

Zoning Case 2022-016

An Ordinance of the City of Plano, Texas, amending Article 7 (Nonconformities), Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 12 (Planned Development District), Article 13 (Lot and Building Standards), Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-specific Regulations), Article 16 (Parking and Loading), Article 17 (Landscaping and Tree Preservation), Article 20 (Screening, Fence and Wall Regulations), and Article 23 (Exterior Wall Construction Standards) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to align with specific land use policies in the comprehensive plan; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 13th day of February 2023, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, on the 13th day of February 2023, the City Council of said City, held its public hearing and tabled the item to the 27th day of February 2023, during which it held an additional public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance; and

WHEREAS, the City Council is of the opinion and finds that such change should be adopted, would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Section 7.400 (Residential Uses in Nonresidential Zoning Districts) of Article 7 (Nonconformities) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such section to read as follows:

7.400 Residential Uses in Nonresidential Zoning Districts

Existing residences, including but not limited to single-family, multifamily, and independent living facilities, located in nonresidential districts may be improved, maintained, or rebuilt as conforming structures.

Section II. Section 8.200 (Terms Defined) of Article 8 (Definitions) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such amended definition to read as follows:

Continuing Care Facility

A development designed and staffed to provide housing together with a continuum of personal care services; and nursing services, medical services, or other health-related services on the same property. A continuing care facility includes a combination of independent living, assisted living, or long-term care facilities.

Section III. Section 10.200 (O-1, Neighborhood Office District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such new subsection to read in its entirety as follows:

.6 Special District Requirements

Independent living facilities constructed prior to February 27, 2023, and proposed independent living facility projects vested under Chapter 245 of the Local Government Code prior to February 27, 2023, are permitted. Any remodeling, reconstruction, redevelopment, or other improvements shall not increase the floor area or number of dwelling units of a particular structure or site.

Section IV. Section 10.300 (O-2, General Office District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such new subsection to read in its entirety as follows:

.6 Special District Requirements

Independent living facilities constructed prior to February 27, 2023, and proposed independent living facility projects vested under Chapter 245 of the Local Government Code prior to February 27, 2023, are permitted. Any remodeling, reconstruction, redevelopment, or other improvements shall not increase the floor area or number of dwelling units of a particular structure or site.

Section V. Section 10.400 (R, Retail District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of section to read as follows:

.1 Purpose

The R district is primarily intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services, including convenience stores, shopping centers, and regional malls but not including wholesaling or warehousing. Limited residential uses may be considered appropriate as an extension of surrounding neighborhoods.

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.6 Special District Requirements

A. Vehicle Fueling Stations

For vehicle fueling stations, canopies shall be considered as an accessory structure and shall be included in all calculations of lot coverage. A maximum 30% of the lot may be covered by the primary and/or accessory structures.

B. Mini-warehouse/Public Storage

For mini-warehouse/public storage developments, maximum 50% lot coverage shall be allowed.

C. Independent Living Facilities

Independent living facilities constructed prior to February 27, 2023, and proposed independent living facility projects vested under Chapter 245 of the Local Government Code prior to February 27, 2023, are permitted. Any remodeling, reconstruction, redevelopment, or other improvements shall not increase the floor area or number of dwelling units of a particular structure or site.

D. Residential Uses

- i. Patio homes, single-family attached residences, and two-family residences shall comply with the standards of Secs. 9.900, 9.1000, and 9.1100, respectively, except that single-family attached residences shall be developed on individually-platted lots only. Once any properties are developed for residential purposes, no nonresidential uses, other than home occupations shall occur. (See Sec. 15.700) Retail-zoned land

proposed for residential uses shall abut residentially-zoned land that is not separated by a Type C or larger thoroughfare (per the Thoroughfare Plan Map of the Comprehensive Plan).

- ii. When a portion of any retail-zoned property is used for patio homes, single-family attached, or two-family developments, and a residual tract has been left, it shall have a minimum of 2 acres and access to a median opening when located on an existing or proposed divided thoroughfare (as noted on the city's Thoroughfare Plan Map).
- iii. Any portion of a retail-zoned tract that is developed for patio home, single-family attached, and/or two-family residences, shall have a minimum land area of 5 acres.
- iv. Any new residential uses constructed next to existing nonresidential uses must provide screening in compliance with Section 16.1400 (Off-Street Loading), Subsection 5.

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Section VI. Subpart A.ix of Part A (Miscellaneous) of Subsection 10.900.5 (Special District Requirements) of Section 10.900 (CB-1, Central Business-1 District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such new subpart to read in its entirety as follows:

- ix. Sites for fire stations, police stations, schools, water towers, and reservoirs shall be provided at such time, if ever, as such sites are determined to be necessary.

Section VII. Subsection 10.900.6 (Special Rules for CE and CB-1 Districts) of Section 10.900 (CB-1, Central Business-1 District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended to delete the subsection.

Section VIII. Section 10.1000 (CE, Commercial Employment District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such section to read as follows:

10.1000 CE, Commercial Employment District

.1 Purpose

The CE district is intended to provide the flexibility for an integrated development that may include retail, office, commercial, and light manufacturing. The major focus of the CE district is to be corporate headquarters and research facilities arranged in a campus-like setting.

.2 Permitted Uses

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

.3 Area, Yard, and Bulk Requirements

The following area, yard, and bulk requirements apply to all developments in the CE district unless otherwise expressly stated:

Description	Requirement
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Minimum Front Yard	50 feet, except as provided below and in Sec. 13.500.2
Interior Lot	None, except as provided in Sec. 13.500.3.
Corner Lot	50 feet on street side
Maximum Side Yard	None
Minimum Rear Yard	10 feet where no alley abuts the rear property line (See Sec. 13.500.4)
Maximum Lot Coverage	50% retail; 40% all other uses (See Sec. 10.1000.6A.ix)
Maximum Height	
Where adjacent to existing or planned residential zoning	
0 – 400 feet setback	2 story
401 – 600 feet setback	4 story
601 – 800 feet setback	6 story
More than 800 feet setback	No restrictions, except as provided for under Sec. 13.500.2.

Description	Requirement
Where adjacent to existing or planned residential zoning but separated by a Type B or higher thoroughfare	
0 – 600 feet setback	4 story
601 – 800 feet setback	6 story
More than 800 feet setback	No restrictions, except as provided for under Sec. 13.500.2

.4 Landscaping

Article 17 shall apply, except as amended to require 7% of the lot area to be used for landscaping for retail and requiring 15% of the lot area to be used for landscaping for all other types of use and development.

.5 Parking Regulations

In addition to the requirements in Article 16, the following requirements shall apply:

- A.** Any off-street parking requirements may be provided offsite even if such sites are nonadjacent or noncontiguous or in a different zoning district, provided that binding agreements exist which will ensure the availability of such off-street parking for the reasonable useful life of the building or project to be built on the site. Such off-street parking shall be located within 600 feet of the site, measured as the shortest possible distance in a straight line from the closest property line of the site to the closest point on the parking structure or lot.
- B.** Up to 50% of the off-street parking requirements for any general office and/or manufacturing, processing, or repair use may be satisfied without site plan approval by utilizing compact car parking spaces, as defined in Article 16.

.6 Special District Requirements

A. Miscellaneous

- i.** District requires a minimum contiguous area of 200 acres.
- ii.** Parking structures or surface parking facilities shall be excluded in computing lot coverage.
- iii.** A minimum front yard of 50 feet shall be required; provided, however, none of the off-street parking requirements set forth in Article 16 shall be met utilizing the first 20 feet of such front yard.

- iv. The City Council, at the time of granting CE district zoning to any tract of land, shall have the authority to modify the district requirements, and may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas including, but not limited to, light and air orientation, type and manner of construction, setbacks, lighting, landscaping, management associations, open space, and screening.
- v. Sites for fire stations, police stations, schools, water towers, and reservoirs shall be provided at such time, if ever, as such sites are determined to be necessary.
- vi. A general phasing plan for the total development of the property shall be approved at the time of concept plan approval.
- vii. The general allocation of permitted density levels of development on the various sections of the property shall be approved at the time of concept plan approval.
- viii. Site plan approval in accordance with Article 3 shall be required.
- ix. For vehicle fueling stations, canopies shall be considered as an accessory structure and should be included in all calculations of lot coverage. (A maximum 30% of the lot may be covered by the primary and/or accessory structures)
- x. For mini-warehouse/public storage developments, a maximum 50% lot coverage shall be allowed.

B. Location of Uses

i. Radio, Television, or Microwave Tower

No radio, television, or microwave tower shall be located within a distance from any residential structure equal to at least the height of such tower. Such distance shall be measured as the shortest possible distance in a straight line from the closest point of the tower to the closest point of the residential structure.

No radio, television, or microwave tower shall be located within a distance equal to at least the height of such tower from any area zoned residential by the City of Plano or shown as Neighborhoods on the then-existing Future

Land Use Map of the City of Plano. Such distance shall be measured as the shortest possible distance in a straight line from the closest point of the tower to the closest point of such area. Notwithstanding the foregoing, such uses may be located in closer proximity by specific use permit.

ii. Heliport or Helistop

No heliport or helistop shall be located within 1,000 feet of any lot, tract, or parcel upon which a residence or dwelling is located or within 1,000 feet of any area zoned residential or shown as Neighborhoods on the then-existing Future Land Use Map. The measurement of the 1,000 feet is to be made in a straight, horizontal line from the edge of the heliport landing or helistop pad to the closest prohibited property line, provided that this provision shall not apply to those hospitals which maintain a helistop or heliport for medical emergency flight purposes. Notwithstanding the foregoing, such uses may be located in closer proximity by specific use permit. (See 15.600 for other provisions)

iii. Vehicle Fueling Station

- a. No vehicle fueling station shall be located within 400 feet of any residential structure.
- b. No vehicle fueling station shall be located within 400 feet of any area zoned residential by the City of Plano or shown as Neighborhoods on the then-existing Future Land Use Map of the City of Plano.
- c. Such distances shall be measured as the shortest possible distance in a straight line from the closest point of the vehicle fueling station to the closest point of the residential structure or area, as the case may be. Notwithstanding the foregoing, such uses may be located in closer proximity by specific use permit.

iv. Multifamily Residences and Independent Living Facilities

Independent living facility, mid-rise residential, and multifamily residence developments constructed prior to February 27, 2023, and proposed independent living facility, mid-rise residential, and multifamily residence projects vested under Chapter 245 of the Local Government Code prior to February 27, 2023, are permitted. Any remodeling, reconstruction, redevelopment, or other improvements shall not increase the floor area or number of dwelling units of a particular structure or site.

Section IX. Section 12.900 (Site Plan and Plat Required) of Article 12 (Planned Development District) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such section to read as follows:

12.900 Site Plan and Plat Required

Article 3 of the Zoning Ordinance, Site Plan Review, shall apply to the development of land for uses within any PD district as required in Sec. 3.100.3. Article III of the Subdivision Ordinance, Platting, shall apply to any development or subdivision of land with a PD district.

Section X. Subsection 13.200.3 of Section 13.200 (Street Frontage and Access) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read as follows:

- .3** Religious facilities, assisted living facilities, long-term care facilities, continuing care facilities, community centers, hospitals, colleges, universities, trade schools, and public, private, and parochial schools located in any residential district shall have access to a street with a minimum pavement width of 36 feet.

Section XI. Subsection 13.300.2 of Section 13.300 (Lot Area and Dimensions) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read as follows:

- .2** Assisted living facilities, long-term care facilities, continuing care facilities, community centers, hospitals, colleges, universities, trade schools, and public, private, and parochial schools located in any residential district shall have a minimum site area of 2 acres.

Section XII. Part B of Subsection 13.800.4 (Dimensional Standards) of Section 13.800 (Usable Open Space) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such part to read as follows:

- B.** Patio home and single-family attached development in the Patio Home (PH), Single-Family Residence Attached (SF-A), MF-1, MF-2, and MF-3 zoning districts, and patio home or single-family development in the Retail zoning district shall comply with the following dimensional standards:

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Section XIII. Section 14.100 (Residential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of section to read as follows:

RESIDENTIAL ZONING DISTRICTS																	
Use Type	Use Category	A - Agricultural	ED - Estate Development	SF-20 - Single-Family-20	SF-9 - Single-Family-9	SF-7 - Single-Family-7	SF-6 - Single-Family-6	UR - Urban Residential	PH - Patio Home	SF-A - Single-Family Attached	2F - Two Family (Duplex)	GR - General Residential	MF-1 - Multifamily-1	MF-2 - Multifamily-2	MF-3 - Multifamily-3	MH - Mobile Home	RCD - Residential Community Design
Assisted Living Facility	EIPS												P 21 52	P 21 52	P 21 52		
Continuing Care Facility	EIPS												P 21 52	P 21 52	P 21 52		
Independent Living Facility	Primary Residential												P 21 52	P 21 52	P 21 52		
Long-Term Care Facility	EIPS												P 21 52	P 21 52	P 21 52		

Section XIV. Section 14.200 (Nonresidential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of section to read as follows:

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Section XV. Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such notes to read as follows:

Number	End Note
3	[Reserved]
12	Prohibited, except where permitted under the Special District Requirements of the referenced district.
21	See Sec. 15.1300.
29	[Reserved]
41	Patio Homes allowed only.

Section XVI. Section 15.1300 (Retirement Housing) of Article 15 (Use-specific Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such section to read as follows:

15.1300 Retirement and Supportive Housing

These regulations apply to independent living, assisted living, long-term care, and continuing care facilities, except where individually referenced.

.1 Independent Living Facilities

- A.** To qualify as an independent living facility, the units shall have a head of household of 55 years of age or older. Surviving members of a household, regardless of age, may occupy a unit provided that the household head meeting the age requirement has died.
- B.** Management personnel and his/her family may occupy units without complying with the minimum age requirement. The total of such dwelling units shall not exceed 2 per 100 dwelling units, or portion thereof, in the project.
- C.** Independent living facilities constructed in the form of apartments shall comply with the standards for multifamily residential uses, except where specific standards for independent living facilities are provided.
- D.** Independent living facilities constructed in the form of detached or attached single-family dwellings shall comply with the standards for single-family residence (detached) or single-family residence (attached) uses, respectively, except where specific standards for independent living facilities are provided.

.2 Minimum Floor Area Per Dwelling Unit

Minimum unit sizes shall be in compliance with state regulations for facilities eligible to receive Medicare/Medicaid funding.

.3 Minimum Residential Setbacks

The minimum setback from the zoning district boundary line and/or property line of land proposed (as shown on an approved concept plan or preliminary site plan), developed, or zoned for single-family, patio home, or two-family to independent living, assisted living, long-term care, and/or continuing care facilities shall be:

Height	Minimum Setback
One Story	20 feet
Two Story	60 feet
Three Story	150 feet

.4 Maximum Residential Density

The following density limits apply:

Nonresidential Districts

	O-1	O-2	R	BG	CE	CB-1	CC
Independent Living Facility (dwelling units per acre)	45**	45**	45**	100	45**	21.5 174*	100
Assisted Living Facility	FAR/LC	FAR/LC	FAR/LC	FAR/LC	FAR/LC	FAR/LC	FAR/LC
Long-term Care Facility	FAR/LC	FAR/LC	FAR/LC	FAR/LC	FAR/LC	FAR/LC	FAR/LC
Continuing Care Facility	The maximum density shall be based upon the proportionate densities of the independent living facility, assisted living facility, and/or long-term care facility within the continuing care facility.						

FAR – Floor Area Ratio; LC – Lot Coverage; * - For Structures over 3 Stories in Height; ** - When part of a continuing care facility

Residential Districts

	MF-1	MF-2	MF-3
Independent Living Facility (dwelling units per acre)	12	18	21.5
Assisted Living Facility	LC	LC	LC
Long-term Care Facility	LC	LC	LC
Continuing Care Facility	The maximum density shall be based upon the proportionate densities of the independent living facility, assisted living facility, and/or long-term care facility within the continuing care facility.		
LC – Lot Coverage			

.5 Fencing Requirements

Walls or fences of not more than 8 feet in height may be erected in the front yard, provided such wall or fence is of at least 50% open construction. Such walls must meet all other applicable requirements for walls contained in Article 20.

.6 Exterior wall construction must comply with the requirements of Sec. 23.200.

Section XVII. Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended to delete the Independent Living Facility use from the “Parking Space Schedule for Nonresidential Uses in all Districts,” to amend the name of the “Parking Space Schedule for Residential Uses” to “Parking Space Schedule for Residential Uses in all Districts,” and to add the following language to the “Parking Space Schedule for Residential Uses in all Districts”:

Parking Space Schedule for Residential Uses in all Districts

Zoning Districts or Uses	Minimum Required Off-Street Parking or Spaces for Residential Uses
Independent Living Facility	One space per dwelling unit (<i>No maximum number of parking spaces.</i>)

Section XVIII. Subsection 16.1400.3 of Section 16.1400 (Off-Street Loading) of Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read as follows:

- .3** Where such loading space is located adjacent to a residential use or district, the space shall be enclosed on 3 sides.

Section XIX. Part A of Subsection 17.100.2 (Interior Parking Lot Landscaping) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such part to read as follows:

- A.** Interior landscaping shall generally include all areas within the paved boundaries of the parking lot as well as planting islands, curbed areas, corner lots, parking spaces, and all interior driveways and aisles except those with no parking spaces located on either side. Up to 50% of the required interior parking lot landscaping for nonresidential, multifamily, and retirement and supportive housing developments and redevelopments may be placed outside of the paved boundaries of the parking lot (as shown in Figure 17-2), to provide stormwater quality areas and/or grassy swales/buffer strips, detention ponds, bioretention areas, or other structural permanent BMPs. to meet the interior landscaping requirement. The relocation of required landscape areas shall not reduce the required amount of landscape area, or the required number of trees or other improvements associated with the required landscape areas. Required landscape areas, either within or outside of parking lot boundaries, shall not be part of required usable open space for multifamily and retirement and supportive housing developments. All parking lot trees planted outside the perimeter of the parking lot must be located no closer than 5 feet and no greater than 15 feet from the back of the parking lot curb. See Figure 17-2.

Section XX. Subsection 17.200.1 (Multifamily and Retirement Housing Landscaping Requirements) of Section 17.200 (Residential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of subsection to read as follows:

.1 Multifamily, Retirement, and Supportive Housing Landscaping Requirements

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Section XXI. Subsection 17.700.1 of Section 17.700 (Landscape Plan Approval) of Article 17 (Landscaping and Tree Preservation) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read as follows:

- .1 Landscape plans shall be submitted with all nonresidential, multifamily, and retirement and supportive housing development submissions. Landscape plans shall ensure proper location of vegetation within public rights-of-way, preserve visibility triangles, maintain the overall integrity and intent of living screens, and promote ornamental planting within the city.

Section XXII. Subsection 20.100.2 of Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence and Wall Regulations) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read as follows:

- .2 No solid screening wall or fence shall be required as stated in Sec. 20.100.1 when single-family and two-family residential uses in an R district side or back upon other single-family or two-family residential uses.

Section XXIII. Subsection 23.200.1 of Section 23.200 (Residential Structures) of Article 23 (Exterior Wall Construction Standards) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read as follows:

- .1 Exterior wall construction for residential structures and retirement and supportive housing must consist of a minimum of 80% masonry, 3-step stucco, and/or glass, with no single wall face of any structure containing less than 50% of its exposed surface of masonry construction. A maximum of 10% of any exposed exterior wall may consist of Exterior Insulation and Finish Systems (EIFS).

Section XXIV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section XXV. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section XXVI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section XXVII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section XXVIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED on the 27th day of February 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY