

CITY OF PLANO  
PLANNING & ZONING COMMISSION

July 20, 2020

**Agenda Item No. 4**

**Public Hearing:** Zoning Case 2020-012

**Applicant:** City of Plano

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**DESCRIPTION:**

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.

**REMARKS:**

At its [March 16](#), [May 4](#), [June 1](#), and [June 15](#), 2020, Planning & Zoning Commission meetings, the Commission discussed information in staff presentations and gave direction related to the draft Neighborhood Business Design (NBD) zoning district. Since these meetings, staff has continued public outreach and worked to further refine the district. This request is a companion item to Agenda Item No. 5, Zoning Case 2020-013.

**Intent of New District**

The NBD district is requested to facilitate the Plano Event Center zoning case (Agenda Item No. 6) and help implement the [Envision Oak Point Plan](#) by providing regulations that foster a complementary mix of land uses, pedestrian-friendly streets, and neighborhood-supportive amenities in line with the Envision Oak Point Vision Statement:

“Oak Point enhances community and establishes place by unifying northeast Plano, serving as its social hub and shaping unique, amenity-rich neighborhoods connecting the area’s diverse population to its vast network of natural features and civic spaces.”

The NBD district and its companion district, Residential Community Design (see Agenda Item No. 5), are developed with these important community elements in mind, working together to support residential and non-residential developments that are appropriately-scaled and sensitive to the context of surrounding neighborhoods through application of consistent street design, building scale, and landscaping standards such as:

- Transitions in height to respect nearby neighborhoods and residential districts;
- Low-rise (1-3 stories), pedestrian-oriented design with neighborhood-supportive uses;
- Tree-lined streets with short block lengths that encourage walking;
- Amenitized open space areas; and
- Parking located on-street, in garages, or well-landscaped surface lots located to the rear of properties.

Although connected through these shared characteristics, the NBD and RCD districts serve two distinct functions. The NBD district includes mostly non-residential development standards, allowing residential uses subject to the RCD standards. The RCD district includes residential development standards, with limited nonresidential development comparable to other single-family districts, such as schools, fire stations, and religious facilities.

The following sections summarize the standards of the NBD district. Refer to Agenda Item No. 5 for a summary of RCD standards.

### **Need for NBD District**

Most existing zoning districts do not allow the appropriate diversity of housing types nor walkability desired for the Oak Point area. Four development types in the Envision Oak Point [Community Vision Map](#) support a distinct and diverse character pattern, creating opportunities to live, work, and socialize within a cohesively planned, pedestrian-friendly environment, which is not possible to develop under our current regulations without utilizing a planned development district. These include:

- [Mixed-Use Activity Center](#) is the social hub of Oak Point, with retail, dining, entertainment, and housing options, as well as open space amenities where residents and Plano Event Center visitors can gather with family, friends, neighbors, and colleagues. Mixed-Use Activity Centers are centrally located, providing residents, employees, and visitors the opportunity to live, work, and socialize just steps away from these amenities. Building form, housing types, streets, and open space in these areas are allocated and scaled to support Oak Point's most vibrant, pedestrian friendly places.
- [Village](#) areas act as transitional buffers between more active mixed use and commercial areas, and single family residential areas. These smaller scale mixed-use areas provide housing and neighborhood-focused retail and services, such as small grocery stores, medical offices, and restaurants, close to the communities they serve. Village areas accommodate a broad mix of housing options, with a strong focus towards seniors and young professionals who are seeking low maintenance housing options in highly amenitized neighborhoods.

- [Neighborhood Edge](#) areas allow for active uses along major street frontages adjacent to single family residential areas. Small-scale, neighborhood-serving commercial buildings such as banks, small grocery stores, and cafes may be located to provide a buffer and compatible transition to the residential areas. Where employed, commercial buildings should front the sidewalk to provide easy pedestrian access, screen parking areas, create an attractive streetscape, and support transitions to traditional single family development.
- [Transit Ready](#) areas will support the establishment of new rail or rapid transit stations in Oak Point, as it is anticipated that rapid transit will be extended north from Parker Road Station. These areas will evolve as transit arrives in the area - beginning with office and retail uses, and adding housing within walking distance as stations are financed. Residents and employees in the area enjoy easy access to transit, and transit users around the region benefit from newly built retail and employment destinations.

The city's existing zoning districts do not allow efficient implementation of these development types. Retail and Office zoning districts do not require open space, streetscapes, and design standards set out in the Plan. Other commercial districts have similar problems, allow uses that are inappropriate with the adjacent residential, or are too intense, as is the case with the Urban Mixed-Use (UMU), Central Business-1 (CB-1) and Downtown Business/Government (BG). A Planned Development (PD) district could be used on a property-by-property basis, however staff and associated property owners must spend an inordinate amount of time and effort creating and enforcing customized development standards for each PD. Establishing the NBD district creates consistent baseline zoning standards and uses for application in appropriate locations within Oak Point, without the need to create all new standards for each proposal.

### **Appropriate Locations for NBD**

At this time, application of the NBD district is explicitly limited to the Oak Point area. The City may choose to evaluate whether or not the district, or a modification thereof, is appropriate in other areas of the city at a later date, pending outcomes from the Comprehensive Plan Review Committee (CPRC) process. Since the CPRC process is ongoing, it is premature to determine whether use of this district is appropriate in other areas of the City. Therefore, should the district be adopted, its use will be limited to the Oak Point area, as described in the Purpose Statement for the district:

Section 10.1600.1. 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.

Additionally, NBD districts will have a minimum district size of 10 acres, a size appropriate to support community shopping centers with an appropriate range of uses. When NBD districts include residential housing using RCD standards, this minimum size would apply to the entire NBD district. In both cases, if necessary, the minimum acreage could be reduced for specific zoning cases where City Council determines a smaller NBD district is required to implement the Comprehensive Plan or related study.

### **Summary of NBD District Requirements**

The district requirements are summarized below and in [Attachment A](#).

Adopted Development Plan - An NBD zoning request must be accompanied by an adopted development plan that determines the mix of uses, street locations, development blocks, and open space. The plan also must specify any conditions or additional standards absent from base NBD zoning. Once the plan is adopted, major modifications can only be made through a subsequent zoning process.

Governance Association - A governance association is required to maintain common improvements and open space in the district. An acceptable property owners' association is expected to have sufficient authority to assess and collect dues as necessary to perform its responsibilities. Building permits will not be accepted without an established association.

Residential Transition Areas - While building height in NBD districts is capped at three stories, or 50 feet, building height transitions are proposed near residential uses or zoning districts to help mitigate privacy and visibility concerns. The Commission previously discussed options for residential transition areas and directed staff to survey the public on their preferences. Staff has not received any feedback on this issue as of the preparation of this report, therefore chose the 2:1 ratio option (Option 3 from June 1 meeting), which provides greater separation of buildings from adjacent residential to provide additional protections from potential light and noise as well as limit visibility. Example setbacks are as follows:

<b>Building Height</b>	<b>Setback with Alley</b>	<b>Setback with No Alley</b>
1 story (20 feet)	40 feet	55 feet
2 story (35 feet)	70 feet	85 feet
3 story (50 feet)	100 feet	115 feet

These distances provide the separation needed to help protect residential areas, while also allowing for gradual transitions in NBD building height, to create a more cohesive and attractive development.

Mixed-Use Requirement - Neighborhood-friendly developments offer a variety of compatible uses that attract people seeking the enjoyable entertainment, shopping, and employment that these areas provide. The proposed NBD district will require three or more uses for each development.

Live-Work (Business Loft) Standards - Live-Work units are the only residential use permitted in NBD district without an RCD component. These units include a ground floor commercial space with a single attached dwelling unit. The dwelling unit must be occupied by the owner or an employee of the commercial space. Standards are included to require Live-Work units be placed within 600 feet of an existing neighborhood and to limit the number of Live-Work units to 10 per block. The standards for Live-Work units were previously located in the RCD district but were relocated to the NBD district for user-friendliness.

Additional Use Regulations - To further the requirement for a mix of uses, the first phase of development must include a minimum of 10,000 square feet of nonresidential space. Additionally, freestanding non-residential buildings may not have a floor area of less than 5,000 square feet. To create a cohesive development and improve walkability, the second building constructed and all subsequent buildings may not be further than 150 feet from another building.

District Establishment - The proposed NBD zoning district, as written, provides a base level of standardized requirements that reflect the community's goals and expectations for the design and function of NBD districts. Since each NBD development will be different, it is expected and anticipated that a second level of regulation, tailored to the specific proposal for each site, will be needed. This approach provides needed flexibility while still maintaining the consistent set of base standards expected of an NBD district. The Planning & Zoning Commission and City Council will maintain discretion to amend many district standards during the zoning process, however, the proposed ordinance sets forth the requirements that cannot be altered through the zoning process. These are:

- Requirement for an adopted development plan;
- Requirement for a governance association;
- Maximum residential density;
- Requirement to maintain three or more uses; and
- Requirement for nonresidential uses to be constructed within the first phase of development.

Streets and Sidewalks - The street network in an NBD development is geared towards a safe and comfortable pedestrian-friendly environment. Streets must form a connected grid pattern, organized into blocks no longer than 600 feet. These regulations are similar to the pedestrian-oriented street standards of the UMU zoning district and include:

- A variety of street types are allowed, and will be privately maintained, unless accepted as public by the city. Additionally, a definition and standards for a paseo, or a wide pedestrian pathway, have been added. A paseo could be utilized as lot frontage in lieu of a typical street;
- On-street parking along major and minor streets, providing an additional buffer for pedestrians;

- Sidewalks with a minimum width of 12 feet on major streets and 7 feet on minor streets; and,
- Required street trees along all major and minor streets, with one tree required every 40 feet of frontage, except where adjacent to retail uses, where one street tree is required for every 100 feet to allow for more visible signage. Street trees are also required along exterior public thoroughfares along with additional width for required landscape edges.

Parking - While the proposed NBD district promotes walkability, it is likely that most residents, employees, and visitors will still make the majority of trips to and from the area in automobiles. To encourage a pedestrian-friendly environment, parking is treated so as to minimize the visibility and dominance of vehicles. Surface parking lots must be located in the rear of buildings and cannot exceed 200 spaces in a single parking lot. To provide visibility and improve safety, sidewalks at least seven feet in width are required to connect parking lots to the street and/or adjacent buildings. Additionally, parking garages facades will be architecturally integrated with the buildings they serve. Proper screening is required so that vehicles, headlights, and lighting in garages are not visible from surrounding properties and streets. Parking garages must also be at least 150 feet away from existing residential uses or zoning districts.

Open Space - The placement and design of open space is critical for creating a desirable destination for employees and visitors, who may be looking for a pleasant place to relax and enjoy the outdoors. For these reasons, the proposed ordinance language will require a minimum of 10% of the gross land area to be provided as usable open space. The previous draft standards included a lower minimum as well as a maximum, but these were adjusted to provide more consistency with Envision Oak Point. The open space can be provided in the form of greens, parks, greenbelts, pedestrian corridors, or public art displays.

Building Placement - Along with the grid of streets, building placement is critical to maintaining a walkable environment. As with all zoning districts, the proposed NBD district will regulate lot coverage, setbacks, and building heights. Additional design requirements will include that buildings must be brought up close to property lines and street curbs. The first floor building face must consist of at least 60% windows and doors. Additionally, public access must not be restricted by barriers like walls and fences; distances between the face of buildings cannot exceed 100 feet, unless usable open space or patio dining is included; and tenants cannot exceed 30,000 square feet of a building's ground floor.

#### Changes since May 4, 2020, Planning & Zoning Commission Meeting

A [draft ordinance](#) noting detailed changes since the May 4 meeting is provided online with additions underlined and deletions struck-through. Where entire paragraphs have been replaced, only additions are shown. Significant changes are as follows:

1. Option for Residential Standards (10.1600.2). Specificity was added to clarify that all RCD district standards must be followed for residential land uses.

2. Area, Yard, and Bulk Requirements (10.1600.5.A). A ten-foot rear yard setback was added when there is no alley present along the property line for consistency with other commercial zoning districts. Additionally, the minimum usable open space requirement was increased to 10% and the maximum was removed, to be more consistent with Envision Oak Point.
3. Additional Standards for Live-Work (Business Loft) (10.1600.5.B). As discussed above, Live-Work (Business Loft) standards were relocated from RCD to NBD.
4. Residential Transition Areas (10.1600.6). Residential transition area setbacks have been modified as summarized in the “Residential Transition Areas” section, above.
5. Adopted Development Plan (10.1600.8). Language was added to allow for minor amendments to the adopted development plan when nonresidential uses within the same use category are moved to adjacent blocks.
6. Mixed-Use Requirement (10.1600.10). The Mixed-Use Requirement was simplified by removing the requirement for Primary, Secondary, and Tertiary uses. A mix of three or more uses is still required.
7. Additional Requirements and Restrictions (10.1600.11). Due to the unpredictability of the economy, the requirement for at least one restaurant and one retail space to be built during the first phase of development has been removed. However, the development plan is still required to demonstrate a complementary mix of uses, including at least 10,000 square feet of nonresidential space during the first phase of development, to be reviewed upon the time of application.
8. Streets and Sidewalks (10.1600.12.A). Language was revised to allow public streets when the city accepts dedication of them.
9. Streets and Sidewalks (10.1600.12.G). The Mews Street type was removed, as it is only used in residential areas. Travel lane standards were revised and driveway/setback lanes were added to the Alley/Service Drive street type. Additionally, landscaping requirements were added to the Paseo street type.
10. Parking Requirements (10.1600.13). The reduction in parking spaces for providing bicycle or motorcycle parking spaces and for proximity to a transit station were removed.
11. Usable Open Space (10.1600.14.A). As discussed above, the minimum usable open space requirement was increased to 10%. Language was also added to permit lots to front natural areas and usable open space, in accordance with Envision Oak Point.
12. Sign Regulations (10.1600.16). Requirements for signage were revised to allow for larger signs along roads fronting major thoroughfares.

13. The Permitted Uses table was updated for the following uses:

a. Removed:

- i. Caretaker's/Guard Residence in Accessory and Incidental Uses Category;
- ii. Private Club in the Service Uses Category; and
- iii. Car Wash, Vehicle Parts Sales (Inside), and Vehicle Repair (Minor/Fueling Station) in the Vehicle and Related Uses Category.

b. Added as permitted:

- i. Farm, Ranch, Garden, or Orchard in the Educational, Institutional, Public, and Special Uses Category; and
- ii. Live-Work (Business Loft) in the Primary Residential Uses Category.

c. Added as permitted when meeting RCD standards:

- i. Multifamily Residence, Single-Family Residence (Attached), Single-Family Residence (Detached), Studio Residence, Two-Family Residence, and Two-Family Residence (Attached) in the Primary Residential Uses Category.

Other minor changes to the draft from May 4, which are primarily administrative or legal in nature to add clarity or provide consistent language throughout the Zoning Ordinance, are incorporated in the recommendation section below.

## **CONFORMANCE WITH ENVISION OAK POINT**

In addition to the Envision Oak Point development types discussed above, the standards of the NBD district are consistent with various Goals, Policies, and Actions of the Envision Oak Point Plan:

### Land Use + Development Patterns

- Goal: Support a distinct and diverse character pattern, creating opportunities to live, work and socialize within a cohesively planned, pedestrian-friendly environment.
- Balanced Neighborhoods Policy: Shape balanced neighborhoods with a diverse mix of land uses and amenities.
- Balanced Neighborhoods Policy - Action 3: Align zoning designations with the vision and policies of Envision Oak Point.



- Balanced Neighborhoods Policy - Action 4: Adopt residential transition standards/guidelines to ensure compatible transitions in land use and building scale adjacent to single-family neighborhoods.
- Balanced Neighborhoods Policy - Action 6: Create complimentary regulations and reduce barriers to food production land uses such as micro-farming/ranching, community gardens, and farmer's markets.
- Walkable Community Policy: Create a vibrant, walkable community with great streets and public spaces.
- Walkable Community Policy - Action 1: Develop block length and street requirements to support a compact, highly connected street network that accommodates pedestrians, bicyclists, vehicles, and various forms of transit.

### Mobility

- Accessible Street Design Policy: Ensure the construction of future streets and the reconstruction of existing streets supports desired development and incorporates innovative street design and management.
- Accessible Street Design Policy - Action 6: Review regulations for internal connectivity and block size for conformance with Envision Oak Point.

### Parks, Recreation + Open Space

- Accessible Open Space Policy - Action 2: Assess minimum open space and improvement requirements with any new zoning regulations in Oak Point with emphasis on ensuring sufficient open space for new housing opportunities.
- Diverse Open Space and Amenities Policy - Action 2: Encourage smaller, neighborhood-serving open spaces to be privately owned and maintained. Require public access be provided to these private features.
- Diverse Open Space and Amenities Policy - Action 3: Develop standards and design guidelines that require open space and natural features to be fronted by buildings where possible.

### Placemaking + Community Design

- Preservation of Agrarian Character Policy - Action 3: Develop design guidelines and other policies that encourage agrarian architectural design themes in Oak Point building design.
- Great Streets Policy - Action 3: Require street trees with new development to promote walkability and to achieve a more visually interesting streetscape.

- Vibrant Neighborhood Center Policy - Action 1: Organize land use and block patterns in the Oak Point neighborhood center to support a pedestrian-oriented core of local streets that serves as Oak Point's civic area and social hub.
- Vibrant Neighborhood Center Policy - Action 2: Require a mix of uses to support new housing in the Oak Point neighborhood center, prioritizing opportunities for high quality restaurants and other food-anchored land uses.
- Vibrant Neighborhood Center Policy - Action 3: Create building form and public realm standards that promote strong community character, pedestrian-friendly streetscapes, and public spaces.
- Vibrant Neighborhood Center Policy - Action 4: Establish design standards requiring new developments to vary building types and façade design, and engage the street with pedestrian-friendly frontages such as porches, stoops, and shopfronts.
- Vibrant Neighborhood Center Policy - Action 5: Maintain residential character and suburban scale, but improve community design and incorporate a better balance of commercial land uses and diverse housing opportunities.

#### Environment + Infrastructure

- Environmental Placemaking Policy - Action 2: Permit food production in new development in Oak Point. Reserve land for key programming such as agricultural operations, a community garden, and a farmers market

These standards are consistent with the Sub-Area Strategy recommendations for various locations within Oak Point, such as:

- Northern Quadrant Recommendation 3: Support reinvestment in the Plano Market Square Mall area by supporting a broader mix of nonresidential and residential uses. Site design should support compatible transitions to the Oak Point Estates neighborhood.
- Eastern Quadrant Recommendation 1: Reinvent the Plano Event Center site and surrounding area as a pedestrian-friendly civic area and social hub. The land use mix should include high-quality restaurants, a hotel, new civic spaces, mixed-use housing, and employment uses.

#### **PUBLIC ENGAGEMENT:**

To inform and involve the public about the purpose and intent of the NBD zoning district, a number of opportunities have been added for public engagement. Although COVID-19 has prohibited in-person meetings which would normally make up such efforts, online engagement has been a great resource for filling this void. Means of engaging the public consisted of those listed below. Statistics provided are as of 5 p.m., Thursday, July 16, 2020:

- A webpage devoted to the proposed zoning districts, Plano Event Center zoning case, and public hearing dates: [www.plano.gov/implementEOP](http://www.plano.gov/implementEOP), which has received 2,302 page views as of publication;
- Print and digital advertisements for the webpage and public hearing dates in *Community Impact News*;
- Newsletters sent to the Envision Oak Point Plan contact list (301 recipients), including the Plan's Stakeholder Committee, consisting of area residents, business owners, major property owners and developers, and religious and non-profit representatives;
- Newsletters shared to *Plano City News*, the *Sage* senior newsletter, and the *Team Plano* retiree newsletter, for a total of 42,438 recipients;
- Letters sent through mail and email to 20 HOA representatives within the Envision Oak Point retail trade area;
- A Neighborhood Services Department [BEST Break virtual meeting](#) with 25 participants on July 1, 2020; and
- 11 posts about the districts and webpage to City of Plano social media accounts, including Facebook, Twitter, Reddit, and Nextdoor:
  - Facebook: [June 30](#) (8 reactions, 1 share), [July 6](#) (143 reactions, 50 comments, 16 shares), [July 11](#) (72 reactions, 31 comments, 9 shares), [July 15](#) (29 reactions, 54 comments, 16 shares), 2020;
  - Twitter: [June 30](#) (1 like), [July 1](#) (2 likes), [July 6](#) (1 retweet, 17 likes), [July 11](#) (1 retweet, 6 likes), [July 15](#) (2 retweets and comments, 6 likes), 2020;
  - Reddit: [July 9](#) (3 comments, 94% upvoted), 2020; and
  - Nextdoor: [July 9](#) (5 thanks, 20 replies), 2020.

As of the publication of this report, comments and/or questions received about the NBD zoning district were received from 19 people of which eight were in support, six were opposed, and five did not express an official position. The comments are included in [Attachment B](#).

Any additional comments received following the publication of this report will be provided in the presentation for this item.

## **RECOMMENDATION:**

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

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

See [Attachment C](#) for Ordinance language.

**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:**

See [Attachment C](#) for Ordinance language.

**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:**

See [Attachment C](#) for Ordinance language.

**Amend 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.
- F. Mobile home parks.
- G. F. 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 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.