MURPHY PLANNING AND ZONING COMMISSION AND TREE PRESERVATION BOARD AGENDA - WORK SESSION
SEPTEMBER 21, 2026, AT 6:00 P.M.
COMMUNITY ROOM
206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094

NOTICE is hereby given of a meeting of the Planning and Zoning Commission of the City of Murphy, Collin County, State of Texas, to be held on September 21, 2026, at Murphy City Hall for the purpose of considering the following items. The Murphy Planning and Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Christine Johnson
Chair

Destiny Varghese
Vice Chair

Beverly Gaither
Secretary

Don Bryant
Commissioner

Camille Hooper
Commissioner

Tricia Culberth
Commissioner

Raj Mandalia
Commissioner

Vacant
Alternate

Amanda Turner
Alternate

Stephanie Scott-Sims
Planning Manager

Stewart Herrington
Executive Administrative Assistant

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL AND CERTIFICATION OF A QUORUM

4. PRESENTATIONS

A. Discuss amendments to Article 26.08 Tree Preservation. Stephanie Scott-Sims, AICP, Planning Manager
Staff Report-(2182) - Pdf

B. Discuss amendments to Article 26.07 Landscape Standards. Stephanie Scott-Sims, AICP, Planning Manager
Staff Report-(2183) - Pdf

5. ADJOURNMENT

I certify that this is a true and correct copy of the Murphy Planning and Zoning Commission Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on September 15, 2026, by 5:00 p.m. and will remain posted continuously for 3 business days prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

Stewart Herrington
Executive Administrative Assistant

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 972.468.4011 or kjackson@murphytx.org.
Notice of Possible Quorum: There may be a quorum of the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Capital Projects Advisory Committee, the City Council, the Ethics Review Commission, the Murphy Community Development Corporation, the Murphy Municipal Development District Board and/or the Park and Recreation Board members who may be present at the meeting, but they will not deliberate on any city or board business.

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Development Services
September 21, 2026

ISSUE:
Discuss amendments to Article 26.08 Tree Preservation. Stephanie Scott-Sims, AICP, Planning Manager

SUMMARY:
The Development Services Department is committed to regularly reviewing and updating outdated development-related ordinance provisions, as needed, to address challenges encountered during administration by City staff, as well as issues identified by applicants, property owners, and the development community.

The City Council most recently updated Article 26.07 Landscape Standards in 2009. The last revision to Article 26.08 Tree Preservation occurred in 2018. Since that time, industry thinking regarding the importance of landscaping and trees in development, as well as best management practices and scientific approaches for preserving and mitigating native, climate-resilient species of trees during construction has surely occurred. At one time, developers cringed at city requirements to plant trees on a development site. However, industry-standards and customer perceptions have changed over the last 20 years, as many developers have come to expect and want to ensure that their developments are aesthetically pleasing to their customers. Staff wants to ensure that the City of Murphy is maintaining and enhancing the aesthetic environment that attracts residents and businesses to the community.

Landscape Standards issues that Staff intends to address through the draft amendments include, but are not limited to:

- Clarifying when the Landscape Ordinance is applicable;
- Providing Staff some administrative authority;
- Creating a formal financial assurance requirement when a developer is unable to complete landscaping requirements;
- Explicitly exempting single-family homesteads from landscape plan requirements;
- Categorizing planting standards for trees, shrubs, and parking lot landscaping; and
- Making nonresidential landscaping and single-family landscaping requirements easier to read and understand.

Tree Preservation Ordinance issues that Staff intends to address through the draft amendments include, but are not limited to:

- Updating terminology and best management practices;
- Clarify standards and wording;

- Update and clarify review process;
- Create a formal tree removal permit process;
- Create a Tree Mitigation Fund that allows flexibility when tree replacement cannot occur onsite;
- Address trees in floodplain and transplanting of trees;
- Address onerous tree mitigation standards that leave developers who cannot meet the standards with no alternative except to request a variance;
- Require a tree survey or mitigation plan so staff can ensure compliance;
- Develop an "Approved Plant Materials" section in the Appendix in place of plant standards that are obsolete and no longer available; and
- Create standards for tree protection during construction.

Staff is proposing a complete rewrite both ordinances, which makes providing a readable red line version of the existing ordinances challenging. Staff has attached the existing Ordinances and the draft ordinance language. Staff first presented an overview of these items at the August 6, 2026, Tree Preservation Board meeting. At that meeting, the Board requested Staff hold a workshop to discuss the proposed drafts further.

ACTION REQUIRED:
Discuss and provide Staff with feedback and direction on the proposed Ordinance amendments.

ATTACHMENTS:
Existing Article 26 TREE ORDINANCE
Draft Article 26 TREE ORDINANCE_07102026
Draft Approved Plant Materials List_07232026

City of Murphy, TX

EXISTING TREE PRESERVATION ORDINANCE

§ 26.08.001. Requirements.

(a) Applicability.This section applies to all new residential and nonresidential development within the city.

(b) Preservation of existing landscape.The existing natural landscape character, especially native oaks, elms and pecan trees, shall be preserved to the maximum extent reasonable and feasible. For example, within areas containing a mature stand of trees, developers and builders shall use best efforts to preserve such mature trees. Indiscriminate clearing or stripping of natural vegetation on a property or lot/tract is prohibited. Any part of a site not used for buildings, parking, driveways, walkways, utilities and approved storage areas shall be retained in a natural state, or reclaimed to its natural state, to the greatest extent feasible, or attractively landscaped in a manner that adds aesthetic value to the development and to the community as a whole. Underbrush/undergrowth is allowed to be removed with written approval from the city planner or parks superintendent.

(c) Protected trees.A protected tree is defined as a tree with a caliper of six (6) inches or larger, except that of a bois d'arc, cedar or hackberry species. The removal of a protected tree must be specifically requested by the applicant and approved in writing by the city planner and parks superintendent prior to any action being taken to remove the tree or to damage or disturb the tree in any way. Caliper inches for a single-stem tree shall be the diameter of the trunk measured six (6) inches above the ground for a tree having a diameter up to and including eight (8) inches, and measured at four and one-half feet above ground for a tree having a diameter greater than eight (8) inches. Caliper inches for a multi-stem tree shall be the diameter of the trunk measured at the narrowest point below branching when branching occurs higher than twelve (12) inches above the ground. When branching occurs at or lower than twelve (12) inches above the ground, caliper means the diameter of the largest stem plus the average diameter of the remaining stems, measured at four and one-half feet above the ground. Removal of such trees without the approval required under this section is expressly prohibited. Prior to the removal of any protected tree, the property owner must first submit a letter to the city manager, or his designee, that describes in detail which tree will be removed, how the removal will be performed (and machinery and equipment needed), and the date and time whereupon the anticipated removal will occur. The letter shall also include a notarized statement by the owner that the tree to be removed is not a protected tree, as defined herein or that its removal will be in complete conformance with the provisions of this section. The letter shall be submitted at least one (1) week in advance of the removal operation, and written city approval shall be obtained prior to commencing any part of the tree removal operation.

(d) Preservation and protection of existing trees.All existing trees which are to be preserved shall be provided with undisturbed, permeable surface area under and extending outward to the existing dripline of the tree. All protected trees within or next to an excavation site or to a construction site for any building, structure or paving work shall be clearly marked and guarded with a good substantial fence, frame or box not less than four feet high and surrounding the entire protected zone of the tree. The barriers shall be approved by the city planner and parks superintendent, and shall be in place before any site clearance or other site-disturbing activity commences. Any barrier with lesser

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dimensions than those specified above shall be subject to approval by the city planner and parks superintendent. All building material, dirt, excavation or fill materials, chemicals, construction vehicles or equipment, debris, and other materials shall be kept outside the barrier. Barriers shall remain in place until the final building and landscape site inspections are satisfactory completed and the certificate of occupancy has been issued for the premises.

(e) Permit requirement for excavation, trenching, paving, etc.No person shall excavate any ditches, tunnels or trenches, or place any paving or construction material, or drive any type of machine within the protective zone, or within the dripline, of any protected tree without first obtaining a written permit from the city planner and parks superintendent.

(f) Damage prohibited.Unless specifically authorized by the city planner and parks superintendent, no person shall intentionally damage, cut, carve, transplant or remove any protected tree; attach any rope, wire, nails, advertising posters or any other contrivance to any protected tree; allow any gaseous, liquid or solid substance which is harmful to such plants to come in contact with any protected tree or with any of the area within its dripline; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any protected tree.

(g) Removal of existing trees.The removal of an existing tree from a development site must be in accordance with this article and all other applicable ordinances of the city.

(h) Exceptions.

(1) Dangerous conditions.If the owner determines that an emergency situation exists that requires the immediate removal of a tree to protect the safety of persons or property, then the owner may remove the tree only to the extent necessary to eliminate the dangerous situation without a tree removal permit. However, the owner must immediately apply for a tree removal permit.

(2) Utility companies.Utility companies franchised by the city in easements or rights-of-way accepted by the city or otherwise authorized to provide utility service may remove protected trees that endanger public safety and welfare by interfering with utility service. Any trimming and/or removal of protected tree by a utility company requires written approval by the city planner and parks superintendent.

(3) City property.City property shall not be subject to this section. City property, including rights-of-way, streets, and easements for public purpose, parks, and any other property under the jurisdiction of the city, shall be regulated by the requirements of this code.

(4) Single-family residential property.Developed property which is zoned in a single-family residential classification and where an existing residence is located shall not be subject to this section.

(i) Tree credits.

(1) Negative tree credits.For every protected tree removed, including fence row trees, the property owner shall receive negative tree credits for each caliper inch removed

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or shall be required to plant replacement trees as follows:

(A) Trees six (6) to ten (10) caliper inches, one (1) negative credits for each caliper inch.

(B) Trees 10.1 to 15 caliper inches, two (2) negative credits for each caliper inch.

(C) Trees 15.1 to 24 caliper inches, three (3) negative credits for each caliper inch.

(D) Trees 24.1 caliper inches or larger, four (4) negative credits for each caliper inch.

(2) Replacement trees.Replacement trees shall be not less than three (3) caliper inches each. All replacement trees shall conform to the standards of the approved plant list for the city and the current edition of the "American Standard for Nursery Stock" (as amended), published by the American Association of Nurserymen, a copy of each of which shall be on file in the city's community development department and may be updated from time to time without further amendment to this article. This requirement shall be in addition to the requirements of this article.

(3) Tree credit.For every protected tree preserved, credit shall be given at a ratio of one (1) credit for each caliper inch preserved.

(2006 Code, sec. 28-181; Ordinance 09-05-797, sec. 2 (art. VII, sec. 1), adopted 5/18/09; Ordinance adopting 2015 Code; Ordinance 18-04-1083 adopted 4/17/18)

§ 26.08.002. Approved plant list.

"Recommended Landscape Plant Materials for North Central Texas" by the Collin County Extension Agent's office in Collin County, lists approved plants for this jurisdiction.
(2006 Code, sec. 28-182; Ordinance 09-05-797, sec. 2 (art. VII, sec. 2), adopted 5/18/09)

§ 26.08.003. Variance procedure.

(a) The planning and zoning commission shall hold a public hearing on any request for a variation or exception to the standards provided by this article. The planning and zoning commission may not recommend a variation or exception unless the planning and zoning commission determines that the variation or exception will not substantially alter the intent of the standards established by this article.

(b) All recommendations of the planning and zoning commission under this article shall be forwarded to the city council. When the planning and zoning commission denies a request for a variation or exception to the standards set forth in this article, a hearing before the city council shall be set only if a written appeal is filed by the applicant with the city manager or his/her designee within 15 days of the date of the denial.

(2006 Code, sec. 28-183; Ordinance 09-05-797, sec. 2 (art. VII, sec. 3), adopted 5/18/09)

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DRAFT TREE PRESERVATION ORDINANCE

§ 26.08.001. Requirements.

(a) Purpose. To preserve, protect, and enhance existing trees and natural landscapes and increase healthy tree cover as new development occurs in Murphy; to promote the natural, ecological, environmental, and aesthetic benefits trees provide to the city.

(b) Applicability. This section applies to all new residential and nonresidential development within the city. Tree preservation requirement in this section includes the removal and/or transplanting of Protected Trees as defined in this section and the required measures for protecting trees to remain on site.

(c) Exemptions. This section shall not apply to properties zoned agricultural and single-family residential located within a plat of record.

(d) Definitions

(1) *Protected Tree:* Trees that meet the following requirement and are determined to be healthy by the Director of Parks & Recreation:

a. Any tree six (6) inches or larger in diameter when measured at a point four and on-half feet (4-1/2) above the ground level and which normally attains a height of at least twelve (12) feet at maturity and is not on the list of unprotected trees in the Approved Plant Materials List

(2) *Certified Arborist.* An individual certified by the International Society of Arboculture (ISA) as a certified arborist.

(3) *Tree, Replacement or Transplanted*.

a. Any tree that is listed in the Approved Plant Materials List of the Zoning Ordinance, as it exists or may be amended, and/or utilized for mitigation of Protected Trees that have been or are required to be removed and replaced or transplanted under the requirements of the Ordinance.

b. A Replacement Tree is one that has been planted to mitigate the removal of a tree from the property.

c. A Transplanted Tree is one that exists on the property and is relocated within the property.

d. Replacement/Transplanted Trees are a minimum size of three (3) inch caliper when measured at a point twelve (12) inches above the natural ground level and will normally attain a height of at least twelve (12) feet at maturity.

(e) Tree Removal Permit.

(1) A Tree Removal Permit approved by the Director of Parks & Recreation shall be required for the transplanting and/or removal of Protected Trees within the City.

(2) Application for a Tree Removal Permit. An application for a Tree Removal Permit

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may be submitted at any time and is not required to be submitted in conjunction with development plans, plats, or a building permit. An application for a tree removal permit shall be submitted to the city planner and shall include:

a. A letter signed by the property owner allowing the City access to the property for verification of all tree survey information;

b. A written document indicating the reasons for transplanting and/or removal Protected Trees;

c. A legible site planting plan; and

d. A detailed Tree Survey and/or Tree Mitigation Plan. See Sec._____ Tree Survey and Tree Mitigation Plan.

(3) Review of the application for a tree removal permit.

a. Upon receipt of an application for a tree removal permit, the city planner shall review the application and may conduct field inspections of the site or development and/or refer the permit application to other departments for review and recommendations as deemed necessary and appropriate by the city.

b. Protected Trees may not be removed or transplanted without a Tree Removal Permit approved by the city planner. The removal of protected trees is subject to the mitigation requirements of ____ Mitigation for Trees Removed.

c. If the city planner determines that the tree(s) are not protected as defined herein, then the applicant may remove the tree(s) from their property without mitigation upon notification by the city planner.

(4) Expiration of a tree removal permit. A tree removal permit shall expire two (2) years after its issuance date.

(5) Appeals. If the city planner denies the tree removal permit, the owner/applicant may appeal the decision to the Planning Commission in accordance with_____

(f) Mitigation for Trees Removed. Replacement requirements for protected trees.

(1) Protected trees may be replaced by:

a. Planting trees on the property equal to the total required mitigation inches above the minimum tree requirement for the development. (see table below.)

b. Payment into the Tree Mitigation Fund fees equal to the total required mitigation inches.(see table below.)

c. A combination of planting trees or payment of Tree Mitigation Fund fees equal to the total required mitigation inches. (see table below.)

(2) Location. Each replacement tree shall be planted on the same property as the original trees. If the Director of Parks and Recreation determines that the replacement tree cannot be planted on the same property in accordance with acceptable arboriculture standards, the following may be allowed:

a. Replacement on public property with the approval of the Director of Parks and

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DRAFT TREE PRESERVATION ORDINANCE

Recreation;

b. Require payment to the Tree Mitigation Fund in accordance with this section.

(3) The amount of payment required for each replacement tree shall be calculated based on a schedule reviewed and approved biannually by the City Council which sets forth the average cost of a quality tree added to the average cost of planting a tree.

(4) Trees required by Art. 26.07 Landscape Standards and planned development landscape standards do not count toward the tree mitigation requirements for the removal of protected trees.

(5) All replacement tree measurements are in caliper inches in accordance with the most current edition of the American Standards for Nursery Stock (ANSI Z60.1), as it exists or may be amended, and shall be minimum three (3) inch caliper trees unless otherwise noted.

(6) Replacement trees that do not survive after three (3) years shall be replaced with equal diameter inches of approved canopy shade trees as provided in the Approved Plant Materials List in Appendix ___

Tree Replacement Requirements	
Size of Protected Tree*	Percentage Replacement Trees**
Less than 6”	0%
6” – 12”	100%
12.1” – 20”	150%
20.1” or greater	200%
*All existing tree measurements are in diameter inches as measured four and one-half (4-1/2) feet above the natural ground level.	
For multiple trunk trees, combine the diameter of largest stem or trunk with one-half the diameter of each additional stem or trunk, all measured at four and one half (4-1/2) feet above ground level.	

(g) Transplanted trees.

(1) Protected trees on a property may be transplanted to another location on the same property with an approved tree permit and are not subject to the above replacement rates.

(2) All transplanting shall be done in accordance with ANSI 300 industry standards. Should a transplanted tree die within one (1) year, it shall be removed, and replacement trees shall be planted at a rate of one hundred (100) percent of the caliper inches of the transplanted tree(s).

(h) Mitigation of all trees in floodplain and floodway. All protected trees shall be mitigated at one hundred (100) percent of the caliper inches removed and meet the following:

(1) The replacement trees used for mitigation shall be planted within the floodplain and floodway wherever possible to contribute to the stabilization and ecological restoration of the creek.

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(i) Exceptions. A Tree Permit is not required under the following conditions:

(1) Dangerous conditions. If the owner determines that an emergency situation exists that requires the immediate removal of a tree to protect the safety of persons or property, then the owner may remove the tree only to the extent necessary to eliminate the dangerous situation without a tree removal permit. However, the owner must immediately apply for a tree removal permit.

(2) Utility companies.

a. Utility companies franchised by the city in easements or rights-of-way accepted by the city or otherwise authorized to provide utility service may remove protected trees that endanger public safety and welfare by interfering with utility service.

b. A utility company shall notify the city planner of any pruning and/or removal of protected trees done while making emergency repairs on the first business day following the emergency.

c. All pruning shall be completed in accordance with ANSI A300 standards, and the Best Practices for Municipal Urban Forestry.

(3) City property. City property shall not be subject to this section. City property, including rights-of-way, streets, and easements for public purpose, parks, and any other property under the jurisdiction of the city, shall be regulated by the requirements of this code.

(4) Single-family residential property. The tree is on an existing lot being used for an existing single-family residence or homestead and is not part of a new residential subdivision consisting of multiple lots.

(5) Director of Parks & Recreation authority to remove protected trees. The city planner may authorize, in writing, removal of a protected tree without a tree removal permit or mitigation where a protected tree is determined by a Certified Arborist to be dead or poses an imminent or immediate threat to persons or property unless the tree was required under an approved Landscape Plan or was a required replacement tree under this section.

(6) The tree is located on the property of a plant or tree nursery, or an orchard, where trees are planted and grown on the premises for the sale or intended sale to the general public in the ordinary course of the nursery's or orchard's business.

(7) The mowing and clearing of brush located within or under the drip lines of protected trees when such mowing or clearing is accomplished with hand tools, or by mechanical mowers with turf ties.

(j) Tree Protection Measures. All protected trees shall be protected by the property owners as follows, unless otherwise exempted or directed by the Park & Recreation Director.

(1) Plastic fencing. Before development or redevelopment, the owner shall install a four (4) foot tall plastic fence around the drip line of the protected tree(s).

(2) Construction entrance location. Before development or redevelopment the owner shall establish and maintain a construction entrance that avoids protected trees.

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DRAFT TREE PRESERVATION ORDINANCE

(3) Equipment or materials disposal. Cleaning equipment or materials and/or the disposal of any waste material, including, but not limited to, pain, oil, solvents, asphalt, concrete, mortar, etc., is prohibited under the canopy or drip line of any protected tree.

(4) Attachment to protected trees. Attachments or wires are prohibited from being attached to any protected tree, other than cables, tree rods and similar hardware installation that aid structural integrity of a protected tree.

(5) Material Storage. No materials intended for use in construction or waste materials shall be placed within the critical root zone of any tree being preserved.

(6) Canopy or drip line protection.

a. Fill or excavation is prohibited within the canopy or drip line of a protected tree.

b. Construction or construction related activity is prohibited under the canopy or drip line of protected trees, unless otherwise approved in writing by the city planner.

(7) Root pruning requirements.

a. Root pruning shall be required when disturbance will occur under the drip line of protected trees.

b. This root pruning shall be completed a minimum of two (2) weeks prior to any construction activity within the drip line.

(8) Disposal of removed trees. All trees removed shall either be chipped and used for mulch on site or hauled off-site within 72 hours of cutting.

(9) Tree maintenance and pruning practices.

a. All tree maintenance techniques shall be in conformance with ANSI A300 standards and the Best Management Practices for Municipal Urban Forestry, as they exist or may be amended, and shall be performed by a Certified Arborist.

b. Improper or malicious maintenance or pruning techniques which would likely lead to the death of the tree shall constitute a violation of the Zoning Ordinance and may result in citations and penalties.

(k) Tree Survey purpose:

(1) To identify protected trees and non-protected trees within the limits of the area to be developed or disturbed;

(2) To tabulate the species, size and condition of those trees and indicate whether they are to be removed or preserved; and

(3) To indicate the mitigation rates, and mitigation inches, including the total mitigation inches, for all protected trees to be removed within the limits of the work.

(4) A Tree Survey shall be prepared by a Certified Arborist or Landscape Architect licensed in the state of Texas in accordance with the Tree Survey & Mitigation Plan Checklist, as it exists or may be amended.

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(5) A Tree Survey shall be submitted with the following development applications: Applications for zoning cases, construction plats, site plans, grading plans, and civil construction sets and building permit (as applicable).

(6) Tree Survey approval: The tree removal work shall not proceed until:

(i) The Tree Survey has been approved by the Director of Parks & Recreation in writing;

(ii) The Mitigation Plan has been approved by the Director of Parks & Recreation in writing; and

(iii) The mitigation fees have been paid or a written agreement for an alternate payment schedule has been approved by the city manager.

(l) Tree Mitigation Plan purpose:

(1) To show the location of the tree protection fencing for trees that are to be preserved on the site;

(2) To provide installation details for the tree protection fencing; and

(3) To define the areas of disturbance. (Only applicable for areas intended to be disturbed.); and

(4) To indicate the species, size, total number caliper inches and proposed planting locations for mitigation trees.

(5) Tree Mitigation Plan submittal requirements:

The Tree Mitigation Plan shall be submitted with the Tree Survey and shall include all information listed on the Tree Survey & Mitigation Plan Checklist, as it exists or may be amended.

§ 26.08.002. Approved tree list.

The Approved Plant Materials List is in Appendix ___.

§ 26.08.003. Variance procedure.

(a) The planning and zoning commission shall hold a public hearing on any request for a variation or exception to the standards provided by this article. The planning and zoning commission may not recommend a variation or exception unless the planning and zoning commission determines that the variation or exception will not substantially alter the intent of the standards established by this article.

(b) All recommendations of the planning and zoning commission under this article shall be forwarded to the city council. When the planning and zoning commission denies a request for a variation or exception to the standards set forth in this article, a hearing before the city council shall be set only if a written appeal is filed by the applicant with the city manager or his/her designee within 15 days of the date of the denial.

(2006 Code, sec. 28-183; Ordinance 09-05-797, sec. 2 (art. VII, sec. 3), adopted 5/18/09)

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DRAFT APPROVED PLANT MATERIALS LIST

Approved Plant Materials List

*Indicates appropriate planting location

Canopy Shade Tree – Minimum 3" Caliper			
Botanical Name	**Common Name**	**Landscape Buffer**	**Under Overhead Wires**
Aesculus glabra 'arguta'	Texas Buckeye	*	
Carya illinoinensis	Pecan	*	
Quercus buckleyi	Texas Red Oak	*	
Quercus canbyi	Canbyi Oak	*	
Quercus laceyi	Lacey Oak	*	
Quercus macrocarpa	Burr Oak	*	
Quercus Mulenberegii	Chinquapin Oak	*	
Quercus shumardii	Shumard Red Oak	*	
Quercus sinuata var. sinuata	Durand Oak	*	
Quercus virginiana	Live Oak	*	
Quercus virginiana 'High Rise'	Highrise Live Oak	*	
Quercus virginiana 'Cathedral'	Cathedral Live Oak	*	
Taxodium ascendens	Pond Cypress	*	
Taxodium distichum	Bald Cypress	*	
Ulmus americana 'Princeton'	Princeton Elm	*	
Pistacia chinensis	Chinese Pistache	*	
Ulmus crassifolia	Cedar Elm	*	

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Ornamental Trees			
Botanical Name	**Common Name**	**Landscape Buffer**	**Under Overhead Wires**
Aesculus glabra	Texas Buckeye	*	
Betula Nigra	River Birch	*	
Cercis spp.	Redbud	*	*
Chilopsis linearis	Desert Willow	*	*
Chionanthus virginica	Chinese Fringe Tree	*	*
Ilex decidua	Possumhaw	*	
Ilex x 'NRS'	Nellie R. Stevens	*	
Ilex x attenuate 'Fosteri'	Foster Holly	*	
Ilex x attenuate 'Savannah'	Savannah Holly	*	
Ilex vomitoria	Yaupon Holly	*	
Juniperus virginiana	Eastern Red Cedar	*	
Koelreuteria paniculata	Goldenrain Tree	*	
Lagerstroemia indica	Crape Myrtle	*	
Magnolia grandiflora 'Little Gem'	Little Gem Magnolia	*	
Magnolia stellate	Star Magnolia	*	
Myrica cerifera	Wax Myrtle (Tree Form)	*	*
Prosopis glandulosa	Mesquite	*	*
Prunus mexicana	Mexican Plum	*	
Rhamnus caroliniana	Carolina Buckthorn	*	
Rhus lanceolota	Flameleaf Sumac	*	
Sophora affinis	Eve's Necklace	*	
Sophora secundiflora	Texas Mountain Laurel	*	*
Ungnadia speciosa	Mexican Buckeye	*	

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DRAFT APPROVED PLANT MATERIALS LIST

Viburnum rufidulum	Rusty Blackhaw	*	*
Vitex agnus-castus	Vitex	*	*

Evergreen Shrubs – Acceptable Screening for Commercial from Residential – 8' or Greater	
Botanical Name	**Common Name**
Hesperocyparis arizonica	Arizona Cypress
Ilex x attenuate 'Fosteri'	Foster Holly
Ilex x 'Mary Nell'	Mary Nell Holly
Ilex x 'NRS'	Nellie R. Stevens
Juniperus virginiana	Eastern Red Cedar
Juniperus virginiana 'Taylor	Taylor Juniper
Magnolia grandiflora 'Little Gem'	Little Gem Magnolia
Podocarpus macrophyllus	Holly Podorcarpus
Prunus caroliniana	Cherry Laurel
Sophora secundiflora	Texas Mountain Laurel
Unprotected Trees	
Botanical Name	**Common Name**
Acer negundo	Box Elder
Acer saccharinum	Silverleaf Maple
Alibizia julibrissin	Mimosa
Celtis occidentalis	Hackberry
Gleditsia tricanthos	Honey Locust
Maclura pomifera	Bois D'Arc
Melia azerdarach	Chinaberry Tree
Morus spp.	Mulberry
Populus alba	White Poplar
Populus deltoids	Cottonwood Tree
Prosopis pubescens	Mesquite
Salix spp.	Willow

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Shrubs	
Botanical Name	**Common Name**
Abelia grandiflora Abelia	Abelia
Berberis thunbergii spp.	Barberry
Berberis trifoliata	Agarito
Calicarpa americana	American beautyberry
Cephalanthus occidentallis	Buttonbush
Cotoneaster horizontalis	Horizontal Cotoneaster
Fatsia japonica	Aralia
Hesperaloe parviflora	Red Yucca
Hypericum spp.	St. John's Wort
Illex spp.	Holly
Juniperus spp.	Juniper
Lagerstroemia indica 'Dwarf'	Dwarf Crape Myrtle
Leucophyllum frutescens	Texas Sage
Loropetalum chinensis	Chinese Fringe Flower
Mahonia bealei	Leatherleaf Mahonia
Myrica pusilla	Dwarf Way Myrtle
Nandina spp.	Nandina
Opuntia spp.	Prickly Pear
Rosa spp.	Rose
Salvia greggii	Autumn Sage
Spirea	Spirea
Symphoricarpos orbiculatus	Coralberry
Yucca spp.	Yucca

Groundcover/Vines	
Botanical Name	**Common Name**
Ajuga reptans	Ajuga
Bignonia capreolata	Crossvine
Campsis radicans	Trumpet Vine
Euonymus fortunei 'Coloratus'	Purple Wintercreeper
Gelesminum sempervirens	Carolina Jessamine
Liriope muscari	Liriope Muscari
Lonicera albiflora	Winter Honeysuckle
Lonicera japonica	Honeysuckle
Lonicera sempervirens	Coral Honeysuckle
Ophiopogon japonicus	Monkey Grass
Parthenocissus tricuspidata 'Lowii'	Boston Ivy
Rosa	Climbing Rose
Sedum sp	Sedum
Trahelopspermum asiaticum	Asian Jasmine
Wisteria sinesis	Wysteria

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Ornamental Grasses	
Botanical Name	**Common Name**
Andropogon spp.	Bluestem
Bouteloua spp.	Grama Grass
Calamagrostis acutiflora 'Karl Foerster'	Feather Reed Grass, Karl Foerster
Cortaderia selloana	Pampas Grass
Cortaderia selloana pumila	Dwarf Pampas Grass
Eragrostis spp.	Lovegrass
Leptochloa spp.	Spangletop
Miscanthus sinensis 'Adagio'	Dwarf Maiden Grass
Miscanthus sinensis 'Gracellims'	Maiden Grass
Miscanthus sinensis 'Morning Light'	Morning Light Maiden Grass
Miscanthus sinensis 'Variegatus'	Variegated Japanese Silver Grass
Miscanthus sinensis 'Zebrinus'	Zebra Grass
Muhlenbergia spp.	Muhly Grass
Pennisetum alopecuroides	Fountain Grass
Pennistum a. 'Hameln'	Hameln's Fountain Grass
Sorghasun nutans	Indian Grass
Stipa tenuissima	Mexican Feathergrass

Grasses	
Botanical Name	**Common Name**
Bouteloua gracilis	Blue Grama
Buchloe dactyloides	Buffalograss
Cynodon dactylon	Bermuda Grass
Stenotaphrum secundatum	St. Augustine

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CITY OF MURPHY
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Development Services
September 21, 2026

ISSUE:
Discuss amendments to Article 26.07 Landscape Standards. Stephanie Scott-Sims, AICP, Planning Manager

ACTION REQUIRED:
Discuss and provide Staff with feedback and direction on the proposed Ordinance amendments.

ATTACHMENTS:
Existing Article 26.07 Murphy Landscape Standards
Draft Article 26.07 Murphy Landscape Ordinance

EXISTING LANDSCAPE STANDARDS

ARTICLE 26.07
LANDSCAPE STANDARDS

§ 26.07.001. Definitions.

Artificial turf. A surface of synthetic fibers made to look like natural grass.
(Ordinance 14-08-981, sec. 2, adopted 8/5/14)

§ 26.07.002. Purpose.

Landscaping is accepted as adding value to property and is in the interest 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 non-point pollution in local waterways. Therefore, landscaping is hereafter required of new development.
(2006 Code, sec. 28-151; Ordinance 09-05-797, sec. 2 (art. VI, sec. 1), adopted 5/18/09)

§ 26.07.003. Scope; enforcement.

(a) The standards and criteria contained within this article are deemed to be minimum standards and shall apply to all new, or altered, exceeding 30 percent of the original floor area, 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 article shall be administered and enforced by the city manager or his designee. The landscape standards in this article 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.

(b) 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 article, the city manager, or his designee, shall issue notice to the owner, citing the violation and describing what action is required to comply with this article. The owner, tenant or agent shall have 30 days from the 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 article.

(2006 Code, sec. 28-152; Ordinance 09-05-797, sec. 2 (art. VI, sec. 2), adopted 5/18/09)

§ 26.07.004. Issuance of permits and certificate of occupancy.

(a) No permits shall be issued for building, paving, grading or construction until a detailed landscape plan is submitted and approved by the city manager or his designee, along with the site plan and engineering/construction plans. A landscape plan shall be required as part of the site plan submission. 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

EXISTING LANDSCAPE STANDARDS

screening and landscaping shall be in place in accordance with the landscape plan.

(b) In any case in which a certificate of occupancy is sought at a season of the year in which the city manager, or his 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 months of the date of the issuance of the certificate of occupancy.

(2006 Code, sec. 28-153; Ordinance 09-05-797, sec. 2 (art. VI, sec. 3), adopted 5/18/09)

§ 26.07.005. Landscape plan.

(a) Prior to the issuance of a building, paving, grading or construction permit for any use, a landscape plan shall be submitted to the planning and zoning commission. The planning and zoning commission shall review such plans and shall provide the city council with a recommendation and the city council shall take final action on such plans. If the plans are in accordance with the criteria of these 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.

(b) 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:

(1) Minimum scale of one inch equals 50 feet; show scale in both written and graphic form.

(2) Location, size and species of all trees to be preserved (do not use “tree stamps” unless they indicate the true size and location of trees).

(3) 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.

(4) Species and common names of all plant materials to be used.

(5) Size of all plant material to be used (container size, planted height, etc.).

(6) Spacing of plant material where appropriate.

(7) Layout and description of irrigation, sprinkler, or water systems including location of water sources and rain and freeze sensors.

(8) Description of maintenance provisions.

(9) Name and address of the person responsible for the preparation of the landscape plan.

(10) North arrow/symbol, and a small map showing where the property is located.

EXISTING LANDSCAPE STANDARDS

(11) Date of the landscape plan.

(12) The plan shall also be provided electronically and in color.

(2006 Code, sec. 28-154; Ordinance 09-05-797, sec. 2 (art. VI, sec. 4), adopted 5/18/09; Ordinance 13-02-947, sec. 17, adopted 2/19/13)

§ 26.07.006. General standards.

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

(1) All nonpaved surfaces shall be completely covered with living plant material. Landscaping materials such as wood chips and gravel may be used under trees, shrubs and other plants, but shall not comprise a significant portion of the total pervious surface area.

(2) Plant materials shall conform to the standards of the approved plant list for the city (see section 26.08.002 for the approved plant list referenced in that section) 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.

(3) Trees shall have an average crown spread of greater than 15 feet at maturity. Trees having a lesser average mature crown of 15 feet may be substituted by grouping the same so as to create the equivalent of 15 feet of crown spread. Large trees shall be a minimum of three inches in caliper (measured four feet above the ground) and seven feet in height at time of planting. Small ornamental trees shall be a minimum of one and one-half inches in caliper and five feet in height at time of planting. All new trees shall be provided with a permeable surface under the dripline a minimum of five feet by five feet diameter.

(4) Shrubs not of a dwarf variety shall be a minimum of two feet in height when measured immediately after planting. Hedges, where installed for screening purposes, shall be planted and maintained so as to form a continuous 75 percent visual screen which will be at least six feet high within three 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.

(5) Vines not intended as ground cover shall be a minimum of two feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening requirements as set forth.

(6) Grass areas shall be sodded, plugged, sprigged, hydro-mulched and/or seeded, except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.

(7) 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 year of planting.

(8) 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 square feet in area may be irrigated by some other

EXISTING LANDSCAPE STANDARDS

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 required to be maintained in a healthy, living and growing condition, and any irrigation devices shall not be visible from public streets or walkways.

(9) Earthen berms shall have side slopes not to exceed 33.3 percent (three feet of horizontal distance for each one foot of vertical height). All berms shall contain necessary drainage provisions as may be required by the city engineer.

(10) The installation or construction of artificial turf in or on any yard within the city such that any portion of said turf is visible from the city's streets, sidewalks or easements is prohibited.

(11) Any installation or construction of artificial turf must be permitted prior to any work being done in the city and will be reviewed and inspected to ensure drainage remains as approved at time of original yard installation.

(12) Any property owner that has installed artificial turf on their property prior to August 1, 2014, is hereby grandfathered.

(2006 Code, sec. 28-155; Ordinance 09-05-797, sec. 2 (art. VI, sec. 5), adopted 5/18/09; Ordinance 14-08-981, sec. 3, adopted 8/5/14)

§ 26.07.007. Minimum 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 20 percent of the lot/tract area shall be pervious, permanently landscaped area. For corner lot/tracts, a 600 square foot landscaped area shall be provided at the street intersection, which can be counted toward the 20 percent requirement.

(b) A minimum 25-foot landscaped street buffer adjacent to the right-of-way of any arterial (type B or larger) is required for the first 250 feet 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 15 feet along the remainder of the arterial frontage (minimum length of transition shall be 100 feet). A minimum 15-foot 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 arterials shall provide the appropriate required landscape buffer on both street frontages. Two large shade trees and four small ornamental trees shall be required per 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 50 square feet in area. Landscape areas shall be no less than five feet wide, shall equal a total of at least 32 square feet per parking space,

EXISTING LANDSCAPE STANDARDS

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 large shade tree within 60 feet of every parking space. There shall be a minimum of one large shade tree, a minimum of five-inch caliper, planted within the parking area for every ten parking spaces for parking lot/ tracts having more than 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 15 parking spaces in length, and all islands shall contain at least one 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 fifteen-foot-wide landscaped buffer strip around the sides and rear perimeters of the lot/tract, provided that each [such] side or rear lot/ tract line does not abut residentially zoned property which requires a screening wall per article 26.03 of this chapter. Within the five-foot perimeter buffer shall be provided a four-foot-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 of the perimeter buffer strip shall observe the required screening per article 26.03 of this chapter, shall be a minimum of ten feet in width, and shall be required to have one large shade tree, in lieu of the four-foot-high screen described above, for every 30 linear feet 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.

(2006 Code, sec. 28-156; Ordinance 09-05-797, sec. 2 (art. VI, sec. 6), adopted 5/18/09; Ordinance 13-02-947, sec. 18, adopted 2/19/13)

§ 26.07.008. Minimum 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 one large shade tree for each 50 feet, or portion thereof, of lot/tract width. Trees may be clustered or spaced linearly and need not be placed evenly at 50-foot intervals. The required trees shall be installed prior to issuance of a certificate of occupancy for the premises.

(b) The shade trees shall be a minimum of five-inch caliper. 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 Texas A&M University Collin County Extension Agent's recommended tree list.

(c) The minimum height required for shade trees shall be seven feet.

(d) Shade trees in single-family developments are required to be maintained.

EXISTING LANDSCAPE STANDARDS

(2006 Code, sec. 28-157; Ordinance 09-05-797, sec. 2 (art. VI, sec. 7), adopted 5/18/09; Ordinance 13-02-947, sec. 19, adopted 2/19/13)

§ 26.07.009. 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 30.07.108 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 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 manager, or his designee, the requirements set forth herein may be slightly reduced, if necessary, to remove the conflict.

(2006 Code, sec. 28-158; Ordinance 09-05-797, sec. 2 (art. VI, sec. 8), adopted 5/18/09)

§ 26.07.010. 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. 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 90 days. Trees with a trunk diameter in excess of six inches measured four feet above the ground may be replaced with ones of similar variety having a trunk diameter of no less than three inches measured four feet above the ground on a caliper-inch for caliper-inch basis (e.g., for a six-inch tree, two three-inch replacement trees shall be required). A time extension may be granted by the city manager or his designee, if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his 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 in article 26.03 of this chapter). The minimum clearance of any portion of a tree overhanging a public street right-of-way shall be 14 feet, and overhanging a public sidewalk shall be eight feet.

(c) Failure to maintain any landscape area in compliance with this section is considered a violation of this article and may be subject to penalties.

(2006 Code, sec. 28-159; Ordinance 09-05-797, sec. 2 (art. VI, sec. 9), adopted 5/18/09)

§ 26.07.011. Variance procedure.

EXISTING LANDSCAPE STANDARDS

(a) The planning and zoning commission shall hold a public hearing on any request for a variation or exception to the standards provided by this article. The planning and zoning commission may not recommend a variation or exception unless the planning and zoning commission determines that the variation or exception will not substantially alter the intent of the standards established by this article.

(b) All recommendations of the planning and zoning commission under this article shall be forwarded to the city council. When the planning and zoning commission denies a request for a variation or exception to the standards set forth in this article, a hearing before the city council shall be set only if a written appeal is filed by the applicant with the city manager or his/her designee within 15 days of the date of the denial.

(2006 Code, sec. 28-160; Ordinance 09-05-797, sec. 2 (art. VI, sec. 10), adopted 5/18/09)

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§ 26.07.001. Definitions.

Artificial turf. A surface of synthetic fibers made to look like natural grass.
(Ordinance 14-08-981, sec. 2, adopted 8/5/14)

§ 26.07.002. Purpose.

~~Landscaping is accepted as adding value to property and is in the interest 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 non-point pollution in local waterways. Therefore, landscaping is hereafter required of new development.~~
~~(2006 Code, sec. 28-151; Ordinance 09-05-797, sec. 2 (art. VI, sec. 1), adopted 5/18/09)~~

The purpose of this section is to provide for the orderly and aesthetic development of the city and to promote the health, safety and general welfare of the community. It is the intent of this section to achieve the following:

- Promote a positive image for the attraction of new business enterprises within the city.
- Protect and promote the value of residential and commercial properties within the city.
- Encourage the protection of healthy trees and vegetation and promote the natural ecological environmental and aesthetic qualities of the city.
- To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, ground-water recharge, storm water runoff retardation and erosion control.
- Provide for the separation and buffering of incongruous uses and intensity of activities; and provide for the visual softening of building masses.
- Reduce glare from paved surfaces, dust nuisances and the impact of noise.
- Promote a flexible attitude of enforcement sufficient to meet the spirit and intent of these requirements.

Therefore, landscaping is required of new development and altered or repaired construction on all developments, and construction of the developments shall conform to the standards in this section (the "Landscape Standards").

§ 26.07.003. Scope; enforcement.

(a) The standards and criteria contained within this article are ~~deemed to be~~ the minimum ~~standards and shall apply to~~ for:

(i) all new and existing developments that are expanding or redeveloping~~, or altered~~, ~~exceeding~~ 30 percent or more of the ~~original floor area, construction occurring within the city~~ overall building area.~~.~~

(j) ~~Additionally, any~~ Any use requiring a specific use permit or ~~a PD zoning designation~~any property having a Planned Development (PD) zoning ~~.~~

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~~must~~designation must comply with these landscape standards unless special landscaping standards are otherwise provided for in the ordinance establishing the SUP or PD district, whichever is more restrictive.

(k) (iii) Nonresidential uses, multifamily uses and institutional uses located in residential zoning districts, such as schools and churches.

~~(a)~~(l) The provisions of this article shall be administered and enforced by the ~~city manager or his designee~~city planner, or his/her designee. ~~The landscape standards in this article 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.~~

~~(b)~~ New single-family and manufactured housing lots shall comply with Sec. 26.07.008. Minimum requirements for single-family and manufactured housing. ~~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 article, the city manager, or his designee, shall issue notice to the owner, citing the violation and describing what action is required to comply with this article. The owner, tenant or agent shall have 30 days from the 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 article.~~

~~(2006 Code, sec. 28-152; Ordinance 09-05-797, sec. 2 (art. VI, sec. 2), adopted 5/18/09)~~

§ 26.07.004. Issuance of permits and certificate of occupancy.

(a) The approved landscape drawings are a part of the civil construction set and shall be inspected and approved by the Director of Parks and Recreation or his designee before a final acceptance and certificate of occupancy can be issued.

~~(a)~~(b) No permits shall be issued for building, paving, utilities, grading or construction until a ~~detailed~~ landscape plan is submitted and approved by the city ~~manager or his designee~~, along with the site plan. ~~and engineering/construction plans~~. A landscape plan shall be required as part of the site plan submission. ~~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.~~ A certificate of occupancy will not be issued until the landscaping and/or screening approved by the city has been installed in accordance with the approved landscape plan. ~~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~~.

(c) Delay of Landscape Construction: Landscape installation may be delayed up to 90 days, when approved by the city planner for such circumstances including, but not limited to: demolition of landscape due to future project phases of construction, designation of Stage 3 or Stage 4 drought restrictions as designated by the North Texas Municipal Water District (NTMWD) or where a certificate of occupancy is sought during a season of the year in which the city determines that it would be impractical to plant landscape materials.

~~(b)~~ All approved landscaping will be installed within 90 days of final acceptance of the development by the city or issuance of the first certificate of occupancy within the development. Failure to do so will be a violation of this ordinance and subject to the

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penalties contained herein. ~~In any case in which a certificate of occupancy is sought at a season of the year in which the city manager, or his 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 months of the date of the issuance of the certificate of occupancy.~~

~~(2006 Code, sec. 28-153; Ordinance 09-05-797, sec. 2 (art. VI, sec. 3), adopted 5/18/09)~~

§ 26.07.00~~5~~5. Landscape plan.

(a) A landscape plan is required for all applicable developments, as described above, and shall comply with Subsection 26.07.005 Landscape Plan Review.

(b) Alternative landscape design. The Director of Parks & Recreation may approve an alternative landscape design that differs from the requirements set forth within this section in conjunction with the submitted site plan when it meets the conditions below. Should the Director deny an alternative landscape design, the applicant may appeal the Director's decision in accordance with Subsection § 26.07.011, Variance and Appeal procedure.

(i) Complies with the purpose and intent of this section;

(ii) Incorporates significant trees and natural features of the site; and

(iii) Better accommodates or improves the existing physical conditions of the site.

(c) A landscape plan is not required for individual single-family residential lots on a platted lot of record where a homestead is being constructed.

(d) Landscape plans shall be prepared by a certified, licensed landscape architect, landscape contractor or landscape designer and shall contain the information outlined in the Landscape Plan development checklist.

§ 26.07.006. Landscape plan review

(a) ~~P~~rior to the issuance of a building, paving, grading or construction permit for any use, a landscape plan shall be submitted to the planning and zoning commission. The planning and zoning commission shall review ~~such plans~~the plan and shall provide the city council with a recommendation of approval, approval with conditions, or disapproval. The~~and the~~ city council shall take final action on such plans and shall either approve, approve with conditions, or disapproval. If the plans are in accordance with the landscape plan criteria ~~of these 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.

~~(a)~~

~~(b) 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:~~

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~~(1) Minimum scale of one inch equals 50 feet; show scale in both written and graphic form.~~

~~(2) Location, size and species of all trees to be preserved (do not use "tree stamps" unless they indicate the true size and location of trees).~~

~~(3) 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.~~

~~(4) Species and common names of all plant materials to be used.~~

~~(5) Size of all plant material to be used (container size, planted height, etc.).~~

~~(6) Spacing of plant material where appropriate.~~

~~(7) Layout and description of irrigation, sprinkler, or water systems including location of water sources and rain and freeze sensors.~~

~~(8) Description of maintenance provisions.~~

~~(9) Name and address of the person responsible for the preparation of the landscape plan.~~

~~(10) North arrow/symbol, and a small map showing where the property is located.~~

~~(11) Date of the landscape plan.~~

~~(12) The plan shall also be provided electronically and in color.~~

~~(2006 Code, sec. 28-154; Ordinance 09-05-797, sec. 2 (art. VI, sec. 4), adopted 5/18/09;~~

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Ordinance 13-02-947, sec. 17, adopted 2/19/13)

§ 26.07.0076. General standards.

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

(1) All landscapes shall be designed, constructed, and maintained in accordance with the following standards:

(i) ANSI A300, as it exists or may be amended.

(ii) American Standard for Nursery Stock, ANSI Z60.1, as it exists or may be amended.

(iii) Stormwater best management practices as provided in Article 29.02 Stormwater Protection of the Murphy Code of Ordinances, as it exists or may be amended.

(iv) Division 11 of the Murphy Irrigation Code, as it exists or may be amended.

~~(1)~~(2) All required ~~nonpaved~~ landscaped open areas ~~surfaces~~ shall be completely covered with living plant material. ~~Landscaping materials such as wood chips and gravel~~Mulch and other materials may be used ~~under~~ around required trees, shrubs and other plants~~, but shall not comprise a significant portion of the total pervious surface area~~.

(3) Plant materials shall conform to the standards of the approved plant list for the city. See Section _____. Substitutions of plant material may be approved by the city planner. The quantity of plant material required by this section must equal or exceed the minimum number of plants required by this section. Unless otherwise noted on the approved landscape plan, required plant material can be placed in groupings or utilized in appropriate planting designs that are proposed by the applicant and approved by the city.

(4) Artificial plants are prohibited except that artificial turf is allowed as described in Section _____. ~~(see section 26.08.002 for the approved plant list referenced in that section) 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.~~

(5) Each landscape zone shall be designed to achieve complete coverage of the landscape while not being over planted (i.e. plant spacing on the planting plan shall represent not less than seventy-five (75) percent of the mature size).

(6) All areas shown as landscape improvements on a landscape plan shall be irrigated with a mechanical irrigation system that complies with the requirements set forth in the Irrigation Ordinance, as it exists or may be amended. Areas shown on a landscape plan that are intended to establish or reestablish native vegetation may be irrigated using temporary irrigation measures until the native vegetation is fully established, where approved by the Director of Parks and Recreation.

~~(2)~~

§ 26.07.008. Planting standards.

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1) Tree planting standards.

a. All trees to be planted in the city shall be nursery grown and meet the following minimum requirements:

(i) Canopy shade trees ~~Trees~~ shall ~~be a minimum of three (3) inch caliper. have an average crown spread of greater than 15 feet at maturity. Trees having a lesser average mature crown of 15 feet may be substituted by grouping the same so as to create the equivalent of 15 feet of crown spread.~~

(ii) Ornamental trees ~~Large trees shall be a minimum of three inches in caliper (measured four feet above the ground) and seven feet in height at time of planting. Small ornamental trees~~ shall be a minimum of ~~one and one half~~two (2) inch~~es~~ ~~in~~ caliper ~~and five feet in height at time of planting~~. ~~All new trees shall be provided with a permeable surface under the dripline a minimum of five feet by five feet diameter.~~

(iii) Parkway (right-of-way) trees shall be a minimum of two (2) inch caliper.

~~(3)~~(iv) Evergreen trees such as conifers, intended for screening will have a minimum height of six (6) feet at the time of planting. Evergreen shrubs intended for required screening shall be a minimum of seven (7) gallons and be capable of attaining six (6) feet in height in two growing seasons.

b. Tree plantings shall not include more than forty-five (45) percent of the same tree species, otherwise approved by the Director of Parks and Recreation.

c. A four (4) foot minimum trunk distance shall be maintained from concrete pavement, utility lines, screening walls, or other structures shall be maintained unless otherwise approved. A six (6) foot minimum trunk distance shall be maintained from back of street curbs. The city has final approval for all tree placements.

d. A layer of fibrous mulch shall be provided in shrub beds and around trees. The root flare on all trees shall be kept exposed.

e. A tree permit, in accordance with Article 26, and/or grading permit is required for all clear-cutting and/or mass removal or transplanting of protected trees.

f. Existing trees on a property that are preserved may be used to meet the requirements of this section upon approval of the landscape plan by the city and must meet the following requirements:

(i) Existing trees approved by the city for landscape

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credit are to be identified as such on the landscape plan. Credits shall be indicated on the landscape plan.

(ii) Existing trees approved by the city for credit are to remain in a living and growing condition. Any existing tree for which credit was given that dies shall be replaced on the same basis as set forth in this section.

(iii) Credit will be revoked where trees intended for preservation credits are damaged due to, among other things, construction, poor tree protection practices, soil compaction or soil cut/fill or other damaging behaviors.

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~~(4)~~b) Shrub and hedge planting standards. Shrubs ~~not of a~~other than dwarf variety shall be a minimum of two feet in height when measured immediately after planting. A screening h~~H~~edge~~s~~, where ~~installed for screening purposes~~required, shall be planted and maintained so as to form a continuous, ~~75 percent~~unbroken, solid visual screen ~~which~~ that will be three (3) feet in height within one (1) year after planting. Any parking area abutting the landscape perimeter will be screened from the adjacent street as approved by the city. Parking areas that are beyond 60 feet from the property line do not require screening unless adjacent to a residential zoning district or a residential development.~~at least six feet high within three 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.~~

~~(5) Vines not intended as ground cover shall be a minimum of two feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening requirements as set forth.~~

~~1)~~

c) Grass areas shall be sodded, plugged, sprigged, hydro-mulched and/or seeded, except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.

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~~(6)~~ d) ~~G~~round 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~~must provide complete coverage within one year of planting. Ground cover planting must provide and maintain adequate coverage as approved by the city.

~~(7) 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 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 required to be maintained in a healthy, living and growing condition, and any irrigation devices shall not be visible from~~

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~~public streets or walkways.~~

e) Earthen berms shall not ~~have side slopes not to~~ exceed a ~~33.3~~3:1 ~~percent~~ slope (three feet of horizontal distance for each one foot of ~~vertical~~ height). All berms shall contain ~~necessary~~ adequate drainage and preventative erosion measures ~~provisions~~ as may be required by the ~~city engineer~~city.

~~(9)~~ **~~§ 26.07.009. Artificial Turf~~**

~~(10)~~ 1. ~~The installation or construction of~~ A~~a~~rtificial turf is permitted in any yard within the city if it is not ~~in or on any yard within the city such that any portion of said turf is~~ visible from the city's streets, sidewalks or easements~~. is prohibited~~.

~~(11)~~ 2. ~~Any installation or construction of artificial turf must be~~A building permit is required~~ted~~ prior to any work being done in the city and will be reviewed and inspected to ensure adequate drainage~~. remains as approved at time of original yard installation~~.

~~(12)~~(7) 3. Any property owner that has installed artificial turf on their property prior to August 1, 2014, is hereby grandfathered.

~~(2006 Code, sec. 28-155; Ordinance 09-05-797, sec. 2 (art. VI, sec. 5), adopted 5/18/09; Ordinance 14-08-981, sec. 3, adopted 8/5/14)~~

§ 26.07.0~~10~~**07. Landscape requirements for non-residential uses. ~~Minimum requirements for nonresidential and multifamily developments~~.**

(a) These standards apply to all non-residential uses, including institutional uses located on property zoned residential. ~~For all nonresidential and multifamily developments, including schools, churches, day care facilities, and other similar uses in a residential district~~

(b) Landscape area. A landscaped area consisting of living trees, turf, or other living ground cover and consisting of a minimum of 20 percent of the lot/ tract area, not including public right-of-way, shall be provided.. For corner lot/tracts, an additional 600 square foot landscaped area shall be provided at the street intersection, which can be counted toward the 20 percent requirement.

- (i) Street Buffer.

~~(a) (1). at least 20 percent of the lot/ tract area shall be pervious, permanently landscaped area. For corner lot/tracts, a 600 square foot landscaped area shall be provided at the street intersection, which can be counted toward the 20 percent requirement.~~

(1) Where a property fronts a Type A or Type B arterial road, a minimum 25-foot wide landscaped street buffer shall be provided adjacent to the right-of-way of the arterial.

(2) ~~A minimum 25 foot landscaped street buffer adjacent to the right of way of any arterial (type B or larger) is required for the first 250 feet 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 15 feet along the remainder of the arterial frontage (minimum length of transition shall be 100 feet).~~ For all other road frontages, a~~A~~ minimum 15-foot landscaped street buffer shall be required along ~~any~~ the street frontage ~~for any other nonresidential or multifamily development (including schools, churches, day care facilities, and other similar uses in a~~

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~~residential district).~~

(3) Corner lot/tracts ~~fronting two arterials~~ shall provide the appropriate required landscape buffer on both street frontages.

(ii) Perimeter Buffer

(a) Abutting Non-Residential Property. Each lot shall provide a minimum 15-foot-wide landscaped buffer strip around the sides and rear perimeters of the lot adjacent to nonresidential zoned property.

(b) Abutting Residential Property. Each lot shall provide a minimum 10-foot-wide landscaped buffer around the sides and rear perimeters of the lot adjacent to residential zoned property in addition to the required screening standards in Article 26.03. This section also applies to institutional uses in residential zoning districts.

(b) Planting standards.

i. Street buffer. Two large ~~shade~~ canopy trees and four small ornamental trees shall be required per 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~~.

i. ii. Perimeter Buffer.

(a) Abutting non-residential property. The 15-foot perimeter buffer shall contain a four-foot-tall screen comprised of a combination of evergreen shrubs, decorative walls with shrubs, or similar landscaping. If a side or rear lot/tract line abuts a residentially zoned property.

(b) Abutting residential property. The 10-foot-wide landscape buffer shall contain one large canopy tree for every 30 linear feet.

~~(b)~~ .

(iv) Parking lot landscaping standards.

a. Landscape Islands. Where landscape islands are required under Section, landscape islands shall be provided at the terminus of all parking rows and within bays of parking such that bays do not generally exceed 15 parking spaces in length. Landscape islands shall be a minimum of one (1) parking space in size, with no landscape area less than 50 square feet in area. All islands shall contain at least one tree (canopy or ornamental)~~Landscape areas within parking lot/tracts should generally be at least one parking space in size, with no landscape area less than 50 square feet in area.~~

~~(c)~~ b. Interior ~~L~~landscape areas in parking lots having more than twenty (20) spaces. Within parking lots, landscape areas should be located to define parking areas and to assist in clarifying appropriate circulation patterns. These areas shall be no less than five feet wide,

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shall equal a total of at least 32 square feet per required 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~~Landscape areas shall have a minimum of ~~least~~ one ~~large shade~~ canopy tree within 60 feet of every parking space. There shall be a minimum of one ~~large shade~~ minimum three (3) inch canopy tree~~, a minimum of five inch caliper~~, planted within the parking area for every ten (10) parking spaces~~, for parking lot/tracts having more than 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 15 parking spaces in length, and all islands shall contain at least one tree (large or ornamental)~~.

c. 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.

~~(a) Each lot/tract shall provide a minimum fifteen-foot-wide landscaped buffer strip around the sides and rear perimeters of the lot/tract, provided that each [such] side or rear lot/ tract line does not abut residentially zoned property which requires a screening wall per article 26.03 of this chapter. Within the five foot perimeter buffer shall be provided a four foot 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 of the perimeter buffer strip shall observe the required screening per article 26.03 of this chapter, shall be a minimum of ten feet in width, and shall be required to have one large shade tree, in lieu of the four foot high screen described above, for every 30 linear feet for overstory screening/buffering for the adjacent residences.~~

~~(b)~~(v) Only shrubs, ground covers and small ornamental trees shall be used under existing or proposed overhead utility lines.

~~(c)~~(vi) Vehicular driveways from the public right-of-way and sidewalks, in accordance with city regulations, shall be permitted through all required landscaping.

(2006 Code, sec. 28-156; Ordinance 09-05-797, sec. 2 (art. VI, sec. 6), adopted 5/18/09; Ordinance 13-02-947, sec. 18, adopted 2/19/13)

§ 26.07.0110~~8~~. Minimum requirements for single-family ~~and two-family~~ residential and manufactured housing developments.

(a) For all single-family and two-family developments, each residential lot/tract shall be required to have one large shade tree for each 50 feet, or portion thereof, of lot/tract width. Trees may be clustered or spaced linearly and need not be placed evenly at 50-foot intervals. The required trees shall be installed prior to issuance of a certificate of occupancy for the premises.

(b) The shade trees shall be a minimum of five-inch caliper. 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 Texas A&M University Collin County Extension Agent's recommended tree list.

(c) The minimum height required for shade trees shall be seven feet.

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(d) Shade trees in single-family developments are required to be maintained.
(2006 Code, sec. 28-157; Ordinance 09-05-797, sec. 2 (art. VI, sec. 7), adopted 5/18/09; Ordinance 13-02-947, sec. 19, adopted 2/19/13)

§ 26.07.01209. 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 intersectionsAll driveways will maintain visibility. Landscaping shall not impede visibility affecting health, safety, and welfare of the public. S(See section 30.07.108 for visibility requirements at street intersections and corners).

(b) Trees shall be set back from Landscaping, except required grass and low ground cover, shall not be located closer than three feet 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 manager, or his designee, the requirements set forth herein may be slightly reduced, if necessary, to remove the conflict.
(2006 Code, sec. 28-158; Ordinance 09-05-797, sec. 2 (art. VI, sec. 8), adopted 5/18/09)

§ 26.07.01310. 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. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping.

(a)(b) 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 90 days. Trees with a trunk diameter in excess of six inches measured four feet above the ground may be replaced with ones of similar variety having a trunk diameter of no less than three inches measured four feet above the ground on a caliper-inch for caliper-inch basis (e.g., for a six-inch tree, two three-inch replacement trees shall be required). A time extension may be granted by the city manager or his designee, if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent.

(b)(c) 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 in article 26.03 of this chapter). The minimum clearance of any portion of a tree overhanging a public street right-of-way shall be 14 feet, and overhanging a public sidewalk shall be eight feet.

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~~(c)~~ If at any time after the issuance of a certificate of occupancy, the landscaping that was installed does not conform to the landscape plan of the landscape standards, the city will issue notice to the property owner, tenant and/or agent, citing the violation and describing the action required to comply with this article. The owner, tenant and/or agent shall have 30 days from date of said notice to comply with the approved landscape plan. A time extension may be granted by the city manager or his designee, if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent. ~~Failure to maintain any landscape area in compliance with this section is considered a violation of this article and may be subject to penalties.~~

(d) The right-of-way adjacent to required landscape areas shall be maintained by the adjacent property owner in the same manner as the required landscape area.

~~(2006 Code, sec. 28-159; Ordinance 09-05-797, sec. 2 (art. VI, sec. 9), adopted 5/18/09)~~

§ 26.07.011~~1~~. Variance and Appeal procedure.

~~(a)~~ ~~T~~he planning and zoning commission shall hold a public hearing on any request for a variation or exception to the standards provided by this article. The planning and zoning commission may not recommend a variation or exception unless the planning and zoning commission determines that the variation or exception will not substantially alter the intent of the standards established by this article. All recommendations of the planning and zoning commission under this article shall be forwarded to the city council. When the planning and zoning commission denies a request for a variation or exception to the standards set forth in this article, a hearing before the city council shall be set only if a written appeal is filed by the applicant with the city manager or his/her designee within 15 days of the date of the denial.

(2006 Code, sec. 28-160; Ordinance 09-05-797, sec. 2 (art. VI, sec. 10), adopted 5/18/09)

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