

DATE: May 20, 2020
TO: Planning & Zoning Commission
FROM: Harold Sickler, Chair, Heritage Commission
SUBJECT: Results of Heritage Commission Meeting of May 19, 2020

**AGENDA ITEM NO. (4) - PUBLIC HEARING & CONSIDERATION
NEIGHBORHOOD CONSERVATION DISTRICT REGULATIONS
APPLICANT: CITY OF PLANO**

Public hearing and consideration of Neighborhood Conservation District regulations.

APPROVED: 6-1 **DENIED:** _____ **TABLED:** _____

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

Letters Received Within 200' Notice Area: Support: 0 Oppose: 0 Neutral: 0

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

Other Responses: Support: 0 Oppose: 0 Neutral: 0

STIPULATIONS:

The Commission voted to recommend approval of the Neighborhood Conservation District regulations and move the item forward to the Planning & Zoning Commission for consideration as Zoning Case 2020-003.

MB/lm

xc: Eric Hill, Planning Manager
Michael Bell, Comprehensive Planner Manager
Bhavesh Mittal, Heritage Preservation Officer
Christina Sebastian, Senior Planner/Supervisor

DATE: August 4, 2020
TO: Honorable Mayor & City Council
FROM: John Muns, Chair, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 3, 2020

**AGENDA ITEM NO. (3) - PUBLIC HEARING
ZONING CASE 2020-003
APPLICANT: CITY OF PLANO**

Request to amend Article 11 (Overlay Districts) and related sections of the Zoning Ordinance pertaining to Neighborhood Conservation Districts. Tabled June 15, 2020. Project #ZC2020-003.

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

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

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

Other Responses: Support: 0 Oppose: 0 Neutral: 0

STIPULATIONS:

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

Amend Article 11 (Overlay Districts) of the Zoning Ordinance, such additional section to read as follows:

11.1000 Neighborhood Conservation Overlay Districts

.1 Purpose

The purpose of a neighborhood conservation district is to protect established neighborhoods that have a distinct scale, design, character, unique physical features, or importance to the community; and to protect an area's overall historic, architectural, or cultural identity from incompatible development. Designation of these districts should be driven by owners and residents to protect the individual characteristics of the neighborhood deemed important to them. Areas designated on the zoning map by an "NCD" will indicate a neighborhood conservation district.

.2 Types

A. Planning Model

The planning model is intended to protect the scale, rhythm, streetscape, and general form and character of established neighborhoods by providing enhanced development standards customized to the unique characteristics of the district. Standards should include clear, measurable, and non-discretionary development regulations applied to new construction, additions, and exterior alterations only. Standards for specific architectural styles are not permitted.

i. Enhanced Development Standards

Examples of enhanced development standards that may be customized for the district include, but are not limited to, the following:

- a. Area, Yard, and Bulk Requirements;
- b. Parking and Loading;
- c. Screening, Fencing, and Wall Regulations;
- d. Exterior Wall Construction Standards;
- e. Landscaping and Tree Preservation;
- f. Building Additions and Accessory Structures;
- g. Roof Profile; and
- h. Driveway Location and Materials

ii. Review Required

All new construction, additions, and exterior alterations regulated by a designated Neighborhood Conservation District shall require a building permit issued by the Building Official or his/her designee.

B. Architectural Model

The architectural model is intended to protect architectural or historic style as well as overall scale, rhythm, streetscape, and general form and character of an established neighborhood.

i. Enhanced Development Standards

In addition to the enhanced development standards of the Planning Model, this model may regulate architectural style through the Certificate of Compliance review process.

ii. Review Required

All new construction, additions, exterior alterations, or other ancillary site improvements regulated by an adopted neighborhood conservation plan within a designated Neighborhood Conservation District shall require a Certificate of Compliance from the City of Plano. Certificates of Compliance for new construction or additions must be submitted in association with, or in addition to, a required building permit. Certificates of Compliance shall be submitted in the form prescribed by the Director of Planning or designee.

.3 Neighborhood Conservation Plan

Adoption of a neighborhood conservation plan is required prior to, or concurrent with, designation of a Neighborhood Conservation District. The plan may be as general or as detailed as desired by the neighborhood, but shall contain, at a minimum, the enhanced architectural and development standards unique to the district.

A. Components

Recommended components of a neighborhood conservation plan include:

i. Introduction

This section should include items such as a description of the neighborhood initiative, timeline of events, and summary of the district.

ii. Neighborhood Profile

This section should contain a brief history of the neighborhood, demographics, setting, existing conditions, map of the proposed district boundaries, a list of addresses within the district, and a survey and description of architectural styles and features located within the district.

iii. Goals and Objectives

This section should describe the intent of creating the district, what features or character are unique or significant to the district, and may include the neighborhood's goals and objectives related to land use, housing, community identity, traffic, or congestion.

iv. Design Standards

This section should include the enhanced architectural and development standards that are unique to the district.

v. Administration

This section should describe what types of new construction, exterior alterations, additions, and ancillary improvements are subject to review/permitting and the process for approval. If there are any specific incentives, they should also be listed here.

vi. Appendices

This section should include any information relevant to the creation of the plan, such as a list of events and neighborhood meetings held, a copy of the petition, inventory and basic survey information (age, style, lot size, setbacks, use, materials) for properties in the district, and glossary of terms.

B. Effective Date

An approved neighborhood conservation plan shall become effective upon designation of the associated district.

.4 Restrictions

A. Uses

Uses permitted within the district shall only be those uses allowed by the base zoning district.

B. Routine Maintenance and Minor In-kind Repair and Replacements

A neighborhood conservation district may not regulate routine maintenance or minor in-kind repair or replacement, as defined by the Heritage Preservation Ordinance, of any exterior architectural feature of a structure located in a neighborhood conservation district.

C. Demolitions

A neighborhood conservation district may not regulate demolition of structures within the district.

D. Emergency Repair

If a property within a neighborhood conservation district is unexpectedly and involuntarily damaged and additional deterioration is likely to occur without immediate repair, the Director of Planning, or designee, may authorize the property owner, or agent on behalf of the property owner, to take temporary measures to stabilize and protect the structure. In such cases, the property

owner, or agent on behalf of the property owner, shall apply for a Certificate of Compliance, if required, within ten (10) calendar days of completion of the emergency corrective measures.

E. Building Permit and Site Plan Approval

Unless otherwise excepted by this article, a Certificate of Compliance must be approved prior to, or concurrent with, issuance of required building permits and site plan approvals. Issuance of any necessary permits and approval of any plans from the Building Inspections, Planning, Public Works, or Environmental Health Departments are required with an approved Certificate of Compliance before work can commence.

.5 Designation Process

A. Petition

Any person or corporation having a proprietary interest in any property within a proposed district may initiate proceedings to adopt a neighborhood conservation plan or designate a neighborhood conservation district by submitting a written petition that includes the property owner signatures of at least sixty (60) percent of either the land area or the total number of lots or tracts of land within the proposed district. Land area for the purposes of this calculation shall exclude public property, streets, alley, and other public rights-of-way. Petitions shall be submitted to the Planning Department in the form required by the Director of Planning or designee. The associated neighborhood conservation plan shall be submitted as part of the petition application.

B. Validation

Upon receipt of a written petition, the Director of Planning or designee shall review the petition to confirm the required signatures have been provided and make a final determination as to which type of neighborhood conservation district shall apply. In all cases where a petition has been submitted pursuant to this section, the city shall presume that the persons whose signature appear on the petition are valid. The city may rely upon information posted on central appraisal district websites to determine ownership of property.

C. Procedure

i. Planning Model

Petitions for designation of a neighborhood conservation district shall proceed in the same manner as a petition for amendments of the Zoning Ordinance.

ii. Architectural Model

Petitions for designation of a neighborhood conservation district shall proceed in the same manner as a petition for amendments of the Zoning Ordinance, except that petitions for designation of an architectural model type neighborhood conservation district shall also require a public hearing and consideration by the Heritage Commission prior to consideration by the Planning & Zoning Commission. The Heritage Commission shall review the proposed neighborhood conservation district to determine whether the proposed standards are compatible with the architectural character of the neighborhood and are sufficiently clear to allow administrative review. A written courtesy notice shall be sent to all owners of real property within 500 feet of the proposed district at least ten (10) calendar days prior to the Heritage Commission meeting.

D. Amendments/Removal

The boundaries of the district or architectural and development standards may be amended or removed following the same procedures as initial designation. An adopted neighborhood conservation plan shall become null and void upon removal of its associated neighborhood conservation district designation.

.6 Criteria for Designation - Generally

To qualify as a Neighborhood Conservation District, the area should generally meet all of the following criteria:

- A. The proposed district contains a minimum of four contiguous properties within a block or proximate properties abutting either side of the same street.
- B. At least seventy-five (75) percent of the land area, excluding right-of-way, in the proposed neighborhood is developed with primary habitable structures at least thirty-five (35) years or older.
- C. The proposed district possesses one (1) or more of the following distinctive architectural, physical, or visual characteristics that create a unified and recognizable setting, character or association:
 - i. Scale, size, type of construction or unique building materials;
 - ii. Setbacks, lot layouts, street layouts, sidewalks or alleys;
 - iii. Natural or streetscape characteristics, such as parks, greenbelts, creeks, or street landscaping;
 - iv. Abuts or links to designated heritage resources.

- D. The boundaries and number of properties in the proposed district are adequate to protect the distinctive architectural, physical, or visual characteristics identified as key to the district's character in the associated neighborhood conservation plan. Gaps, holes, or other irregular shapes in the boundaries of a proposed district are discouraged.

Amend Part C of Subsection 3.400.3 (Application Procedure and Requirements) of Section 3.400 (Site Plan) of Article 3 (Site Plan Review) of the Zoning Ordinance, such part to read as follows:

C. Additional Requirements

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

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

FOR CITY COUNCIL MEETING OF: August 24, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

MB/amc

xc: Jeanna Scott, Building Inspections Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 3, 2020

Agenda Item No. 3

Public Hearing: Zoning Case 2020-003

Applicant: City of Plano

DESCRIPTION:

Request to amend Article 11 (Overlay Districts) and related sections of the Zoning Ordinance pertaining to Neighborhood Conservation Districts. Tabled June 15, 2020. Project #ZC2020-003.

BACKGROUND:

Since 2002, the city's Heritage Preservation Plan has included a goal to designate certain neighborhoods in Plano as "conservation districts." Additionally, the Plano Tomorrow Comprehensive Plan includes an action under the Heritage Preservation Policy to develop an ordinance to designate "neighborhood conservation districts." Although defined in many different ways across the country, the conservation district concept is generally used to protect neighborhoods that retain some historic integrity or overall defining character, yet may not meet the age or architectural significance criteria for designation as a formal heritage district. Examples of such neighborhoods in Plano include the Douglass Community, Haggard Addition, and Old Towne neighborhoods.

In 2018, the City of Plano adopted Preservation Plano 150, the most recent update to the Heritage Preservation Plan. As part of this plan, the city attempted to identify new neighborhoods that may qualify as conservation districts; however, it was determined that a lack of designation criteria prevented definitive eligibility determinations. As a result, the plan recommended the following actions:

- Survey Policy: Action 1.4 – Develop criteria for designation of local conservation districts.
- Survey Policy: Action 1.5 – Re-evaluate the subdivisions listed on Page 69 [of Preservation Plano 150 document] for eligibility as conservation districts.
- Designation Policy: Action 4.2 – Consider the use of conservation districts where full historic district designation is inappropriate.

Preservation Plano's implementation matrix lists Action 1.4 as a "High" priority and requiring an "Immediate" implementation timeframe.

The Heritage Commission created an ad hoc subcommittee in May 2019 to develop appropriate criteria and procedures for designation of conservation districts. Over the course of nine months, the committee evaluated other programs across the country, held discussions with preservation staff from the cities of Dallas and San Antonio, and toured existing conservation districts in Dallas and potential districts in Plano. Staff and the committee also met with other city departments, including Neighborhood Services and Building Inspections, to prepare criteria that could be efficiently and effectively administered.

In preparing its criteria, one of the subcommittee's primary goals was to avoid any stigmas associated with "historic" designations, which could be an obstacle to neighborhoods considering participation in the program. As a result, the subcommittee chose to name the proposed district type "Neighborhood Conservation District," the term used in the City's Comprehensive Plan and one that more accurately represents the purpose of the district than the generic "conservation district" term. Additionally, the Neighborhood Conservation District regulations were crafted to protect a wider range of neighborhood form and character than heritage districts, so avoiding a term commonly referred to as a "historic district light" was also preferable. Furthermore, the subcommittee believed it important to limit Heritage Commission involvement in the Neighborhood Conservation District program, allowing the conservation district goals of Preservation Plano 150 and the Commission to be achieved through administrative review wherever possible. For these reasons, the proposed Neighborhood Conservation District regulations are proposed to be located completely within the Zoning Ordinance and not in the Heritage Preservation Ordinance. On February 12, 2020, the subcommittee voted to present the draft regulations to the full Heritage Commission.

On May 19, 2020, the Heritage Commission recommended approval of the Neighborhood Conservation District regulations by a vote of 6-1. As a new type of zoning overlay district under Article 11 (Overlay Districts) of the Zoning Ordinance, a recommendation is also required from the Planning & Zoning Commission prior to City Council consideration.

REMARKS:

Differences between Neighborhood Conservation Districts and Heritage Districts

The primary difference between Neighborhood Conservation Districts and Heritage Districts is that the neighborhood conservation district designation is intended to protect the overall form and character of a neighborhood rather than preserving specific architectural styles or historic significance of individual buildings. This means a district could be formed solely to establish a common setback, regulate typical roof forms, or require orientation towards a common landscape or open space feature that defines the neighborhood. Additionally, in contrast to heritage districts, the designation process would be initiated and driven by the property owners of a neighborhood and crafted to protect only what is deemed most important to them. For example, a neighborhood developed primarily with Ranch-style homes may decide that low-sloped roofs and wide overhangs are the defining features of the neighborhood character. Rather than requiring

new homes be constructed in the Ranch style, new homes and additions in the neighborhood could be required to provide roof forms that are consistent with others in the district and not subject to any other architectural details typical of the style. If, however, architectural style was important to the neighborhood, they would have the option to regulate that through Neighborhood Conservation District designation.

Neighborhood Conservation District Models

To allow greater flexibility for interested neighborhoods, the Neighborhood Conservation District regulations include two models that vary in scope and level of administration required:

1. Planning Model - The Planning Model Neighborhood Conservation District is intended to protect the general land use, form, and unique character of the neighborhood. This model typically involves:

- Protection of built pattern rather than individual structures.
- Provision of customized development standards for area, yard, and bulk requirements, building height, screening/fencing, exterior building materials, landscaping, parking and driveway, and roof profile.
- No regulation of architectural style, elements, and/or details.

The Planning Model involves only clear, measurable standards and not architectural style; and consideration of new construction, additions, or alterations in the district can be reviewed administratively by staff through the standard building permit process. This is beneficial by reducing administrative burden for staff and simplifying the process for the applicant. Additionally, designation of a Neighborhood Conservation District using the Planning Model would not require a recommendation by the Heritage Commission.

2. Architectural Model – The Architectural Model Neighborhood Conservation District is intended to protect a neighborhood’s physical attributes, such as prevalent architectural or historic style/character, or a distinctive building form (row houses). This model typically involves:

- Protection from incompatible alterations, additions, or new construction that would diminish the overall architectural character and significance of the neighborhood.
- Allowance of design standards for architectural style, elements, details, and materials in addition to the customized development standards of the Planning Model.

Since the Architectural Model allows regulation of architectural style, consideration of new construction, additions, or alterations would require review by heritage preservation staff as part of a Certificate of Compliance. The Heritage Commission would provide a recommendation on a request to designate a Neighborhood Conservation District with focus on determining whether proposed design standards

are compatible with the architectural style of the neighborhood and are sufficiently clear to allow administrative review. Once approved, the Heritage Commission would not be involved in review of changes in the district.

Neighborhood Conservation Plan

Prior to, or concurrent with, adoption of a Neighborhood Conservation District designation, each district would be required to develop a Neighborhood Conservation Plan. This plan should include background on the proposed district and clearly define what form, character, style, or unique features the district is intended to protect. The plan may be as general or as detailed as desired by the neighborhood, but shall contain, at a minimum, the enhanced architectural and development standards unique to the neighborhood. Recommended components of the plan include an introduction, neighborhood profile, list of goals and objectives, development or design standards, administrative process, and appendices as appropriate. The plan shall have no effect until formal designation of the district through the zoning process.

Criteria for Designation

Not all neighborhoods are eligible for Neighborhood Conservation District designation. Rather, the criteria for designation generally requires that the neighborhood meet the following criteria:

- A. "The proposed district contains a minimum of four contiguous properties within a block or proximate properties abutting either side of the same street."

The minimum of four properties was proposed to accommodate small blocks or portions of blocks in older areas of Plano that have already seen significant new construction and alterations incompatible with the original structures. Areas of Old Towne were specifically cited by members of the subcommittee.

- B. "At least 75% of the land area, excluding right-of-way, in the proposed neighborhood is developed with primary habitable structures at least 35 years or older."

The subcommittee chose to establish a general age requirement of 35 years because newer neighborhoods typically do not face the same redevelopment pressures and threat of incompatible alteration, additions, or new construction. 35 years is also consistent with the city's Great Update Rebate program eligibility requirements. Not having a minimum age criteria would likely put undue burden on staff to answer inquiries and review potential Neighborhood Conservation District petitions for neighborhoods not envisioned for conservation districts under the goals and policies of the Comprehensive Plan and Heritage Preservation Plan.

- C. "The proposed district possesses one (1) or more of the following distinctive architectural, physical, or visual characteristics that create a unified and recognizable setting, character, or association:

- Scale, size, type of construction, or unique building materials;
- Setbacks, lot layouts, street layouts, sidewalks or alleys;
- Natural or streetscape characteristics, such as parks, greenbelts, creeks, or street landscaping;
- Abuts or links to designated heritage resources.”

Based upon discussions with other cities about their experience with conservation district criteria, the majority of the subcommittee believed the initial criteria should be intentionally broad to encourage participation and allow neighborhoods flexibility in determining what defines their unique characteristics. It is anticipated that these criteria may require adjustment based upon the quantity and scope of designation applications received.

- D. “The boundaries and number of properties in the proposed district are adequate to protect the distinctive architectural, physical, or visual characteristics identified as key to the district’s character in the associated neighborhood conservation plan. Gaps, holes, or other irregular shapes in the boundaries of a proposed district are discouraged.”

This criteria was deemed important to prevent designation of districts that omit properties critical to the character-defining elements of a neighborhood. Furthermore, it is intended to discourage improper use of Neighborhood Conservation District protections, such as bypassing or circumventing key properties in order to reach the minimum number of property owner signatures required to submit a designation application.

Neighborhood Conservation District Designation Process

As a zoning overlay district under Article 11 of the Zoning Ordinance, designation of Neighborhood Conservation Districts would follow the typical city process for zoning changes, with the following exceptions:

1. The designation petition to initiate consideration of a new district, district amendment, or removal will require signatures from property owners of at least sixty (60) percent of either the land area or the total number of lots or tracts of land within the proposed district. This is the same standard that applies to designation of heritage districts.
2. For Architectural Model Neighborhood Conservation Districts, a petition will require a recommendation by the Heritage Commission prior to the typical Planning & Zoning Commission and City Council consideration. As previously stated, the Heritage Commission review is necessary to ensure proposed design standards are compatible with the architectural style of the neighborhood and are sufficiently clear to allow administrative review.
3. An associated Neighborhood Conservation Plan must be adopted that includes the design standards applicable to the district. This is similar to how heritage district design guidelines are adopted by separate resolution, rather than part of the zoning overlay district under Article 11.700 (Heritage Resource Overlay Districts) of the Zoning Ordinance.

Restrictions

To further differentiate Neighborhood Conservation Districts from heritage districts, the following restrictions would apply to designation of a Neighborhood Conservation District:

- No additional uses allowed beyond the base zoning will be permitted.
- Routine maintenance and in-kind repair/replacement work on the exterior may not be regulated.
- Neighborhood Conservation Districts may not regulate demolitions located within an established district.
- No tax exemption or other financial incentives typical for heritage designations would be available.

Conformance to the Comprehensive Plan

The proposed Neighborhood Conservation District regulations support implementation of the following policies and action statements of the comprehensive plan:

- Heritage Preservation Policy: Plano will embrace its unique historical character and authenticity by identifying and preserving historic and cultural resources that promote the understanding of the city's history and enrich the city's sense of place.
- Heritage Preservation Action Statement 4: Develop an ordinance to designate neighborhood conservation districts.
- Neighborhood Conservation Policy: Plano will conserve and enhance established residential neighborhoods through city programs, initiatives, and regulations that support neighborhood identity; ensure safe, walkable neighborhoods; and preserve the suburban form that contributes to the overall character and livability of the neighborhoods.
- Neighborhood Conservation Action Statement 1: Establish programs and initiatives that enable home owners to maintain and enhance their property and neighborhoods.
- Neighborhood Conservation Action Statement 3: Conserve Plano's established residential neighborhoods to provide opportunities for work force housing.
- Neighborhood Conservation Action Statement 7: Identify community character within residential areas and enhance stronger neighborhood identity.

Neighborhood Conservation District Manual

To provide more detail and guidance to interested neighborhoods on how to create a Neighborhood Conservation District, staff has prepared an accompanying [Neighborhood](#)

[Conservation District User Manual](#) that includes photos, graphics, maps, and other helpful references.

SUMMARY:

The proposed Neighborhood Conservation District zoning overlay designation is intended to enhance and protect the unique qualities of Plano's existing mature neighborhoods. Certain areas around the city may be subject to future redevelopment pressures and the Neighborhood Conservation District overlay designation would provide an option for local neighborhoods to maintain the features of their communities that contribute to the quality of life in the city. The extent of the proposed district is at the discretion of the neighborhood. The proposed changes implement a high priority action in the Plano Preservation 150 Plan and are in conformance with the recommendations of the comprehensive plan in terms of Heritage Preservation and Neighborhood Conservation policies and action statements.

RECOMMENDATION:

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

Amend Article 11 (Overlay Districts) of the Zoning Ordinance, such additional section to read as follows:

11.1000 Neighborhood Conservation Overlay Districts

.1 Purpose

The purpose of a neighborhood conservation district is to protect established neighborhoods that have a distinct scale, design, character, unique physical features, or importance to the community; and to protect an area's overall historic, architectural, or cultural identity from incompatible development. Designation of these districts should be driven by owners and residents to protect the individual characteristics of the neighborhood deemed important to them. Areas designated on the zoning map by an "NCD" will indicate a neighborhood conservation district.

.2 Types

A. Planning Model

The planning model is intended to protect the scale, rhythm, streetscape, and general form and character of established neighborhoods by providing enhanced development standards customized to the unique characteristics of the district. Standards should include clear, measurable, and non-discretionary development regulations applied to new construction, additions, and exterior alterations only. Standards for specific architectural styles are not permitted.

i. Enhanced Development Standards

Examples of enhanced development standards that may be customized for the district include, but are not limited to, the following:

- a. Area, Yard, and Bulk Requirements;
- b. Parking and Loading;
- c. Screening, Fencing, and Wall Regulations;
- d. Exterior Wall Construction Standards;
- e. Landscaping and Tree Preservation;
- f. Building Additions and Accessory Structures;
- g. Roof Profile; and
- h. Driveway Location and Materials

ii. Review Required

All new construction, additions, and exterior alterations regulated by a designated Neighborhood Conservation District shall require a building permit issued by the Building Official or his/her designee.

B. Architectural Model

The architectural model is intended to protect architectural or historic style as well as overall scale, rhythm, streetscape, and general form and character of an established neighborhood.

i. Enhanced Development Standards

In addition to the enhanced development standards of the Planning Model, this model may regulate architectural style through the Certificate of Compliance review process.

ii. Review Required

All new construction, additions, exterior alterations, or other ancillary site improvements regulated by an adopted neighborhood conservation plan within a designated Neighborhood Conservation District shall require a Certificate of Compliance from the City of Plano. Certificates of Compliance for new construction or additions must be submitted in association with, or in addition to, a required building permit. Certificates of Compliance shall be submitted in the form prescribed by the Director of Planning or designee.

.3 Neighborhood Conservation Plan

Adoption of a neighborhood conservation plan is required prior to, or concurrent with, designation of a Neighborhood Conservation District. The plan may be as general or as detailed as desired by the neighborhood, but shall contain, at a minimum, the enhanced architectural and development standards unique to the district.

A. Components

Recommended components of a neighborhood conservation plan include:

i. Introduction

This section should include items such as a description of the neighborhood initiative, timeline of events, and summary of the district.

ii. Neighborhood Profile

This section should contain a brief history of the neighborhood, demographics, setting, existing conditions, map of the proposed district boundaries, a list of addresses within the district, and a survey and description of architectural styles and features located within the district.

iii. Goals and Objectives

This section should describe the intent of creating the district, what features or character are unique or significant to the district, and may include the neighborhood's goals and objectives related to land use, housing, community identity, traffic, or congestion.

iv. Design Standards

This section should include the enhanced architectural and development standards that are unique to the district.

v. Administration

This section should describe what types of new construction, exterior alterations, additions, and ancillary improvements are subject to review/permitting and the process for approval. If there are any specific incentives, they should also be listed here.

vi. Appendices

This section should include any information relevant to the creation of the plan, such as a list of events and neighborhood meetings held, a copy of the petition, inventory and basic survey information (age, style, lot size, setbacks, use, materials) for properties in the district, and glossary of terms.

B. Effective Date

An approved neighborhood conservation plan shall become effective upon designation of the associated district.

.4 Restrictions

A. Uses

Uses permitted within the district shall only be those uses allowed by the base zoning district.

B. Routine Maintenance and Minor In-kind Repair and Replacements

A neighborhood conservation district may not regulate routine maintenance or minor in-kind repair or replacement, as defined by the Heritage Preservation Ordinance, of any exterior architectural feature of a structure located in a neighborhood conservation district.

C. Demolitions

A neighborhood conservation district may not regulate demolition of structures within the district.

D. Emergency Repair

If a property within a neighborhood conservation district is unexpectedly and involuntarily damaged and additional deterioration is likely to occur without immediate repair, the Director of Planning, or designee, may authorize the property owner, or agent on behalf of the property owner, to take temporary measures to stabilize and protect the structure. In such cases, the property owner, or agent on behalf of the property owner, shall apply for a Certificate of Compliance, if required, within ten (10) calendar days of completion of the emergency corrective measures.

E. Building Permit and Site Plan Approval

Unless otherwise excepted by this article, a Certificate of Compliance must be approved prior to, or concurrent with, issuance of required building permits and site plan approvals. Issuance of any necessary permits and approval of any plans from the Building Inspections, Planning, Public Works, or Environmental Health Departments are required with an approved Certificate of Compliance before work can commence.

.5 Designation Process

A. Petition

Any person or corporation having a proprietary interest in any property within a proposed district may initiate proceedings to adopt a neighborhood conservation plan or designate a neighborhood conservation district by submitting a written petition that includes the property owner signatures of at least sixty (60) percent of either the land area or the total number of lots or tracts of land within the proposed district. Land area for the purposes of this calculation shall exclude public property, streets, alley, and other public rights-of-way. Petitions shall be submitted to the Planning Department in the form required by the Director of Planning or designee. The associated neighborhood conservation plan shall be submitted as part of the petition application.

B. Validation

Upon receipt of a written petition, the Director of Planning or designee shall review the petition to confirm the required signatures have been provided and make a final determination as to which type of neighborhood conservation district shall apply. In all cases where a petition has been submitted pursuant to this section, the city shall presume that the persons whose signature appear on the petition are valid. The city may rely upon information posted on central appraisal district websites to determine ownership of property.

C. Procedure

i. Planning Model

Petitions for designation of a neighborhood conservation district shall proceed in the same manner as a petition for amendments of the Zoning Ordinance.

ii. Architectural Model

Petitions for designation of a neighborhood conservation district shall proceed in the same manner as a petition for amendments of the Zoning Ordinance, except that petitions for designation of an architectural model type neighborhood conservation district shall also require a public hearing and consideration by the Heritage Commission prior to consideration by the Planning & Zoning Commission. The Heritage Commission shall review the proposed neighborhood conservation district to determine whether the proposed standards are compatible with the architectural character of the neighborhood and are sufficiently clear to allow administrative review. A written courtesy notice shall be sent to all owners of real property within 500 feet of the proposed district at least ten (10) calendar days prior to the Heritage Commission meeting.

D. Amendments/Removal

The boundaries of the district or architectural and development standards may be amended or removed following the same procedures as initial designation. An adopted neighborhood conservation plan shall become null and void upon removal of its associated neighborhood conservation district designation.

.6 Criteria for Designation – Generally

To qualify as a Neighborhood Conservation District, the area should generally meet all of the following criteria:

A. The proposed district contains a minimum of four contiguous properties within a block or proximate properties abutting either side of the same street.

B. At least seventy-five (75) percent of the land area, excluding right-of-way, in the proposed neighborhood is developed with primary habitable structures at least thirty-five (35) years or older.

C. The proposed district possesses one (1) or more of the following distinctive architectural, physical, or visual characteristics that create a unified and recognizable setting, character or association:

i. Scale, size, type of construction or unique building materials;

ii. Setbacks, lot layouts, street layouts, sidewalks or alleys;

iii. Natural or streetscape characteristics, such as parks, greenbelts, creeks, or street landscaping;

iv. Abuts or links to designated heritage resources.

D. The boundaries and number of properties in the proposed district are adequate to protect the distinctive architectural, physical, or visual characteristics identified as key to the district's character in the associated neighborhood conservation plan. Gaps, holes, or other irregular shapes in the boundaries of a proposed district are discouraged.

Amend Part C of Subsection 3.400.3 (Application Procedure and Requirements) of Section 3.400 (Site Plan) of Article 3 (Site Plan Review) of the Zoning Ordinance, such part to read as follows:

C. Additional Requirements

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

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