

DATE: July 21, 2020

TO: Honorable Mayor & City Council

FROM: John Muns, Chair, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of July 20, 2020

**AGENDA ITEM NO. 4 - PUBLIC HEARING
ZONING CASE 2020-012**

Request to amend Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Zoning Ordinance to create the Neighborhood Business Design zoning district. Project #ZC2020-012.

APPROVED: 8-0 **DENIED:** _____ **TABLED:** _____

Speaker Card(s) Received Support: 1 Oppose: 0 Neutral: 1

Petition Signatures Received: Support: 0 Oppose: 0 Neutral: 0

Other Responses: Support: 8 Oppose: 8 Neutral: 9

STIPULATIONS:

Recommended for approval as follows (for existing sections, additions are indicated in underlined text; deletions are indicated in strikethrough text).

Amend Subsection 3.100.3 (Applicability) of Section 3.100 (General) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.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.

FE. Mobile home parks.

GF. Parking lot development, reconstruction, or restriping of more than 20 spaces.

Amend Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.1 General

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

.2 Applicability

An adopted development plan approved as part of the zoning action establishing a ~~Urban Mixed-Use~~ UMU, NBD, or RCD district ~~shall be~~ is required prior to the consideration of a preliminary site plan or site plan for development of property ~~and~~ located within ~~that an Urban Mixed-Use~~ 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

B. General Application

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

C. Standards of Approval

D. Effect

E. Lapse

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

Amend Section 3.600 (Amendments) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

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 ~~the Urban Mixed Use~~ 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.

Amend Section 6.200 (Certificates of Occupancy) of Article 6 (Specific Use Permits and Certificates of Occupancy) of the Zoning Ordinance, such portion of section to read as follows:

.1 Certificate of Occupancy

It is unlawful for any person, firm, association, or corporation with ownership, care, custody, or control over a parcel of land, with or without a building, located within the municipal limits of the City of Plano to allow such building or parcel to be used, occupied, or modified in any manner that does not comply with a required, valid Certificate of Occupancy issued by the Chief Building Official, or designee of the City of Plano. The provisions of this section do not apply to single-family residence, two-family residence, farm, ranch, garden, or orchard uses, nor housing types in the RCD zoning district.

Amend Section 8.200 (Terms Defined) of Article 8 (Definitions) of the Zoning Ordinance, such portion of section to read as follows:

Live-Work (Business Loft)

A building that is designed with one ground-floor, nonresidential space and one attached dwelling unit. The dwelling unit may be located on the same floor, or directly

above, the nonresidential use and must be occupied by individuals owning or employed by the associated nonresidential use.

Two-Family Residence (Attached)

An attached building having separate accommodations for and occupied by not more than 2 households.

Amend Article 10 (Nonresidential Districts) of the Zoning Ordinance, such additional section to read as follows:

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 the Oak Point area. 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 appropriate primarily for commercial properties and redevelopment sites and the standards are intended to ensure compatibility between various uses for the purpose of implementing the Envision Oak Point Plan.

.2 Option for Residential Standards

The district may be entirely commercial or may include residential land uses. If residential land uses are incorporated into the development plan, these uses must fully utilize the Residential Community Design District (RCD) (Section 9.1700) 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 | <p>Minimum: 20 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p> <p>75% of the building face must be within 25 feet of the property line (consistent with Sec. 15(B), 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.</p> <p>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.</p> |
| Front yard along Type E and below thoroughfares | <p>Minimum: 10 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p> <p>75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B), 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.</p> |
| Front yard along major and minor streets | <p>Minimum: none, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p> |

| Description | Requirement |
|---------------------------|--|
| | 75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B), 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. 13.500.2 Sec. 10.1600.6 75% of the building face must be within 5 feet of the property line (consistent with Sec. 15(B), 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. |
| Side Yard Setbacks | |
| Interior Lot | None, except as provided in Sec. 13.500.3 and Sec. 10.1600.6 |
| Corner Lot | Same as front yard setback, except as provided in Sec. 13.500.3 and Sec. 10.1600.6 |
| Rear Yard Setback | 10 feet where no alley abuts the rear property line, except as provided in Sec. 13.500.4 and Sec. 10.1600.6 |
| Maximum Height | 3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 10.1600.6 |
| Maximum Lot Coverage | 75%, 90% if structured parking is included |
| Minimum Lot Coverage | None |
| Maximum Floor Area Ratio | None |
| Minimum Floor Area Ratio | None |
| Minimum Usable Open Space | 10% in accordance with Sec. 10.1600.14 |

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. 13.500.2 |
| Maximum Front Yard | 20 feet, except as provided in Sec. 13.500.2 |
| 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 Article 16). See Article 16 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.** Maximum residential densities;
 - iv.** Requirement to maintain three or more uses; and
 - v.** 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 Article 14.

- B.** Once a property is developed for residential purposes within the NBD district, with the exception of live-work (business loft) units, home occupations, and bed and breakfast inns, nonresidential uses are not permitted within that property.
- C.** At least 10,000 square feet of nonresidential space must be built as part of the first phase of development. Freestanding nonresidential buildings may not have a floor area less than 5,000 square feet.
- D.** 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 determined by the adopted development plan. A private street lot or public right-of-way may vary in width but must accommodate travel lanes, medians, sidewalks, utilities, street furniture and fixtures, and landscaping of public or common ownership. Easements may be required within the street lot for utilities and emergency access.
- B. Street Design**

An NBD district site must be organized into blocks created by a connected grid of streets. A variety of street types and block sizes may be incorporated to create the grid, including diagonal, off-set, and angled streets. Cul-de-sacs and curvilinear streets are prohibited, except where needed to account for major natural features.
- C. Block Size**

The maximum block size is three acres, except as required for public parks or school use.
- D. Block Length**

The maximum block length is 600 feet, with a desired typical block length of 400 feet. The block length is the distance along a street face uninterrupted by an intersecting street, transit right-of-way, and/or public usable open space designated on the development plan, excluding intersections with mews streets, alleys, and service drives.

E. Street Trees

A tree planting strip at least 5 feet in width is required on both sides of major and minor streets between the curb and sidewalk. Trees must be centered in the tree planting strip at the rate of one tree per 40 linear feet of street frontage. Adjacent to retail uses, street trees are required at the rate of one tree per 100 feet of major and minor street frontage.

F. Sidewalks

Sidewalks are required on both sides of all major and minor streets. Trees, landscaping, outdoor dining areas, bicycle racks, and street furniture may be placed on or within a sidewalk, but a minimum clearance width equal to the minimum sidewalk width must be maintained. Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

G. Street Types

All streets within an NBD district must be constructed in accordance with the following general street classifications:

| Street Type | Travel Lanes | On-street Parking | Sidewalks |
|------------------------------|---|---|---|
| Type D or above thoroughfare | Per Thoroughfare Standards Rules & Regulations | | Minimum 12 feet in width |
| Type E or below thoroughfare | Per Thoroughfare Standards Rules & Regulations | | Minimum 7 feet in width |
| Major Street | Two 11-foot vehicle lanes | Parallel or diagonal parking in accordance with Sec. 16.1500 and valet or drop-off lanes required | Minimum 12 feet in width |
| Minor Street | | Parallel parking in accordance with Sec. 16.1500 and designated loading zones required. | Minimum 7 feet in width |
| Alley/Service Drive | Two 9-foot vehicle lanes plus 3 feet on each side of the street to accommodate utilities and services | 7-foot driveway/setback lanes Additional easements may be needed to accommodate utilities. | If provided, minimum 5 feet in width, but none required |

| | | | |
|-------|--|---------------|--|
| Paseo | Minimum overall width: 28 feet with minimum 15 percent landscaped area with 3 caliper inches of shade trees or 6 caliper inches of ornamental trees per 500 square feet of landscape area with a minimum tree size of 2-inch caliper. No vehicle lanes, except for emergency service access if built to fire lane standards. | Not permitted | Minimum 12-foot wide main sidewalk and minimum 4-foot wide pathways providing access to individual entrances of buildings on adjacent lots |
|-------|--|---------------|--|

H. Landscape Edge

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.

I. Bike Lanes

Bike lanes must have a rideable surface at least 5 feet in width. A solid white lane line, bicycle lane word and/or symbol, and arrow markings that meet the Texas Manual on Uniform Traffic Control Devices requirements must be used to define the bike lane. A minimum 2-foot separation between the bike lane and any parallel vehicle lane is required. On major streets, a physical barrier between the bike lane and any parallel vehicle lane is required and must meet the Federal Highway Administration Separated Bike Lane Planning and Design Guide standards. Where possible, bike lanes must connect to existing or planned trails or bikeways located in or adjacent to the NBD district.

J. 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.

K. Curb Bulb Outs

Curb bulb outs are required at all intersections and defined mid-block crossing points on all street types with dedicated on-street parking, except for Type D and above thoroughfares. Curb bulb out areas may not be used to satisfy the required street tree planting strip.

.12 Parking Requirements

- A.** Parking for residential uses must follow RCD standards (Sec. 9.1700.12).
- B.** All required off-street parking in NBD districts must be accommodated in accordance with Section 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.

- vii. 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
- viii. If a parking garage is multi-level, one full level at or below grade must be provided for public parking
- ix. 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. Lots must be oriented so that buildings 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.

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 | <u>NBD-Neighborhood Business Design</u> |
|--|--------------------------|---|
| Accessory Building or Use (8) | Accessory & Incidental | |
| Accessory Housing Shelter (Temporary) | EIPS | |
| Airport/Heliport (4) | EIPS | |
| Amusement, Commercial (Indoor) | Service | <u>P</u> |
| Amusement, Commercial (Outdoor) (15) | Service | <u>S</u> |
| Animal Exhibition | EIPS | |
| Antenna | Trans., Utility, & Comm. | <u>P</u> <u>34</u> |
| Antenna Support Structure (Commercial and Amateur) | Trans., Utility, & Comm. | <u>P</u> <u>34</u> |
| Arcade (12) | Service | <u>P</u> <u>12</u> |
| Artisan's Workshop | Service | <u>P</u> |
| Asphalt/Concrete Batching Plant (Permanent) | Comm., Mfg. & Ind. | |
| Asphalt/Concrete Batching Plant (Temporary) | Comm., Mfg. & Ind. | |
| Assembly Hall | EIPS | |
| Assisted Living Facility | EIPS | |
| Backyard Cottage | Accessory & Incidental | |
| Bank, Savings and Loan, or Credit Union | Service | <u>P</u> |
| Bed and Breakfast Inn | Service | <u>P</u> |
| Boarding/Rooming House | Primary Res. | |
| Body Piercing | Service | |
| Building Material Sales | Retail | |
| Bus/Truck Leasing | Vehicle & Related | |
| Bus/Truck Repair | Vehicle & Related | |
| Business Service | Service | <u>P</u> |
| Cabinet/Upholstery Shop | Service | |
| Cafeteria/Restaurant | Service | |
| Car Wash | Vehicle & Related | |

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|---|--------------------------|-----------------------|
| Caretaker's/Guard's Residence | Accessory & Incidental | |
| Cemetery/Mausoleum | EIPS | |
| College/University (5) | EIPS | |
| Commissary | Wholesale | |
| Community Center | EIPS | |
| Compact Construction & Transportation Equipment Sales & Service | Retail | |
| Concrete/Asphalt Batching Plant (Permanent) | Comm., Mfg. & Ind. | |
| Concrete/Asphalt Batching Plant (Temporary) | Comm., Mfg. & Ind. | <u>36</u> |
| Construction Yard (Temporary) (9) | Accessory & Incidental | |
| Continuing Care Facility | EIPS | |
| Convenience Store | Retail | <u>R</u> <u>33</u> |
| Country Club or Golf Course | EIPS | |
| Data Center | Service | |
| Day Care Center (13) | Service | <u>P</u> <u>52</u> |
| Day Care Center (Accessory) | Service | <u>P</u> <u>52</u> |
| Day Care Center (Adult) | Service | <u>P</u> <u>52</u> |
| Day Care (In-home) (16) | Service | |
| Distribution Center/Warehouse | Wholesale | |
| Dry Cleaning Plant | Service | |
| Electrical Power Generating Plant | Trans., Utility, & Comm. | |
| Electrical Substation | Trans., Utility, & Comm. | <u>S</u> |
| Engine Repair Shop (Small) | Service | |
| Exhibition Area | Service | |
| Fairgrounds | Service | |
| Farm, Ranch, Garden, or Orchard | EIPS | |
| Farmers Market | Retail | <u>P</u> |
| Feed Store | Retail | |
| Fire Station/Public Safety Building | EIPS | |
| Fitness/Health Center | Service | |
| Flea Market (Inside) | Retail | |
| Flea Market (Outside) | Retail | |
| Flex Space(Live-Work) | Service | |
| Food/Grocery Store | Retail | <u>P</u> |
| Food Truck Park | Service | <u>S, R</u> |
| Fraternal Organization, Lodge, or Civic Club | EIPS | |
| Funeral Parlor/Mortuary | Service | |
| Furniture and Appliances, Storage/Repair of (Inside) | Service | <u>P</u> |
| Furniture and Appliances, Storage/Repair of (Outside) | Service | |
| Furniture, Home Furnishings, and Equipment Store | Retail | |
| Garden Center | Retail | <u>R</u> |
| Golf Course or Country Club | EIPS | |
| Grocery/Food Store | Retail | <u>P</u> |
| Guard's/Caretaker's Residence | Accessory & Incidental | |
| Gun Range (Indoor) | Service | |
| Hardware Store | Retail | <u>P</u> |

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|--|------------------------|------------------------------------|
| Health/Fitness Center | Service | <u>P</u> |
| Heliport/Airport (4) | EIPS | |
| Helistop (4) | EIPS | |
| Home Occupation (11) | Accessory & Incidental | |
| Hospital (5) | EIPS | |
| Hotel/Motel | Service | <u>P</u> |
| Household Care Facility | EIPS | |
| Household Care Institution | EIPS | |
| Independent Living Facility | EIPS | |
| Industrial Use (Hazardous or Nuisance) | Comm., Mfg. & Ind. | |
| Kennel (Indoor Pens)/Commercial Pet Sitting | Service | <u>P</u> |
| Kennel (Outdoor Pens) | Service | |
| <u>Live-Work (Business Loft)</u> | <u>Primary Res.</u> | <u>P</u> <u>54</u> |
| Long-term Care Facility | EIPS | |
| Machinery Sales & Storage, Heavy | Retail | |
| Manufacturing (Heavy-intensity) | Comm., Mfg. & Ind. | |
| Manufacturing (Light-intensity) | Comm., Mfg. & Ind. | |
| Manufacturing (Moderate-intensity) | Comm., Mfg. & Ind. | |
| Massage Therapy, Licensed | Service | |
| Mausoleum/Cemetery | EIPS | |
| Mid-Rise Residential | Primary Residential | |
| Mini-Warehouse/Public Storage | Wholesale | |
| Mobile Home/Trailer Display and Sales | Service | |
| Mobile Home/Trailer Park | Primary Res. | |
| Mortuary/Funeral Parlor | Service | |
| Motel/Hotel | Service | |
| Motorcycle Sales & Service | Vehicle & Related | |
| Multifamily Residence (1) | Primary Res. | <u>P</u> <u>52</u> <u>53</u> |
| Nursery | Retail | <u>S</u> |
| Office (Field) (9) | Accessory & Incidental | |
| Office (Medical) | Office & Prof. | <u>P</u> |
| Office (Professional/General Administrative) | Office & Prof. | <u>P</u> |
| Office (Showroom/Warehouse) | Wholesale | <u>S</u> |
| Paint Shop | Retail | |
| Park/Playground | EIPS | |
| Pawn Shop | Retail | |
| Personal Service Shop | Service | <u>P</u> |
| Pet Sitting, Commercial/Kennel (Indoor Pens) | Service | |
| Playground/Park | EIPS | |
| Portable Building Sales | Retail | |
| Post Office (Government and Private) | EIPS | |
| Print Shop (Major) | Service | |
| Print Shop (Minor) | Service | <u>P</u> |
| Private Club (19) | Service | |
| Private Recreation Facility | EIPS | |
| Public Safety Building/Fire Station | EIPS | |
| Public Storage/Mini-Warehouse | Wholesale | |

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|---|--------------------------|-----------------------|
| Railroad Freight Depot or Dock | Trans., Utility, & Comm. | |
| Recreational Vehicle Parking Lot/Garage | Vehicle & Related | |
| Recreational Vehicle Sales & Service | Vehicle & Related | |
| Rehabilitation Care Facility | EIPS | |
| Rehabilitation Care Institution | EIPS | |
| Religious Facility (5) | EIPS | |
| Repair/Storage of Furniture and Appliances (Inside) | Service | |
| Repair/Storage of Furniture and Appliances (Outside) | Service | |
| Research and Development Center | Office & Prof. | |
| Restaurant/Cafeteria | Service | <u>P</u> <u>47</u> |
| Restaurant (Drive-in) | Service | |
| Retail/Service (Incidental) | Retail | <u>P</u> |
| Retail Store | Retail | <u>P</u> |
| Rooming/Boarding House | Primary Res. | |
| Salvage or Reclamation of Products | Comm., Mfg. & Ind. | |
| Sand, Gravel, Stone, or Petroleum Extraction | Comm., Mfg. & Ind. | |
| School, (Private) (ZC2019-009) (5) | EIPS | |
| School, (Public or Parochial) (5) | EIPS | |
| Service Contractor | Service | |
| Service Yard (Public or Utility) | Trans., Utility, & Comm. | <u>S</u> <u>50</u> |
| Service/Retail (Incidental) | Retail | <u>P</u> |
| Sewage Treatment Plant | Trans., Utility, & Comm. | |
| Shopping Center | Retail | <u>P</u> |
| Single-Family Residence (Attached) | Primary Res. | <u>P</u> <u>53</u> |
| Single-Family Residence (Detached) | Primary Res. | <u>P</u> <u>53</u> |
| Stable | EIPS | |
| Storage, Open | EIPS | |
| Studio (Dance, Gymnastics and/or Martial Arts) | Service | <u>P</u> |
| Studio (Photographer, Musician, Artist, Radio, and/or TV) | Service | <u>P</u> |
| Studio Residence | Primary Res. | <u>P</u> <u>53</u> |
| Superstore | Retail | |
| Tattooing and Permanent Cosmetics | Service | |
| Temporary Accessory Housing Shelter | EIPS | |
| Theater (Drive-in) | Service | |
| Theater (Neighborhood) | Service | <u>P</u> |
| Theater (Regional) | Service | |
| Trade Schools | EIPS | |
| Trailer/Mobile Home Display & Sales | Service | |
| Trailer/Mobile Home Park | Primary Res. | |
| Transit Center/Station | Trans., Utility, & Comm. | <u>S</u> |
| Transmission Line/Utility Distribution | Trans., Utility, & Comm. | |
| Transportation and Utility Structures/Facility | Trans., Utility, & Comm. | <u>P</u> |
| Truck Parking Lot | Vehicle & Related | |
| Truck Sales (Heavy Trucks) | Vehicle & Related | |

| | | |
|--|--------------------------|-----------------------|
| Truck Terminal | Vehicle & Related | |
| Truck/Bus Leasing | Vehicle & Related | |
| Truck/Bus Repair | Vehicle & Related | |
| Two-Family Residence | Primary Res. | <u>P</u> <u>53</u> |
| <u>Two-Family Residence (Attached)</u> | <u>Primary Res.</u> | <u>P</u> <u>53</u> |
| University/College (5) | EIPS | |
| Upholstery/Cabinet Shop | Service | |
| Utility Distribution/Transmission Line | Trans., Utility, & Comm. | <u>P</u> |
| Utility, Private (other than listed) | Trans., Utility, & Comm. | <u>P</u> |
| Veterinary Clinic | Service | <u>P</u> |
| Vehicle Dealer (New) (7) | Vehicle & Related | |
| Vehicle Dealer (Used) (7) | Vehicle & Related | |
| Vehicle Leasing and Renting | Vehicle & Related | |
| Vehicle Parking Lot/Garage (Primary) | Vehicle & Related | <u>P</u> |
| Vehicle Parts Sales (Inside) | Vehicle & Related | |
| Vehicle Parts Sales (Outside) | Vehicle & Related | |
| Vehicle Repair (Major) | Vehicle & Related | |
| Vehicle Repair (Minor/Fueling Station) | Vehicle & Related | |
| Vehicle Storage | Vehicle & Related | |
| Warehouse/Distribution Center | Wholesale | |
| Water Treatment Plant | Trans., Utility, & Comm. | |
| Winery | Service | <u>S</u> |
| Wrecking Yard | Vehicle & Related | |

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 |
|-----------|--|
| <u>53</u> | <u>See Section 9.1700 for housing type requirements.</u> |
| <u>54</u> | <u>See Sec. 15.2000</u> |

Amend Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Zoning Ordinance, such portion of section to read as follows:

.2 Front Yard Regulations

- I. In all districts except BG, CB-1, and UMU, NBD, and RCD the distance as measured from the front lot line to the face of the building shall in no case be less than one-half the height of the building. In cases where a lot is across the street from or adjacent to a residential zoning district, see Sec. 13.500.2N.

- K. Except in the BG, CB-1, and UMU, NBD, and RCD districts, on any corner lot, no fence, wall, screen, billboard, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted, or maintained in such a manner as to obstruct or interfere with a clear line of sight for the drivers of approaching motor vehicles within a triangular area formed by extending the 2 curb lines a distance of 45 feet

from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of 30 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. In cases where streets do not intersect at approximately right angles, the Traffic Engineer shall have the authority to vary these requirements as deemed necessary to provide safety for both vehicular and pedestrian traffic; however, the Traffic Engineer shall not require site distance in excess of 275 feet. Within this triangle, vision ~~shall~~ must be clear at elevations between 30 inches and 9 feet above the average grade of the street.

- 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 ~~shall~~ 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.
- Q. In all nonresidential zoning districts, except BG, UMU, NBD, and CB-1, the front building setback may be reduced to 30 feet for one-story buildings along Type D or smaller thoroughfares if parking and driveways are prohibited between the building face and the street with the reduced setback.

.3 Side Yard Regulations

- 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.

.4 Rear Yard Regulations

- A. In all districts permitting residential structures, except PH, SF-A, MF-1, MF-2, MF-3, BG, CB-1, and UMU, NBD, and RCD, ~~no~~ main residential buildings must ~~may~~ be constructed ~~nearer than~~ at least 10 feet away from ~~to~~ the rear property line, and the main residential building and all accessory buildings ~~shall~~ 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.
- 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 ~~shall~~ 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.

Amend Section 15.200.5 (General Requirements) of 15.200 (Communications Antennas, Amateur and Commercial) of Article 15 (Use-specific Regulations) of the Zoning Ordinance, such portion of section to read as follows:

- E. Commercial antennas and antenna support structures are prohibited in residential districts on lots used or platted for single-family, two-family, or single-family attached purposes nor in an NBD or RCD zoning district on lots used for a housing type in Sec. 9.1700.5, unless the conditions of Sec. 15.200.2C are met.

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

Section 15.2000 Live-Work (Business Loft)

.1 The residential and nonresidential spaces must be connected and are not intended to be two independent uses.

.2 The dwelling unit must be converted to nonresidential spaces if not occupied by an individual owning or employed by the associated nonresidential use.

Amend Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Zoning Ordinance, such portion of section to read as follows:

These standards ~~shall~~ apply to all nonresidential districts except BG, UMU, NBD, and CB-1. Any area within a planned development district or overlay district containing landscaping standards ~~shall be~~ is regulated by the standards of the planned development district or overlay district where such standards conflict with the standards herein. Tree preservation requirements ~~shall~~ apply to all zoning districts as listed in Sec. 17.800.2.

Amend Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

- .1 In the event that an MF-1, MF-2, MF-3, BG, O-1, O-2, CE, CB-1, R, LC, RC, RE, CC, RT, LI-1, ~~or~~ LI-2, or NBD district sides or backs upon an ED, SF-20, SF-9, SF-7, SF-6, SF-A, PH, 2F, RCD, GR or UR district except as noted in (2) below, or in the event that any nonresidential district sides or backs to an MF-1, MF-2, or MF-3 district, a solid screening wall or fence of not less than six nor more than eight feet in height shall be erected along the entire property line separating these districts, except where visibility

triangles or easements are required. (See Sec. 13.500.2C and Sec. 13.500.2K) The purpose of the screening wall or fence is to provide a visual barrier between the properties. The owner of such property shall be responsible for and shall build the required wall or fence along the entire property line dividing his property from the residential district. In cases where the Planning & Zoning Commission finds this requirement to be impractical for immediate construction, it may grant a temporary or permanent waiver of the required screening wall or fence until such time as the screening wall or fence may be deemed necessary by the City Council. In cases where the Planning & Zoning Commission finds this requirement to be better met by an irrigated living screen, the same may be substituted for the screening wall. Evergreen shrubs used for a landscape screen shall be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping shall be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.

Amend Section 20.400 (Requirements for Solid Waste Collection) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

.1 Applicability

This section ~~shall apply~~ applies to property utilized for nonresidential or multifamily uses and ~~shall~~ does not apply to the following:

- C. Multifamily and nonresidential developments that comply with both of the following stipulations
 - i. The development is authorized by the City of Plano Public Works Department for solid waste collection utilizing 95-gallon residential-type carts.
 - ii. The development is located within BG, UMU, NBD, RCD, or CB-1 zoning districts, or the development is within a planned development district that permits, by stipulation, the use of 95-gallon residential-type carts for solid waste collection.

Amend Section 25.300 (Applicability) of Article 25 (Traffic Impact Analysis) of the Zoning Ordinance, such portion of section to read as follows:

.3 Requirements

The TIA process shall be required simultaneous with the site plan approval process for projects generating 8,000 trips per day or greater. A TIA is typically required with the submission of the preliminary site plan; however, the city may require the TIA to be submitted with a concept plan, development plan, or site plan due to project phasing. It is the responsibility of the applicant to demonstrate that a TIA is not required. Recommendations shall be made for mitigation measures necessary to

ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service) on all preliminary site plans and/or site plans. Site plan applications as defined herein, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action.

FOR CITY COUNCIL MEETING OF: August 10, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

CS/amc

xc: Mike Bell, Comprehensive Planning Manager
Kendra Cobbs, Senior Planner
Jeanna Scott, Building Inspections Manager