

## **Zoning Case 2025-007**

**An Ordinance of the City of Plano, Texas, amending Article 1 (Legal Framework), Article 3 (Site Plan Review), Article 4 (Amendments), Article 5 (Variances and Appeals of Administrative Decisions), Article 8 (Definitions), Article 9 (Residential Districts), Article 10 (Nonresidential Districts), Article 11 (Overlay Districts), 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), Article 21 (Residential Adjacency Standards), and Article 25 (Traffic Studies) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, as a result of recent state legislative actions and to ensure compliance with state law; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.**

**WHEREAS**, the 89th Texas Legislature enacted a number of bills related to the use and development of property and the application of municipal zoning authority; and

**WHEREAS**, two of the most impactful bills, Senate Bill 15 and Senate Bill 840, concern the regulation of single family small lots and mixed-use and multifamily use and developments, respectively; and

**WHEREAS**, both bills take effect September 1, 2025; and

**WHEREAS**, the new legislation allows specific types of residential uses and mixed-use developments to be permitted without the need for public hearings to consider a possible zoning classification change; and

**WHEREAS**, previously the City of Plano required a multifamily development or a mixed-use development proposed on commercially-zoned property to seek a zoning amendment; and

**WHEREAS**, in accordance with Chapter 211 of the Texas Local Government Code, the City of Plano, like its fellow municipalities throughout the State of Texas, conducted two public hearings—one before the Planning and Zoning Commission, and one before the City Council—in order to receive public comment and exercise its broad legislative discretion; and

**WHEREAS**, the City Council finds it advisable to amend its Zoning Ordinance, Subdivision Ordinance, and Street Design Standards in order to adopt additional land use and design standards for the administrative approval of development permits that previously would have been considered as part of its legislative function; and

**WHEREAS**, Plano's goals in adopting new regulations in response to recent legislation are to do the following:

- A. Preserve Plano's ability to foster economic development, particularly in the Legacy and Research/Technology Crossroads® areas,
- B. Preserve neighborhood compatibility, especially as it relates to retail corners,
- C. Ensure adequate infrastructure,
- D. Preserve the desirability and attractiveness of Plano as a place where people can live and work by requiring well-built multifamily and mixed-use developments,
- E. Diversify the city's housing stock; and

**WHEREAS**, Plano recognizes the importance of good design in the economic success of urban and suburban areas; and

**WHEREAS**, the multifamily standards adopted in this ordinance are intended to improve the quality of life of residents of multifamily residential dwellings; promote sensitive design and planning of multifamily housing units that preserves or improves the characteristics of surrounding development; provide a distinctive architectural character in new multifamily residential developments that avoids featureless design, large building masses, and repetition of façades within a single development; promote efficiency and sustainability; reduce health concerns arising from noise and air quality; and promote building design, placement, and orientation that contributes to a sense of neighborhood and community; and

**WHEREAS**, Plano frequently imposed design standards for multifamily and mixed-use construction through the zoning process similar to those being adopted by this ordinance in response to new legislation; and

**WHEREAS**, Plano conducted a housing study that indicated more housing is required at both the lower and higher ends of the market, and the City of Plano Comprehensive Plan recommends diverse housing forms, including high-rise development, supporting the imposition of minimum height standards on multifamily projects in limited areas of the city; and

**WHEREAS**, Plano residents have expressed concern regarding adjacency to much taller buildings for sight lines and constant shadows; and

**WHEREAS**, requiring taller buildings adjacent to shorter buildings to be constructed in a stairstep manner helps alleviate those concerns; and

**WHEREAS**, the purpose of amending mixed-use standards adopted in the Ordinance is to promote compact, pedestrian-friendly, and transit-supportive patterns of development in mixed-use areas of the city; to guide the organization of mixed-use development in a variety of contexts; and to minimize the visual effects of parking within mixed-use areas; and

**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 25th day of August, 2025, 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 25th day of August, 2025; 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.** The Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, as described in Exhibit A.

**Section II.** 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 III.** 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 IV.** 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 V.** 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 VI.** This Ordinance shall become effective on September 1, 2025, after its passage and publication as required by law.

**PASSED AND APPROVED** on the 25th day of August, 2025.

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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

## EXHIBIT A

### Zoning Case 2025-007 Draft Standards

Additions are indicated in underlined text; deletions are indicated in ~~striketrough~~ text.

**Amend Subsection 1.900.2 of Section 1.900 of Article 1 (Legal Framework) such subsection to read in its entirety as follows:**

**.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

**C.** Design Standards for Multifamily and Mixed-use Residential Developments

*[Remainder of page intentionally blank]*

**Amend Article 1 (Legal Framework) to add Section 1.1300 (Conflict with State or Federal Laws) such new section to read in its entirety as follows:**

**1.1300 Conflict with State or Federal Laws**

When any portion of this ordinance or the city's Comprehensive Plan is specifically contradicted by state or federal law, or when requiring adherence to the city's ordinances would lead to violation of state or federal law, city staff, in consultation with the City Attorney, may waive compliance with that portion of the ordinance.

*[Remainder of page intentionally blank]*

**Amend Article 3 (Site Plan Review) such article to read in its entirety as follows:**

## **Article 3 Site Plan Review**

### **3.100 General**

#### **.1 Overview**

- A.** This article establishes a site plan review process for land development. The process involves a series of 3 plans, progressing from a general evaluation of a site and development concept to approval of a detailed development plan.
- B.** The first plan in the series is a concept plan. This plan establishes a general schematic for site development, primarily focusing on vehicular access and circulation. Concept plans may be used to separate large properties into parts for phasing site planning and development. The second plan in the series is a preliminary site plan. This plan presents more detailed information on building layout, parking, drives, landscaping, screening, and other site improvements. Preliminary site plan approval assures the applicant that the general layout is acceptable prior to proceeding with detailed engineering and design. Site plan approval is the final step in the process. A site plan is a detailed, scaled drawing of all surface improvements, structures, and utilities proposed for development. Site plan approval is required prior to the release of engineering plans and building permits. Concept plans and preliminary site plans require review and approval by the Planning & Zoning Commission. Site plans may be approved by city staff provided that they conform to preliminary plans for the development approved by the Commission.

#### **.2 Purpose**

The purpose of this process is to:

- A.** Ensure compliance with adopted city development regulations and other applicable regulations for which the city has enforcement responsibility.
- B.** Promote safe, efficient, and harmonious use of land through application of city-adopted design standards and guidelines.
- C.** Promote stormwater quality planning into the site planning process.
- D.** Protect and enhance the city's environmental and aesthetic quality.
- E.** Ensure adequate public facilities to serve development.
- F.** Prevent or mitigate adverse development impacts, including overcrowding and congestion.
- G.** Aid evaluation and coordination of land subdivision.

#### **.3 Applicability**

The site plan review process shall apply to:

- A.** Development within an area zoned planned development. (See [Article 12](#))
- B.** Nonresidential development, except as provided in Sec. [3.100.4](#).
- C.** Multifamily residential development.

- D. Patio home and single-family residence attached residential use development and any mixed single-family detached residential development that contains patio home and/or single-family attached residential dwellings.
- E. Residential development within an area zoned RCD or NBD.
- F. Mobile home parks.
- G. Parking lot development, reconstruction, or restriping of more than 20 spaces.
- H. Single-Family Small Lot subdivisions developed under Sec. 15.1900.4.

#### **.4 Exemptions**

The following types of development are exempted from the requirements of this article.

- A. Agricultural buildings.
- B. Temporary structures permitted under Sec. 15.300.

#### **.5 Submission of Applications**

- A. Prior to submission of application, a pre-application meeting is required. The purpose of the meeting is to review potential site design before formal submittal. City of Plano engineering and planning staff will discuss the stormwater impacts of the proposed development and opportunities to achieve stormwater quality requirements (see Section 5.6 of the Subdivision Ordinance) and goals of the City of Plano's TPDES permit. A pre-application meeting checklist can be obtained from the city.
- B. Applications for approval of plans required by this article must be submitted to the City of Plano Planning Department. The Planning Department shall publish at least 30 days prior to the beginning of each year a calendar of official submittal dates. This calendar will generally specify two submittal dates for each calendar month and must specify one submittal date for each calendar month. An application is considered submitted on the first submittal date on or after the date that: 1) the fee is paid; 2) other requirements permitted by law are met; and 3) the applicant delivers the application to the City of Plano Planning Department or deposits the application with the United States Postal Service by certified mail addressed to the City of Plano Planning Department. The date on which the application is submitted shall constitute the filing date for the site plan.

#### **.6 Fees, Forms, and Procedures**

- A. City Council must establish a schedule of fees as required to recoup costs related to the administration of this ordinance.
- B. The Director of Planning may establish procedures, forms, and standards with regard to the content, format, graphics and number of copies of information constituting an application for concept plans, preliminary site plans, and site plans for clarity and consistency of operations. The published procedures, forms, and standards will have the force of ordinance as if fully incorporated herein.



### **3.200 Concept Plan**

#### **.1 General**

A concept plan is the initial plan required in the site plan review process. This plan is a general site assessment and development concept. A concept plan defines a basic schematic design for development. A concept plan checklist of items to be included can be obtained from the city. The purpose of the plan is to:

- A. Evaluate the site's natural condition, including vegetation, topography, drainage, surface, and subsurface factors affecting the site's development.
- B. Determine building sites and the use, intensity, bulk, and height of structures to be constructed.
- C. Locate public streets and rights-of-way, and determine points of ingress and egress between the development and public streets, including median breaks and turn lanes.
- D. Determine primary routes of vehicular circulation and parking areas internal to the development.
- E. Delineate development phasing.
- F. Other purposes related to the establishment of a planned development district. (See Sec. [12.100.](#))

#### **.2 Applicability**

Except as provided below, a concept plan is required for all development specified in Sec. [3.100.3](#). The concept plan must include all property contained within a planned development district. For property outside of a planned development district, the plan must include all contiguous property of common ownership unless the site is an approved platted lot. A preliminary site plan may be submitted in lieu of a concept plan. (See Sec. [3.300](#))

#### **.3 Application Procedure and Requirements**

##### **A. Pre-application**

Before preparing a concept plan, the applicant shall meet with the staff of the Planning and Engineering Departments. The purpose of the pre-application meeting is to review the proposed development to ensure compliance with the City of Plano's TPDES permit, stormwater quality requirements (see Section 5.6 of the Subdivision Ordinance), and general compliance with development regulations as well as to discuss application procedures and submittal requirements. A pre-application meeting checklist can be obtained from the city.

##### **B. General Application**

The property owner shall file an application for the approval of a concept plan. This application shall include the information listed below on one, dimensioned, engineer-scaled drawing on a sheet size 24" x 36". The drawing shall include existing and proposed site conditions and improvements, as follows:

- i. Site boundaries and dimensions, site acreage and square footage, and approximate distance to the nearest cross street.
- ii. Location map, north arrow, scale, and title block.

- iii. Topography at 5-foot contours or less.
- iv. Natural features including tree masses, floodplains, drainage ways, and creeks. (See [Article 17](#))
- v. Land use onsite and on adjacent properties, including the assignment of use to specific locations within the plan.
- vi. Building sites (including maximum building intensity, density, height, and use restrictions as appropriate). Illustration of the approximate shape and placement of buildings is encouraged, but is not required.
- vii. Public streets and private drives with pavement widths, rights-of-way, median openings, turn lanes (including storage and transition space), and driveways (including those on adjacent property) with approximate dimensions.
- viii. Proposed dedications and reservations of land for public use including, but not limited to, rights-of-way, easements, park land, open space, drainage ways, floodplains, and facility sites.
- ix. Phases of development, including delineation of areas, building sites, land use, and improvements to be constructed in independent phases and the scheduled timing and sequencing of development.
- x. The locations of the site intended for stormwater quality areas shall be delineated.

#### **C. Additional Requirements**

Prior to preliminary plat, unless otherwise excepted, the Site Review Process and engineering plans and studies are required to evaluate the impacts of the proposed development on the public infrastructure system. Engineering plans and studies include:

- i. Preliminary Drainage Plans
- ii. Flood Studies & Preliminary Floodplain Reclamation Plans
- iii. Preliminary Water & Sewer Plans
- iv. Traffic Studies
- v. Water & Sewer Capacity Study
- vi. Other plans if deemed necessary for thorough review by the Director of Planning or Director of Engineering.

These plans and studies are considered documents to aid in the review of the Site Review Process.

#### **C.D. 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. Compliance with the recommended mitigation of a water & sewer study as deemed acceptable by the Director of Engineering.
- v. Compliance with all other studies or approvals required by city development regulations, such as the Subdivision Ordinance.
- ~~iv.~~vi. Impact on the site's natural resources and effect on adjacent area, property, and land use.

**~~D.~~E. Effect**

Approval of a concept plan by the Planning & Zoning Commission (or City Council) constitutes authorization by the city for the property owner to submit an application for approval of a preliminary site plan subject to compliance with any condition attached to the approval of the concept plan. As long as the concept plan remains valid, the location of streets, drives, median breaks, and curb cuts shall remain fixed and any subsequently prepared plan for an adjacent property or property located on the opposite face of a public street abutting the site shall coordinate its circulation system to the earlier approved, valid concept plan. Except when authorized, a concept plan may not be used to approve a variance to development regulations. Where an approved plan conflicts with an adopted regulation and no variance or exception is expressly approved, the regulation shall apply. Where approved, valid concept plans delineate areas as separate phases of development, each phase may be independently planned and developed provided that it is in accordance with the concept plan and other applicable regulations.

**~~E.~~F. Lapse**

Concept plan approval shall expire 2 years following the date of its original approval.

### **3.300 Preliminary Site Plan**

**.1 General**

A preliminary site plan is the second plan in the site plan approval process. The purpose of the plan is to:

- A. Ensure compliance with applicable development regulations and previously approved, valid plans affecting development of the property.
- B. Determine the placement, configuration, coverage, size, and height of buildings.
- C. Determine the design of public street improvements and rights-of-way, the design and location of drives, aisles, and parking.
- D. Determine location and preliminary design of open space, landscaping, walls, screens, and amenities.
- E. Determine the preliminary design of drainage facilities and utilities.

**.2 Applicability**

Except as provided in Sec. 3.400.2, an approved, valid preliminary site plan shall be required prior to the consideration of a site plan. The preliminary site plan must include all property contained within a planned development district, except as permitted as a freestanding phase of development shown on an approved, valid concept plan. For

property outside of a planned development district, the plan must include all contiguous property of common ownership unless the site is an approved platted lot or as permitted as a freestanding phase of development shown on an approved, valid concept plan.

### **.3 Application Procedure and Requirements**

#### **A. Pre-application**

Before preparing a preliminary site plan, the applicant shall meet with the staff of the Planning and Engineering Departments. The purpose of the pre-application meeting is to review the proposed development to ensure compliance with the City of Plano's TPDES permit, stormwater quality requirements (see Section 5.6 of the Subdivision Ordinance), and general compliance with development regulations as well as to discuss application procedures and submittal requirements. A pre-application meeting checklist can be obtained from the city.

#### **B. General Application**

The property owner shall file an application for the approval of a preliminary site plan. This application shall include the information listed below on one, dimensioned, scaled drawing on a sheet size 24" x 36". The drawing shall include existing and proposed site conditions and improvements, as follows:

- i. Site boundaries and dimensions, lot lines, site acreage and square footage, and approximate distance to the nearest cross street.
- ii. Location map, north arrow, scale, title block, and site data summary table.
- iii. Topography at 2-foot contours or less.
- iv. Natural features including tree masses and anticipated tree loss, floodplains, drainage ways, and creeks. (See [Article 17](#))
- v. Land use onsite and on adjacent properties.
- vi. Building locations and footprints, including building size, intensity, density, height, setback, and use.
- vii. Public streets, private drives, and fire lanes with pavement widths, rights-of-way, median openings, turn lanes (including storage and transition space), and driveways (including those on or planned on adjacent property) with dimensions and radii.
- viii. Parking areas and structures, aisles and spaces, handicap spaces, ramps, crosswalks, and loading areas with typical dimensions.
- ix. Access easements and offsite parking.
- x. Proposed dedications and reservations of land for public use including, but not limited to, rights-of-way, easements, park land, open space, drainage ways, floodplains, and facility sites.
- xi. Screening walls, fences, living screens, retaining walls, headlight screens, and service area screens.
- xii. Landscaping and open space areas. (See [Article 17](#))

- xiii. Phases of development, including delineation of areas, building sites, land use, and improvements to be constructed in independent phases and the scheduled timing and sequencing of development.
- xiv. The locations of the site intended for stormwater quality areas shall be delineated.

#### **C. Additional Requirements**

Prior to preliminary plat, unless otherwise excepted, the Site Review Process and engineering plans and studies are required to evaluate the impacts of the proposed development on the public infrastructure system. Engineering plans and studies include:

- i. Preliminary Drainage Plans
- ii. Flood Studies & Preliminary Floodplain Reclamation Plans
- iii. Preliminary Water & Sewer Plans
- iv. Traffic Studies
- v. Water & Sewer Capacity Study
- vi. Other plans if deemed necessary for thorough review by the Director of Planning or Director of Engineering.

These plans and studies are considered documents to aid in the review of the Site Review Process.

#### **~~C~~.D. 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. Compliance with the recommended mitigation of a water & sewer study as deemed acceptable by the Director of Engineering.
- vi. Compliance with all other studies or approvals required by city development regulations, such as the Subdivision Ordinance.
- ~~v~~vii. Impact on the site's natural resources and effect on adjacent area, property, and land use.
- ~~vi~~viii. Safety and efficiency of vehicular and pedestrian circulation, traffic control, and congestion mitigation.
- ~~vii~~ix. Safety and convenience of off-street parking and loading facilities.
- ~~viii~~x. Access for firefighting and emergency equipment to buildings.

~~ix~~.xi. 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~~.xii. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.

**~~D~~.E. Effect**

Approval of a preliminary site plan by the Planning & Zoning Commission shall constitute authorization by the city for the owner to submit an application for final site plan approval for development of the entire site or a portion thereof provided that the site plan conforms to the preliminary site plan and any conditions attached to its approval. As long as the preliminary site plan remains valid, the location of buildings, landscaped areas, open space, streets, drives, fire lanes, median breaks, curb cuts, and parking shall remain fixed except as to permit minor adjustments resulting from subsequent engineering improvements or to prevent a condition affecting public health or safety which was not known at the time of approval. Except where authorized by ordinance, a preliminary site plan may not be used to approve an exception to development regulations. Where an approved plan conflicts with an adopted regulation and no variance or exception is expressly approved, the regulation shall apply.

**.4 Lapse**

The approval of a preliminary site plan shall be effective for a period of 2 years from the date that the preliminary site plan is approved by the Planning & Zoning Commission or City Council, at the end of which time the applicant must have submitted and received approval of a site plan. If a site plan is not approved within 2 years, the preliminary site plan approval is null and void. If site plan approval is only for a portion of the property, the approval of the preliminary site plan for the remaining property shall be null and void. The applicant shall be required to submit a new preliminary site plan for review and approval subject to the then existing regulations.

**3.400 Site Plan**

**.1 General**

A site plan is the final plan required in the site plan approval process. The site plan is a detailed plan of the public and private improvements to be constructed. The purpose of the plan is to:

- A. Ensure compliance with applicable development regulations and previously approved, valid plans affecting development of the property.
- B. Coordinate and document the design of public and private improvements to be constructed.
- C. Coordinate the subdivision of land, including the granting of easements, development agreements, and provision of surety.

## **.2 Applicability**

An approved, valid site plan shall be required prior to the approval of any construction plan and permit for all development specified in Sec. [3.100.3](#). An approved, valid preliminary site plan is required prior to the consideration of a site plan except as provided below:

- A. Development of a single building on a corner lot not exceeding one acre (net). (See Subdivision Ordinance, Section 5.2.)
- B. Development of a single building on one lot not exceeding 5 acres (net) and where the lot is not being subdivided from a larger property.
- C. Development of parking or outside storage areas.
- D. Development of utilities and non-occupied structures.
- E. Development of outdoor recreation structures and amenities.

## **.3 Application Procedure and Requirements**

### **A. Pre-application**

Before preparing a site plan, the applicant shall meet with the staff of the Planning and Engineering Departments. The purpose of the pre-application meeting is to review the proposed development to ensure compliance with the City of Plano's TPDES permit, stormwater quality requirements (see Section 5.6 of the Subdivision Ordinance), and general compliance with development regulations as well as to discuss application procedures and submittal requirements. A pre-application meeting checklist can be obtained from the city.

### **B. General Application**

The property owner shall file an application for the approval of a site plan. This application shall include the information listed below on one, dimensioned, engineer-scaled drawing on a sheet size 24" x 36". The drawing shall include existing and proposed site conditions and improvements, as follows:

- i. Site boundaries and dimensions, lot lines, site acreage and square footage, and approximate distance to the nearest cross street.
- ii. Location map, north arrow, scale, title block, and site data summary table.
- iii. Topography of one-foot contours or less, referenced to sea level datum.
- iv. Natural features including tree masses and anticipated tree loss, floodplains, drainage ways, and creeks. (See [Article 17](#))
- v. Land use onsite and on adjacent properties.
- vi. Building locations and footprints, including dimensions, size, coverage, height, building lines and setbacks, and use.
- vii. Finished floor elevation of structures referenced to sea level datum.
- viii. Public streets, private drives, and fire lanes with pavement widths, rights-of-way, median openings, turn lanes (including storage and transition space), and driveways (including those on adjacent property) with dimensions, radii, and surface type.

- ix. Parking areas and structures, including the number and layout of standard spaces, handicap spaces, the location of ramps, crosswalks, and loading areas with typical dimensions and surface type.
- x. Access easements and offsite parking.
- xi. Dumpster and trash compactor locations and screening.
- xii. Proposed dedications and reservations of land for public use including, but not limited to, rights-of-way, easements, park land, open space, drainage ways, floodplains, and facility sites.
- xiii. Screening walls, fences, living screens, retaining walls, headlight screens, and service area screens, including height and type of construction and/or planting specification.
- xiv. Landscaping and open space areas with dimensions and total square footage (separate landscape plans required). (See [Article 17](#))
- xv. Water and sanitary sewer mains and service lines with sizes, valves, fire hydrants, manholes, and other structures onsite or immediately adjacent to the site specified.
- xvi. Water and sewer connections, meter locations, sizes, and meter and/or detector check valve vaults indicated. Table of the number of water meters by size and noting if they are existing or proposed.
- xvii. Inlets, culverts, and other drainage structures onsite and immediately adjacent to the site.
- xviii. The locations of the site intended for stormwater quality areas shall be delineated.

**C. Additional Requirements**

In addition to meeting the requirements for site plan approval, the following approvals may be necessary prior to authorization for development (if applicable to the project):

- i. Preliminary or final plat or replat;
- ii. Engineering plans;
- iii. Stormwater quality plan;
- iv. Traffic Study
- v. Landscape and irrigation plans;
- vi. Tree preservation and protection plan;
- vii. Facade plan;
- viii. Certificate of Appropriateness;
- ix. Certificate of Compliance; and
- x. Other approvals as required by ordinance.



#### **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. Compliance with the recommended mitigation of a water & sewer study as deemed acceptable by the Director of Engineering.
- vi. Compliance with all other studies or approvals required by city development regulations, such as the Subdivision Ordinance.
- ~~vi~~vii. 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~~viii. The width, grade, and location of streets designed to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.
- ~~vii~~ix. 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~~x. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.
- ~~ix~~xi. Protection and conservation of soils from erosion by wind or water or from excavation or grading.
- ~~x~~xii. Protection and conservation of water courses and areas subject to flooding.
- ~~xi~~xiii. The adequacy of streets, water, drainage, sewerage facilities, garbage disposal, and other utilities necessary for essential services to residents and occupants.

**E. Effect**

Approval of a site plan is the city's authorization to apply for approval of building permits and to receive approval of engineering plans. So long as the site plan remains valid, the city shall not apply any additional requirements concerning building placement, streets, drives, parking, landscaping, or screening. Site plan approval is separate and distinct from other permits and approvals as may be required by the city and other regulatory agencies. Approval of a site plan shall not affect other applicable regulations concerning development and land use. Except where authorized by ordinance, a site plan may not be used to approve a variance to development regulations. Where an approved plan conflicts with an adopted regulation and no variance or exception is expressly approved, the regulation shall apply.

**F. Lapse**

The approval of a site plan shall be effective for a period of 2 years from the date of approval by the Planning & Zoning Commission, staff, or City Council, at the end of which time the applicant must have submitted and received approval of engineering plans and building permits. If the engineering plans and building permits are not approved, the site plan approval is null and void. If engineering plans and permits have been approved only for a portion of the property and for improvements, the site plan for the remaining property and/or improvements shall be null and void. The applicant shall be required to submit a new site plan for review and approval subject to the then existing regulations. Site plan approval shall expire upon completion of the improvements shown on the plan. Subsequent additional development, site modifications, and redevelopment shall be permitted in accordance with Sec. ~~3.1000~~.

### **3.500 Adopted Development Plan**

**.1 General**

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

- A.** Ensure compliance with applicable development regulations and previously approved, valid plans affecting development of the property.
- B.** Determine the placement, configuration, coverage, size, use, and height of buildings.
- C.** Specify the primary, secondary, and tertiary categories of land use, including the minimum and maximum number of residential units.
- D.** Determine the design of public and private street improvements and rights-of-way and the design and location of drives, aisles, and parking.
- E.** Determine location and preliminary design of open space, landscaping, walls, screens, and amenities.
- F.** Enumerate all standards, conditions, performance, and implementation requirements not contained within the base zoning district.
- G.** Determine the preliminary design of drainage facilities and utilities and stormwater quality areas.

## **.2 Applicability**

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

## **.3 Application Procedure and Requirements**

### **A. Pre-application**

Before preparing an adopted development plan, the applicant shall meet with the staff of the Planning and Engineering Departments. The purpose of the pre-application meeting is to review the proposed development to ensure compliance with the City of Plano's TPDES permit, stormwater quality requirements (see Section 5.6 of the Subdivision Ordinance), and general compliance with development regulations as well as to discuss application procedures and submittal requirements. A pre-application meeting checklist can be obtained from the city.

### **B. General Application**

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

- i. Site boundaries and dimensions, lot lines, site acreage and square footage, and approximate distance to the nearest cross street.
- ii. Location map, north arrow, scale, title block, and site data summary table.
- iii. Topography at two foot contours or less.
- iv. Natural features including tree masses and anticipated tree loss, floodplains, drainage ways, and creeks.
- v. Land use on site and on adjacent properties, including the primary, secondary, and tertiary categories of land use.
- vi. Building locations and footprints, including building size, intensity, density, height, setback, and use.
- vii. Public streets, private drives, and fire lanes with pavement widths, rights-of-way, median openings, turn lanes (including storage and transition space), and driveways (including those on or planned on adjacent property) with dimensions and radii.
- viii. Parking areas and structures, aisles and spaces, handicap spaces, ramps, crosswalks, and loading areas with typical dimensions.
- ix. Access easements and offsite parking.
- x. Proposed dedications and reservations of land for public use including, but not limited to, rights-of-way, easements, park land, open space, drainage ways, floodplains, and facility sites.

- xi. Screening walls, fences, living screens, retaining walls, headlight screens, and service area screens.
- xii. Landscaping and open space areas.
- xiii. Phases of development, including delineation of areas, building sites, land use, and improvements to be constructed in independent phases and the scheduled timing and sequencing of development.
- xiv. The locations of the site intended for stormwater quality areas shall be delineated.

#### **C. Additional Requirements**

Prior to preliminary plat, unless otherwise excepted, the Site Review Process and engineering plans and studies are required to evaluate the impacts of the proposed development on the public infrastructure system. Engineering plans and studies include:

- i. Preliminary Drainage Plans
- ii. Flood Studies & Preliminary Floodplain Reclamation Plans
- iii. Preliminary Water & Sewer Plans
- iv. Traffic Studies
- v. Water & Sewer Capacity Study
- vi. Other plans if deemed necessary for thorough review by the Director of Planning or Director of Engineering.

These plans and studies are considered documents to aid in the review of the Site Review Process.

#### **C.D. 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. Compliance with all other studies or approvals required by city development regulations, such as the Subdivision Ordinance.
- ~~vi.~~ vi. Impact on the site's natural resources and effect on adjacent area property and land use.
- ~~vi.~~ vii. Safety and efficiency of vehicular and pedestrian circulation, traffic control, and congestion mitigation.
- ~~vii.~~ viii. Safety and convenience of off-street parking and loading facilities.

~~viii~~.ix. Access for firefighting and emergency equipment to buildings.

~~ix~~.x. 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~~.xi. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.

**~~D~~.E. Effect**

Approval of an adopted development plan by the Planning & Zoning Commission and City Council shall constitute authorization by the city for the owner(s) to submit an application for preliminary site plan approval for development of the entire site or a portion thereof provided that the preliminary site plan conforms to the adopted development plan and any conditions attached to its approval. As long as the adopted development plan remains valid, the location of buildings, landscape areas, open space, streets, drives, fire lanes, median breaks, curb cuts, and parking shall remain fixed except as to permit minor adjustments resulting from subsequent engineering improvements or to prevent a condition affecting public health or safety which was not known at the time of approval. Except where authorized by ordinance, an adopted development plan may not be used to approve an exception to development regulations. Where an approved plan conflicts with an adopted regulation and no variance or exception is expressly approved, the regulation shall apply.

**~~E~~.F. Lapse**

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

**3.600 Amendments**

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

### **3.700 Extension and Reinstatement Procedure**

- .1 Sixty days prior to or following the lapse of approval for a concept plan, preliminary site plan, or site plan as provided in these regulations, the property owner may petition the Planning & Zoning Commission to extend or reinstate the approval. Such petition shall be considered at a public meeting of the Planning & Zoning Commission.
- .2 In determining whether to grant such request, the Planning & Zoning Commission shall take into account the reasons for lapse, the ability of the property owner to comply with any conditions attached to the original approval, and the extent to which newly adopted regulations shall apply to the plan. The Planning & Zoning Commission shall extend or reinstate the plan, or deny the request, in which instance the property owner must submit a new application for approval.
- .3 The Planning & Zoning Commission may extend or reinstate the approval subject to additional conditions based upon newly enacted regulations or such as are necessary to assure compliance with the original conditions of approval. The Planning & Zoning Commission may also specify a shorter time for lapse of the extended or reinstated plan than is applicable to original approvals.

### **3.800 Revocation of Approval**

- .1 The City Council or the Planning & Zoning Commission may revoke approval of a concept plan, preliminary site plan, or site plan if it determines that the conditions of the approval have not been met or if the plan contains, or is based upon, incorrect information which affects a significant health or safety interest.
- .2 Any plan approved prior to March 13, 1986, on which no progress has been made toward completion of the project will expire as of May 11, 2004. All other plans expire according to the lapse of approval standards within this section.

### **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.

### **3.1000 Additional Development and Redevelopment**

Following the completion of improvements shown on an approved site plan, additional development, site modifications, or redevelopment of the site shall be permitted subject to the approval of a revised site plan. Minor expansions and redevelopment may be approved by the Director of Planning under the terms of Sec. [3.600](#). All other expansions or redevelopment shall require submittal of a revised site plan and the approval of the Planning & Zoning Commission under the requirements and procedures then in effect.

**Amend Section 4.300 (Planning & Zoning Commission Public Hearing) of Article 4 (Amendments) such section to read in its entirety as follows:**

**4.300 Planning & Zoning Commission Public Hearing**

- .1 Upon receipt of a complete written petition for zoning or for a change or an amendment to an existing provision of this Zoning Ordinance, the Planning Department staff will set a date for a public hearing before the Planning & Zoning Commission, consistent with applicable notice requirements.
- .2 Prior to the issuance of the notice of the public hearing, the petitioner may, by written notice, withdraw the petition or request rescheduling of the public hearing to a later regular meeting of the Planning & Zoning Commission. Once public notice is given, the petitioner may withdraw the petition or reschedule the public hearing only with the approval of the Planning & Zoning Commission. The Planning & Zoning Commission may reject a request to withdraw a zoning petition, reschedule the public hearing, or conduct the public hearing as notified and take action as appropriate within the context of the public notice provided.
- .3 Prior to the issuance of the notice of the public hearing for zoning change requests on real property:
  - A. Any petitioner having a possessory interest in the property must ~~post~~provide, maintain, and pay for zoning signs(s) in compliance with the requirements specified on the city's zoning petition form, and submit a signed and notarized affidavit certifying that the required signs(s) is(are) posted on the subject property to the Planning Department staff, or
  - B. Where the Planning & Zoning Commission or City Council, not at the request of or in coordination with a property owner, initiates proceedings to consider a change in zoning on any specific property not owned and controlled by the City, per Texas Local Government Code Section 211.0073, the City ~~may~~must post the sign on the subject property or, if for multiple properties, in the right-of-way. notice of the request on a media or communications platform as recommended by the City Manager or their designee.
- .4 Notice of a public hearing shall, at a minimum, meet the requirements of the general laws of the State of Texas. Except for proposed comprehensive zoning changes as allowed by Texas Local Government Code Section 211.0063, the following notices are required:
  - A. Before the 20th day before the hearing date, written notice of each public hearing before the Planning & Zoning Commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail.
  - B. If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the notice shall be given before the 20th day before the date of the hearing, and notice of the time and place of the hearing must



be published in an official newspaper or newspaper of general circulation in the municipality.

- C. Notwithstanding requirements of state statute, when any amendment relates to a change of a zoning regulation or to the general text of this ordinance, notice of the public hearing of the Planning & Zoning Commission shall be given by publication in a newspaper of general circulation in the city of Plano without the necessity of notifying property owners by mail. The notice shall state the time and place of the hearing and the nature of the subject to be considered, which time shall not be earlier than 20 days from the date of publication.
- .5 The Planning & Zoning Commission must provide written notice of each public hearing regarding any proposed adoption of or change to a zoning regulation or boundary under which a current conforming use of a property is a nonconforming use if the regulation or boundary is adopted or changed. The notice must:

  - A. Be mailed by United States mail to each owner of real or business personal property where the proposed nonconforming use is located as indicated by the most recently approved municipal tax roll and each occupant of the property not later than the 10th day before the hearing date;
  - B. Contain the time and place of the hearing; and
  - C. Include the following text in bold 14-point type or larger:

“THE CITY OF PLANO IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE, PLEASE READ THIS NOTICE CAREFULLY.”
- .6 Except for proposed comprehensive zoning changes as allowed by Texas Local Government Code Section 211.0063, the following notices are required:

  - A. Properties located within 500 feet of a proposed change in a zoning classification, which do not receive a notice as required by Sec. 4.300.4, a written courtesy notice will be sent to each owner of real property, as indicated by the most recently approved municipal tax roll, before the 20th day before the hearing.
  - B. A courtesy notice shall also be sent to properties located within 500 feet of the property on which the change is proposed, which do not receive a notice as required by Sec. 4.300.4 where located in territory annexed to the municipality and not included on the most recently approved municipal tax roll.
  - C. The courtesy notices may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail.
- .7 The Planning & Zoning Commission shall hold a public hearing on any petition for any amendment or change prior to making its recommendation and report to the City Council. The Planning & Zoning Commission may establish such regulations and restrictions regarding the presentation of a zoning case at the public hearing as they may deem necessary.

**Amend Subsection 4.500.3 of Section 4.500 (City Council Public Hearing) of Article 4 (Amendments), such subsection to read in its entirety as follows:**

- .3** A public hearing shall be held by the City Council before adopting any proposed amendment, supplement, or change. Notice of such hearing shall be given by publication in a newspaper of general circulation in the city of Plano and the City's website stating the time and place of such hearing, which time shall not be earlier than 15 days from the date of publication.

*[Remainder of page intentionally blank]*

**Amend Section 4.600 (City Council Action) of Article 4 (Amendments) to add subsection 4.600.3 (Presumption of Validity for Certain Changes to Zoning Regulations or District Boundaries) such new subsection to read in its entirety as follows:**

**.3 Presumption of Validity for Certain Changes to Zoning Regulations or District Boundaries**

A change to a zoning regulation or district boundary that has the effect of allowing more residential development than the previous regulation is conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change has not been filed before the 60th day after the effective date of the change.

**Amend Section 4.700 (Supermajority Vote Requirements and Protest Petitions) of Article 4 (Amendments), such section to read in its entirety as follows:**

**~~4.700 Supermajority Vote Requirements and~~ Protest Petitions**

**~~.1 Supermajority Vote Required~~ Effect on Council Vote**

~~If the Planning & Zoning Commission has wholly or partially denied a proposed amendment, supplement, or change, or if~~ sufficient protest as defined below is submitted against a proposed zoning change ~~such change~~, the ~~proposed change~~ change must receive the affirmative vote ~~of at least three-fourths of all members~~ of the City Council as described in this section.

**A. Residential Zoning Changes**

These requirements apply to land-based zoning cases where the proposed change would have the effect of allowing more residential development than the existing zoning regulation or district boundary and has the effect of not allowing more commercial or industrial uses, other than those uses limited to the first floor of a residential development and not exceeding 35% of the overall development.

**i. Signature Threshold**

The protest must be written and signed by the owners of at least 60% of the aggregate area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, or 20% of the aggregate area of the lots or land covered by the proposed change. The area of streets and alleys shall be included in this calculation, and unincorporated areas are excluded from this calculation.

**ii. Council Vote**

- a.** When protested by the owners of 60% of the land immediately adjoining the area covered by the proposed change, the proposed change must receive the affirmative vote of the majority of all members of the City Council.
- b.** When protested by the owners of 20% of the land covered by the proposed change, the proposed change must receive the affirmative vote of at least three-fourths of all members of the City Council.

**B. Comprehensive Zoning Changes**

Changes proposed by the city that meet one or more of the following standards cannot be protested:

- i. A change that would allow more residential development than the previous regulation and would apply uniformly to each parcel in the zoning district or districts; or
- ii. The adoption of a new zoning code or zoning map that would apply to the entire municipality; or
- iii. The adoption of a zoning overlay district that would have the effect of allowing more residential development than would be allowed without the overlay and that includes an area along a major roadway, highway, or transit corridor.

**C. All other Zoning Changes**

These requirements apply to other land-based zoning cases.

**i. Signature Threshold**

The protest must be written and signed by the owners of at least 20% of either the aggregate area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, or the aggregate area of the lots or land covered by the proposed change. The area of streets and alleys shall be included in this calculation, and unincorporated areas are excluded from this calculation.

**ii. Council Vote**

If the signature threshold is met as described above, the proposed change must receive the affirmative vote of at least three-fourth of all members of the City Council.

**.2 Standing to Protests**

- A.** ~~The protest must be written and signed by the owners of at least 20% of either the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, or the area of the lots or land covered by the proposed change. The area of streets and alleys shall be included in this calculation, and unincorporated areas are excluded from this calculation.~~ [Reserved]
- B.** A protest of a proposed zoning change must be in writing and must be signed by the owner of the property in question or by a person authorized by power of attorney to act on behalf of the owner. For specific ownership types, the following shall apply:
  - i. Corporations**  
The protest must be signed by the president, vice president, or by an attorney-in-fact authorized to sign on behalf of the corporation.
  - ii. General or Limited Partnerships**  
The protest must be signed by a general partner or by an attorney-in-fact authorized to sign on behalf of the general or limited partnership.
  - iii. Community Property**  
The city shall presume the written protest of one spouse to be the protest of both.

**iv. Condominiums**

Lots or land subject to a condominium declaration are presumed to be commonly owned in undivided interests by the owners of all condominium units and under the control of the governing body of the condominium. For such lots or land to be included in calculating the lots or land area protesting a proposed rezoning, the written protest must state that the governing body of the condominium has authorized a written protest in accordance with its bylaws, and that the person signing the protest is authorized to act on behalf of the governing body of the condominium.

**.3 Presumption of Validity**

In all cases where a protest has been properly signed pursuant to this section, the city shall presume that the persons whose signatures appear on the protest are valid.

**.4 Withdrawal of Protest**

A withdrawal of a protest must be in writing. In the event that multiple protests and withdrawals are filed on behalf of the same owner, the instrument with the latest date and time of execution controls.

*[Remainder of page intentionally blank]*

**Amend Part A of Section 5.200.4 (Variance) of Section 5.200 (Jurisdiction) of Article 5 (Variances and Appeals of Administrative Decisions), such part to read in its entirety as follows:**

- A. A variance will not be considered by the Board of Adjustment if any of the following conditions apply:
  - i. The variance seeks to authorize a use other than those permitted in the district for which the variance is sought.
  - ii. The variance seeks to authorize any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels of land in the same zoning district.
  - iii. The subject lot, parcel of property, or portion thereof does not have a site plan and/or plat approved, as required under the city's development ordinances.
  - iv. No plan has been approved at or beyond the preliminary site plan phase of development.
  - v. The administrative procedures and requirements of this ordinance and the Subdivision Ordinance, with regard to both Planning & Zoning Commission and the City Council consideration and action, on preliminary site plans, site plans, preliminary plats, and final plats, have not been exhausted prior to requesting a variance from the terms of this ordinance.
  - vi. The variance seeks to authorize approval of an Associated Plan, as defined by the Subdivision Ordinance, that does not provide the required mitigation of a Water & Sewer Study.

*[Remainder of page intentionally blank]*

**Amend Section 8.200 (Terms Defined) of Article 8 (Definitions), such amended and new definitions to read as follows:**

**Heavy Industrial Use**

As defined by Texas Local Government Code Section 218.001, a storage, processing, or manufacturing use:

1. with processes using flammable or explosive materials;
2. with hazardous conditions; or
3. that is noxious or offensive from odors, smoke, noise, fumes, or vibrations.

**Home-based Business (No Impact)**

Any business operated from a residence by the owner or tenant for the purpose of manufacturing, providing, or selling a lawful good or service, and which is further defined in Chapter 229 Local Government Code, Section 229.902 (See Sec. 15.700).

**Home Occupations**

Any activity carried out for gain by a resident which results in the manufacture or provision of goods and/or services and is conducted as an accessory use in a dwelling unit, other than a Home-based Business(No Impact) (See Sec. 15.700).

**Mid-Rise Residential**

A Multifamily Residence ~~B~~buildings containing not less than five floors designed for residential occupancy and including accessory uses including but not limited to parking garages, recreational amenities, meeting space, storage, and personal services. A mid-rise residential development may include a mix of residential and nonresidential uses in the same structure.

**Mixed-use Residential**

When used to describe land use or development, means the use or development, as applicable, of a site consisting of residential and nonresidential uses in which the residential uses are at least 65 percent of the total square footage of the development.

*[Remainder of page intentionally blank]*

**Amend Subsection 9.1000.1 (Purpose) of Section 9.1000 (SF-A, Single-Family Residence Attached District) of Article 9 (Residential Districts), such subsection to read in its entirety as follows:**

**.1 Purpose**

The SF-A district is intended to provide for a variety of residential housing types ~~and densities in the medium density range (5-10 units/acre)~~ on individually-platted lots or multiple units on a single lot.

*[Remainder of page intentionally blank]*



**Amend Section 9.1300 (MF-1, Multifamily Residence-1 District) of Article 9 (Residential Districts), such section to read in its entirety as follows:**

**9.1300 MF-1, Multifamily Residence-1 District**

**.1 Purpose**

The MF-1 district is intended to accommodate condominiums and apartments ~~at a density of 12 residential units per acre~~ in a park-like setting with extensive areas of usable open space and landscaping. MF-1 districts should be located along or near major thoroughfares and should not have principal access to standard residential streets.

**.2 Permitted Uses**

See the residential districts use table in Sec. ~~14.100~~ for a complete listing.

**.3 Area, Yard, and Bulk Requirements**

The following area, yard, and bulk requirements apply to all development in the MF-1 district unless otherwise expressly stated:

Description	Requirement
<del>Maximum Residential Density</del>	<del>12 units per acre</del> <del>None</del>
Minimum Lot Area	8,400 square feet
Minimum Lot Width	70 feet
Minimum Lot Depth	120 feet
Minimum Front Yard	<u>25 feet, except as provided in Sec. 15.800 and Sec. 13.500.2</u>
<del>1 and 2 story</del>	<del>25 feet, except as provided in Sec. 15.800 and Sec. 13.500.2</del>
<del>3 story</del>	<del>100 feet, except as provided in Sec. 15.800 and Sec. 13.500.2.</del>
Minimum Side Yard	<u>15 feet (See Sec. 15.800 and Sec. 13.500.3)</u>
<u>1 story</u>	<u>15 feet (See Sec. 13.500.3)</u>
<u>2 or 3 stories</u>	<u>25 feet (See Sec. 13.500.3)</u>
Maximum Side Yard	N/A
<u>Minimum Building Separation</u>	<u>See Sec. 15.800</u>
Minimum Rear Yard	<u>15 feet (See Sec. 15.800 and Sec. 13.500.4)</u>
<u>1 story</u>	<u>15 feet (See Sec. 13.500.4)</u>
<u>2 or 3 stories</u>	<u>25 feet (See Sec. 13.500.4)</u>
<del>Minimum Floor Area per Dwelling Unit</del>	
<del>Efficiency</del>	<del>500 square feet</del>
<del>1 bedroom</del>	<del>650 square feet</del>
<del>2 bedroom</del>	<del>800 square feet</del>
<del>Each additional bedroom</del>	<del>200 square feet</del>
Maximum Lot Coverage	<del>None</del> <u>35% plus 10% additional coverage permitted for accessory buildings (See Sec. 13.500.4A)</u>
Maximum Height	<del>3 story, 40</del> <u>45</u> feet (See Sec. <u>13.600</u> )
<del>Minimum Usable Open Space</del>	<del>Usable open space shall comply with the supplementary regulations in Sec. 13.800.</del>
<del>One bedroom</del>	<del>600 square feet</del>
<del>Each additional bedroom</del>	<del>300 square feet</del>

**.4 Parking Requirements**

A. ~~Two~~One parking spaces per dwelling unit (See Article 16).

- B. The off-street parking spaces designated for each dwelling unit shall be located within 100 feet of the dwelling unit served by such spaces.

**.5 Miscellaneous Multifamily Residence Provisions**

(See also Sec. [15.800](#))

**A. Walls**

A wall not more than 8 feet in height may be erected in the front yard provided such wall is of at least 50% open construction. Such walls must meet all other applicable requirements for walls contained in [Article 20](#).

**B. Garage Enclosures**

The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.

**C. Street Names**

Whenever street names are to be given to public streets or private drives in a multifamily development, such street names shall be approved with approval of a site plan. If block numbers are used, they shall be shown on the site plan.

**D. Alternate Standards**

~~An MF-1 district may be developed according to the standards required in the 2F, SF-A, PH, or SF-6 districts.~~ [See Sec. 15.1900 for single-family development options.](#)

*[Remainder of page intentionally blank]*

**Amend Section 9.1400 (MF-2, Multifamily Residence-2 District) of Article 9 (Residential Districts), such section to read in its entirety as follows:**

**9.1400 MF-2, Multifamily Residence-2 District**

**.1 Purpose**

The MF-2 district is intended to accommodate condominiums and apartments ~~at a density of 18 residential units per acre~~ providing sufficient areas for usable open space and landscaping. MF-2 districts should have direct access and/or frontage on major thoroughfares and no principal access to standard residential streets.

**.2 Permitted Uses**

See the residential districts use table in Sec. ~~14.100~~ for a complete listing.

**.3 Area, Yard, and Bulk Requirements**

The following area, yard, and bulk requirements apply to all development in the MF-2 district unless otherwise expressly stated:

Description	Requirement
<del>Maximum Residential Density</del>	<del>18 units per acre</del>
Minimum Lot Area	8,400 square feet
Minimum Lot Width	70 feet
Minimum Lot Depth	120 feet
Minimum Front Yard <del>(1 and 2 story)</del>	25 feet, except as provided in Sec. <del>15.800</del> and Sec. <del>13.500.2</del> .
Minimum Side Yard	15 feet (See Sec. <del>15.800</del> and Sec. <del>13.500.3</del> )
Maximum Side Yard	N/A
Minimum Rear Yard	15 feet (See Sec. <del>15.800</del> and Sec. <del>13.500.4</del> )
<del>Minimum Floor Area per Dwelling Unit</del>	
<del>Efficiency</del>	<del>500 square feet</del>
<del>1 bedroom</del>	<del>650 square feet</del>
<del>2 bedroom</del>	<del>800 square feet</del>
<del>Each additional bedroom</del>	<del>200 square feet</del>
Maximum Lot Coverage	<del>None</del> 35% plus 10% additional coverage permitted for accessory buildings (See Sec. <del>13.500.4A</del> )
Maximum Height	<del>2 story, 34</del> 5 feet (See Sec. <del>15.800</del> and Sec. <del>13.600</del> )
<del>Minimum Usable Open Space</del>	
<del>One bedroom</del>	<del>600 square feet</del>
<del>Each additional bedroom</del>	<del>300 square feet</del>

**.4 Parking Requirements**

A. ~~Two~~ One parking spaces per dwelling unit (See Article 16).

B. The off-street parking spaces designated for each dwelling unit shall be located within 100 feet of the dwelling unit served by such spaces.

**.5 Miscellaneous Multifamily Residence Provisions**

(See Sec. [15.800](#))

**C. Walls**

A wall not more than 8 feet in height may be erected in the front yard provided such wall is of at least 50% open construction. Such walls must meet all other applicable requirements for walls contained in [Article 20](#).

**D. Garage Enclosures**

The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.

**E. Street Names**

Whenever street names are to be given to public streets or private drives in a multifamily development, such street names shall be approved with approval of a site plan. If block numbers are used, they shall be shown on the site plan.

**F. Alternate Standards**

~~An MF-2 district may be developed in accordance with the standards required in the 2F, SF-A, PH, and SF-6 districts.~~ See Sec. 15.1900 for single-family development options.

*[Remainder of page intentionally blank]*

**Amend Section 9.1500 (MF-3, Multifamily Residence-3 District) of Article 9 (Residential Districts), such section to read in its entirety as follows:**

**9.1500 MF-3, Multifamily Residence-3 District**

**.1 Purpose**

The MF-3 district is intended to provide for ~~relatively dense~~ condominium and apartment developments, ~~at 21.5 residential units per acre. This density will allow~~ with limited areas of usable open space that must be carefully designed for maximum accessibility and utilization by the residents of an MF-3 development. MF-3 districts should have access and frontage to major thoroughfares, with no principal access to standard residential streets.

**.2 Permitted Uses**

See the residential districts use table in Sec. ~~14.100~~ for a complete listing.

**.3 Area, Yard, and Bulk Requirements**

The following area, yard, and bulk requirements apply to all development in the MF-3 district unless otherwise expressly stated:

Description	Requirement
<del>Maximum Residential Density</del>	<del>21.5 units per acre</del>
Minimum Lot Area	8,400 square feet
Minimum Lot Width	70 feet
Minimum Lot Depth	120 feet
Minimum Front Yard	<u>25 feet, except as provided in Sec. 15.800 and Sec. 13.500.2</u>
<del>1 and 2 story</del>	<del>25 feet, except as provided in Sec. 15.800 and Sec. 13.500.2</del>
<del>3 story</del>	<del>100 feet, except as provided in Sec. 15.800 and Sec. 13.500.2</del>
Minimum Side Yard	15 feet (See Sec. <u>15.800</u> and Sec. <u>13.500.3</u> )
Maximum Side Yard	N/A
Minimum Rear Yard	15 feet (See Sec. <u>15.800</u> and Sec. <u>13.500.4</u> )
<del>Minimum Floor Area per Dwelling Unit</del>	
<del>Efficiency</del>	<del>500 square feet</del>
<del>1 bedroom</del>	<del>650 square feet</del>
<del>2 bedroom</del>	<del>800 square feet</del>
<del>Each additional bedroom</del>	<del>200 square feet</del>
Maximum Lot Coverage	<u>None</u> <del>35% plus 10% additional coverage permitted for accessory buildings (See Sec. 13.500.4A)</del>
Maximum Height	<u>45 feet</u> <del>3 story with a maximum third floor top plate line of 35 feet and a maximum 45-foot height for any portion of the building. Top plate line is defined as the top horizontal member of an exterior frame wall supporting ceiling joists, rafters, or other members.</del>
<del>Minimum Usable Open Space</del>	
<del>One bedroom</del>	<del>400 square feet—One bedroom</del>
<del>Each additional bedroom</del>	<del>300 square feet—Each additional bedroom</del>

**.4 Parking Requirements**

A. ~~Two~~One parking spaces per dwelling unit (See Article 16)

- B. The off-street parking spaces designated for each dwelling unit shall be located within 100 feet of the dwelling unit served by such spaces.

**.5 Miscellaneous Multifamily Residence Provisions (See Sec. [15.800](#))**

**A. Walls**

A wall not more than 8 feet in height may be erected in the front yard provided such wall is of at least 50% open construction. Such walls must meet all other applicable requirements for walls contained in [Article 20](#).

**B. Garage Enclosures**

The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.

**C. Street Names**

Whenever street names are to be given to public streets or private drives in a multifamily development, such street names shall be approved with approval of a site plan. If block numbers are used, they shall be shown on the site plan.

**D. Alternate Standards**

~~An MF-3 district may be developed in accordance with the standards required in the 2F, SF-A, PH, and SF-6 districts.~~ See Sec. 15.1900 for single-family development options.

*[Remainder of page intentionally blank]*

**Amend Subsection 9.1700.4 (Housing Type Requirement) of Section 9.1700 (RCD, Residential Community Design District) of Article 9 (Residential Districts), such subsection to read in its entirety as follows:**

**.4 Housing-Types Requirement**

~~A.~~ The district is limited to a minimum of 10 dwelling units per acre and a maximum of 20 dwelling units per acre. Calculation of residential density is based on the net size of the property, exclusive of public and private streets, street easements, and public usable open space, at the time of development.

~~B.~~A. If a housing type is provided, it must account for at least 10% of the total units in the district.

~~C.~~B. The required mix of housing types is determined by the number of dwelling units provided within the district as shown below.

Dwelling Units Provided	50 Units or Less	51-100 Units	Over 100 Units
Minimum District Size	5 acres	5 acres	10 acres
Minimum Housing Types Required	1	2	3
Tier One Units	Minimum 50% of total units	Minimum 50% of total units	Minimum 50% of total units
Tier Two Units	Permitted	Permitted	Permitted
<del>Tier Three Units</del>	<del>Not permitted</del>	<del>Not permitted</del>	<del>Cannot exceed 25% of total units</del>

*[Remainder of page intentionally blank]*

**Amend Part C of Subsection 9.1700.5 (Area, Yard, and Bulk Requirements for Housing Types) of Section 9.1700 (RCD, Residential Community Design District) of Article 9 (Residential Districts), to delete the part in its entirety:**

**~~C. Tier Three Housing Types~~**

- ~~i. Tier Three housing types consist of moderate scale and density residential buildings. These housing types are best suited within and adjacent to mixed-use areas and are not appropriate adjacent to single family residences located outside the RCD district.~~

**~~ii. Tier Three: Manor Home~~**

**~~a. Description~~**

~~A detached building comprised of 3-6 dwelling units that share a common sidewall or ceiling. The appearance of the structure is intended to match the form and character of a single-family detached residence. The building must have only one common entrance visible from the street. A direct sidewalk connection from every entrance must be provided to the sidewalk along the street and to the building's associated parking.~~

**~~b. Area, Yard, and Bulk Requirements~~**

<b>Description</b>	<b>Requirements</b>
Minimum Lot Area	5,000 square feet for 3 units; 1,000 square feet for each additional unit
Minimum Units per Lot	3 units
Maximum Units per Lot	6 units
Minimum Lot Width	
Interior Lot	50 feet
Corner Lot	55 feet
Maximum Lot Width	110 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	None, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	2 story, 35 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	70%
Parking Requirements	All parking must be located behind the front building line (See Article 16)
One bedroom or less	One parking space per dwelling unit
Two bedrooms	One and one-half parking spaces per dwelling unit
Three bedrooms or more	2 parking spaces per dwelling unit
Maximum Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)



### **iii. Tier Three: Stacked Flat**

#### **a. Description**

A 2- or 3-story, detached building comprised of 6 – 9 dwelling units that share a common horizontal or vertical separation. The appearance of the structure is intended to match the form and character of a single family detached residence. The building must have only one common entrance visible from the street. A direct sidewalk connection from every entrance must be provided to the sidewalk along the street and to the building's associated parking.

#### **b. Area, Yard, and Bulk Requirements**

<b>Description</b>	<b>Requirements</b>
Minimum Lot Area	8,000
Maximum Units per Lot	9 units
Minimum Lot Width	
Interior Lot	50 feet
Corner Lot	55 feet
Maximum Lot Width	150 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7.
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7.
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7.
Maximum Side Yard	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7.
Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7.
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	700 square feet
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7.
Maximum Coverage	75%
Parking Requirements	All parking must be located behind the front building line (See Article 16)
One bedroom or less	One parking space per dwelling unit
Two bedrooms	One and one half parking spaces per dwelling unit
Three bedrooms or more	2 parking spaces per dwelling unit
Maximum Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

*[Remainder of page intentionally blank]*

**Amend Article 10 (Nonresidential Districts) to such article to read in its entirety as follows:**

## **Article 10 Nonresidential Districts**

### **10.100 The Districts**

The city's nonresidential zoning districts are listed below. When this zoning ordinance refers to "nonresidential" zoning districts it is referring to these districts.

<b>Map Symbol/Abbreviation</b>	<b>District Name</b>	<b>Section</b>
O-1	Neighborhood Office	<a href="#"><u>10.200</u></a>
O-2	General Office	<a href="#"><u>10.300</u></a>
R	Retail	<a href="#"><u>10.400</u></a>
LC	Light Commercial	<a href="#"><u>10.500</u></a>
CC	Corridor Commercial	<a href="#"><u>10.600</u></a>
UMU	Urban Mixed-Use	<a href="#"><u>10.700</u></a>
BG	Downtown Business/Government	<a href="#"><u>10.800</u></a>
CB-1	Central Business-1	<a href="#"><u>10.900</u></a>
CE	Commercial Employment	<a href="#"><u>10.1000</u></a>
RC	Regional Commercial	<a href="#"><u>10.1100</u></a>
RE	Regional Employment	<a href="#"><u>10.1200</u></a>
RT	Research/Technology Center	<a href="#"><u>10.1300</u></a>
LI-1	Light Industrial-1	<a href="#"><u>10.1400</u></a>
LI-2	Light Industrial-2	<a href="#"><u>10.1500</u></a>
NBD	Neighborhood Business Design	<a href="#"><u>10.1600</u></a>

*[Remainder of page intentionally blank]*

## 10.200 O-1, Neighborhood Office District

### .1 Purpose

The O-1 district is intended to provide for low-rise, garden-type office development providing professional, medical, and other office services to residents in adjacent neighborhoods. O-1 districts shall have principal access to major thoroughfares and may serve as an area of transition between residential and high-intensity nonresidential uses. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the O-1 district unless otherwise expressly stated:

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet, except as provided in Sec. <u>13.500.2</u>	<u>25 feet, except as provided in Sec. 13.500.2</u>
Minimum Side Yard		
Interior Lot	None (See Sec. <u>13.500.3</u> )	<u>None (See Sec. 13.500.3)</u>
Corner Lot	50 feet on street side	<u>25 feet on street side</u>
Minimum Rear Yard	10 feet where no alley abuts the rear property line (See Sec. <u>13.500.4</u> )	<u>10 feet where no alley abuts the rear property line (See Sec. 13.500.4)</u>
Maximum Lot Coverage	30%	<u>None</u>
Maximum Height	2 story, 35 feet (See Sec. <u>13.600</u> )	<u>45 feet (See Sec. 13.600)</u>
Maximum Floor Area Ratio	0.6:1	<u>None</u>

### .4 Parking Requirements

(See Article 16)

### .5 Landscaping

(See Article 17)

### ~~.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.~~

## 10.300 O-2, General Office District

### .1 Purpose

The O-2 district is intended to allow for a variety of low-, mid-, and high-rise office developments providing for professional, financial, medical, and similar services to local residents; corporate offices for regional and national operations; and major centers of employment for Plano and surrounding communities. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the O-2 district unless otherwise expressly stated:

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet, except as provided in Sec. <u>13.500.2</u>	<u>25 feet, except as provided in Sec. 13.500.2</u>
Minimum Side Yard		
Interior Lot	None (See Sec. <u>13.500.3</u> )	<u>None (See Sec. 13.500.3)</u>
Corner Lot	50 feet on street side	<u>25 feet on street side</u>
Minimum Rear Yard	10 feet where no alley abuts the rear property line (See Sec. <u>13.500.4</u> )	<u>10 feet where no alley abuts the rear property line (See Sec. 13.500.4)</u>
Maximum Lot Coverage	50%, including a maximum of 30% for accessory buildings and structures.	<u>None</u>
<u>Minimum Height</u>	<u>None (See Sec. 13.600)</u>	<u>75 feet (See Sec. 13.600)</u>
Maximum Height	None ( <u>See Sec. 13.600</u> )	<u>None (See Sec. 13.600)</u>
Maximum Floor Area Ratio	1:1	<u>None</u>

### .4 Parking Requirements

(See Article 16)

### .5 Landscaping

(See Article 17)

### .6 Special District Requirements

Independent living facilities below the minimum height 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.~~

*[Remainder of page intentionally blank]*

## 10.400 R, Retail District

### .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. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the R district unless otherwise expressly stated:

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet, except as provided in Sec. <a href="#">13.500.2</a>	<u>25 feet, except as provided in Sec. 13.500.2</u>
Minimum Side Yard		
Interior Lot	None (See Sec. <a href="#">13.500.3</a> )	<u>None (See Sec. 13.500.3)</u>
Corner Lot	50 feet on street side	<u>25 feet on street side</u>
Maximum Side Yard	None	<u>None</u>
Minimum Rear Yard	10 feet where no alley abuts the rear property line (See Sec. <a href="#">13.500.4</a> )	<u>10 feet where no alley abuts the rear property line (See Sec. 13.500.4)</u>
Maximum Height	2 story, 35 feet (See Sec. <a href="#">13.600</a> )	<u>45 feet (See Sec. 13.600)</u>
Maximum Lot Coverage	30% (See Sec. <a href="#">10.400.6</a> )	<u>None</u>
Maximum Floor Area Ratio	0.6:1	<u>None</u>

### .4 Parking Requirements

(See [Article 16](#))

### .5 Landscaping

(See [Article 17](#)) Residential uses allowed in the R, Retail district shall comply with Sec. [17.200.2](#)

### .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~~ [Reserved]**

~~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. Single-Family Residential Uses**

See Sec. 15.1900 for single-family development options.

~~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 16.1400.5 (Off-Street Loading).~~

**E. Light-intensity Manufacturing**

**i. Minimum Parking**

One space for each 300 square feet of gross floor area

**ii. Loading Facilities**

Loading areas for light-intensity manufacturing are intended to provide for short-term pick-up and delivery. Onsite storage of delivery vehicles, including trailers and shipping containers, is prohibited. No delivery vehicles shall be parked outside of the designated loading area. Light-intensity manufacturing buildings in Retail districts shall not exceed the following ratios for loading spaces:

Square Feet of Gross Floor Area in Structure	Maximum Loading Spaces or Berths
0 to 20,000	4
Over 20,000	1 for each additional 10,000 square feet up to a maximum of 12

**iii. Screening and Building Orientation**

The following additional requirements apply to light-intensity manufacturing uses in Retail districts:

- a.** The design and orientation of the building shall minimize the exposure of loading and trash collection areas from adjacent streets and from adjacent properties unless they are part of the same approved preliminary site plan. No loading spaces shall face streets. In addition, the Planning & Zoning Commission may require a combination of wing walls extended from a building, screening walls, landscape berms, and plant materials to further obscure the view of loading and trash collection areas. The above screening elements shall be designed and located in conformance with applicable yard and setback requirements. Screening must extend the entire length of the loading area.
- b.** Screening elements shall be a minimum of 8 feet in height at installation. Berms should not exceed a slope of 3 feet, horizontal to 1 foot, vertical. Retaining walls may be used on the interior side of the berm but should not face adjacent streets or properties. The height shall be measured from the top of the curb of adjacent streets or from the average grade of property lines with adjacent tracts of land. Depending upon the average grade of the adjacent streets and properties, the minimum height at installation may be increased to as high as 12 feet.
- c.** Plant materials used for screening shall include a combination of shade and ornamental trees (4-inch minimum caliper), conifers (8-foot minimum height) and shrubs (5-gallon minimum). The plant materials shall be arranged in a manner which significantly obscures the view from adjacent streets and properties.
- d.** Proposed screening elements shall be identified on the preliminary site plan. A detailed plan showing the angles of view and the specific placement of screening elements shall be submitted with the final site plan.

*[Remainder of page intentionally blank]*

## 10.500 LC, Light Commercial District

### .1 Purpose

The LC district is intended to provide for a wide array of retail, office, and service uses to meet the needs of local residents and businesses. Some vehicle-related uses and limited assembly, which address local service and employment opportunities are also included in LC districts. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the LC district unless otherwise expressly stated:

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet, except as provided in Sec. <u>13.500.2</u>	<u>25 feet, except as provided in Sec. 13.500.2</u>
Minimum Side Yard		
Interior Lot	None, except as provided in Sec. <u>13.500.3</u>	<u>None, except as provided in Sec. 13.500.3</u>
Corner Lot	50 feet on street side	<u>25 feet on street side</u>
Minimum Rear Yard	10 feet where no alley abuts the rear property line (See Sec. <u>13.500.4</u> )	<u>10 feet where no alley abuts the rear property line (See Sec. 13.500.4)</u>
Maximum Height	2 story, 35 feet (See Sec. <u>13.600</u> )	<u>45 feet (See Sec. 13.600)</u>
Maximum Lot Coverage	40% (See Sec. <u>10.500.6</u> )	<u>None</u>
Maximum Floor Area Ratio	0.8:1	<u>None</u>

### .4 Parking Requirements

(See Article 16)

### .5 Landscaping

(See Article 17)

### .6 Special District Requirements

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

### .7 Light-intensity Manufacturing

In the LC district, light-intensity manufacturing uses shall meet the following standards:

- A. Operations should be fully enclosed with no outside storage of goods or materials.



- B.** Storage and distribution facilities should be incidental to the main use.
- C.** Dock areas should be screened from adjacent properties and public streets.
- D.** No noise, vibration, odor, smoke, and dust should impact adjacent properties in conformance with the performance standards in [Article 24](#).

*[Remainder of page intentionally blank]*

## 10.600 CC, Corridor Commercial District

### .1 Purpose

The CC district is intended to provide for retail, service, office, and limited manufacturing uses within major regional transportation corridors. The regulations and standards of this district are reflective of the high traffic volumes and high visibility of these regional highways. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the CC district unless otherwise expressly stated:

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet, except as specified in Sec. <u>13.500.2</u>	<u>25 feet, except as specified in Sec. 13.500.2</u>
Minimum Side Yard		
Interior Lot	None, except as specified in Sec. <u>13.500.3</u>	<u>None, except as specified in Sec. 13.500.3</u>
Corner Lot	50 feet	<u>25 feet</u>
Minimum Rear Yard	None, or 10 feet where no alley abuts the property line, except as specified in Sec. <u>13.500.4</u>	<u>None, or 10 feet where no alley abuts the property line, except as specified in Sec. 13.500.4</u>
<u>Minimum Height</u>	<u>None (See Sec. 13.600)</u>	<u>45 feet (See Sec. 13.600)</u>
Maximum Height	20 story, not to exceed 325 feet in height <u>(See Sec. 13.600)</u>	<u>20 story, not to exceed 325 feet in height (See Sec. 13.600)</u>
Maximum Lot Coverage	50%, 70% if structured parking is included	<u>None</u>
Maximum Floor Area Ratio	1:1	<u>None</u>

### .4 Parking Requirements

(See Article 16)

### .5 Landscaping

(See Article 17)

### .6 Special District Requirements

- A. For vehicle fueling stations, canopies shall be considered as an accessory structure and shall be included in all calculations for lot coverage. A maximum 30% of the lot may be covered by the primary and/or accessory structures for vehicle fueling stations.
- B. Multifamily residences below the minimum height lawfully constructed prior to the institution of a CC district are permitted. ~~Any remodeling, reconstruction, redevelopment, or other improvements shall not increase the floor area or number of dwellings of a particular structure or site.~~

**.7 Light-intensity Manufacturing**

In the CC district, light-intensity manufacturing uses shall meet the following standards:

- A.** Operations should be fully enclosed with no outside storage of goods or materials.
- B.** Storage and distribution facilities should be incidental to the main use.
- C.** Dock areas should be screened from adjacent properties and public streets.
- D.** No noise, vibration, odor, smoke, and dust should impact adjacent properties in conformance with the performance standards in [Article 24](#).

*[Remainder of page intentionally blank]*

## 10.700 UMU, Urban Mixed-Use District

### .1 Purpose

The UMU district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of urban mixed-use centers that promote social interaction, community identity, and efficient use of land and resources. The UMU district should also support and encourage a variety of transportation options, including transit, bicycles, and walking. The district is applicable primarily to large undeveloped properties where higher density residential and commercial uses are appropriate.

### .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 development in the UMU district unless otherwise expressly stated:

Description	<del>Commercial</del> <del>Nonresidential</del> , and <del>Multifamily</del> , and <u>Mixed-use Residential</u>	Single-Family Attached
Minimum Lot Area	None	700 square feet
Minimum Lot Width	None	20 feet
Minimum Lot Depth	None	35 feet
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.
Side Yard Setbacks		
Interior Lot	None	None
Corner Lot	same as front	same as front
Minimum Rear Yard	None	None
Minimum Height	<u>Nonresidential:</u> 2 story  <u>Multifamily and Mixed-use Residential:</u> 45 feet	2 story
Maximum Height	15 story	3 story
Maximum Lot Coverage	None, except as limited by applicable setback requirements from Front Yard Setbacks, Side Yard Setbacks, Minimum Rear Yard, and Maximum Height above	100% including accessory buildings
Minimum Lot Coverage	<u>Nonresidential:</u> 60%  <u>Multifamily and Mixed-use Residential:</u> None	60%

Description	<del>Commercial, Nonresidential, and Multifamily, and Mixed-use Residential</del>	Single-Family Attached
Maximum Floor Area Ratio	<u>Nonresidential:</u> 6:1 except as limited by applicable setback requirements from Front Yard Setbacks, Side Yard Setbacks, Minimum Rear Yard, and Maximum Height above  <u>Multifamily and Mixed-use Residential:</u> <u>None</u>	None
Minimum Floor Area Ratio	<u>Nonresidential:</u> 1:1  <u>Multifamily and Mixed-use Residential:</u> <u>None</u>	NA

#### **.4 Definitions**

The following terms and definitions only apply to the regulations of this district. Where they conflict with general definitions in the Zoning Ordinance, these definitions shall control.

##### **Flex Space (Live-Work)**

A dwelling unit of not less than 700 square feet in floor area that may be used completely or in part for an allowed nonresidential use.

##### **Floor Area, Gross**

The sum of floor area within the perimeter walls of a building. Gross floor area only includes air-conditioned space intended for human occupancy and excludes garages, patios, attics, balconies, roof decks and other exposed or un-air-conditioned space.

##### **Floor Area Ratio**

The ratio of a building's gross floor area to the area of the lot on which the building is located.

##### **Linear Footage, Gross**

The total length of a building as measured in a straight line along the street.

##### **Lot Coverage**

The area of a site or lot covered by a building measured from the base of the perimeter walls, excluding covered walkways, porches, and un-air-conditioned space. Tuck under parking and parking garages are included in the calculation of lot coverage.

##### **Reciprocal Easement Agreement**

A contract among property owners and tenants governing the use and operation of property, including shared common areas, usable open space, and parking.

##### **Residential Density**

~~The number of individual residential living units per acre of the site or lot on which they are located. Calculation of residential density shall be based on the net size of the property, exclusive of public and private street right of way, street easements, and park and open space accessible to the public.~~

### **Residential Density, Effective**

~~A measure applied to a mixed-use building which calculates the total number of possible residential units to estimate the potential density if the building were used solely for residential purposes. Effective density equals per acre density based on the total number of residential units plus the gross floor area of nonresidential and/or live/work/flex space divided by the average residential unit size.~~

## **.5 District Establishment and Administration**

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

## **.6 Adopted Development Plan**

- A. A UMU district shall not be established without the concurrent adoption of a development plan for the district. The plan shall show the location and type of streets, blocks, parking areas, and open space.
- B. The plan shall enumerate all standards, conditions, and performance and implementation requirements not otherwise contained in the base zoning district requirements.
- C. The development plan shall be adopted as part of the ordinance creating the UMU district.
- D. Except where multifamily and Mixed-use Residential is explicitly allowed (by Chapter 218 of the Texas Local Government Code) in locations designated on the development plan for office, retail, warehouse, or other commercial use:
  - i. The plan shall specify the primary, secondary, and tertiary categories of land use, including the amount of gross floor area designated for each category of use.
  - ii. The plan shall specify the minimum and maximum number of residential units.
- E. Except where otherwise prohibited by law, Mmajor modifications to the development plan, including but not limited to, specifications of land use categories and functional roles, and significant lot, block, and street design changes, ~~and increasing the number of residential units,~~ shall only be amended by the same process by which the development plan was created. (See Sec. 3.500)

## **.7 Governance Association**

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

## **.8 Mixed-Use Requirement**

Each UMU district must contain three or more use categories. Each category must be designated as primary, secondary, or tertiary according to the gross floor area for each use. A primary use category must include not less than 40% or more than 70% of the gross floor area. Secondary use categories must include not less than 20% or more than 40% of the gross floor area. Tertiary uses must include not more than 20% of the gross floor area. The percentages of primary, secondary, and tertiary uses may vary as long as their functional role does not change. Use categories are designated below:

Use Category	Functional Role
Primary Residential Uses	Primary, Secondary or Tertiary
Retail Uses	Primary, Secondary or Tertiary
Educational, Institutional, Public and Special Uses	Primary, Secondary or Tertiary
Office and Professional Uses	Primary, Secondary or Tertiary
Service Uses	Tertiary
Transportation, Utility, and Communications Uses	Tertiary

#### **.9 Additional Use Regulations**

- A. If multifamily residential use is a designated use, a minimum of 250 units is required.  
~~This requirement does not apply to mid-rise residential developments.~~
- B. ~~[Reserved] An average residential density of 40 dwelling units per acre must be maintained within a UMU district. The average shall be computed based on the actual residential density of units built and under construction (building permit issued). The reservation and allocation of residential units shall be managed by the governance association. Phased development shall have a minimum average residential density of 40 dwelling units per acre. However, no phase having less than 40 dwelling units per acre may be constructed, unless preceded by or concurrently built with a phase which maintains the minimum 40 dwelling units for the overall UMU district. No individual phase may be constructed at a residential density less than 30 dwelling units per acre, with the exception of single family residence attached uses.~~
- C. No less than 20,000 square feet of nonresidential space must be built as part of the first phase of development, consisting of at least one restaurant and one retail space. Fitness centers, leasing offices, club and meeting rooms, and other uses associated with and managed by a multifamily use shall not be included to meet this minimum requirement. Freestanding nonresidential buildings may not be less than 10,000 square feet in size. There is no minimum size for individual lease spaces integrated vertically into a building.

#### **.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.**

**.11 Usable Open Space**

- A.** Usable public open space shall be provided in an amount not less than five percent or more than ten percent of the gross acreage of the development. A maximum of 25% of the required open space may be located within a floodplain or within an overhead transmission line easement if these areas are improved for open space use. Except for property located within a floodplain, open space shall fit into the grid street and building block plan. Unless arranged as a courtyard with buildings on three sides, public open space shall abut a street on two sides. At least one plaza or open space shall be located adjacent to the main street. Smaller usable open space areas may also be provided and shall be no larger than three acres or smaller than one-quarter acre. Usable open space must be adopted by the development plan and must be maintained by the governance association.
- B.** Private open space is permitted consisting of interior courtyards and patios required for private amenities and individual business and residential use. Fencing and other enclosures may be used for building security, protection of play and pool areas, or as may be required for business and individual residential use. Exterior yards may not be fenced, except front yards assigned to individual residential units and townhouses may be enclosed with a maximum four-foot tall vertical rail metal fence.
- C.** Multifamily development in the UMU district is exempt from the Multifamily Residence regulations of Sec. [15.800](#) and from the Usable Open Space regulations of Sec. [13.800](#).

**.12 Parking Requirements**

- A.** UMU districts shall be designed as compact, pedestrian-oriented developments. With the exception of neighborhood theaters, regional theaters, religious facilities, and assembly halls, the maximum permitted parking for nonresidential uses is capped at one space for each 250 square feet of gross leasable area. Theaters and assembly halls are capped at one space per 2.5 persons accommodated. On-street parking is included in the parking calculations for the UMU district. No more than 25% of the capped parking requirement for the entire development may be located in a surface parking lot. Parking in excess of the maximum caps may be provided only if provided in parking garages.
- B.** One parking space is required for each ~~Parking for~~ multifamily residential dwelling or live/work/flex unit ~~uses shall be required as follows:~~
  - ~~i. One bedroom or less: One parking space per unit~~

~~ii. Two bedrooms: 1.5 parking spaces per unit~~

~~iii. Three bedrooms or more: Two parking spaces per unit~~

- C. All surface parking lots with 100 or more spaces must be designed as future development sites. They must be located on the outside edge of the development. No surface parking lot may contain more than 300 spaces.
- D. A minimum five-foot landscape edge shall be provided between all surface parking lots and major and minor streets. Within this landscape edge, ten shrubs (five gallon minimum) shall be planted per 500 square feet. The landscape edge along major median divided streets shall comply with the requirements of [Article 17](#) (Landscaping and Tree Protection) or the overlay districts contained in [Article 11](#) (Overlay Districts) if applicable.
- E. Private garages may be located (tucked) directly under and assigned to an individual residential unit.
- F. Podium parking or grade level parking may be located under a horizontal structural concrete or steel structure separating the parking level from uses located on the podium.
- G. One full level of a multi-level parking structure at or below grade must be open for general public parking. No parking structure serving primarily residential use shall serve more than two residential buildings. A residential parking garage must directly connect to at least one residential building and each level of the garage must be directly accessible from the residential building.

#### **.13 Building Placement and Design**

- 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.
- B. Single-Tenant Maximum First Floor Square Footage - 30,000 square feet, with the exception of schools and hospitals.
- C. Permeability of First Floor - With the exception of parking garages, podium garages, and loading and service areas, 60% of the first floor of nonresidential buildings and live/work/flex space units must consist of windows and doors. Live/work/flex space units must have an exterior entrance.
- D. Nonresidential space must have a minimum floor-to-ceiling height of 12 feet; however, live/work/flex space must have a minimum floor-to-ceiling height of ten feet.

#### **.14 Single-Family Attached Regulations**

- A. 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.
- B. Maximum Density: 40 dwelling units per acre
- C. Minimum Density: 18 dwelling units per acre
- D. Minimum Floor Area per Dwelling Unit: 800 square feet

- E. Stoops and landscape areas adjacent to the building may extend a maximum distance of five feet into the area between the front facade of the building and the back of the street curb.
- F. Maximum Building Length: 200 feet
- G. Buildings must be separated by a minimum distance of ten feet.
- H. No usable open space areas are required.
- I. Each dwelling unit shall have a garage with a minimum of two parking spaces. Tandem garage spaces are allowed. 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.

**.15 Additional Requirements and Restrictions**

- A. A UMU district or a group of buildings within the district may not be walled, fenced, or restricted from general public access.
- B. The second building constructed and all subsequent buildings may not be further than 150 feet from another building.
- C. The regulations, specifications, and design standards for signs contained in Sec. [10.800](#) (BG, Downtown Business/Government) shall apply unless otherwise specified in this ordinance or in the adopted development plan.

*[Remainder of page intentionally blank]*

## 10.800 BG, Downtown Business/Government District

### .1 Purpose

The BG district is intended to serve as a pedestrian-oriented center for retail, office, governmental, cultural, entertainment, and residential uses. It is designed to ensure that development, redevelopment, and renovation within the district are consistent with the historical character of Plano's original business district and the surrounding area. The standards of this district apply to specific characteristics of Plano's downtown area and are not appropriate for other locations and districts.

### .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 development in the BG district unless otherwise expressly stated:

Description	<del>Commercial-Nonresidential</del> and Multifamily, and Mixed-use Residential Requirement	Single-Family Attached Requirement
Minimum Lot Area	None	700 square feet
Minimum Lot Width	None	20 feet
Minimum Lot Depth	None	35 feet
Front Yard Setbacks (except as noted in Sec. <a href="#">13.500.2</a> and Other Height/Setback Requirements below)	See Sec. <a href="#">10.800.5A</a> and <a href="#">10.800.5B</a>	See Sec. <a href="#">10.800.5A</a> and <a href="#">10.800.5B</a>
Side Yard Setbacks		
Interior Side Yard	None, except as provided in Sec. <a href="#">13.500.3</a>	None, except as provided in Sec. <a href="#">13.500.3</a>
Exterior Side Yard (Corner Lot)	Same as front (See Sec. <a href="#">10.800.5B</a> )	Same as front (See Sec. <a href="#">10.800.5B</a> )
Minimum Rear Yard	None except as provided in Sec. <a href="#">13.500.4</a> and Other Height/Setback Requirements below.	None
Maximum Height	4 story (except as noted in Other Height/Setback Requirements below).	3 story, 50 feet
	Four stories of multifamily are permitted on a horizontal structural 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.	

Description	<del>Commercial, Nonresidential, and Multifamily,</del> <u>and Mixed-use Residential Requirement</u>	Single-Family Attached Requirement
	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.	
Maximum Lot Coverage	None, except as limited by applicable setback requirements from Front Yard Setbacks, Side Yard Setbacks, Minimum Rear Yard, and Maximum Height above and Other Height/Setback Requirements below.	100% including accessory buildings
Maximum Floor Area Ratio	<u>Nonresidential: 4:1</u> except as limited by applicable setback requirements from Front Yard Setbacks, Side Yard Setbacks, Minimum Rear Yard, and Maximum Height above and Other Height/Setback Requirements below.  <u>Multifamily and Mixed-use Residential: None</u>	None
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.
	<u>Nonresidential: 50 feet for 1 or 2 story</u>	
	<u>Multifamily and Mixed-use Residential: 25 feet for 1 or 2 story</u>	
	<u>Nonresidential: 200 feet for 3 or 4 story</u> , 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.  <u>Multifamily and Mixed-use Residential: 25 feet for 3 or 4 story</u>	

#### **.4 Parking Requirements**

(Except as noted below, all parking requirements of [Article 16](#) shall apply)

##### **A. Multifamily Residence**

One parking space is required for each Multifamily Residential dwelling or live/work/flex unit~~Parking for multifamily use shall be provided as follows~~, except as noted in Sec. ~~10.800.4D~~ and Sec. ~~10.800.4E~~. Compact parking is not permitted for Multifamily Residential dwellings.

- ~~i. One Bedroom or Less: One parking space per unit~~
- ~~ii. Two Bedrooms: One and one-half parking spaces per unit~~
- ~~iii. Three Bedrooms or More: 2 parking spaces per unit~~
- ~~iv. The above requirements shall also apply to situations where only one or 2 units are included in a building provided that they are located on the second through fourth floors only.~~

**B. Single-Family Attached Residence**

Two parking spaces shall be provided for each dwelling unit as noted in Sec. [10.800.5F](#).

**C. Other Uses**

One parking space for every 300 square feet of floor area except as noted in Sec. [10.800.4D](#), Sec. [10.800.4E](#) and [Sec. 10.800.4F](#)

**D. Credit for Public Parking**

With preliminary site plan or site plan approval, the Planning & Zoning Commission may grant credit for available public parking that is accessible to a proposed development or redevelopment project.

**E. Destruction of Conforming Structures**

Any existing parking or lack of same for any conforming structure within the BG district as of December 9, 2002, shall be considered a conforming parking arrangement. In the event of destruction of a conforming structure in the BG district, the structure may be rebuilt to its pre-destruction size with no requirements for additional parking. If the structure is rebuilt to exceed its pre-destruction size, it shall comply with Sec. [10.800.4A](#), Sec. [10.800.4B](#), Sec. [10.800.4C](#) and Sec. [10.800.4D](#).

**F. Additions to Existing Buildings**

Any existing parking or lack of same for any conforming structure within the BG district as of December 9, 2002, shall be considered a conforming parking arrangement. Additional parking shall be provided only for additions to an existing conforming building. Existing structures designated as Heritage Resource properties may be expanded up to a total additional area of 4,500 square feet without providing additional parking.

**G. Parking Space Size**

Up to 50% of required off-street parking for nonresidential uses may include compact car spaces at a minimum size of 7.5 feet by 16 feet, if the compact car parking is private and unavailable to the public. In addition, off-street parking facilities shall have minimum aisle width of 22 feet, unless angle parking is used. (See [16.300](#) through [16.500](#))

**H. Parking Placement**

Onsite surface parking shall generally not be placed in the required front yard and shall generally be separated from public streets by the building which it serves. Exceptions to this requirement include:

**i. Lots Containing Surface Parking Only**

Where a lot is used entirely for offsite parking for a use on another lot, the above placement requirements shall not apply.

ii. **Multiple-Fronted Lots**

Surface parking on corner lots or other lots with frontage on 2 or more public streets shall comply with above placement requirements along at least one street frontage.

iii. **Lots Facing Residential Districts**

Where a 3- or 4-story building is constructed with an extended front yard setback in accordance with the other height/setback requirements of Sec. [10.800.3](#), the above placement requirements shall not apply.

iv. **Additions to Existing Buildings**

Where onsite surface parking is constructed to serve existing buildings or additions to existing buildings, the above placement requirements shall not apply.

I. **Landscaping for Parking Areas**

- i. A minimum 5-foot landscape edge shall be provided between all parking lots and public streets. Within this landscape edge, 10 shrubs (5-gallon minimum) shall be planted per 500 square feet. The number of required shrubs shall be calculated solely on the area of the required landscape edge. See [Figure 10-1](#).

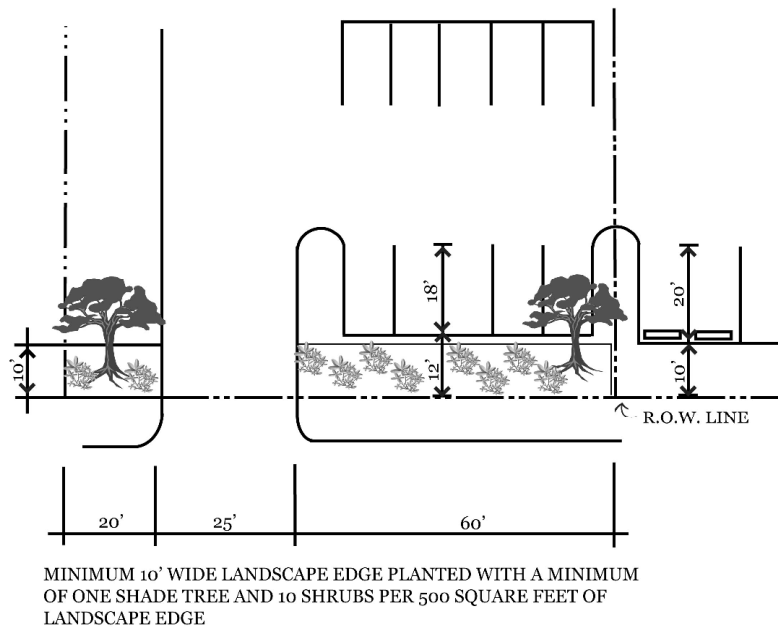


Figure 10-1: Landscape Edge

- ii. A berm may be placed within the landscape edge in lieu of the required shrubs unless needed for a headlight screen. The berm must be 18 to 40 inches above the average grade of the street and parking lot curbs. The slope of the berm shall not exceed a 3 to 1 grade. Retaining walls may be used to facilitate berming if they are not visible from the street.
- iii. The following provisions shall also apply to landscape edges around parking lots:
- a. If the parking lot is located 50 feet or more from the street right-of-way line, no shrubs or berms will be required.

- b. The applicant is also encouraged to plant a variety of ornamental trees and flowers in addition to the required plantings. Any permeable surface not occupied by trees, shrubs, planting beds, signs, or other permitted fixtures shall be planted with turf or other living groundcover.
- c. Where a row of parking spaces faces a public street, tree islands shall be provided at intervals of one per 15 spaces. The islands shall extend the full length of the parking space and shall be a minimum width of 10 feet. Trees planted in the islands shall be selected, installed and maintained in accordance with Secs. [17.400](#), [17.500](#) and [17.600](#).
- iv. No site developed prior to December 9, 2002, shall be required to conform to the landscaping requirements of this section unless the site is being redeveloped or there is a 30% or more increase in the existing square footage of building area and/or reconstruction of the existing parking lot.

**J. Landscaping/Screening for Parking Lots Adjacent to Residential Areas**

Where parking is within 50 feet of residentially-zoned property and is not screened from view by a wall, berm, or other screen specified in [Article 20](#), a continuous screen of shrubs (5-gallon minimum) must be placed adjacent to the parking. The required landscaping shall comply with the following regulations:

- i. The required shrubs shall create a minimum 3-foot tall screen within 2 years of planting.
- ii. Drought and freeze-resistant shrubs shall be used including, but not limited to, Photinia, Dwarf Burford Holly, Dwarf Chinese Holly, or Dwarf Yaupon Holly. Other plants may be used with staff approval.
- iii. All plant materials shall be selected, installed, and maintained in accordance with Secs. [17.400](#), [17.500](#) and [17.600](#).

**.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:

Street Classification	Shy Zone
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



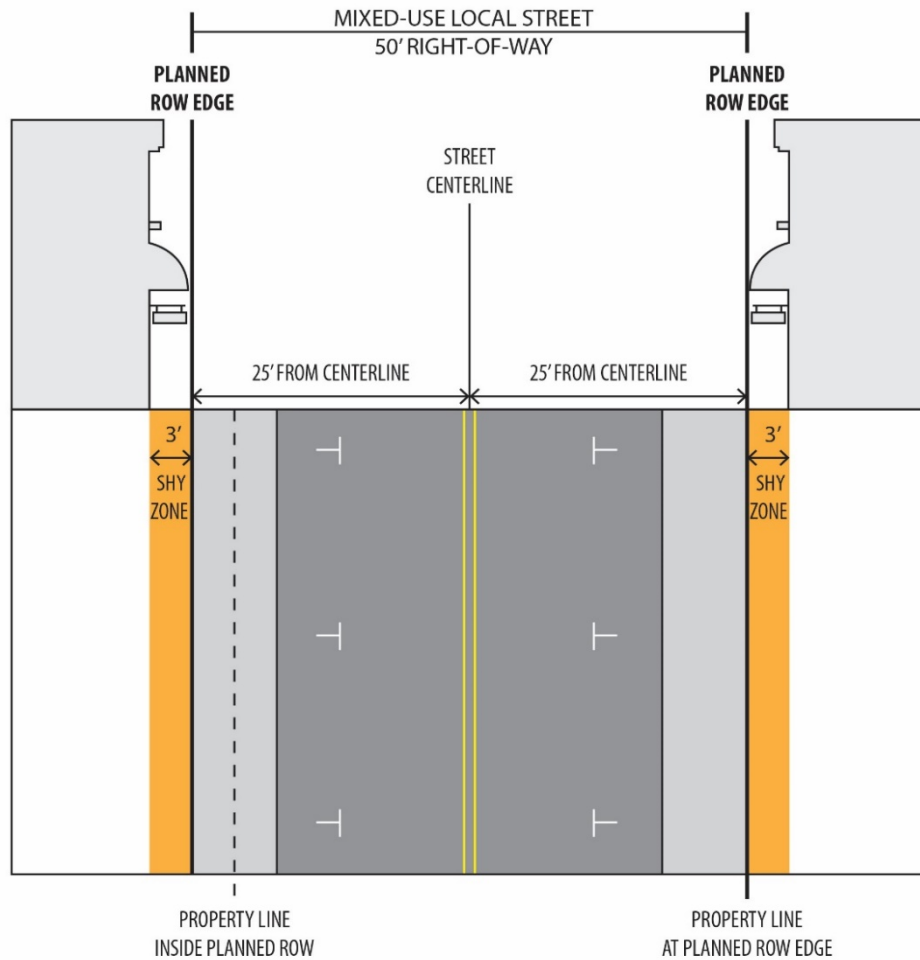


Figure 10-2: Shy Zone Example

- 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](#).

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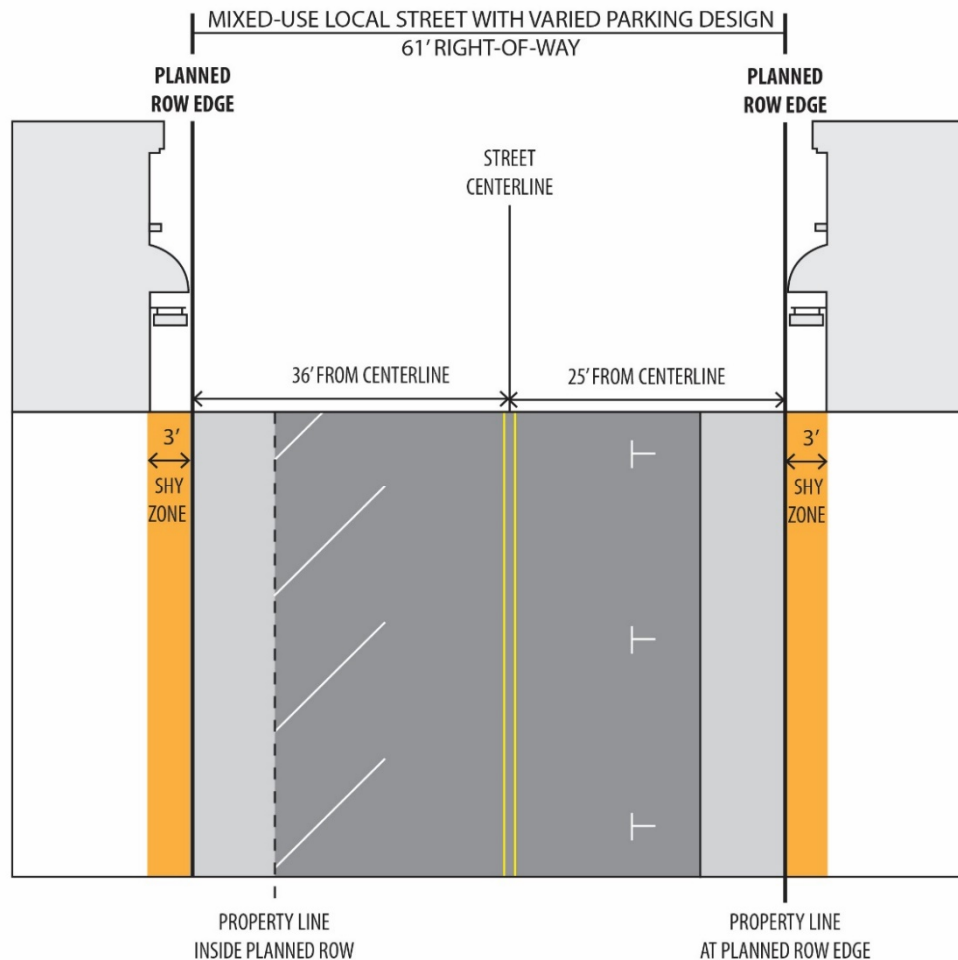


Figure 10-3: Shy Zone Examples with Variations

- 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, mixed-use residential, 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 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~~ [Reserved]**

~~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:

Unit Type	Minimum Floor Area
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.~~ [Reserved]

- 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.~~ [Reserved]

- 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.

## **.6 Sign Regulations**

### **A. Purpose**

The purpose of this section is to regulate the construction of new signs and alterations made to existing signs to ensure consistency with the historic, urban, pedestrian-oriented nature of this district, and the dense, compact development absent in other areas of the city. The objective of this section is to ensure (1) that new signage is appropriate to the architectural design of the building and the district and (2) that signs do not visually obscure significant architectural features of a building or the district in general.

### **B. General Provisions**

#### **i. Issuance of Sign Permit and Certificate of Appropriateness**

Signs shall conform to the criteria in this section and to appropriate city codes, including obtaining a Certificate of Appropriateness if located in a Heritage Resource Overlay District, prior to issuance of a sign permit.

#### **ii. Compatibility with Building Architecture**

Signs should generally be designed to be compatible with the architectural composition of the building and the district and not obscure any architectural accent, pattern, or object on the original structure.

#### **iii. Sign Materials**

Sign finish materials shall be one of the following:

- a. Metal, painted or enameled.
- b. Cold cathode tube (neon).
- c. Carved relief in stone or cast stone.
- d. Wood or carved wood which is painted or sealed.
- e. The use of plastic on the exterior of a sign is prohibited, except on a marquee and institution signs.

#### **iv. Lighting of Signs**

- a. All electrical shall comply with the currently adopted version of the National Electrical Code.

- b. Buildings and signs may be illuminated by remote light sources provided that these light sources are shielded to protect adjacent properties.
- c. No illuminated sign may contain flashing or moving elements or change its brightness. (Exception: historic signs.)
- d. No sign, except a marquee and institution signs, may be illuminated by fluorescent or back lighting. Institution signs with a reader board/electronic message center shall be illuminated in accordance with Sec. [22.300.6](#) (Exception: historic signs.)

**v. Historic Signs**

Historic signs shall not be calculated in the number or area of allowed signs for the purposes of this ordinance. They shall not be considered nonconforming unless deemed noncontributing through the Certificate of Appropriateness process.

**vi. Pedestrian Clearance**

A minimum clearance of seven feet shall be maintained below signs that are located over a walkway area measured from the walkway surface to the lowest part of the sign. (Exception: projecting signs that extend no more than 20 inches from a wall.)

**vii. Community Special Events**

City Council or the City Manager may authorize signs to advertise patriotic, special events, or special projects of general public interest.

**viii. Encroachment onto Public Right-of-Way**

Any sign that is located upon or overhangs a public right-of-way shall be governed by a franchise agreement with the City of Plano.

**ix. Special Event Signage**

Special event signage shall be reviewed as part of the overall Special Event Permit as set out in the Code of Ordinances, City of Plano.

**C. Signs Exempt**

Signs with a sign area under four square feet and used in the operation of a business, such as hours of operation, credit cards accepted , and parking information shall not require a sign permit.

**D. Signs Allowed/Prohibited**

**i. Allowed Signs**

The following signs shall be allowed:

- a. All signs specifically permitted in this section.
- b. Development or construction signs.
- c. Real estate signs.

**ii. Prohibited Signs**

The following signs are prohibited:

- a. Any sign not specifically permitted by this section is prohibited.

No a-frame or sandwich board sign shall exceed eight square feet per face or four feet in height. The entire sign structure shall be calculated as the total of sign area.

### **iii. Armature Signs**

#### **a. Sign Area**

The sign area of any one face shall not exceed 16 square feet in area. The sign area of an armature sign shall not comprise more than 70% of the entire sign structure.

#### **b. Sign Size**

The maximum height of an armature sign structure shall be six feet. The maximum width shall be four feet.

#### **c. Location**

An armature sign may be placed adjacent to the public right-of-way provided it does not encroach on the sight visibility triangle and is a minimum of six feet from the outside curb line.

### **iv. Awning Signs**

#### **a. Sign Location**

The awning sign shall be located within the center 75% of the frontage of the awning, the tenancy, or the building face, whichever is least. Awning signs must maintain a minimum border of one inch between the letters or logo and the edge or a change of plane.

#### **b. Sign Size**

The maximum size of letters shall be eight inches. A logo may extend up to 12 inches tall provided the appropriate border is maintained.

### **v. Banner Signs**

#### **a. General**

Each business shall be allowed two banner permits per calendar year, and each permit shall be good for a maximum of 30 days. A minimum of 30 days shall be required between each banner permit. Banners shall be kept in good repair and remain firmly anchored or secured.

#### **b. Location and Content**

No more than one banner sign shall be permitted across the facade of a building or business or in any other location on a single property. The city, or an agent of the city, may mount banners on street light standards and/or across the street for special events, subject to installation policy and the following regulations:

- i. A banner must display artwork or a message that pertains to the district, a holiday, a welcome, or a special event.
- ii. Up to ten percent of the effective area of a banner may contain the words or logos that identify a sponsor of a cultural event or activity.
- iii. No more than two banner signs shall be permitted across any one street between two intersecting streets.

### **vi. Building Identification Signs**

Building identification signs shall be considered as projecting signs or wall signs, attached or painted, for purposes of this section, except when historic.

**vii. Directory Signs**

**a. General**

On multi-tenant buildings where there are two or more tenants without direct outside access to a public street, a directory sign may be allowed. One directory sign per street, alley, or mews face is permitted.

**b. Type**

A directory sign may take the form of an armature sign, projecting sign on ground floor of a building, or wall sign on ground floor of a building and must follow the regulations for each.

**c. Sign Area**

A directory sign may contain four square feet, with an additional one-and-a-half square feet, for each tenant having a separate lease space, up to a maximum area of ten square feet.

**viii. Hanging Signs**

**a. Location**

Hanging signs must maintain a minimum clearance of seven feet above the sidewalk and one foot from the curb.

**b. Sign Area**

No hanging sign area shall exceed six square feet in area per face.

**ix. Marquee Signs**

**a. General**

Marquee signs shall be permitted only on a theater or performance hall. Only one marquee sign shall be allowed for each building containing a theater or performance hall.

**b. Lighting**

A marquee sign may have backlighting, exposed incandescent bulbs, or neon lighting.

**c. Sign Area**

The sign area of a marquee sign on a facility with a seating capacity of 750 or less may not exceed 100 square feet in area, including all sign faces. The sign area of a marquee sign on a facility with a seating capacity of more than 750 may not exceed 200 square feet.

**d. Sign Size**

Marquee signs must not exceed six feet in height and must maintain a minimum clearance of eight feet above the sidewalk.

**x. Municipally-owned Signs**

Municipally-owned signs shall be regulated by Sec. [22.300](#).

**xi. Mural Signs**

Mural signs shall be regulated by Sec. [22.300](#).



**xii. Onsite Directional Signs**

Onsite directional signs shall not exceed eight square feet or 30 inches in height and shall not contain advertising.

**xiii. Projecting Signs**

**a. General**

Projecting signs greater than 20 inches in width must maintain a minimum clearance of seven feet above the ground or sidewalk and two feet from the curb. A projecting sign must not extend above the wall to which it is attached.

**b. Sign Area and Structure Size**

A projecting sign located within seven feet of the ground or sidewalk shall not exceed five square feet in area per face. The area per face of a projecting sign located over seven feet above the ground or sidewalk shall be calculated based on the total height of the wall to which the sign is attached at one square foot per one foot of wall height. The maximum height of the total sign structure shall not exceed one-third of the total height of the wall to which it is attached and shall not project more than six feet.

**xiv. Wall Signs - Attached**

**a. General**

An attached wall sign must be mounted parallel to the wall surface and may not extend above the wall to which it is attached. Attached wall signs may not project more than six inches from the wall surface.

**b. Sign Area and Structure Size**

The maximum permitted sign area for a single business or single storefront shall be one square foot per linear foot of business frontage along a public street, alley, or mews. The width of the sign structure shall not exceed half the width of the business's linear frontage. The maximum height of the sign structure shall not exceed one-third of the total height of the wall to which it is attached.

**c. Wall Signs Used for Building Identification Purposes**

The sign area for an attached wall sign used for building identification purposes shall be calculated based on the width of the building's facade to which the sign is attached. The width of the sign structure shall not exceed half the width of the building's linear frontage. The maximum height of the sign structure shall not exceed one-third of the total height of the wall to which it is attached.

**xv. Wall Signs - Painted**

**a. Sign Area**

The maximum permitted sign area for a single business or single storefront shall be one square foot per linear foot of business frontage along a public street, alley, or mews. The width of the sign shall not exceed half the width of the business's linear frontage. The maximum height of

the sign shall not exceed one-third of the total height of the wall to which it is attached.

**b. Wall Signs Used for Building Identification Purposes**

The sign area for a painted wall sign used for building identification purposes shall be calculated based on the width of the building's facade to which the sign is attached. The width of the sign shall not exceed half the width of the building's linear frontage. The maximum height of the sign shall not exceed one-third of the total height of the wall to which it is attached.

**xvi. Window Signs**

**a. General**

Window signs shall only be permitted on the ground floor of a building.

**b. Sign Area**

- i. No window sign or signs shall cover more than 25% of any individual window.
  - ii. Window signs that exceed 15% of an individual window shall obtain a permit, unless the sign is a noncommercial temporary sign. All window signs located in a Heritage Resource Overlay District, except for Incidental Signs, require a Certificate of Appropriateness.
  - iii. Window sign area shall not exceed 40 square feet on any facade.
- c.** Signs may be applied to, attached to, or located within 12 inches of a window on the interior of the establishment.

**xvii. Institution Signs**

Institution signs shall not exceed 32 square feet with a maximum height of six feet, and shall be monument-type signs. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from any adjoining property line. Institution signs are limited to one per street front along major streets only as defined by Sec. [10.800.5A.i](#)

*[Remainder of page intentionally blank]*

## 10.900 CB-1, Central Business-1 District

### .1 Purpose

The CB-1 district is intended for use in conjunction with the CE district to permit a highly concentrated business center similar to traditional downtown areas of major cities. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the CB-1 district unless otherwise expressly stated:

Description	<del>Residential</del> Multifamily and Mixed-use Residential Requirement	Nonresidential Requirement
<del>Maximum Residential Density</del>	<del>21.5 units per acre; 174 units per acre if over 3 story</del>	<del>N/A</del>
Minimum Lot Area	8,400 square feet	None
Minimum Lot Width	70 feet	None
Minimum Lot Depth	120 feet, 1–3 story; 200 feet, 4+ story	None
Minimum Front Yard	None, except as provided in Sec. <a href="#">15.800</a> and Sec. <a href="#">13.500.2</a>	None, except as provided in Sec. <a href="#">13.500.2</a>
Minimum Side Yard	None, except as provided in Sec. <a href="#">15.800</a> and Sec. <a href="#">13.500.3</a>	None, except as provided in Sec. <a href="#">13.500.3</a>
Maximum Side Yard	None	None
Minimum Rear Yard	None (See Sec. <a href="#">15.800</a> and Sec. <a href="#">13.500.4</a> )	10 feet, where no alley abuts the rear property line (See Sec. <a href="#">13.500.4</a> )
Minimum Floor Area per Dwelling Unit	400 square feet, with no more than 10% of the units less than 550 square feet	N/A
Maximum Lot Coverage	None	None (See Sec. <a href="#">10.900.5A.vii</a> )
<u>Minimum Height</u>	<u>75 feet (See Sec. <a href="#">13.600</a>)</u>	<u>None (See Sec. <a href="#">13.600</a>)</u>
Maximum Height	None (See Sec. <a href="#">13.600</a> )	None (See Sec. <a href="#">13.600</a> )
Minimum Open Space	<del>100 square feet per unit</del> <u>None</u>	None

### .4 Parking Regulations

In addition to the requirements in [Article 16](#), the following requirements shall apply:

- A. ~~Off-street parking for any residential use permitted in the district shall be 1.5 spaces for each dwelling unit. The minimum parking requirements for any other uses requiring the approval of a site plan shall be as established on the site plan. [Reserved]~~
- B. Any off-street parking requirements may be provided offsite even if such sites are nonadjacent or noncontiguous or within 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.

- C. 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](#).

## **.5 Special District Requirements**

### **A. Miscellaneous**

- i. District requires a minimum contiguous area of 100 acres.
- ii. The City Council, at the time of granting CB-1 district zoning to any tract of land, will 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.
- iii. ~~The City Council, at the time of granting CB-1 district zoning to any tract of land, will have the authority to limit multifamily uses to certain designated locations within such tract and to limit the number of multifamily units to be built on such designated locations.~~ [\[Reserved\]](#)
- iv. A general phasing plan for the total development of the property will be approved at the time of concept plan approval.
- v. ~~The general allocation of permitted density levels of development on the various sections of the property will be approved at the time of concept plan approval.~~ [\[Reserved\]](#)
- vi. Site plan approval in accordance with [Article 3](#) will be required for development of property.
- vii. For vehicle fueling stations, canopies must 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)
- viii. 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.

### **B. [\[Reserved\]](#) Overall Density Restriction**

~~The City Council, at the time of granting CB-1 district zoning to any tract of land, may impose an overall density requirement on such tract.~~

### **C. Location of Uses**

- i. No [new](#) radio, television, or microwave tower shall be located within a distance from any residential structure equal to at least the height of such tower. ~~No residential structure shall be located within a distance from any radio, television, or microwave tower 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.
- ii. No [new](#) 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](#) ~~residential~~ on the then-existing

~~Future~~ Land Use ~~Map~~~~Plan~~ 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.

- iii. Notwithstanding the foregoing such uses may be located in closer proximity by specific use permit.

*[Remainder of page intentionally blank]*

## 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. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the CE district unless otherwise expressly stated:

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet, except as provided below and in Sec. <u>13.500.2</u> .	<u>25 feet, except as provided below and in Sec. 13.500.2.</u>
Minimum Side Yard		
Interior Lot	None, except as provided in Sec. <u>13.500.3</u> .	<u>None, except as provided in Sec. 13.500.3.</u>
Corner Lot	50 feet on street side	<u>25 feet on street side</u>
Maximum Side Yard	None	<u>None</u>
Minimum Rear Yard	10 feet where no alley abuts the rear property line (See Sec. <u>13.500.4</u> )	<u>10 feet where no alley abuts the rear property line (See Sec. 13.500.4)</u>
Maximum Lot Coverage	50% retail; 40% all other uses (See Sec. <u>10.1000.6A.ix</u> )	<u>None</u>
<u>Minimum Height</u>	<u>None (See Sec. 13.600)</u>	<u>120 feet (See Sec. 13.600)</u>
Maximum Height		
Where adjacent to existing or planned residential zoning		
0 - 400 feet setback	2 story	<u>See Sec. 13.600</u>
401 - 600 feet setback	4 story	<u>See Sec. 13.600</u>
601 - 800 feet setback	6 story	<u>See Sec. 13.600</u>
More than 800 feet setback	No restriction, except as provided for under Sec. <u>13.500.2</u> <u>13.600</u> .	<u>No restriction, except as provided for under Sec. 13.600.</u>
Where adjacent to existing or planned residential zoning but separated by a Type B or higher thoroughfare		
0 - 600 feet setback	4 story	<u>See Sec. 13.600</u>
601 - 800 feet setback	6 story	<u>See Sec. 13.600</u>
More than 800 feet setback	No restriction, except as provided for under Sec. <u>13.500.2</u> <u>13.600</u>	<u>No restriction, except as provided for under Sec. 13.600</u>

**.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, n~~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. ~~[Reserved]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 new 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 new 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 new 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 Constructing a~~ vehicle fueling station ~~shall be located~~ within 400 feet of any residential structure is prohibited.
- 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 below the minimum height 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.~~

*[Remainder of page intentionally blank]*

## 10.1100 RC, Regional Commercial District

### .1 Purpose

The RC district is a cultural district intended for use in conjunction with an RE district in high visibility locations which are of regional cultural importance to the community due to its significance for generating economic investment. It provides for retail and service uses at appropriate nodes within the corridor of specified tollways and expressways serving Plano and surrounding communities, in addition to office and limited manufacturing uses. The district's standards are designed to ensure compatibility between various uses within a corridor and surrounding residential neighborhoods. Multifamily and mixed-use residential are permitted where required by state law.

### .2 Permitted Uses

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

### .3 Area, Yard, and Bulk Requirements

Building placement and bulk are subject to compliance with building and fire codes.

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet except as specified in Sec. <a href="#">13.500.2</a>	<u>25 feet except as specified in Sec. <a href="#">13.500.2</a></u>
Minimum Side Yard		
Interior Lot	None	<u>None</u>
Corner Lot	50 feet on street side	<u>25 feet on street side</u>
Minimum Rear Yard	None	<u>None</u>
Other Setback Requirements	In addition to the front yard, side yard, rear yard, and maximum height requirements noted above, the following minimum residential setback slope requirements from residential zoning districts shall apply to all main buildings, parking structures, and accessory buildings as measured from the district boundary line of the nearest residential district:  A minimum setback of 50 feet as measured from the property line or 3 times the height, minus 30 feet, as measured from the nearest residential district boundary line is required, whichever is more restrictive. Conversely, the allowed height of a main building, parking structure, or accessory building, at a certain setback, would be equal to one-third the setback plus 10 feet.	<u>In addition to the front yard, side yard, rear yard, and maximum height requirements noted above, the following minimum residential setback slope requirements from residential zoning districts shall apply to all main buildings, parking structures, and accessory buildings as measured from the district boundary line of the nearest residential district:</u>  <u>A minimum setback of 25 feet as measured from the property line or 3 times the height, minus 30 feet, as measured from the nearest residential district boundary line is required, whichever is more restrictive. Conversely, the allowed height of a main building, parking structure, or accessory building, at a certain setback, would be equal to one-third the setback plus 10 feet.</u>

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
	A maximum height of 8 stories or 140 feet, whichever is more restrictive, shall extend for a distance of 1,000 feet from the nearest residential district boundary line.	<u>A maximum height of 8 stories or 140 feet, whichever is more restrictive, shall extend for a distance of 1,000 feet from the nearest residential district boundary line.</u>
	Beyond 1,000 feet, the setback shall be increased at a rate of one time the height of that portion above 140 feet or 8 stories, whichever is more restrictive, up to 325 feet in height or 20 stories, whichever is more restrictive.	<u>Beyond 1,000 feet, the setback shall be increased at a rate of one time the height of that portion above 140 feet or 8 stories, whichever is more restrictive, up to 325 feet in height or 20 stories, whichever is more restrictive.</u>
	See <a href="#">10.1100.6D</a> for an illustration of these residential setback slope requirements.	<u>See 10.1100.6D for an illustration of these residential setback slope requirements.</u>
<u>Minimum Height</u>	<u>None (See Sec. 13.600)</u>	<u>75 feet (See Sec. 13.600)</u>
Maximum Height	20 story, not to exceed 325 feet in height. <u>(See Sec. 13.600)</u> Structured parking is limited to 3 levels total at or above grade and may be further restricted by applicable yard and setback requirements. Grade level parking counts as one of the 3 total levels. Below grade parking may be constructed in addition to the 3 levels of at or above-grade parking, provided that at least one-half of the height of the level is below the average elevation of the ground, prior to berming, using measurements taken at each corner of the parking structure.	<u>20 story, not to exceed 325 feet in height. (See Sec. 13.600)</u> <u>Structured parking is limited to 3 levels total at or above grade and may be further restricted by applicable yard and setback requirements. Grade level parking counts as one of the 3 total levels. Below grade parking may be constructed in addition to the 3 levels of at or above-grade parking, provided that at least one-half of the height of the level is below the average elevation of the ground, prior to berming, using measurements taken at each corner of the parking structure.</u>
Maximum Lot Coverage	50%, 70% if structured parking facilities are included	<u>None</u>
Maximum Floor Area Ratio	1:1	<u>None</u>

#### **.4 Parking Requirements**

(See [Article 16](#))

#### **.5 Landscaping**

(See [Article 17](#) and Sec. [10.1100.6](#))

#### **.6 Special District Requirements**

The design and orientation of buildings and related elements shall be in accordance with the following:

- A. Loading docks or spaces, trash collection facilities (dumpsters, compactors, and related devices), and vehicle or truck service bays shall be located a minimum of 100 feet from rights-of-way of Type C and above thoroughfares that form a boundary between an RC district and adjacent zoning districts. The Planning & Zoning Commission may require wing walls or other techniques to visually screen loading docks or spaces, trash collection facilities and service bays from surrounding streets.

In addition to the requirements for placement and screening of these facilities as outlined above and in [Article 16](#) and [Article 20](#), any loading docks or spaces, trash collection facilities, or service bays which face toward the parallel Type C and above thoroughfares and which are not blocked from view by a building or other structure shall be screened by increased landscaping requirements. In such instances, a 50-foot landscape edge will be required for the full length of the lot or parcel under development. Earthen berms of at least 4 feet in height, as measured from the finished grade of the lot, shall be placed within the landscape edge. The berms shall have a maximum slope of 4 to 1, requiring at least 4 feet of horizontal width for every one foot in vertical height. The berms may be placed within the required front yard only when used to screen loading spaces, trash collection facilities, and service bays. The landscape edge shall include one 3-inch caliper shade tree and one ornamental tree (7-foot planted height) per 25 feet of frontage on specified thoroughfares. Driveways may extend through the landscape edge if they meet the city's requirements for location, design, and traffic visibility.

- B. [Reserved]
- C. Roof-mounted mechanical units shall be screened in accordance with Sec. [20.300](#). Ground-mounted mechanical units shall be screened from view by walls constructed of the same materials and finishes as the building or by a solid landscape screen. These screens shall be a minimum of 6 feet in height. Plants must be placed so as to create a 6-foot tall solid screen within 2 years of installation. All landscaping must be irrigated and must be replaced if damaged.
- D. Cross-access easements shall be provided in accordance with Section 5.2, Lot Design and Improvements, of the City of Plano Subdivision Ord. No. 95-4-25 and its subsequent amendments. In addition to requiring cross access to median openings, cross-access easements may be required to provide access to at least 2 public thoroughfares. The Planning & Zoning Commission may determine that cross access is not appropriate for reasons of security, safety, or circulation.
- E. The special residential setback slope requirements described in Sec. [10.1100.3](#) are illustrated in [Figure 10-4](#).

*[Remainder of page intentionally blank]*

## 10.1200 RE, Regional Employment District

### .1 Purpose

The RE district is a cultural district intended to provide for office and limited manufacturing uses in high visibility locations which are of regional cultural importance to the community due to its significance for generating economic investment that are consistent with the regional status of certain tollways and expressways serving Plano and surrounding communities. Some retail uses are also appropriate when developed in conjunction with the primary uses. The district's standards are designed to ensure compatibility between the various uses within a corridor and surrounding residential neighborhoods. Multifamily and mixed-use residential are permitted where required by state law.

### .2 Permitted Uses

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

### .3 Area, Yard, and Bulk Requirements

Building placement and bulk are subject to compliance with building and fire codes.

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet except as specified in Sec. <u>13.500.2</u>	<u>25 feet except as specified in Sec. 13.500.2</u>
Minimum Side Yard		
Interior Lot	None	<u>None</u>
Corner Lot	50 feet on street side	<u>25 feet on street side</u>
Minimum Rear Yard	None	<u>None</u>
Other Setback Requirements	In addition to the front yard, side yard, rear yard, and maximum height requirements noted above, the following minimum residential setback slope requirements from residential zoning districts shall apply to all main buildings, parking structures, and accessory buildings as measured from the district boundary line of the nearest residential district:  A minimum setback of 50 feet as measured from the property line or 3 times the height, minus 30 feet as measured from the nearest residential district boundary line is required, whichever is more restrictive. Conversely, the allowed height of a main building, parking structure or accessory building, at a certain setback, would be equal to one-third the setback plus 10 feet.	<u>In addition to the front yard, side yard, rear yard, and maximum height requirements noted above, the following minimum residential setback slope requirements from residential zoning districts shall apply to all main buildings, parking structures, and accessory buildings as measured from the district boundary line of the nearest residential district:</u>  <u>A minimum setback of 25 feet as measured from the property line or 3 times the height, minus 30 feet as measured from the nearest residential district boundary line is required, whichever is more restrictive. Conversely, the allowed height of a main building, parking structure or accessory building, at a certain setback, would be equal to one-third the setback plus 10 feet.</u>

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
	A maximum height of 8 stories or 140 feet, whichever is more restrictive, shall extend for a distance of 1,000 feet from the nearest residential district boundary line.	<u>A maximum height of 8 stories or 140 feet, whichever is more restrictive, shall extend for a distance of 1,000 feet from the nearest residential district boundary line.</u>
	Beyond 1,000 feet, the setback shall be increased at a rate of one time the height of that portion above 140 feet or 8 stories, whichever is more restrictive, up to 325 feet in height or 20 stories, whichever is more restrictive.	<u>Beyond 1,000 feet, the setback shall be increased at a rate of one time the height of that portion above 140 feet or 8 stories, whichever is more restrictive, up to 325 feet in height or 20 stories, whichever is more restrictive.</u>
	See <u>10.1200.6D</u> for an illustration of these residential setback slope requirements.	
<u>Minimum Height</u>	<u>None (See Sec. 13.600)</u>	<u>75 feet (See Sec. 13.600)</u>
Maximum Height	20 stories, not to exceed 325 feet in height ( <u>See Sec. 13.600</u> ). Structured parking is limited to 3 levels total at or above-grade and may be further restricted by applicable yard and setback requirements. Grade level parking counts as one of the 3 total levels. Below grade parking may be constructed in addition to the 3 levels of at or above-grade parking, provided that at least one-half of the height of the level is below the average elevation of the ground, prior to berming, using measurements taken at each corner of the parking structure.	<u>20 stories, not to exceed 325 feet in height (See Sec. 13.600).</u> <u>Structured parking is limited to 3 levels total at or above-grade and may be further restricted by applicable yard and setback requirements. Grade level parking counts as one of the 3 total levels. Below grade parking may be constructed in addition to the 3 levels of at or above-grade parking, provided that at least one-half of the height of the level is below the average elevation of the ground, prior to berming, using measurements taken at each corner of the parking structure.</u>
Maximum Lot Coverage	50%, 70% if structured parking facilities are included	<u>None</u>
Maximum Floor Area Ratio	1:1	<u>None</u>

#### **.4 Parking Requirements**

(See [Article 16](#))

#### **.5 Landscaping**

(See [Article 17](#), and Secs. [11.300](#) and [10.1200.6](#))

#### **.6 Special District Requirements**

- A. The design and orientation of buildings and related elements shall be in accordance with the following:
  - i. Loading docks or spaces, trash collection facilities (dumpsters, compactors, and related devices), and vehicle or truck service bays shall be located a minimum of 100 feet from rights-of-way of Type C and above thoroughfares that form a boundary between an RE district and adjacent zoning districts. The Planning & Zoning Commission may require wing walls or other techniques to visually screen loading docks or spaces, trash collection facilities, and service bays from

surrounding streets. In addition to the requirements for placement and screening of these facilities as outlined above and in [Article 16](#) and [Article 20](#), any loading docks or spaces, trash collection facilities, or service bays which face toward the parallel Type C and above thoroughfares and which are not blocked from view by a building or other structure shall be screened by increased landscaping requirements. In such instances, a 50-foot landscape edge will be required for the full length of the lot or parcel under development. Earthen berms of at least 4 feet in height, as measured from the finished grade of the lot, shall be placed within the landscape edge. The berms shall have a maximum slope of 4 to 1, requiring at least 4 feet of horizontal width for every one foot in vertical height. The berms may be placed within the required front yard only when used to screen loading spaces, trash collection facilities, and service bays. The landscape edge shall include one 3-inch caliper shade tree and one ornamental tree (7-foot planted height) per 25 feet of frontage on the specified thoroughfare. Driveways may extend through the landscape edge if they meet the city's requirements for location, design, and traffic visibility.

- ii. [Reserved]
  - iii. Roof-mounted mechanical units shall be screened in accordance with Sec. [20.300](#). Ground-mounted mechanical units shall be screened from view by walls constructed of the same materials and finishes as the building or by a solid landscape screen. These screens shall be a minimum of 6 feet in height. Plants must be placed so as to create a 6-foot tall solid screen within 2 years of installation. All landscaping must be irrigated and must be replaced if damaged.
  - iv. Cross-access easements shall be provided in accordance with Section 5.2, Lot Design and Improvements, of the City of Plano Subdivision Ord. No. 95-4-25 and its subsequent amendments. In addition to requiring cross access to median openings, cross-access easements may be required to provide access to at least 2 public thoroughfares. The Planning & Zoning Commission may determine that cross access is not appropriate for reasons of security, safety, or circulation.
- B. Retail and service uses with the accompanying note "44" in the use tables Sec. [14.100](#) or Sec. [14.200](#) may not occupy more than 10% of the gross floor area of a building unless the building and the designated location and amount of such uses are part of an approved site plan for more than one building, and the amount of space for these uses does not exceed 10% of the combined floor area of all constructed buildings. The space for these uses may be redistributed within and among the buildings with the approval of a revised site plan. If a site plan includes multiple lots, all property owners must authorize the application. These uses may not be distributed among noncontiguous parcels of land.
- C. A freestanding (sole use and occupant) restaurant/cafeteria is permitted in an RE if it has a minimum of 5,000 square feet of gross floor area and no drive-in window. For the purpose of this provision, "Gross Floor Area" means the total floor area of a building from the exterior face of a building or from the centerline of a wall separating 2 buildings, but shall exclude any space where the floor-to-ceiling height is less than 6 feet and all patios, balconies, and parking facilities.

- D. The special residential setback slope requirements described in Sec. [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

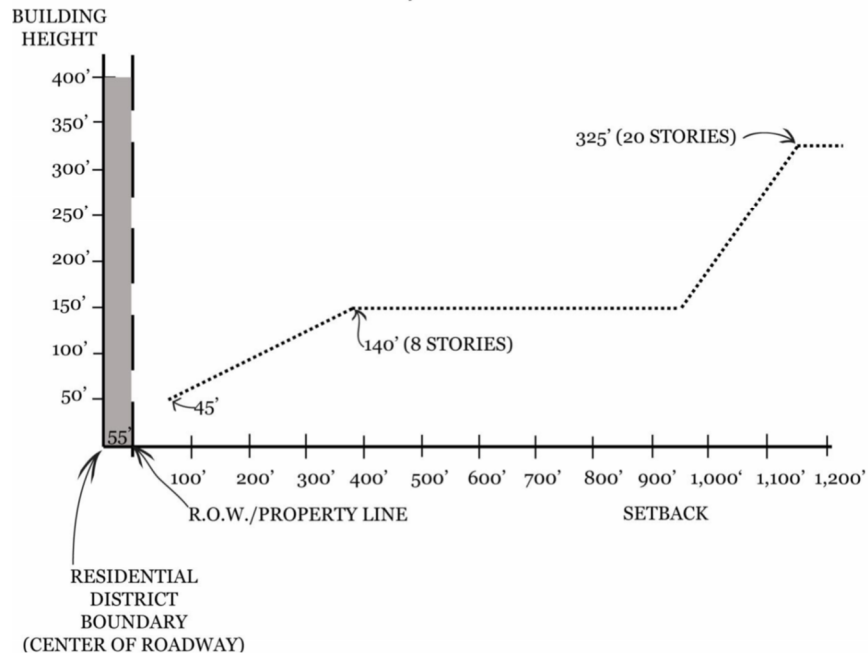


Figure 10-4: Residential Setback Slope

*[Remainder of page intentionally blank]*



## 10.1300 RT, Research/Technology Center District

### .1 Purpose

The RT district is intended to create a low density, employment center consisting of office, research and development facilities, and limited assembly operations. RT districts should generally accommodate several users in a campus environment. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the RT district unless otherwise expressly stated:

Description	Nonresidential Requirement	Multifamily and Mixed-use Residential Requirement
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet, except as provided in Sec. <u>13.500.2</u>	<u>25 feet, except as provided in Sec. 13.500.2</u>
Minimum Side Yard	30 feet, except as provided in Sec. <u>13.500.3</u>	<u>25 feet, except as provided in Sec. 13.500.3</u>
Minimum Rear Yard	30 feet, except as provided in Sec. <u>13.500.4</u>	<u>25 feet, except as provided in Sec. 13.500.4</u>
Other Setback Requirements	In addition to the above yard requirements, the following additional setbacks shall apply (as measured from nearest residential district boundary line):	<u>N/A</u>
	A minimum setback of 3 times the height up to a maximum height of 8 stories or 140 feet, whichever is more restrictive, for a minimum distance of 1,000 feet.	<u>N/A</u>
	Beyond 1,000 feet, the setback shall be increased at one time the height above 8 stories or 140 feet, whichever is more restrictive, up to 12 stories or 200 feet in height, whichever is more restrictive.	<u>N/A</u>
<u>Minimum Height</u>	<u>None (See Sec. 13.600)</u>	<u>120 feet (See Sec. 13.600)</u>
Maximum Height	20 story, not to exceed 325 feet in height ( <u>See Sec. 13.600</u> ). One story buildings shall not exceed 28 feet, inside clear height (exclusive of interior support structures)	<u>20 story, not to exceed 325 feet in height (See Sec. 13.600).</u>
Maximum Lot Coverage	45%, 60% with structured parking	<u>None</u>
Maximum Floor Area Ratio	1:1	<u>None</u>
Minimum District Size	25 contiguous acres	<u>25 contiguous acres</u>

#### **.4 Off-Street Parking and Loading Requirements**

(See [Article 16](#))

##### **A. Maximum Loading Facilities**

Buildings in RT districts shall not exceed the following ratios for loading spaces:

<b>Square Feet of Gross Floor Area in Structure</b>	<b>Maximum Loading Spaces or Berths</b>
Zero to 20,000	4
Over 20,000	1 for each additional 10,000 square feet up to a maximum of 12

**B.** The design and orientation of the building(s) shall minimize the exposure of loading and trash collection areas from adjacent streets and from adjacent properties unless they are part of the same approved preliminary site plan. No loading spaces shall face streets. No loading spaces or areas shall be located within 100 feet of the boundary line of a residential district. In addition, the Planning & Zoning Commission may require a combination of wing walls extended from a building, screening walls, landscape berms, and plant materials to further obscure the view of loading and trash collection areas. The above screening elements shall be designed and located in conformance with applicable yard and setback requirements. Screening must extend the entire length of the loading area.

i. Screening elements should be a minimum of eight feet in height at installation. Berms should not exceed a slope of three feet, horizontal to one foot, vertical. Retaining walls may be used on the interior side of the berm but should not face adjacent streets or properties. The height shall be measured from the top of the curb of adjacent streets or from the average grade of property lines with adjacent tracts of land. Depending upon the average grade of the adjacent streets and properties, the minimum height at installation may be increased to as high as 12 feet.

ii. Plant materials used for screening shall include a combination of shade and ornamental trees (4-inch minimum caliper), conifers (8-foot minimum height), and shrubs (5 gallon minimum). The plant materials shall be arranged in a manner which significantly obscures the view from adjacent streets and properties. Proposed screening elements shall be identified on the preliminary site plan. A detailed plan showing the angles of view and the specific placement of screening elements shall be submitted with the final site plan.

iii. Proposed screening elements shall be identified on the preliminary site plan. A detailed plan showing the angles of view and the specific placement of screening elements shall be submitted with the final site plan.

**C.** Loading areas in RT districts are intended to provide for short-term pick-up and delivery. Onsite storage of delivery vehicles, including trailers and shipping containers, is prohibited. No delivery vehicles shall be parked outside of the designated loading areas.

#### **.5 Landscaping**

See [Article 17](#).

**.6 Signage Standards**

- A.** All freestanding general business, identification, institution, and multipurpose signs, as defined in the Sign Ordinance (No. 91-4-12) and its subsequent updates and revisions, shall be monument type. An additional allowance of up to 3 feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

**General Business/Institution Signs**

Maximum Height	12 feet
Maximum Size	90 square feet

**Identification Signs**

Maximum Height	12 feet
Maximum Size	125 square feet

**Multipurpose Signs**

Maximum Height	15 feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet

\* Any combination of directory and reader board is permitted if it does not exceed 100 square feet

- B.** For freestanding signs located within 150 feet of a residential zoning district, the following standards shall apply:

**General Business/Institution Signs**

Maximum Height	6 feet
Maximum Size	50 square feet

**Identification Signs**

Maximum Height	6 feet
Maximum Size	70 square feet

**Multipurpose Signs**

Maximum Height	6 feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet

\* Any combination of directory and reader board is permitted if it does not exceed 55 square feet.

- C.** All other provisions of Ord. No. 91-4-12 and its subsequent updates and provisions shall apply. Where conflicts exist, the provisions of this ordinance shall apply.

## **.7 Special District Requirements**

- A.** In the RT district, permitted uses shall meet the following standards:
  - i.** Operations should be fully enclosed with no outside storage of goods or materials.
  - ii.** No noise, vibration, odor, smoke, and dust should impact adjacent properties in conformance with the performance standards in [Article 24](#).
- B.** Retail and service uses with the accompanying note “44” in the use tables Sec. [14.100](#) or Sec. [14.200](#) may not occupy more than 10% of the gross floor area of a building unless the building and the designated location and amount of such uses are part of an approved site plan for more than one building, and the amount of space for these uses does not exceed 10% of the combined floor area of all constructed buildings. The space for these uses may be redistributed within and among the buildings with the approval of a revised site plan. If a site plan includes multiple lots, all property owners must authorize the application. These uses may not be distributed among noncontiguous parcels of land. A freestanding (sole use and occupant) restaurant/cafe/teria is permitted in an RT district as part of the 10% allowance described above if it has a minimum of 5,000 square feet of gross floor area and no drive-in window. For the purpose of interpreting this provision, “Gross Floor Area” means the total floor area of a building from the exterior face of a building or from the centerline of a wall separating 2 buildings, but shall exclude any space where the floor-to-ceiling height is less than 6 feet and all patios, balconies, and parking facilities.
- C.** An office - showroom/warehouse use is permitted in an RT district only when the first floor of the building housing the use does not exceed 100,000 square feet of gross floor area. In addition, any office - showroom/warehouse use shall not have more than 70% of its gross floor area devoted to warehousing. Existing office - showroom/warehouse and/or storage or wholesale warehouse developments and properties with a valid preliminary site plan or site plan for the uses, approved prior to the initial zoning of property as RT, are exempt from the above requirements for maximum building size and percentage of space devoted to warehousing. If a valid, approved preliminary site plan expires before approval of a site plan or if a valid, approved site plan expires before issuance of a building permit, the above exemptions shall no longer apply. The above exemption does not apply to uses other than office - showroom/warehouse and/or storage or wholesale warehouse. Existing uses other than those permitted by right in an RT district or preliminary site plan or site plan proposing uses other than those permitted by right in an RT district, except storage or wholesale warehouse, are not exempted from the above requirements. Notwithstanding Sec. [7.500.2](#), if such a development is destroyed or partially destroyed, it may be reconstructed but not expanded. For a use within a development as described above in which more than 70% of its gross floor area is devoted to warehousing, the period of time that the structure is vacant between tenants shall not be deemed an intentional abandonment of the nonconforming use as described in Sec. [7.500.1](#).

- D.** Any existing development or properties with a valid preliminary site plan or site plan approved prior to the zoning of a property as RT shall be exempted from the Area, Yard, and Bulk, Off-Street Parking and Loading, and Landscaping requirements specified for RT districts, and the preceding standards shall apply except for Sec. [10.1300.4C](#) regarding loading areas. Notwithstanding Sec. [7.500.2](#), if such a development is destroyed or partially destroyed, it may be reconstructed but not expanded.
- E.** Warehousing is allowed as an accessory use to light-intensity manufacturing use and is not subject to the maximum percentage requirements in paragraph [10.1300.7C](#), above.

*[Remainder of page intentionally blank]*

## 10.1400 LI-1, Light Industrial-1 District

### .1 Purpose

The LI-1 district is intended to provide areas for light manufacturing firms engaged in processing, assembling, warehousing, research and development, and incidental services that are developed in accordance with the same performance standards applicable to all other zoning districts. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the LI-1 district unless otherwise expressly stated:

Description	Requirement	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet but may be reduced to 30 feet on a Type F or smaller thoroughfare provided:	<u>25 feet</u>
	Parking and drives are prohibited between the building face and the street.	
	<del>Building height is limited to 1 story within 50 feet of the front property line.</del>	
Minimum Side Yard		
Interior Lot	None, except as provided in Sec. <u>13.500.3</u>	<u>None, except as provided in Sec. 13.500.3</u>
Corner Lot	50 feet	<u>25 feet</u>
Maximum Side Yard	None	<u>None</u>
Minimum Rear Yard	10 feet where no alley abuts rear lot line (See Sec. <u>13.500.4</u> )	<u>10 feet where no alley abuts rear lot line (See Sec. 13.500.4)</u>
Maximum Lot Coverage	50%	<u>None</u>
<u>Minimum Height</u>	<u>None (See Sec. 13.600)</u>	<u>75 feet (See Sec. 13.600)</u>
Maximum Height	None <u>(See Sec. 13.600)</u>	<u>None (See Sec. 13.600)</u>
	<u>Building height is limited to 1 story within 50 feet of the front property line.</u>	<u>Building height is limited to 45 feet within 50 feet of the front property line.</u>
Maximum Floor Area Ratio	1:1	<u>None</u>

### .4 Parking Requirements

(See Article 16)

### .5 Landscaping

(See Article 17)

**.6 Special District Requirements**

For vehicle fueling stations, canopies must 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 for vehicle fueling stations)

*[Remainder of page intentionally blank]*

## 10.1500 LI-2, Light Industrial-2 District

### .1 Purpose

The LI-2 district is intended to provide areas for manufacturing firms engaged in processing, assembling, warehousing, research and development, and incidental services that are developed in accordance with the same performance standards applicable to all other zoning districts. Multifamily and mixed-use residential are permitted where required by state law.

### .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 development in the LI-2 district unless otherwise expressly stated:

Description	<u>Nonresidential Requirement</u>	<u>Multifamily and Mixed-use Residential Requirement</u>
Minimum Lot Area	None	<u>None</u>
Minimum Lot Width	None	<u>None</u>
Minimum Lot Depth	None	<u>None</u>
Minimum Front Yard	50 feet but may be reduced to 30 feet on a Type F or smaller thoroughfare provided:  Parking and drives are prohibited between the building face and the street.  <del>Building height is limited to 1 story within 50 feet of the front property line.</del>	<u>25 feet</u>
Minimum Side Yard		
Interior Lot	None, except as provided in Sec. <u>13.500.3</u>	<u>None, except as provided in Sec. 13.500.3</u>
Corner Lot	50 feet	<u>25 feet</u>
Maximum Side Yard	None	<u>None</u>
Minimum Rear Yard	10 feet where no alley abuts rear lot line (See Sec. <u>13.500.4</u> )	<u>10 feet where no alley abuts rear lot line (See Sec. 13.500.4)</u>
Maximum Lot Coverage	50%	<u>None</u>
<u>Minimum Height</u>	<u>None (See Sec. 13.600)</u>	<u>75 feet (See Sec. 13.600)</u>
Maximum Height	None <u>Building height is limited to 1 story within 50 feet of the front property line.</u>	<u>None (See Sec. 13.600)</u> <u>Building height is limited to 45 feet within 50 feet of the front property line.</u>
Maximum Floor Area Ratio	2:1	<u>None</u>

### .4 Parking Requirements

(See Article 16)

### .5 Landscaping

(~~See~~ Article 17)



**.6 Special District Requirements**

For vehicle fueling stations, canopies must 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 for vehicle fueling stations)

*[Remainder of page intentionally blank]*

## 10.1600 NBD, Neighborhood Business Design District

### .1 Purpose

The NBD district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of development in neighborhood-scale commercial areas. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is applicable primarily to both development and redevelopment of commercial properties adjacent to existing neighborhoods where residential and commercial uses are appropriate. The NBD standards are designed to ensure compatibility between various uses and surrounding residential neighborhoods.

### .2 Option for Residential Standards

The district may be entirely commercial or may include residential land uses. If residential land uses besides Live-Work (Business Loft) or Multifamily Residence are incorporated into the development plan, these uses must fully utilize the Residential Community Design District (RCD) (Sec. 9.1400) standards, including usable open space, parking, and all other requirements.

### .3 Minimum District Size

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

### .4 Permitted Uses

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

### .5 Area, Yard, and Bulk Requirements

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

Description	Requirement
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Front Yard Setbacks	
Front yard along Type D and above thoroughfares	Minimum: 20 feet, except as provided in Sec. <u>13.500.2</u> and Sec. <u>10.1600.6</u> 75% of the building face must be within 25 feet of the property line (consistent with Sec. <u>10.1600.14B</u> , Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza, or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity. The setback may be increased to a maximum of 80 feet if a drive aisle with single-loaded parking is installed between the building face and a public street.

Description	Requirement
Front yard along Type E and below thoroughfares	Minimum: 10 feet, except as provided in Sec. <a href="#">13.500.2</a> and Sec. <a href="#">10.1600.6</a> 75% of the building face must be within 15 feet of the property line (consistent with Sec. <a href="#">10.1600.14B</a> , Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.
Front yard along major and minor streets	Minimum: none, except as provided in Sec. <a href="#">13.500.2</a> and Sec. <a href="#">10.1600.6</a> 75% of the building face must be within 15 feet of the property line (consistent with Sec. <a href="#">10.1600.14B</a> , Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Front yard along paseos	Minimum: none, except as provided in Sec. <a href="#">13.500.2</a> and Sec. <a href="#">10.1600.6</a> 75% of the building face must be within 5 feet of the property line (consistent with Sec. <a href="#">10.1600.14B</a> , Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
<b>Side Yard Setbacks</b>	
Interior Lot	None, except as provided in Sec. <a href="#">13.500.3</a> and Sec. <a href="#">10.1600.6</a>
Corner Lot	Same as front yard setback, except as provided in Sec. <a href="#">13.500.3</a> and Sec. <a href="#">10.1600.6</a>
Rear Yard Setback	10 feet where no alley abuts the rear property line, except as provided in Sec. <a href="#">13.500.4</a> and Sec. <a href="#">10.1600.6</a>
Maximum Height	3 story, 50 feet, except as provided in Sec. <a href="#">13.600</a> and Sec. <a href="#">10.1600.6</a>
Maximum Lot Coverage	<a href="#">Nonresidential:</a> 75%, 90% if structured parking is included  <a href="#">Multifamily or Mixed-use Residential:</a> None
Minimum Lot Coverage	None
Maximum Floor Area Ratio	None
Minimum Floor Area Ratio	None
Minimum Usable Open Space	<a href="#">Nonresidential:</a> 10% in accordance with Sec. <a href="#">10.1600.13</a>  <a href="#">Multifamily or Mixed-use Residential:</a> None

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

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

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

**.6 Residential Transition Areas**

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

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

**.7 District Establishment and Administration**

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

Subdivision Ordinance to implement individual development plans, with the exception of:

- i. Requirement for an adopted development plan;
- ii. Requirement for a governance association;
- ~~iii. Minimum and maximum residential densities, except where variations are necessary to implement the Comprehensive Plan;~~
- ~~iv.~~ iii. Requirement to maintain three or more uses; and
- ~~v.~~ iv. Requirement for nonresidential uses to be constructed within the first phase of development.

B. An NBD district may not be used to:

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

#### **.8 Adopted Development Plan**

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

#### **.9 Governance Association**

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

Improvement District created in conformance with the Texas Local Government Code may be created to satisfy this requirement. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and access to other amenities must be incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

#### **.10 Additional Requirements and Restrictions**

A. Each NBD district must contain three or more different uses as listed in [Article 14](#).

##### **B. Residential Requirements**

i. Once a property is developed for residential purposes within the NBD district, with the exception of live-work (business loft) units, ~~and~~ home occupations, ~~and~~ home-based business (no impact), nonresidential uses are not permitted within that property.

~~ii. Residential square footage, including live-work (business loft) units, fitness centers, leasing offices, club and meeting rooms, and other associated uses, must be no more than 50% of the total square footage within the district.~~

##### **C. Phasing Requirements**

i. At least 10,000 square feet of nonresidential space must be built as part of the first phase of development.

~~ii. A 2:1 ratio of residential to nonresidential square footage must be maintained throughout the district. Prior to approval of a plat for any residential units, the nonresidential square footage must be constructed (finished).~~

~~iii.~~ ii. Key design features must be provided prior to or concurrent with the construction of any residential uses. Key design features include elements of the development supporting the long-term value to the overall community, and specifically any new residents, such as open/green space, amenities, street enhancements, and trails.

~~iv.~~ iii. The second building constructed and all subsequent buildings may not be more than 150 feet from another building.

#### **.11 Streets and Sidewalks**

A. All streets within an NBD district must be dedicated as public streets, or if the city does not accept the dedication of some or all as public streets, the streets that have not been dedicated as public streets must be platted as private streets. All streets are to be open for public use and may not be gated or have restricted access, except as may be permitted for special events. All streets must be located in a private street lot or in public right-of-way. The width of a street lot or right-of-way is 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.

**.12 Parking Requirements**

A. Parking for single-family or two-family residential uses must follow RCD standards (Sec. 9.1400.12).

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

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

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

i. Parking lots must be located behind front building facades.

ii. A minimum five-foot landscape edge must be provided between all surface parking lots and major and minor streets. Within the landscape edge, 3 caliper inches of shade trees or 6 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees must be calculated solely on the area of the required landscape edge.

iii. Surface parking lots must not exceed 200 spaces per parking lot.

iv. A sidewalk at least seven feet in width must be provided to connect the parking lot to the street and to any adjacent buildings or open space areas. The sidewalk must meet the following requirements:

a. The sidewalk must be distinguished from areas used by vehicles with one or more of the following techniques:

i. Changing paving material, pattern, and/or paving color, but not including the painting of the paving material;

ii. Changing paving height;

- iii. Addition of decorative bollards; or
    - iv. Constructing raised median walkways with landscaped buffers.
  - b. Have adequate lighting for security and safety; and
  - c. Not include barriers that limit pedestrian access between the subject property and adjacent properties.
- E. In addition to the requirements in [Article 16](#), vehicle parking garages for nonresidential uses must meet the following requirements:
  - i. The building footprint of a parking garage must not exceed 60,000 square feet.
  - ii. Parking garages must not have direct vehicle access to Type D and above thoroughfares.
  - iii. Parking garages must be set back a minimum of 150 feet from existing residential zoning districts or residential uses outside of the NBD district.
  - iv. Parking garages must not exceed the height of surrounding buildings and must not be visually predominant when viewed from the street or public usable open space.
  - v. If a parking garage is multi-level, one full level at or below grade must be provided for public parking.
  - vi. A pedestrian path at least four feet wide with clear signage and lighting must be provided within the parking garage. The pedestrian path must connect to adjacent sidewalks. Electric vehicle charging stations must not impede a minimum of four feet of clearance on any path, walkway, or sidewalk.

### **.13 Usable Open Space**

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



- vi. Required landscaping does not count toward the usable open space requirement.
- vii. Open space that is adjacent to the rear of a building or to a service area and which does not front on a street cannot be included in the public usable open space requirement.
- B. Private usable open space, including interior courtyards and patios for individual business and residential uses, is permitted but does not count toward the public usable open space requirement.

#### **.14 Building Placement and Design**

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

#### **.15 Sign Regulations**

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

*[Remainder of page intentionally blank]*

**Amend Section 11.1100 (Expressway Corridor Overlay District) of Article 11 (Overlay Districts) such section to read in its entirety as follows:**

**11.1100 Expressway Corridor Overlay District**

**.1 Purpose**

The purpose of the Expressway Corridor Overlay District is to encourage preservation and redevelopment of land within the expressway corridors for economic development and employment opportunities supported by housing in healthy living environments. The original location of the overlays is based on the data and model from the 2019 Expressway Corridor Environmental Health Study but may be updated via City-initiated zoning process based on new data and modeling.

**.2 Boundaries**

The area subject to these standards includes all properties fully or partially within a designated Expressway Corridor Area, as established on the Zoning Map, per [Article 2](#). Expressway Corridor Areas are exempt from Sec. [2.300](#).

**.3 Applicability**

A. This section applies to construction of ~~the following~~all land uses occurring after ~~January 20, 2025~~September 1, 2025. Any building that was in existence, or part of a project vested under Chapter 245 of the Local Government Code, prior to ~~January 20, 2025~~September 1, 2025, is permitted and may be improved, maintained, or rebuilt as a conforming structure. Redevelopment of the site is subject to this section.

B. Certain standards within this section only apply to the following land uses:

- i. Any use listed in the Primary Residential use category in [Article 14](#).
- ii. Institutional Dwelling uses as follows:
  - a. Assisted Living Facility,
  - b. Continuing Care Facility,
  - c. Household Care Facility,
  - d. Household Care Institution,
  - e. Long term Care Facility,
  - f. Rehabilitation Care Facility, and
  - g. Rehabilitation Care Institution.

~~B.C.~~ Areas devoted only to functions or structures that are not designed, and do not typically function, as residences, such as parking lots and solid waste enclosures, do not require mitigation.

**.4 Requirements for all Land Uses**

A minimum 15-foot landscape edge is required along the property line(s) closest and most parallel to any impacting Type A thoroughfares and rail lines, regardless of adjacency. This landscape edge must consist of shrubs, groundcover, and related elements, including a minimum of one 3-inch caliper shade tree and one 3-inch caliper ornamental tree (7-foot planted height) per 50 linear feet of frontage exclusive of driveways. Where the landscape edge is impacted by easements that restrict landscaping.

an additional 5-foot landscape edge shall be provided outside of the easement area for the required trees.

**4.5 Requirements for Residential and Institutional Dwelling**~~Listed Uses~~

The following requirements apply to uses listed in Sec. 11.1100.3A located in C-ECA and R-ECA. When a building containing a listed use is located in both C-ECA and R-ECA, the more restrictive requirements apply.

A. ~~In C-ECA~~ For all uses listed in Sec. 11.1100.3B located on properties with frontage along an expressway, balconies are prohibited along the side(s) of the building fronting the expressway(s).

B. For all uses listed in Sec. 11.1100.3B located within C-ECA, except Multifamily Residences, Independent Living Facilities constructed in the form of apartments, and Institutional Dwellings:

i. Each “outdoor-air sourced” mechanical ventilation unit must utilize a filter or series of filters on its air-intake side with a Minimum Efficiency Reporting Value (MERV) of not less than 13, based on American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), or as required by the most-recently adopted building code, whichever is greater.

~~ii. For multifamily residence, mid-rise residential, and Institutional Dwelling uses as listed in Sec. 11.1100.3A, intake openings for outdoor air, as defined in the adopted International Mechanical Code, as amended, must be located on the opposite side of the building from the expressway.~~

~~iii.~~ii. The following requirements must be added as a note to the site plan:

- a. Construction documents sealed by a registered design professional must be provided as part of the building construction plan set that details mitigation of the interior noise at each dwelling unit to a maximum level of 45 dBA  $L_{dn}$  or the interior noise goal of the Department of Housing and Urban Development per 24 CFR 51.101, whichever is lower.
- b. Prior to approval of final inspection or issuance of a certificate of occupancy, the registered design professional shall submit a sealed statement to the Building Inspections Department certifying compliance with this subsection.

~~iv.~~iii. For buildings within 500 feet of the right-of-way for a Type A thoroughfare, the building containing a listed use must be separated from the thoroughfare by one of the following:

a. **Option A:**

A minimum 100-foot wide landscape edge (as measured from the property line exclusive of rights-of-way for the thoroughfare) is required along the property line(s) closest and most parallel to any Type A thoroughfare, regardless of adjacency to said thoroughfare. The landscape edge must incorporate a landscaped berm with a minimum height of 6 feet and a minimum slope of 4:1 consisting of trees, shrubs, groundcover, and related elements. A minimum of two 3-inch caliper shade trees and two 3-inch caliper ornamental trees (7-foot planted height) must be placed per

50 linear feet of frontage exclusive of driveways. ~~For single or two family subdivisions, t~~This landscape edge applies to the subdivision, not each individual lot.

**b. Option B:**

A nonresidential building or parking structure of similar height and length, or larger, must be located between buildings containing a listed use and the Type A thoroughfare. Parking structures must meet the standards of Sec. ~~17.100.5~~, where applicable, and Sec. ~~16.500.5~~.

- ~~v. For buildings more than 500 feet from the right-of-way for a Type A thoroughfare, and except where subject to more restrictive requirements, a minimum 15-foot landscape edge is required along the property line(s) closest and most parallel to any impacting Type A thoroughfares and rail lines, regardless of adjacency. This landscape edge must consist of shrubs, groundcover, and related elements, including a minimum of one 3-inch caliper shade tree and one 3-inch caliper ornamental tree (7-foot planted height) per 50 linear feet of frontage exclusive of driveways. Where the landscape edge is impacted by easements that restrict landscaping, an additional 5-foot landscape edge shall be provided outside of the easement area for the required trees.~~

~~B.C. In R-ECA: the listed~~ The uses listed in Sec. 11.1100.3A, except Multifamily Residences, Independent Living Facilities constructed in the form of apartments, Institutional Dwellings, and single-family uses constructed under Sec. 15.1900.1E, are prohibited within R-ECA.

**5.6 Waivers and Relief Measures**

- A. During the site plan review process, as described in Article 3, the Planning & Zoning Commission may allow a waiver to the standards in Sec. ~~11.1100.5B~~ upon a finding that the development will include sufficient noise and air quality mitigation strategies equivalent or superior to the measures in this section. A waiver must not be granted based solely on economic gain or loss, nor should a waiver grant an unreasonable privilege to the developer of the property.
- B. A variance cannot be granted to alter or remove requirements of this section.

*[Remainder of page intentionally blank]*

**Amend Part N of Subsection 13.500.2 (Front Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) to repeal Part 13.500.2.N in its entirety and reserve it for future use:**

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

*[Remainder of page intentionally blank]*

**Amend Part I of Subsection 13.500.3 (Side Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) to repeal Part 13.500.3.I in its entirety and reserve it for future use:**

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

*[Remainder of page intentionally blank]*

**Amend Part L of Subsection 13.500.4 (Side Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) such part to read in its entirety as follows:**

- L. For LI-1 and LI-2 districts in proximity to districts permitting residential uses by right, the side yard shall be a minimum of 50 feet, as measured from the boundary line of the nearest district permitting residential uses by right (except CB-1 and CE districts). Except for multifamily residential and mixed use residential within the LI-1 and LI-2 districts, the side yard shall be a minimum of 25 feet, as measured from the boundary line of the nearest district permitting residential uses by right (except CB-1 and CE districts).

*[Remainder of page intentionally blank]*

**Amend Part A of Subsection 13.500.4 (Rear Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) such part to read in its entirety as follows:**

- A. In all districts permitting single-family residential structures, except PH, SF-A, MF-1, MF-2, MF-3, BG, CB-1, UMU, NBD, and RCD, main residential buildings must be constructed at least 10 feet away from the rear property line, and the main residential building and all accessory buildings must not cover more than 50% of that portion of the lot lying to the rear of a line erected, joining the midpoint on one side lot line with the midpoint of the opposite side lot line.

*[Remainder of page intentionally blank]*



**Amend Part D of Section 13.500.4 (Rear Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) to repeal Part 13.500.4.D in its entirety and reserve it for future use:**

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

*[Remainder of page intentionally blank]*

**Amend Section 13.600 (Height Regulations) of Article 13 (Lot and Building Standards) such section to read in its entirety as follows:**

**13.600 Height Regulations**

The height regulations herein specified shall apply to all buildings and structures unless otherwise specified in the ordinance. When height requirements are stated in stories and feet, the more restrictive requirement shall apply.

- .1** In all zoning districts and planned developments, water standpipes and tanks; religious facility architectural features; bell towers; domes and spires on government facilities, school buildings, and institutional buildings; the roofs of auditoriums and sanctuaries of one story construction; and public safety structures may be erected to exceed the district's maximum height. Side and rear yards shall be increased by 2 additional feet, and the front yard shall be increased by one additional foot, for each foot that such structures exceed the district's maximum height where adjacent to residential districts. The increase in the required yard shall apply only to the portion of the structure that causes the increased yard requirements. See Sec. [13.500.3](#) and [13.500.4](#) for additional side and rear yard setbacks in nonresidential zoning districts.
- .2** Publicly-owned sports lighting, communication antennas or communication structures, utility poles and towers, and water tanks are exempt from height restrictions.

**.3 The Building Height Envelope applies to buildings:**

- A. containing nonresidential, multifamily residence, mixed-use residential or independent living facilities constructed as apartments, and**
- B. located in all districts except BG, UMU, NBD, or RCD, and**
- C. located adjacent to a residential zoning district.**

The Building Height Envelope establishes a maximum height allowed at a specific point on the property, and is either 45 feet, or the minimum height, whichever is greater, at the minimum setback line and increases at a 1:2 slope into the property, as illustrated by the Building Height Envelope in Figure 13-7.

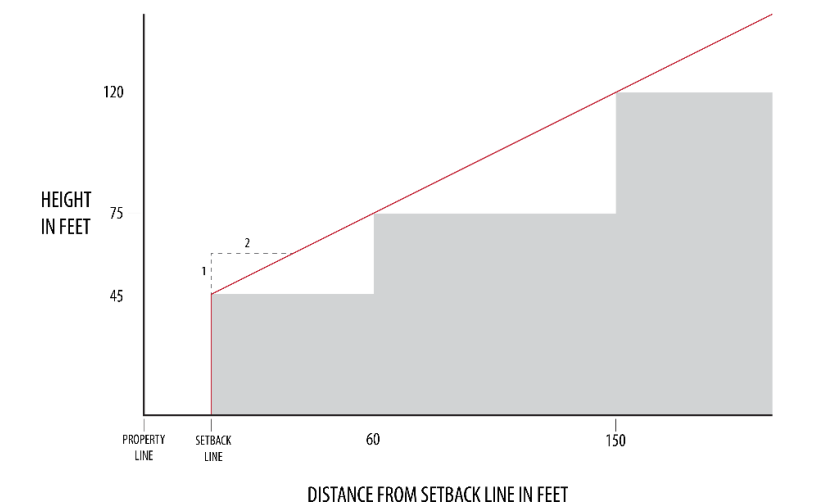


Figure. 13-7: Building Height Envelope

**Amend Section 13.800 (Usable Open Space) of Article 13 (Lot and Building Standards) such section to read in its entirety as follows:**

**13.800 Usable Open Space**

**.1 Intent**

The intent of usable open space is to provide for outdoor living and/or recreation in an open area or recreational facility. Where required by this ordinance, usable open space shall comply with the standards of this section:

**.2 Area Required**

- A. The minimum required area of usable open space for a development shall be according to the area, yard, and bulk standards of the respective zoning district.
- B. At the time of site plan and/or subdivision plat approval, the Planning & Zoning Commission and/or City Council may give full or partial credit to the minimum required area of usable open space as follows:

- i. The required usable open space area may be reduced up to one-third for offsite dedicated open space that meets the development's needs in terms of adjacency, accessibility, usability, and design integration. The credit for the offsite usable open space is a discretionary decision of the Planning & Zoning Commission and/or City Council based generally upon the following:

- a. 15% or more of the site's boundary is adjacent to park land.
- b. The park land is suitable, as defined by the intent for usable open space, for use by residents.
- c. There are defined pedestrian connections between the development and the park land.
- d. The design of the development provides a significant visual connection to the park land.

~~ii. For multifamily residential development in the Multifamily Residence 1 (MF 1), Multifamily Residence 2 (MF 2), and Multifamily Residence 3 (MF 3) zoning districts only, the required usable open space may be reduced through the use of credits for certain improvements. A credit of 3 square feet may be applied for each square foot utilized for swimming pools and adjacent decks, patios, or lounge areas within 10 feet of a pool, developed and equipped children's play areas, and usable portions of recreational buildings. No credit may be applied for tennis courts.~~

~~iii. For multifamily residential development in the MF 1, MF 2, and MF 3 zoning districts only, the combined credit for areas calculated at a 3 to one basis and for public parks shall not exceed 50% of the total usable open space for an individual lot or parcel of land.~~

**.3 General Standards**

- A. Usable open space may include landscaping, walks, patios, pools, tennis courts and other recreational facilities, water features, and decorative objects such as art work or fountains.

- B. Usable open space shall not include rooftops; accessory buildings, except those portions of any building designed specifically for recreational purposes; parking areas; driveways; turnaround areas; or rights-of-way or easements for streets or alleys, drainage or floodway facilities or electrical transmission lines.
- C. Usable open space shall not have a slope exceeding 10%.
- D. At that time of site plan and/or subdivision plat approval, the Planning & Zoning Commission and/or City Council may give full or partial credit for usable open space that exceeds the maximum 10% slope if it is determined that such areas are environmentally or aesthetically significant and their preservation would enhance the development.

#### **.4 Dimensional Standards**

- A. ~~Multifamily residential development in the MF-1, MF-2, and MF-3 zoning districts shall have no usable open space dimension less than 15 feet.~~ [Reserved]
- 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; and Single-Family Small Lot subdivisions developed under Sec. 15.1900.4 shall comply with the following dimensional standards:
  - i. All residential lots must be located within 600 feet of usable open space as measured along a street. The Planning & Zoning Commission may increase this distance to 1,200 feet if the shape of the subdivision is irregular or if existing vegetation on the site will be preserved by an increase in the distance.
  - ii. A primary usable open space area 20,000 square feet or larger shall be provided. This primary usable open space must be a minimum of 50 feet wide and must abut a street on a minimum of 25% of the area's perimeter.
  - iii. If additional open space is needed to meet the minimum area of required usable open space, secondary usable open space areas must be provided. The minimum area for a secondary usable open space shall be 7,500 square feet or larger. This secondary usable open space must be a minimum of 25 feet wide and must abut a street for a minimum frontage distance of 25 feet. Secondary usable open space areas greater than 15,000 square feet shall have a minimum of 2 access points to public streets. Each access point must abut a street for a minimum frontage distance of 25 feet.

#### **.5 Exhibit Required**

Where usable open space is required by this ordinance, a usable open space plan shall be submitted as part of any preliminary site plan or site plan application. The usable open space plan shall contain the following:

- A. A table with calculations that indicate compliance with minimum required area of usable open space.
- B. Graphic representation of compliance to general and dimensional standards for usable open space.

- C. If requesting usable open space credits, a statement with graphic depiction of the credits is requested.

*[Remainder of page intentionally blank]*

**Amend Section 13.1000 (Mid-Rise Residential Development) of Article 13 (Lot and Building Standards) to repeal Section 13.1000 in its entirety and reserve it for future use:**

**13.1000 [Reserved] ~~Mid-Rise Residential Development~~**

**~~.1 Purpose~~**

~~Mid-rise residential development is intended as a complementary use to large-scale commercial districts and corridors. It should be used to diversify land use, increase pedestrian activity, and reduce auto dependency. Mid-rise residential development should be integrated with other land uses and amenities conducive to a residential environment.~~

**~~.2 Lot Coverage~~**

~~Maximum 100%~~

**~~.3 Minimum Density~~**

~~Mid-rise residential development is exempt from the minimum densities for multifamily development in the Urban Mixed-Use District.~~

*[Remainder of page intentionally blank]*

**Amend Section 14.100 (Residential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications), such portions of the section to read as follows:**

[illegible]

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

NONRESIDENTIAL ZONING DISTRICTS																
Use Type	Use Category	O-1 - Neighborhood Office	O-2 - General Office	R - Retail	LC - Light Commercial	CC - Corridor Commercial	UMU - Urban Mixed-Use	BG - Downtown Business/Government	CB-1 - Central Business-1	CE - Commercial Employment	RC - Regional Commercial	RE - Regional Employment	RT - Research/Technology	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2	NBD - Neighborhood Business Design
Backyard Cottage	Accessory & Incidental						P 51	P 51								
Day Care (In-home) (16)	Service	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>	<u>P 42</u>
Home-Based Business (No-Impact)	Accessory & Incidental	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>	<u>P 11</u>
Home Occupation (11)	Accessory & Incidental	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>	P	P	P	<u>P</u>	P	P	<u>P</u>	<u>P</u>	<u>P</u>	P
Household Care Facility	EIPS	<u>P 52</u>	<u>P 52</u>	<u>P 52</u>			<u>P 52</u>	<u>P 52</u>	<u>P 52</u>							<u>P 52</u>
Independent Living Facility	Primary Residential	<del>42</del> <u>58</u>	<del>42</del> <u>58</u>	<del>42</del> <u>58</u>	<u>12 58</u>	<del>S 12 21 52</del> <u>58</u>	P 21 <u>52 58</u>	P 21 <u>52 58</u>	<del>S 21 52</del> <u>58</u>	<u>12 58</u>	<del>S 12 21 52</del> <u>58</u>	<del>S 12 21 52</del> <u>58</u>	<u>12 58</u>	<u>12 58</u>	<u>12 58</u>	P 21 <u>52 53 58</u>
Mid-Rise-Residential	Primary-Residential						<del>P 52</del>		<del>S 52</del>	<del>42</del>	<del>S 52</del>	<del>S 52</del>				
Multifamily Residence (1)	Primary Res.	<u>58</u>	<u>58</u>	<u>58</u>	<u>58</u>	<u>58</u>	P 52 <u>58</u>	P 2 <u>52 58</u>	<del>S 52 58</del>	<del>42 58</del>	<u>58</u>	<u>58</u>	<u>58</u>	<u>58</u>	<u>58</u>	P 52 <del>53 58</del>
Single-Family Residence (Attached)	Primary Res.	<u>P 29 52</u>	<u>P 29 52</u>	P <u>29 52</u>			P <u>29 52</u>	P <u>29 52</u>	<u>P 29 52</u>							P 52 53
Single-Family Residence (Detached)	Primary Res.	<u>P 29 52</u>	<u>P 29 52</u>	P <u>29 44 52</u>			<u>P 29 52</u>	<u>P 29 52</u>	<u>P 29 52</u>							P 52 53



NONRESIDENTIAL ZONING DISTRICTS																
Use Type	Use Category	O-1 - Neighborhood Office	O-2 - General Office	R - Retail	LC - Light Commercial	CC - Corridor Commercial	UMU - Urban Mixed-Use	BG - Downtown Business/Government	CB-1 - Central Business-1	CE - Commercial Employment	RC - Regional Commercial	RE - Regional Employment	RT - Research/Technology	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2	NBD - Neighborhood Business Design
Two-Family Residence	Primary Res.			P <u>29</u> 52												P 52 53
Two-Family Residence (Attached)	Primary Res.	P <u>29</u> <u>52</u>	P <u>29</u> <u>52</u>	P <u>29</u> <u>52</u>			P <u>29</u> <u>52</u>	P <u>29</u> <u>52</u>	P <u>29</u> <u>52</u>							P 52 53

**Amend Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications), such revised and additional notes to read as follows:**

Number	End Note
1	See Sec. 15.800 [Use-specific regulations for Multifamily Residences].
2	See the BG district regulations of Sec. 10.800 [BG, Downtown Business/Government District].
11	See Sec. 15.700 [Use-specific regulations for Home Occupations].
12	Prohibited, except <u>when constructed in the form of apartments or</u> where permitted under the Special District Requirements of the referenced district.
16	<del>See Article 8 for specific use permit requirements for certain in-home day care operations.</del> [Reserved]
21	See 15.1300 [Use-specific regulations for Retirement and Supportive Housing]
29	<del>[Reserved]</del> <u>Permitted subject to the Alternative Standards for Single-Family and Duplex Residential Development in Sec. 15.1900.</u>
41	Patio Homes allowed only.
42	<u>See Sec. 15.400.</u>
48	Private streets allowed by specific use permit only under the terms of the Subdivision Ordinance.
51	See Sec. 15.1800 [Use-specific regulations for Backyard Cottages].
52	See Sec. 11.1100 [Expressway Corridor Overlay District]
53	Permitted only when meeting RCD housing type requirements in Sec. 9.1700 [RCD, Residential Community Design District].
<u>58</u>	<u>Permitted subject to the Additional Requirements for Multifamily, Independent Living Facilities, and Mixed-use Residential in Sec. 15.2400.</u>

**Amend Part G of Subsection 15.100.3 (Drone Staging Areas) of Section 15.100 (Commercial Drone Delivery Hubs) of Article 15 (Use-specific Regulations) to add subpart G.iv, such new subpart to read in its entirety as follows:**

iv. A drone staging area is not considered nonconforming when a dwelling, retirement and supportive housing facility, or public park is established within the required 150 or 300-foot buffer after the drone staging area is established.

*[Remainder of page intentionally blank]*

**Amend Part E of Subsection 15.200.5 (General Requirements) of Section 15.200 (Communications Antennas, Amateur and Commercial) of Article 15 (Use-specific Regulations), such part to read in its entirety as follows:**

- E. Commercial antennas and antenna support structures are prohibited in ~~residential~~ all districts on lots used or platted for single-family, two-family, or single-family attached purposes ~~and in an NBD or RCD zoning district on lots used for a housing type listed in Sec. 9.1700.5,~~ unless the conditions of Sec. ~~15.200.2C~~ are met.

*[Remainder of page intentionally blank]*

**Amend Section 15.700 (Home Occupations) of Article 15 (Use-specific Regulations), such section to read in its entirety as follows:**

**15.700 Home Occupations**

~~In all cases, home occupations shall meet the following conditions and requirements:~~ Home Occupation and Home-based Business (No Impact) uses are permitted in all districts in any residence subject to the applicable conditions and requirements of this section.

**.1 Home Occupations**

- ~~1A.~~ A. Only one employee other than occupants of the residence may be employed. A person who receives a wage, salary, or percentage of profits directly related to the home occupation shall be considered an employee. This definition shall not include the coordination or supervision of employees who do not regularly visit the house for purposes related to the business.
- ~~2B.~~ B. No interior or exterior signage shall be used to advertise the occupation. Vehicles bearing business signs shall not be parked on the street or within 30 feet of the curb.
- ~~3C.~~ C. A home occupation shall be conducted wholly within the principal dwelling and not in any accessory building. The total floor area to be used for a home occupation shall not exceed 20% of the total floor area of the principal dwelling, including garages. However, instructional classes may be held outside providing other stipulations of this ordinance are met. A maximum of 6 students may be allowed in each session.
- ~~4D.~~ D. Merchandise shall not be offered or displayed for sale on the premises. Sales incidental to a service shall be allowed, and orders previously made by telephone or at a sales party may be filled on the premises.
- ~~5E.~~ E. No outdoor storage of materials, goods, supplies, or equipment shall be allowed.
- ~~6F.~~ F. No building alterations shall be allowed that alter the residential character of the home.
- ~~7G.~~ G. No repair or servicing of vehicles, internal combustion engines, large equipment, or large appliances shall be allowed.
- ~~8H.~~ H. A home occupation shall produce no offensive noise, vibration, smoke, electrical interference, dirt, odors, or heat in excess of those normally found in residential areas.
- ~~9I.~~ I. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials shall be used or stored on the site for business purposes.
- ~~10J.~~ J. No traffic shall be generated by a home occupation in greater volumes than normally expected in a residential neighborhood, and any parking must be accommodated within the required off-street parking for the residence or along the street frontage for the lot.

**.2 Home-based Business (No Impact)**

- A. A home-based business (no-impact) may not at any time have on the property a total number of people, including employees, patrons, and clients of the business, exceeding the occupancy limit of the property.

- B. No traffic may be generated by a home-based business (no-impact) in greater volumes than normally expected in the neighborhood, and all parking must be accommodated within the off-street parking on the property. Employees, patrons, and clients of the business, except for residents of the property, are prohibited from parking on the street.
- C. A home-based business (no-impact) must be operated in a manner in which none of the business activities are visible from the street, including displays, outdoor storage, and business signs. On-site parking is permitted.
- D. A home-based business (no-impact) must not substantially increase noise in the area or violate Article V (Noise) of Chapter 14 (Offenses—Miscellaneous) of the Code of Ordinances.
- E. A home-based business (no-impact) must be operated as an accessory use to the dwelling on the same property. Business activities must be compatible with residential use of the property.
- F. No building alterations are permitted that would alter the residential character of the home or property.

*[Remainder of page intentionally blank]*

**Amend Section 15.800 (Multifamily Residence) of Article 15 (Use-Specific Regulations), such section to read in its entirety as follows:**

**15.800 Multifamily Residence**

- .1** Minimum side and rear yard setbacks from adjacent nonresidential and multifamily zoning shall be:

Height	Setback
One Story	15 feet
Two Story	25 feet
Three Story	25 feet

- .2** Minimum separations between apartment buildings on the same lot are as follows:

Building Orientation	Distance
Face to Face [1]	30 feet
Face to End [2]	20 feet
Corner to Corner	15 feet
Angled Corner to Face (60 degree to 90 degree angle)	20 feet
Courtyard -- Face to Face [3]	30 feet
End to End	15 feet

[1] Face: Exterior plane of a building that is 60 feet in length or greater.

[2] End: A secondary exterior plane of a building that is less than 60 feet in length.

[3] No balcony or canopy shall extend into such courtyard area for a distance greater than 5 feet. (See "courtyard" definition in Sec. 8.200)

- .3** The minimum setback from the zoning district boundary for an apartment building adjacent to land proposed (as shown on an approved concept plan or preliminary site plan), developed, or zoned for single-family, patio home, or two-family shall be:

Height	Setback
One Story	20 feet
Two <u>or Three</u> Story	<del>60</del> <u>25</u> feet
<del>Three Story</del>	<del>150 feet</del>

- .4** The standards in Sec. 15.2400 also apply.

*[Remainder of page intentionally blank]*

**Amend Section 15.1300 (Retirement and Supportive Housing) of Article 15 (Use-Specific Regulations), such section to read in its entirety 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. The standards in Sec. 15.2400 also apply.
- 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 [Reserved] ~~Maximum Residential Density~~**

~~The following density limits apply:~~

## ~~Nonresidential Districts~~

[illegible]

## Nonresidential Districts

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.
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~~FAR—Floor Area Ratio; LC—Lot Coverage; \*—For Structures over 3 Stories in Height; \*\*—When part of a continuing care facility~~

## Residential Districts

	<b>MF-1</b>	<b>MF-2</b>	<b>MF-3</b>
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. 22.200.~~

*[Remainder of page intentionally blank]*



**Amend Section 15.1700 (Mid-Rise Residential) of Article 15 (Use-specific Regulations), to repeal Section 15.1700 in its entirety and reserve it for future use:**

**15.1700 ~~Mid-Rise Residential~~ [Reserved]**

**~~.1 Purpose~~**

~~Mid-rise residential development is intended as a complementary use to large-scale commercial districts and corridors. It should be used to diversify land use, increase pedestrian activity, and reduce auto dependency. Mid-rise residential development should be integrated with other land uses and amenities conducive to a residential environment.~~

**~~.2 Lot Coverage~~**

~~Maximum 100%~~

**~~.3 Minimum Density~~**

~~Mid-rise residential development is exempt from the minimum densities for multifamily development in the Urban Mixed-Use and Downtown Business/Government districts.~~

*[Remainder of page intentionally blank]*

**Amend Section 15.1900 ([Reserved]) of Article 15 (Use-specific Regulations), such section to read in its entirety as follows:**

**15.1900 ~~[Reserved]~~—Alternative Standards for Single-Family and Duplex Residential Development**

**.1 Applicability**

Properties or tracts meeting one of the following requirements may be developed as a residential subdivision subject to the requirements of this section.

- A. Property in the UMU, BG, or CB-1 zoning districts may be developed as RCD Tier Two housing types (see Sec. 9.1700.5B) if it is:
  - i. Not located in the R-ECA area of the Expressway Corridor Overlay District.
  - ii. Not located on or within 1,000 feet of a property with a Heavy Industrial Use, and
  - iii. Not located within 3,000 feet of an airport.
- B. Property in the R, O-1, and O-2 zoning districts may be developed as RCD Tier Two housing types (see Sec. 9.1700.5B) if it is:
  - i. A minimum of 5 acres in size.
  - ii. Not located in the R-ECA area of the Expressway Corridor Overlay District.
  - iii. Not located on or within 1,000 feet of a property with a Heavy Industrial Use, and
  - iv. Not located within 3,000 feet of an airport.
- C. Property in the R zoning district may be developed as PH, 2F, or SF-A lots if it:
  - i. Is a minimum of 5 acres in size.
  - ii. Is not located in the R-ECA area of the Expressway Corridor Overlay District.
  - iii. Is contiguous with a residential zoning district, and
  - iv. Leaves any residual tract for nonresidential uses with 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).
- D. Property in the MF-1, MF-2, or MF-3 zoning districts may be developed as SF-6, PH, 2F, or SF-A lots if it is not located in the R-ECA area of the Expressway Corridor Overlay District.
- E. Property in any district may be developed as Single-Family Small Lot (SFSL) lots, as described in this section, if it:
  - i. Allows Single-Family Residence (Attached) or Single-Family Residence (Detached) uses.
  - ii. Is a minimum of 5 acres in size.
  - iii. Has not been previously platted, and

iv. Is located at least 3,000 feet away from an airport.

## **.2 Review Process**

- A. A preliminary site plan is required for any residential development submitted for approval under the alternative standards of this section.
- B. The preliminary site plan must indicate whether SF-6, PH, 2F, SF-A, RCD, or SFSL standards are being used. If using RCD standards, the preliminary site plan must indicate the housing type for each residential lot or block in a table.
- C. Site plans submitted after September 1, 2025, that meet the requirements of Sec. 15.1900.1A, Sec. 15.1900.1B, Sec. 15.1900.1C, or Sec. 15.1900.1D, above, must include a notation indicating that it is submitted using the alternative standards of this section, as follows:

THIS PLAN IS SUBMITTED IN COMPLIANCE WITH THE ALTERNATIVE STANDARDS FOR RESIDENTIAL SUBDIVISION IN SECTION 15.1900 OF THE PLANO ZONING ORDINANCE.

- D. Site plans submitted after September 1, 2025, that meet the requirements of Sec. 15.1900.1E, above, must include a notation indicating that it is submitted using the alternative standards of this section, as follows:

THIS PLAN IS SUBMITTED IN COMPLIANCE WITH THE STANDARDS FOR SMALL LOT SUBDIVISION IN TEXAS LOCAL GOVERNMENT CODE CHAPTER 211, SUBCHAPTER D.

## **.3 Residential Use Standards**

The following standards apply to any lot developed under this section for Single-Family Residence (Attached), Single-Family Residence (Detached), Two-Family Residence, or Two-Family Residence (Attached) uses.

- A. A property developed for a residential use in a nonresidential district must not be used for any nonresidential use other than home occupation, home-based business (no-impact), or day care center (in-home).
- B. Screening must be provided as required in Sec. 20.100 where the residential subdivision sides or backs on to nonresidential, multifamily, or mixed-use residential development. This requirement may be waived or modified by the Planning & Zoning Commission at the time of site plan approval where neighborhood connections are proposed between the residential subdivision and the adjacent nonresidential, multifamily, or mixed-use residential development. Neighborhood connections may be provided as a right-of-way dedication or public right-of-way easement recorded on the plat.
- C. A property developed for a residential use is considered to be a residential lot in the zoning district that corresponds with the chosen alternative subdivision standards for the purposes of administering the development standards of this ordinance.
- D. For commercial development that exists at the time adjacent single-family or two-family uses are constructed, residential adjacency standards shall not cause the commercial structures to be nonconforming.

#### **.4 Single-Family Small Lot (SFSL)**

##### **A. Purpose**

The SFSL alternative standards are intended to provide for small lot single-family development in new subdivisions in compliance with Texas Local Government Code Chapter 211, Subchapter D.

##### **B. Area, Yard, and Bulk Requirements**

The following area, yard, and bulk requirements apply to all development in SFSL subdivisions unless otherwise expressly stated:

<b><u>Description</u></b>	<b><u>Requirement</u></b>
<u>Minimum Lot Area</u>	<u>3,000 square feet</u>
<u>Minimum Lot Width</u>	<u>30 feet</u>
<u>Minimum Lot Depth</u>	<u>75 feet</u>
<u>Minimum Front Yard</u>	<u>15 feet</u>
<u>Front Yard Encroachments</u>	<u>Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.</u>
<u>Minimum Side Yard</u>	<u>5 feet, except as provided in Sec. 15.1900.4C and Sec. 13.500.3</u>
<u>Minimum Rear Yard</u>	<u>10 feet, except as provided in Sec. 15.1900.4C and Sec. 13.500.4</u>
<u>Minimum Floor Area per Dwelling Unit</u>	<u>800 square feet</u>
<u>Maximum Height</u>	<u>Three stories or 45 feet</u>
<u>Maximum Coverage</u>	<u>70%</u>
<u>Minimum Usable Open Space</u>	<u>10% in accordance with Sec. 15.1900.4D</u>
<u>Parking Requirements</u>	<u>1 parking space per dwelling unit</u>

##### **C. Miscellaneous Area, Yard, and Bulk Requirements**

- i. Buildings developed as SFSL are exempt from any requirements in Sec. 13.500 that increase the required minimum setback due to state preemption in Texas Local Government Code Chapter 211, Subchapter D.
- ii. The distance from any garage to the travel lane of the street, alley, or mews street must be either 5 or less feet in length or 20 feet or greater in length.

##### **D. Usable Open Space Requirements**

- i. Except as provided below, any subdivision developed under the SFSL standards of this ordinance shall provide usable open space which equals or exceeds 10% of the gross platted area, excluding rights-of-way for major thoroughfares Type E or larger, or easements for drainage or floodways.
- ii. Usable open space shall not be required for an SFSL development if it contains 50 or fewer lots and the property contiguous (abutting or separated only by a local or collector street) to the subdivision is either developed for use other than SFSL or is restricted by zoning to not permit SFSL development. Properties separated by rights-of-way, drainage, or utility easements in excess of 60 feet in width shall not be considered as contiguous.
- iii. Usable open space shall comply with the supplementary regulations in Sec. 13.800

**E. Noticing Requirements**

SFSL subdivisions are required to follow the notice procedures outlined in Section 1.14 of the Subdivision Ordinance.

*[Remainder of page intentionally blank]*

**Amend Part C of Subsection 15.2300.3 of Section 15.2300 (Short-term Rentals) of Article 15 (Use-specific Regulations) to repeal Part 15.2300.3.C in its entirety and reserve it for future use:**

- C. ~~Mid-Rise Residential~~[Reserved]

*[Remainder of page intentionally blank]*

**Amend Article 15 (Use-specific Regulations) to add Section 15.2400 (Additional Requirements for Multifamily, Independent Living Facilities, and Mixed-use Residential), such new section to read in its entirety as follows:**

**15.2400 Additional Requirements for Multifamily, Independent Living Facilities, and Mixed-use Residential**

**.1 Standard Requirements**

The following standards apply to all Multifamily Residences, Independent Living Facilities constructed as apartments, and Mixed-use Residential buildings; these must also comply with the Design Standards for Multifamily and Mixed-use Residential Developments, when constructed, remodeled, reconstructed, redeveloped, or improved after September 1, 2025:

**A. Location Restrictions**

In nonresidential districts, Multifamily Residence and Independent Living Facility uses are prohibited on or within 1,000 feet of properties with a Heavy Industrial Use and prohibited in areas within 3,000 feet of an airport.

**B. Multifamily Residence dwellings must have the following minimum unit sizes:**

<u>Dwelling Size</u>	<u>Minimum Floor Area per Dwelling Unit</u>
<u>Efficiency</u>	<u>500 square feet</u>
<u>1 bedroom</u>	<u>650 square feet</u>
<u>2 bedroom</u>	<u>800 square feet</u>
<u>Each additional bedroom</u>	<u>200 square feet</u>

**C. Parking structures and accessory buildings that do not contain dwelling units are exempt from listed height minimums.**

**D. Each “outdoor-air sourced” mechanical ventilation unit must utilize a filter or series of filters on its air-intake side with a Minimum Efficiency Reporting Value (MERV) of not less than 13, based on American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), or as required by the most-recently adopted building code, whichever is greater.**

**E. Intake openings for outdoor air, as defined in the adopted International Mechanical Code, as amended, must be located on the opposite side of the building from any Type A thoroughfare that is within 1,200 feet of the property.**

**F. The following requirements must be added as a note to the site plan:**

- i. Construction documents sealed by a registered design professional must be provided as part of the building construction plan set that details mitigation of the interior noise at each dwelling unit to a maximum level of 45 dBA Ldn or the interior noise goal of the Department of Housing and Urban Development per 24 CFR 51.101, whichever is lower.**
- ii. Prior to approval of final inspection or issuance of a certificate of occupancy, the registered design professional shall submit a sealed statement to the Building Inspections Department certifying compliance with this subsection.**

**.2 Nonresidential Conversions**

When a building is converted to Multifamily Residence, Independent Living Facility, or Mixed-use Residential, and meets all of the following conditions, as outlined in Texas Local Government Code Chapter 218, Subchapter C, the building is not subject to the requirements for the new residential use, with the exception of 15.2400.3 below:

- A. The building is being used for office, retail, or warehouse uses;
- B. The building is proposed to be converted to Mixed-use Residential or Multifamily Residences, including Independent Living Facilities, for at least 65 percent of the building and at least 65 percent of each floor of the building that is fit for occupancy; and
- C. The building was constructed at least five years before the proposed date to start the conversion.

**.3 Noticing Requirements**

All Multifamily Residences, Independent Living Facilities constructed as apartments, and Mixed-use Residential buildings are required to follow the notice procedures outlined in Section 1.14 of the Subdivision Ordinance, except when located in the BG zoning district or where the development proposed was allowed by right prior to September 1, 2025.

*[Remainder of page intentionally blank]*



**Amend Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading), such portions of the section to read as follows:**

**Parking Space Schedule for Residential Uses in all Districts**

<b>Zoning Districts or Uses</b>	<b>Minimum Required Off-Street Parking or Spaces for Residential Uses</b>
Single-Family or Two-Family Dwellings	2 spaces for each dwelling unit, except for the GR district (See Sec. <del>9.1200</del> ) and Single-Family Small Lot subdivisions developed under Sec. 15.1900.4 (No maximum number of parking spaces.)
Multifamily Dwelling	<del>1.5 spaces for each efficiency unit; 2 spaces for each dwelling unit with one or more bedrooms</del> 1 space for each dwelling unit (No maximum number of parking spaces.)
<del>Multifamily Dwelling in Downtown Business/Government</del>	<del>Efficiency and One-bedroom units: 1 parking space per unit Two-bedroom units: 1.5 parking spaces per unit Three-bedroom and larger units: 2 parking spaces per unit</del>

**Amend Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading), such portion of the section to read as follows:**

**Parking Space Schedule for Nonresidential Uses in all Districts**

<b>Zoning Districts or Uses</b>	<b>Minimum Required Off-Street Parking or Spaces for Nonresidential Uses</b>
<del>Mid-Rise Residential</del>	<del>One-bedroom or less: One parking space per unit Two bedrooms: 1.5 parking spaces per unit Three bedrooms or more: Two parking spaces per unit</del>

*[Remainder of page intentionally blank]*

**Amend Subsection 16.800.2 of Section 16.800 (Special Off-Street Parking Regulations) of Article 16 (Parking and Loading), such subsection to read in its entirety as follows:**

- .2 Wherever a parking lot is located across the street from or adjacent to residentially-zoning or uses ~~ed property~~ and is designed so that headlight beams will shine into residences (whether or not such residences have been built at the time the parking lot is constructed), an irrigated earthen berm, a solid masonry wall, or reinforced concrete fence of not less than 3 nor more than 4 feet in height above the finished grade of the off-street parking area shall be erected and maintained so as to provide a headlight screen for the residential district.

*[Remainder of page intentionally blank]*

**Amend the introduction to Section 17.200 (Residential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), such introduction to read as follows:**

**17.200 Residential Landscaping Requirements**

These standards shall apply to all ~~residential-zoning~~ districts developed for residential use, except CB-1. Any area within a planned development district or overlay district containing landscaping standards shall be regulated by the more restrictive standards.

*[Remainder of page intentionally blank]*

**Amend Subpart i of Part A of Subsection 17.300.1 (Regulations for Specific Districts) of Section 17.300 (Overlay District Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation), such subpart to read in its entirety 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 except under the below conditions. This requirement is not intended to prohibit the placement of driveway openings as specified in the Street Design Standards.
  - a. 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.~~
  - b. The~~is~~ 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.
  - c. The landscape edge for a multifamily or mixed-use residential development may be reduced to 25 feet and may be further reduced by as much as 10 feet under the criteria in Sec. 17.300.1A.b, above.

*[Remainder of page intentionally blank]*

**Amend Subsection 20.100.2 of Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence and Wall Regulations), such subsection to read in its entirety 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 any ~~nonresidential~~ district side or back upon other single-family or two-family residential uses.

*[Remainder of page intentionally blank]*

**Amend Part D of Subsection 20.200.1 of Section 20.200 (General Fence and Wall Regulations) of Article 20 (Screening, Fence and Wall Regulations), such part to read in its entirety as follows:**

- D. For all nonresidential uses within the LI-1 and LI-2 districts, a wall or fence not more than 8 feet in height may be erected in the front yard setback.

*[Remainder of page intentionally blank]*

**Amend Subsection 20.200.4 or Section 20.200 (General Fence and Wall Regulations) of Article 20 (Screening, Fence and Wall Regulations), such subsection to read in its entirety as follows**

- .4** Fence arms and barbed wire are only allowed for nonresidential developments in the LI-1 and LI-2 districts and may not extend over property lines. Barbed wire, if used, must be attached to the fence arms.

*[Remainder of page intentionally blank]*

**Amend Section 20.300 (Mechanical Screening Requirements) of Article 20 (Screening, Fence and Wall Regulations), such section to read in its entirety as follows:**

**20.300 Mechanical Screening Requirements**

In all nonresidential and multifamily developments, roof-mounted mechanical units shall be screened from view at a point of 5.5 feet above the property line with a parapet wall, mansard roof, or alternative architectural element. The height of the screening element shall be equal to or greater than the height of the mechanical unit provided that the element shall not extend more than 5 feet above the roof on a one or 2 story building or more than 13 feet above the roof on a building of 3 or more stories. A mechanical unit which is taller than the maximum permitted height of the screening feature shall be set back from the screen 5 feet plus 2 feet for each foot it exceeds the height of the screen. Screening for mechanical units shall apply to new building construction only.

*[Remainder of page intentionally blank]*



**Amend Subsection 21.400.1 of Section 21.400 (Review Process) of Article 21 (Residential Adjacency Standards), such subsection to read in its entirety as follows:**

**21.400 Review Process**

- .1 The RAS shall apply when a use identified with an "R" in the use tables of Sec. 14.100 or Sec. 14.200 is proposed for a ~~nonresidential~~ building or site ~~that is adjacent to a residential district~~ and ~~both~~ one of the following conditions apply:
  - A. An existing or proposed building, structure, or device on the lot is within 150 feet of the district boundary of any residential zoning district or the property line for a single-family or two-family residence in any district ~~a district boundary for any of the following residential districts~~, except if the activity proposes the use of public address/paging systems, in which case 1,000 feet shall be the effective distance: ~~ED, SF 20, SF 9, SF 7, SF 6, PH, 2F, SF A, MH, MF 1, MF 2, MF 3, GR, and UR; or~~
  - B. An existing or proposed building, structure, or device on the lot is within 150 feet of the property line for a multifamily residence in any district, except if the activity proposes the use of public address/paging systems, in which case 1,000 feet shall be the effective distance; or ~~The use in question is identified with an "R" in the tables of Sec. 14.100 or Sec. 14.200~~
  - C. The proposed use would be located on a property with a residential use or uses.

*[Remainder of page intentionally blank]*

**Amend Section 21.500 (Standards) of Article 21 (Residential Adjacency Standards) to add Subsection 21.500.8 (Mixed-Use Residential Development), such new subsection to read in its entirety as follows:**

**.8 Mixed-Use Residential Development**

Land uses identified with an “R” in the use table are prohibited in Mixed-use Residential buildings.

*[Remainder of page intentionally blank]*

**Amend Subsection 1 (Applicability) of Section 25.300 (Traffic Studies at Time of Site Plan Review) of Article 25 (Traffic Studies), such subsection to read in its entirety as follows:**

**.1 Applicability**

- A. A Traffic Generation Report is required simultaneous with the application for a concept plan, adopted development plan, or preliminary site plan in Article 3, except as exempted below. A Traffic Generation Report may also be required with a site plan where the development is constructed in phases.
- B. 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.
- C. A Traffic Generation Report is not required for the conversion of an existing nonresidential building to a multifamily or mixed-use residential building if the building was constructed at least five years prior to the filing of the site plan application.

*[Remainder of page intentionally blank]*