

Zoning Case 2017-014

An Ordinance of the City of Plano, Texas, amending, deleting, and adding various portions of Articles 8 (Definitions), 10 (Nonresidential Districts), 13 (Lot and Building Standards), 14 (Allowed Uses and Use Classifications), 16 (Parking and Loading), 17 (Landscaping and Tree Preservation), 19 (Open Storage and Outside Display), and 21 (Residential Adjacency Standards) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to open storage and outside display and related requirements; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 24th day of July, 2017, for the purpose of considering a change in the Zoning Ordinance; and

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

WHEREAS, 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 24th day of July, 2017; and

WHEREAS, the City Council is of the opinion and finds that such change 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.

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

Section I. Section 8.200 (Terms Defined) of Article 8 (Definitions); of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such definitions to be deleted as follows:

1. **Automobile**
2. **Automobile Dealer (New)**
3. **Automobile Dealer (Used)**
4. **Automobile Leasing and Renting**
5. **Automobile Parking Lot/Garage (Accessory)**

6. **Automobile Parking Lot/Garage (Primary)**
7. **Automobile Parts Sales (Inside)**
8. **Automobile Parts Sales (Outside)**
9. **Automobile Repair (Major)**
10. **Automobile Repair (Minor/Fueling Station)**
11. **Automobile Storage**
12. **Heavy Load Vehicle**
13. **Light Load Vehicle**
14. **Motor Vehicle**
15. **Motorcycle Sales/Service**
16. **Open Storage and Outside Display**
17. **Recreation Vehicle (RV)**
18. **Recreation Vehicle Parking Lot/Garage**
19. **Recreation Vehicle Sales and Service**
20. **Service Contractor (no storage yard)**
21. **Service Contractor (with storage yard)**
22. **Trailer Rental**

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

Car Wash

A structure used to wash motorcycles, personal vehicles, and light commercial vehicles.

Compact Construction and Transportation Equipment Sales & Service

Storage, leasing, renting, or repair of compact construction equipment and transportation equipment designed to be towed by light commercial vehicles for the transport of light loads or deliveries.

Compact Construction Equipment

Light-weight construction equipment which is designed to work on small commercial and residential projects including but not limited to track loaders, excavators, backhoe loaders, skid steers, and telehandlers.

Convenience Store

An establishment of 5,000 square feet or less of floor area that sells food and other consumable and non-consumable products for off-premise use or consumption. Convenience stores may include the dispensing or sales of personal vehicle fuels, lubricants, and accessories, but shall not include personal vehicle repair or the sale of replacement parts.

Heavy Commercial Vehicle/Truck

A self-propelled vehicle having a Manufacturer's Recommended Gross Vehicle Weight (GVW) of greater than 11,000 pounds, such as tractor-trailers, buses, and other similar vehicles. The term "truck" shall be construed to mean "Heavy Commercial Vehicle" unless specifically stated otherwise.

Light Commercial Vehicle

A self-propelled vehicle having a Manufacturer's Recommended Gross Vehicle Weight (GVW) of less than or equal to 11,000 pounds including, but not limited to, a pick-up truck or van. This definition excludes personal vehicles.

Merchandise Display

The outside exhibition of goods and materials for immediate sale or rental; and excluding the storage of vehicles, heavy machinery, or light commercial vehicles.

Motorcycle

A vehicle, other than a tractor, that is equipped with a rider's saddle and designed to have, when propelled, not more than 3-wheels on the ground.

Motorcycle Sales & Service

The display, sale, servicing, and repair of motorcycles.

Office (Showroom/Warehouse)

An establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area. This designation does not include service contractor.

Open Storage

The keeping outside of goods, materials, containers, vehicles, trailers, or other equipment on a lot or tract.

Paved

A solid and continuously firm concrete or asphalt surface or other material approved by the Director of Engineering.

Personal Vehicle

A movable device propelled or drawn by mechanical power designed to carry one or more persons, not to exceed 22 feet in length, such as automobile, pick-up trucks, motorcycles, mopeds, all-terrain vehicles (ATVs), and golf carts. This definition excludes light and heavy commercial vehicles.

Recreational Vehicle (RV)

A portable vehicle designed for temporary or short-term occupancy and primarily intended for travel, recreational, and vacation usage. Recreational vehicles include, but are not limited to, boats and other marine vehicles, travel and tent trailers, pickup campers and shells, motorized travel units (motor homes), converted buses, and similar vehicles used for temporary portable housing or recreational use.

Recreational Vehicle Parking Lot/Garage

An area or structure designed for the parking of recreational vehicles for sale, distribution, or storage purposes.

Recreational Vehicle Sales & Service

Retail sales, renting, leasing, and repair of new or pre-owned recreational vehicles.

Restaurant (Drive-in)

An eating establishment where primarily food or drink is served to customers in personal vehicles or where facilities are provided on the premises which encourage the serving and consumption of food in personal vehicles on or near the restaurant premises.

Service Contractor

An establishment whose primary activity is the provision of services for the construction, maintenance, cleaning, or repair of buildings and properties on a fee or contract basis. Service contractors may include but are not limited to plumbing, heating, air conditioning, construction, and landscape maintenance services.

Temporary Parking

Parking of an operable vehicle for a reasonable period of time considering the primary use of the lot and consistent with Article 16.

Theater (Drive-in)

An open lot with its appurtenant facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in personal vehicles.

Truck

A heavy commercial vehicle unless specifically stated otherwise.

Truck/Bus Leasing

The rental of new or used panel trucks, vans, trailers, recreational vehicles, or motor-driven buses in operable condition and where no repair work is done.

Truck/Bus Repair

An establishment providing major and minor vehicle repair services to heavy commercial vehicles.

Truck Parking Lot

An area for parking heavy commercial vehicles and/or trucks for sale, distribution, or storage purposes.

Truck Sales (Heavy Truck)

The display, sale, or rental of new or used heavy commercial vehicles or trucks in operable condition.

Vehicle

A moveable device propelled or drawn by mechanical power designed to carry one or more persons or property.

Vehicle Dealer (New)

Retail sales and/or leasing of new personal vehicles or light commercial vehicles, including, as a minor part of the business, the sales and/or leasing of used personal vehicles or light commercial vehicles.

Vehicle Dealer (Used)

Retail sales and leasing of used personal vehicles or light commercial vehicles.

Vehicle Leasing and Renting

Storage, leasing, or renting of personal vehicles, motorcycles, and light commercial vehicles.

Vehicle Parking Lot/Garage (Primary)

An area, structure, or shared area where a fee may be charged for the temporary parking of operable personal and light commercial vehicles.

Vehicle Parts Sales (Inside)

The use of any building or other premise for the display and sale of new or used parts for vehicles other than heavy commercial vehicles.

Vehicle Parts Sales (Outside)

The sale of new or used parts for vehicles other than heavy commercial vehicles.

Vehicle Repair (Major) - Personal and Light Commercial

Major repair or reconditioning of engines and transmissions, and retrofitting of air conditioning systems; wrecker service; collision services including body, frame, or fender straightening or repair; customizing; painting; vehicle steam cleaning; undercoating and rust proofing; and other similar services for personal and light commercial vehicles.

Vehicle Repair (Minor/Fueling Station) - Personal and Light Commercial

An establishment used for the retail dispensing or sales of vehicle fuels, lubricants, tires and vehicle accessories; the minor repair or replacement of parts, tires, paintless dent repair, and performing state inspections and making minor repairs necessary to pass

state inspection for personal and light commercial vehicles. Services listed under Major Vehicle Repair or any other similar services are not included.

Vehicle Storage

The keeping, on a lot or tract, of operable vehicles for the purpose of holding such vehicles in reserve. This definition excludes temporary parking.

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

.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.

Section IV. Section 10.500 (LC, Light Commercial District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

.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.

.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.

Section V. Section 10.900 (CB-1, Central Business-1 District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

.5 Special District Requirements

A. Miscellaneous

- vii.** 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.

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

.6 Special District Requirements

A. Miscellaneous

- 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.

C. Location of Uses

iii. Vehicle Fueling Station

- a.** No vehicle fueling station shall be located within 400 feet of any residential structure, and no residential structure shall be located within 400 feet of any vehicle fueling station.
- b.** No vehicle fueling station shall be located within 400 feet of any area zoned residential by the City of Plano or shown as residential on the then existing Land Use Plan 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.

Section VII. Section 10.1100 (RC, Regional Commercial District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

.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 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 specified thoroughfares. Driveways may extend through the landscape edge if they meet the city's requirements for location, design, and traffic visibility.

Section VIII. Section 10.1200 (RE, Regional Employment District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

.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.

Section IX. Section 10.1400 (LI-1, Light Industrial-1 District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

.6 Special District Requirements

- A.** See Sec. 23.300 for provisions governing the use of metal and membrane building materials.
- B.** For gasoline 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 for vehicle fueling stations.

Section X. Section 10.1500 (LI-2, Light Industrial-2 District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

.6 Special District Requirements

- A. See Sec. 23.300 for provisions governing the use of metal and membrane building materials.
- B. For gasoline 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 for vehicle fueling stations.

Section XI. Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

.2 Front Yard Regulations

- J. Vehicle fueling station pump islands shall not be located closer than 39 feet to the front property line. Canopies for pump islands shall have a minimum setback of 20 feet from the front property line when the canopy thickness is 3 feet or less. An increased setback of 10 feet will be required for each additional foot or portion of a foot in excess of 3 feet.

Section XII. Subsection 13.900.4 (Donation Containers) of Section 13.900 (Accessory Building Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, adding such new subsection to read as follows:

.4 Donation Containers

- A. The use of donation containers for storage purposes is restricted per the following:
 - i. Containers must not be located within any residential lot, required parking space, easement, or within building setbacks.
 - ii. Containers must be stored on a paved surface.
 - iii. The number of containers must not exceed two per lot or cover more than a maximum of 360 square feet, whichever is more restrictive.
 - iv. Containers must not exceed a maximum height of 6 feet unless part of an enclosed vehicular trailer, which may be a maximum of 14 feet.
 - v. All goods and materials must be screened from view within the containers.

NONRESIDENTIAL ZONING DISTRICTS															
Permitted Uses	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
Sales & Storage, Heavy															
Motorcycle Sales & Service	Vehicle & Related				R	R			R					R	R
Recreational Vehicle Parking Lot/Garage	Vehicle & Related				28									R	R
Recreational Vehicle Sales & Service	Vehicle & Related				S	S R								R	R
Service Contractor	Service			P	P	P			P					P	P
Storage, Open	EIPS			24	24	24		24	24	24	24			P 7	P 7
Trailer/Mobile Home Display & Sales	Service													P	P
Vehicle Dealer (New)	Vehicle & Related				S,R	R			S,R	S,R	S,R			R	R
Vehicle Dealer (Used)	Vehicle & Related				S,R	S,R			S,R					R	R
Vehicle Leasing and Renting	Vehicle & Related			S R	R	R			S R	R	S R		R 33	R	R
Vehicle Parking Lot/Garage (Primary)	Vehicle & Related		P	P	P	P		P	P	P	P	P	31	P	P
Vehicle Parts Sales (Inside)	Vehicle & Related			P	P	P			P		P			P	P
Vehicle Parts Sales (Outside)	Vehicle & Related														S
Vehicle Repair (Major)	Vehicle & Related				R 33	R 33			R 33	R 26 33				R 33	R 33
Vehicle Repair (Minor/Fueling Station)	Vehicle & Related			R 33	R 33	R 33			R 33	R 25 33	R 33			R 33	R 33
Vehicle Storage	Vehicle & Related				S	S			P					P	P

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

The residential and nonresidential district use tables contain numbered notes that apply to some uses in some districts. The following table provides further explanation of those numbered notes.

Number	End Note
7	Permitted as a primary use. See <i>Article 19</i> .
24	Permitted as an accessory use to a primary use on the same lot. See <i>Article 19</i> .
25	Permitted in the CE district. (See Sec. 10.1000)
26	Permitted as an accessory use but not as a primary use.
28	Allowed by specific use permit as a primary use; allowed by right as an accessory use to other storage
31	Permitted as an accessory use to motel/hotel.
33	Fueling dispensing and/or car washing facilities associated with this use may be prohibited when in proximity to residential districts. See Residential Adjacency Standards of <i>Article 21</i> .
46	Dispensing of vehicle fuels is not allowed.

Section XVI. Section 16.500 (Parking Area Standards) of Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

- .1 Unless noted otherwise in this section, all required vehicle parking, storage spaces, and loading areas, together with driveways and maneuvering aisles, and additional parking areas shall be a paved surface. Driveways and maneuvering aisles associated with single-family residences, farms, dairies, and ranches within the Agricultural and Estate Development zoning districts may be gravel construction. No minimum paving standard is required for parking areas for special events and seasonal sporting events or overflow parking beyond required parking for religious facilities. Paving and drainage shall be in accordance with city standards. Alternative pavement and drainage design intended to improve storm water quality and/or intended to decrease storm water quantity will be considered if submitted as part of a site-specific storm water management plan per Article 18. Alternative pavement and drainage design shall be subject to approval by the City Engineer. All paved surfaces shall be maintained in good condition, free of potholes and other deterioration. (Graphic to remain.)
- .2 Except as noted above, any new vehicle parking or storage area construction or expansion of an existing vehicle parking or storage area shall be constructed of a paved surface. Properties with existing parking areas not constructed of a paved surface shall conform to these requirements upon a change of property use or tenant. Alternative pavement and drainage design intended to improve storm water quality and/or intended to decrease storm water quantity will be considered if submitted as part of a site-specific storm water management plan per Article 18. Alternative pavement and drainage design shall be subject to approval by the City Engineer.

Section XVII. Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section as reads “automobile” and replacing it with “vehicle”, to read as follows:

Use	Minimum Required Off-Street Parking
Fueling Station, Vehicle	Minimum of 6 spaces (No maximum number of parking spaces.)
General Use Category	Parking Space Requirements
Vehicle and Related Uses	One space per employee plus one space per stored vehicle

Section XVIII. Subsection 17.100.1 (Landscaping along Street Rights-of-Way) of Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

.1 Landscaping along Street Rights-of-Way

- C. Vehicle bumpers shall not overhang into the landscape edge. If the parking stalls adjacent to the landscape edge are 18 feet deep, an additional 2 feet of landscape area shall be required. The additional 2 feet of landscape area shall not be included in calculating the required landscape edge requirements.

Section XIX. Article 19 (Open Storage and Outside Display) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby repealed and replaced as follows:

Article 19	Open Storage and Merchandise Display
19.100	General Requirements for Open Storage
19.200	Screening Requirements for Open Storage
19.300	General Requirements for Merchandise Display
19.100	General Requirements for Open Storage

.1 Open storage must be designated on an approved site plan.

.2 Open storage must not be placed:

- A. Within any required building setbacks;

- B. Within parking spaces, fire lanes, easements, maneuvering aisles, customer pick-up lanes, or loading zones;
- C. So as to obstruct visibility or interfere with pedestrian or vehicular circulation;
- D. On the roof of any structure;
- E. So as to exceed the height of required screening, except for the open storage of living plants and trees; and
- F. At the front of the primary building in R and RC districts.

.3 The maximum permitted area of open storage is as follows:

Use	Maximum Storage Area
Accessory	5% of the total lot area or 20% of the main building gross floor area, whichever is more restrictive
Garden Center or Nursery	50% of the total lot area
Primary	90% of the total lot area

.4 Open storage must be screened as required in Sec. 19.200.

.5 Open storage items must be stored on a paved surface, and associated access and maneuvering drives must be constructed of a paved surface. In LI-1 or LI-2 zoning districts or for freestanding garden center and nursery uses, open storage items, except vehicles, may be placed on a gravel surface or similar permeable surface.

.6 Restaurant uses may store a maximum of one cord of firewood in a rack, off the ground, placed immediately adjacent to the rear or side facade of the primary structure, not to exceed 4 feet in height. Firewood stored in accordance with the above requirements is not required to be screened.

.7 Vehicle storage is open storage except when:

- A. Temporarily parked in a parking space consistent with Article 16 on a lot with a permitted and directly associated primary use;
- B. Fleet or rental vehicles are staged or stored on a lot with a permitted and directly associated primary use and consistent with the approved site plan;
- C. Located at minor vehicle repair uses temporarily stored for a reasonable period of time considering the circumstances; or

D. Operable vehicles for sale are staged or stored at vehicle dealer uses on a lot with a permitted vehicle dealer use consistent with the approved site plan.

.8 Seasonal open storage must meet the requirements of the Itinerant Vendors ordinance where applicable.

19.200 Screening Requirements for Open Storage

.1 Open storage must be screened as follows:

A. In the LI-1 and LI-2 districts, storage must be screened from the view of streets by the primary building, a masonry wall, and/or an irrigated evergreen living screen.

B. In all other districts, storage must be screened from view of streets and other properties by the primary building, a masonry wall, and/or irrigated evergreen living screen.

.2 The height of a screening wall must be a minimum of 6 feet and maximum of 8 feet.

.3 Plantings used for a landscape screen must be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping must be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.

.4 Wood fencing and/or chain link with slats are not permitted methods of screening.

.5 Gates at maneuvering aisles are not required to be of solid construction.

.6 Masonry screening walls must be consistent in design, color, and materials with the primary building.

.7 The Planning & Zoning Commission may waive these requirements if no public purpose would be served by the construction of a required screen, or natural features (e.g., vegetation or topography) exist that sufficiently screen the open storage.

19.300 General Requirements for Merchandise Display

.1 Merchandise display must be placed within 10 feet of the front facade of the primary structure and must not exceed 4 feet in height.

.2 If the items are placed on a sidewalk or other pedestrian area, a 6-foot wide pedestrian path must be maintained through and adjacent to the merchandise display area. The pedestrian path must be concrete or asphalt and may not be located within off-street parking areas, including parking spaces, fire lanes, easements, maneuvering aisles, customer pick-up lanes, and loading zones.

- .3 Nothing in this article prohibits temporary open storage of merchandise for display and sale during a sidewalk sale. A 4-foot wide clearance must be provided along the public sidewalk and a 6-foot clearance must be provided on the sidewalk around the building.
- .4 Seasonal merchandise display must meet the requirements of the Itinerant Vendors ordinance where applicable.

Section XX. Section 21.300 (Definitions) of Article 21 (Residential Adjacency Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, repealing such portion of the section and replacing it, to read as follows:

Individual Service Speakers

Speakers used to conduct business with individual customers outdoors or in a partially enclosed structure including, but not limited to:

- Drive-through payment windows,
- Drive-through restaurant ordering boards,
- Vehicle fueling station pump islands, and
- Car washes.

Vehicular Service Bays

Any partially or fully enclosed space used for major or minor vehicle repair, truck and bus repair, or similar activities.

Section XXI. 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 XXII. The repeal of any ordinance or part of ordinances affected 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 XXIII. 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 XXIV. 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 XXV. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 24TH DAY OF JULY, 2017.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY