


DATE: July 21, 2020

TO: Honorable Mayor & City Council

FROM: John Muns, Chair, Planning & Zoning Commission 

SUBJECT: Results of Planning & Zoning Commission Meeting of July 20, 2020

**AGENDA ITEM NO. 4 - PUBLIC HEARING
ZONING CASE 2020-012**

Request to amend Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Zoning Ordinance to create the Neighborhood Business Design zoning district. Project #ZC2020-012.

APPROVED: 8-0 **DENIED:** _____ **TABLED:** _____

Speaker Card(s) Received Support: 1 Oppose: 0 Neutral: 1

Petition Signatures Received: Support: 0 Oppose: 0 Neutral: 0

Other Responses: Support: 8 Oppose: 8 Neutral: 9

STIPULATIONS:

Recommended for approval as follows (for existing sections, additions are indicated in underlined text; deletions are indicated in strikethrough text).

Amend Subsection 3.100.3 (Applicability) of Section 3.100 (General) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.3 Applicability

The site plan review process shall apply to:

A. Development within an area zoned planned development. (See Article 12)

B. Nonresidential development, except as provided in Sec. 3.100.4.

C. Multifamily residential development.

D. Patio home and single-family residence attached residential use development and any mixed single-family detached residential development that contains patio home and/or single-family attached residential dwellings.

E. Residential development within an area zoned RCD or NBD.

~~FE.~~ Mobile home parks.

~~GF.~~ Parking lot development, reconstruction, or restriping of more than 20 spaces.

Amend Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.1 General

An adopted development plan must accompany a zoning petition for a UMU, NBD, or RCD ~~the Urban Mixed-Use~~ zoning district and is only applicable in conjunction with that specific district. The purpose of the plan is to:

.2 Applicability

An adopted development plan approved as part of the zoning action establishing a ~~Urban Mixed-Use~~ UMU, NBD, or RCD district ~~shall be~~ is required prior to the consideration of a preliminary site plan or site plan for development of property and located within ~~that an Urban Mixed-Use~~ UMU, NBD, or RCD zoning district. The adopted development plan must include all property contained within the district.

.3 Application Procedure and Requirements

A. Pre-application

B. General Application

The property owner shall file an application for the approval of an adopted development plan in conjunction with a petition for ~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning. This application ~~shall~~ must include the information listed below on one, dimensioned, scaled drawing on a sheet size 24" x 36". The drawing ~~shall~~ must include existing and proposed site conditions and improvements, as follows:

C. Standards of Approval

D. Effect

E. Lapse

An adopted development plan does not have an expiration date and is valid as long as the property retains the ~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning classification.

Amend Section 3.600 (Amendments) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

At any time following the approval of a concept plan, preliminary site plan, adopted development plan, or site plan and before the lapse of such approval, the property owner(s) may request an amendment. Amendments shall be classified as major and minor. Minor amendments shall include corrections of distances and dimensions, adjustments of building configuration and placement, moving nonresidential uses within the same use category to adjacent blocks, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping, and screening, changes to utilities and service locations which do not substantially change the original plan. Minor phasing amendments for adopted development plans are permitted only for the purpose of adding an adjacent nonresidential or vertically mixed-use building into the current phase. Amendments to previously approved storm water conservation areas, increases in building height and/or building proximity to an adjacent offsite residential use, and all other amendments shall be considered major amendments and may be considered by the Planning & Zoning Commission at a public meeting in accordance with the same procedures and requirements for the approval of a plan. Major amendments to an adopted development plan for ~~the Urban Mixed Use~~ UMU, NBD, or RCD districts may only be approved through the same process by which it was initially adopted. The Director of Planning may approve or disapprove a minor amendment. Disapproval may be appealed to the Planning & Zoning Commission.

Amend Section 6.200 (Certificates of Occupancy) of Article 6 (Specific Use Permits and Certificates of Occupancy) of the Zoning Ordinance, such portion of section to read as follows:

.1 Certificate of Occupancy

It is unlawful for any person, firm, association, or corporation with ownership, care, custody, or control over a parcel of land, with or without a building, located within the municipal limits of the City of Plano to allow such building or parcel to be used, occupied, or modified in any manner that does not comply with a required, valid Certificate of Occupancy issued by the Chief Building Official, or designee of the City of Plano. The provisions of this section do not apply to single-family residence, two-family residence, farm, ranch, garden, or orchard uses, nor housing types in the RCD zoning district.

Amend Section 8.200 (Terms Defined) of Article 8 (Definitions) of the Zoning Ordinance, such portion of section to read as follows:

Live-Work (Business Loft)

A building that is designed with one ground-floor, nonresidential space and one attached dwelling unit. The dwelling unit may be located on the same floor, or directly

above, the nonresidential use and must be occupied by individuals owning or employed by the associated nonresidential use.

Two-Family Residence (Attached)

An attached building having separate accommodations for and occupied by not more than 2 households.

Amend Article 10 (Nonresidential Districts) of the Zoning Ordinance, such additional section to read as follows:

10.1600 NBD, Neighborhood Business Design District

.1 Purpose

The NBD district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of development in the Oak Point area. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate primarily for commercial properties and redevelopment sites and the standards are intended to ensure compatibility between various uses for the purpose of implementing the Envision Oak Point Plan.

.2 Option for Residential Standards

The district may be entirely commercial or may include residential land uses. If residential land uses are incorporated into the development plan, these uses must fully utilize the Residential Community Design District (RCD) (Section 9.1700) standards, including usable open space, parking, and all other requirements.

.3 Minimum District Size

No NBD district may be established smaller than 10 acres unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or related study.

.4 Permitted Uses

See the nonresidential districts use table in Sec. 14.200 for a complete listing.

.5 Area, Yard, and Bulk Requirements

A. The following area, yard, and bulk requirements apply to all nonresidential development in the NBD district unless otherwise expressly stated:

Description	Requirement
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Front Yard Setbacks	
Front yard along Type D and above thoroughfares	<p>Minimum: 20 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p> <p>75% of the building face must be within 25 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza, or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.</p> <p>The setback may be increased to a maximum of 80 feet if a drive aisle with single-loaded parking is installed between the building face and a public street.</p>
Front yard along Type E and below thoroughfares	<p>Minimum: 10 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p> <p>75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.</p>
Front yard along major and minor streets	<p>Minimum: none, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p>

Description	Requirement
	75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Front yard along paseos	Minimum: none, except as provided in Sec. 13.500.2 Sec. 10.1600.6 75% of the building face must be within 5 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Side Yard Setbacks	
Interior Lot	None, except as provided in Sec. 13.500.3 and Sec. 10.1600.6
Corner Lot	Same as front yard setback, except as provided in Sec. 13.500.3 and Sec. 10.1600.6
Rear Yard Setback	10 feet where no alley abuts the rear property line, except as provided in Sec. 13.500.4 and Sec. 10.1600.6
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 10.1600.6
Maximum Lot Coverage	75%, 90% if structured parking is included
Minimum Lot Coverage	None
Maximum Floor Area Ratio	None
Minimum Floor Area Ratio	None
Minimum Usable Open Space	10% in accordance with Sec. 10.1600.14

B. Additional Standards for Live-Work (Business Loft):

- i. Live-Work (Business Loft) units must be located within 600 feet of an existing residential neighborhood.
- ii. No more than 10 Live-Work (Business Loft) units per block.
- iii. The residential space must have an exterior entrance on the ground floor.
- iv. The ground floor must have a minimum floor-to-ceiling height of twelve feet.
- v. The following area, yard, and bulk requirements apply in addition to those in Sec. 10.1600.5A:

Description	Requirements
Minimum Lot Area	1,500 square feet
Maximum Units per Lot	1 unit
Minimum Front Yard	5 feet, except as provided in Sec. 13.500.2
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	400 square feet
Maximum Nonresidential Floor Area	5,000 square feet
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16). See Article 16 for nonresidential parking requirements.

.6 Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in Sec. 10.1600.5, all buildings must be set back from the district boundary line of the nearest residential zoning district or the lot line of a residential use outside of the NBD district, as follows:

- A. When an alley is present on the neighboring property: at least two feet for every one foot of building height.

- B.** When an alley is not present on the neighboring property: at least 15 feet plus two feet for every one foot of building height.
- C.** This minimum setback may be reduced to a setback of 20 feet when the nearest residential zoning district allows a maximum height greater than 35 feet.

.7 District Establishment and Administration

- A.** The regulations contained within this zoning district may be supplemented with additional standards and conditions to execute a specific development plan. The boundary of each NBD district must be defined on the Zoning Map and identified with the letters NBD followed by a unique number referencing the supplementary regulations. In considering the establishment of an NBD district, the Planning & Zoning Commission and City Council may amend and supplement the base NBD regulations and related development regulations in the Zoning Ordinance and Subdivision Ordinance to implement individual development plans, with the exception of:
 - i.** Requirement for an adopted development plan;
 - ii.** Requirement for a governance association;
 - iii.** Maximum residential densities;
 - iv.** Requirement to maintain three or more uses; and
 - v.** Requirement for nonresidential uses to be constructed within the first phase of development.
- B.** An NBD district may not be used to:
 - i.** Require construction of public improvements or the dedication or reservation of land, which are not of primary benefit to development within the district or necessary to mitigate an adverse impact attributable to development within the district, unless compensation is provided as required by law.
 - ii.** Secure agreements between owners of property within the district with third parties.
 - iii.** Assign responsibility to the city for enforcement of private deed restrictions or covenants.

- iv. Waive or modify the requirements of ordinances other than the Zoning Ordinance, except as specifically authorized by this ordinance.

.8 Adopted Development Plan

- A. An NBD district must not be established without the concurrent adoption of a development plan for the district. The plan must comply with Sec. 3.500 and must:
 - i. Show the location and type of streets, blocks, parking areas, open space, and residential transition areas;
 - ii. Specify the minimum and maximum number of residential units by housing type; and
 - iii. Enumerate all standards, conditions, and performance and implementation requirements not otherwise contained in the base zoning district requirements.
- B. The development plan must be adopted as part of the ordinance creating the NBD district. Modifications to the development plan must comply with the requirements in Sec. 3.600.

.9 Governance Association

Applications for building permits for development within an NBD district must not be accepted or approved until a suitable property owners' governance association is established. The association must be responsible for maintaining all common property, improvements, and amenities within the district. It must have power sufficient to assess and collect dues and charges as required to perform its responsibilities. It may have additional powers to administer other programs, including but not limited to, security, promotion and marketing, and entertainment. A Municipal Management District or Public Improvement District created in conformance with the Texas Local Government Code may be created to satisfy this requirement. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and access to other amenities must be incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

.10 Additional Requirements and Restrictions

- A. Each NBD district must contain three or more different uses as listed Article 14.

- B.** Once a property is developed for residential purposes within the NBD district, with the exception of live-work (business loft) units, home occupations, and bed and breakfast inns, nonresidential uses are not permitted within that property.
- C.** At least 10,000 square feet of nonresidential space must be built as part of the first phase of development. Freestanding nonresidential buildings may not have a floor area less than 5,000 square feet.
- D.** The second building constructed and all subsequent buildings may not be more than 150 feet from another building.

.11 Streets and Sidewalks

- A.** All streets within an NBD district must be dedicated as public streets, or if the city does not accept the dedication of some or all as public streets, the streets that have not been dedicated as public streets must be platted as private streets. All streets are to be open for public use and may not be gated or have restricted access, except as may be permitted for special events. All streets must be located in a private street lot or in public right-of-way. The width of a street lot or right-of-way is determined by the adopted development plan. A private street lot or public right-of-way may vary in width but must accommodate travel lanes, medians, sidewalks, utilities, street furniture and fixtures, and landscaping of public or common ownership. Easements may be required within the street lot for utilities and emergency access.
- B. Street Design**

An NBD district site must be organized into blocks created by a connected grid of streets. A variety of street types and block sizes may be incorporated to create the grid, including diagonal, off-set, and angled streets. Cul-de-sacs and curvilinear streets are prohibited, except where needed to account for major natural features.
- C. Block Size**

The maximum block size is three acres, except as required for public parks or school use.
- D. Block Length**

The maximum block length is 600 feet, with a desired typical block length of 400 feet. The block length is the distance along a street face uninterrupted by an intersecting street, transit right-of-way, and/or public usable open space designated on the development plan, excluding intersections with mews streets, alleys, and service drives.

E. Street Trees

A tree planting strip at least 5 feet in width is required on both sides of major and minor streets between the curb and sidewalk. Trees must be centered in the tree planting strip at the rate of one tree per 40 linear feet of street frontage. Adjacent to retail uses, street trees are required at the rate of one tree per 100 feet of major and minor street frontage.

F. Sidewalks

Sidewalks are required on both sides of all major and minor streets. Trees, landscaping, outdoor dining areas, bicycle racks, and street furniture may be placed on or within a sidewalk, but a minimum clearance width equal to the minimum sidewalk width must be maintained. Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

G. Street Types

All streets within an NBD district must be constructed in accordance with the following general street classifications:

Street Type	Travel Lanes	On-street Parking	Sidewalks
Type D or above thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 12 feet in width
Type E or below thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 7 feet in width
Major Street	Two 11-foot vehicle lanes	Parallel or diagonal parking in accordance with Sec. 16.1500 and valet or drop-off lanes required	Minimum 12 feet in width
Minor Street		Parallel parking in accordance with Sec. 16.1500 and designated loading zones required.	Minimum 7 feet in width
Alley/Service Drive	Two 9-foot vehicle lanes plus 3 feet on each side of the street to accommodate utilities and services	7-foot driveway/setback lanes Additional easements may be needed to accommodate utilities.	If provided, minimum 5 feet in width, but none required

Paseo	Minimum overall width: 28 feet with minimum 15 percent landscaped area with 3 caliper inches of shade trees or 6 caliper inches of ornamental trees per 500 square feet of landscape area with a minimum tree size of 2-inch caliper. No vehicle lanes, except for emergency service access if built to fire lane standards.	Not permitted	Minimum 12-foot wide main sidewalk and minimum 4-foot wide pathways providing access to individual entrances of buildings on adjacent lots
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H. Landscape Edge

Along Type D and above thoroughfares, a 20-foot landscape edge is required. Within the landscape edge, 6 caliper inches of shade trees or 12 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge, with a minimum tree size of 2-inch caliper. The number of required trees must be calculated based solely on the area of the required landscape edge.

I. Bike Lanes

Bike lanes must have a rideable surface at least 5 feet in width. A solid white lane line, bicycle lane word and/or symbol, and arrow markings that meet the Texas Manual on Uniform Traffic Control Devices requirements must be used to define the bike lane. A minimum 2-foot separation between the bike lane and any parallel vehicle lane is required. On major streets, a physical barrier between the bike lane and any parallel vehicle lane is required and must meet the Federal Highway Administration Separated Bike Lane Planning and Design Guide standards. Where possible, bike lanes must connect to existing or planned trails or bikeways located in or adjacent to the NBD district.

J. Connectivity

Connections must be made to provide direct pedestrian and bicycle access from the NBD district to adjacent sidewalks, trails, parks, transit stops, and other connections where feasible. Pedestrian access must be provided by connection to any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the NBD district. In order to provide efficient pedestrian connections to adjacent properties, the city may require additional sidewalks, walkways, or trails not associated with a street.

K. Curb Bulb Outs

Curb bulb outs are required at all intersections and defined mid-block crossing points on all street types with dedicated on-street parking, except for Type D and above thoroughfares. Curb bulb out areas may not be used to satisfy the required street tree planting strip.

.12 Parking Requirements

- A.** Parking for residential uses must follow RCD standards (Sec. 9.1700.12).
- B.** All required off-street parking in NBD districts must be accommodated in accordance with Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading), except that on-street parking spaces adjacent to a lot may be included in the parking calculations for nonresidential uses on that lot.
- C.** The maximum permitted parking for nonresidential uses is capped at 110% of the minimum required parking. Parking in excess of the maximum caps may only be provided in parking garages.
- D.** Surface parking lots for nonresidential uses must meet the following requirements:
 - i.** Parking lots must be located behind front building facades.
 - ii.** A minimum five-foot landscape edge must be provided between all surface parking lots and major and minor streets. Within the landscape edge, 3 caliper inches of shade trees or 6 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees must be calculated solely on the area of the required landscape edge.
 - iii.** Surface parking lots must not exceed 200 spaces per parking lot.

- iv.** A sidewalk at least seven feet in width must be provided to connect the parking lot to the street and to any adjacent buildings or open space areas. The sidewalk must meet the following requirements:
 - a.** The sidewalk must be distinguished from areas used by vehicles with one or more of the following techniques:
 - i.** Changing paving material, pattern, and/or paving color, but not including the painting of the paving material;
 - ii.** Changing paving height;
 - iii.** Addition of decorative bollards; or
 - iv.** Constructing raised median walkways with landscaped buffers.
 - b.** Have adequate lighting for security and safety; and
 - c.** Not include barriers that limit pedestrian access between the subject property and adjacent properties.
- E.** Vehicle parking garages for nonresidential uses must meet the following requirements:
 - i.** The building footprint of a parking garage must not exceed 60,000 square feet.
 - ii.** Parking garages must not have direct vehicle access to Type D and above thoroughfares.
 - iii.** Parking garages must be set back a minimum of 150 feet from existing residential zoning districts or residential uses outside of the NBD district.
 - iv.** Parking garages must have architecturally integrated facades compatible with the buildings they serve. The design of the structure must reflect the massing, fenestration and detailing of adjacent and abutting buildings.
 - v.** Garages must be screened so that no vehicles, headlights or light fixtures from within the structure are visible from surrounding properties or streets.
 - vi.** External elevator towers and stairwells must be open to public view, or enclosed with transparent glazing

- vii.** Parking garages must not exceed the height of surrounding buildings and must not be visually predominant when viewed from the street or public usable open space
- viii.** If a parking garage is multi-level, one full level at or below grade must be provided for public parking
- ix.** A pedestrian path at least four feet wide with clear signage and lighting must be provided within the parking garage. The pedestrian path must connect to adjacent sidewalks. Electric vehicle charging stations must not impede a minimum of four feet of clearance on any path, walkway, or sidewalk.

.13 Usable Open Space

- A.** Public usable open space must be provided in an amount not less than ten percent of the gross acreage of the development. The following requirements also apply:
 - i.** A maximum of 25% of the minimum required public usable open space may be located within a floodplain or within an overhead transmission line easement if these areas are improved for use through the addition of trails and other pedestrian amenities.
 - ii.** Public usable open space must be provided in the form of greens, linear parks, greenbelts, pocket parks, public art displays, and paseos that are integrated within the block pattern defined on the development plan.
 - iii.** At least one public usable open space must be a minimum of 7,500 square feet with a minimum width of 30 feet, and have buildings or streets directly fronting or siding the public usable open space on a minimum of three sides.
 - iv.** Natural features must be designed to be integrated into the site with buildings or public usable open space fronting on them and sufficient pedestrian and vehicle access.
 - v.** Rooftops and accessory buildings, except those portions of any building designed specifically for public recreational purposes, do not count toward the public usable open space requirements.
 - vi.** Required landscaping does not count toward the usable open space requirement.

vii. Open space that is adjacent to the rear of a building or to a service area and which does not front on a street cannot be included in the public usable open space requirement.

B. Private usable open space, including interior courtyards and patios for individual business and residential uses, is permitted but does not count toward the public usable open space requirement.

.14 Building Placement and Design

A. An NBD district or a group of buildings within the district cannot be walled, fenced, or restricted from general public access.

B. Buildings in an NBD district must be designed and oriented to reinforce the street grid. The distance from building face to building face must not exceed 100 feet on major and minor streets, unless separated by usable open space and/or patio dining.

C. Lots must be oriented so that buildings directly front on a designated street or usable open space defined on a development plan.

D. No single tenant may occupy more than 30,000 square feet of the ground floor of a building.

E. With the exception of parking garages, podium garages, and loading and service areas, 60% of the ground floor of nonresidential buildings and live/work-units must consist of windows and doors.

F. Nonresidential spaces must have a minimum floor-to-ceiling height of 12 feet.

.15 Sign Regulations

A. For signage for uses fronting Type D and above thoroughfares, the regulations, specifications, and design standards contained in Article 22 (Signs) apply.

B. For all other signage, the regulations, specifications, and design standards for signs contained in Sec. [10.800](#) (BG, Downtown Business/Government) apply.

Amend Section 14.200 (Nonresidential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such portion of section to read as follows:

Use Type	Use Category	<u>NBD-Neighborhood Business Design</u>
Accessory Building or Use (8)	Accessory & Incidental	<u>P</u> <u>8</u>
Accessory Housing Shelter (Temporary)	EIPS	<u>P</u> <u>45</u>
Airport/Heliport (4)	EIPS	
Amusement, Commercial (Indoor)	Service	<u>P</u>
Amusement, Commercial (Outdoor) (15)	Service	<u>S</u>
Animal Exhibition	EIPS	
Antenna	Trans., Utility, & Comm.	<u>P</u> <u>34</u>
Antenna Support Structure (Commercial and Amateur)	Trans., Utility, & Comm.	<u>P</u> <u>34</u>
Arcade (12)	Service	<u>P</u> <u>12</u>
Artisan's Workshop	Service	<u>P</u>
Asphalt/Concrete Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Asphalt/Concrete Batching Plant (Temporary)	Comm., Mfg. & Ind.	<u>36</u>
Assembly Hall	EIPS	<u>P</u>
Assisted Living Facility	EIPS	
Backyard Cottage	Accessory & Incidental	
Bank, Savings and Loan, or Credit Union	Service	<u>P</u>
Bed and Breakfast Inn	Service	<u>P</u>
Boarding/Rooming House	Primary Res.	
Body Piercing	Service	
Building Material Sales	Retail	
Bus/Truck Leasing	Vehicle & Related	
Bus/Truck Repair	Vehicle & Related	
Business Service	Service	<u>P</u>
Cabinet/Upholstery Shop	Service	

Cafeteria/Restaurant	Service	<u>P</u> <u>47</u>
Car Wash	Vehicle & Related	
Caretaker's/Guard's Residence	Accessory & Incidental	
Cemetery/Mausoleum	EIPS	
College/University (5)	EIPS	<u>P</u> <u>5</u>
Commissary	Wholesale	
Community Center	EIPS	<u>P</u>
Compact Construction & Transportation Equipment Sales & Service	Retail	
Concrete/Asphalt Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Concrete/Asphalt Batching Plant (Temporary)	Comm., Mfg. & Ind.	<u>36</u>
Construction Yard (Temporary) (9)	Accessory & Incidental	<u>P</u> <u>9</u>
Continuing Care Facility	EIPS	<u>P</u> <u>52</u>
Convenience Store	Retail	<u>R</u> <u>33</u>
Country Club or Golf Course	EIPS	
Data Center	Service	
Day Care Center (13)	Service	<u>P</u> <u>52</u>
Day Care Center (Accessory)	Service	<u>P</u> <u>52</u>
Day Care Center (Adult)	Service	<u>P</u> <u>52</u>
Day Care (In-home) (16)	Service	
Distribution Center/Warehouse	Wholesale	
Dry Cleaning Plant	Service	
Electrical Power Generating Plant	Trans., Utility, & Comm.	
Electrical Substation	Trans., Utility, & Comm.	<u>S</u>
Engine Repair Shop (Small)	Service	
Exhibition Area	Service	
Fairgrounds	Service	
Farm, Ranch, Garden, or Orchard	EIPS	<u>P</u>
Farmers Market	Retail	<u>P</u>
Feed Store	Retail	
Fire Station/Public Safety Building	EIPS	<u>P</u>
Fitness/Health Center	Service	<u>P</u>
Flea Market (Inside)	Retail	
Flea Market (Outside)	Retail	
Flex Space(Live-Work)	Service	
Food/Grocery Store	Retail	<u>P</u>
Food Truck Park	Service	<u>S</u> <u>R</u>
Fraternal Organization, Lodge, or Civic Club	EIPS	<u>P</u>
Funeral Parlor/Mortuary	Service	
Furniture and Appliances, Storage/Repair of (Inside)	Service	
Furniture and Appliances, Storage/Repair of (Outside)	Service	

Furniture, Home Furnishings, and Equipment Store	Retail	<u>P</u>
Garden Center	Retail	<u>R</u>
Golf Course or Country Club	EIPS	
Grocery/Food Store	Retail	<u>P</u>
Guard's/Caretaker's Residence	Accessory & Incidental	
Gun Range (Indoor)	Service	
Hardware Store	Retail	<u>P</u>
Health/Fitness Center	Service	<u>P</u>
Heliport/Airport (4)	EIPS	
Helistop (4)	EIPS	
Home Occupation (11)	Accessory & Incidental	
Hospital (5)	EIPS	
Hotel/Motel	Service	<u>P</u>
Household Care Facility	EIPS	
Household Care Institution	EIPS	
Independent Living Facility	EIPS	
Industrial Use (Hazardous or Nuisance)	Comm., Mfg. & Ind.	
Kennel (Indoor Pens)/Commercial Pet Sitting	Service	<u>P</u>
Kennel (Outdoor Pens)	Service	
<u>Live-Work (Business Loft)</u>	<u>Primary Res.</u>	<u>P</u> <u>54</u>
Long-term Care Facility	EIPS	
Machinery Sales & Storage, Heavy	Retail	
Manufacturing (Heavy-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Light-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Moderate-intensity)	Comm., Mfg. & Ind.	
Massage Therapy, Licensed	Service	<u>P</u>
Mausoleum/Cemetery	EIPS	
Mid-Rise Residential	Primary Residential	
Mini-Warehouse/Public Storage	Wholesale	
Mobile Home/Trailer Display and Sales	Service	
Mobile Home/Trailer Park	Primary Res.	
Mortuary/Funeral Parlor	Service	
Motel/Hotel	Service	<u>P</u>
Motorcycle Sales & Service	Vehicle & Related	
Multifamily Residence (1)	Primary Res.	<u>P</u> <u>52</u> <u>53</u>
Nursery	Retail	<u>S</u>
Office (Field) (9)	Accessory & Incidental	<u>P</u> <u>9</u> <u>35</u>
Office (Medical)	Office & Prof.	<u>P</u>
Office (Professional/General Administrative)	Office & Prof.	<u>P</u>
Office (Showroom/Warehouse)	Wholesale	<u>S</u>
Paint Shop	Retail	
Park/Playground	EIPS	<u>P</u> <u>52</u>
Pawn Shop	Retail	
Personal Service Shop	Service	<u>P</u>

Pet Sitting, Commercial/Kennel (Indoor Pens)	Service	
Playground/Park	EIPS	<u>P</u> <u>52</u>
Portable Building Sales	Retail	
Post Office (Government and Private)	EIPS	<u>P</u>
Print Shop (Major)	Service	
Print Shop (Minor)	Service	<u>P</u>
Private Club (19)	Service	
Private Recreation Facility	EIPS	<u>P</u>
Public Safety Building/Fire Station	EIPS	<u>P</u>
Public Storage/Mini-Warehouse	Wholesale	
Railroad Freight Depot or Dock	Trans., Utility, & Comm.	
Recreational Vehicle Parking Lot/Garage	Vehicle & Related	
Recreational Vehicle Sales & Service	Vehicle & Related	
Rehabilitation Care Facility	EIPS	
Rehabilitation Care Institution	EIPS	
Religious Facility (5)	EIPS	<u>P</u> <u>5</u>
Repair/Storage of Furniture and Appliances (Inside)	Service	
Repair/Storage of Furniture and Appliances (Outside)	Service	
Research and Development Center	Office & Prof.	
Restaurant/Cafeteria	Service	<u>P</u> <u>47</u>
Restaurant (Drive-in)	Service	
Retail/Service (Incidental)	Retail	<u>P</u>
Retail Store	Retail	<u>P</u>
Rooming/Boarding House	Primary Res.	
Salvage or Reclamation of Products	Comm., Mfg. & Ind.	
Sand, Gravel, Stone, or Petroleum Extraction	Comm., Mfg. & Ind.	
School, (Private) (5)	EIPS	<u>P</u> <u>5</u> <u>52</u>
School, (Public or Parochial) (5)	EIPS	<u>P</u> <u>5</u>
Service Contractor	Service	
Service Yard (Public or Utility)	Trans., Utility, & Comm.	<u>S</u> <u>50</u>
Service/Retail (Incidental)	Retail	<u>P</u>
Sewage Treatment Plant	Trans., Utility, & Comm.	
Shopping Center	Retail	<u>P</u>
Single-Family Residence (Attached)	Primary Res.	<u>P</u> <u>53</u>
Single-Family Residence (Detached)	Primary Res.	<u>P</u> <u>53</u>
Stable	EIPS	
Storage, Open	EIPS	
Studio (Dance, Gymnastics and/or Martial Arts)	Service	<u>P</u>

Studio (Photographer, Musician, Artist, Radio, and/or TV)	Service	<u>P</u>
Studio Residence	Primary Res.	<u>P</u> <u>53</u>
Superstore	Retail	
Tattooing and Permanent Cosmetics	Service	
Temporary Accessory Housing Shelter	EIPS	
Theater (Drive-in)	Service	
Theater (Neighborhood)	Service	<u>P</u>
Theater (Regional)	Service	
Trade Schools	EIPS	<u>S</u>
Trailer/Mobile Home Display & Sales	Service	
Trailer/Mobile Home Park	Primary Res.	
Transit Center/Station	Trans., Utility, & Comm.	<u>S</u>
Transmission Line/Utility Distribution	Trans., Utility, & Comm.	
Transportation and Utility Structures/Facility	Trans., Utility, & Comm.	<u>P</u>
Truck Parking Lot	Vehicle & Related	
Truck Sales (Heavy Trucks)	Vehicle & Related	
Truck Terminal	Vehicle & Related	
Truck/Bus Leasing	Vehicle & Related	
Truck/Bus Repair	Vehicle & Related	
Two-Family Residence	Primary Res.	<u>P</u> <u>53</u>
<u>Two-Family Residence (Attached)</u>	<u>Primary Res.</u>	<u>P</u> <u>53</u>
University/College (5)	EIPS	<u>P</u> <u>5</u>
Upholstery/Cabinet Shop	Service	
Utility Distribution/Transmission Line	Trans., Utility, & Comm.	<u>P</u>
Utility, Private (other than listed)	Trans., Utility, & Comm.	<u>P</u>
Veterinary Clinic	Service	<u>P</u>
Vehicle Dealer (New) (7)	Vehicle & Related	
Vehicle Dealer (Used) (7)	Vehicle & Related	
Vehicle Leasing and Renting	Vehicle & Related	
Vehicle Parking Lot/Garage (Primary)	Vehicle & Related	<u>P</u>
Vehicle Parts Sales (Inside)	Vehicle & Related	
Vehicle Parts Sales (Outside)	Vehicle & Related	
Vehicle Repair (Major)	Vehicle & Related	
Vehicle Repair (Minor/Fueling Station)	Vehicle & Related	
Vehicle Storage	Vehicle & Related	
Warehouse/Distribution Center	Wholesale	
Water Treatment Plant	Trans., Utility, & Comm.	
Winery	Service	<u>S</u>
Wrecking Yard	Vehicle & Related	

Amend Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such additional note to read as follows:

Number	End Note
<u>53</u>	<u>See Section 9.1700 for housing type requirements.</u>

Number	End Note
<u>54</u>	<u>See Sec. 15.2000</u>

Amend Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Zoning Ordinance, such portion of section to read as follows:

.2 Front Yard Regulations

- I. In all districts except BG, CB-1, and UMU, NBD, and RCD the distance as measured from the front lot line to the face of the building shall in no case be less than one-half the height of the building. In cases where a lot is across the street from or adjacent to a residential zoning district, see Sec. 13.500.2N.

- K. Except in the BG, CB-1, and UMU, NBD, and RCD districts, on any corner lot, no fence, wall, screen, billboard, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted, or maintained in such a manner as to obstruct or interfere with a clear line of sight for the drivers of approaching motor vehicles within a triangular area formed by extending the 2 curb lines a distance of 45 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of 30 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. In cases where streets do not intersect at approximately right angles, the Traffic Engineer shall have the authority to vary these requirements as deemed necessary to provide safety for both vehicular and pedestrian traffic; however, the Traffic Engineer shall not require site distance in excess of 275 feet. Within this triangle, vision ~~shall~~ must be clear at elevations between 30 inches and 9 feet above the average grade of the street.

- N. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures ~~shall~~ must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

- Q. In all nonresidential zoning districts, except BG, UMU, NBD, and CB-1, the front building setback may be reduced to 30 feet for one-story buildings along Type D or smaller thoroughfares if parking and driveways are prohibited between the building face and the street with the reduced setback.

.3 Side Yard Regulations

- I. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures shall not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

.4 Rear Yard Regulations

- A. In all districts permitting residential structures, except PH, SF-A, MF-1, MF-2, MF-3, BG, CB-1, ~~and UMU, NBD, and RCD,~~ no main residential buildings ~~must~~ may be constructed ~~nearer than~~ at least 10 feet away from ~~to~~ the rear property line, and the main residential building and all accessory buildings ~~shall~~ must not cover more than 50% of that portion of the lot lying to the rear of a line erected, joining the midpoint on one side lot line with the midpoint of the opposite side lot line.
- D. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures ~~shall~~ must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Amend Section 15.200.5 (General Requirements) of 15.200 (Communications Antennas, Amateur and Commercial) of Article 15 (Use-specific Regulations) of the Zoning Ordinance, such portion of section to read as follows:

- E. Commercial antennas and antenna support structures are prohibited in residential districts on lots used or platted for single-family, two-family, or single-family attached purposes nor in an NBD or RCD zoning district on lots used for a housing type in Sec. 9.1700.5, unless the conditions of Sec. 15.200.2C are met.

Amend Article 15 (Use-specific Regulations) of the Zoning Ordinance, such additional section to read as follows:

Section 15.2000 Live-Work (Business Loft)

.1 The residential and nonresidential spaces must be connected and are not intended to be two independent uses.

.2 The dwelling unit must be converted to nonresidential spaces if not occupied by an individual owning or employed by the associated nonresidential use.

Amend Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Zoning Ordinance, such portion of section to read as follows:

These standards ~~shall~~ apply to all nonresidential districts except BG, UMU, NBD, and CB-1. Any area within a planned development district or overlay district containing landscaping standards ~~shall be~~ is regulated by the standards of the planned development district or overlay district where such standards conflict with the standards herein. Tree preservation requirements ~~shall~~ apply to all zoning districts as listed in Sec. 17.800.2.

Amend Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

.1 In the event that an MF-1, MF-2, MF-3, BG, O-1, O-2, CE, CB-1, R, LC, RC, RE, CC, RT, LI-1, ~~or~~ LI-2, or NBD district sides or backs upon an ED, SF-20, SF-9, SF-7, SF-6, SF-A, PH, 2F, RCD, GR or UR district except as noted in (2) below, or in the event that any nonresidential district sides or backs to an MF-1, MF-2, or MF-3 district, a solid screening wall or fence of not less than six nor more than eight feet in height shall be erected along the entire property line separating these districts, except where visibility triangles or easements are required. (See Sec. 13.500.2C and Sec. 13.500.2K) The purpose of the screening wall or fence is to provide a visual barrier between the properties. The owner of such property shall be responsible for and shall build the required wall or fence along the entire property line dividing his property from the residential district. In cases where the Planning & Zoning Commission finds this requirement to be impractical for immediate construction, it may grant a temporary or permanent waiver of the required screening wall or fence until such time as the screening wall or fence may be deemed necessary by the City Council. In cases where the Planning & Zoning Commission finds this requirement to be better met by an irrigated living screen, the same may be substituted for the screening wall. Evergreen shrubs used for a landscape screen shall be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping shall be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.

Amend Section 20.400 (Requirements for Solid Waste Collection) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

.1 Applicability

This section ~~shall apply~~ applies to property utilized for nonresidential or multifamily uses and ~~shall~~ does not apply to the following:

- C. Multifamily and nonresidential developments that comply with both of the following stipulations

- i. The development is authorized by the City of Plano Public Works Department for solid waste collection utilizing 95-gallon residential-type carts.
- ii. The development is located within BG, UMU, NBD, RCD, or CB-1 zoning districts, or the development is within a planned development district that permits, by stipulation, the use of 95-gallon residential-type carts for solid waste collection.

Amend Section 25.300 (Applicability) of Article 25 (Traffic Impact Analysis) of the Zoning Ordinance, such portion of section to read as follows:

.3 Requirements

The TIA process shall be required simultaneous with the site plan approval process for projects generating 8,000 trips per day or greater. A TIA is typically required with the submission of the preliminary site plan; however, the city may require the TIA to be submitted with a concept plan, development plan, or site plan due to project phasing. It is the responsibility of the applicant to demonstrate that a TIA is not required. Recommendations shall be made for mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service) on all preliminary site plans and/or site plans. Site plan applications as defined herein, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action.

FOR CITY COUNCIL MEETING OF: August 10, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

CS/amc

xc: Mike Bell, Comprehensive Planning Manager
Kendra Cobbs, Senior Planner
Jeanna Scott, Building Inspections Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2020

Agenda Item No. 4

Public Hearing: Zoning Case 2020-012

Applicant: City of Plano

DESCRIPTION:

Request to amend Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Zoning Ordinance to create the Neighborhood Business Design zoning district. Project #ZC2020-012.

REMARKS:

At its [March 16](#), [May 4](#), [June 1](#), and [June 15](#), 2020, Planning & Zoning Commission meetings, the Commission discussed information in staff presentations and gave direction related to the draft Neighborhood Business Design (NBD) zoning district. Since these meetings, staff has continued public outreach and worked to further refine the district. This request is a companion item to Agenda Item No. 5, Zoning Case 2020-013.

Intent of New District

The NBD district is requested to facilitate the Plano Event Center zoning case (Agenda Item No. 6) and help implement the [Envision Oak Point Plan](#) by providing regulations that foster a complementary mix of land uses, pedestrian-friendly streets, and neighborhood-supportive amenities in line with the Envision Oak Point Vision Statement:

“Oak Point enhances community and establishes place by unifying northeast Plano, serving as its social hub and shaping unique, amenity-rich neighborhoods connecting the area’s diverse population to its vast network of natural features and civic spaces.”

The NBD district and its companion district, Residential Community Design (see Agenda Item No. 5), are developed with these important community elements in mind, working together to support residential and non-residential developments that are appropriately-scaled and sensitive to the context of surrounding neighborhoods through application of consistent street design, building scale, and landscaping standards such as:

- Transitions in height to respect nearby neighborhoods and residential districts;
- Low-rise (1-3 stories), pedestrian-oriented design with neighborhood-supportive uses;
- Tree-lined streets with short block lengths that encourage walking;
- Amenitized open space areas; and
- Parking located on-street, in garages, or well-landscaped surface lots located to the rear of properties.

Although connected through these shared characteristics, the NBD and RCD districts serve two distinct functions. The NBD district includes mostly non-residential development standards, allowing residential uses subject to the RCD standards. The RCD district includes residential development standards, with limited nonresidential development comparable to other single-family districts, such as schools, fire stations, and religious facilities.

The following sections summarize the standards of the NBD district. Refer to Agenda Item No. 5 for a summary of RCD standards.

Need for NBD District

Most existing zoning districts do not allow the appropriate diversity of housing types nor walkability desired for the Oak Point area. Four development types in the Envision Oak Point [Community Vision Map](#) support a distinct and diverse character pattern, creating opportunities to live, work, and socialize within a cohesively planned, pedestrian-friendly environment, which is not possible to develop under our current regulations without utilizing a planned development district. These include:

- [Mixed-Use Activity Center](#) is the social hub of Oak Point, with retail, dining, entertainment, and housing options, as well as open space amenities where residents and Plano Event Center visitors can gather with family, friends, neighbors, and colleagues. Mixed-Use Activity Centers are centrally located, providing residents, employees, and visitors the opportunity to live, work, and socialize just steps away from these amenities. Building form, housing types, streets, and open space in these areas are allocated and scaled to support Oak Point's most vibrant, pedestrian friendly places.
- [Village](#) areas act as transitional buffers between more active mixed use and commercial areas, and single family residential areas. These smaller scale mixed-use areas provide housing and neighborhood-focused retail and services, such as small grocery stores, medical offices, and restaurants, close to the communities they serve. Village areas accommodate a broad mix of housing options, with a strong focus towards seniors and young professionals who are seeking low maintenance housing options in highly amenitized neighborhoods.

- [Neighborhood Edge](#) areas allow for active uses along major street frontages adjacent to single family residential areas. Small-scale, neighborhood-serving commercial buildings such as banks, small grocery stores, and cafes may be located to provide a buffer and compatible transition to the residential areas. Where employed, commercial buildings should front the sidewalk to provide easy pedestrian access, screen parking areas, create an attractive streetscape, and support transitions to traditional single family development.
- [Transit Ready](#) areas will support the establishment of new rail or rapid transit stations in Oak Point, as it is anticipated that rapid transit will be extended north from Parker Road Station. These areas will evolve as transit arrives in the area - beginning with office and retail uses, and adding housing within walking distance as stations are financed. Residents and employees in the area enjoy easy access to transit, and transit users around the region benefit from newly built retail and employment destinations.

The city's existing zoning districts do not allow efficient implementation of these development types. Retail and Office zoning districts do not require open space, streetscapes, and design standards set out in the Plan. Other commercial districts have similar problems, allow uses that are inappropriate with the adjacent residential, or are too intense, as is the case with the Urban Mixed-Use (UMU), Central Business-1 (CB-1) and Downtown Business/Government (BG). A Planned Development (PD) district could be used on a property-by-property basis, however staff and associated property owners must spend an inordinate amount of time and effort creating and enforcing customized development standards for each PD. Establishing the NBD district creates consistent baseline zoning standards and uses for application in appropriate locations within Oak Point, without the need to create all new standards for each proposal.

Appropriate Locations for NBD

At this time, application of the NBD district is explicitly limited to the Oak Point area. The City may choose to evaluate whether or not the district, or a modification thereof, is appropriate in other areas of the city at a later date, pending outcomes from the Comprehensive Plan Review Committee (CPRC) process. Since the CPRC process is ongoing, it is premature to determine whether use of this district is appropriate in other areas of the City. Therefore, should the district be adopted, its use will be limited to the Oak Point area, as described in the Purpose Statement for the district:

Section 10.1600.1. The NBD district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of development in the Oak Point area. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate primarily for commercial properties and redevelopment sites and the standards are intended to ensure compatibility between various uses for the purpose of implementing the Envision Oak Point Plan.

Additionally, NBD districts will have a minimum district size of 10 acres, a size appropriate to support community shopping centers with an appropriate range of uses. When NBD districts include residential housing using RCD standards, this minimum size would apply to the entire NBD district. In both cases, if necessary, the minimum acreage could be reduced for specific zoning cases where City Council determines a smaller NBD district is required to implement the Comprehensive Plan or related study.

Summary of NBD District Requirements

The district requirements are summarized below and in Attachment A.

Adopted Development Plan - An NBD zoning request must be accompanied by an adopted development plan that determines the mix of uses, street locations, development blocks, and open space. The plan also must specify any conditions or additional standards absent from base NBD zoning. Once the plan is adopted, major modifications can only be made through a subsequent zoning process.

Governance Association - A governance association is required to maintain common improvements and open space in the district. An acceptable property owners' association is expected to have sufficient authority to assess and collect dues as necessary to perform its responsibilities. Building permits will not be accepted without an established association.

Residential Transition Areas - While building height in NBD districts is capped at three stories, or 50 feet, building height transitions are proposed near residential uses or zoning districts to help mitigate privacy and visibility concerns. The Commission previously discussed options for residential transition areas and directed staff to survey the public on their preferences. Staff has not received any feedback on this issue as of the preparation of this report, therefore chose the 2:1 ratio option (Option 3 from June 1 meeting), which provides greater separation of buildings from adjacent residential to provide additional protections from potential light and noise as well as limit visibility. Example setbacks are as follows:

Building Height	Setback with Alley	Setback with No Alley
1 story (20 feet)	40 feet	55 feet
2 story (35 feet)	70 feet	85 feet
3 story (50 feet)	100 feet	115 feet

These distances provide the separation needed to help protect residential areas, while also allowing for gradual transitions in NBD building height, to create a more cohesive and attractive development.

Mixed-Use Requirement - Neighborhood-friendly developments offer a variety of compatible uses that attract people seeking the enjoyable entertainment, shopping, and employment that these areas provide. The proposed NBD district will require three or more uses for each development.

Live-Work (Business Loft) Standards - Live-Work units are the only residential use permitted in NBD district without an RCD component. These units include a ground floor commercial space with a single attached dwelling unit. The dwelling unit must be occupied by the owner or an employee of the commercial space. Standards are included to require Live-Work units be placed within 600 feet of an existing neighborhood and to limit the number of Live-Work units to 10 per block. The standards for Live-Work units were previously located in the RCD district but were relocated to the NBD district for user-friendliness.

Additional Use Regulations - To further the requirement for a mix of uses, the first phase of development must include a minimum of 10,000 square feet of nonresidential space. Additionally, freestanding non-residential buildings may not have a floor area of less than 5,000 square feet. To create a cohesive development and improve walkability, the second building constructed and all subsequent buildings may not be further than 150 feet from another building.

District Establishment - The proposed NBD zoning district, as written, provides a base level of standardized requirements that reflect the community's goals and expectations for the design and function of NBD districts. Since each NBD development will be different, it is expected and anticipated that a second level of regulation, tailored to the specific proposal for each site, will be needed. This approach provides needed flexibility while still maintaining the consistent set of base standards expected of an NBD district. The Planning & Zoning Commission and City Council will maintain discretion to amend many district standards during the zoning process, however, the proposed ordinance sets forth the requirements that cannot be altered through the zoning process. These are:

- Requirement for an adopted development plan;
- Requirement for a governance association;
- Maximum residential density;
- Requirement to maintain three or more uses; and
- Requirement for nonresidential uses to be constructed within the first phase of development.

Streets and Sidewalks - The street network in an NBD development is geared towards a safe and comfortable pedestrian-friendly environment. Streets must form a connected grid pattern, organized into blocks no longer than 600 feet. These regulations are similar to the pedestrian-oriented street standards of the UMU zoning district and include:

- A variety of street types are allowed, and will be privately maintained, unless accepted as public by the city. Additionally, a definition and standards for a paseo, or a wide pedestrian pathway, have been added. A paseo could be utilized as lot frontage in lieu of a typical street;
- On-street parking along major and minor streets, providing an additional buffer for pedestrians;

- Sidewalks with a minimum width of 12 feet on major streets and 7 feet on minor streets; and,
- Required street trees along all major and minor streets, with one tree required every 40 feet of frontage, except where adjacent to retail uses, where one street tree is required for every 100 feet to allow for more visible signage. Street trees are also required along exterior public thoroughfares along with additional width for required landscape edges.

Parking - While the proposed NBD district promotes walkability, it is likely that most residents, employees, and visitors will still make the majority of trips to and from the area in automobiles. To encourage a pedestrian-friendly environment, parking is treated so as to minimize the visibility and dominance of vehicles. Surface parking lots must be located in the rear of buildings and cannot exceed 200 spaces in a single parking lot. To provide visibility and improve safety, sidewalks at least seven feet in width are required to connect parking lots to the street and/or adjacent buildings. Additionally, parking garages facades will be architecturally integrated with the buildings they serve. Proper screening is required so that vehicles, headlights, and lighting in garages are not visible from surrounding properties and streets. Parking garages must also be at least 150 feet away from existing residential uses or zoning districts.

Open Space - The placement and design of open space is critical for creating a desirable destination for employees and visitors, who may be looking for a pleasant place to relax and enjoy the outdoors. For these reasons, the proposed ordinance language will require a minimum of 10% of the gross land area to be provided as usable open space. The previous draft standards included a lower minimum as well as a maximum, but these were adjusted to provide more consistency with Envision Oak Point. The open space can be provided in the form of greens, parks, greenbelts, pedestrian corridors, or public art displays.

Building Placement - Along with the grid of streets, building placement is critical to maintaining a walkable environment. As with all zoning districts, the proposed NBD district will regulate lot coverage, setbacks, and building heights. Additional design requirements will include that buildings must be brought up close to property lines and street curbs. The first floor building face must consist of at least 60% windows and doors. Additionally, public access must not be restricted by barriers like walls and fences; distances between the face of buildings cannot exceed 100 feet, unless usable open space or patio dining is included; and tenants cannot exceed 30,000 square feet of a building's ground floor.

Changes since May 4, 2020, Planning & Zoning Commission Meeting

A [draft ordinance](#) noting detailed changes since the May 4 meeting is provided online with additions underlined and deletions struck-through. Where entire paragraphs have been replaced, only additions are shown. Significant changes are as follows:

1. Option for Residential Standards (10.1600.2). Specificity was added to clarify that all RCD district standards must be followed for residential land uses.

2. Area, Yard, and Bulk Requirements (10.1600.5.A). A ten-foot rear yard setback was added when there is no alley present along the property line for consistency with other commercial zoning districts. Additionally, the minimum usable open space requirement was increased to 10% and the maximum was removed, to be more consistent with Envision Oak Point.
3. Additional Standards for Live-Work (Business Loft) (10.1600.5.B). As discussed above, Live-Work (Business Loft) standards were relocated from RCD to NBD.
4. Residential Transition Areas (10.1600.6). Residential transition area setbacks have been modified as summarized in the “Residential Transition Areas” section, above.
5. Adopted Development Plan (10.1600.8). Language was added to allow for minor amendments to the adopted development plan when nonresidential uses within the same use category are moved to adjacent blocks.
6. Mixed-Use Requirement (10.1600.10). The Mixed-Use Requirement was simplified by removing the requirement for Primary, Secondary, and Tertiary uses. A mix of three or more uses is still required.
7. Additional Requirements and Restrictions (10.1600.11). Due to the unpredictability of the economy, the requirement for at least one restaurant and one retail space to be built during the first phase of development has been removed. However, the development plan is still required to demonstrate a complementary mix of uses, including at least 10,000 square feet of nonresidential space during the first phase of development, to be reviewed upon the time of application.
8. Streets and Sidewalks (10.1600.12.A). Language was revised to allow public streets when the city accepts dedication of them.
9. Streets and Sidewalks (10.1600.12.G). The Mews Street type was removed, as it is only used in residential areas. Travel lane standards were revised and driveway/setback lanes were added to the Alley/Service Drive street type. Additionally, landscaping requirements were added to the Paseo street type.
10. Parking Requirements (10.1600.13). The reduction in parking spaces for providing bicycle or motorcycle parking spaces and for proximity to a transit station were removed.
11. Usable Open Space (10.1600.14.A). As discussed above, the minimum usable open space requirement was increased to 10%. Language was also added to permit lots to front natural areas and usable open space, in accordance with Envision Oak Point.
12. Sign Regulations (10.1600.16). Requirements for signage were revised to allow for larger signs along roads fronting major thoroughfares.

13. The Permitted Uses table was updated for the following uses:

a. Removed:

- i. Caretaker's/Guard Residence in Accessory and Incidental Uses Category;
- ii. Private Club in the Service Uses Category; and
- iii. Car Wash, Vehicle Parts Sales (Inside), and Vehicle Repair (Minor/Fueling Station) in the Vehicle and Related Uses Category.

b. Added as permitted:

- i. Farm, Ranch, Garden, or Orchard in the Educational, Institutional, Public, and Special Uses Category; and
- ii. Live-Work (Business Loft) in the Primary Residential Uses Category.

c. Added as permitted when meeting RCD standards:

- i. Multifamily Residence, Single-Family Residence (Attached), Single-Family Residence (Detached), Studio Residence, Two-Family Residence, and Two-Family Residence (Attached) in the Primary Residential Uses Category.

Other minor changes to the draft from May 4, which are primarily administrative or legal in nature to add clarity or provide consistent language throughout the Zoning Ordinance, are incorporated in the recommendation section below.

CONFORMANCE WITH ENVISION OAK POINT

In addition to the Envision Oak Point development types discussed above, the standards of the NBD district are consistent with various Goals, Policies, and Actions of the Envision Oak Point Plan:

Land Use + Development Patterns

- Goal: Support a distinct and diverse character pattern, creating opportunities to live, work and socialize within a cohesively planned, pedestrian-friendly environment.
- Balanced Neighborhoods Policy: Shape balanced neighborhoods with a diverse mix of land uses and amenities.
- Balanced Neighborhoods Policy - Action 3: Align zoning designations with the vision and policies of Envision Oak Point.

- Balanced Neighborhoods Policy - Action 4: Adopt residential transition standards/guidelines to ensure compatible transitions in land use and building scale adjacent to single-family neighborhoods.
- Balanced Neighborhoods Policy - Action 6: Create complimentary regulations and reduce barriers to food production land uses such as micro-farming/ranching, community gardens, and farmer's markets.
- Walkable Community Policy: Create a vibrant, walkable community with great streets and public spaces.
- Walkable Community Policy - Action 1: Develop block length and street requirements to support a compact, highly connected street network that accommodates pedestrians, bicyclists, vehicles, and various forms of transit.

Mobility

- Accessible Street Design Policy: Ensure the construction of future streets and the reconstruction of existing streets supports desired development and incorporates innovative street design and management.
- Accessible Street Design Policy - Action 6: Review regulations for internal connectivity and block size for conformance with Envision Oak Point.

Parks, Recreation + Open Space

- Accessible Open Space Policy - Action 2: Assess minimum open space and improvement requirements with any new zoning regulations in Oak Point with emphasis on ensuring sufficient open space for new housing opportunities.
- Diverse Open Space and Amenities Policy - Action 2: Encourage smaller, neighborhood-serving open spaces to be privately owned and maintained. Require public access be provided to these private features.
- Diverse Open Space and Amenities Policy - Action 3: Develop standards and design guidelines that require open space and natural features to be fronted by buildings where possible.

Placemaking + Community Design

- Preservation of Agrarian Character Policy - Action 3: Develop design guidelines and other policies that encourage agrarian architectural design themes in Oak Point building design.
- Great Streets Policy - Action 3: Require street trees with new development to promote walkability and to achieve a more visually interesting streetscape.

- Vibrant Neighborhood Center Policy - Action 1: Organize land use and block patterns in the Oak Point neighborhood center to support a pedestrian-oriented core of local streets that serves as Oak Point's civic area and social hub.
- Vibrant Neighborhood Center Policy - Action 2: Require a mix of uses to support new housing in the Oak Point neighborhood center, prioritizing opportunities for high quality restaurants and other food-anchored land uses.
- Vibrant Neighborhood Center Policy - Action 3: Create building form and public realm standards that promote strong community character, pedestrian-friendly streetscapes, and public spaces.
- Vibrant Neighborhood Center Policy - Action 4: Establish design standards requiring new developments to vary building types and façade design, and engage the street with pedestrian-friendly frontages such as porches, stoops, and shopfronts.
- Vibrant Neighborhood Center Policy - Action 5: Maintain residential character and suburban scale, but improve community design and incorporate a better balance of commercial land uses and diverse housing opportunities.

Environment + Infrastructure

- Environmental Placemaking Policy - Action 2: Permit food production in new development in Oak Point. Reserve land for key programming such as agricultural operations, a community garden, and a farmers market

These standards are consistent with the Sub-Area Strategy recommendations for various locations within Oak Point, such as:

- Northern Quadrant Recommendation 3: Support reinvestment in the Plano Market Square Mall area by supporting a broader mix of nonresidential and residential uses. Site design should support compatible transitions to the Oak Point Estates neighborhood.
- Eastern Quadrant Recommendation 1: Reinvent the Plano Event Center site and surrounding area as a pedestrian-friendly civic area and social hub. The land use mix should include high-quality restaurants, a hotel, new civic spaces, mixed-use housing, and employment uses.

PUBLIC ENGAGEMENT:

To inform and involve the public about the purpose and intent of the NBD zoning district, a number of opportunities have been added for public engagement. Although COVID-19 has prohibited in-person meetings which would normally make up such efforts, online engagement has been a great resource for filling this void. Means of engaging the public consisted of those listed below. Statistics provided are as of 5 p.m., Thursday, July 16, 2020:

- A webpage devoted to the proposed zoning districts, Plano Event Center zoning case, and public hearing dates: www.plano.gov/implementEOP, which has received 2,302 page views as of publication;
- Print and digital advertisements for the webpage and public hearing dates in *Community Impact News*;
- Newsletters sent to the Envision Oak Point Plan contact list (301 recipients), including the Plan's Stakeholder Committee, consisting of area residents, business owners, major property owners and developers, and religious and non-profit representatives;
- Newsletters shared to *Plano City News*, the *Sage* senior newsletter, and the *Team Plano* retiree newsletter, for a total of 42,438 recipients;
- Letters sent through mail and email to 20 HOA representatives within the Envision Oak Point retail trade area;
- A Neighborhood Services Department [BEST Break virtual meeting](#) with 25 participants on July 1, 2020; and
- 11 posts about the districts and webpage to City of Plano social media accounts, including Facebook, Twitter, Reddit, and Nextdoor:
 - Facebook: [June 30](#) (8 reactions, 1 share), [July 6](#) (143 reactions, 50 comments, 16 shares), [July 11](#) (72 reactions, 31 comments, 9 shares), [July 15](#) (29 reactions, 54 comments, 16 shares), 2020;
 - Twitter: [June 30](#) (1 like), [July 1](#) (2 likes), [July 6](#) (1 retweet, 17 likes), [July 11](#) (1 retweet, 6 likes), [July 15](#) (2 retweets and comments, 6 likes), 2020;
 - Reddit: [July 9](#) (3 comments, 94% upvoted), 2020; and
 - Nextdoor: [July 9](#) (5 thanks, 20 replies), 2020.

As of the publication of this report, comments and/or questions received about the NBD zoning district were received from 19 people of which eight were in support, six were opposed, and five did not express an official position. The comments are included in Attachment B.

Any additional comments received following the publication of this report will be provided in the presentation for this item.

RECOMMENDATION:

Recommended for approval as follows (for existing sections, additions are indicated in underlined text; deletions are indicated in strikethrough text).

Amend Article 10 (Nonresidential Districts) of the Zoning Ordinance, such additional section to read as follows:

See Attachment C for Ordinance language.

Amend Section 14.200 (Nonresidential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such portion of section to read as follows:

See Attachment C for Ordinance language.

Amend Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such additional note to read as follows:

See Attachment C for Ordinance language.

Amend Section 3.100 (General) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.3 Applicability

The site plan review process shall apply to:

- A. Development within an area zoned planned development. (See Article 12)
- B. Nonresidential development, except as provided in Sec. 3.100.4.
- C. Multifamily residential development.
- D. Patio home and single-family residence attached residential use development and any mixed single-family detached residential development that contains patio home and/or single-family attached residential dwellings.
- E. Residential development within an area zoned RCD or NBD.
- F. Mobile home parks.
- G. Parking lot development, reconstruction, or restriping of more than 20 spaces.

Amend Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.1 General

An adopted development plan must accompany a zoning petition for a UMU, NBD, or RCD ~~the Urban Mixed Use~~ zoning district and is only applicable in conjunction with that specific district. The purpose of the plan is to:

.2 Applicability

An adopted development plan approved as part of the zoning action establishing a ~~Urban Mixed-Use~~ UMU, NBD, or RCD district ~~shall be~~ is required prior to the consideration of a preliminary site plan or site plan for development of property ~~and located within that an~~

~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning district. The adopted development plan must include all property contained within the district.

.3 Application Procedure and Requirements

A. Pre-application

B. General Application

The property owner shall file an application for the approval of an adopted development plan in conjunction with a petition for ~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning. This application ~~shall~~ must include the information listed below on one, dimensioned, scaled drawing on a sheet size 24" x 36". The drawing ~~shall~~ must include existing and proposed site conditions and improvements, as follows:

C. Standards of Approval

D. Effect

E. Lapse

An adopted development plan does not have an expiration date and is valid as long as the property retains the ~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning classification.

Amend Section 3.600 (Amendments) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

At any time following the approval of a concept plan, preliminary site plan, adopted development plan, or site plan and before the lapse of such approval, the property owner(s) may request an amendment. Amendments shall be classified as major and minor. Minor amendments shall include corrections of distances and dimensions, adjustments of building configuration and placement, moving nonresidential uses within the same use category to adjacent blocks, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping, and screening, changes to utilities and service locations which do not substantially change the original plan. Minor phasing amendments for adopted development plans are permitted only for the purpose of adding an adjacent nonresidential or vertically mixed-use building into the current phase. Amendments to previously approved storm water conservation areas, increases in building height and/or building proximity to an adjacent offsite residential use, and all other amendments shall be considered major amendments and may be considered by the Planning & Zoning Commission at a public meeting in accordance with the same procedures and requirements for the approval of a plan. Major amendments to an adopted development plan for the ~~Urban Mixed-Use~~ UMU, NBD, or RCD districts may only be approved through the same process by which it was initially adopted. The Director of Planning may approve or disapprove a minor amendment. Disapproval may be appealed to the Planning & Zoning Commission.

Amend Section 6.200 (Certificates of Occupancy) of Article 6 (Specific Use Permits and Certificates of Occupancy) of the Zoning Ordinance, such portion of section to read as follows:

.1 Certificate of Occupancy

It is unlawful for any person, firm, association, or corporation with ownership, care, custody, or control over a parcel of land, with or without a building, located within the municipal limits of the City of Plano to allow such building or parcel to be used, occupied, or modified in any manner that does not comply with a required, valid Certificate of Occupancy issued by the Chief Building Official, or designee of the City of Plano. The provisions of this section do not apply to single-family residence, two-family residence, farm, ranch, garden, or orchard uses, nor housing types in the RCD zoning district.

Amend Section 8.200 (Terms Defined) of Article 8 (Definitions) of the Zoning Ordinance, such portion of section to read as follows:

Live-Work (Business Loft)

A building that is designed with one ground-floor, nonresidential space and one attached dwelling unit. The dwelling unit may be located on the same floor, or directly above, the nonresidential use and must be occupied by individuals owning or employed by the associated nonresidential use.

Two-Family Residence (Attached)

An attached building having separate accommodations for and occupied by not more than 2 households.

Amend Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Zoning Ordinance, such portion of section to read as follows:

.2 Front Yard Regulations

- I. In all districts except BG, CB-1, ~~and~~ UMU, NBD, and RCD the distance as measured from the front lot line to the face of the building shall in no case be less than one-half the height of the building. In cases where a lot is across the street from or adjacent to a residential zoning district, see Sec. 13.500.2N.
- K. Except in the BG, CB-1, ~~and~~ UMU, NBD, and RCD districts, on any corner lot, no fence, wall, screen, billboard, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted, or maintained in such a manner as to obstruct or interfere with a clear line of sight for the drivers of approaching motor vehicles within a triangular area formed by extending the 2 curb lines a distance of 45 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of 30 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. In cases where streets do not intersect at approximately right angles, the Traffic Engineer shall have the

authority to vary these requirements as deemed necessary to provide safety for both vehicular and pedestrian traffic; however, the Traffic Engineer shall not require site distance in excess of 275 feet. Within this triangle, vision ~~shall~~ must be clear at elevations between 30 inches and 9 feet above the average grade of the street.

N. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures ~~shall~~ must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Q. In all nonresidential zoning districts, except BG, UMU, NBD, and CB-1, the front building setback may be reduced to 30 feet for one-story buildings along Type D or smaller thoroughfares if parking and driveways are prohibited between the building face and the street with the reduced setback.

.3 Side Yard Regulations

I. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures shall not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

.4 Rear Yard Regulations

A. In all districts permitting residential structures, except PH, SF-A, MF-1, MF-2, MF-3, BG, CB-1, and UMU, NBD, and RCD, ~~no~~ main residential buildings must ~~may~~ be constructed ~~nearer than~~ at least 10 feet away from ~~to~~ the rear property line, and the main residential building and all accessory buildings ~~shall~~ must not cover more than 50% of that portion of the lot lying to the rear of a line erected, joining the midpoint on one side lot line with the midpoint of the opposite side lot line.

D. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures ~~shall~~ must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Amend Section 15.200.5 (General Requirements) of 15.200 (Communications Antennas, Amateur and Commercial) of Article 15 (Use-specific Regulations) of the Zoning Ordinance, such portion of section to read as follows:

E. Commercial antennas and antenna support structures are prohibited in residential districts on lots used or platted for single-family, two-family, or single-family

attached purposes nor in an NBD or RCD zoning district on lots used for a housing type in Sec. 9.1700.5, unless the conditions of Sec. 15.200.2C are met.

Amend Article 15 (Use-specific Regulations) of the Zoning Ordinance, such additional section to read as follows:

Section 15.2000 Live-Work (Business Loft)

.1 The residential and nonresidential spaces must be connected and are not intended to be two independent uses.

.2 The dwelling unit must be converted to nonresidential spaces if not occupied by an individual owning or employed by the associated nonresidential use.

Amend Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Zoning Ordinance, such portion of section to read as follows:

These standards shall apply to all nonresidential districts except BG, UMU, NBD, and CB-1. Any area within a planned development district or overlay district containing landscaping standards ~~shall be~~ is regulated by the standards of the planned development district or overlay district where such standards conflict with the standards herein. Tree preservation requirements shall apply to all zoning districts as listed in Sec. 17.800.2.

Amend Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

.1 In the event that an MF-1, MF-2, MF-3, BG, O-1, O-2, CE, CB-1, R, LC, RC, RE, CC, RT, LI-1, ~~or~~ LI-2, or NBD district sides or backs upon an ED, SF-20, SF-9, SF-7, SF-6, SF-A, PH, 2F, RCD, GR or UR district except as noted in (2) below, or in the event that any nonresidential district sides or backs to an MF-1, MF-2, or MF-3 district, a solid screening wall or fence of not less than six nor more than eight feet in height shall be erected along the entire property line separating these districts, except where visibility triangles or easements are required. (See Sec. 13.500.2C and Sec. 13.500.2K) The purpose of the screening wall or fence is to provide a visual barrier between the properties. The owner of such property shall be responsible for and shall build the required wall or fence along the entire property line dividing his property from the residential district. In cases where the Planning & Zoning Commission finds this requirement to be impractical for immediate construction, it may grant a temporary or permanent waiver of the required screening wall or fence until such time as the screening wall or fence may be deemed necessary by the City Council. In cases where the Planning & Zoning Commission finds this requirement to be better met by an irrigated living screen, the same may be substituted for the screening wall. Evergreen shrubs used for a landscape screen shall be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping shall be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.

Amend Section 20.400 (Requirements for Solid Waste Collection) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

.1 Applicability

This section ~~shall apply~~ applies to property utilized for nonresidential or multifamily uses and ~~shall~~ does not apply to the following:

- C. Multifamily and nonresidential developments that comply with both of the following stipulations
 - i. The development is authorized by the City of Plano Public Works Department for solid waste collection utilizing 95-gallon residential-type carts.
 - ii. The development is located within BG, UMU, NBD, RCD, or CB-1 zoning districts, or the development is within a planned development district that permits, by stipulation, the use of 95-gallon residential-type carts for solid waste collection.

Amend Section 25.300 (Applicability) of Article 25 (Traffic Impact Analysis) of the Zoning Ordinance, such portion of section to read as follows:

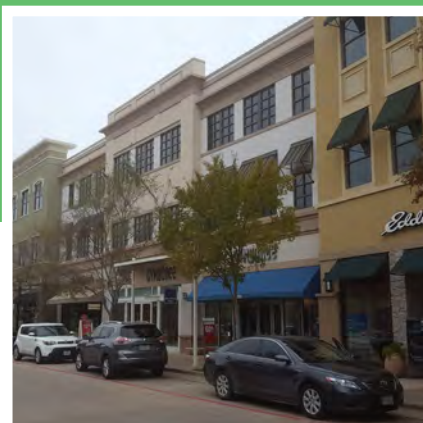
.3 Requirements

The TIA process shall be required simultaneous with the site plan approval process for projects generating 8,000 trips per day or greater. A TIA is typically required with the submission of the preliminary site plan; however, the city may require the TIA to be submitted with a concept plan, development plan, or site plan due to project phasing. It is the responsibility of the applicant to demonstrate that a TIA is not required. Recommendations shall be made for mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service) on all preliminary site plans and/or site plans. Site plan applications as defined herein, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action.

Neighborhood Business Design (NBD) District

The Neighborhood Business Design (NBD) district blends neighborhood-friendly commercial uses with walkable streets and charming storefronts, creating a “Main Street” feel. Adding businesses you can walk to supports a healthy lifestyle and provides jobs where people can work close to home.

During development of the Envision Oak Point Plan, 29% of respondents rated having a new walkable activity center in Oak Point as their highest priority for economic development in the area. NBD will help to create this walkable activity center and builds on the Envision Oak Point Policy to “improve access to community amenities with a connected transportation system, increasing walking, bicycling, and transit opportunities around Oak Point.”



Mix of Uses

NBD districts will be required to have a mix of at least three different uses. Possible business types include:

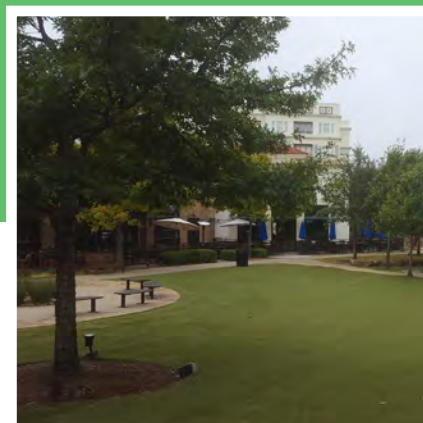
- Services (salons, banks, gyms)
- Restaurants (sit-down dining, cafes, bakeries, food parks)
- Retail (small grocers, farmers markets, boutiques)
- Entertainment (neighborhood theaters, dance studios)
- Professional and Medical Offices



Walkable Areas

NBD districts will be pedestrian-oriented, with:

- Wide sidewalks and street trees
- Shorter blocks with a connected street grid
- On-street parking and curb bulb-outs
- Low-rise buildings with active ground floors that are closer to the street
- Paseos (wide pedestrian-only pathways)



Open Space

Usable open space must be provided at a minimum of 10% of the gross acreage of the development. The open space may be:

- Greens
- Parks
- Greenbelts
- Public art displays

All open space and streets must be maintained by a governance association (such as a property owners association).



Protecting Existing Residential Neighborhoods

To provide appropriate transitions from established neighborhoods, buildings in the NBD district will be subject to height and setback standards from existing residential zoning districts or uses. See the proposed options on the [Residential Transitions page](#).

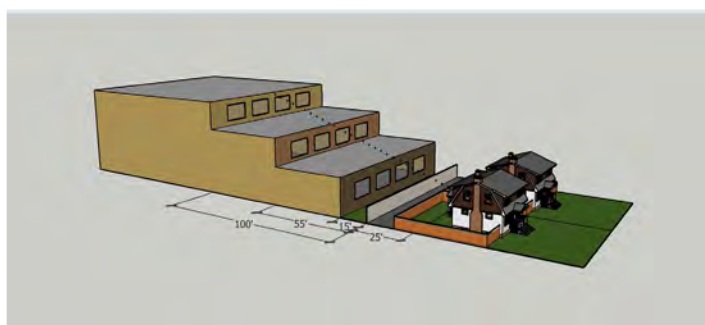
Residential Transitions

To provide appropriate transitions from established neighborhoods, buildings in both the NBD and RCD district will be subject to height and setback standards from existing residential zoning districts or uses.

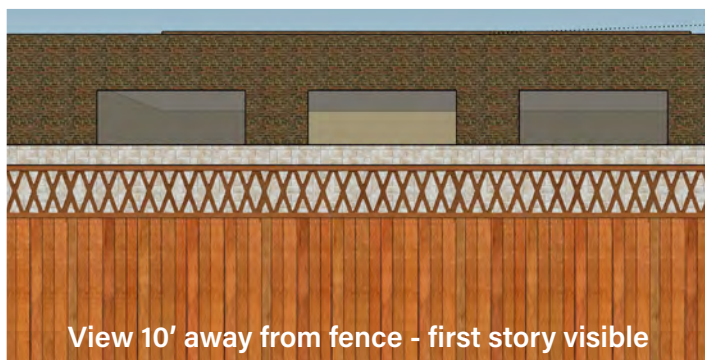
The maximum building height for both districts is three stories, or 50 feet. However, NBD and RCD districts proposed near existing residential neighborhoods will have additional height restrictions based on how close they are to residential properties or zoning districts, so that the area closest to existing neighborhoods are limited to one- or two- stories. The proposed setbacks shown below include option A, based on a line-of-sight setback, or option B, which uses a 2:1 height-to-setback ratio. [Public feedback is requested on which option is preferred.](#)

Option A

Line-of-sight



[Click for Video](#)



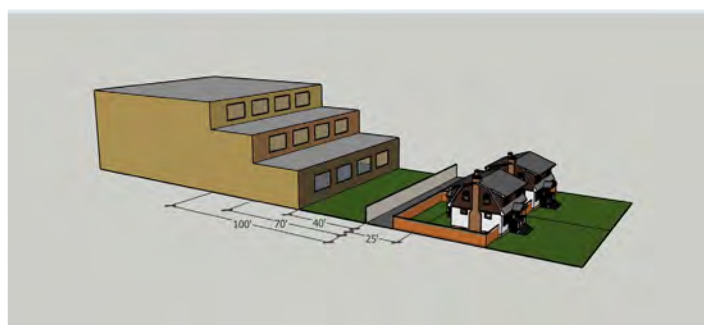
Option A

Line-of-sight

Setback with Alley	Setback with No Alley
15 feet	30 feet
55 feet	70 feet
100 feet	115 feet

Option B

2:1 height-to-setback ratio



[Click for Video](#)



Option B

2:1 height-to-setback ratio

Setback with Alley	Setback with No Alley	Building Height	Setback with Alley	Setback with No Alley
15 feet	30 feet	1 story (20 feet)	40 feet	55 feet
55 feet	70 feet	2 story (35 feet)	70 feet	85 feet
100 feet	115 feet	3 story (50 feet)	100 feet	115 feet

Name	Date Received	Comment
Denise Pollis	6/29/2020	<p>I cannot attend the 7/1 BEST Break, but I have reviewed the posted documentation and think the plan is wonderful. As a Plano senior living in a single family home of 2250 sq. ft., I would love to further downsize and be in a walkable, all-inclusive community. We are one of the smallest HOAs in Plano and a fairly close-knit neighborhood with a walking path and shopping less than a mile away. This is wonderful, but I would not call it ideal for less physically, active seniors due to the constant vehicle traffic. Rockcreek Place is the “first-middle level” of downsizing (in my opinion). The Envision Oak Plan will hopefully provide reasonably priced homes as an option for seniors to “have their own home” with all services only steps or a phone call away. I have read about these types of communities in the AARP publications and “Down East” Magazine, and they are very appealing.</p> <p>While I could not get my husband to move into a “senior residence” as they are offered today, I can actually see him a community such as described in Envision Oak Point. In fact, I can see him opening a “Community Workshop” where residents could learn to build, craft, and repair items alone, in groups, and with or without volunteer help...keeping seniors active, engaged, productive and hopefully healthy!</p> <p>Best of luck on the first phase of the project. Nothing would make me happier than to see one built at Windhaven and Spring Creek across from the park! If you put one there with guaranteed Silver Sneakers and Yoga classes within walking distance, you could count one more car off the road for sure!</p> <p>Warmest regards to all who make and keep Plano the best city in the world (in my opinion - even without a water view)!</p>
Beccy Ratliff	7/6/2020	I saw the post On Facebook for the planned development in Northeast Plano.....it looks great! I especially like the photo used of Coppell’s Old Town area. My office is there and we recently from Coppell to Plano.
Beth Robinson	7/8/2020	This area would be of interest to us as we downsize from our home. I see the nine different designs but would request there be some consideration to single story 3 bedroom, 2 bath homes that are more than 800 square feet. I am not interested in paying mansion prices for an apartment size home. There are very few homes like this available in Plano. As the community ages, short of senior independent living communities, there is not a lot of selection. We would very much like to stay in this area so, this request.
Evelyn McKnight E	7/8/2020	Please don't destroy the EAST SIDE OF PLANO with cheap homes & apartments.
Kristy Cantrell	7/9/2020	More year round active water fountains along the trail Public Restroom More “stay right” and “pass on left” signage along trail Dedicated running path/Separate biking trail
Vicky Downs	7/9/2020	<p>I have lived in Plano since 1962 and have seen this city grow from a small town to what it is today. I would like to provide my input concerning all these new zoning changes. We already have far too many multi-family housing areas. What made Plano a great place to live was the fact that it drew in families and was family friendly. Now, all any of you think about is bringing in as many people as possible, stacking them on top of one another. These folks are not seeking permanent living status, just a temporary place to dwell for their jobs. They have no concern about what's best for Plano long-term.</p> <p>Please, I ask you and the zoning commission to consider those who wish to continue living in Plano in nice residential neighborhoods. Please place limits on these temporary type multi-family dwellings.</p>
Kathy Bass	7/9/2020	<p>We have been in Plano since 1979. I am so tired of all the high rise apartments that have been built in Plano. When we moved here Plano was so proud of its parks. Well, we don’t have a lot of those anymore. Plano has so much traffic now....especially downtown Plano. Who wants to go downtown anymore? Back in the late 1990s they said Plano was built out! What happened to that! Please don’t put anymore apartments and hotels on the east side of Plano. We don’t need them. It’s only money in the pockets of the mayor and others!</p>
Pat Hale	7/10/2020	<p>This plan is a horrible proposal for any property owner (taxpayer) in the affected area. NOBODY every purchased housing in this area to be adjacent to multi-use development. ANYONE supporting this proposal is paid off at best...</p> <p>NO to this development at ALL!</p>
Doloris Lajoie	7/10/2020	<p>I tried to read your document....very confusing for someone who is just now looking at it....maybe an executive summary would be in order, or maybe its there and I couldn't see it. But from what I could gather, it appears that Ave K is also going to be the area for DART to build as well? I saw where the station might be north of Spring Creek. Are people envisioning this to be elevated? For Ave K to go from 6 lanes to 2 lanes. Can you clarify anything about this? I'm guessing that developers are going to purchase Lavon Farms for development....</p>

Name	Date Received	Comment
Diane Hughes	7/11/2020	<p>I have talked with many of my neighbors and friends and we are all against more multi family housing of any sort. We are very concerned and think this is absolutely the wrong time to be adding more students into our already overtaxed school system.</p> <p>Discussions are going on regarding leaving Plano if it continues to add more traffic and higher populated areas to our city. We will not support or vote for money to be spent on these projects.</p>
Pam Holland	7/13/2020	<p>(I took part in the recent BEST Break where you talked about RCD and NBD. You invited participants to share their thoughts, so here are mine.)</p> <p>I applaud the two new complementary zoning categories developed for the Envision Oak Point project. I am writing to request that they also be applicable to the Downtown area, to help accomplish two things:</p> <ol style="list-style-type: none"> 1. North of 15th: knit the expanding eastern half of downtown with adjoining residential neighborhoods. 2. South of 14th: Reclaim and recharacterize less desirable uses along J and K, and 12 and 13th St, to better link downtown to the 12th St. stations and the new Plano Marine project. <p>1.Designing RCD and NBD to work together mimics neighborhood relationships seen in older cities and towns which grew organically over time—as opposed to the typical modern suburban practice of zoning disparate adjoining chunks, and letting developers and neighbors duke it out at P&Z.</p> <p>Downtown’s overall pattern is uniquely appealing because it developed according to that earlier model,. But as it expands toward the east, we should anticipate more of the latter dynamic if all we have to offer is BG. Established SF neighborhoods without the built-in buffers of major streets, the park or DART rail (like my Haggard Park neighborhood enjoys) will rightfully resist as the allowed heights and density of BG zoning impose on their edges. The transitional nature of RCD and NBD—with their lower heights and forms/patterns known to drive pedestrian activity—are tailor-made to deal with these interfaces.</p> <p>NBD offers another advantage in Downtown: it will encourage smaller, more entrepreneurial and diverse uses. Local economies that encourage more granular and fine-grained development are proven over time to be more resilient and sustainable than those which focus on attracting large projects. It is especially important in our changing economic reality that while those large projects do build big...they also fail, and decline, big.</p> <p>Adding Downtown to the allowed area of implementation for these categories would eliminate cumbersome ongoing case-by-case approvals. (Possible language might be something like: Contiguous to BG and surrounding residential or existing church or government property / Linking BG to surrounding Residential or Commercial / Within X feet of BG, etc.)</p> <p>If possible, I would include these allowances for Downtown:</p> <ul style="list-style-type: none"> • Due to the infill nature of Downtown, eliminate or minimize the 10 acre minimum. • Allow auto use on Paseo created from an existing street (woonerf style), such as J between 12th and 14th. • Eliminate 40’ stepped setbacks in NBD. <p>2.We must begin ASAP to rework the zoning on the south end of Downtown. Tired body shops and messy industrial type uses are not the gateway we need to Downtown from the two new DART stations and the new Plano Marine developmeent. Beyond aesthetics, we need uses that put feet and eyes on the street, to make the area safe, inviting and thriving, and a desirable place to live and visit. Of course I understand that changing zoning doesn’t immediately change what’s on the ground. But if sales/redevelopment occur under the current zoning in place on many of these properties, we will lose the opportunity to reclaim and recharacterize this area. (I’m hoping we haven’t already forfeited a significant opportunity with the sale of a large tract at 1302 Municipal—have not been able to discover what the new owner has in mind for it.)</p> <p>Again, congratulations on your hard and creative work. RCD and NBD are forward-thinking ideas that will continue to set Plano apart, taking it into the future using proven models from the past. I’m even more in support after informally surveying the downtown area for locations these categories could transform (see attached map). Thank you for considering my comments.</p>

Name	Date Received	Comment
Michael DePaola	7/15/2020	<p>Hi, I also have cc'd my council member just to make sure my comment is recorded.</p> <p>I live at 3437 tarkio road, just on the other side of Shawnee Park. I am a 29 year old working professional with disposable income, a dog, and a masters in urban and regional planning. I work in economic development for an adjacent community and really love the envision oak point plan and concept.</p> <p>I am fully in support of adjusting the zoning, however, I would request one change to the RCD District - in tier one housing, I want to remove single family-3. I believe that Constructing more generic large scale homes that are priced above \$400k is not the way to go. We need to be accommodating to all of our residents, and smaller lot, smaller homes, would create a more affordable entry point for young professionals, and working class families and it would fit into the character of the neighborhoods which this development will disrupt.</p> <p>I love the idea of a smaller lot, smaller scale single family homes, duplexes, townhomes, and MF units, and taking this opportunity to create a mixed income development with affordable housing for our service workers, teachers, etc (60% AGI?)</p> <p>Generic comment: i would love a pedestrian connection through shawnee park to the village estates neighborhood that way it is walkable as the sidewalks terminate as you try to walk north. And please be mindful of the lower middle class residents who reside in adjacent neighborhoods when establishing RCD's as having \$400k homes in the middle of \$200k homes is a recipe to price out adjacent homeowners and change the fabric of older mature neighborhoods.</p> <p>I would be happy to discuss this further and am happy to help in anyway I can to create a more equitable Plano.</p>
Chelsey Aprill	7/15/2020	<p>I'm a resident of Plano and participated in the Envision Oak Point planning process as a property owner within the Oak Point neighborhood. I am writing to express my enthusiastic support for the new zoning districts proposed for the Envision Oak Point area. This walkable, human-scaled project will inject both tangible value and an intangible sense of community into our little neighborhood. Though I was a proponent of the original plan, this revamped version is even better. Thank you, Plano staff and consultants, for your tireless work in reimagining this area and translating residents' desires into a clear plan. I hope Planning and Zoning members will support with plan with a unanimous recommendation on July 20.</p>
Jitesh C	7/15/2020	<p>I've been a resident of Plano for 4 years now, and most of it has been spent near Oak Point Recreation.</p> <p>I'm my opinion, we should not develop Lavon Lake. The city needs open space more than ever.</p> <p>Instead, the I hope the city considers planning something with Plano Square Market Mall. That facility and attached parking lot is sizeable and 90% unoccupied for years. Recently, when there was a bush fire at Lavon Lake, we were all saddened, because every bit of green belt the city has is precious and we all love our open spaces which allows us to breathe clean air.</p> <p>I hope the city considers the plea of its residents and does what's best for all of us and the environment.</p>
Kim Keys	7/15/2020	<p>Are they selling the dairy or is the city taking with some eminent domain thing?</p> <p>If taking it, then I don't agree with the plans and you need to leave it alone. If they are selling, more power to them. I will miss the raw milk and the beautiful fields, but go for it; I am all for economic improvements just not at the expense private citizens rights.</p> <p>Just be sure to consider traffic please and improve the roads AND lights accordingly.</p> <p>Also, I think some of the single family townhome and the manor homes are too modern and ugly for the area. Sorry to the architect, but they are not pleasing to the eye at all.</p>
Natalie Kidd	7/15/2020	<p>Good morning! I was looking over the proposals today and had a couple of questions.</p> <ol style="list-style-type: none"> 1. Does this mean that Lavon Farms would be gone and would it be taken by imminent domain or something like that? 2. What does this mean for Watermark church which is would be in one of the civic zones?
Karen Ebling	7/16/2020	<p>As close neighbors of the Envision Oak Point area, we are thrilled to see this kind of visionary development being planned for our neighborhood. It is well thought out, appropriately balanced, and will have a long term positive impact on our city. Do not be swayed by the people who want things to always stay the same, who still dream of the 1980s. Have hope for the next generation that they will carry on with making this city even better than before. Look forward, not back.</p>

Name	Date Received	Comment
Stefan Hirsch	7/16/2020	<p>I have seen the new Envision Oak Point Plan from the city of Plano. I like the idea of developing this area around the event center.</p> <p>I do live in Plano and have personally changed my lifestyle to a more "carless" lifestyle. Plano has done a good job with trail developments. However there are still many "holes" in the network. Especially when it comes to crossing major thoroughfares or connecting shopping areas with residential neighborhoods.</p> <p>What I would really like to see is a more pedestrian and cycling friend environment connection Plano on both sides of Hwy75. Currently there is no really safe way to cross underneath 75 except by car.</p> <p>Except the trail further north at Waterscreek golf course which is not really convenient.</p> <p>I would love to see an extension of the Blue Bonnet trail on the west side of Hwy 75 running east under Hwy 75 to connect with the Plano Event center and the existing trail head at the Oak Point Recreation center and the Collin College campus.</p> <p>Plano needs to do a better job in connecting the city for pedestrians and cyclists. We need to move away from a mainly car oriented culture.</p> <p>If we want to reduce traffic we need to offer people safe alternatives to cars. Trails should not just be for leisure but be used to run errands, go shopping or visit college.</p>
Joan Konkell	7/16/2020	<p>This is Joan Konkell, and I live in Timber Brook Estates. I understand that P&Z will be discussing EOP on Monday evening, July 20. While I have opposed much of this plan previously, and spoke in that regard at city council, I would like to restate my comments to you.</p> <p>1) First of all, this is not a plan of the people. While there were 3-4 meetings open to interested parties, sadly many of the homeowners in the area, who oppose the plan did not attend. I have heard comments as to why should they bother to make their comments heard, when the outcome is already decided. There were in attendance, students, who only live on campus a short time and some who had interests in development.</p> <p>2) Everyone, I believe, is in agreement that the Plano Market Square area needs an overhaul. Why not focus on that area first with the business buildings and restaurants. It is really an eyesore and not complimentary to increasing the use of the Plano Centre, since anyone attending an event at the Plano Centre has to drive by it. Why not put the hotel that you feel you need to build to facilitate the use of the Plano Centre in that area?</p> <p>3) We moved to this area because we don't want to live in an area that looks like the west side. We love the green space!</p> <p>4) What are the plans for the increased traffic? Before Covid, the traffic was already so heavy at rush hour that in order to go south, we would go north on Jupiter and then cross over 75, to avoid the intersections at Jupiter & Spring Creek and 75 & Spring Creek.</p> <p>5) We oppose more apartments and high density housing. We realize that Lavon Farms will eventually be developed, but would like to see a plan with more green space and single family homes.</p> <p>6) As someone mentioned on FB, why not focus more on the strip malls and parking lots down Ave K? Much of that needs an overhaul as well.</p> <p>7) And finally, what is being done with the funds received for the Opportunity Zone? Can those funds be used to start with Plano Market Square?</p> <p>Thank you for your time. I look forward to watching your meeting on Monday evening and hope that these comments/questions will be addressed.</p>
Karen Ebling	7/16/2020	<p>As close neighbors of the Envision Oak Point area, we are thrilled to see this kind of visionary development being planned for our neighborhood. It is well thought out, appropriately balanced, and will have a long term positive impact on our city. Do not be swayed by the people who want things to always stay the same, who still dream of the 1980s. Have hope for the next generation that they will carry on with making this city even better than before. Look forward, not back.</p>

NBD, Neighborhood Business Design District Draft

10.1600 NBD, Neighborhood Business Design District

(ZC 2020-012, Ordinance No. 202X-XX-XX)

.1 Purpose

The NBD district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of development in the Oak Point area. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate primarily for commercial properties and redevelopment sites and the standards are intended to ensure compatibility between various uses for the purpose of implementing the Envision Oak Point Plan.

.2 Option for Residential Standards

The district may be entirely commercial or may include residential land uses. If residential land uses are incorporated into the development plan, these uses must fully utilize the Residential Community Design District (RCD) (Section [9.1700](#)) standards, including usable open space, parking, and all other requirements.

.3 Minimum District Size

No NBD district may be established smaller than 10 acres unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or related study.

.4 Permitted Uses

See the nonresidential districts use table in Sec. [14.200](#) for a complete listing.

.5 Area, Yard, and Bulk Requirements

A. The following area, yard, and bulk requirements apply to all nonresidential development in the NBD district unless otherwise expressly stated:

Description	Requirement
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Front Yard Setbacks	
Front yard along Type D and above thoroughfares	Minimum: 20 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6 75% of the building face must be within 25 feet of the property line (consistent with Sec. 15(B) , Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza, or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.

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Description	Requirement
	The setback may be increased to a maximum of 80 feet if a drive aisle with single-loaded parking is installed between the building face and a public street.
Front yard along Type E and below thoroughfares	Minimum: 10 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6 75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B) , Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.
Front yard along major and minor streets	Minimum: none, except as provided in Sec. 13.500.2 and Sec. 10.1600.6 75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B) , Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Front yard along paseos	Minimum: none, except as provided in Sec. 13.500.2 and Sec. 10.1600.6 75% of the building face must be within 5 feet of the property line (consistent with Sec. 15(B) , Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Side Yard Setbacks	
Interior Lot	None, except as provided in Sec. 13.500.3 and Sec. 10.1600.6
Corner Lot	Same as front yard setback, except as provided in Sec. 13.500.3 and Sec. 10.1600.6
Rear Yard Setback	10 feet where no alley abuts the rear property line, except as provided in Sec. 13.500.4 and Sec. 10.1600.6
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 10.1600.6
Maximum Lot Coverage	75%, 90% if structured parking is included
Minimum Lot Coverage	None
Maximum Floor Area Ratio	None
Minimum Floor Area Ratio	None
Minimum Usable Open Space	10% in accordance with Sec. 10.1600.14

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B. Additional Standards for Live-Work (Business Loft):

- i. Live-Work (Business Loft) units must be located within 600 feet of an existing residential neighborhood.
- ii. No more than 10 Live-Work (Business Loft) units per block.
- iii. The residential space must have an exterior entrance on the ground floor.
- iv. The ground floor must have a minimum floor-to-ceiling height of twelve feet.
- v. The following area, yard, and bulk requirements apply in addition to those in Sec. 10.1600.5A:

Description	Requirements
Minimum Lot Area	1,500 square feet
Maximum Units per Lot	1 unit
Minimum Front Yard	5 feet, except as provided in Sec. 13.500.2
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	400 square feet
Maximum Nonresidential Floor Area	5,000 square feet
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16). See Article 16 for nonresidential parking requirements.

.6 Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in Sec. [10.1600.5](#), all buildings must be set back from the district boundary line of the nearest residential zoning district or the lot line of a residential use outside of the NBD district, as follows:

- A. When an alley is present on the neighboring property: at least two feet for every one foot of building height.
- B. When an alley is not present on the neighboring property: at least 15 feet plus two feet for every one foot of building height.
- C. This minimum setback may be reduced to a setback of 20 feet when the nearest residential zoning district allows a maximum height greater than 35 feet.

.7 District Establishment and Administration

- A. The regulations contained within this zoning district may be supplemented with additional standards and conditions to execute a specific development plan. The boundary of each NBD district must be defined on the Zoning Map and identified with the letters NBD followed by a unique number referencing the supplementary regulations. In considering the establishment of an NBD district, the Planning & Zoning Commission and

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City Council may amend and supplement the base NBD regulations and related development regulations in the Zoning Ordinance and Subdivision Ordinance to implement individual development plans, with the exception of:

- i. Requirement for an adopted development plan;
- ii. Requirement for a governance association;
- iii. Maximum residential densities;
- iv. Requirement to maintain three or more uses; and
- v. Requirement for nonresidential uses to be constructed within the first phase of development.

B. An NBD district may not be used to:

- i. Require construction of public improvements or the dedication or reservation of land, which are not of primary benefit to development within the district or necessary to mitigate an adverse impact attributable to development within the district, unless compensation is provided as required by law.
- ii. Secure agreements between owners of property within the district with third parties.
- iii. Assign responsibility to the city for enforcement of private deed restrictions or covenants.
- iv. Waive or modify the requirements of ordinances other than the Zoning Ordinance, except as specifically authorized by this ordinance.

.8 Adopted Development Plan

A. An NBD district must not be established without the concurrent adoption of a development plan for the district. The plan must comply with Sec. 3.500 and must:

- i. Show the location and type of streets, blocks, parking areas, open space, and residential transition areas;
- ii. Specify the minimum and maximum number of residential units by housing type; and
- iii. Enumerate all standards, conditions, and performance and implementation requirements not otherwise contained in the base zoning district requirements.

B. The development plan must be adopted as part of the ordinance creating the NBD district. Modifications to the development plan must comply with the requirements in Sec. 3.600.

.9 Governance Association

Applications for building permits for development within an NBD district must not be accepted or approved until a suitable property owners' governance association is established. The association must be responsible for maintaining all common property, improvements, and amenities within the district. It must have power sufficient to assess and collect dues and charges as required to perform its responsibilities. It may have additional powers to administer other programs, including but not limited to, security, promotion and marketing, and entertainment. A Municipal Management District or Public Improvement District created in conformance with the Texas Local Government Code may be created to satisfy this

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requirement. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and access to other amenities must be incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

.10 Additional Requirements and Restrictions

- A.** Each NBD district must contain three or more different uses as listed in Article 14.
- B.** Once a property is developed for residential purposes within the NBD district, with the exception of live-work (business loft) units, home occupations, and bed and breakfast inns, nonresidential uses are not permitted within that property.
- C.** At least 10,000 square feet of nonresidential space must be built as part of the first phase of development. Freestanding nonresidential buildings may not have a floor area less than 5,000 square feet.
- D.** The second building constructed and all subsequent buildings may not be more than 150 feet from another building.

.11 Streets and Sidewalks

- A.** All streets within an NBD district must be dedicated as public streets, or if the city does not accept the dedication of some or all as public streets, the streets that have not been dedicated as public streets must be platted as private streets. All streets are to be open for public use and may not be gated or have restricted access, except as may be permitted for special events. All streets must be located in a private street lot or in public right-of-way. The width of a street lot or right-of-way is determined by the adopted development plan. A private street lot or public right-of-way may vary in width but must accommodate travel lanes, medians, sidewalks, utilities, street furniture and fixtures, and landscaping of public or common ownership. Easements may be required within the street lot for utilities and emergency access.
- B. Street Design**
An NBD district site must be organized into blocks created by a connected grid of streets. A variety of street types and block sizes may be incorporated to create the grid, including diagonal, off-set, and angled streets. Cul-de-sacs and curvilinear streets are prohibited, except where needed to account for major natural features.
- C. Block Size**
The maximum block size is three acres, except as required for public parks or school use.
- D. Block Length**
The maximum block length is 600 feet, with a desired typical block length of 400 feet. The block length is the distance along a street face uninterrupted by an intersecting street, transit right-of-way, and/or public usable open space designated on the development plan, excluding intersections with mews streets, alleys, and service drives.
- E. Street Trees**
A tree planting strip at least 5 feet in width is required on both sides of major and minor streets between the curb and sidewalk. Trees must be centered in the tree planting strip at the rate of one tree per 40 linear feet of street frontage. Adjacent to retail uses, street trees are required at the rate of one tree per 100 feet of major and minor street frontage.

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F. Sidewalks

Sidewalks are required on both sides of all major and minor streets. Trees, landscaping, outdoor dining areas, bicycle racks, and street furniture may be placed on or within a sidewalk, but a minimum clearance width equal to the minimum sidewalk width must be maintained. Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

G. Street Types

All streets within an NBD district must be constructed in accordance with the following general street classifications:

Street Type	Travel Lanes	On-street Parking	Sidewalks
Type D or above thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 12 feet in width
Type E or below thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 7 feet in width
Major Street	Two 11-foot vehicle lanes	Parallel or diagonal parking in accordance with Sec. 16.1500 and valet or drop-off lanes required	Minimum 12 feet in width
Minor Street		Parallel parking in accordance with Sec. 16.1500 and designated loading zones required.	Minimum 7 feet in width
Alley/Service Drive	Two 9-foot vehicle lanes plus 3 feet on each side of the street to accommodate utilities and services	7-foot driveway/setback lanes Additional easements may be needed to accommodate utilities.	If provided, minimum 5 feet in width, but none required
Paseo	Minimum overall width: 28 feet with minimum 15 percent landscaped area with 3 caliper inches of shade trees or 6 caliper inches of ornamental trees per 500 square feet of landscape area with a minimum tree size of 2-inch caliper. No vehicle lanes, except for emergency service access if built to fire lane standards.	Not permitted	Minimum 12-foot wide main sidewalk and minimum 4-foot wide pathways providing access to individual entrances of buildings on adjacent lots

H. Landscape Edge

Along Type D and above thoroughfares, a 20-foot landscape edge is required. Within the landscape edge, 6 caliper inches of shade trees or 12 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge, with a minimum tree size

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of 2-inch caliper. The number of required trees must be calculated based solely on the area of the required landscape edge.

I. **Bike Lanes**

Bike lanes must have a rideable surface at least 5 feet in width. A solid white lane line, bicycle lane word and/or symbol, and arrow markings that meet the Texas Manual on Uniform Traffic Control Devices requirements must be used to define the bike lane. A minimum 2-foot separation between the bike lane and any parallel vehicle lane is required. On major streets, a physical barrier between the bike lane and any parallel vehicle lane is required and must meet the Federal Highway Administration Separated Bike Lane Planning and Design Guide standards. Where possible, bike lanes must connect to existing or planned trails or bikeways located in or adjacent to the NBD district.

J. **Connectivity**

Connections must be made to provide direct pedestrian and bicycle access from the NBD district to adjacent sidewalks, trails, parks, transit stops, and other connections where feasible. Pedestrian access must be provided by connection to any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the NBD district. In order to provide efficient pedestrian connections to adjacent properties, the city may require additional sidewalks, walkways, or trails not associated with a street.

K. **Curb Bulb Outs**

Curb bulb outs are required at all intersections and defined mid-block crossing points on all street types with dedicated on-street parking, except for Type D and above thoroughfares. Curb bulb out areas may not be used to satisfy the required street tree planting strip.

.12 Parking Requirements

A. Parking for residential uses must follow RCD standards (Sec. [9.1700.12](#)).

B. All required off-street parking in NBD districts must be accommodated in accordance with Section [16.700](#) (Off-Street Parking Schedule) of Article 16 (Parking and Loading), except that on-street parking spaces adjacent to a lot may be included in the parking calculations for nonresidential uses on that lot.

C. The maximum permitted parking for nonresidential uses is capped at 110% of the minimum required parking. Parking in excess of the maximum caps may only be provided in parking garages.

D. Surface parking lots for nonresidential uses must meet the following requirements:

- i. Parking lots must be located behind front building facades.
- ii. A minimum five-foot landscape edge must be provided between all surface parking lots and major and minor streets. Within the landscape edge, 3 caliper inches of shade trees or 6 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees must be calculated solely on the area of the required landscape edge.
- iii. Surface parking lots must not exceed 200 spaces per parking lot.
- iv. A sidewalk at least seven feet in width must be provided to connect the parking lot to the street and to any adjacent buildings or open space areas. The sidewalk must meet the following requirements:

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- a. The sidewalk must be distinguished from areas used by vehicles with one or more of the following techniques:
 - i. Changing paving material, pattern, and/or paving color, but not including the painting of the paving material;
 - ii. Changing paving height;
 - iii. Addition of decorative bollards; or
 - iv. Constructing raised median walkways with landscaped buffers.
 - b. Have adequate lighting for security and safety; and
 - c. Not include barriers that limit pedestrian access between the subject property and adjacent properties.
- E.** Vehicle parking garages for nonresidential uses must meet the following requirements:
- i. The building footprint of a parking garage must not exceed 60,000 square feet.
 - ii. Parking garages must not have direct vehicle access to Type D and above thoroughfares.
 - iii. Parking garages must be set back a minimum of 150 feet from existing residential zoning districts or residential uses outside of the NBD district.
 - iv. Parking garages must have architecturally integrated facades compatible with the buildings they serve. The design of the structure must reflect the massing, fenestration and detailing of adjacent and abutting buildings.
 - v. Garages must be screened so that no vehicles, headlights or light fixtures from within the structure are visible from surrounding properties or streets.
 - vi. External elevator towers and stairwells must be open to public view, or enclosed with transparent glazing
 - vii. Parking garages must not exceed the height of surrounding buildings and must not be visually predominant when viewed from the street or public usable open space
 - viii. If a parking garage is multi-level, one full level at or below grade must be provided for public parking
 - ix. A pedestrian path at least four feet wide with clear signage and lighting must be provided within the parking garage. The pedestrian path must connect to adjacent sidewalks. Electric vehicle charging stations must not impede a minimum of four feet of clearance on any path, walkway, or sidewalk.

.13 Usable Open Space

- A.** Public usable open space must be provided in an amount not less than ten percent of the gross acreage of the development. The following requirements also apply:
 - i. A maximum of 25% of the minimum required public usable open space may be located within a floodplain or within an overhead transmission line easement if these areas are improved for use through the addition of trails and other pedestrian amenities.
 - ii. Public usable open space must be provided in the form of greens, linear parks, greenbelts, pocket parks, public art displays, and paseos that are integrated within the block pattern defined on the development plan.

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- iii. At least one public usable open space must be a minimum of 7,500 square feet with a minimum width of 30 feet. and have buildings or streets directly fronting or siding the public usable open space on a minimum of three sides.
- iv. Natural features must be designed to be integrated into the site with buildings or public usable open space fronting on them and sufficient pedestrian and vehicle access.
- v. Rooftops and accessory buildings, except those portions of any building designed specifically for public recreational purposes, do not count toward the public usable open space requirements.
- vi. Required landscaping does not count toward the usable open space requirement.
- vii. Open space that is adjacent to the rear of a building or to a service area and which does not front on a street cannot be included in the public usable open space requirement.
- B. Private usable open space, including interior courtyards and patios for individual business and residential uses, is permitted but does not count toward the public usable open space requirement.

.14 Building Placement and Design

- A. An NBD district or a group of buildings within the district cannot be walled, fenced, or restricted from general public access.
- B. Buildings in an NBD district must be designed and oriented to reinforce the street grid. The distance from building face to building face must not exceed 100 feet on major and minor streets, unless separated by usable open space and/or patio dining.
- C. Lots must be oriented so that buildings directly front on a designated street or usable open space defined on a development plan.
- D. No single tenant may occupy more than 30,000 square feet of the ground floor of a building.
- E. With the exception of parking garages, podium garages, and loading and service areas, 60% of the ground floor of nonresidential buildings and live/work-units must consist of windows and doors.
- F. Nonresidential spaces must have a minimum floor-to-ceiling height of 12 feet.

.15 Sign Regulations

- A. For signage for uses fronting Type D and above thoroughfares, the regulations, specifications, and design standards contained in Article 22 (Signs) apply.
- B. For all other signage, the regulations, specifications, and design standards for signs contained in Sec. [10.800](#) (BG, Downtown Business/Government) apply.

(continued on next page)

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NBD - Neighborhood Business Design Permitted Uses

Accessory and Incidental Uses	
Accessory Building or Use	P, 8
Construction Yard (Temporary)	P, 9
Field Office	P, 9, 35

Educational, Institutional, Public, and Special Uses	
Accessory Housing Shelter (Temporary)	P, 45
Assembly Hall	P
College/University	P, 5
Community Center	P
Continuing Care Facility	P, 52
Farm, Ranch, Garden, or Orchard	P
Fire Station/Public Safety Building	P
Fraternal Organization, Lodge, or Civic Club	P
Park/Playground	P, 52
Post Office (Government and Private)	P
Private Recreation Facility	P
Religious Facility	P, 5
School (Private)	P, 5, 52
School (Public or Parochial)	P, 5
Trade Schools	S

P = Permitted Use; **S** = Specific use permit required; **5** = See Sec. 13.300.2; **8** = See Sec. 13.900; **9** = For construction yard, field offices, and other temporary buildings, see Sec. 15.300; **35** = Subject to temporary permit and removal at completion of project; **52** = See Sec. 15.900.

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Office and Professional Uses	
Medical Office	P
Office - Professional/General Administrative	P

Primary Residential Uses	
Live-Work (Business Loft)	P, 54
Multifamily Residence	P, 52, 53
Single-Family Residence (Attached)	P, 53
Single-Family Residence (Detached)	P, 53
Studio Residence	P, 53
Two-Family Residence	P, 53
Two-Family Residence (Attached)	P, 53

Retail Uses	
Convenience Store	R, 33
Farmers Market	P
Food/Grocery Store	P
Furniture, Home Furnishings, and Equipment Store	P
Garden Center	R
Grocery/Food Store	P
Hardware Store	P
Nursery	S
Retail/Service (Incidental)	P
Retail Store	P
Service/Retail (Incidental)	P
Shopping Center	P

P = Permitted Use; **S** = Specific use permit required; **R** = Refer to Residential Adjacency Standards; **33** = Fuel dispensing and/or car washing facilities associated with this use may be prohibited when in proximity to residential districts. See Residential Adjacency Standards of Article 21.52 = See Sec. 15.900; **53** = See Section 9.1700 for housing type requirements; **54** = See Sec. 15.2000.

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Service Uses	
Arcade	P, 12
Artisan's Workshop	P
Artist, Musician, Photographer, Radio, and/or TV Studio	P
Bank, Savings and Loan, or Credit Union	P
Bed and Breakfast Inn	P
Business Service	P
Commercial Amusement (Indoor)	P
Commercial Amusement (Outdoor)	S
Dance, Gymnastics, and/or Martial Arts Studio	P
Day Care Center	P, 52
Day Care Center (Accessory)	P, 52
Day Care Center (Adult)	P, 52
Food Truck Park	S, R
Health/Fitness Center	P
Kennel (Indoor Pens)/Commercial Pet Sitting	P
Licensed Massage Therapy	P
Motel/Hotel	P
Personal Service Shop	P
Print Shop (Minor)	P
Restaurant/Cafeteria	P, 47
Studio (Dance, Gymnastics and/or Martial Arts)	P
Studio (Photographer, Musician, Artist, Radio, and/or TV)	P
Theater (Neighborhood)	P
Veterinary Clinic	P
Winery	S

P = Permitted Use; **S** = Specific use permit required; **R** = Refer to Residential Adjacency Standards; **12** = See Sec. 15.100; **19** = See Sec. 15.1000; **47** = Drive-up windows are not allowed; **52** = See Sec. 15.1900

Transportation, Utility, and Communications Uses	
Antenna	P, 34
Antenna Support Structure (Commercial and Amateur)	P, 34
Concrete/Asphalt Batching Plant (Temporary)	36
Electrical Substation	S
Private Utility (other than listed)	P
Service Yard (Public or Utility)	S, 50
Transit Center/Station	S
Transportation and Utility Structures/Facilities	P
Utility Distribution/Transmission Line	P
Utility, Private (other than listed)	P

Vehicle and Related Uses	
Vehicle Parking Lot/Garage (Primary)	P

Wholesale	
Office (Showroom/Warehouse)	S

P = Permitted Use; **S** = Specific use permit required; **R** = Refer to Residential Adjacency Standards; **33** = Fuel dispensing and/or car washing facilities associated with this use may be prohibited when in proximity to residential districts. See Residential Adjacency Standards of Article 21.; **34** = See 15.200; **36** = Concrete Plant: Issuance of temporary permit by City Engineer and removal as directed; Asphalt Plant: Issuance of temporary permit by resolution of City Council; **50** = Allowed by right as an accessory use to a park/playground if located a minimum of 150 feet from a residential property line and screened from view of adjacent streets and properties.