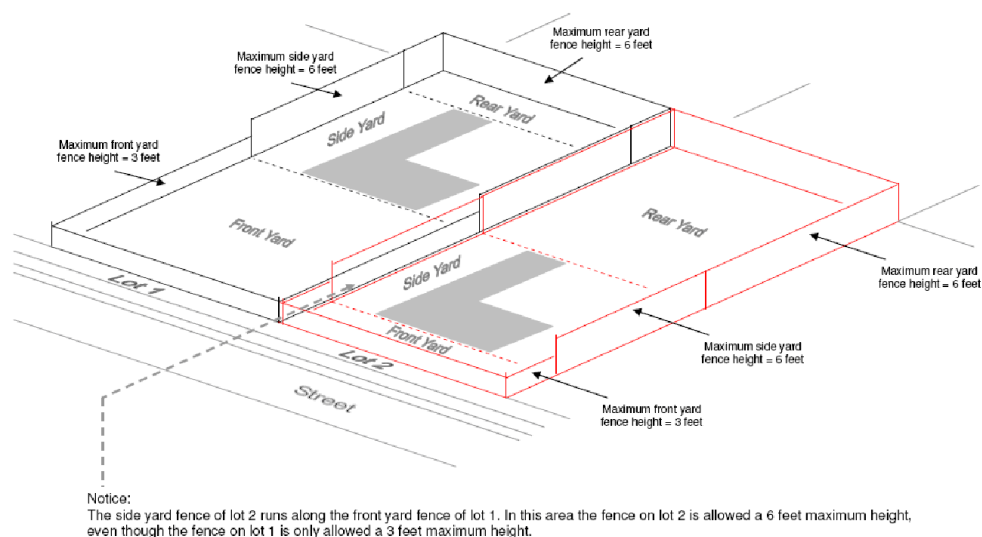


Figure 2: Example of Additional Height allowed pursuant to Section 35-514(c)(2) G.

- (3) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to the height of the adjacent building where the fence is located entirely on the interior of a lot behind all required building setback lines, attached to the main structure, and used for security purposes or for part of the intended use of the primary structure, such as fencing for outdoor display, for example an outdoor garden area, or lumber yard attached to a home improvement store or a secure, enclosed courtyard area for residents of an assisted living facility.
- (4) The following illustration shall be used to determine applicable front, side and rear fence standards:



(d) Fencing Requirements for Uses Adjoining Single-Family Residential Uses.

- (1) All property zoned for nonresidential or multi-family residential uses including residential districts with conditional uses or specific use authorizations for nonresidential uses, excluding property located within the mixed-use district "MXD" or infill development zone "IDZ," shall erect and maintain solid screen (opaque) fencing along the property boundaries adjacent to an existing single-family residential use.

Exception: Where there is an existing compliant fence on the single-family property boundary, the nonresidential or multi-family residential developer may submit a signed agreement from all adjacent property owners to maintain the existing single-family fence.

- (2) As a minimum, the fencing shall consist of solid screen materials and shall be at least six (6) feet in height except where a lower height is required by subsection (c) above. The fencing shall be required to be constructed and finished prior to obtaining the first certificate of occupancy for the newly zoned property.
 - (3) With the zoning applicant's consent, the city council may modify or exempt the requirements of (d)(1) or approve alternative screening measures, such as landscaped buffer yards, when considering a change in zoning, including conditional use and specific use authorization cases.
 - (4) The fencing requirements of section 35-514 shall apply in zoning cases initiated by the City of San Antonio unless a statement specifically exempting the property from the fence provisions is included in the ordinance approving the zoning.
- (e) **Multi-Family Dwellings.** Multi-family dwellings consisting of twenty-five (25) or more units may erect fences higher than permitted in subsection (c) within the front yard in accordance with the following criteria:
- (1) Fencing shall be limited to a maximum height of six (6) feet and shall be constructed of wrought iron or similar material.
 - (2) Solid screen fencing may be erected within the front yard along side property lines if a three-foot landscape area is provided and maintained outside the fence if it abuts a more restrictive zoning district. The landscape area shall contain a minimum of five (5) shrubs per twenty-five (25) linear feet and shall include ground cover.
- (f) **Residential Subdivision Perimeter Fencing.**
- (1) **Legislative Findings and Purpose.** The city council finds that it is necessary for the public welfare to impose standards to improve and preserve the quality of a subdivision's perimeter fences in residential neighborhoods in order to avoid blighting influences on neighborhoods and public safety problems.
 - (2) **Applicability.** The requirements of this subsection apply only to fences located along the perimeter of a tract or parcel subject to an application for subdivision plat approval which adjoins a collector or arterial street or a platted multiple lot residential subdivision that adjoins a collector or arterial street.
 - (3) **Standards.**
 - A. A fence constructed of wooden boards shall include at least one (1) of the following architectural or landscaping elements for every fifty (50) lineal feet:
 - 1.

An offset or column extending at least twelve (12) inches vertically and six (6) inches horizontally from the remainder of the fence; or

2. The fence shall be articulated by means of a recess or a projection extending not less than twelve (12) inches horizontally from the remainder of the fence; or
3. Climbing vines, shrubs or trees shall be planted along the base of that portion of the fence that fronts a public street. The remaining setback area between the fence and property line shall be landscaped with grass or other low ground cover. All plants shall be irrigated and maintained consistent with the provisions of section 35-511 of this article. Only living vegetation may be used to meet these landscaping requirements.

- B. All fences shall be maintained by a homeowners association established consistent with the requirements of subsection 35-503(f)(2), above, so as not to create a hazard, public nuisance or blight in the surrounding neighborhood.

(Ord. No. 98697 § 6) (Ord. No. 100126 § 4) (Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2008-04-03-0267, § 2, 4-3-08) (Ord. No. 2010-11-18-0985, § 2, 11-18-10) (Ord. No. 2012-10-18-0829, § 2, 10-18-12; Ord. No. 2015-12-17-1077, § 2, 12-17-15; Ord. No. 2022-11-03-0831, § 2, 11-3-22, eff. 1-1-23)