

DATE: September 17, 2019

TO: Honorable Mayor & City Council

FROM: John Muns, Chair, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of September 16, 2019

**AGENDA ITEM NO. (2B) - PUBLIC HEARING
ZONING CASE 2019-009
APPLICANT: CITY OF PLANO**

This is a request to amend Section 8.200 (Terms Defined) of Article 8 (Definitions), Article 14 (Allowed Uses and Use Classifications), Article 15 (Use-specific Regulations), and related sections of the Zoning Ordinance pertaining to the Expressway Corridor Environmental Health Policy. Tabled July 15, 2019, August 5, 2019, and September 3, 2019. Project #ZC2019-009.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____

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

STIPULATIONS:

Recommended for approval as follows (additions are indicated in underlined text):

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

Use Type	Use Category	RESIDENTIAL DISTRICTS																	
		A -Agricultural	ED-Estate Development	SF-20-Single-Family-20	SF-9-Single-Family-9	SF-7-Single-Family-7	SF-6-Single-Family-6	UR-Urban Residential	PH-Patio Home	SFA-Single-Family Attached	2F-Two-Family (Duplex)	GR-General Residential	MF-1-Multifamily-1	MF-2-Multifamily-2	MF-3-Multifamily-3	MH-Mobile Home			
Assisted Living Facility (ZC 03-21, ZC 00-83)	EIPS															P	P	P	
Continuing Care Facility (ZC 03-21, ZC 00-83)	EIPS															<u>52</u>	<u>52</u>	<u>52</u>	
Day Care Center (ZC 01-51, ZC 96-32, ZC 93-45) (13)	Service	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P
Day Care Center (Accessory) (ZC-08-74)	Service															<u>52</u>	<u>52</u>	<u>52</u>	
Household Care Institution (ZC 04-15)	EIPS															S	S	S	
Independent Living Facility	EIPS															<u>52</u>	<u>52</u>	<u>52</u>	
																P	P	P	

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		A -Agricultural	ED-Estate Development	SF-20-Single-Family-20	SF-9-Single-Family-9	SF-7-Single-Family-7	SF-6-Single-Family-6	UR-Urban Residential	PH-Patio Home	SFA-Single-Family Attached	2F-Two-Family (Duplex)	GR-General Residential	MF-1-Multifamily-1	MF-2-Multifamily-2	MF-3-Multifamily-3	MH-Mobile Home
(ZC 03-21, ZC 00-03)																
Long-term Care Facility (ZC 03-21, ZC 00-83)	EIPS															
Multifamily Residence (1)	Primary Res.															
Park/Playground	EIPS	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Playground/Park	EIPS	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School, (Private) (5)	EIPS	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

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

Use Type	Use Category	NONRESIDENTIAL DISTRICTS													
		O-1-Neighborhood Office	O-2-General Office	R-Retail	LC-Light Commercial	CC-Corridor Commercial	UMU-Urban Mixed-Use (ZC 12-29)	BG-Downtown Bus./Govt	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
Assisted Living Facility (ZC 09-18, ZC 03-21, ZC 00-83)	EIPS	P	P	P		S	P	P	P	P	S	S			
Continuing Care Facility (ZC 09-18, ZC 03-21, ZC 00-83)	EIPS	P	P	P		S	P	P	P	P	S	S			
Day Care Center (ZC 08-74; ZC 01-51; ZC 96-32; ZC 94-45) (13)	Service	P	P	P	S	S	P	P	P	P	P	P	P	S	S
Day Care Center (Accessory) (ZC 08-74)	Service	P	P	P	S	S	P	P	P	P	P	P	P	S	S
Day Care Center (Adult)	Service	P	P	P	P	P	P	P	P	P			S	P	P
Household Care Institution (ZC 04-15)	EIPS	S	S	S	S	S		S							
Independent Living Facility (ZC 09-18, ZC 03-21, ZC 00-83)	EIPS	P	P	P		S	P	P	P	P	S	S			
Long-term Care Facility (ZC 09-18, ZC 03-21, ZC 00-83)	EIPS	P	P	P		S	P	P	P	P	S	S			
Mid-Rise Residential (ZC 14-36, 13-33)	Primary Residential						P			S	S	S			
Multifamily Residence (1)	Primary Res.						P	2	3	3					

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Park/Playground	EIPS	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	
Playground/Park	EIPS	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	
Rehabilitation Care Institution	EIPS	S 52	S 52							P 52					
School, (Private) (5)	EIPS	P 52	P 52	S 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	P 52	

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

Number	End Note
52	See Sec. 15.1900.

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

15.1900 Sensitive Land Uses in Expressway Corridor Environmental Health Areas

As of [adoption date], sensitive land uses, as listed in Section 15.1900.2, proposed within Expressway Corridor Environmental Health Area One (EHA-1) or Expressway Corridor Environmental Health Area Two (EHA-2) on the Expressway Corridor Environmental Health Map in the Comprehensive Plan must comply with this section.

- .1 The following requirements are applicable to the interpretation of the table in Section 15.1900.2.
 - A. A building or parking structure of similar height and length must be located between the sensitive land use and the expressway.
 - B. 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.
 - C. All open space areas, outdoor living spaces, and playgrounds must be located on the opposite side of the building from the expressway.

D. The landscaping requirements in Section 17.300.1 must be met with the following additional requirements:

- i.** Except where more restrictive regulations exist, a minimum 15-foot landscape edge is required along the property line(s) closest to and most parallel to any Type A thoroughfare, regardless of adjacency to said thoroughfare.
- ii.** This regulation applies to all sensitive land uses regardless of base zoning district.
- iii.** Park and playground uses must provide double the required number of trees.

.2 The following sensitive land uses must meet the requirements listed in Section 15.1900.1. The letters listed in the table indicate subsection headers. For example, “A” indicates that a building or parking structure of similar height and length must be located between the sensitive land use and the expressway.

Sensitive Land Use	Requirements
Multifamily and Large Institutional Dwellings	
Assisted Living Facility	A, B, C, D
Continuing Care Facility	A, B, C, D
Household Care Institution	A, B, C, D
Independent Living Facility	A, B, C, D
Long-term Care Facility	A, B, C, D
Mid-Rise Residential	A, B, C, D
Multifamily Residence	A, B, C, D
Rehabilitation Care Institution	A, B, C, D
Day Cares and Schools	
Day Care Center	B, C, D
Day Care Center (Accessory)	B, C, D
Day Care Center (Adult)	B, C, D
School (Private)	B, C, D
Parks	
Park/Playground	D
Playground/Park	D

- .3** During the site plan review process, the Planning & Zoning Commission may allow a waiver to these standards either:
- A.** Upon a finding that a property may develop in a reasonably safe manner despite a waiver of a requirement(s) of 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, or
 - B.** When projects are subject to environmental reviews required and approved by state or federal regulatory agencies, and where the findings of such regulatory agency demonstrates the project is able to meet the maximum outdoor noise level of 65 dBA L_{dn}.

FOR CITY COUNCIL MEETING OF: October 14, 2019 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

CS/amc

xc: Lauren Mecke, Planner
Kendra Cobbs, Senior Planner
Jeanna Scott, Plan Review Services Supervisor