

**PLANNING & ZONING COMMISSION**

**PLANO MUNICIPAL CENTER**

**1520 K AVENUE**

**April 20, 2009**

<b>ITEM NO.</b>	<b>EXPLANATION</b>	<b>ACTION TAKEN</b>
	<p><b>6:30 p.m. - Dinner - Planning Conference Room 2E</b></p> <p><b>7:00 p.m. - Executive Session - Planning Conference Room 2E</b></p> <p><b>In accordance with Section 551.071 of the Texas Government Code, the Planning &amp; Zoning Commission will convene into executive session to receive legal advice.</b></p> <p><b>Fair Housing Act and its application to household care and similar facilities.</b></p> <p><b>Immediately thereafter, the Commission will convene into:</b></p> <p><b>Regular Session - City Council Chambers</b></p> <p><b>1</b> Call to Order/Pledge of Allegiance</p> <p><b>2</b> Approval of Agenda as Presented</p> <p><b>3</b> Approval of Minutes for the April 6, 2009, Planning &amp; Zoning Commission meeting.</p> <p><b>4</b> <b>General Discussion:</b> The Planning &amp; Zoning Commission will hear comments of public interest. Time restraints may be directed by the Chair of the Planning &amp; Zoning Commission. Specific factual information, explanation of current policy, or clarification of Planning &amp; Zoning Commission authority may be made in response to an inquiry. Any other discussion or decision must be limited to a proposal to place the item on a future agenda.</p> <p><b><u>CONSENT AGENDA</u></b></p> <p><b>5a</b> <b>EH</b> <b>Revised Site Plan:</b> United City Center, Block 1, Lot 1R - General office on one lot on 7.2± acres located at the southwest corner of 15th Street and Mill Valley Drive. Zoned Planned Development-125-Retail/General Office. Neighborhood #65. <b>Applicant: Plano Independent School District</b></p>	

**END OF CONSENT AGENDA**

**PUBLIC HEARINGS**

**6 RH** **Public Hearing:** Zoning Case 2009-02 - Request to amend Section 3.1200 (Landscaping Requirements) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding the estimation of annual landscape water requirements. **Applicant: City of Plano**

**7A KP** **Public Hearing:** Zoning Case 2009-04 - Request to amend Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations); Section 4.500 (Preston Road Overlay District), Section 4.600 (Dallas North Tollway Overlay District), Section 4.700 (190 Tollway/Plano Parkway Overlay District), Section 4.800 (State Highway 121 Overlay District), Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations), Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance regarding signage. **Applicant: City of Plano**

**7B KP** **Public Hearing:** Amendments to the Code of Ordinances Regarding Signage - Request to amend specific sections of Ordinance No. 2005-11-14 codified as Section 6-488 of Article XII, Temporary Signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, to reflect changes to the regulations for banner signs. **Applicant: City of Plano**

**8A EH** **Public Hearing:** Zoning Case 2009-06 - Request to expand Specific Use Permit #598 for Day Care Center on one lot on 3.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center. **Applicant: Bruce Kinna**

**8B EH** **Revised Preliminary Site Plan:** Hinckley Addition, Block A, Lot 2 - Day care center on one lot on 3.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center. Neighborhood #50. **Applicant: Bruce Kinna**

**END OF PUBLIC HEARINGS**

**9 EH** **Revised Site Plan:** Hope Center Addition, Block A, Lot 2 - General office building on one lot on 8.9± acres located at the northeast corner of Plano Parkway and Custer Road. Zoned Planned Development-377-Retail/General Office/190 Tollway/Plano Parkway Overlay District. Neighborhood #66. **Applicant: The Hope Center Foundation**

<p><b>10 BM</b></p>	<p><b>Discussion and Direction:</b> Day Care Centers - This item is a request for discussion and direction regarding day care centers. <b>Applicant: City of Plano</b></p>	
<p><b>11 PJ</b></p>	<p><b>Discussion and Direction:</b> Amending the Zoning Ordinance Regulations for Household Care and Rehabilitation Care Facilities and Institutions. <b>Applicant: City of Plano</b></p>	
<p><b>12 TE</b></p>	<p><b>Request to Call a Public Hearing -</b> Request to call a public hearing to amend the Zoning and Subdivision Ordinances to transfer Zoning Ordinance standards regarding certain overhead utilities within zoning overlay districts to the Subdivision Ordinance. <b>Applicant: City of Plano</b></p>	
<p><b>13 TE</b></p>	<p><b>Request to Call a Public Hearing:</b> Request to call a public hearing to amend the Thoroughfare Standards Rules and Regulations. The potential amendments include revised roadway design, access, and visibility geometric standards, and revised references to the Zoning Ordinance and Transportation Element of the Comprehensive Plan. <b>Applicant: City of Plano</b></p>	
<p><b>14</b></p>	<p><b>Items for Future Discussion -</b> The Planning &amp; Zoning Commission may identify issues or topics that they wish to schedule for discussion at a future meeting.</p>	
<p><b>ACCESSIBILITY STATEMENT</b></p>		
<p>Plano Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the Planning Department at (972) 941-7151.</p>		

**CITY OF PLANO  
PLANNING & ZONING COMMISSION  
PUBLIC HEARING PROCEDURES**

**The Planning & Zoning Commission welcomes your thoughts and comments on these agenda items. The commission does ask, however, that if you wish to speak on an item you:**

1. **Fill out a speaker card.** This helps the commission know how many people wish to speak for or against an item, and helps in recording the minutes of the meeting. **However, even if you do not fill out a card, you may still speak.** Please give the card to the secretary at the right-hand side of the podium before the meeting begins.
2. **Limit your comments to new issues dealing directly with the case or item.** Please try not to repeat the comments of other speakers.
3. **Limit your speaking time so that others may also have a turn.** If you are part of a group or homeowners association, it is best to choose one representative to present the views of your group. The commission's adopted rules on speaker times are as follows:
  - 15 minutes for the applicant - After the public hearing is opened, the Chair of the Planning & Zoning Commission will ask the applicant to speak first.
  - 3 minutes each for all other speakers, up to a maximum of 30 minutes. Individual speakers may yield their time to a homeowner association or other group representative, up to a maximum of 15 minutes of speaking time.

If you are a group representative and other speakers have yielded their 3 minutes to you, please present their speaker cards along with yours to the secretary.

- 5 minutes for applicant rebuttal.
- Other time limits may be set by the Chairman.

**The commission values your testimony and appreciates your compliance with these guidelines.**

For more information on the items on this agenda, or any other planning, zoning, or transportation issue, please contact the Planning Department at (972) 941-7151.

CITY OF PLANO  
PLANNING & ZONING COMMISSION  
CONSENT AGENDA ITEM

April 20, 2009

---

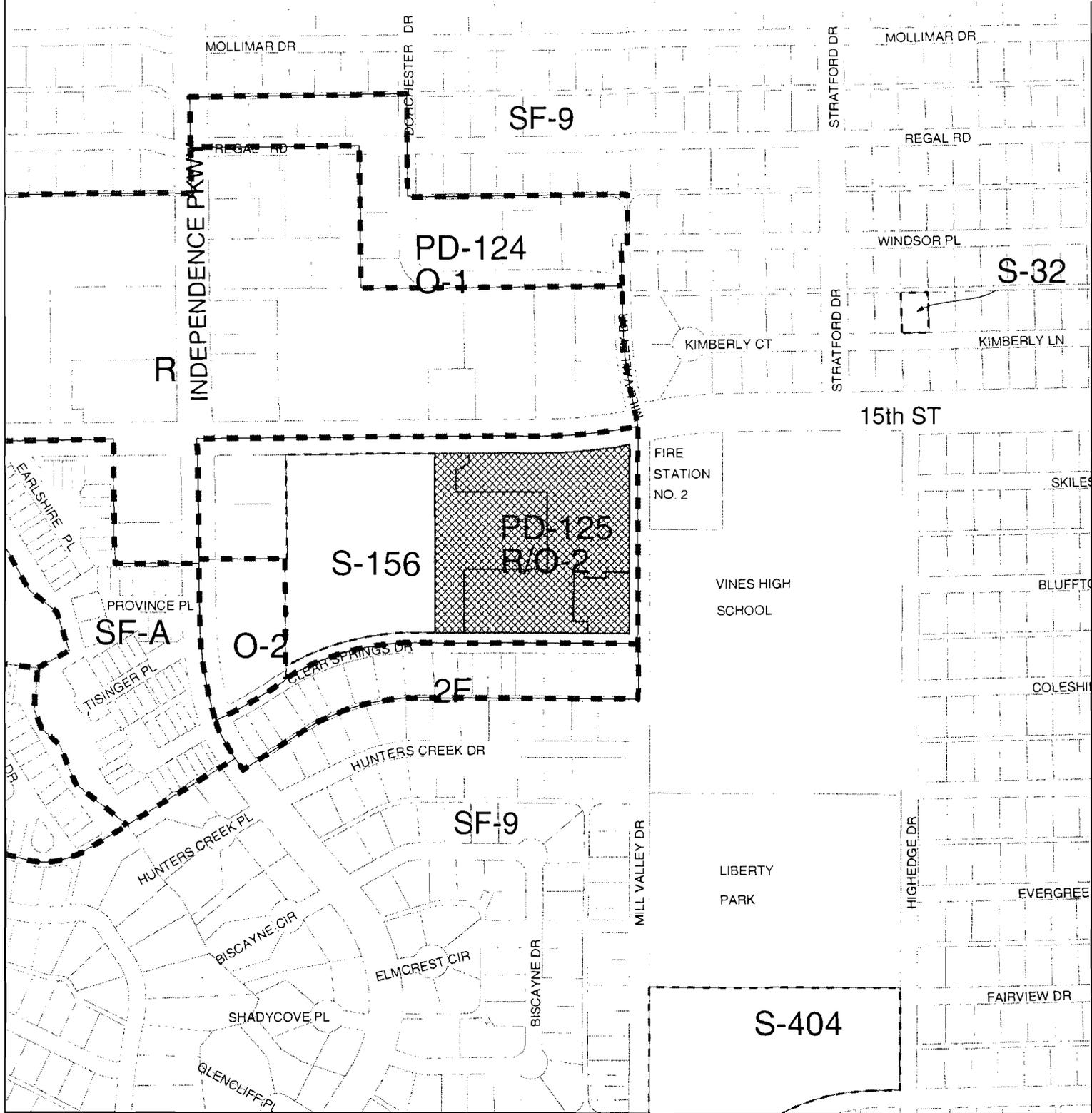
**Agenda Item No. 5a**  
**Revised Site Plan:** United City Center, Block 1, Lot 1R  
**Applicant:** Plano Independent School District

General office on one lot on 7.2± acres located at the southwest corner of 15th Street and Mill Valley Drive. Zoned Planned Development-125-Retail/General Office. Neighborhood #65.

The purpose of this revised site plan is to add a 61 space parking lot to the west of the existing office building.

Recommended for approval as submitted.

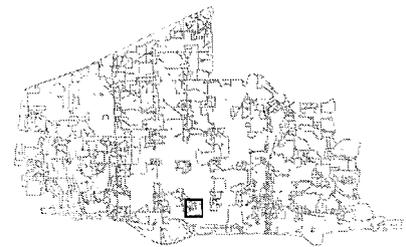
---



Item Submitted: REVISED SITE PLAN

Title: UNITED CITY CENTER  
BLOCK 1, LOT 1R

Zoning: PLANNED DEVELOPMENT-125-RETAIL/GENERAL OFFICE



○ 200' Notification Buffer



CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda No. 6**

**Public Hearing:** Zoning Case 2009-02

**Applicant:** City of Plano

---

**DESCRIPTION:**

Request to amend Section 3.1200 (Landscaping Requirements) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding the estimation of annual landscape water requirements.

**REMARKS:**

On behalf of staff, the Planning & Zoning Commission called a public hearing at their February 16, 2009, meeting to consider potential Zoning Ordinance amendments regarding the estimation of annual landscape water requirements.

Section 3.1200 (Landscaping Requirements) of the Zoning Ordinance establishes landscape standards and tree preservation standards. The request proposes to require estimation of annual landscape water requirements for nonresidential and multifamily residential development only. The objective of the amendment is to encourage water conservation by making water usage a consideration in the design of site landscaping. The request, however, does not propose to limit maximum water usage. Please note that proposed amendments do not apply to single-family, duplex, and single-family attached residential developments.

The request is consistent with Plano's general sustainability goals and water conservation programs.

**RECOMMENDATION:**

Recommended that 6. (Landscape Plan Approval) c. of Section 3.1200 (Landscaping Requirements) be amended to read as follows. (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

- (c) Unless otherwise requested, a full irrigation plan is not required for approval by the Planning and Engineering Departments. The only irrigation information required on the landscape plan is ~~the location and size of the irrigation meter,~~

which must be located in the public right-of-way or a dedicated easement. is the following items:

- (i) The location and size of all water meters, including ones dedicated to the irrigation system, which must be located in the public right-of-way or a dedicated easement.
- (ii) The landscape plan shall include a table showing the annual landscape water requirements for the project site by individual hydrozone and for the site as a whole (totals for all hydrozones.) A hydrozone is a contiguous landscape area containing plants with similar watering needs. Each site shall contain a minimum of two hydrozones, one for turf areas and one for prepared bed areas. Additional breakdowns may be requested after initial review of landscape plan.

The annual watering needs for each hydrozone shall be calculated using the following formula:

$$\mathbf{LWR = RTM \times [(ET \times K) - R] \times A/C}$$

Where:

LWR = Landscape Water Requirements for each hydrozone in gallons per year.

RTM = Run Time Multiplier based upon type of irrigation head

Use the following factors:

<u>Spray</u>	<u>1.33</u>
<u>Drip</u>	<u>1.25</u>
<u>Micro Spray</u>	<u>1.25</u>
<u>Rotor</u>	<u>1.25</u>

ET = Local EvapoTranspiration rate in inches per year.

Use 55.85" as the factor

K = Landscape coefficient rate for the type of hydrozone.

Use the following factors:

<u>Groundcovers</u>	<u>0.5</u>
<u>Shrubs</u>	<u>0.5</u>
<u>Mixture of Shrubs and Groundcover</u>	<u>0.5</u>
<u>Warm Season Turfgrass</u>	<u>0.6</u>
<u>Cool Season Turfgrass</u>	<u>0.8</u>

R = 25% of annual Rainfall precipitation.

Use 8.7 (34.82 inches per year x 25%)

A = Area of hydrozone in square feet.

C = Conversion factor resulting in gallons per year.

Use 1.604

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda Item No. 7A**

**Public Hearing:** Zoning Case 2009-04

**Applicant:** City of Plano

---

**DESCRIPTION:**

Request to amend Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations); Section 4.500 (Preston Road Overlay District), Section 4.600 (Dallas North Tollway Overlay District), Section 4.700 (190 Tollway/Plano Parkway Overlay District), Section 4.800 (State Highway 121 Overlay District), Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations), Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance regarding signage.

**BACKGROUND:**

In January, the Planning & Zoning Commission began a review of the city's regulations for commercial signage. The Commission held a number of work sessions to examine the existing regulations and hear public comments. The Commission also received feedback from City Council on their preliminary recommendations at the March 9, 2009, preliminary open meeting. During the April 6, 2009, meeting, the Commission refined their recommended changes.

In preparation for this public hearing, staff has edited the Zoning Ordinance to reflect the proposed changes. (See attached amended sections.) At this meeting, staff requests the Commission review these changes and make a formal recommendation to City Council.

Please note that the recommended changes for banners are addressed in a separate agenda item. This is due to the fact that regulations for temporary signage are located in the Code of Ordinances rather than the Zoning Ordinance.

**RECOMMENDATION:**

Staff recommends the Zoning Ordinance be amended as follows (deletions are strike-through; additions are underlined):

### 3.1600 Sign Regulations

#### 3.1602 Definitions

Term	Definition
<u>Sign – Light Pole Banner</u>	<u>A sign, attached to a light pole standard, that is made of cloth, vinyl, metal, or other material manufactured for sign use.</u>
<u>Sign – Mural</u>	<u>A picture painted directly onto or applied to an exterior wall which does not contain logos or names of any business or entity. Noncommercial pictures, which do not depict advertising, logos, or images of a product or service which is sold on the premises, painted on, or attached to the exterior walls.</u>
<u>Sign – Reader Board/Electronic Message Center</u>	<u>A variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. Any sign comprised of changeable letters which allows a change of sign copy by adding or removing letters. The sign copy shall conform to the category use of the sign allowed by this ordinance.</u>

#### 3.1603 Design and Construction Specifications

##### (1) Requirements for Wall Signs

##### (b) Wall Signs

- (ii) The height of a horizontal wall sign shall not exceed six feet. The height shall be measured perpendicularly from the horizontal. The width of a vertical wall sign shall not exceed six feet. The width shall be measured perpendicularly from the vertical. The sizing of wall signs shall be calculated by determining an overall sign allowance for the entire building. Wall signs shall not exceed two times the linear width and 75% coverage area of each elevation of the width or the height of the available wall area or store frontage based on the placement of the sign on the wall area. Vertical clearance shall be subject to the requirements in 1.d. below. Wall signs are allowed to project a maximum of four feet shall not extend above the wall or parapet to which they are attached. Wall signs shall be limited to the following categories: Apartment, Contractor, General Business, Identification, and Institution signs. (Exception: A wall sign may exceed the six foot height or width limit as follows: in the case of a horizontal sign, for every one inch of sign height exceeding six feet, the allowable width of the sign shall be reduced by one percent; in the case of a vertical sign, for every one inch of the sign width exceeding six feet, the allowable height of the sign

shall be reduced by one percent.) (ZC 05-53; Ordinance No. 2006-2-30)

(iv) General business wall sign placement and individual sizing within the allotted total area (as determined in 1.b.ii. above) will be determined by the property owner/manager must be located over the business for which they are intended. Wall signs may be illuminated; however, illuminated wall signs on rear building facades shall be prohibited unless facing a nonresidential zoning district.

(v) A wall sign shall not project more than 30 42 inches from the wall surface.

(vi) Wall signs shall not be digital/electronic type.

(c) Multistory Office (MSO) Wall Signs (ZC 2006-06; Ordinance No. 2006-9-16)

(iii) Multistory office wall signs shall be limited to three ~~two~~ signs per elevation. This provision does not apply to the ground floor.

(ix) Ground floor tenants ~~Suites with direct access to the street~~ in a multistory office shall have signage regulated by 1.b. above for general business wall signs. ~~However, signs using this direct access provision must remain in compliance with 1.c.iii. above.~~

## (2) Freestanding Signs

(c) General Business Signs

(i) General business signs may be erected in nonresidential zoning districts and shall not exceed 90 square feet for monument signs and 60 square feet for pole signs, except for signs on property fronting on U.S. Highway 75, in which case the sign may be 100 square feet. Maximum height of a general business sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and shall be located a minimum of 30 feet from adjoining private property lines and a minimum of 60 feet from any other freestanding sign, except directional signs.

(d) Identification Signs

- (i) An identification sign may be erected in nonresidential zoning districts and shall not exceed 150 square feet for monument signs and 100 square feet for pole signs. Maximum height of an identification sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from adjoining private property line, and the sign shall be located a minimum of 60 feet from any other freestanding sign, except directional signs.

(f) Multipurpose Signs

- (v) Required setback for multipurpose signs shall be 30 feet from front and adjoining private property lines. Multipurpose signs are limited to one per street front per development and a minimum spacing of 60 feet from any other freestanding sign, except directional signs, must be maintained. Multipurpose signs that meet the size and height requirements of a general business sign shall be allowed an eight-foot front setback.

(i) Onsite Directional Signs

- (i) Onsite directional signs shall not exceed eight square feet and 30 inches in height and shall not contain advertising.
- (ii) Directional signs shall be located a minimum of 30 feet from other freestanding signs, including other directional signs.
- (iii) Sign provisions specifically addressed by State or Federal government regulations which are in conflict with local sign ordinance shall be exempt from local sign ordinance regulations.

(l) Directory Signs

- (i) Directory signs shall not exceed 40 square feet.
- (ii) Directory signs shall not exceed 15 feet in height, measured from grade.
- (iii) For multiple-sided signs, the gross surface area of each side shall not exceed two times the allowable square footage divided by the number of sign faces.
- (iv) All accessibility and visibility requirements must be met for public sidewalks and streets.

- (v) Directory signs shall be located a minimum of 60 feet from any other freestanding sign, including other directory signs except directional signs.
- (vi) Changes to tenant names/locations on an existing permitted directory sign shall not require a permit.
- (vii) Any directory sign shall provide a minimum 30 foot setback to any property line and shall be located within the established build line for that property.
- (viii) Directory signs shall be used only to provide way finding information to tenants within a property.

(3) Requirements for Freestanding Signs Located within an Overlay District

- (c) Multi-tenant commercial developments shall be limited to the following:
  - (iii) Directory Signs
- (d) No single tenant shall be allowed to advertise on more than one sign per street front, excluding a listing on directory signs.

(4) Miscellaneous Requirements for Freestanding Signs

- (h) Unless otherwise set forth, a minimum of 60 feet shall be required between all freestanding signs, except directional signs.
- (i) No single tenant shall be allowed to advertise on more than one sign per street front, excluding directory signs.

(7) Reader Boards/Electronic Message Centers

- (a) Any reader board or electronic message center area of a sign shall not exceed ~~75%~~ of the allowable square footage for its specific any sign type.
- (b) Any reader board or electronic message center sign shall be allowed to change the copy every five minutes.

(8) Light Pole Banners

- (a) Two banner maximum per light pole standard.
- (b) Banners on light pole standards shall be securely attached at both ends, perpendicular or parallel to light pole standards.
- (c) Each banner shall be limited to 15.5 square feet.
- (d) Banners are allowed to be attached on up to 50% of the existing light pole standards.

- (e) Banners on light pole standards shall be limited to noncommercial messages.
- (f) Light pole banners shall be allowed within parking lots in both residential and nonresidential zoning districts.

#### 4.500 Preston Road Overlay District

4.506 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type. The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. The maximum sizes and dimensions of the above signs shall be as follows:

<b>Apartment Signs</b>	
Maximum Height	Eight feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>General Business/Institution Signs</b>	
Maximum Height	Eight feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	Eight feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

<b>Institutional Signs</b>	
Maximum Height	Eight feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

<b>Multipurpose Signs</b>	
Maximum Height	Eight feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet.	

#### 4.600 Dallas North Tollway Overlay District

4.606 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type. ~~The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~ An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

<b>Apartment Signs</b>	
Maximum Height	Eight feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>General Business/Institution Signs</b>	
Maximum Height	Eight feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	Eight feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

<b>Institutional Signs</b>	
Maximum Height	Eight feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

<b>Multipurpose Signs</b>	
Maximum Height	12 feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet.	

The above signage regulations shall not apply to those lots or tracts located fully or partially within the overlay district but adjacent to the S.H. 121 right-of-way if the affected signs are located more than 500 feet from the centerline of the Dallas North Tollway.

For freestanding signs located within 150 feet of residential zoning districts, the following standards shall apply:

<b>Apartment Signs</b>	
Maximum Height	Six feet
Maximum Size	30 square feet
Maximum Size of Copy Area	15 square feet

<b>General Business/Institution Signs</b>	
Maximum Height	Six feet
Maximum Size	50 square feet
Maximum Size of Copy Area	35 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Four feet
Maximum Size	25 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	Six feet
Maximum Size	70 square feet
Maximum Size of Copy Area	50 square feet

<b>Institutional Signs</b>	
Maximum Height	Six feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>Multipurpose Signs</b>	
Maximum Height	Six feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet
* Any combination of directory and reader board is permitted if it does not exceed 55 square feet.	

**4.700 190 Tollway/Plano Parkway Overlay District**

4.706 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type. The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

<b>Apartment Signs</b>	
Maximum Height	Ten feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>General Business/Institution Signs</b>	
Maximum Height	12 feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	12 feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

<b>Institutional Signs</b>	
Maximum Height	12 feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

<b>Multipurpose Signs</b>	
Maximum Height	15 feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet.	

For freestanding signs located within 150 feet of residential zoning districts, the following standards shall apply:

<b>Apartment Signs</b>	
Maximum Height	Six feet
Maximum Size	30 square feet
Maximum Size of Copy Area	15 square feet

<b>General Business/Institution Signs</b>	
Maximum Height	Six feet
Maximum Size	50 square feet
Maximum Size of Copy Area	35 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Four feet
Maximum Size	25 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	Six feet
Maximum Size	70 square feet
Maximum Size of Copy Area	50 square feet

<b>Institutional Signs</b>	
Maximum Height	Six feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>Multipurpose Signs</b>	
Maximum Height	Six feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet
* Any combination of directory and reader board is permitted if it does not exceed 55 square feet. (ZC 2000-73; Ordinance No. 2000-11-22)	

#### **4.800 State Highway 121 Overlay District**

4.806 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type. ~~The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~ An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

<b>Apartment Signs</b>	
Maximum Height	Ten feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>General Business/Institution Signs</b>	
Maximum Height	12 feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* <del>The requirement for framing of general business signs may be eliminated if the following standards are met:</del>	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	12 feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

<b>Institutional Signs</b>	
Maximum Height	12 feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

<b>Multipurpose Signs</b>	
Maximum Height	15 feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet.	

For freestanding signs located within 150 feet of residential zoning districts, the following standards shall apply:

<b>Apartment Signs</b>	
Maximum Height	Six feet
Maximum Size	30 square feet
Maximum Size of Copy Area	15 square feet

<b>General Business/Institution Signs</b>	
Maximum Height	Six feet
Maximum Size	50 square feet
Maximum Size of Copy Area	35 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Four feet
Maximum Size	25 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	Six feet
Maximum Size	70 square feet
Maximum Size of Copy Area	50 square feet

<b>Institutional Signs</b>	
Maximum Height	Six feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>Multipurpose Signs</b>	
Maximum Height	Six feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet
* Any combination of directory and reader board is permitted if it does not exceed 55 square feet. (ZC 2000-73; Ordinance No. 2000-11-22)	

#### 4.900 Parkway Overlay District

4.905 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type. The copy area shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.

<b>Apartment Signs</b>	
Maximum Height	Eight feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>General Business/Institution Signs</b>	
Maximum Height	Eight feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet

<b>Identification Signs</b>	
Maximum Height	Eight feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

<b>Institution Signs</b>	
Maximum Height	Eight feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

<b>Multipurpose Signs</b>	
Maximum Height	Eight feet
Maximum Size	225 square feet
Maximum Size of Copy Area	Identification - 50 square feet
	Directory* - 70 square feet
	Reader Board* - 30 square feet
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet. (ZC 2000-73; Ordinance No. 2000-11-22)	

## 2.826 RT - Research/Technology Center

### (6) Signage Standards

All freestanding general business, identification, institution, and multipurpose signs, as defined in the Sign Ordinance (No. 91-4-12) and its subsequent updates and revisions, shall be monument type. ~~The copy shall be framed on all four sides by at least six inches of masonry, rock, or other material if compatible with an associated building's fascia.~~ An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply:

<b>General Business/Institution Signs</b>	
Maximum Height	12 feet
Maximum Size	90 square feet
Maximum Size of Copy Area	70 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Five feet
Maximum Size	50 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	12 feet
Maximum Size	125 square feet
Maximum Size of Copy Area	100 square feet

<b>Institutional Signs</b>	
Maximum Height	12 feet
Maximum Size	45 square feet
Maximum Size of Copy Area	30 square feet

<b>Multipurpose Signs</b>	
Maximum Height	<b>15 feet</b>
Maximum Size	<b>225 square feet</b>
Maximum Size of Copy Area	<b>Identification - 50 square feet</b>
	<b>Directory* - 70 square feet</b>
	<b>Reader Board* - 30 square feet</b>
* Any combination of directory and reader board is permitted if it does not exceed 100 square feet	

For freestanding signs located within 150 feet of a residential zoning district, the following standards shall apply:

<b>General Business/Institution Signs</b>	
Maximum Height	Six feet
Maximum Size	50 square feet
Maximum Size of Copy Area	35 square feet
* The requirement for framing of general business signs may be eliminated if the following standards are met:	
Maximum Height	Four feet
Maximum Size	25 square feet
Maximum Size of Copy Area	N/A

<b>Identification Signs</b>	
Maximum Height	Six feet
Maximum Size	70 square feet
Maximum Size of Copy Area	50 square feet

<b>Institutional Signs</b>	
Maximum Height	Six feet
Maximum Size	35 square feet
Maximum Size of Copy Area	20 square feet

<b>Multipurpose Signs</b>	
Maximum Height	Six feet
Maximum Size	125 square feet
Maximum Size of Copy Area	Identification - 25 square feet
	Directory* - 35 square feet
	Reader Board* - 20 square feet
Any combination of directory and reader board is permitted if it does not exceed 55 square feet.	

All other provisions of Ordinance No. 91-4-12 and its subsequent updates and provisions shall apply. Where conflicts exist, the provisions of this ordinance shall apply.

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda Item No. 7B**

**Public Hearing:** Amendments to the Code of Ordinances Regarding Signage

**Applicant:** City of Plano

---

**DESCRIPTION:**

Request to amend specific sections of Ordinance No. 2005-11-14 codified as Section 6-488 of Article XII, Temporary Signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, to reflect changes to the regulations for banner signs.

**BACKGROUND:**

In January, the Planning & Zoning Commission began a review of the city's regulations for commercial signage. The Commission held a number of work sessions to examine the existing regulations and hear public comments. The Commission also received feedback from City Council on their preliminary recommendations at the March 9, 2009, preliminary open meeting. During the April 6, 2009, meeting, the Commission refined their recommended changes.

While most of these changes are to the Zoning Ordinance, the changes related to banners will be included in the Code of Ordinances. (See attached amended section.) At this meeting, staff requests the Commission review these changes and make a recommendation on these amendments to City Council.

Please note that the other recommended changes to the sign regulations are addressed in a separate agenda item. This is due to the fact that regulations for permanent signage are located in the Zoning Ordinance rather than the Code of Ordinances.

**RECOMMENDATION:**

Staff recommends the Code of Ordinances be amended as follows:

Sec. 6-488. Banners.

A temporary banner is allowed and shall be securely attached to the building face. One (1) banner may be displayed on each elevation of the building, with a maximum of two

(2) per building or tenant space. Each business shall be allowed three (3) banner permits per calendar year, and each permit shall be good for a maximum of six (6) weeks. ~~A minimum of thirty (30) days shall be required between each banner permit.~~ Banners shall be kept in good repair and remain firmly anchored or secured. Commercial banners are prohibited in single-family residential districts.  
(Ord. No. 2005-11-14, § I, 11-14-05)

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda Item No. 8A**

**Public Hearing:** Zoning Case 2009-06

**Applicant:** Bruce Kinna

---

**DESCRIPTION:**

Request to expand Specific Use Permit #598 for Day Care Center on one lot on 3.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center.

**REMARKS:**

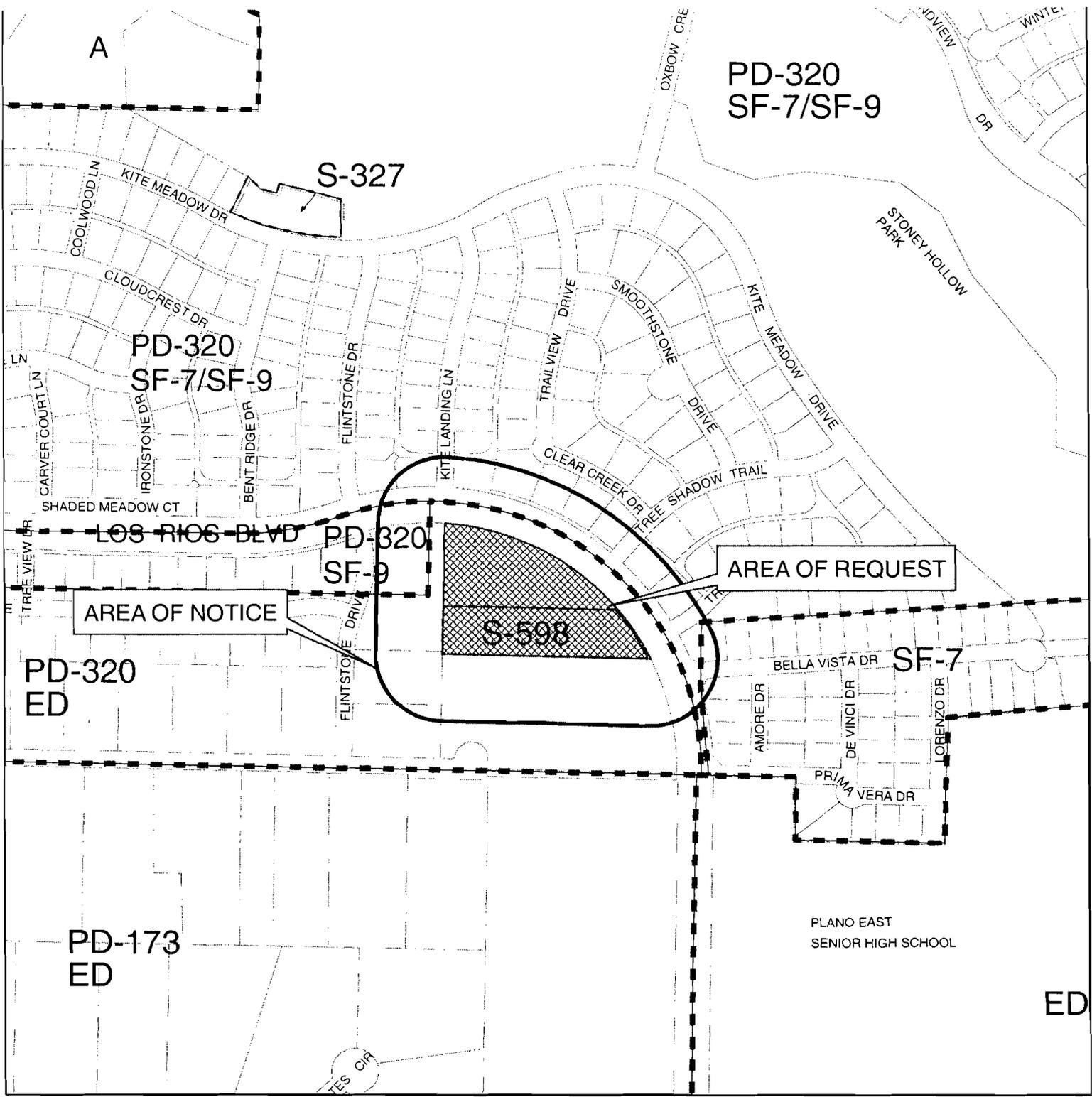
The applicant is proposing to expand Specific Use Permit (SUP) #598 for Day Care Center which was approved by the City Council on November 10, 2008.

The requested zoning is an SUP for Day Care Center. A day care center is defined as a facility providing care, training, education, custody, treatment, or supervision for 13 or more children for less than 24 hours per day. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

The proposed day care center is in a single occupant building with direct access to the exterior of the building. Children attending the day care center will have access to 29,170 square feet of outdoor play space. The maximum number of students allowed at any time is 211. The proposed day care center meets the required parking, loading, and unloading area requirements. It is also not within 300 feet of gasoline pumps or underground storage tanks. A revised preliminary site plan, Hinckley Addition, Block A, Lot 2 accompanies this request

**RECOMMENDATION:**

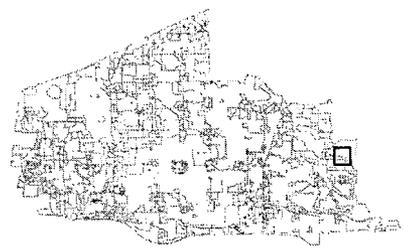
Recommended for approval as submitted.



Zoning Case #: 2009-06

Existing Zoning: PLANNED DEVELOPMENT-320-ESTATE DEVELOPMENT  
w/SPECIFIC USE PERMIT #598

○ 200' Notification Buffer





RECEIVED  
MAR 31 2009  
PLANNING DEPT.

REPLY FORM

Planning & Zoning Commission  
P.O. Box 860358  
Plano, TX 75086-0358



Dear Commissioners:

This letter is regarding Zoning Case 2009-06. The property is on one lot on 3.9± acres located on the south side of Los Rios Drive, 100± feet west of Trail Walker Drive. The current zoning is Planned Development-320-Estate Development (PD-320-ED). The ED district is intended to provide areas for single-family development in a rural or ranch-like setting or where topography and/or utility capacities limit the use of the land. A planned development district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls appropriate to both off- and on-site conditions. The requested zoning is for a Specific Use Permit (SUP) for Day Care Center. An SUP authorizes and regulates a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established. This request proposes to expand an existing SUP for Day Care Center.

**\*\*\*PLEASE TYPE OR USE BLACK INK\*\*\***

- I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-06.
- I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-06.

This item will be heard on **April 20, 2009, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed zoning change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

---

---

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Tyrone Phillips  
Name (Please Print)

3600 Flintstone  
Address

Tyrone Phillips  
Signature

03/28/2009  
Date

EH

REPLY FORM

Planning & Zoning Commission  
P.O. Box 860358  
Plano, TX 75086-0358



Dear Commissioners:

This letter is regarding Zoning Case 2009-06. The property is on one lot on 3.9± acres located on the south side of Los Rios Drive, 100± feet west of Trail Walker Drive. The current zoning is Planned Development-320-Estate Development (PD-320-ED). The ED district is intended to provide areas for single-family development in a rural or ranch-like setting or where topography and/or utility capacities limit the use of the land. A planned development district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls appropriate to both off- and on-site conditions. The requested zoning is for a Specific Use Permit (SUP) for Day Care Center. An SUP authorizes and regulates a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established. This request proposes to expand an existing SUP for Day Care Center.

**\*\*\*PLEASE TYPE OR USE BLACK INK\*\*\***

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-06.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-06.

This item will be heard on **April 20, 2009, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed zoning change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

\_\_\_\_\_  
\_\_\_\_\_

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

*ALAN HARVEY*  
\_\_\_\_\_  
Name (Please Print)

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature

*360 Trail Walker*  
\_\_\_\_\_  
Address

*4/29/09*  
\_\_\_\_\_  
Date

EH

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda Item No. 8B**

**Revised Preliminary Site Plan:** Hinckley Addition, Block A, Lot 2

**Applicant:** Bruce Kinna

---

**DESCRIPTION:**

Day care center on one lot on 3.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center. Neighborhood #50.

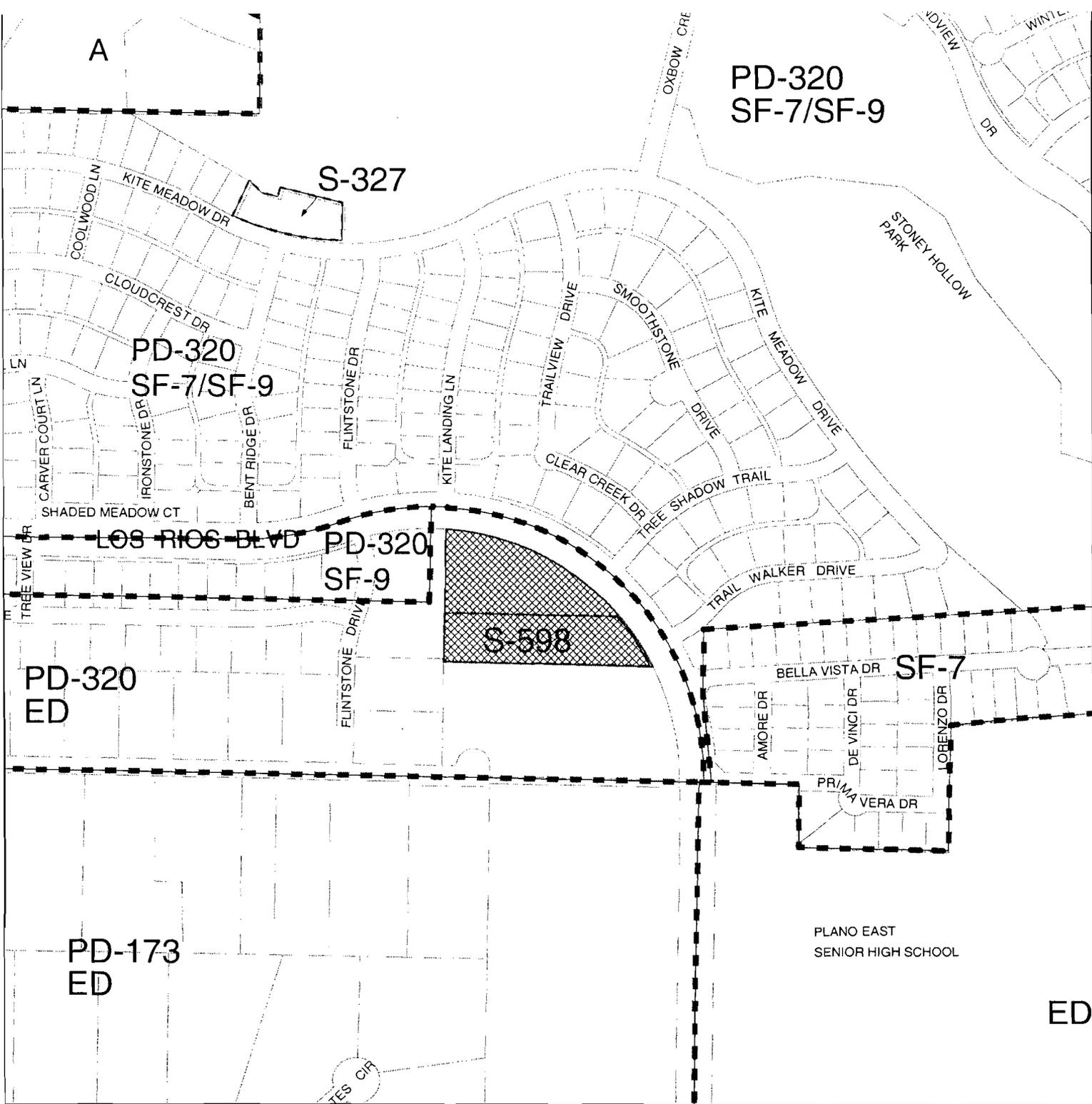
**REMARKS:**

This revised preliminary site plan is associated with Zoning Case 2009-06. A preliminary site plan and concept plan was approved for this site on October 20, 2008. The site meets the Zoning Ordinance requirements for outdoor play space, loading and unloading areas, and distance from gasoline pumps and underground storage tanks. The revised preliminary site plan expands the area of the day care center lot by incorporating the previously approved concept plan lot (religious facility) into the day care center lot.

The only modifications to the plan include deleting a proposed lot line and religious facility located to the north of the proposed day care center.

**RECOMMENDATIONS:**

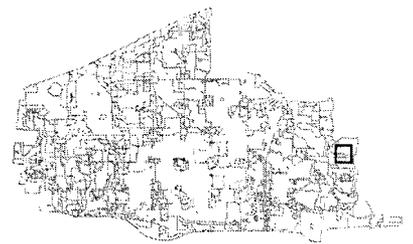
Recommended for approval subject to City Council approval of Zoning Case 2009-06.



Item Submitted: REVISED PRELIMINARY SITE PLAN

Title: HINCKLEY ADDITION,  
BLOCK A, LOT 2

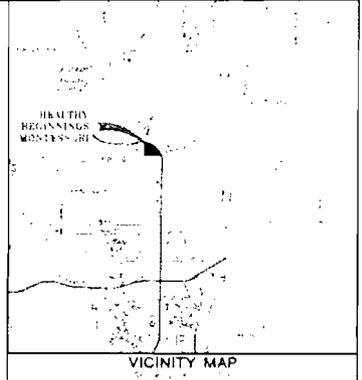
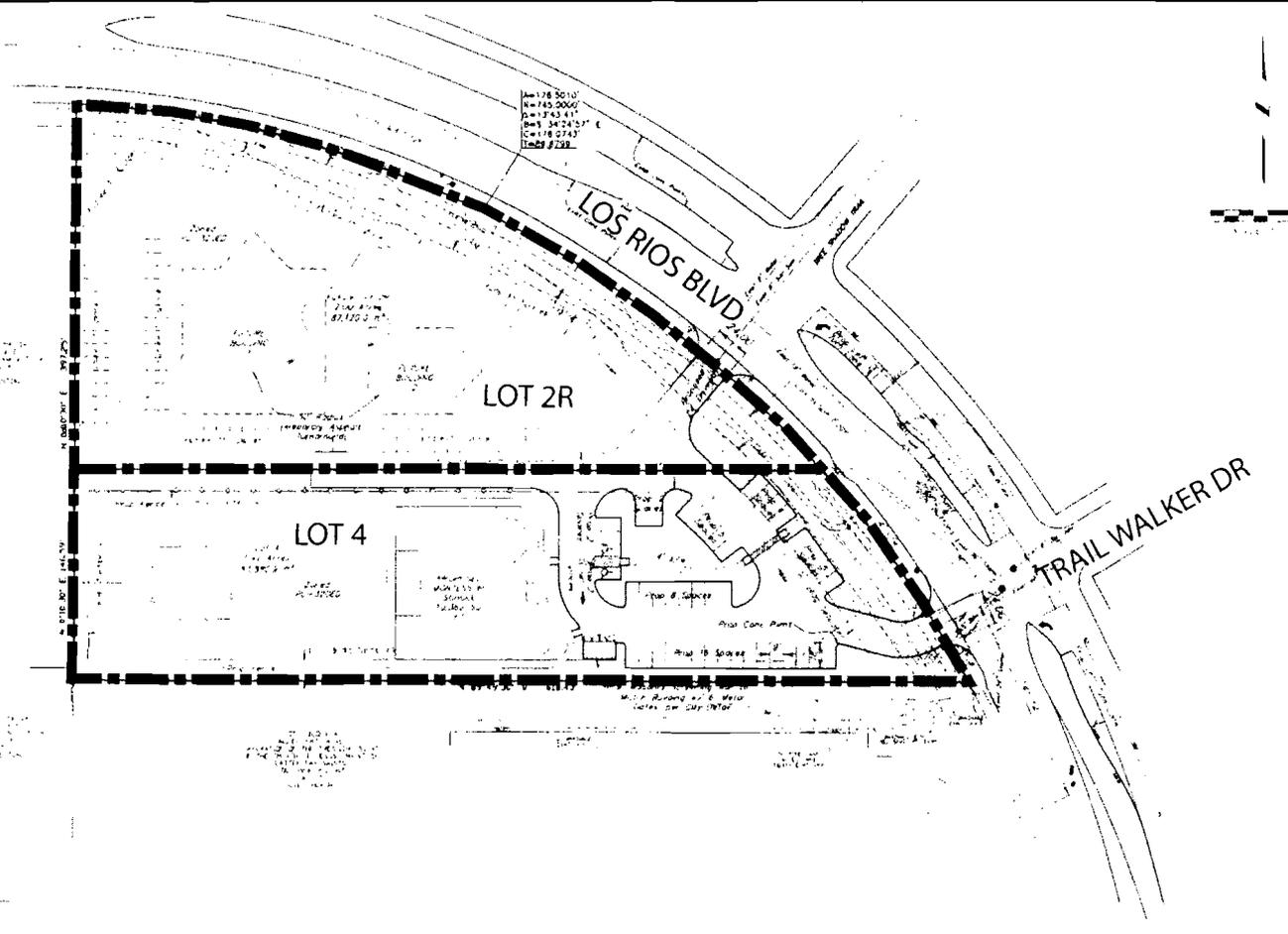
Zoning: PLANNED DEVELOPMENT-320-ESTATE DEVELOPMENT  
w/SPECIFIC USE PERMIT #598



○ 200' Notification Buffer







1. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located. If they are not shown, they shall be shown as they are located.
1. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  2. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  3. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  4. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  5. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  6. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  7. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  8. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  9. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  10. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  11. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  12. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  13. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  14. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  15. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  16. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  17. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  18. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  19. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.
  20. All utility lines shall be shown and located as they are located. If they are not shown, they shall be shown as they are located.

HEAD CONSTRUCTION: [Name], [Address], [Phone]  
 ARCHITECT: MARK HANSCOTT, [Address], [Phone]  
 ENGINEER: JONES & CARTER, INC., [Address], [Phone]  
 SURVEYOR: ANALYTICAL SURVEYS, INC., [Address], [Phone]  
 LEADING DESIGN GROUP: [Address], [Phone]  
 CONSULTING ENGINEER: JOHN W. JOLLY & SON, INC., [Address], [Phone]

JONES & CARTER, INC.

**CONCEPT PLAN & PRELIMINARY SITE PLAN**  
 OF  
**LOTS 2R, & 4 BLOCK A HINCKLEY ADDITION**  
 CITY OF THE  
**CHARLES F.M. GOODERIN**  
**SURVEY ABST. 353**  
 PLANS TEXAS, COULIN COUNTY  
 SEPTEMBER 2008

**JONES & CARTER, INC.**  
 ENGINEERS • PLANNERS • SURVEYORS  
 1101 East Texas Street, Dallas, Texas 75202 • (214) 424-1500

PREVIOUSLY APPROVED PRELIMINARY SITE PLAN

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda Item No. 9**

**Revised Site Plan:** Hope Center Addition, Block A, Lot 2

**Applicant:** The Hope Center Foundation

---

**DESCRIPTION:**

General office building on one lot on 8.9± acres located at the northeast corner of Plano Parkway and Custer Road. Zoned Planned Development-377-Retail/General Office/190 Tollway/Plano Parkway Overlay District. Neighborhood #66.

**REMARKS:**

The applicant is requesting to revise the site plan to delete the requirement for continuous masonry screening along the northern property line.

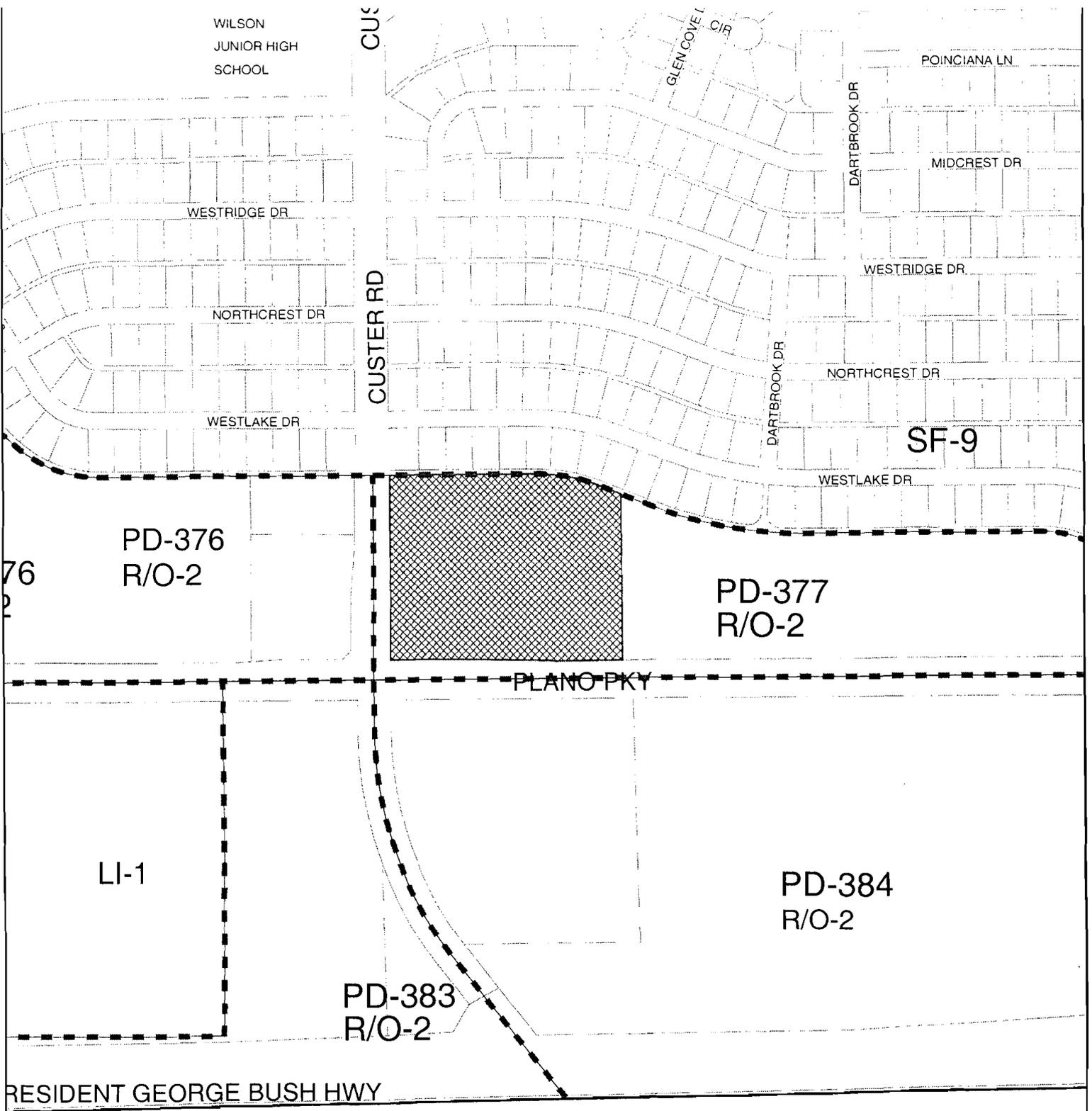
Planned Development-377-Retail/General Office contains stipulations regulating uses, building heights, setbacks, and lighting and design guidelines, including landscaping and screening. The design guidelines for the planned development require a continuous solid masonry screening wall along the property line adjacent to the residential zoning district to the north; however, the guidelines state that a living screen may be used to meet this requirement if so determined at the time of preliminary site plan approval. On May 6, 2008, the Planning & Zoning Commission approved a preliminary site plan for the Hope Center Addition that indicated a continuous masonry screening wall along the northern property line.

The existing living screen of Redtip Photinias adequately screens the residential district to the north. The applicant is proposing a six-foot continuous wrought iron fence with the existing evergreen hedges to serve as screening.

The amendments to the site plan comply with the desires of the adjacent homeowners and the planned development. See the attached letters from The Hope Center Foundation and from Robert A. Miller, President of the Dallas North Estates Homeowners Association.

**RECOMMENDATION:**

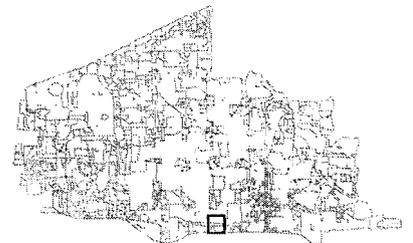
Recommended for approval subject to the Planning & Zoning Commission approving a continuous landscape screen in lieu of a masonry screening wall.



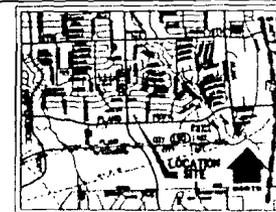
Item Submitted: REVISED SITE PLAN

Title: HOPE CENTER  
BLOCK A, LOT 2

Zoning: PLANNED DEVELOPMENT-377-RETAIL/GENERAL OFFICE/  
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT



○ 200' Notification Buffer

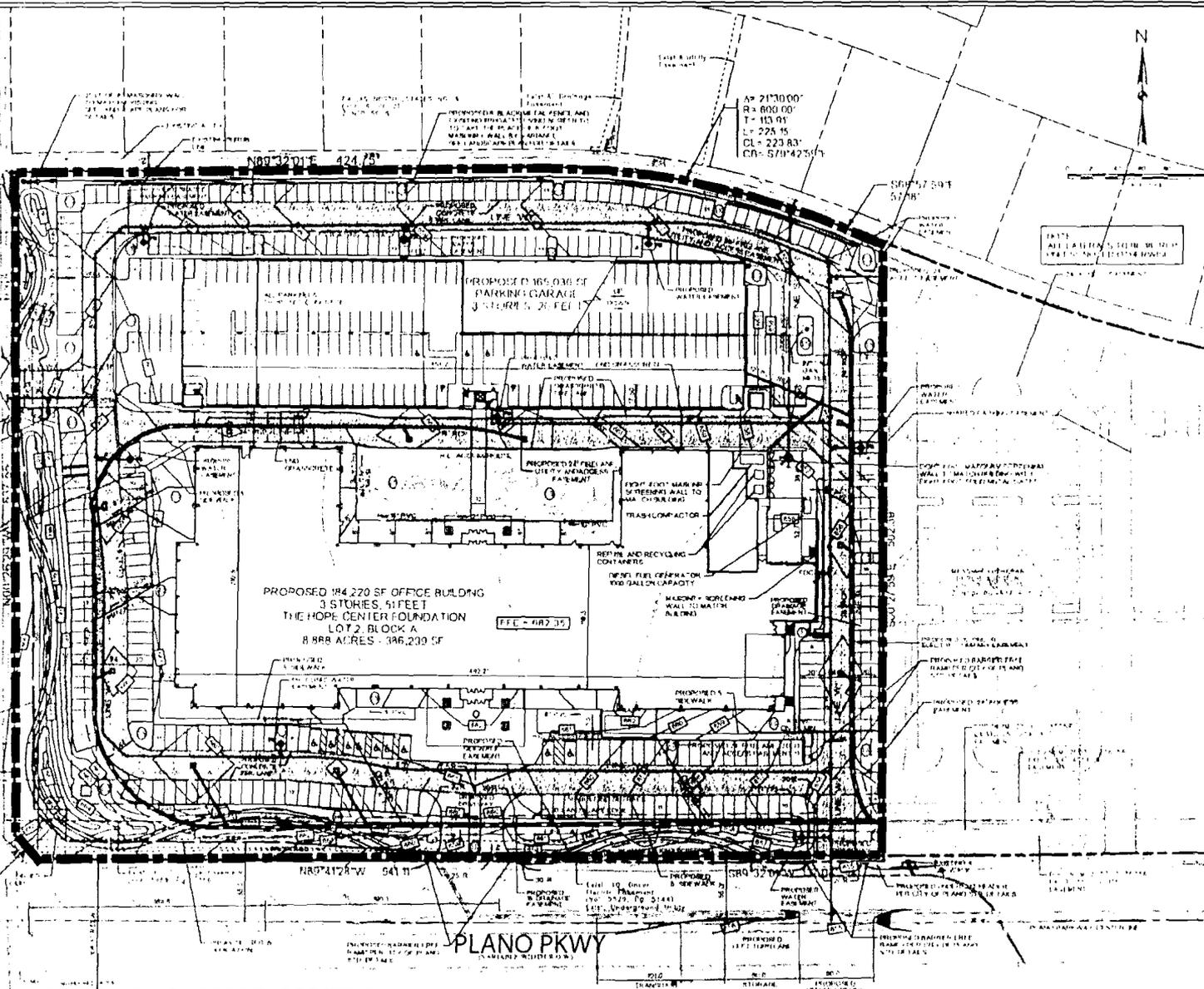


LOCATION MAP

SEE PLAN AND GENERAL NOTES

1. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
2. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
3. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
4. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
5. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
6. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
7. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
8. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
9. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
10. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
11. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
12. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
13. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.
14. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.

NOTES	
1. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
2. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
3. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
4. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
5. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
6. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
7. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
8. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
9. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
10. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
11. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
12. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
13. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	
14. ALL UTILITIES TO BE DELETED AND REINSTALLED AS SHOWN ON THIS PLAN.	



**INDEX**

DATE: 03/14/2007  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO.: [Number]

**METER SCHEDULE**

NO.	DESCRIPTION	QUANTITY
1	1" WATER METER	1
2	2" WATER METER	1
3	3" WATER METER	1
4	4" WATER METER	1
5	6" WATER METER	1
6	8" WATER METER	1
7	10" WATER METER	1
8	12" WATER METER	1
9	15" WATER METER	1
10	18" WATER METER	1
11	24" WATER METER	1
12	30" WATER METER	1
13	36" WATER METER	1
14	42" WATER METER	1
15	48" WATER METER	1
16	54" WATER METER	1
17	60" WATER METER	1
18	72" WATER METER	1
19	84" WATER METER	1
20	96" WATER METER	1
21	108" WATER METER	1
22	120" WATER METER	1
23	144" WATER METER	1
24	168" WATER METER	1
25	192" WATER METER	1
26	216" WATER METER	1
27	240" WATER METER	1
28	270" WATER METER	1
29	300" WATER METER	1
30	360" WATER METER	1
31	420" WATER METER	1
32	480" WATER METER	1
33	540" WATER METER	1
34	600" WATER METER	1
35	720" WATER METER	1
36	840" WATER METER	1
37	960" WATER METER	1
38	1080" WATER METER	1
39	1200" WATER METER	1
40	1440" WATER METER	1
41	1680" WATER METER	1
42	1920" WATER METER	1
43	2160" WATER METER	1
44	2400" WATER METER	1
45	2700" WATER METER	1
46	3000" WATER METER	1
47	3600" WATER METER	1
48	4200" WATER METER	1
49	4800" WATER METER	1
50	5400" WATER METER	1
51	6000" WATER METER	1
52	7200" WATER METER	1
53	8400" WATER METER	1
54	9600" WATER METER	1
55	10800" WATER METER	1
56	12000" WATER METER	1
57	14400" WATER METER	1
58	16800" WATER METER	1
59	19200" WATER METER	1
60	21600" WATER METER	1
61	24000" WATER METER	1
62	27000" WATER METER	1
63	30000" WATER METER	1
64	36000" WATER METER	1
65	42000" WATER METER	1
66	48000" WATER METER	1
67	54000" WATER METER	1
68	60000" WATER METER	1
69	72000" WATER METER	1
70	84000" WATER METER	1
71	96000" WATER METER	1
72	108000" WATER METER	1
73	120000" WATER METER	1
74	144000" WATER METER	1
75	168000" WATER METER	1
76	192000" WATER METER	1
77	216000" WATER METER	1
78	240000" WATER METER	1
79	270000" WATER METER	1
80	300000" WATER METER	1
81	360000" WATER METER	1
82	420000" WATER METER	1
83	480000" WATER METER	1
84	540000" WATER METER	1
85	600000" WATER METER	1
86	720000" WATER METER	1
87	840000" WATER METER	1
88	960000" WATER METER	1
89	1080000" WATER METER	1
90	1200000" WATER METER	1
91	1440000" WATER METER	1
92	1680000" WATER METER	1
93	1920000" WATER METER	1
94	2160000" WATER METER	1
95	2400000" WATER METER	1
96	2700000" WATER METER	1
97	3000000" WATER METER	1
98	3600000" WATER METER	1
99	4200000" WATER METER	1
100	4800000" WATER METER	1
101	5400000" WATER METER	1
102	6000000" WATER METER	1
103	7200000" WATER METER	1
104	8400000" WATER METER	1
105	9600000" WATER METER	1
106	10800000" WATER METER	1
107	12000000" WATER METER	1
108	14400000" WATER METER	1
109	16800000" WATER METER	1
110	19200000" WATER METER	1
111	21600000" WATER METER	1
112	24000000" WATER METER	1
113	27000000" WATER METER	1
114	30000000" WATER METER	1
115	36000000" WATER METER	1
116	42000000" WATER METER	1
117	48000000" WATER METER	1
118	54000000" WATER METER	1
119	60000000" WATER METER	1
120	72000000" WATER METER	1
121	84000000" WATER METER	1
122	96000000" WATER METER	1
123	108000000" WATER METER	1
124	120000000" WATER METER	1
125	144000000" WATER METER	1
126	168000000" WATER METER	1
127	192000000" WATER METER	1
128	216000000" WATER METER	1
129	240000000" WATER METER	1
130	270000000" WATER METER	1
131	300000000" WATER METER	1
132	360000000" WATER METER	1
133	420000000" WATER METER	1
134	480000000" WATER METER	1
135	540000000" WATER METER	1
136	600000000" WATER METER	1
137	720000000" WATER METER	1
138	840000000" WATER METER	1
139	960000000" WATER METER	1
140	1080000000" WATER METER	1
141	1200000000" WATER METER	1
142	1440000000" WATER METER	1
143	1680000000" WATER METER	1
144	1920000000" WATER METER	1
145	2160000000" WATER METER	1
146	2400000000" WATER METER	1
147	2700000000" WATER METER	1
148	3000000000" WATER METER	1
149	3600000000" WATER METER	1
150	4200000000" WATER METER	1
151	4800000000" WATER METER	1
152	5400000000" WATER METER	1
153	6000000000" WATER METER	1
154	7200000000" WATER METER	1
155	8400000000" WATER METER	1
156	9600000000" WATER METER	1
157	10800000000" WATER METER	1
158	12000000000" WATER METER	1
159	14400000000" WATER METER	1
160	16800000000" WATER METER	1
161	19200000000" WATER METER	1
162	21600000000" WATER METER	1
163	24000000000" WATER METER	1
164	27000000000" WATER METER	1
165	30000000000" WATER METER	1
166	36000000000" WATER METER	1
167	42000000000" WATER METER	1
168	48000000000" WATER METER	1
169	54000000000" WATER METER	1
170	60000000000" WATER METER	1
171	72000000000" WATER METER	1
172	84000000000" WATER METER	1
173	96000000000" WATER METER	1
174	108000000000" WATER METER	1
175	120000000000" WATER METER	1
176	144000000000" WATER METER	1
177	168000000000" WATER METER	1
178	192000000000" WATER METER	1
179	216000000000" WATER METER	1
180	240000000000" WATER METER	1
181	270000000000" WATER METER	1
182	300000000000" WATER METER	1
183	360000000000" WATER METER	1
184	420000000000" WATER METER	1
185	480000000000" WATER METER	1
186	540000000000" WATER METER	1
187	600000000000" WATER METER	1
188	720000000000" WATER METER	1
189	840000000000" WATER METER	1
190	960000000000" WATER METER	1
191	1080000000000" WATER METER	1
192	1200000000000" WATER METER	1
193	1440000000000" WATER METER	1
194	1680000000000" WATER METER	1
195	1920000000000" WATER METER	1
196	2160000000000" WATER METER	1
197	2400000000000" WATER METER	1
198	2700000000000" WATER METER	1
199	3000000000000" WATER METER	1
200	3600000000000" WATER METER	1
201	4200000000000" WATER METER	1
202	4800000000000" WATER METER	1
203	5400000000000" WATER METER	1
204	6000000000000" WATER METER	1
205	7200000000000" WATER METER	1
206	8400000000000" WATER METER	1
207	9600000000000" WATER METER	1
208	10800000000000" WATER METER	1
209	12000000000000" WATER METER	1
210	14400000000000" WATER METER	1
211	16800000000000" WATER METER	1
212	19200000000000" WATER METER	1
213	21600000000000" WATER METER	1
214	24000000000000" WATER METER	1
215	27000000000000" WATER METER	1
216	30000000000000" WATER METER	1
217	36000000000000" WATER METER	1
218	42000000000000" WATER METER	1
219	48000000000000" WATER METER	1
220	54000000000000" WATER METER	1
221	60000000000000" WATER METER	1
222	72000000000000" WATER METER	1
223	84000000000000" WATER METER	1
224	96000000000000" WATER METER	1
225	108000000000000" WATER METER	1
226	120000000000000" WATER METER	1
227	144000000000000" WATER METER	1
228	168000000000000" WATER METER	1
229	192000000000000" WATER METER	1
230	216000000000000" WATER METER	1
231	240000000000000" WATER METER	1
232	270000000000000" WATER METER	1
233	300000000000000" WATER METER	1
234	360000000000000" WATER METER	1
235	420000000000000" WATER METER	1
236	480000000000000" WATER METER	1
237	540000000000000" WATER METER	1
238	600000000000000" WATER METER	1
239	720000000000000" WATER METER	1
240	840000000000000" WATER METER	1
241	960000000000000" WATER METER	1
242	1080000000000000" WATER METER	1
243	1200000000000000" WATER METER	1
244	1440000000000000" WATER METER	1
245	1680000000000000" WATER METER	1
246	1920000000000000" WATER METER	1
247	2160000000000000" WATER METER	1
248	2400000000000000" WATER METER	1
249	2700000000000000" WATER METER	1
250	3000000000000000" WATER METER	1
251	3600000000000000" WATER METER	1
252	4200000000000000" WATER METER	1
253	4800000000000000" WATER METER	1
254	5400000000000000" WATER METER	1
255	6000000000000000" WATER METER	1
256	7200000000000000" WATER METER	1
257	8400000000000000" WATER METER	1
258	9600000000000000" WATER METER	1
259	10800000000000000" WATER METER	1
260	12000000000000000" WATER METER	1
261	14400000000000000" WATER METER	1
262	16800000000000000" WATER METER	1
263	19200	

## Request for Irrigated Living Screen Variance

On the north side of the Hope Center, Lot 2 Block A, a 6-foot masonry screening wall is required by City of Plano ordinance. It is beneficial to substitute an irrigated living screen and black metal fence for the aforementioned wall. The living screen and black metal fence is favorable because it fulfills the community's request, complements existing conditions, and saves existing greenery, all while maintaining a visual and physical barrier.

The community associated with the residences abutting the Hope Center has stated that they would prefer the established living screen and black metal fence to a 6-foot masonry wall. This is clearly shown in the attached letter from the president of the home owner's association.

The neighboring property, The Messiah Lutheran Church, has an existing living screen and wrought iron fence that will be matched and can be seen in the photo below.



The existing Photina hedge will have to be removed if a masonry screening wall is constructed. Allowing the hedge to remain will lessen the impact of construction on the natural environment and provide screening throughout the construction process. Other benefits are its evergreen nature and the aesthetics a mature living screen offers.

This variance is desirable because it will provide ample screening between the residential area and the Hope Center, save the existing Photina hedges, and appease the neighboring community.

March 19, 2009

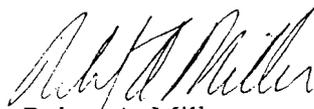
Don Hodges  
Cymcor  
4500 West Eldorado Parkway Suite 3000  
McKinney Texas 75070

RE: Masonry Wall for the Hope Center

Dear Don:

As we discussed the Hope Center is going to request a waiver from the City of Plano for the requirement of a masonry wall along the northern boundary of the Hope Center. The Dallas North Estates Homeowners Association will support the Hope Center request if the Hope Center proposes the same type of fence that Messiah Lutheran Church built, a wrought iron fence with a living screen and will build a masonry wall the first 10 feet on each corner. Please let me know if there is anything else you need.

Yours Very Truly,



Robert A. Miller  
President, Dallas North Estates Homeowners  
Association

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda Item No. 10**

**Discussion and Direction:** Day Care Centers

**Applicant:** City of Plano

---

**DESCRIPTION:**

This item is a request for discussion and direction regarding day care centers.

**REMARKS:**

On October 18, 2008, the Planning & Zoning Commission called a public hearing to consider Zoning Ordinance amendments regarding day care center definitions, supplementary regulations, and schedule of permitted uses (use charts).

The Zoning Ordinance contains definition, supplementary regulations, and schedule of permitted uses (use charts) for day care centers. In addition to local regulations, day care standards and licensing are regulated by Texas statutes. Differences exist between local and state day care center definitions and regulations. In their assessment of Plano's zoning and development regulations, Duncan Associates recommended that Plano "clean up the supplementary regulations" as a top priority.

In the attached pages, staff proposes amendments to the definitions, supplementary regulations, and schedule of permitted uses (use charts) amendments, and is seeking refinement from the Commission in order to draft a proposed ordinance amendment. The definition amendments include revising definitions for "day care center" and "day care center (in-home)" and creating a new use definition "day care center (accessory)." The use chart amendments propose to allow day care center use by right in certain nonresidential districts without a specific use permit. Use chart changes are proposed for day care center (in home) and day care center (accessory). The amendments to the supplementary regulations clear and clean up the confusion, differences, and potential conflicts in Plano's standards and state standards to day care center operators.

**RECOMMENDATION:**

Recommended that the Planning & Zoning Commission provide direction on potential Zoning Ordinance amendments regarding day care centers. (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Article 1. General Regulations

Section 1.600 Definitions

Term	Definition
Day Care Center	<p><del>A facility providing care, training, education, custody, treatment, or supervision for 13 or more children for less than 24 hours per day. The term "day care center" shall not include overnight lodging, medical treatment, counseling, or rehabilitative services and does not apply to any school. (See Subsection 3.102.) (Ordinance No. 93-10-32)</del></p> <p><u>An operation other than public, parochial, or private school providing care for seven or more children under 14 years old for less than 24 hours per day at a location other than the permit holder's home.</u></p>
Day Care Center (In-home)	<p><del>Allowed as a home occupation (refer to Subsection 3.110) in the caretaker's residence under these three options. (Ordinance No. 94-1-19)</del></p> <ol style="list-style-type: none"> <li><del>1. Provides care for less than 24 hours a day to no more than 6 children under the age of 14, plus no more than 6 additional elementary school age children (age 5 to 13). The total number of children (counting the caretaker's own children) is no more than 12 at any time. Registration with the Texas Department of Protective and Regulatory Services is required, unless exempted by State law.</del></li> <li><del>2. Provides care for less than 24 hours a day for 7 to 12 children (including the caretaker's and staff's children) under the age of 14. A license from the Texas Department of Protective and Regulatory Services is required. Care provided to 9 or more children that does not comply with Option 1 requires a specific use permit.</del></li> <li><del>3. All group day care homes which were licensed by the State of Texas or had a license application pending on or before October 25, 1993, are considered to be a legal use in residential districts and will not require specific use permit approval as long as a valid license is maintained for the operation in its original location and it provides care for less than 24 hours a day for no more than 12 children (including the caretaker's and staff's children) under the age of 14.</del></li> </ol> <p><u>An operation providing care for less than 24 hours a day for up to 12 children under the age of 14, provided that the total number of children, including the caretaker's own children, is no more than 12 at any time.</u></p>
Day Care Center (Accessory)	<p><u>Accessory day care center is an accessory use providing care of children belonging to employees, customers, or patrons of the principal use. The center shall be completely contained within the primary use and shall not constitute more than 15% of the area of the principal use.</u></p>

Article 2. Zoning Districts and Uses

Subsection 2.502 Schedule of Permitted Uses

Allow day care centers by right or specific use permit as follows:

**Residential Zoning Districts**

Permitted Uses	Category	A- Agricultural	ED - Estate Development	SF-20 - Single-Family-20	SF-9 - Single-Family-9	SF-7 - Single-Family-7	SF-6 - Single-Family-6	2F - Two-Family (Duplex)	PH - Patio Home	SF-A - Single-Family Attached	MH - Mobile Home	MF-1 - Multifamily-1	MF-2 - Multifamily-2	MF-3 - Multifamily-3	GR - General Residential	UR - Urban Residential
Day Care Center	Service	§	§	§	§	§	§	§	§	§	Ⓟ	Ⓟ	Ⓟ	Ⓟ	§	§
Day Care Center (In-home)	Service	Ⓟ 42	Ⓟ 42	Ⓟ 42	Ⓟ 42	Ⓟ 42	Ⓟ 42	Ⓟ 42	Ⓟ 42	Ⓟ 42	Ⓟ	Ⓟ	Ⓟ	Ⓟ	Ⓟ 42	Ⓟ 42
<u>Day Care Center (Accessory)</u>	<u>Service</u>											Ⓟ	Ⓟ	Ⓟ		

42 - See Subsection 3.102.2.c

## Nonresidential Zoning Districts

Permitted Uses	Category	O-1 - Neighborhood Office	O-2 - General Office	R - Retail	BG - Downtown Business/Government	LC - Light Commercial	CE - Commercial Employment	CB-1 - Central Business-1	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2	RE - Regional Employment	RC - Regional Commercial	RT - Research/Technology Center	CC - Corridor Commercial
Day Care Center	Service	P	P	P ∅	P ∅	S	P	P	S	S	P ∅	P ∅	P ∅	S
<u>Day Care Center (Accessory)</u>	<u>Service</u>	P	P	P	P	S	P	P	S	S	P	P	P	S

## Article 3. Supplementary Regulations

### 3.102 Day Care Centers, In-home Day Care Centers, and Accessory Day Care Centers

~~Site plan approval by the Planning & Zoning Commission shall be required for all day care center sites, whether or not a specific use permit is required. Day care centers are a permitted use by right if operated by an organized church and within the building complex of said church. However, operation of day care facilities requires site plan approval and issuance of a Certificate of Occupancy for day care.~~

~~Day care centers located within any residential district except multifamily districts shall be required to plat in multiples of the minimum lot width of the district classification requirements. The lot depth shall meet the minimum requirements and in no case shall be approved in a configuration which could not, in the Planning & Zoning Commission's opinion, be converted into standard lots for residential development.~~

~~(1) Day care centers are permitted in nonresidential districts only when:~~

~~(a) The day care center is platted on an individual lot.~~

~~(b) The day care center is in a multi-occupant building with direct access to the exterior of the building. Direct access must be provided to the outdoor play space. The outdoor play space must be immediately adjacent and not separated from the day care center.~~

~~(c) The day care center is in an enclosed shopping mall exceeding 500,000 square feet of gross leasable area, provided the center shall be located within the interior of the mall, with no direct access to the exterior of the building. Day care shall be provided for less than four hours per day for an individual person within a mall day care center~~

~~(d) The day care center is located in an office structure or similar single-user structure with no direct access to the exterior of the building other than doorways connecting to outdoor play space as per building code requirements. Subsection 3.102 Day Care Centers 2007 Zoning Ordinance Page 166 City of Plano, Texas~~

~~(e) The day care center is an accessory use which provides a service to employees, customers, or patrons of the principal use. A two-square-foot identification sign may be provided.~~

~~(f) The day care center is in an accessory building located on the same lot as the main building which provides a service to employees, customers, or patrons of the main building. A two-square-foot identification sign may be provided.~~

**(21)** All day centers and accessory day care centers shall comply with the following standards:

~~(a) All passenger loading and unloading areas and outdoor play space shall be located so as to avoid conflict with vehicular traffic. Adequate walkways shall be provided. Addressed as part of site plan review.~~

(a) If required by the State of Texas, the day care must have appropriate state licensing.

~~(b) Outdoor play space shall be provided at a rate of 65 square feet per child. This requirement shall be based on the maximum design capacity of the day care facility constructed. The outdoor play space shall have no dimension of less than 30 feet. This requirement may be waived by the Planning & Zoning Commission if the day care is provided for less than four hours per day for an individual person. Covered by state regulations.~~

~~(c) In residential districts, a maximum of one half of the required outdoor play space may be provided offsite in a public park. When off-premises outdoor play area is utilized, it must be located within 100 feet of the day care facility premises and safely accessible without crossing at-grade any major or secondary thoroughfare. Covered by state regulations.~~

**(db)** No day care center shall be part of a single-family or two-family dwelling.

**(ec)** A day care center shall abut and derive its primary access from a street with a pavement width of 36 feet or greater.

~~(f) As a general guideline, no portion of a day care center site should be located within 300 feet of gasoline pumps or underground. Addressed by fire and building codes~~

**(32)** Accessory In-home day care center is allowed as a home occupation (refer to Subsection 3.110) in the caretaker's residence subject to:

(a) If required by the State of Texas, the day care must have appropriate state licensing.

(b) Care provided to eight or fewer children is allowed by right.

(c) Care provided to nine or more children is allowed with approval of a specific use permit.

All group day care homes which were licensed by the State of Texas or had a license application pending on or before October 25, 1993, are considered to be a legal use in residential districts and will not require specific use permit approval as long as a valid license is maintained for the operation in its original location and it provides care for less than 24 hours a day for no more than 12 children (including the caretaker's and staff's children) under the age of 14.

Number	End Note
25	Permitted in the Commercial Employment district. See Subsection 2.823.
26	Permitted as an accessory use but not as a primary use.
27	Allowed by specific use permit only for single-unit trucks with enclosed beds; maximum two axles.
28	Allowed by specific use permit as a primary use; allowed by right as an accessory use to other storage operations.
29	See Subsection 2.823.6.
30	Permitted as an accessory use.
31	Permitted as an accessory use to motel/hotel or residence hotel.
32	Maximum gross floor area for first floor - 100,000 square feet, and maximum percentage gross floor area devoted to warehouse - 70%. See Subsection 2.826.
33	Fuel dispensing and/or car washing facilities associated with this use may be prohibited when in proximity to residential districts. See Section 3.1500.
34	See Subsection 3.107.
35	Subject to temporary permit and removal at completion of project.
36	Concrete Plant: Issuance of temporary permit by City Engineer and removal as directed; Asphalt Plant: Issuance of temporary permit by resolution of City Council.
37	Permitted as an accessory use to a personal service shop and allowed in districts where that use is permitted; allowed by specific use permit as a primary use in the Retail, Corridor Commercial, Light Commercial, Light Industrial-1, and Light Industrial-2 districts. See Subsection 3.116 and Schedule of Permitted Uses.
38	Specific Use Permits for Moderate-intensity Manufacturing in the Research/Technology Center district shall not include food processing, chemical and petroleum processing and manufacturing, and foundries.
39	See Subsection 3.113.
40	Fuel dispensing facilities are not allowed in the Downtown Business/Government district.
41	Patio homes only allowed with a specific use permit.
42	See Subsection 3.102.2.c.

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda No. 11**

**Discussion and Direction:** Amending the Zoning Ordinance Regulations for Household Care and Rehabilitation Care Facilities and Institutions

**Applicant:** City of Plano

---

**DESCRIPTION:**

Discussion and direction on amending the Zoning Ordinance regulations for household care and rehabilitation care facilities and institutions.

**REMARKS:**

The Zoning Ordinance presently contains regulations for household care and rehabilitation care facilities and institutions. These regulations need to be updated to conform to the requirements of federal and state law, as well as fair housing laws and the Americans with Disabilities Act that offer protection to unrelated disabled individuals living as a single housekeeping unit, with or without support staff. Issues generally center on how many unrelated people can live together in a single-family home.

Current Regulations

Household care facilities and institutions provide housing for persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster, or financial setbacks, living together with not more than two caregivers as a single housekeeping units. If required, household care facilities and institutions must have appropriate licensing and/or registration by the State of Texas. Household care facilities are allowed by right in single-family districts if they have six or fewer residents. A household care institution has more than six residents and may be allowed only by specific use permit (SUP) in the Multifamily Residence-1, Multifamily Residence-2 and Multifamily Residence-3 districts. Some, but not all, household care facilities and institutions are operated by non-profit groups.

Rehabilitation care facilities and institutions provide housing for persons regardless of legal relationship who have demonstrated a tendency towards alcoholism, drug abuse, mental illness, or antisocial or criminal conduct living together with not more than two supervisory personnel as a single housekeeping unit. Household care facilities are

allowed in single-family districts by right with six or fewer residents; rehabilitation care facilities are allowed in single-family districts with an SUP with nine or fewer residents. The larger institutions, with more residents, are allowed in various commercial zoning districts. A rehabilitation care institution has more than nine residents and may be allowed by SUP in the Neighborhood Office and General Office districts and by right in the Commercial Employment zoning district.

## **ISSUES FOR CONSIDERATION:**

### State Law Requirements

The State of Texas licenses and/or registers several types of residential care facilities, including community homes for the disabled and assisted living facilities. Statutes require that cities allow community homes for the disabled in all residential districts by right if the home has no more than six residents and two live-in caretakers. Plano's present regulations are based on this requirement. The statutes governing community homes for the disabled, however, specify a more limited list of protected disabilities than federal standards and apply only to homes operated by certain agencies or permit holders. The state requires a certain square footage of living space for each resident and other minimum standards for care must be met.

### Classification of Recovering Addicts

Addiction has been generally considered a disability by the courts, and facilities for recovering addicts should generally be regulated in the same manner as those for other persons with disabilities. Current abusers of illegal drugs or alcohol do not enjoy this protection. An amended ordinance should address this change in the definition of disability.

### Fair Housing Act and Americans with Disability Act

The federal Fair Housing Act and Americans with Disability Act prohibit discrimination against families with children and persons with disabilities. Cities must make reasonable accommodations to allow housing for persons with disabilities in various settings, regardless of relationship. The Fair Housing Act prohibits special permits, specific use permits, deed restrictions, and regulations that would limit a person or persons with disabilities from living in a residential setting of their choice if similar permits would not be required for non-disabled persons. Cities must be cautious in applying any type of regulation that would not also apply to unrelated or related households without disabilities. There are numerous court cases in which attempts by cities to limit the number of residents, apply spacing requirements, and otherwise limit the presence of group facilities for the disabled in single-family districts, have been ruled as discriminatory, although some cities' ordinances and processes have been upheld. If a city's regulations, like Plano's, cap the number of disabled residents, a process must be established to allow the reasonable accommodation for more residents on a case by case basis.

## Definition of Family

Plano's ordinance does not presently include a definition of family, although single-family zoning districts are restricted to occupancy by one family per lot. However, defining "family" is a difficult task given the complex makeup of today's families and frequent litigation on cities' attempts to define and regulate occupancy by trying to define family. In response to these challenges, the city deleted its definition of family in the Zoning Ordinance several years ago and has chosen to regulate occupancy through minimum square footage and other occupancy codes.

## Other Living Arrangements

There are a number of living arrangements that are usually not fully addressed by zoning ordinances, including boarding houses, halfway houses for parolees, transitional units for the homeless, worker housing, etc. Any ordinance amendments should address these to the extent allowed by fair housing regulations.

## **OPTIONS**

There are several options that the Commission can explore to address this issue. Two are outlined below.

Rely on minimum occupancy standards, rather than setting a maximum number of residents for household care facilities - This would apply the same standards of occupancy regardless of relationship or disability. The square footage of the house, number of bedrooms, and number of persons per bedroom, would determine the number of occupants.

Create a definition of household and set a maximum number of residents in household care facilities, but also add a process for reasonable accommodation for facilities with more residents - This is the more complicated option and one that still leaves room for challenges of discrimination against the disabled, but it may also address other concerns that have been raised in the community about overcrowding, boarding houses in single-family neighborhoods, and other living arrangements. A special exception process, which is authorized by state law, may be the best process for a request for reasonable accommodation. The Board of Adjustment has the authority to hear and grant special exceptions if certain criteria are met. Criteria might include off-street parking, building modifications, etc.

If this option is chosen, staff would recommend that a minimum of eight disabled residents, with two live-in caretakers, be allowed without a special exception or other accommodation process. This number of residents is consistent with other cities' ordinances and can be accommodated in most single-family residences.

## **RECOMMENDATIONS:**

Staff seeks the Commission's direction on ordinance amendments to address this issue.

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda Item No. 12**

**Request to Call a Public Hearing**

**Applicant:** City of Plano

---

**DESCRIPTION:**

Request to call a public hearing to amend the Zoning and Subdivision Ordinances to transfer Zoning Ordinance standards regarding certain overhead utilities within zoning overlay districts to the Subdivision Ordinance.

**REMARKS:**

Existing overhead utilities are currently regulated in both the Zoning and Subdivision Ordinances. The Zoning Ordinance standards apply to overhead utilities within zoning overlay districts. The Subdivision Ordinance standards require the underground placement of overhead utilities along thoroughfares of a certain size.

Under the Subdivision Ordinance, a property owner has the ability to request a waiver to development exactions, such as the underground placement of existing overhead utilities and/or the dedication of easements for underground utilities, from the Planning & Zoning Commission. The courts have said that a development exaction must be related or have a connection to the proposed development and that the proposed development must derive benefit approximately equal to the cost of the required improvement. The Subdivision Ordinance waiver process permits the Commission to consider these factors.

The process a property owner has for relief to Zoning Ordinance requirements is to make application for a variance. The conditions for granting a variance, established by state law, however, do not include the assessment of the relationship and cost/benefit of the required improvement to a proposed development. For this reason, staff recommends that a public hearing be called to transfer Zoning Ordinance standards for overhead utilities to the Subdivision Ordinance.

**RECOMMENDATION:**

Recommended that a public hearing be called to consider amendments to the Zoning and Subdivision Ordinances to transfer Zoning Ordinance standards regarding certain overhead utilities within zoning overlay districts to the Subdivision Ordinance.

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 20, 2009

**Agenda Item No. 13**

**Request to Call a Public Hearing**

**Applicant:** City of Plano

---

**DESCRIPTION:**

Request to call a public hearing to amend the Thoroughfare Standards Rules and Regulations. The potential amendments include revised roadway design, access, and visibility geometric standards, and revised references to the Zoning Ordinance and Transportation Element of the Comprehensive Plan.

**REMARKS:**

The Thoroughfare Standards Rules and Regulations is Plano's primary regulatory policy for roadway design, access, and visibility. Since the adoption of the ordinance, the Thoroughfare Plan has been amended several times, eliminating certain roadway types and changing the classification of others, and Plano has seen the introduction of new urbanist-type development and associated street designs. Staff feels that it is appropriate to periodically review development regulations for consistency with other ordinances and plans and to incorporate improvements to design standards. Staff, therefore, recommends that a public hearing be called to consider amendments to the Thoroughfare Standards Rules and Regulations.

**RECOMMENDATION:**

Recommended that a public hearing be called to consider amendments to the Thoroughfare Standards Rules and Regulations. The potential amendments include revised roadway design, access, and visibility geometric standards, and revised references to the Zoning Ordinance and Transportation Element of the Comprehensive Plan.