

## Zoning Case 2023-002

**An Ordinance of the City of Plano, Texas, amending Article 1 (Legal Framework), Article 3 (Site Plan Review), Article 9 (Residential Districts), Article 10 (Nonresidential Districts), Article 11 (Overlay Districts), Article 12 (Planned Development District), Article 13 (Lot and Building Standards), Article 15 (Use-specific Regulations), Article 17 (Landscaping and Tree Preservation), Article 21 (Residential Adjacency Standards), Article 22 (Signs), and Article 25 (Traffic Impact Analysis) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to incorporate and align with the Street Design Standards; 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 11th day of September 2023, for the purpose of considering a change in the Zoning Ordinance; and

**WHEREAS**, the City Secretary of 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**, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 11th day of September 2023; 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 1.900 (Design Standards and Specifications) of Article 1 (Legal Framework) 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 in its entirety as follows:

### **1.900 Design Standards and Specifications**

- .1 The following design standards and specifications, as amended, are referenced in this ordinance:

- A. Downtown Heritage Resource District Design Standards
  - B. Engineering Construction Standards, as defined in the Subdivision Ordinance
  - C. Erosion and Sediment Control Manual
  - D. Façade Plan Review Checklist
  - E. Fire Code
  - F. Flood Damage Prevention provisions in the city's Code of Ordinances (Chapter 16, Article VIII)
  - G. Haggard Park Heritage Resource District Design Standards
  - H. Heritage Preservation Ordinance
  - I. Landscaping Plan Review Checklist per Article 17
  - J. NCTCOG Standard Specifications for Public Works Construction with City of Plano Special Provisions
  - K. Right-of-Way Ordinance
  - L. Site Plan Review Checklists per Article 3
  - M. Spring Creekwalk Master Development Plan
  - N. Standard Construction Details
  - O. Standard Park and Trail Construction Details
  - P. Stormwater Design Manual
  - Q. Stormwater Quality Requirements
  - R. Street Design Standards
  - S. Subdivision Ordinance
  - T. Water and Wastewater Design Manual
- .2 The following design standards and specifications, as amended, are incorporated by reference into this ordinance:

- A. Retail Corner Design Guidelines
- B. Site Design Standards for Solid Waste Containers

**Section II.** Part C (Standards of Approval) of Subsection 3.300.3 (Application Procedure and Requirements) of Section 3.200 (Concept Plan) of Article 3 (Site Plan Review) 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 in its entirety as follows:

**C. Standards of Approval**

The Planning & Zoning Commission (and City Council if the plan is associated with establishment of a planned development district) may approve, conditionally approve, table, or deny a concept plan based on the plan's: (See also Sec. 12.300)

- i. Compliance with the Comprehensive Plan and adopted design studies.
- ii. Compliance with the Zoning Ordinance and other applicable development regulations.

- iii. Compliance with the recommended mitigation of a traffic study as deemed acceptable by the Director of Engineering.
- iv. Impact on the site's natural resources and effect on adjacent area, property, and land use.

**Section III.** Part C (Standards of Approval) of Subsection 3.300.3 (Application Procedure and Requirements) of Section 3.300 (Preliminary Site Plan) of Article 3 (Site Plan Review) 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 in its entirety as follows:

**C. Standards of Approval**

The Planning & Zoning Commission may approve, conditionally approve, table, or deny a preliminary site plan based on: (See 3.900.)

- i. Conformance with the Comprehensive Plan and adopted design guidelines.
- ii. Compliance with the Zoning Ordinance and other applicable regulations and previously approved, valid plans for the property.
- iii. Compliance with previously approved, valid site-specific stormwater quality plan.
- iv. Compliance with the recommended mitigation of a traffic study as deemed acceptable by the Director of Engineering.
- v. Impact on the site's natural resources and effect on adjacent ~~and~~ area, property, and land use.
- vi. Safety and efficiency of vehicular and pedestrian circulation, traffic control, and congestion mitigation.
- vii. Safety and convenience of off-street parking and loading facilities.
- viii. Access for firefighting and emergency equipment to buildings.
- ix. Use of landscaping and screening to shield lights, noise, movement, or activities from adjacent properties and to complement the design and location of buildings and parking.
- x. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses

**Section IV.** Subpart C.iv of Part C (Additional Requirements) of Subsection 3.400.3 (Application Procedure and Requirements) of Section 3.400 (Site Plan) of Article

3 (Site Plan Review) 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 subpart to read in its entirety as follows:

iv. Traffic Study;

**Section V.** Part D (Standards of Approval) of Subsection 3.400.3 (Application Procedure and Requirements) of Section 3.300 (Preliminary Site Plan) of Article 3 (Site Plan Review) 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 in its entirety as follows:

**D. Standards of Approval**

Where application for site plan approval is made for development defined on an approved, valid preliminary site plan, the Director of Planning may approve, conditionally approve, or deny the application based upon the criteria listed below. The applicant may appeal the decision of the Director of Planning to the Planning & Zoning Commission by filing a Notice of Appeal within 10 days following the date the Director of Planning notifies the applicant of his action. The Planning & Zoning Commission shall consider all applications for site plan approval for development not requiring a preliminary site plan, or the proposed site plan constitutes a major amendment to an approved, valid preliminary site plan. The Planning & Zoning Commission may approve, conditionally approve, table, or deny a site plan based upon the criteria listed below:

- i. Conformance with the Comprehensive Plan and adopted design guidelines.
- ii. Compliance with the Zoning Ordinance and other applicable regulations and previously approved, valid plans for the property.
- iii. Compliance with previously approved, valid site-specific stormwater quality plan.
- iv. Compliance with the recommended mitigation of a traffic study as deemed acceptable by the Director of Engineering.
- v. The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
- vi. The width, grade, and location of streets designed to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.
- vii. The use of landscaping and screening:

- a. To provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary.
  - b. To complement the design and location of buildings and be integrated into the overall site design.
- viii. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.
- ix. Protection and conservation of soils from erosion by wind or water or from excavation or grading.
- x. Protection and conservation of water courses and areas subject to flooding.
- xi. The adequacy of streets, water, drainage, sewerage facilities, garbage disposal, and other utilities necessary for essential services to residents and occupants.

**Section VI.** Part C (Standards of Approval) of Subsection 3.500.3 (Application Procedure and Requirements) of Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) 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 in its entirety as follows:

**C. Standards of Approval**

The Planning & Zoning Commission and City Council may approve, conditionally approve, table, or deny an adopted development plan based on:

- i. Conformance with the Comprehensive Plan and adopted design guidelines.
- ii. Compliance with the Zoning Ordinance and other applicable regulations and previously approved, valid plans for the property.
- iii. Compliance with previously approved, valid site-specific stormwater quality plan.
- iv. Compliance with the recommended mitigation of a traffic study as deemed acceptable by the Director of Engineering.
- v. Impact on the site's natural resources and effect on adjacent area property and land use.

- vi. Safety and efficiency of vehicular and pedestrian circulation, traffic control, and congestion mitigation.
- vii. Safety and convenience of off-street parking and loading facilities.
- viii. Access for firefighting and emergency equipment to buildings.
- ix. Use of landscaping and screening to shield lights, noise, movement, or activities from adjacent properties and to complement the design and location of buildings and parking.
- x. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.

**Section VII.** Section 3.900 (Appeals) of Article 3 (Site Plan Review) 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 in its entirety as follows:

### **3.900 Appeals**

- .1 The decision of the Planning & Zoning Commission to approve or deny a concept plan, preliminary site plan, and site plan shall be final and binding unless an appeal of the decision is made to the City Council. The applicant, Director of Planning, or 2 members of City Council may appeal the decision of the Commission with regard to a plan by filing a Notice of Appeal in the office of the Director of Planning, no later than 10 days after the date on which the Commission notifies the applicant of its decision. Such notification may take place by means of an oral ruling by the Commission at a public meeting. Written notice of any appeal shall be sent to the property owner. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The City Council shall consider the appeal at a public meeting no later than 45 days after the date on which the Notice of Appeal is filed. The City Council may affirm, modify, or reverse the decision of the Commission and may, where appropriate, remand the plan to the Commission for further proceedings consistent with City Council's decision.
- .2 If an applicant seeks to challenge the nexus or proportionality of a mitigation required by adopted codes and ordinances, the applicant shall follow the procedure to seek relief by the Waivers from Development Exactions procedure listed in the Subdivision Ordinance.

**Section VIII.** Subsection 9.1700.11 (Streets and Sidewalks) of Section 9.1700 (RCD, Residential Community Design District) of Article 9 (Residential 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 subsection to read in its entirety as follows:

## **.11 Streets and Sidewalks**

**A.** All streets within an RCD 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 established on the adopted development plan consistent with the Street Design Standards.

### **B. Sidewalks**

Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way, in accordance with the Right-of-Way Management Regulations. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

### **C. Landscape Edge**

Except in a Mixed-Use context zone per the Thoroughfare Plan Map, when 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 solely on the area of the required landscape edge.

### **D. Connectivity**

Connections must be made to provide direct pedestrian and bicycle access from the RCD 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 RCD 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.

**Section IX.** Part F of Subsection 9.1700.12 (Parking Requirements) of Section 9.1700 (RCD, Residential Community Design District) of Article 9 (Residential 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 part to read in its entirety as follows:

**F.** For residential lots fronting a Type F or G thoroughfare, visitor parking demand is to be served by the required on-street parking spaces. For residential lots fronting directly on public usable open space or a paseo,

0.25 off-street parking spaces per dwelling unit must be provided within 300 feet of each lot.

**Section X.** Part C of Subsection 9.1700.14 (Building Placement and Design) of Section 9.1700 (RCD, Residential Community Design District) of Article 9 (Residential 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 part to read in its entirety as follows:

C. Buildings must be oriented to directly front on a designated street, public usable open space, or shared court.

**Section XI.** Subsection 10.700.3 (Area, Yard, and Bulk Requirements) of Section 10.700 (UMU, Urban Mixed-Use 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 portion of subsection to read as follows:

<b>Description</b>	<b>Commercial and Multifamily</b>	<b>Single-Family Attached</b>
Front Yard Setbacks	75% of the building face shall be within 15 feet of the property line. If easements are present or public open space, patio dining, plaza or other public amenity is provided, 75% of the building face shall be built to the easement line, open space, or public amenity. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed between the building face and a public street of Type D or above	75% of the building face shall be within 10 feet of the property line. If easements are present, 75% of the building face shall be built to the easement line.

**Section XII.** Subsection 10.700.4 (Definitions) of Section 10.700 (UMU, Urban Mixed-Use 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, to delete the Block and Block Length definitions.

**Section XIII.** Subsection 10.700.10 (Streets and Sidewalks) of Section 10.700 (UMU, Urban Mixed-Use 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 subsection to read in its entirety as follows:



## **.10 Streets and Sidewalks**

**A.** All streets within a UMU district must be platted as private streets, unless the city agrees to accept dedication of some or all as public 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 established on the adopted development plan consistent with the Street Design Standards.

### **B. Required Main Street**

All UMU districts shall have a main street, designated on the development plan, which serves as the core of the district. It shall be a Mixed-Use Type F thoroughfare with buildings of a minimum of two stories fronting onto the main street. No parking garages or surface parking lots shall directly abut the main street. A minimum 600 foot to 1,200 foot section of the street shall be the activity center of the district core. A minimum of 75% of the gross linear footage of the first floor along the activity center shall consist of retail, restaurant, entertainment, and other active uses. The maximum width of storefronts in this area shall be limited to 100 feet. The perimeter of a superstore, food/grocery store, or regional theater must be lined with individual store fronts meeting this maximum width requirement. The specific development plan must define the main street. It shall also designate the location of at least 60% of the gross floor area along the main street for primary and secondary uses.

### **C. Sidewalks and Right-of-Way**

Awnings, canopies, and other detachable fixtures may extend into the street lot or public right-of-way. All common areas to be maintained by the governance association shall be located in a street lot or public right-of-way. All other areas are to be on a building lot. Walkways, other than public sidewalks, may be permitted to access open space, amenities, and services. All walkways are to be open to the public unless designated as private.

**D.** Street types and cross-sections should use the Mixed-Use Local Street type in the Downtown Streets Plan of the Street Design Standards.

**Section XIV.** Subsection 10.700.12 (Parking Requirements) of Section 10.700 (UMU, Urban Mixed-Use 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 in its entirety Part 10.700.12.C, with adjoining parts relettered:

## .12 Parking Requirements

...

~~C. On-street parking is required on all major and minor streets except in locations designated for loading, services, and pedestrian crossings.~~

...

**Section XV.** Part A of Subsection 10.700.13 (Building Placement and Design) of Section 10.700 (UMU, Urban Mixed-Use 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 part to read in its entirety as follows:

**A.** To reinforce the street grid, the distance from building face to building face shall not exceed 100 feet on Type F thoroughfares, unless separated by usable open space.

**Section XVI.** Subsection 10.800.3 (Area, Yard, and Bulk Requirements) of Section 10.800 (BG, Downtown Business/Government 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 subsections to read as follows:

<b>Description</b>	<b>Commercial and Multifamily Requirement</b>	<b>Single-Family Attached Requirement</b>
Front Yard Setbacks (except as noted in Sec. 13.500.2 and Other Height/Setback Requirements below)	See Sec. 10.800.5A and 10.800.5B	See Sec. 10.800.5A and 10.800.5B
...		
Maximum Height	4 story (except as noted in Other Height/Setback Requirements below).	3 story, 50 feet

Description	Commercial and Multifamily Requirement	Single-Family Attached Requirement
	<p>Four stories of multifamily are permitted on a horizontal structural concrete podium above a single level at grade of structured parking, and/or nonresidential uses and/or flex space units (below-grade parking is excluded). Flex space units are defined as a ground floor unit that may be occupied by a residential use, a nonresidential use, or both. Flex space units must have an individual exterior entrance and a minimum floor-to-ceiling separation of 9 feet. A flex-space unit must be constructed to accommodate nonresidential uses and may not be modified to prevent nonresidential occupancy.</p>	
	<p>The maximum height for parking structures shall be 5 levels at or above grade. Parking structures shall be obscured from view of streets and/or public ways designated as Downtown Couplet or Gateway Corridor on the Thoroughfare Plan Map, plus 15th Street by buildings of equal or greater height and/or special architectural and/or landscaping treatments approved in conjunction with a preliminary site plan or site plan.</p>	
...		

Description	Commercial and Multifamily Requirement	Single-Family Attached Requirement	
Other Height/Setback Requirements	In addition to the front, side, and rear yard requirements noted above, the following minimum setbacks shall apply to all structures as measured from the district boundary line of the nearest single-family and two-family residential zoning districts:	None, except as noted below.	
	50 feet for 1 or 2 story		
	200 feet for 3 or 4 story, except when separated by a street and/or public way designated as Downtown Couplet or Gateway Corridor on the Thoroughfare Plan Map and/or a railroad or transit right-of-way. In such cases, the setback shall be 50 feet.		

**Section XVII.** Part B (Single-Family Attached Residence) of Subsection 10.800.4 (Parking Requirements) of Section 10.800 (BG, Downtown Business/Government 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 part to read in its entirety as follows:

**B. Single-Family Attached Residence**

Two parking spaces shall be provided for each dwelling unit as noted in Sec. 10.800.5F.

**Section XVIII.** Subsection 10.800.5 (Special District Requirements) of Section 10.800 (BG, Downtown Business/Government 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 subsection to read in its entirety as follows:

**.5 Special District Requirements**

**A. Shy Zone Setbacks**

The BG district utilizes a “Shy Zone” approach to front yard setbacks. The shy zone functions like a traditional setback, except that it allows for encroachments of certain architectural and site design elements that enhance the streetscape and provide visual interest to buildings. Shy zones are based on the planned right-of-ways in the Street Design Standards and Thoroughfare Plan Map, rather than property lines. Shy zones must conform to the following criteria:

- i. Shy zones shall be measured from the outside edge of the cross-sections listed in the Street Design Standards (See Figure 10-2). Shy zones vary by street type as follows:

<b>Street Classification</b>	<b>Shy Zone</b>
Downtown Couplet	4 feet
Gateway Corridors	4 feet
Mixed-Use Local Streets	3 feet
Residential Local Streets	10 feet
Mews Streets and Special Streets	3 feet
Unspecified Streets	4 feet

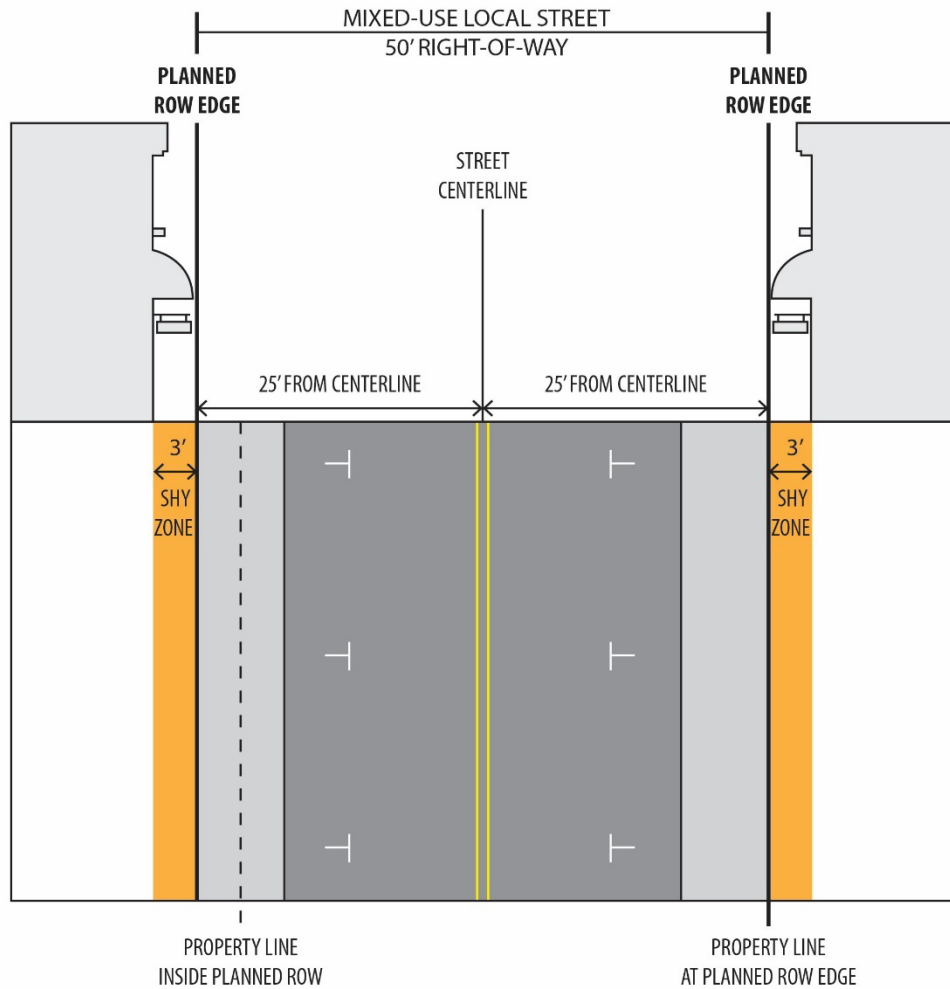


Figure 10-2: Shy Zone Example

- ii. Where the planned right-of-way varies from the standard cross-sections provided in the Street Design Standards due to the provision of angled parking; wider travel lanes, green zones, or sidewalks; fire lane requirements; or other authorized variations, the shy zone shall be measured from the outside edge of planned right-of-way inclusive of such variations. See Figure 10-3.

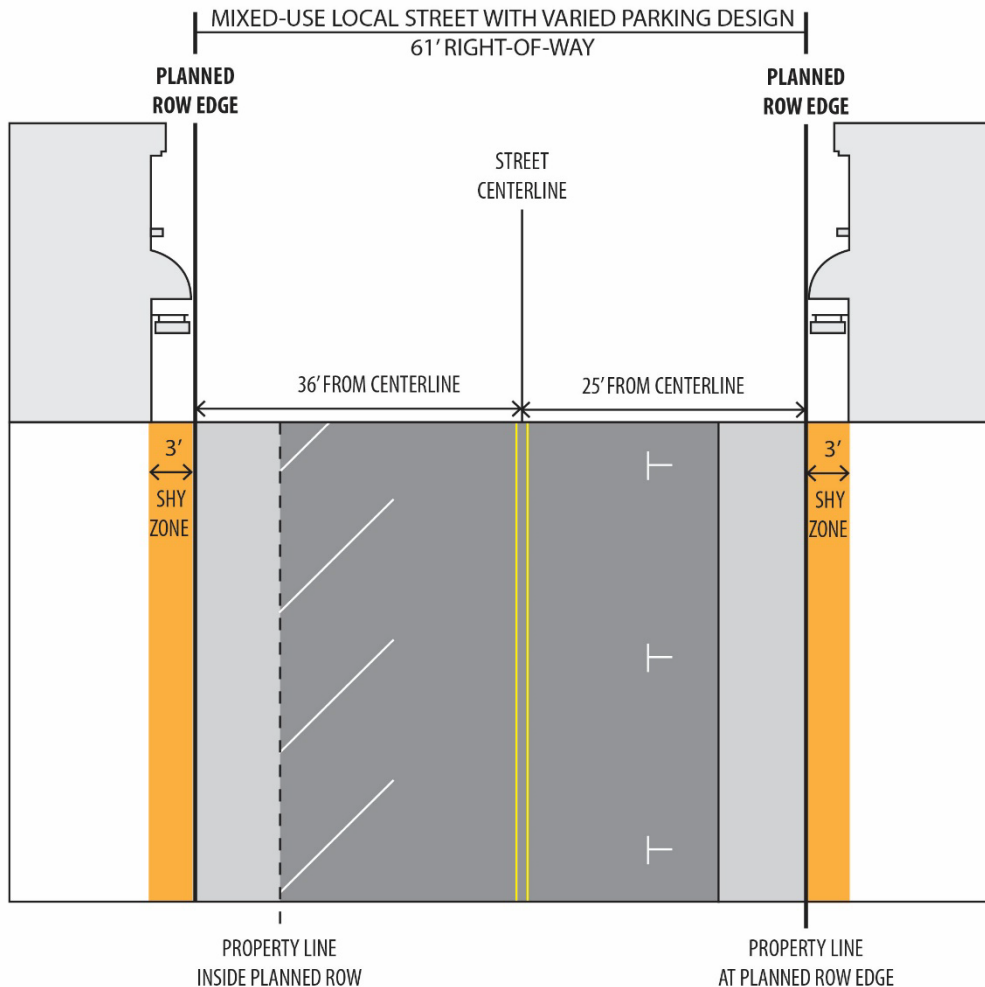


Figure 10-3: Shy Zone Example with Variations

- iii. At least two-thirds of the front façade of the building shall fall within 10 feet of the shy zone setback unless restricted by easements. Where easements are present, at least two-thirds of the front façade of the building shall be built to the easement line.
- iv. Architectural and site design features such as sidewalks, patios, porches, stoops, balconies, awnings, outdoor seating, foundation plantings, planter boxes, ornamental trees, signs, light fixtures, leader heads and downspouts, roof overhangs, and accessibility ramps may encroach within the shy zone.
- v. For multifamily and nonresidential buildings, architectural design features used to provide building articulation may encroach up to one foot into the shy zone. These encroachments are limited to a total of no more than 50% of the front façade (where the shy zone is 3 feet, up to 1 foot is allowed in the shy zone).

- vi. Enclosed habitable floor area and parking spaces may not encroach within the shy zone (with the exception for the second floor and above, if the ground floor includes a minimum 7-foot sidewalk separated from the street by a colonnade along the entire block face).
  - vii. Utility connections are permitted in the shy zone where screened or camouflaged.
  - viii. On corner lots, shy zone requirements also apply to the side yard adjacent to a street.
- B.** A nonconforming building may be reconstructed to its original setback for any building reconstruction initiated within five years of demolition. Reconstruction projects which go dormant or are not completed are no longer qualified for this allowance.
- C.** Street types and cross-sections should use the Mixed-Use Local Street type in the Downtown Streets Plan of the Street Design Standards.

**D. First Floor Use**

No building, excluding parking structures, in the area bounded by 14th Street on the south, the DART right-of-way on the west, 16th Street on the north, and Municipal/L Avenue on the east, shall have more than 60% of its total linear frontage on Downtown Couplet or Gateway Corridors, as defined on the Thoroughfare Plan Map, devoted to residential use.

**E. Special Regulations for Multifamily Residences**

- i. Minimum Floor Area per Dwelling Unit:

<b>Unit Type</b>	<b>Minimum Floor Area</b>
Efficiency	400 square feet
1 bedroom	475 square feet
2 bedroom	625 square feet
Each additional bedroom	150 square feet

- ii. In buildings greater than 100 units, the following regulations apply:
  - a. A minimum of 20% of units must be 2 bedrooms or more; and
  - b. The average unit size will be a minimum of 700 square feet.
- iii. Minimum Density: 40 dwelling units per acre.



- iv. No more than 300 dwelling units may be located within any block bounded by streets, public ways, and/or railroad or transit rights-of-way.
- v. Usable open space requirements as specified in Sec. 13.800 shall not apply.
- vi. The above requirements shall also apply to situations where only one or 2 units are included in a building.

**F. Special Regulations for Single-Family Attached Residences (townhouses)**

- i. Each dwelling unit shall be on an individually-platted lot. No more than 50% of the lots within a development may abut a mews street as the only point of street frontage and access.
- ii. Maximum Density: 40 dwelling units per acre
- iii. Minimum Floor Area per Dwelling Unit: 800 square feet
- iv. Maximum Building Length: 200 feet
- v. Buildings must be separated by a minimum distance of 10 feet.
- vi. No usable open space areas are required.
- vii. Each dwelling unit shall have a garage with a minimum of 2 parking spaces. Garage entrances shall be allowed only from a mews street or alley. The distance from the garage to the travel lane of the alley or mews street shall be 5 or less feet in length or shall be 20 feet or greater in length. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.
- viii. Fencing is allowed in the front yard setback up to 8 feet in height. Fencing is restricted to wrought iron, tubular steel, tubular aluminum, or masonry. Fencing must be 50% open in construction for each unit. Each unit with a fence in the front yard must have an operable gate that opens to the street.

**Section XIX.** Subsection 10.1100.3 (Area, Yard, and Bulk Requirements) of Section 10.1100 (RC, Regional Commercial 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 portion of subsection to read as follows:

Description	Requirement
Minimum Front Yard	50 feet except as specified in Sec. 13.500.2

**Section XX.** Part E of Subsection 10.1100.6 (Special District Requirements) of Section 10.1100 (RC, Regional Commercial 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 part to read in its entirety as follows:

- E. The special residential setback slope requirements described in Sec. 10.1100.3 are illustrated in Figure 10-4.

**Section XXI.** Subsection 10.1200.3 (Area, Yard, and Bulk Requirements) of Section 10.1200 (RE, Regional 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 portion of subsection to read as follows:

Description	Requirement
Minimum Front Yard	50 feet, except as specified in Sec. 13.500.2

**Section XXII.** Part D of Subsection 10.1200.6 (Special District Requirements) of Section 10.1200 (RE, Regional 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 part to read in its entirety as follows:

**D.** The special residential setback slope requirements described in 10.1200.3 are illustrated in the following Figure 10-4:

----- SETBACK

- 50' for height of 45' or less (as measured from right-of-way line)
- For buildings in excess of 45' in height-3 times the height minus 30' as measured from the residential district boundary line (centerline of street)
- Maximum height of 8 stories or 140' whichever is greater up to 1,000' from residential district boundary

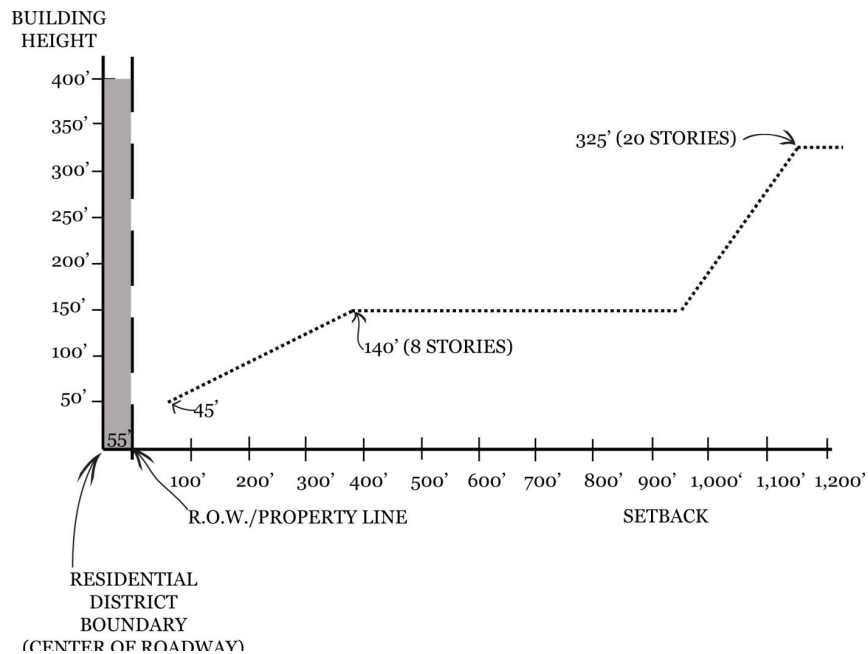


Figure 10-4: Residential Setback Slope

**Section XXIII.** Subsection 10.1600.11 (Streets and Sidewalks) of Section 10.1600 (NBD, Neighborhood Business Design 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 subsection to read in its entirety as follows:

**.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 established on the adopted development plan consistent with the Street Design Standards.

**B. Sidewalks**

Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way, in accordance with the Right-of-Way Management Regulations. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

**C. Landscape Edge**

Except in a Mixed-Use context zone per the Thoroughfare Plan Map, when 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.

**D. 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.

**Section XXIV.** Part C of Subsection 10.1600.14 (Building Placement and Design) of Section 10.1600 (NBD, Neighborhood Business Design 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 part to read in its entirety as follows:

- C.** Buildings must be oriented to directly front on a designated street or usable open space defined on a development plan.

**Section XXV.** Subsection 11.300.2 (Boundaries) of Section 11.300 (Dallas North Tollway Overlay District) of Article 11 (Overlay 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 subsection to read in its entirety as follows:

**.2 Boundaries**

The area encompassed by these standards shall include all those properties located between the existing and/or planned centerlines of Communications Parkway, north/south segments of Plano Parkway, Chapel Hill Drive on the west, and Parkwood Boulevard on the east. The centerline of S.H. 121 will be the northern boundary and the northern right-of-way line of the Santa Fe Railroad will be the southern boundary. Where the city's Thoroughfare Plan Map does not provide for the connection of above noted north/south roadways to the northern or southern overlay district boundary, the district shall be defined by the extension of a line from the point of discontinuance to the appropriate boundary. The point of discontinuance shall include a termination or a change in direction of the applicable roadway. For future roadways or existing roadways planned for improvement, the centerline shall be determined by the city's Director of Planning. The provisions of the Dallas North Tollway Overlay district shall apply to all properties fully or partially within the defined area, except as noted in Sec. 11.300.3.

**Section XXVI.** Subsection 12.600.4 of Section 12.600 (Permitted Areas of Regulation) 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 subsection to read in its entirety as follows:

- .4** Specify the location and design of streets, drives, parking, and pedestrian and bicycle facilities. PD districts may be used to modify the standards of the Street Design Standards and the Subdivision Ordinance related to design of public and private facilities, but only where a specific finding is made by the City Council that the alternative standard does not decrease public safety, impair traffic movement, or result in a higher maintenance cost.

**Section XXVII.** Section 12.800 (Regulations Affected) 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 in its entirety as follows:

**12.800 Regulations Affected**

PD districts may be used, in accordance with Sec. 12.600 and Sec. 12.700, to modify and supplement the regulations contained within the following ordinances:

- .1** Zoning Ordinance  
**.2** Subdivision Ordinance

### .3 Street Design Standards

**Section XXVIII.** Subsection 13.400.2 of Section 13.400 (Floor Area Ratio) 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 in its entirety as follows:

- .2 In the case where excess right-of-way is dedicated by plat for the purpose of construction of an overpass and where such right-of-way exceeds the normal right-of-way required by the Thoroughfare Plan Map for the adjacent street, development which occurs on the property from which the excess right-of-way was dedicated may utilize the dedicated excess right-of-way in computing floor area ratio and lot coverage.

**Section XXIX.** Part C of Subsection 13.500.3 (Side Yard Regulations) of Subsection 13.500 (Yard Regulations) 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 in its entirety as follows:

- C. The side setback shall be increased 10 feet for lots siding to an arterial thoroughfare (Type D or above) as shown on the Thoroughfare Plan Map, if not separated by an alley. The lot width shall be increased 10 feet to correspond to the increased setback. The increased setback and lot width shall not be required if a minimum of 10 feet of right-of-way is dedicated for landscaping. The increased setback shall not apply to existing lots and valid Phase II land studies submitted and approved by April 10, 1995.

**Section XXX.** Part H of Subsection 13.500.4 (Rear Yard Regulations) of Subsection 13.500 (Yard Regulations) 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 in its entirety as follows:

- H. The rear setback shall be increased 15 feet for lots backing to an arterial thoroughfare (Type D or above) as shown on the Thoroughfare Plan Map, if not separated by an alley. Lot depth shall be increased 10 feet to correspond to the increased setback. The increased setback and lot depth shall be reduced proportionally if a minimum of 10 feet of right-of-way is dedicated for landscaping. The increased setback shall not apply to existing lots and valid Phase II land studies submitted and approved by April 10, 1995.

**Section XXXI.** Subpart F.v of Subsection 15.200.5 (General Requirements) of Section 15.200 (Communications Antennas, Amateur and Commercial) 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 subpart to read in its entirety as follows:

- v. Overhead facilities and overhead transport facilities cannot be installed overhead on private property if the property is adjacent to a park or is adjacent to a street or thoroughfare that is classified collector thoroughfare (Class E or smaller). All transport facilities must be underground per the requirements of the City of Plano Right-of-Way and Subdivision Ordinances.

**Section XXXII.** Part C of Subsection 17.100.3 (Landscaping for Corner Lots) 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 in its entirety as follows:

- C. Where the Planning Department has determined there is no need for a right-turn lane at a location, the landscape edge may be reduced to a minimum of 7.5 feet. (See Traffic Studies section of the Street Design Standards).

**Section XXXIII.** Part A of Subsection 17.300.1 (Regulations for Specific Districts) of Subsection 17.300 (Overlay District 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, to update the reference to the Street Design Standards and to remove language unintentionally left in the Zoning Ordinance when it was amended by Ordinance No. 2023-8-16, such part to read in its entirety as follows:

- A. A landscape edge must be provided as follows:

- i. A minimum 30-foot wide landscape edge (as measured from the front property line exclusive of rights-of-way for thoroughfares Type C or above) must be provided. The landscape edge shall not apply to that portion of the overlay district zoned Central Business-1 at the time of development or redevelopment. This requirement is not intended to prohibit the placement of driveway openings as specified in the Street Design Standards. This landscape edge may be reduced by as much as 15 feet if the combined width of the unpaved right-of-way and the landscape edge is at least 40 feet. Such modifications may be permitted to accommodate variations in unpaved rights-of-way along the respective roadways due to grade-separated interchanges, turning lanes, transit stops, drainage improvements, underground utilities, or related facilities. The 40-foot distance shall be measured from the back of the permanent curb of the roadways including those existing or planned acceleration and deceleration lanes, loop road, and ramps at

grade-separated interchanges. Sidewalks shall be calculated as part of the 40-foot distance.

- ii. The landscape edge must consist of trees, shrubs, groundcover, berms, and related elements as follows, except for the Dallas North Tollway Overlay District which must comply with Sec. 17.300.3:
  - a. A minimum of one 3-inch caliper shade tree and one 3-inch caliper ornamental tree (7-foot planted height) must be placed per 50 feet of frontage exclusive of driveways.

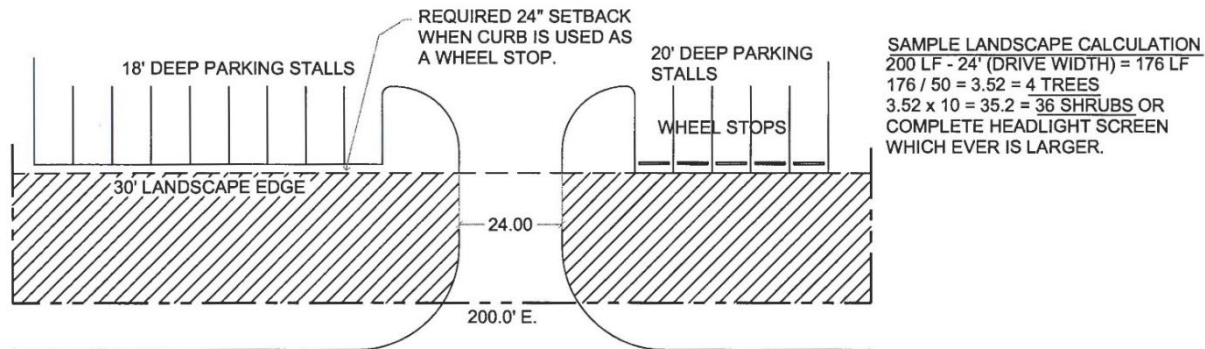


Figure 17-4: 30-Foot Landscape Edge

**Section XXXIV.** Subsection 17.300.2 (Preston Road Overlay District) of Subsection 17.300 (Overlay District 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:

## .2 Preston Road Overlay District

...

- A. A landscape screen with a minimum height of 18 inches (as measured from the finished grade of the parking area) must be provided in locations where the landscape edge separates a surface parking area from the tollway frontage road or another major thoroughfare (Type D and above). Landscape screens must consist of earthen berms, shrubbery hedges, or a combination. Retaining walls may be used to facilitate berming if they are not visible from the street. Earthen berms must have a maximum slope of 4-to-1, requiring at least 4 feet of horizontal width for every one foot of vertical height. Shrubby hedges forming a continuous living screen and retaining walls used for berming must not exceed 40 inches in height within the required landscape edge. Living screens, retaining walls, and screening walls more than 40 inches in height but no greater than 8 feet in height may be placed beyond the required landscape edge and/or front yard setback, whichever is greater. They must not exceed 8 feet in individual or combined



height. The above must also conform to the required visibility triangles noted in Sec. 13.500.2K and to visibility requirements of the Street Design Standards.

...

- D. The location of plant materials must comply with the visibility requirements of the Street Design Standards.

...

**Section XXXV.** Subsection 17.300.3 (Dallas North Tollway Overlay District) of Subsection 17.300 (Overlay District 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:

### **.3 Dallas North Tollway Overlay District**

...

- B. A landscape screen with a minimum height of 18 inches (as measured from the finished grade of the parking area) must be provided in locations where the landscape edge separates a surface parking area from the tollway frontage road or another major thoroughfare (Type D and above). Landscape screens must consist of earthen berms, shrubbery hedges, or a combination. Retaining walls may be used to facilitate berming if they are not visible from the street. Earthen berms must have a maximum slope of 4-to-1, requiring at least 4 feet of horizontal width for every one foot of vertical height. Shrubby hedges forming a continuous living screen and retaining walls used for berming must not exceed 40 inches in height within the required landscape edge. Living screens, retaining walls, and screening walls more than 40 inches in height but no greater than 8 feet in height may be placed beyond the required landscape edge and/or the required front yard setback, whichever is greater. They must not exceed 8 feet in individual or combined height. The above must also conform to the required visibility triangles noted in Sec. 13.500.2K and to visibility requirements of the Street Design Standards.

...

- F. The location of plant materials must comply with the visibility requirements of the Street Design Standards.

...

**Section XXXVI.** Subsection 17.300.4 (190 Tollway/Plano Parkway Overlay District) of Subsection 17.300 (Overlay District 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 read as follows:

**.4 190 Tollway/Plano Parkway Overlay District**

...

- A. A landscape screen with a minimum height of 18 inches (as measured from the finished grade of the parking area) must be provided in locations where the landscape edge separates a surface parking area from the tollway frontage road or another major thoroughfare (Type D and above). Landscape screens must consist of earthen berms, shrubbery hedges, or a combination. Retaining walls may be used to facilitate berming if they are not visible from the street. Earthen berms must have a maximum slope of 4-to-1, requiring at least 4 feet of horizontal width for every one foot of vertical height. Shrubby hedges forming a continuous living screen and retaining walls used for berming must not exceed 40 inches in height within the required landscape edge. Living screens, retaining walls, and screening walls more than 40 inches in height but no greater than 8 feet in height may be placed beyond the required landscape edge and/or front yard setback, whichever is greater. They must not exceed 8 feet in individual or combined height. The above must also conform to the required visibility triangles noted in Sec. 13.500.2K and to visibility requirements of the Street Design Standards.

...

- D. The location of plant materials must comply with the visibility requirements of the Street Design Standards.

**Section XXXVII.** Subsection 17.300.5 (State Highway 121 Overlay District) of Subsection 17.300 (Overlay District 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:

**.5 State Highway 121 Overlay District**

...

- A. A landscape screen with a minimum height of 18 inches (as measured from the finished grade of the parking area) must be provided in locations where the landscape edge separates a surface parking area from the tollway frontage road or another major thoroughfare (Type D and above).

Landscape screens must consist of earthen berms, shrubbery hedges, or a combination. Retaining walls may be used to facilitate berming if they are not visible from the street. Earthen berms must have a maximum slope of 4-to-1, requiring at least 4 feet of horizontal width for every one foot of vertical height. Shrubby hedges forming a continuous living screen and retaining walls used for berming must not exceed 40 inches in height within the required landscape edge. Living screens, retaining walls, and screening walls more than 40 inches in height but no greater than 8 feet in height may be placed beyond the required landscape edge and/or front yard setback, whichever is greater. They must not exceed 8 feet in individual or combined height. The above must also conform to the required visibility triangles noted in Sec. 1.500.2K and to visibility requirements of the Street Design Standards.

...

- D. The location of plant materials must comply with the visibility requirements of the Street Design Standards.

...

**Section XXXVIII.** Subsection 17.300.6 (Parkway Overlay District) of Subsection 17.300 (Overlay District 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 subsection to read in its entirety as follows:

**.6 Parkway Overlay District**

Development and/or redevelopment in a Parkway Overlay district must provide a minimum 15-foot wide landscape edge (as measured from the front property line, exclusive of rights-of-way for thoroughfares Type C or above). This requirement is not intended to prohibit the placement of driveway openings as specified in the Street Design Standards. With the exception of width, the landscape edge must comply with Article 17.

**Section XXXIX.** Part B of Subsection 21.500.1 (Noise) of Subsection 21.500 (Standards) of Article 21 (Residential Adjacency 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 in its entirety as follows:

- B. Any use containing public address/paging systems shall not be permitted within 1,000 feet of any residential district unless separated by a Type A thoroughfare.

**Section XL.** Part N of Subsection 22.400.3 (Prohibited Signs) of Subsection 22.400 (General) of Article 22 (Signs) 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 in its entirety as follows:

- N. It shall be unlawful for any person to place or cause to be placed any private temporary directional sign within the city of Plano on any public right-of-way of any public street, except local streets (Type G). The Building Official may impound all signs in violation of this article.

**Section XLI.** Article 25 (Traffic Impact Analysis) 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 Article to read as follows:

## **Article 25 Traffic Studies**

### **25.100 Introduction**

This article establishes requirements and procedures pertaining to traffic studies conducted in association with the city's development process. These studies are intended to determine the potential traffic impacts of a proposed zoning change or specific development proposal to the city's roadway network and, where necessary, recommend mitigation strategies to maintain a safe and efficient transportation system. Where public improvements are deemed necessary as a mitigating strategy, cost sharing responsibilities between the City of Plano and the land developer may also be established by the traffic study. Traffic studies shall be conducted as part of the zoning and site plan review processes, with detailed contents and procedures for traffic studies specified in the Street Design Standards. Mitigation recommended by a traffic study may be required as condition(s) of approval as outlined in this article.

### **25.200 Traffic Studies at Time of Zoning**

Traffic studies, done at the time of a zoning change request, are used to determine the traffic loading that the proposed zoning will impose on the planned thoroughfare system. The goal of the study is to determine what transportation improvements may be necessary to maintain a safe and efficient roadway system to be used in consideration of the zoning change request.

#### **.1 Applicability**

A Traffic Generation Report is required simultaneous with the zoning petition and amendment process in Article 4, including applications to adopt/amend a change in zoning, Planned Development District, or Specific Use Permit. The Director of Planning may waive the requirement to provide a Traffic Generation Report for any zoning changes that are unlikely to generate additional traffic beyond existing conditions.

#### **.2 Determination of Need for Further Study**

Findings of the Traffic Generation Report may result in additional studies required through provision of a Traffic Engineering Assessment, Traffic Impact Analysis, or Regional Traffic Impact Analysis, as stipulated in the Street Design Standards.

### **.3 Content, Methodology, and Review**

Traffic studies shall be provided to the Engineering Department in the manner prescribed by the Director of Engineering and the Street Design Standards.

### **.4 Mitigation**

Traffic studies shall include recommendations to mitigate identified traffic issues. Where mitigation would require approval of a variance or an amendment to the Thoroughfare Plan Map, the applicable procedures for such approvals shall be required separate from the zoning change request.

### **.5 Effect of Traffic Study**

**A.** The Planning & Zoning Commission and City Council may use the findings of a traffic study in consideration of a zoning change request, including stipulating mitigation as a condition of approval. As a result of the traffic study, the Planning & Zoning Commission or City Council may also recommend:

- i.** Amendment of the Community Investment Program (CIP) to expedite construction of related public improvements.
- ii.** Changes in intersection design, signal systems, etc., to increase capacity.
- iii.** Study of the Thoroughfare Plan Map to determine if amendments are necessary to ensure adequate long-term capacity.
- iv.** Where the identified transportation impacts of the proposed zoning cannot be adequately mitigated, the zoning change may be denied in total or in part.

### **25.300 Traffic Studies at Time of Site Plan Review**

Traffic studies, done at the time of site plan review, are used to determine the immediate impacts of the specific development of known size and use on the existing roadways. The goal is to optimize roadway capacity, access design, traffic control, or other transportation improvements (public or private) necessary to provide safe and efficient access to the thoroughfare system. (Note: For the purposes of this Article, "site plan" may be used inclusively for Concept Plans, Preliminary Site Plans, Adopted Development Plans, and Site Plans under Article 3, and "Site Plan" refers to the specific provisions of Article 3.400.)

#### **.1 Applicability**

A Traffic Generation Report is required simultaneous with the application for a concept plan, adopted development plan, or preliminary site plan in Article 3. A Traffic Generation Report may also be required with a site plan where the development is constructed in phases. The Director of Engineering may waive

the requirement to provide a Traffic Generation Report for site plan reviews that are unlikely to generate additional traffic beyond existing conditions.

**.2 Determination of Need for Further Study**

Findings of the Traffic Generation Report may result in additional studies required through provision of a Traffic Engineering Assessment, Traffic Impact Analysis, or Regional Traffic Impact Analysis, as stipulated in the Street Design Standards.

**.3 Content, Methodology, and Review**

Traffic studies shall be provided to the Engineering Department in the manner prescribed by the Director of Engineering and the Street Design Standards.

**.4 Mitigation**

Traffic studies shall include recommendations to mitigate identified traffic issues. Where mitigation would require approval of a variance or an amendment to the Thoroughfare Plan Map, the applicable procedures for such approvals shall be required separate from the site plan review.

**.5 Effect of Traffic Study**

- A. The Planning & Zoning Commission may condition approval of a site plan based upon proposed mitigation. A traffic study may not be used to deny development permitted by zoning.
- B. As a result of the traffic study, the Planning & Zoning Commission may also recommend:
  - i. Amendment of the Community Investment Program (CIP) to expedite construction of related public improvements.
  - ii. Changes in intersection design, signal systems, etc., to increase capacity.
  - iii. Study of the Thoroughfare Plan Map to determine if amendments are necessary to ensure adequate long-term capacity.

**Section XLII.** 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 XLIII.** 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 XLIV.** 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 XLV.** 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 XLVI.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED** on the 11th day of September, 2023.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY