

Unified Development Code

City of Plano

Module 1 Review Draft | October 16, 2025

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Section 2.5. Zoning Districts

A. Establishment of Zoning Districts and Map

1. Establishment

The City is divided into zoning districts as established within this section and shown on the official zoning map, herein referred to as the Zoning Map. The Zoning Map is maintained as part of the City's Geographic Information System (GIS) under the direction of the Director of Planning. The Zoning Map – together with all notations, references, data and other information shown on the map – is adopted and incorporated into this UDC. It is as much a part of this UDC as if actually depicted within its pages.

2. Maintenance and Updates

The Director of Planning is responsible for directing revisions to the Zoning Map to reflect its amendment as soon as possible after the effective date of Zoning Map amendments. No unauthorized person may alter or modify the Zoning Map. The Director of Planning may authorize printed copies of the Zoning Map to be produced, and maintain digital or printed copies of superseded versions of the Zoning Map for historical reference.

3. District Purpose Statements

Each district includes a purpose statement to describe the aspirations for the district. The Director of Planning and other decision-makers may consider purpose statements in interpreting the UDC; however, the purpose statements are not regulatory.

B. Zoning District Boundaries

1. District Boundaries

The district boundary lines shown on the Zoning Map are usually along streets, alleys, property lines, or extensions thereof. Where uncertainty exists as to the boundaries of districts as shown on the Zoning Map, the following rules apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys will be construed to follow such centerlines.
- B. Boundaries indicated as approximately following platted lot lines will be construed as following such lot lines.
- C. Boundaries indicated as approximately following City limits will be construed as following City limits.
- D. Boundaries indicated as following railroad lines will be construed to be midway between the right-of-way lines.
- E. Boundaries indicated as following shorelines will be construed to follow such shorelines, and in the event of a change in the shoreline, will be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of all bodies of water will be construed to follow such centerlines, and in the event of a change in the centerline, will be construed to move with such centerline.
- F. Boundaries indicated as parallel to, or extensions of, features indicated in [Section 2.5.B.1.A](#) through [Section 2.5.B.1.E](#) will be so construed. Distances not specifically indicated on the original Zoning Map will be determined by the scale of the map.
- G. Whenever any street, alley, or other public way is vacated by official action of the City Council or whenever such area is franchised for building purposes, any necessary Zoning Map amendments (i.e., rezonings to align with new lot lines) will be processed concurrently with the abandonment.

- H. The zoning classification applied to a tract of land adjacent to a street extends to the centerline of the street, unless, as a condition of zoning approval, it is stated that the zoning classification does not apply to the street.
- I. Where physical features on the ground are at variance with information shown on the Zoning Map, or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of the district boundary interpretation rules of [Section 2.5.B.1.A](#) through [Section 2.5.B.1.H](#), the property will be considered to be classified in the Agricultural (SAG) District, in the same manner as provided for newly annexed territory and the issuance of a building permit will be in accordance with the provisions of Sec. XXXX.

C. Residential Zoning Districts

1. The Residential Districts

The City's zoning districts intended primarily for residential uses are listed below. When this UDC refers to "Residential Zoning Districts," it is referring to these districts.

Symbol/Abbreviation	District Name	Section
RDE	Detached Estate	Section 2.5.C.2
RDN	Detached Neighborhood	Section 2.5.C.3
RDD	Detached Downtown	Section 2.5.C.4
RDS	Detached Small-Lot	Section 2.5.C.5
RTN	Townhouse Neighborhood	Section 2.5.C.6
RTS	Townhouse Small-Lot	Section 2.5.C.7
RAL	Apartment Low-Rise	Section 2.5.C.8

Note: All street, sign, parking, open space, governance, and design standards will be addressed in future Modules.

2. Detached Estate (RDE) District

A. Purpose

The RDE district is intended to provide detached housing in a semi-rural setting on large lots with expansive open space suitable for housing estates and limited ranching. This district promotes a unique residential character with limited provisions for institutional and accessory uses.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the RDE district unless otherwise expressly stated:

Description	Requirements	
Current Districts	SF-20, [ED]	Note: The "Current Districts" row in the table is included for draft review purposes only. It indicates the current zoning district (or FLUC, if there is no current district) that is most similar to the proposed district. When another existing district will be included with the proposed district, it is noted in brackets. This line will be removed in later drafts.
Maximum Dwelling Units ⁽¹⁾	1 per lot, plus 1 backyard cottage	
Minimum Lot Area	20,000 square feet	
Minimum Lot Width	100 feet	
Minimum Lot Depth	150 feet	
Minimum Front Yard	35 feet	
Minimum Side Yard		
Interior Lot	10 feet	
Street Side	15 feet	
Maximum Side Yard	25 feet	
Minimum Rear Yard	10 feet	
Maximum Height	40 feet	Note: Minimum Open Space to be revisited for all districts in a later draft.
Maximum Coverage	35%	
Minimum Open Space	TBD	

⁽¹⁾ See Sec. XXXX for Backyard Cottage permissions.

3. Detached Neighborhood (RDN) District

A. Purpose

The RDN district is intended to provide for the development and preservation of detached housing neighborhoods typical throughout the community. This district promotes a balanced residential character while accommodating efficient land use and infrastructure. Development standards help to ensure infill and redevelopment compatibility with existing neighborhoods, encourage quality housing design, and support a safe, livable environment for residents. Limited institutional and accessory uses may be permitted to complement residential living while maintaining neighborhood integrity. This district is divided into subdistricts to accommodate a range of densities and subdivision patterns.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the RDN district unless otherwise expressly stated:

Description	RDN-1 Requirements	RDN-2 Requirements	RDN-3 Requirements
Current Districts	SF-9 Stormwater 2	SF-6, [SF-7]	PH
Maximum Dwelling Units ⁽¹⁾	1 per lot, plus 1 backyard cottage	1 per lot, plus 1 backyard cottage	1 per lot, plus 1 backyard cottage
Minimum Lot Area	8,000 square feet	6,000 square feet	4,000 square feet
Minimum Lot Width			
Interior Lot	75 feet	55 feet	40 feet
Corner Lot	80 feet	60 feet	45 feet
Minimum Lot Depth	95 feet	95 feet	90 feet
Minimum Front Yard	25 feet	20 feet	20 feet
Minimum Side Yard			
Interior Lot	5 feet	5 feet	5 feet, except as allowed in Section 2.5.C.3.D.1 below
Street Side	15 feet	15 feet	15 feet
Minimum Rear Yard	10 feet	10 feet	10 feet
Minimum Building Separation	10 feet	10 feet	10 feet
Maximum Height	35 feet	35 feet	35 feet
Maximum Lot Coverage	50%	50%	60%
Minimum Open Space	TBD	TBD	TBD

⁽¹⁾ See Sec. XXXX for Backyard Cottage permissions.

D. Special District Requirements

1. The following standards apply to the RDN-3 subdistrict:

A. Detached houses may be developed as zero lot line buildings with no side yard setback on one side, subject to the following standards:

- 1.** One interior side yard must be zero feet and the opposite side yard must be a minimum of 10 feet.
- 2.** A building on a lot where the zero side abuts an alley may be set back from the alley so long as a minimum separation of 10 feet is provided between buildings.
- 3.** A minimum 6-foot-wide maintenance easement must be recorded on the adjacent lot to enable the property owner to maintain the house on the zero side yard setback side.
- 4.** Side yards and maintenance easements must be recorded on the subdivision plat.
- 5.** Buildings with roof overhangs are allowed when lots have been platted with a 6-foot-wide non-encroachment easement and the final plat for the subdivision was approved prior to October 28, 1996.

B. An RDN-3 subdivision may amend setbacks as follows:

1. The front yard setback may be reduced to 10 feet provided that:

A. The driveway and garage are accessed from an alley; and

B. The open yard area of either the rear or non-zero side yard is increased by an amount equal to or greater than that of the increased buildable area created by the reduction in the front yard setback.

2. The front yard setback may be reduced to 15 feet for lots without an alley provided that:

A. The garage is at least 20 feet from the front property line; and

B. The open yard area of either the rear or non-zero side yard is increased by an amount equal to or greater than that of the increased buildable area created by the reduction in the front yard setback.

3. The maximum front yard setback is 25 feet.

Note: Revisit dimensional adjustments in all districts with Module 4. Consider which adjustments should be specific to an individual district vs. applicable to multiple districts.

4. Detached Downtown (RDD) District

A. Purpose

The RDD district is intended to provide for the development and preservation of detached housing neighborhoods in and near the downtown core. This district promotes a balanced residential character while respecting historic development forms and patterns. Development standards help to ensure infill and redevelopment compatibility with existing neighborhoods, encourage quality housing design, and support a safe, livable environment for residents. Limited institutional and accessory uses may be permitted to complement residential living while maintaining neighborhood integrity. This district is divided into subdistricts to accommodate a range of densities and subdivision patterns.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the RDD district unless otherwise expressly stated:

Note: The RDD-3 subdistrict has been deleted. The subdistrict was modeled on PD-179-BG, which allows single-family detached residences. Standards for detached houses were added to BG and will be carried over to the MDT district.

Description	RDD-1 Requirements	RDD-2 Detached House Requirements	RDD-2 Duplex Requirements
Current District	UR	GR Single-Family	GR Duplex
Maximum Dwelling Units ⁽¹⁾	1 per lot, plus 1 backyard cottage	1 per lot	2 per lot
Minimum Lot Area	5,000 square feet	3,000 square feet	See Section 2.5.C.4.D
Minimum Lot Width			
Interior Lot	50 feet	30 feet	55 feet
Corner Lot	55 feet	30 feet	55 feet
Minimum Lot Depth	90 feet	90 feet	90 feet
Minimum Front Yard	10 feet	10 feet	10 feet
Maximum Front Yard	None	15 feet	15 feet
Minimum Side Yard			
Interior Yard	5 feet	5 feet	5 feet
Street Side	10 feet	5 feet	5 feet
Minimum Rear Yard	5 feet	5 feet	5 feet
Maximum Height	35 feet	30 feet	30 feet
Maximum Lot Coverage	60%	50%	50%
Minimum Open Space	TBD	TBD	TBD

⁽¹⁾ See Sec. XXXX for Backyard Cottage permissions.

D. Special District Requirements

1. The following standards apply to the RDD-2 subdistrict:

The RDD-2 subdistrict applies to the Douglass Community and has special elements that should be maintained to perpetuate the long-term character and viability of the community. The Douglass Community is hereby designated a unique location that is of architectural and cultural importance to the community. The following provisions are required:

A. Front Porches

Covered porches must be located along the front of any housing structure and must be a minimum of 40 square feet per unit. Each porch must have a minimum dimension of 4 feet.

B. Siding Materials

Houses and garages must be constructed of overlapping, horizontal wood siding; overlapping, horizontal cementitious siding; overlapping, horizontal aluminum or vinyl siding; and brick. Exterior plasters and stone are not permitted.

C. Roofs

Roofs for housing structures and garages must be “gabled” or “hipped” design with a minimum slope of 6:12 (for every horizontal foot, the roof must rise vertically 6 inches). The point at which a roof attaches to the residential structure (including attached garages) must be at least 7 feet above the top of the foundation.

D. Duplexes are permitted in the RDD-2 subdistrict subject to the following standards:

1. Duplex buildings must contain no more than two dwellings, which may be platted on separate adjacent lots or on a single shared lot.

2. Duplexes on Separate Lots

A. Minimum Lot Area: 3,000 square feet

B. The subdivision plat must

- clearly designate which lots are paired and
- identify the outer lot lines of each pair.

C. Each lot can contain only one dwelling unit, and no dwelling unit may extend across a lot line.

D. Detached houses are not permitted on individual lots within a designated pair.

3. Duplexes on a Single Lot

A. Minimum Lot Area: 6,000 square feet

B. Lots may be resubdivided into two separate lots, following the procedures in Sec. XXXX.

C. After resubdivision:

- Each lot can have only one dwelling unit.
- A detached house must not be built or maintained on an individual resubdivided lot.
- Further resubdivision of these lots is prohibited.

4. Each unit of a duplex must have an individual meter for utilities.

2. Apartment buildings in the RDD-1 subdistrict that were lawfully constructed prior to the implementation of the subdistrict are permitted.

5. Detached Small-Lot (RDS) District

A. Purpose

The RDS district is intended to provide for the development of detached housing neighborhoods in a walkable, urban setting. Development standards help to ensure infill and redevelopment compatibility with existing neighborhoods, encourage quality housing design, and support a safe, livable environment for residents. Limited institutional and accessory uses may be permitted to complement residential living while maintaining neighborhood integrity. This district is divided into subdistricts to accommodate a range of housing types at a similar density.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the RDS district unless otherwise expressly stated:

Description	RDS-1 Requirements	RDS-2 Requirements	RDS-3 Requirements	RDS-4 Requirements
Current District	RCD T1 SF-3	RCD T1 SF-2	RCD T1 Duplex	RCD T2 SF-1.5
Maximum Dwelling Units	1 per lot	1 per lot, except as permitted by Section 2.5.C.5.D.3	2 per lot	1 per lot
Minimum Lot Area	3,000 square feet	2,000 square feet	3,000 square feet	1,500 square feet
Minimum Lot Width	40 feet	25 feet	40 feet	25 feet
Maximum Lot Width	65 feet	50 feet	70 feet	50 feet
Minimum Lot Depth	None	None	None	None
Minimum Front Yard	10 feet	10 feet	10 feet	10 feet
Maximum Front Yard	20 feet	20 feet	20 feet	15 feet
Minimum Side Yard				
Interior Side	5 feet	3 feet	5 feet	5 feet
Street Side	10 feet	10 feet	10 feet	5 feet
Maximum Side Yard	10 feet	10 feet	10 feet	10 feet
Minimum Rear Yard	10 feet	5 feet	10 feet	None
Minimum Building Separation	10 feet	6 feet between dwellings, 10 feet for all other building types and accessory buildings	10 feet	10 feet
Maximum Height	35 feet	25 feet	35 feet	50 feet
Maximum Lot Coverage	70%	80%	70%	80%
Minimum Open Space	TBD	TBD	TBD	TBD

D. Special District Requirements

1. Garages or off-street parking spaces for all housing types must be accessed from a mews street. The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater, in length.

2. Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in Sec. XXXX, all buildings that exceed the maximum height permitted in any adjacent Residential or Mixed-Use Zoning District must be set back from the district boundary line of that District, as follows:

- A. When an alley is present on the neighboring property: at least two feet for every one foot of building height.
- B. When an alley is not present on the neighboring property: at least 15 feet plus two feet for every one foot of building height.

3. RDS-2 Shared Courts

Multiple detached houses may be constructed on a single lot in the RDS-2 subdistrict subject to the following standards:

- A. Houses must be clustered around a shared court, which must be at least 10% of the total lot area of the dwellings.
- B. A walkway at least five feet in width must be provided with access from each house to the fronting street.
- C. Front facades, including an entrance, must face the shared court. For each residential lot, frontage on the shared court is considered to meet the requirement for frontage on a public or private street.
- D. The lot must contain a minimum of four and a maximum of 10 detached houses.
- E. The overall minimum lot area of a Shared Court development is 2,000 square feet per house, calculated based on the entire development, including the shared court.
- F. The minimum lot width is increased to 225 feet.
- G. Of the required amount of shared court space, 75% of the shared court must have a minimum width of 40 feet.
- H. Of the required amount of shared court space, 75% must be centrally located.

6. Townhouse Neighborhood (RTN) District

A. Purpose

The RTN district is intended to provide for the development and preservation of townhouse and duplex neighborhoods typical throughout the community. This district promotes a balanced residential character while accommodating efficient land use and infrastructure. Development standards help to ensure infill and redevelopment compatibility with existing neighborhoods, encourage quality housing design, and support a safe, livable environment for residents. Limited institutional and accessory uses may be permitted to complement residential living while maintaining neighborhood integrity. This district is divided into subdistricts to accommodate a range of densities and subdivision patterns.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the RTN district unless otherwise expressly stated:

Description	RTN-1 Requirements	RTN-2 Requirements
Current District	2F (divided by two)	SF-A
Maximum Dwelling Units	1 per lot	1 per lot
Minimum Lot Area	4,000 square feet	2,000 square feet
Minimum Lot Width		
Interior Lot	35 feet	25 feet
Corner Lot	35 feet	30 feet
Minimum Lot Depth	100 feet	80 feet
Minimum Front Yard	25 feet	20 feet
Minimum Side Yard		
Interior Side	6.5 feet An interior side yard is not required when attached to another dwelling	5 feet An interior side yard is not required when attached to another dwelling
Street Side	15 feet	10 feet
Minimum Rear Yard	10 feet	10 feet
Minimum Building Separation	13 feet	10 feet
Maximum Height	35 feet	35 feet
Maximum Lot Coverage	45%	65%
Minimum Open Space	TBD	TBD

D. Special District Requirements

1. All townhouses and duplexes must comply with the following standards:
 - A. All dwellings must be developed and maintained as townhouses or duplexes.
 - B. Maximum townhouse building length: 200 feet.
 - C. The front yard setback may be 10 feet provided that:
 1. The driveway and garage are accessed from an alley; and
 2. The open yard area of either the rear or, for corner lots, the non-zero side yard is increased by an amount equal to or greater than that of the increased buildable area created by the reduction in the front yard setback.
2. Duplexes
 - A. In the RTN-1 subdistrict, each dwelling may only be attached to one other dwelling.
 - B. Units in a duplex may be platted on separate adjacent lots, or may be platted on a single shared lot.
 - C. Duplex units on Separate Lots
 1. The subdivision plat must:
 - A. Clearly designate which lots are paired.
 - B. Identify the outer lot lines of each pair.
 2. Each lot can contain only one dwelling unit, and no dwelling unit may extend across a lot line.
 3. Detached houses are not permitted on individual lots within a designated pair.
 - D. Duplex units on a single lot are only permitted in the RTN-1 subdistrict, subject to the following standards:
 1. Minimum Lot Size: 8,000 square feet.
 2. Maximum Dwelling Units: 2 per lot
 3. Lots may be resubdivided into two separate lots, following the procedures in Sec. XXXX. Platting/Replat.
 4. After resubdivision:
 - A. Each lot can have only one dwelling unit.
 - B. No detached house may be built or maintained on an individual resubdivided lot.
 - C. Further resubdivision of these lots is prohibited.
 - E. Each unit of a duplex must have an individual meter for utilities.

7. Townhouse Small-Lot (RTS) District

A. Purpose

The RTS district is intended to provide for the development of townhouse and duplex neighborhoods in a walkable, urban setting. Development standards help to ensure infill and redevelopment compatibility with existing neighborhoods, encourage quality housing design, and support a safe, livable environment for residents. Limited institutional and accessory uses may be permitted to complement residential living while maintaining neighborhood integrity. This district is divided into subdistricts to accommodate a range of densities and subdivision patterns.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the RTS district unless otherwise expressly stated:

Description	RTS-1 Requirements	RTS-2 Requirements	RTS-3 Requirements
Current District	RCD T2 TH	RCD T2 Stacked TH	UMU
Maximum Dwelling Units	1 per lot	2 per lot	1 per lot
Minimum Lot Area	1,200 square feet	1,200 square feet	700 square feet
Minimum Lot Width	20 feet	20 feet	20 feet
Maximum Lot Width	45 feet	50 feet	None
Minimum Lot Depth	None	None	35 feet
Minimum Front Yard	10 feet	10 feet	None
Maximum Front Yard	20 feet	20 feet	75% of the building face must be within 10 feet of the property line or easement line, if present.
Minimum Side Yard			
Interior Side	5 feet An interior side yard is not required when attached to another dwelling	5 feet An interior side yard is not required when attached to another dwelling	5 feet An interior side yard is not required when attached to another dwelling
Street Side	10 feet	10 feet	None
Maximum Side Yard			
Interior Side	10 feet	10 feet	Same as front
Street Side	20 feet	20 feet	Same as front
Minimum Rear Yard	None	None	None
Minimum Building Separation	10 feet	10 feet	10 feet
Maximum Height	50 feet	50 feet	50 feet
Maximum Lot Coverage	80%	80%	100%

Description	RTS-1 Requirements	RTS-2 Requirements	RTS-3 Requirements
Minimum Open Space	TBD	TBD	TBD

D. Special District Requirements

1. Garages or off-street parking spaces for all housing types must be accessed from a mews street. The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
2. Architectural or design features such as building articulation, height off-sets, accent lines, dormers, cornices, or arches must be provided to distinguish dwellings on separate lots.
3. Maximum Townhouse Building Length: 200 feet.
4. Dwellings in the RTS-2 subdistrict must be stacked vertically. Each dwelling must have an individual, ground-level entrance with access to a sidewalk.
5. Residential Transition Areas

Note: Revisit with Module 4 (residential adjacency).

In addition to the front, side, and rear yard requirements noted in [Section 2.5.C.7.C](#) above, all buildings must be set back from the district boundary line of the nearest Residential Zoning District, as follows:

- A. When an alley is present on the neighboring property: at least two feet for every one foot of building height.
- B. When an alley is not present on the neighboring property: at least 15 feet plus two feet for every one foot of building height.
- C. This minimum setback may be reduced to a setback of 20 feet when the nearest Residential Zoning District allows a maximum height greater than 35 feet.

8. Apartment Low-Rise (RAL) District

A. Purpose

The RAL district is intended to provide for the development and preservation of garden apartment neighborhoods strategically located and well-integrated into the surrounding community. This district promotes a balanced residential character while accommodating efficient land use and infrastructure. Developments should be located in areas that align with the city's long-term land use vision, where infrastructure and services can support higher-density housing. The district is envisioned as primarily residential uses focused on sustaining a high quality of life through well-maintained infrastructure, housing, and open space.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the RAL district unless otherwise expressly stated:

Description	Requirements		
Current District	MF-1, MF-2, MF-3		
Minimum Lot Area	8,400 square feet		
Minimum Lot Width	70 feet		
Minimum Lot Depth	120 feet		
Minimum Front Yard	25 feet		
Minimum Side Yard			
Building Height 20 Feet or Less	15 feet		
Building Height Over 20 Feet	25 feet		
Minimum Rear Yard			
Building Height 20 Feet or Less	15 feet		
Building Height Over 20 Feet	25 feet		
Maximum Height	45 feet		
Maximum Lot Coverage	None		

D. Special District Requirements

1. Building Massing and Separation

- A. Minimum separations between apartment buildings on the same lot are as follows:

Building Orientation	Distance
Face to face ⁽¹⁾	30 feet
Face to end ⁽²⁾	20 feet
Corner to corner	15 feet
Angled corner to face (60- to 90-degree angle)	20 feet
Courtyard -- face to face ⁽³⁾	30 feet
End to end	15 feet

⁽¹⁾ Face: Exterior plane of a building that is 60 feet in length or greater.

⁽²⁾ End: A secondary exterior plane of a building that is less than 60 feet in length.

⁽³⁾ No balcony or canopy may extend into such courtyard area for a distance greater than 5 feet.

- B. The minimum setback from the zoning district boundary for an apartment building adjacent to land proposed (as shown on an approved concept plan or preliminary site plan), developed, or zoned for detached houses, duplexes, or townhouses is as follows:

Building Height	Setback
Less than 20 feet	20 feet
Taller than 20 feet	25 feet

2. Detached House, Duplex, and Townhouse Development

- A. Lots in the RAL district may be developed as detached houses, duplexes, or townhouses subject to the requirements in Section 2.XXXX.

Note: Revisit with Module 4 (residential adjacency).

D. Mixed-Use Zoning Districts

1. The Mixed-Use Districts

The City’s districts intended to accommodate an integrated mix of uses are listed below. When this UDC refers to “Mixed-Use Zoning Districts,” it is referring to these districts.

Symbol/Abbreviation	District Name	Section
MNC	Neighborhood Commercial	Section 2.5.D.2
MNE	Neighborhood Employment	Section 2.5.D.3
MLC	Light Commercial	Section 2.5.D.4
MCC	Corridor Commercial	Section 2.5.D.5
MGE	General Employment	Section 2.5.D.6
MRC	Regional Commercial	Section 2.5.D.7
MRE	Regional Employment	Section 2.5.D.8
MLG	Legacy Core	Section 2.5.D.9
MLE	Legacy Employment	Section 2.5.D.10
MDT	Downtown	Section 2.5.D.11
MRT	Research/Technology Employment	Section 2.5.D.12
MIE	Industrial Employment	Section 2.5.D.13

Note: All street, sign, parking, open space, governance, and design standards will be addressed in future Modules.

2. Neighborhood Commercial (MNC) District

A. Purpose

The MNC district is primarily intended to provide areas for the retail sales of goods and services, including convenience stores and shopping centers. Low-rise residential and mixed-use development is appropriate at a neighborhood scale.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MNC district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	R	R
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	50 feet	25 feet
Minimum Rear Yard	None, or 10 feet where no alley abuts the rear property line	None, or 10 feet where no alley abuts the rear property line
Maximum Height	35 feet	45 feet
Maximum Lot Coverage	50%	None
Minimum Open Space	TBD	None

D. Special District Requirements

1. Detached House, Duplex, and Townhouse Development

- A. Lots in the MNC district may be developed as detached houses, duplexes, or townhouses subject to the requirements in Section 2. **XXXX**.

3. Neighborhood Employment (MNE) District

A. Purpose

The MNE district is intended to provide for low-rise, garden-type office development providing professional, medical, and other office services to residents in adjacent neighborhoods. MNE districts have principal access to major thoroughfares and may serve as an area of transition between residential and high-intensity nonresidential uses. Low-rise residential and mixed-use development is appropriate at a neighborhood scale.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional requirements apply to all development in the MNE district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	O-1	O-1
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	50 feet	25 feet
Minimum Rear Yard	None, or 10 feet where no alley abuts the rear property line	None, or 10 feet where no alley abuts the rear property line
Maximum Height	35 feet	45 feet
Maximum Lot Coverage	30%	None
Minimum Open Space	TBD	None

D. Special District Requirements

1. Detached House and Townhouse Development

Lots in the MNE district may be developed as detached houses or townhouses subject to the requirements in Section 2. **XXXXX**.

4. Light Commercial (MLC) District

A. Purpose

The MLC district is intended to provide for a wide array of retail, office, service, and residential uses to meet the needs of local residents and businesses. Some vehicle-related uses and limited assembly, which address local service and employment opportunities, may also be included in the MLC district.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MLC district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	LC	LC
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	50 feet	25 feet
Minimum Rear Yard	None, or 10 feet where no alley abuts the rear property line	None, or 10 feet where no alley abuts the rear property line
Maximum Height	35 feet	45 feet
Maximum Lot Coverage	50%	None
Minimum Open Space	TBD	None

5. Corridor Commercial (MCC) District

A. Purpose

The MCC district is intended to provide for retail, service, office, residential, and limited manufacturing uses within major regional transportation corridors. The regulations and standards of this district are reflective of the high traffic volumes and high visibility of these regional highways.

B. Uses

See [Section 2.6.B. Use Chart](#)

C. Dimensional Standards

The following dimensional standards apply to all development in the MCC district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	CC	CC
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	50 feet	25 feet
Minimum Rear Yard	None, or 10 feet where no alley abuts the property line	None, or 10 feet where no alley abuts the property line
Minimum Height	None	45 feet
Maximum Height	325 feet	325 feet
Maximum Lot Coverage	50%, 70% if structured parking is included	None
Minimum Open Space	TBD	None

A. Special District Requirements

1. Apartment and mixed-use residential buildings below the minimum required height lawfully constructed prior to September 1, 2025, are permitted as conforming structures.

6. General Employment (MGE) District

A. Purpose

The MGE district is intended to allow for a variety of low-, mid-, and high-rise developments providing for professional, financial, medical, and administrative offices; mid- and high-rise apartment and mixed-use residential developments; and limited low-rise residential developments in specific circumstances.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MGE district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	O-2	O-2
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	50 feet	25 feet
Minimum Rear Yard	None, or 10 feet where no alley abuts the rear property line	None, or 10 feet where no alley abuts the rear property line
Minimum Height	None	75 feet
Maximum Height	None	None
Maximum Lot Coverage	50%	None
Minimum Open Space	TBD	None

D. Special District Requirements

1. Independent Living Facilities

Apartment and mixed-use residential buildings containing Independent Living Residences below the minimum required height constructed prior to February 27, 2023, and proposed apartment and mixed-use residential buildings containing Independent Living Residence projects vested under Chapter 245 of the Local Government Code prior to February 27, 2023, are permitted as conforming structures.

2. Detached House, Duplex, and Townhouse Development

Lots in the MGE district may be developed as detached houses, duplexes, or townhouses subject to the requirements in Section 2. **XXXX**.

7. Regional Commercial (MRC) District

A. Purpose

The MRC district is intended for use in conjunction with an MRE district in high-visibility locations which are of regional cultural importance to the community due to its significance for generating economic investment. The district generally provides for retail, service, and residential uses at appropriate nodes within the corridor of specified expressways serving Plano and surrounding communities, in addition to office and limited manufacturing uses.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MRC district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	RC	RC
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	50 feet	25 feet
Minimum Rear Yard	None	None
Maximum Height	325 feet, except as limited below	325 feet, except as limited below

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
<p>Additional Height Requirements (measured from the nearest Residential Zoning District boundary)</p> <p>Note: Revisit with Module 4 (residential adjacency).</p>	<p>A minimum setback of 50 feet as measured from the property line or 3 times the height, minus 30 feet, is required, whichever is more restrictive. Conversely, the allowed height of a main building, parking structure, or accessory building, at a certain setback, would be equal to one-third the setback plus 10 feet.</p> <p>A maximum height of 140 feet is required for a distance of 1,000 feet from the nearest Residential Zoning District boundary line.</p> <p>Beyond 1,000 feet, the setback is increased at a rate of one time the height of that portion above 140 feet up to 325 feet in height.</p> <p>See Sec. XXXX for an illustration of these residential setback slope requirements.</p>	<p>A minimum setback of 25 feet as measured from the property line or 3 times the height, minus 30 feet, is required, whichever is more restrictive. Conversely, the allowed height of a main building, parking structure, or accessory building, at a certain setback, would be equal to one-third the setback plus 10 feet.</p> <p>A maximum height of 140 feet is required for a distance of 1,000 feet from the nearest Residential Zoning District boundary line.</p> <p>Beyond 1,000 feet, the setback is increased at a rate of one time the height of that portion above 140 feet up to 325 feet in height.</p> <p>See Sec. XXXX for an illustration of these residential setback slope requirements.</p>
Maximum Lot Coverage	50%, 70% if structured parking facilities are included	None
Minimum Open Space	TBD	None

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8. Regional Employment (MRE) District

A. Purpose

The MRE district is intended for office, residential, and limited manufacturing uses in highly visible locations. These locations are important to the community because they drive economic investment and align with the regional significance of certain expressways serving Plano and surrounding areas. Some retail uses may also be appropriate when developed in conjunction with the primary uses.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MRE district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	RE	RE
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	50 feet	25 feet
Minimum Rear Yard	None	None
Minimum Height	None	75 feet
Maximum Height	325 feet, except as limited below	325 feet, except as limited below

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
<p>Additional Height Requirements (measured from the nearest Residential Zoning District boundary)</p> <p>Note: Revisit with Module 4 (residential adjacency).</p>	<p>A minimum setback of 50 feet or 3 times the height, minus 30 feet is required, whichever is more restrictive. Conversely, the allowed height of a main building, parking structure or accessory building, at a certain setback, would be equal to one-third the setback plus 10 feet.</p> <p>A maximum height of 140 feet is required for a distance of 1,000 feet from the nearest Residential Zoning District boundary line.</p> <p>Beyond 1,000 feet, the setback is increased at a rate of one time the height of that portion above 140 feet up to 325 feet.</p> <p>See Sec. XXXX for an illustration of these residential setback slope requirements.</p>	<p>A minimum setback of 25 feet or 3 times the height, minus 30 feet is required, whichever is more restrictive. Conversely, the allowed height of a main building, parking structure or accessory building, at a certain setback, would be equal to one-third the setback plus 10 feet.</p> <p>A maximum height of 140 feet is required for a distance of 1,000 feet from the nearest Residential Zoning District boundary line.</p> <p>Beyond 1,000 feet, the setback is increased at a rate of one time the height of that portion above 140 feet up to 325 feet.</p> <p>See Sec. XXXX for an illustration of these residential setback slope requirements.</p>
Maximum Lot Coverage	50%, 70% if structured parking facilities are included	None
Minimum Open Space	TBD	None

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9. Legacy Core (MLG) District

A. Purpose

The MLG district is intended to cultivate large-scale, dynamic, mixed-use environments that seamlessly blend commercial, residential, and recreational uses. This district aims to create pedestrian-friendly areas that serve as focal points for community interaction and economic vitality. Developments within this district should be strategically located to enhance connectivity with adjacent neighborhoods and transportation systems, ensuring accessibility and integration. Emphasis on high-quality design, infrastructure, and maintenance is desired to uphold the district's unique urban character and long-term appeal.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MLG district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	CB-1	CB-1
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	None	None
Minimum Side Yard	None	None
Minimum Rear Yard	None, or 10 feet where no alley abuts the rear property line	None
Minimum Height	None	75 feet
Maximum Height	None	None
Maximum Lot Coverage	None	None
Minimum Open Space	TBD	None

D. Special District Requirements

1. Apartment and mixed-use residential buildings below the minimum required height lawfully constructed prior to September 1, 2025, are permitted as conforming structures.

2. Detached House, Duplex, and Townhouse Development

Lots in the MLG district may be developed as detached houses, duplexes, or townhouses subject to the requirements in Section 2.XXXX.

10. Legacy Employment (MLE) District

A. Purpose

The MLE district is intended to provide the flexibility for an integrated development that may include retail, office, commercial, residential, and light manufacturing uses. The major focus of the MLE district is corporate headquarters and research facilities arranged in a campus-like setting.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MLE district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	CE	CE
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	50 feet	25 feet
Minimum Rear Yard	None, or 10 feet where no alley abuts the rear property line	None, or 10 feet where no alley abuts the rear property line
Minimum Height	None	120 feet
Maximum Height		
Where adjacent to a residential zoning district		
0 - 400 feet setback	30 feet	See Sec. 2.5.X
401 - 600 feet setback	60 feet	See Sec. 2.5.X
601 - 800 feet setback	90 feet	See Sec. 2.5.X
More than 800 feet setback	No restriction, except as provided for under Sec. 2.5.X	No restriction, except as provided for under Sec. 2.5.X
Where adjacent to a residential zoning district but separated by a Type B or higher thoroughfare		
0 - 600 feet setback	60 feet	See Sec. 2.5.X
601 - 800 feet setback	90 feet	See Sec. 2.5.X
More than 800 feet setback	No restriction, except as provided for under Sec. 2.5.X	No restriction, except as provided for under Sec. 2.5.X
Maximum Lot Coverage	50%	None
Minimum Open Space	TBD	None

Note: Revisit with Module 4 (residential adjacency).

D. Special District Requirements

1. No required parking can be located in the first 20 feet of the front yard.
2. Residential Development
 - A. Apartment and mixed-use residential buildings below the minimum required height lawfully constructed prior to February 27, 2023, and proposed apartment and mixed-use residential buildings vested under Chapter 245 of the Local Government Code prior to February 27, 2023, are permitted as conforming structures.

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11. Downtown (MDT) District

A. Purpose

The MDT district is intended to serve as a pedestrian-oriented center for retail, office, governmental, cultural, entertainment, and residential uses. It aspires to ensure that development, redevelopment, and renovation within the district are consistent with the historical character of Plano's original business district and the surrounding area. The standards of this district apply to specific characteristics of Plano's downtown area and are not appropriate for other locations and districts. The MDT district provides transit-oriented development in proximity to rail transit stations, redevelopment and revitalization of the K Avenue and 14th Street corridors, and intends to preserve and complement the area's historic structures and character.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MDT district unless otherwise expressly stated:

Description	Nonresidential, Apartment, and Mixed-use Residential Requirements	Detached House and Townhouse Requirements
Current District	BG	BG
Minimum Lot Area	None	700 square feet
Minimum Lot Width	None	Detached House: 26 feet Townhouse: 20 feet
Minimum Lot Depth	None	35 feet
Minimum Front Yard	See Section 1.1.A.1.A.1. Shy Zone Setbacks	See Section 2.2.D.4.D.1. Shy Zone Setbacks
Minimum Side Yard		
Interior Lot	None	3 feet An interior side yard is not required when attached to another dwelling
Street Side	Same as front	Same as front
Minimum Rear Yard	None	None
Additional Minimum Setback Requirements (measured from the nearest Residential Zoning District boundary):		
Building Height 35 Feet or Less	Nonresidential: 50 feet Apartment and Mixed-use Residential: 25 feet	Same as applicable side or rear yard

Note: Revisit with Module 4 (residential adjacency).

Description	Nonresidential, Apartment, and Mixed-use Residential Requirements	Detached House and Townhouse Requirements
Building Height Over 35 Feet	Nonresidential: 200 feet, except when separated by a street and/or public way designated as Downtown Couplet or Gateway Corridor on the Thoroughfare Plan Map and/or a railroad or transit right-of-way. In such cases, the setback must be at least 50 feet. Apartment and Mixed-use Residential: 25 feet	Same as applicable side or rear yard
Maximum Height	50 feet An additional 12 feet in height is permitted for apartments above one story of nonresidential or flex ⁽¹⁾ space, or one at-grade story of structured parking.	50 feet
Maximum Lot Coverage	None	None
Minimum Open Space	Nonresidential: TBD Apartment and Mixed-use Residential: None	TBD

⁽¹⁾ Flex space units may be occupied by a residential use, a nonresidential use, or both. Flex space units must have an individual exterior entrance and a minimum floor-to-ceiling separation of 14 feet. A flex-space unit must be constructed to accommodate nonresidential uses and may not be modified to prevent nonresidential occupancy.

D. Special District Requirements

1. Shy Zone Setbacks

The MDT district utilizes a “Shy Zone” approach to front yard setbacks. The shy zone functions like a traditional setback, except that it allows for encroachments of certain architectural and site design elements that enhance the streetscape and provide visual interest to buildings. Shy zones are based on the planned rights-of-way in the Street Design Standards and Thoroughfare Plan Map, rather than property lines. Shy zones are located on private property and not in rights-of-way or street easements. Shy zones must conform to the following criteria:

- A. Shy zones are be measured from the outside edge of the cross-sections listed in the Street Design Standards (See [Figure 2.5-1. Shy Zone Example](#)). Shy zones vary by street type as follows:

Street Classification	Shy Zone
Downtown Couplet	4 feet
Gateway Corridors	4 feet
Mixed-Use Local Streets	3 feet
Residential Local Streets	10 feet
Mews Streets and Special Streets	3 feet
Unspecified Streets	4 feet

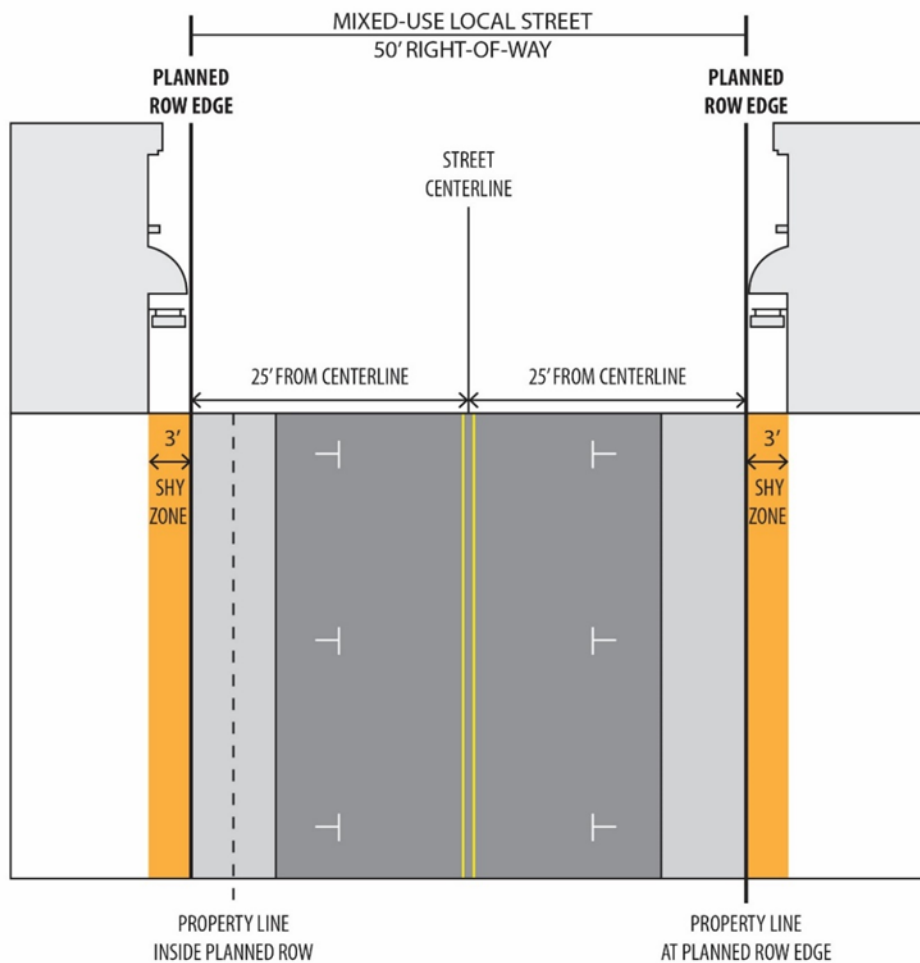


Figure 2.5-1. Shy Zone Example

- B. Where the planned right-of-way varies from the standard cross-sections provided in the Street Design Standards due to the provision of angled parking; wider travel lanes, green zones, or sidewalks; fire lane requirements; or other authorized variations, the shy zone is measured from the outside edge of planned right-of-way inclusive of such variations. See [Figure 2.5-2. Shy Zone Example \(Varied Right-of-Way\)](#).

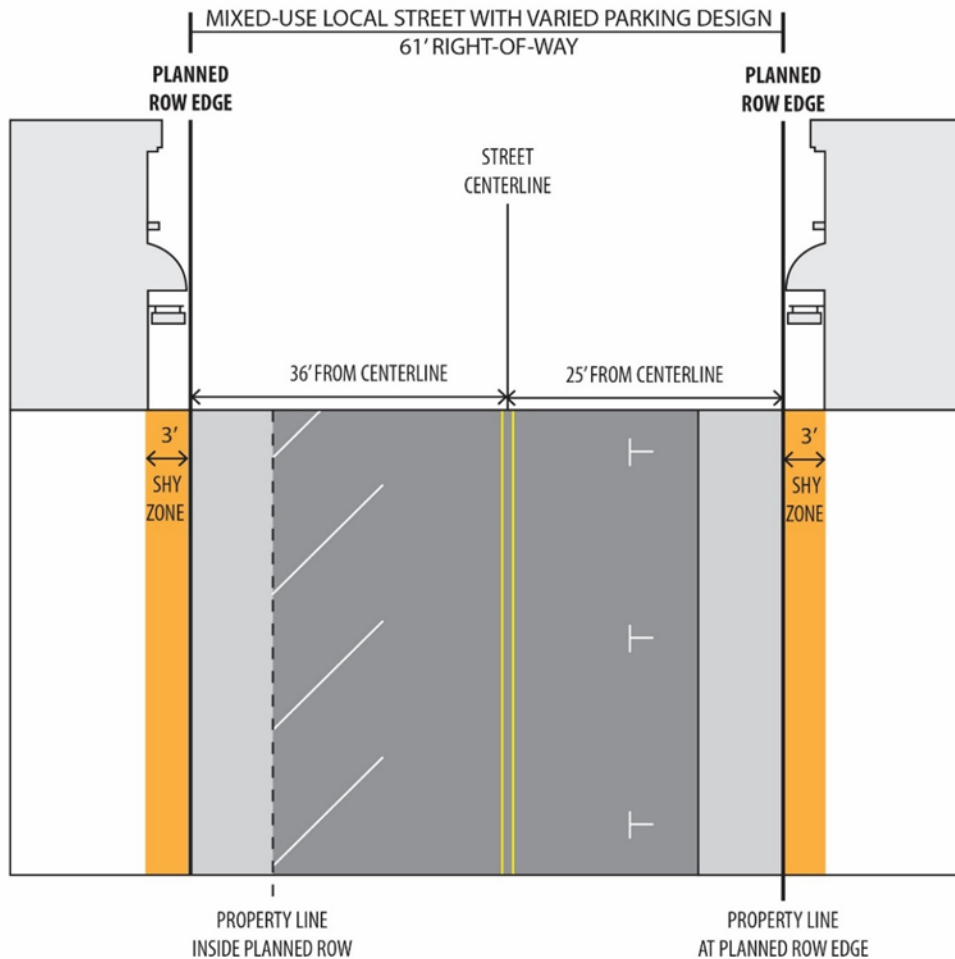


Figure 2.5-2. Shy Zone Example (Varied Right-of-Way)

- C. At least two-thirds of the front façade of the building must fall within 10 feet of the shy zone setback unless restricted by easements. Where easements are present, at least two-thirds of the front façade of the building must be built to the easement line.
- D. Architectural and site design features such as sidewalks, patios, porches, stoops, balconies, awnings, outdoor seating, foundation plantings, planter boxes, ornamental trees, signs, light fixtures, leader heads and downspouts, roof overhangs, and accessibility ramps may encroach within the shy zone.
- E. For apartment, mixed-use residential, and nonresidential buildings, architectural design features used to provide building articulation may encroach up to one foot into the shy zone. These encroachments are limited to a total of no more than 50% of the front façade (where the shy zone is 3 feet, up to 1 foot is allowed in shy zone).

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12. Research/Technology Employment (MRT) District

A. Purpose

The MRT district is intended to create a low-density employment center consisting of offices, research and development facilities, and limited assembly operations, as well as mid- and high-rise residential developments. MRT districts should generally accommodate several users in a campus environment.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MRT district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	RT	RT
Minimum District Size	25 contiguous acres	25 contiguous acres
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	50 feet	25 feet
Minimum Side Yard	30 feet	25 feet
Minimum Rear Yard	30 feet	25 feet
Minimum Height	None	120 feet
Maximum Height	325 feet	325 feet
Additional Height Requirements (measured from the nearest Residential Zoning District boundary)	A minimum setback of 3 times the height up to a maximum height of 8 stories or 140 feet, whichever is more restrictive, for a minimum distance of 1,000 feet. Beyond 1,000 feet, the setback must be increased at one time the height above 140 feet up to 200 feet in height.	A minimum setback of 3 times the height up to a maximum height of 8 stories or 140 feet, whichever is more restrictive, for a minimum distance of 1,000 feet. Beyond 1,000 feet, the setback must be increased at one time the height above 140 feet up to 200 feet in height.
Note: Revisit with Module 4 (residential adjacency).		
Maximum Lot Coverage	45%, 60% if structured parking is included	None
Minimum Open Space	TBD	None

D. Special District Requirements

1. Retail and Service Uses

- A. Retail and Service uses with the accompanying note “XXXX” in Sec. XXXX may not occupy more than 10% of the gross floor area of a building unless the building and the designated location and amount of such uses are part of an approved site plan for more than one building, and the amount of space for these uses does not exceed 10% of the combined floor area of all constructed buildings.

- B. The space for these uses may be redistributed within and among the buildings with the approval of a revised site plan. If a site plan includes multiple lots, all property owners must authorize the application. These uses may not be distributed among noncontiguous parcels of land.
 - C. A freestanding (sole use and occupant) Restaurant is permitted as part of the 10% allowance described above if it has a minimum of 5,000 square feet of gross floor area. For the purpose of interpreting this provision, "Gross Floor Area" means the total floor area of a building from the exterior face of a building or from the centerline of a wall separating two buildings, but excludes any space where the floor-to-ceiling height is less than 6 feet and all patios, balconies, and parking facilities.
2. Office (Showroom/Warehouse) and Warehouse/Distribution Center Uses
- A. An Office (Showroom/Warehouse) use is permitted in an MRT district only when the first floor of the building housing the use does not exceed 100,000 square feet of gross floor area.
 - 1. Existing Office (Showroom/Warehouse) and Warehouse/Distribution Center developments with a valid site plan for the use approved prior to October 12, 1998, are exempt from this requirement.
 - 2. Existing uses not permitted by right in an MRT district, except for Warehouse/Distribution Center, and uses proposed on a valid site plan approved prior to October 12, 1998, are not exempted from the above building size requirement when they contain a warehouse component.
 - 3. For a use within a development as described in which more than 70% of its gross floor area is devoted to warehousing, the period of time that the structure is vacant between tenants is not deemed an intentional abandonment of the nonconforming use as described in Sec. XXXX.
 - 4. Any existing development with a valid site plan approved prior to October 12, 1998, is exempted from the Dimensional, Off-Street Parking and Loading, and Landscaping requirements specified for MRT districts, and the preceding standards apply except for Sec. XXXX regarding loading areas.
 - 5. Notwithstanding Sec. XXXX, if such a development is destroyed or partially destroyed, it may be reconstructed but not expanded.
 - B. Warehousing is allowed as an accessory use to Industrial (Light-Intensity) use and is not subject to the maximum percentage requirements in [Section 2.5.D.12.D.2.A](#) above.

13. Industrial Employment (MIE) District

A. Purpose

The MIE district is intended to provide areas for manufacturing, processing, assembling, warehousing, research and development, and related services. Developments within this district should adhere to performance standards ensuring compatibility with surrounding areas. This district generally, but not exclusively, aligns with the City's vision for Employment Centers, fostering business hubs that generate diverse employment opportunities and contribute to Plano's economic vitality. Multifamily and mixed-use residential development may be appropriate in certain locations.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the MIE district unless otherwise expressly stated:

Description	Nonresidential Requirements	Apartment and Mixed-use Residential Requirements
Current District	LI-1, LI-2	LI-1, LI-2
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Minimum Lot Depth	None	None
Minimum Front Yard	When fronting to a Type F or smaller thoroughfare: 30 feet Elsewhere: 50 feet	25 feet
Minimum Side Yard		
Interior Lot	None	None
Street Side	Same as front yard	25 feet
Minimum Rear Yard	None, or 10 feet where no alley abuts rear lot line	None, or 10 feet where no alley abuts rear lot line
Minimum Height	None	25 feet within 50 feet of the front property line 75 feet elsewhere
Maximum Height	None Building height is limited to 45 feet within 50 feet of the front property line	None Building height is limited to 45 feet within 50 feet of the front property line
Maximum Lot Coverage	50%	None
Minimum Open Space	TBD	None

E. Community Design Zoning Districts

1. The Community Design Districts

The City’s zoning districts intended for the comprehensive planning and development of a neighborhood or community. When this UDC refers to “Community Design Zoning Districts,” it is referring to these districts.

Symbol/Abbreviation	District Name	Section
CNR	Neighborhood Residential Design	Section 2.5.E.2
CNB	Neighborhood Business Design	Section 2.5.E.3
CMC	Mixed-Use Community Design	Section 2.5.E.4

Note: All street, sign, parking, open space, governance, and design standards will be addressed in future Modules.

2. Residential Design (CNR) District

A. Purpose

The CNR district is intended to provide for small lot residential development integrated into the existing built environment. The district aspires to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The district is appropriate primarily for undeveloped properties and redevelopment of retail or commercial corners, redevelopment of commercial corridors in transit-oriented development areas, or when implementing a small area plan. The standards are intended to ensure compatibility between the district and surrounding residential neighborhoods.

B. Uses

- 1. See [Section 2.6.B. Use Chart](#).
- 2. Apartment buildings are only permitted on lots that meet the dimensional requirements in [Section 2.5.E.2.D.3](#) and are shown as Tier Three Small-scale Apartments on the adopted development plan.

C. Housing Types Requirement

- 1. If a housing type is provided, it must account for at least 10% of the total units in the district.
- 2. The required mix of housing types is determined by the number of dwelling units provided within the district as shown below.

Regulation	Dwelling Units Provided		
	50 Units or Less	51-100 Units	Over 100 Units
Current District	RCD		
Minimum District Size ⁽¹⁾	5 acres	5 acres	10 acres
Minimum Housing Types Required	1	2	3
Tier One Units	Minimum 50% of total units	Minimum 50% of total units	Minimum 50% of total units
Tier Two Units	Permitted	Permitted	Permitted
Tier Three Units	Not permitted	Not permitted	Cannot exceed 25% of total units

⁽¹⁾ Minimum district size may be reduced if the City Council finds that the establishment of the district is required to implement the Comprehensive Plan or related study.

Housing Types		
Tier One	Tier Two	Tier Three
Detached House Type A Detached House Type B Duplex	Detached House Type C Townhouse Attached Duplex	Small-scale Apartment

D. Dimensional Requirements for Housing Types

The following dimensional requirements apply to all residential lots in the CNR district unless otherwise expressly stated:

1. Tier One Housing Types

Tier One housing types consist of detached houses and duplexes characterized by a lower density and modest scale. Of the three tiers, Tier One is the most appropriate for adjacency to existing traditional residential neighborhoods outside of an CNR district.

A. Tier One: Detached House Type A

1. Description

Detached house on an individual lot.

2. Dimensional Requirements

Description	Requirements
Minimum Lot Area	3,000 square feet
Units Per Lot	1 unit
Minimum Lot Width	
Interior Lot	40 feet
Corner Lot	45 feet
Maximum Lot Width	65 feet
Minimum Front Yard	10 feet
Maximum Front Yard	20 feet
Minimum Side Yard	
Interior Lot	5 feet
Street Side	10 feet
Maximum Side Yard	10 feet
Minimum Rear Yard	10 feet
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Maximum Height	35 feet
Maximum Coverage	70%
Minimum Open Space	TBD

B. Tier One: Detached House Type B

1. Description

Detached house which may be constructed on an individual lot or as a cluster of houses on a single lot organized around a shared court.

2. Dimensional Requirements

Description	Requirements
General Requirements for Detached House Type B Development	
Minimum Building Separation	6 feet between houses; 10 feet for other building types and accessory buildings
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Maximum Floor Area Per Unit	1,600 square feet
Maximum Height	25 feet
Maximum Coverage	80%

Additional Requirements for Individually Platted Lots		Additional Requirements for Clustered Houses with Shared Court on a Single Lot	
Minimum Lot Area	2,000 square feet	Minimum Lot Area	2,000 square feet per unit in addition to the required minimum shared court
Units Per Lot	1 unit	Units Per Lot	4-10 units
Units Per Building	1 unit	Units Per Building	1 unit
Minimum Lot Width		Minimum Lot Width	225 feet
Interior Lot	25 feet	Minimum Face-To-Face Unit Distance	40 feet
Corner Lot	30 feet	Minimum Setback from a Mews Street	5 feet
Maximum Lot Width	50 feet	Minimum Setback from All Other Streets	10 feet
Minimum Front Yard	10 feet	Minimum Side Yard	5 feet
Maximum Front Yard	20 feet	Minimum Rear Yard	5 feet
Minimum Side Yard		Minimum Shared Court Area	10% of total lot area, including shared court
Interior Lot	3 feet	Minimum Open Space	TBD
Street Side	10 feet		
Maximum Side Yard	10 feet		
Minimum Rear Yard	5 feet		

Additional Requirements for Individually Platted Lots		Additional Requirements for Clustered Houses with Shared Court on a Single Lot
Minimum Open Space	TBD	

3. Shared Court

A shared court is required for clustered houses on a single lot according to the following standards:

- A. Detached houses must be clustered around a shared court, which must at least 10% of the total lot area of the dwellings.
- B. A walkway at least five feet in width must be provided with access from each house to the fronting street.
- C. Front facades, including an entrance, must face the shared court. For each residential lot, frontage on the shared court is considered to meet the requirement for frontage on a public or private street.
- D. The lot must contain a minimum of four and a maximum of 10 detached houses.
- E. The overall minimum lot area of a Shared Court development is 2,000 square feet per house, calculated based on the entire development, including the shared court.
- F. The minimum lot width is increased to 225 feet.
- G. Of the required amount of shared court space, 75% of the shared court must have a minimum width of 40 feet.
- H. Of the required amount of shared court space, 75% must be centrally located.

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C. Tier One: Duplex

1. Description

Duplex on an individual lot having no physical connection to buildings on adjacent lots. The dwelling units in the duplex may be side-by-side or stacked vertically. Each unit must have an individual entrance on the ground floor.

2. Dimensional Requirements

Description	Requirements
Minimum Lot Area	3,000 square feet
Units Per Lot	2 units
Minimum Lot Width	
Interior Lot	40 feet
Corner Lot	45 feet
Maximum Lot Width	70 feet
Minimum Front Yard	10 feet
Maximum Front Yard	20 feet
Minimum Side Yard	
Interior Lot	5 feet
Street Side	10 feet
Maximum Side Yard	10 feet
Minimum Rear Yard	10 feet
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Maximum Height	35 feet
Maximum Coverage	70%
Minimum Open Space	TBD

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2. Tier Two Housing Types

Tier Two housing types consist of detached houses, duplexes, and townhouses that vary in character and scale. Tier Two housing types provide an appropriate transition between Tier One housing types and neighboring nonresidential, apartment, and mixed-use residential neighborhoods.

A. Tier Two: Detached House Type C

1. Description

Detached house on an individual lot.

2. Dimensional Requirements

Description	Requirements
Minimum Lot Area	1,500 square feet
Units Per Lot	1 unit
Minimum Lot Width	
Interior Lot	25 feet
Corner Lot	30 feet
Maximum Lot Width	50 feet
Minimum Front Yard	10 feet
Maximum Front Yard	15 feet
Minimum Side Yard	
Interior Lot	5 feet
Street Side	5 feet
Maximum Side Yard	10 feet
Minimum Rear Yard	None
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Maximum Height	50 feet
Maximum Coverage	80%
Minimum Open Space	TBD

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B. Tier Two: Townhouse and Attached Duplex

1. Description

Townhouse or duplex on an individual lot, which must be attached to at least one townhouse or duplex on an adjacent lot. Each unit requires a ground floor entrance with a direct sidewalk connection to the street or parking area.

2. Dimensional Requirements

Description	Requirements
Minimum Lot Area	1,200 square feet
Units Per Lot	1-2 units
Minimum Lot Width	
Interior Lot	20 feet
Corner Lot	25 feet
Maximum Lot Width	50 feet
Minimum Front Yard	10 feet
Maximum Front Yard	20 feet
Minimum Side Yard	
Interior Lot	None
Street Side	10 feet
Maximum Side Yard	
Interior Lot	10 feet
Street Side	20 feet
Minimum Rear Yard	None
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Maximum Height	50 feet
Maximum Coverage	80%
Minimum Open Space	TBD

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3. Tier Three Housing Types

Tier Three housing accommodates small-scale apartment buildings. These housing types are best suited within and adjacent to mixed-use areas and are not appropriate adjacent to single-detached residences located outside the CNR district.

A. Tier Three: Small-scale Apartment

1. Description

An apartment building which may also be designed as a “manor home” resembling the massing and appearance of a detached house. Small-scale apartment buildings must have only one common entrance visible from the street.

2. Dimensional Requirements

Description	Requirements
Minimum Lot Area	5,000 square feet
Maximum Lot Area	10,000
Units Per Lot	3 or more units
Minimum Lot Width	
Interior Lot	50 feet
Corner Lot	55 feet
Maximum Lot Width	150 feet
Minimum Front Yard	10 feet
Maximum Front Yard	20 feet
Minimum Side Yard	10 feet
Maximum Side Yard	20 feet
Minimum Rear Yard	None
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Maximum Height	50 feet
Maximum Coverage	None
Minimum Open Space	TBD

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E. Special District Requirements

1. Nonresidential Dimensional Requirements

In CNR districts, the Neighborhood Business Design (CNB) District ([Section 2.5.D.5](#)) standards must be utilized for nonresidential uses.

Note: Revisit with Module 4 (residential adjacency).

2. Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in [Section 2.5.E.2.D](#) above, all buildings that exceed the maximum height permitted in any adjacent Residential or Mixed-Use Zoning District must be set back from the district boundary line of that District, as follows:

- A.** When an alley is present on the neighboring property: At least two feet for every one foot of building height.
- B.** When an alley is not present on the neighboring property: At least 15 feet plus two feet for every one foot of building height.

3. Building Placement and Design

- A.** A CNR district or a group of buildings within the district may not be walled, fenced, or restricted from general public access.
- B.** Buildings in a CNR district must be designed and oriented to reinforce the street grid. The distance from building face to building face must not exceed 100 feet on major and minor streets, unless separated by public usable open space.
- C.** Buildings must be oriented to directly front on a designated street, public usable open space, or shared court.
- D.** Each building must include a porch or stoop at the front façade.
- E.** Buildings comprised of attached housing types must not exceed 200 feet in length and must be separated by a minimum distance of 10 feet.
- F.** Exterior entrances/exits are only permitted on the ground floor.

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3. Neighborhood Business Design (CNB) District

A. Purpose

The CNB district is intended to provide for neighborhood-scale commercial and mixed-use areas. The district aspires to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is applicable primarily to both development and redevelopment of commercial properties adjacent to existing neighborhoods where residential and commercial uses are appropriate. The CNB standards aim to create compatibility between various uses and surrounding residential neighborhoods. Hotels, office, and institutional uses are supportive uses in the CNB district. When provided, residential uses should be incorporated within cohesively planned, mixed-use developments of moderate density and intensity.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

1. The following dimensional standards apply to all nonresidential development in the CNB district unless otherwise expressly stated:

Description	Requirements
Current District	NBD
Minimum District Size ⁽¹⁾	10 acres
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Front Yard Setbacks	
Along Type D and Above Thoroughfares	<p>Minimum: 20 feet</p> <p>75% of the building face must be within 25 feet of the property line (consistent with Section 2.5.E.3.D.4. Building Placement and Design). If easements, a landscape edge, public usable open space, patio dining, public plaza, or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity. The setback may be increased to a maximum of 80 feet if a drive aisle with single-loaded parking is installed between the building face and a public street.</p>
Along Type E and Below Thoroughfares	<p>Minimum: 10 feet</p> <p>75% of the building face must be within 15 feet of the property line (consistent with Section 2.5.E.3.D.4. Building Placement and Design). If easements, a landscape edge, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.</p>

Description	Requirements
Along Major and Minor Streets	Minimum: None 75% of the building face must be within 15 feet of the property line (consistent with Section 2.5.E.3.D.4. Building Placement and Design). If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Along Paseos	Minimum: None 75% of the building face must be within 5 feet of the property line (consistent with Section 2.5.E.3.D.4. Building Placement and Design). If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Side Yard Setbacks	
Interior Lot	None
Street Side	Same as front yard setback
Minimum Rear Yard	None, or 10 feet where no alley abuts the rear property line
Maximum Height	50 feet
Maximum Lot Coverage	Nonresidential: 75%, 90% if structured parking is included Apartment or Mixed-use Residential: None
Minimum Lot Coverage	None
Minimum Open Space	Nonresidential: TBD Apartment or Mixed-use Residential: None

⁽¹⁾ Minimum district size may be reduced if the City Council finds that the establishment of the district is required to implement the Comprehensive Plan or related study.

D. Special District Requirements

1. Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in [Section 2.5.E.3.C above](#), all buildings that exceed the maximum height permitted in any adjacent Residential or Mixed-Use Zoning District must be set back from the district boundary line of that District, as follows:

Note: Revisit with Module 4 (residential adjacency).

- A. When an alley is present on the neighboring property: At least two feet for every one foot of building height.
- B. When an alley is not present on the neighboring property: At least 15 feet plus two feet for every one foot of building height.

2. Option for Residential Standards

- A. The district may be entirely commercial or may include residential land uses. Detached houses, duplexes, townhouses and small-scale apartments must fully utilize the CNR ([Section 2.5.E.2](#)) standards.

- B.** Nonresidential uses, except for home occupation and home-based business (no impact) uses, are not permitted on a lot designated on the development plan for detached houses, duplexes, townhouses, or small-scale multifamily development.
- 3.** Additional Requirements and Restrictions
 - A.** Each CNB district must contain three or more different uses as listed in [Section 3.03. Permitted Uses and Use-Based Standards](#).
 - B.** Phasing Requirements
 - 1.** At least 10,000 square feet of nonresidential space must be built as part of the first phase of development.
 - 2.** Key design features must be provided prior to or concurrent with the construction of any residential uses. Key design features include elements of the development supporting the long-term value to the overall community, and specifically any new residents, such as open/green space, amenities, street enhancements, and trails.
 - 3.** The second building constructed and all subsequent buildings may not be constructed or maintained more than 150 feet from another building.
- 4.** Building Placement and Design
 - A.** An CNB district or a group of buildings within the district cannot be walled, fenced, or restricted from general public access.
 - B.** Buildings in an CNB district must be designed and oriented to reinforce the street grid. The distance from building face to building face must not exceed 100 feet on major and minor streets, unless separated by usable open space and/or patio dining.
 - C.** Buildings must be oriented to directly front on a designated street or usable open space defined on a development plan.
 - D.** No single tenant may occupy more than 30,000 square feet of the ground floor of a building.
 - E.** With the exception of parking garages, podium garages, and loading and service areas, 60% of the ground floor of nonresidential buildings and live/work units must consist of windows and doors.
 - F.** Nonresidential spaces must have a minimum floor-to-ceiling height of 12 feet.

4. Mixed-Use Community Design (CMC) District

A. Purpose

The CMC district is intended to provide for mixed-use centers that promote social interaction, community identity, and efficient use of land and resources. The CMC district should also support and encourage a variety of transportation options, including transit, bicycles, and walking. The CMC district is intended for significant development or redevelopment with high-intensity mixed-use activity centers for the purpose of attracting large corporations, specialty shopping, dining, entertainment, and high-density residential development. These areas are typically 100 acres or more and include mid- to high-rise buildings with a compact block structure and human-scale street and building design, which create a highly walkable urban form.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the CMC district unless otherwise expressly stated:

Description	Nonresidential, Apartment, and Mixed-use Residential Requirements	Detached House and Townhouse Requirements
Current District	UMU	UMU
Minimum Lot Area	None	700 square feet
Minimum Lot Width	None	Detached House: 26 feet Townhouse: 20 feet
Minimum Lot Depth	None	35 feet
Minimum Front Yard	None	None
Maximum Front Yard	75% of the building face must be within 15 feet of the property line. If easements are present or public open space, patio dining, plaza, or other public amenity is provided, 75% of the building face must be built to the easement line, open space, or public amenity. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed between the building face and a public street of Type D or above	75% of the building face must be within 10 feet of the property line. If easements are present, 75% of the building face must be built to the easement line.
Minimum Side Yard		

Description	Nonresidential, Apartment, and Mixed-use Residential Requirements	Detached House and Townhouse Requirements
Interior Lot	None	3 feet An interior side yard is not required when attached to another dwelling
Street Side	Same as front	Same as front
Minimum Rear Yard	None	None
Minimum Height	Nonresidential: 26 feet Apartment and Mixed-use Residential: 45 feet	20 feet
Maximum Height	200 feet	50 feet
Minimum Lot Coverage	Nonresidential: 60% Apartment and Mixed-use Residential: None	60%
Maximum Lot Coverage	100%	100%
Minimum Open Space	TBD	TBD

D. Special District Requirements

1. Mixed-Use Requirement

- A.** Each CMC district must contain three or more use categories.
- B.** Each category must be designated as primary, secondary, or tertiary according to the gross floor area for each use.
 - 1. Primary uses must include no less than 40% and no more than 70% of the gross floor area.
 - 2. Secondary uses must include no less than 20% and no more than 40% of the gross floor area.
 - 3. Tertiary uses must include no more than 20% of the gross floor area.
- C.** The percentages of primary, secondary, and tertiary uses may vary as long as the percentage is within the ranges established above. Use categories are designated below:

Use Category	Functional Role
Primary Residential Uses	Primary, Secondary or Tertiary
Retail Uses	Primary, Secondary or Tertiary
Educational, Institutional, Public, and Special Uses	Primary, Secondary or Tertiary
Office and Professional Uses	Primary, Secondary or Tertiary
Service Uses	Tertiary
Transportation, Utility, and Communications Uses	Tertiary

2. Additional Use Regulations

- A.** If Primary Residential is a designated use category, a minimum of 250 units is required in the development plan when constructed as apartment or mixed-use residential buildings.

F. Special Zoning Districts

1. The Special Districts

The City’s zoning districts intended primarily for agriculture, parks, open space, and other special uses are listed below. When this UDC refers to “Special Zoning Districts,” it is referring to these districts.

Symbol/Abbreviation	District Name	Section
SAG	Agricultural	Section 2.5.F.2
SPP	Public Park and Recreation	Section 2.5.F.3

Note: All street, sign, parking, open space, governance, and design standards will be addressed in future Modules.

2. Agricultural (SAG) District

A. Purpose

The SAG district is intended to provide for agricultural operations such as farming, dairying, pasturage, horticulture, animal husbandry, and the necessary accessory uses for the packing, treating, or storing of produce.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the SAG district unless otherwise expressly stated:

Description	Requirements
Current District	A
Minimum Lot Area	85,000 square feet
Minimum Lot Width	150 feet
Minimum Lot Depth	150 feet
Minimum Front Yard	40 feet
Minimum Side Yard	
Interior Lot	15 feet
Street Side	25 feet
Minimum Rear Yard	10 feet
Maximum Height	45 feet
Maximum Coverage	30%
Minimum Open Space	TBD

3. Public Park and Recreation (SPP) District

A. Purpose

The SPP district is established to provide areas dedicated to parks, open spaces, recreational facilities, and public amenities, supporting community health, environmental preservation, and recreational activities. This district ensures the sustainable development and maintenance of spaces for public use and enjoyment.

B. Uses

See [Section 2.6.B. Use Chart](#).

C. Dimensional Standards

The following dimensional standards apply to all development in the SPP district unless otherwise expressly stated:

Description	Requirements
Current District	None
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Minimum Front Yard	None
Minimum Side Yard	None
Minimum Rear Yard	None
Maximum Height	35 feet within 150 feet from the nearest Residential Zoning District boundary line; 50 feet elsewhere
Maximum Lot Coverage	TBD
Minimum Open Space	TBD

G. Overlay Zoning Districts

1. General

A. Relationship to Underlying (Base) District

Overlay zoning district regulations apply in combination with underlying (base) zoning district regulations and all other applicable standards of this UDC. All applicable regulations of the underlying base zoning district apply to property in an overlay zoning district unless otherwise expressly stated. When overlay district standards conflict with standards that otherwise apply in the underlying base zoning district, the regulations of the overlay zoning district govern.

B. Establishment

Overlay zoning districts may be established, amended or removed only in accordance with the Zoning Map amendment procedures of Sec. XXXX.

2. The Overlay Districts

The City’s overlay zoning districts are listed below. When this UDC refers to “Overlay Zoning Districts,” it is referring to these districts.

Symbol/Abbreviation	District Name	Section
C-ECA, R-ECA	Expressway Corridor Overlay District	Section 2.5.G.3
H, HD	Heritage Resource Overlay Districts	Section 2.5.G.4
NC	Neighborhood Conservation Overlay Districts	Section 2.5.G.5
PD	Planned Development	Section 2.5.G.6
S	Specific Use Permit	Section 2.5.G.7

Note: The Preston Road, Dallas North Tollway, 190 Tollway/Plano Parkway, State Highway 121, and Parkway Overlay Districts are removed but will be revisited in the Landscaping and Signs sections (Module 4). The Redevelopment District section is removed entirely.

3. Expressway Corridor Area (C-ECA, R-ECA) Overlay District

A. Purpose

The Expressway Corridor Area Overlay District is intended to encourage preservation and redevelopment of land within the expressway corridors for economic development and employment opportunities supported by housing in healthy living environments.

B. Boundaries

1. The area subject to these standards includes all properties fully or partially within a designated Expressway Corridor Area, as established on the Zoning Map. The original location of the overlays is based on the data and model from the 2019 Expressway Corridor Environmental Health Study but may be updated via a City-initiated zoning process based on new data and modeling.
2. Expressway Corridor Areas are exempt from [Section 2.5.B.1. District Boundaries](#).

C. Applicability

1. This section applies to construction of all land uses occurring after September 1, 2025. Any building that was in existence, or part of a project vested under Chapter 245 of the Local Government Code, prior to September 1, 2025, is permitted and may be improved, maintained, or rebuilt. Redevelopment of the site is subject to this section.
2. Certain standards within this section apply only to the following land uses:

A. Any use listed in the Primary Residential use category in [Section 2.6.B. Use Chart](#).

B. Residential facility uses as follows:

1. Community Care Institution,
2. Continuing Care Retirement Community,
3. Crisis Care Institution, and
4. Rehabilitation Care Institution.

Note: Revisit list when use chart is finalized.

3. Areas devoted only to functions or structures that are not designed, and do not typically function, as residences, such as parking lots and solid waste enclosures, do not require mitigation.

D. Requirements for All Land Uses

1. A minimum 15-foot landscape edge is required along the property line(s) closest and most parallel to any impacting Type A thoroughfares and rail lines, regardless of adjacency. This landscape edge must consist of shrubs, groundcover, and related elements, including a minimum of one 3-inch caliper shade tree and one 3-inch caliper ornamental tree (7-foot planted height) per 50 linear feet of frontage exclusive of driveways. Where the landscape edge is impacted by easements that restrict landscaping, an additional 5-foot landscape edge must be provided outside of the easement area for the required trees.

E. Requirements for Residential and Institutional Dwelling Buildings

The following requirements apply to uses listed in [Section 2.5.G.3.C.1](#) above located in C-ECA and R-ECA. When a building containing a listed use is located in both C-ECA and R-ECA, the more restrictive requirements apply.

1. For all listed uses located on properties with frontage on a Type A thoroughfare, balconies are prohibited on the side(s) of the building fronting the thoroughfare.
 2. For all listed uses, except for dwellings in an apartment or mixed-use building, located in C-ECA:
 - A. Each “outdoor-air sourced” mechanical ventilation unit must utilize a filter or series of filters on its air-intake side with a Minimum Efficiency Reporting Value (MERV) of not less than 13, based on American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE), or as required by the most-recently adopted building code, whichever is greater.
 - B. The following requirements must be added as a note to the site plan:
 1. Construction documents sealed by a registered design professional must be provided as part of the building construction plan set that details mitigation of the interior noise at each dwelling unit to a maximum level of 45 dBA Ldn or the interior noise goal of the Department of Housing and Urban Development per 24 Code of Federal Regulations 51.101, whichever is lower.
 2. Prior to approval of final inspection or issuance of a certificate of occupancy, the registered design professional must submit a sealed statement to the Building Inspections Department certifying compliance with this subsection.
 - C. For buildings within 500 feet of the right-of-way for a Type A thoroughfare, the building containing a listed use must be separated from the thoroughfare by one of the following:
 1. Option A:

A minimum 100-foot-wide landscape edge (as measured from the property line exclusive of rights-of-way for the thoroughfare) is required along the property line(s) closest and most parallel to any Type A thoroughfare, regardless of adjacency to said thoroughfare. The landscape edge must incorporate a landscaped berm with a minimum height of 6 feet and a minimum slope of 4:1 consisting of trees, shrubs, groundcover, and related elements. A minimum of two 3-inch caliper shade trees and two 3-inch caliper ornamental trees (7-foot planted height) must be placed per 50 linear feet of frontage exclusive of driveways. For detached house, duplex, and townhouse subdivisions, this landscape edge applies to the subdivision, not each individual lot.
 2. Option B:

A nonresidential building or parking structure of similar height and length, or larger, must be located between buildings containing a listed use and the Type A thoroughfare. Parking structures must meet the standards of Subsection XXXX, where applicable, and Subsection XXXX.
 3. R-ECA: The listed uses are prohibited, except for dwellings in an apartment or mixed-use residential building.
- F. Waivers and Relief Measures**
1. During the site plan review process, as described in Sec. XXXX, the Planning & Zoning Commission may allow a waiver to the standards in Section 2.5.G.3.D above upon a finding that the development will include sufficient noise and air quality mitigation strategies equivalent or superior to the measures in this section. A waiver must not be granted based solely on economic gain or loss, nor should a waiver grant an unreasonable privilege to the developer of the property.
 2. A variance cannot be granted to alter or remove requirements of this section.

4. Heritage Resource (H, HD) Overlay Districts**A. Purpose**

The H and HD Overlay Districts are intended to provide for the preservation of those areas, places, buildings, structures, works of art, and other objects having significant historical, archaeological, or cultural interests and values that reflect the heritage of the City of Plano. Areas designated on the Zoning Map by an "H" will indicate an individual heritage landmark and "HD" will indicate a heritage district.

B. See Sec. XXXX for applicable procedures and standards.**C. Certificate of Appropriateness Review**

1. No person or entity may carry out any construction, reconstruction, alteration, restoration, rehabilitation, stabilization, repair, site improvements, demolition, or relocation of any H- or HD-designated property that affects the exterior appearance of any structure without obtaining a Certificate of Appropriateness by the Heritage Commission or Heritage Preservation Officer, or other designee of the Director of Planning, as appropriate, for the types of work described in [Section 16-112](#) of the City Code of Ordinances, as amended.
2. Certificate of Appropriateness review procedures, criteria, exemptions, and other associated requirements are located in [Article VI, Chapter 16](#), of the City Code of Ordinances, as amended.
3. Ownership of a property that has been modified in violation of the above requirements is also a violation of this code.

5. Neighborhood Conservation Overlay Districts (NC)**A. Purpose**

The purpose of a Neighborhood Conservation Overlay District (NC) 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 historical, 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 "NC" will indicate a Neighborhood Conservation Overlay District.

B. See Sec. XXXX for applicable procedures and standards.**C. Relationship to State Law**

Neighborhood Conservation Overlay districts are not local historic districts under [Texas Local Government Code Section 211.0165](#), as amended.

6. Planned Developments (PDs)**A. The Planned Development (PD) process promotes innovative, high-quality, and unique developments that align with the Comprehensive Plan.****B. See Sec. XXXX for applicable procedures and standards.****7. Specific Use Permits (S)****A. The Specific Use Permit (S) process allows for careful assessment and management of uses with potential impacts, ensuring they remain compatible with surrounding areas and align with the Comprehensive Plan.****B. See Sec. XXXX for applicable procedures and standards.**

Section 2.6. Permitted Uses and Use-Based Standards

- A. Uses Generally**
- B. Use Chart**
- C. Use-Based Standards**

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- C. Residential Adjacency Standards**
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- B. Applicability
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- D. Subdivision Enforcement and Violations

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Article 4. Definitions

Section 3.4 Subdivision Development Standards

Article 4. Definitions

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Article 1. General Provisions

Section 1.1. Establishment

A. Unified Development Code

1. Title

This Unified Development Code of the City of Plano, Texas will be known as, and may be cited and referred to as, the “UDC.”

2. Establishment

This UDC is established in accordance with the Comprehensive Plan and Texas Local Government Code, Chapters 211 and 212.

3. Purpose of Adoption

- A. Protecting the public health, safety, and general welfare of the community;
- B. Implementing the policies and goals of the Comprehensive Plan and other relevant, officially adopted plans of the city;
- C. Providing for orderly growth, land development, and redevelopment;
- D. Providing guidance in the redevelopment of properties;
- E. Providing adequate infrastructure capacity for roads, water, wastewater, and drainage and providing public services, such as parks, fire, and public safety that contribute to a higher quality of life for Plano residents;
- F. Promoting fiscal and environmental resiliency with sustainable practices for transportation, utility, and stormwater design;
- G. Promoting design standards to protect, preserve, and enhance the unique character of historic districts, and promoting quality development in the city; and
- H. Establishing review and approval procedures that are as expeditious, efficient, and cost-effective as possible, while at the same time ensuring careful and competent review.

4. Jurisdiction

This UDC applies to all land within the corporate limits of the City.

B. Design Standards and Other Technical Resources

1. General Design Standards and Technical Manuals

The following design standards, specifications, and technical manual requirements, as amended, are references in this UDC and apply in addition to the base standards. Failure to comply may result in denial of permits.

- A. Development Handbook
- B. Downtown Heritage Resource District Design Standards
- C. Engineering Construction Standards
- D. Erosion and Sediment Control Manual
- E. Fire Code
- F. Flood Damage Prevention provisions in the city’s Code of Ordinances ([Chapter 16, Article VIII](#))
- G. Haggard Park Heritage Resource District Design Standards

Note: Design standards and documents under review; some documents may be abandoned or incorporated in new Community Design Plan. Lists will be updated in final version of UDC.

- H. Heritage Preservation Ordinance
- I. Integrated Stormwater Management (iSWM)
- J. North Central Texas Council of Governments (NCTCOG) Standard Specifications for Public Works Construction with City of Plano Special Provisions
- K. Right-of-Way Ordinance
- L. Spring Creek Walk Master Development Plan
- M. Standard Construction Details
- N. Standard Park and Trail Construction Details
- O. Stormwater Design Manual
- P. Stormwater Quality Requirements
- Q. Street Design Standards
- R. Texas Pollutant Discharge Elimination System (TPDES)
- S. Water and Wastewater Design Manual

2. Additional Incorporated Design Standards

The following design standards and specifications, as amended, are incorporated by reference into this UDC.

- A. Site Design Standards for Solid Waste Containers
- B. Design Standards for Multifamily and Mixed-use Residential Developments

3. Engineering Construction Standards

The following design standards and specifications, as amended, that are engineering-related are collectively known as the “Engineering Construction Standards”.

- A. Permits issued under the UDC may be withheld due to noncompliance with the following ordinances.
 - 1. Fire Code
 - 2. Flood Damage Prevention provisions in the city’s Code of Ordinances ([Chapter 16, Article VIII](#))
 - 3. Right-of-Way Ordinance
- B. The following design standards and specifications, as amended, are incorporated by reference into this UDC.
 - 1. Approved Materials List
 - 2. Erosion and Sediment Control Manual
 - 3. Irrigation Details
 - 4. Monumentation GPS Geodetic Control Survey & Monument Overview Map
 - 5. NCTCOG Standard Specifications for Public Works Construction with the City of Plano Special Provisions
 - 6. Parks Standard Products List
 - 7. Specifications for Tree Planting
 - 8. Standard Construction Details
 - 9. Standard Park and Trail Construction Details

10. Stormwater Design Manual
11. Stormwater Quality Requirements
12. Streambank Stabilization Manual for the Cities of Plano, Garland, McKinney, and Allen
13. Street Design Standards
14. SWPPP Forms
15. Technical Specifications for Automatic Irrigation Systems
16. Technical Specifications for Turfgrass Planting
17. Water and Wastewater Design Manual

C. Compliance With UDC**1. Compliance Required**

All land, buildings, structures, or appurtenances thereon located within the City of Plano, Texas, which are hereafter occupied, used, erected, altered, or converted must be used, placed, and erected in conformance with the regulations prescribed for the zoning district in which such land or building is located except as hereinafter provided.

2. Creation of Building Site

No permit for the construction of a building or buildings upon any tract or plot will be issued unless the plot or tract is part of a plat of record, properly approved by the city, and recorded in the Plat Records of Collin County or Denton County, Texas.

D. Interpretation, Conflict, and Severability**1. Interpretation**

In their interpretation and application, the provisions of this UDC must be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. These regulations must be construed broadly to promote the purposes for which they are adopted.

2. Conflict with State or Federal Laws

Plano acknowledges the legal doctrine of preemption. To ensure that doctrine is followed, when any portion of this ordinance or the city's Comprehensive Plan is specifically pre-empted by state or federal law, or when requiring adherence to the city's ordinances would lead to violation of state or federal law, city staff, in consultation with the City Attorney, may waive compliance with that portion of the ordinance.

3. Conflict with Other Laws

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law except as provided in this UDC. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations, or other provision of law, the provision that is more restrictive or imposes higher standards will control.

4. Questions of Interpretation**A. Authority**

The Director of Planning has the authority to determine the meaning and interpretation of any provision of this UDC.

B. Official Interpretations

If an official interpretation of a regulation or provision contained within this UDC is required, the following provisions will apply.

1. A request for an official interpretation of any section of this UDC must be in writing and filed with the Director of Planning.
 - A. Only the following persons may request an official interpretation from the director: A person aggrieved, any City executive, or an elected or appointed body of the City of Plano.
 - B. A bona fide request must include the full context of the situation leading to the request for interpretation and must explain how the person requesting is qualified to request the interpretation under this section.
2. The Director of Planning will issue an official interpretation within 30 calendar days of a bona fide written request, with fee paid, describing the analysis undertaken and reasons given for the interpretation consistent with other provisions and the intent of this UDC.
3. Any person aggrieved, any City executive, or an elected or appointed body of the City of Plano affected by an official interpretation of the Director of Planning may appeal the interpretation to the Planning & Zoning Commission within 30 days of receiving the official interpretation from the Director of Planning.
 - A. The Planning & Zoning Commission may uphold the official interpretation, provide an alternate interpretation, or table the appeal to allow for additional information.
 - B. Where an alternate interpretation is provided, it becomes the official interpretation
 - C. The decision of the Planning & Zoning Commission in the matter will be final.
4. While the law, facts, and circumstances on which the interpretation was based have not changed, the official interpretation stays in effect.

E. Violations

Unless otherwise expressly allowed by this UDC or state law, any violation of a provision contained in this UDC, including any of the following, are subject to the remedies and penalties provided for in this UDC.

1. To use land, buildings, or other structures in any way that is not consistent with the requirements of this UDC;
2. To erect or maintain a structure in any way not consistent with the requirements of this UDC;
3. To use a building, structure, or land; to use or install a sign; or undertake any other activity requiring one or more permits or approvals under this UDC without obtaining such required permits or approvals;
4. To use a building, structure, or land; to use or install a sign; or to undertake any other activity for which a permit or approval has been granted under this UDC or under previous standards of the City in any way inconsistent with such permit or approval or any conditions imposed on the permit or approval;
5. To violate the terms of any permit or approval granted under this UDC or under previous standards of the City or any condition imposed on the permit or approval;
6. To obscure, obstruct, or destroy any notice required to be posted under this UDC;
7. To violate any lawful order issued by any authorized public official;
8. To continue any violation after receipt of notice of a violation; or
9. To fail to install or maintain required landscaping or screening material.

F. Transitional Provision

The regulations in this UDC, insofar as they are substantially the same as previously existing regulations in the Plano Zoning Ordinance and Plano Subdivision Ordinance related to the same subject matter, will be construed as restatements and continuations thereof and not new enactments.

G. Fees

1. Fees and charges must be paid in accordance with [Chapter 16, Article II., of the Code of Ordinances](#).
2. The applicable fee or charge is required regardless of the action taken by a Commission, Council, Board, or official of the City, and whether the application, petition, or appeal is approved or denied by the final decision maker.
3. The Director of Planning may establish requirements and standards for the timing of the payment of a fee.

Section 1.2. Approval Entities

A. City Council

The standards governing the City Council are contained within [Part I, Article 3.](#), of the City Charter.

B. Planning & Zoning Commission

The standards governing the Planning & Zoning Commission are contained within [Chapter 16, Article III.](#), of the Code of Ordinances.

C. Board of Adjustment

The standards governing the Board of Adjustment are contained within [Chapter 16, Article V.](#), of the Code of Ordinances.

D. Heritage Commission

The standards governing the Heritage Commission are contained within [Chapter 16, Article VI.](#), of the Code of Ordinances.

E. City Staff

1. Director of Planning

The Director of Planning has the powers and duties that are expressly identified in this UDC. Unless otherwise prohibited, any duties given to the Director of Planning or staff member within this UDC imply that the Director of Planning has the authority to delegate those duties to another member of city staff.

2. Director of Engineering

The Director of Engineering has the powers and duties that are expressly identified in this UDC. Unless otherwise prohibited, any duties given to the Director of Engineering or staff member within this UDC imply that the Director of Engineering has the authority to delegate those duties to another member of city staff.

3. Building Official

The Building Official has the powers and duties that are expressly identified in this UDC. Unless otherwise prohibited, any duties given to the Building Official or staff member within this UDC imply that the Building Official has the authority to delegate those duties to another member of city staff.

4. Development Review Committee

The Development Review Committee (DRC) is a formal group of representatives employed by the city or its representatives empowered to act on behalf of their respective departments on development-related applications.

A. Composition

1. Required Members

Membership of the DRC will consist of one representative from each of the Planning and Engineering departments (or their successor department(s)).

2. Additional Members

Representatives from other city departments may have membership in the Development Review Committee, but are not required members.

3. Department representatives will be the department Director or their designee.

4. The chair of the Development Review Committee is the lead representative of the Planning department.

B. Meetings

The DRC will meet as needed to review development-related issues and applications.

C. Authority

The chair of the Development Review Committee has the following powers and duties:

1. Ensuring the efficient operation of Development Review Committee meetings;
2. Holding development assessment meetings;
3. Determining which development steps apply to a development proposal;
4. Publishing the submittal calendars for plans, plats, and zoning cases;
5. Establishing the number of minor amendments for active plans;
6. Establishing the number of substantially conforming amendments for approved plans; and
7. Any other powers or duties delegated by the Director of Planning or Director of Engineering.

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Section 1.3. Universal Procedures**A. Pre-Application Meetings****1. Consultation Meeting****A. Purpose**

1. The consultation meeting is exploratory, preliminary, and for discussion and information purposes only. This meeting may include review and feedback regarding broad, preliminary concepts for possible future development. City staff will provide information about city regulations and processes and evaluate in the broadest terms the viability of ideas presented. Although a permit may be sought for a project in the future, at the time the meeting is held the nature of any development permit that may be sought is undetermined.

2. Development Assessment Meeting**A. Purpose**

1. The development assessment meeting provides an opportunity for the applicant and city staff to discuss major development considerations such as utilities, roadways, traffic, drainage concerns, stormwater impacts, Comprehensive Plan conformance, specific neighborhood characteristics, and historical information. City of Plano engineering and planning staff will discuss the stormwater impacts of the proposed development and opportunities to achieve stormwater quality requirements and goals of the City of Plano's TPDES permit.
2. City staff comments provided in the development assessment meeting will be recorded in the official meeting notes.

B. Applicability

1. A development assessment meeting is required prior to submission of a development application or zoning petition, unless waived by the Director of Planning.
2. A new development assessment meeting is not required for successive applications in a sequence of approvals, e.g. concept plan, preliminary site plan, and site plan.
3. A new development assessment meeting is required if more than six months have passed since the previous meeting.

B. Submission of Development Application

1. Applications for approval of plans and plats required by this UDC must be submitted to the City of Plano Planning department.
2. Projects are considered vested upon submission of a development application consistent with the procedures outlined in this section and Section 1.3.C.
3. The Development Review Committee Chair will publish a calendar of official submittal dates on or before December 1 prior to the beginning of each year.
 - A. This calendar will generally specify two submittal dates for each calendar month and must specify one submittal date for each calendar month, which will serve as the official submittal date.
4. An application is considered submitted on the first official submittal date on or after the date that:
 - A. The applicant delivers the application to the City of Plano Planning department or deposits the application with the United States Postal Service by certified mail addressed to the City of Plano Planning department; and
 - B. The applicable fees are paid; and

C. Other requirements imposed by law are met.

5. The date on which the application is submitted will constitute the filing date for the application.
6. The Director of Planning may establish procedures, forms, and standards with regard to the content, format, graphics and number of copies of information constituting a development application for clarity and consistency of operations. The published procedures, forms, and standards will have the force of ordinance as if fully incorporated herein.

C. Plan and Plat Validity and Expiration

1. Generally

- A. Any plan referenced in [Section 2.2](#) or any plat will be considered a "permit" as described in Texas Local Government Code Sec. 245.001.
- B. Any approved plan or plat, other than in [Section 1.3.C.1.C](#) below, will be deemed expired two years from the date on which the plan or plat was originally approved if no progress towards completion has been made.
- C. Any approved plat that requires recording in the county land records will be deemed expired six months from the date the plat was originally approved.

2. Progress Benchmarks

- A. The term "progress towards completion" is as defined within Texas Local Government Code Sec. 245.005.(c), and may be achieved by, among other things, an active building permit for works authorized by the approved plan or plat.
- B. It is the applicant's burden to provide evidence that a project has achieved progress towards completion.

3. Expiration

- A. If progress towards completion is not accomplished prior to the applicable expiration date, then the approved plan or plat will expire and will become null and void.
- B. For a project where no building permit is required, all site works must be completed prior to the expiry of the approved plan or plat.

4. Extension and Reinstatement Procedure

- A. Prior to the lapse of approval for a plan or plat, the property owner may petition the city (in writing) to extend the plan or plat approval.
- B. Within sixty days following the expiration date, the property owner may petition the city (in writing) to reinstate the plan or plat approval or provide evidence that the plan or plat has not expired due to progress towards completion.
- C. Such petition may be:
 1. Granted one time by the Director of Planning, where no changes to the plan or plat would result from the extension or reinstatement due to regulatory changes impacting the site, or
 2. Granted or denied by the Planning & Zoning Commission, where not approved by the Director of Planning.
- D. In determining whether to grant a request for extension or reinstatement, the Planning & Zoning Commission must take into account:
 1. The reasons for the lapse;
 2. The ability of the property owner to comply with any conditions attached to the original approval; and

3. The extent to which development regulations would apply to the plan or plat at that point in time.
- E. The Planning & Zoning Commission may extend or reinstate the approval subject to additional conditions based upon newly enacted regulations or such as are necessary to assure compliance with the original conditions of approval.
- F. The Planning & Zoning Commission or Director of Planning must specify a new expiration date equal to or less than the timeframe applicable to the original approval. The new expiration date is set from the original date of expiration.
- G. If no petition is submitted, then the plan or plat will be deemed to have expired and will become null and void. Any new request for plan approval will be deemed a new permit, and will be submitted with a new application form, with a new filing fee, and with new plans and materials in accordance with the procedures set forth in this section. The new request will also be reviewed for compliance with the ordinances and regulations in effect at the time the new application is made.

D. UDC Amendments**1. General**

- A. This UDC may be amended from time to time as provided herein.
- B. Amendments may be a Code Text Amendment or a Zoning Map Amendment.
 1. A Code Text Amendment is any change to the content of this UDC.
 2. A Zoning Map Amendment is any change to the zoning designation on a property within the corporate limits of the city, including amendments to the regulations of any overlay zoning district.
 - A. For additional requirements related to Zoning Map Amendments, see [Section 2.3.B Zoning Map Amendments \(Rezoning\)](#).

2. Initiation

- A. A Code Text Amendment may be initiated only by the Planning & Zoning Commission or the City Council.
- B. A request for the Planning & Zoning Commission or City Council to initiate a Code Text Amendment may be placed on the agenda of a regular meeting of the Planning & Zoning Commission or City Council by staff.

3. Planning & Zoning Commission Public Hearing**A. Scheduling of Public Hearing**

Upon a majority vote of the Planning & Zoning Commission or City Council to initiate an amendment to the UDC, or receipt of a complete written petition for an amendment to the zoning map, Planning department staff will set a date for a public hearing before the Planning & Zoning Commission, consistent with applicable notice requirements.

B. Withdrawal of a Petition before the Planning & Zoning Commission Public Hearing**1. Before Notice of the Public Hearing**

Before issuing notice of the public hearing, the petitioner may, by written notice, withdraw the petition.

2. Following Notice of the Public Hearing

Once public notice is given, the petitioner may withdraw the petition or request to table the petition only with the approval of the Planning & Zoning Commission.

C. Notice Required for UDC Amendments

1. When any amendment is proposed to this UDC, notice of the public hearing of the Planning & Zoning Commission must be given by publication in a newspaper of general circulation in the city of Plano.
2. The notice must state the time and place of the hearing and the nature of the subject to be considered, which time must not be earlier than 20 days from the date of publication.
3. Where applicable, notice must also be provided for the creation of nonconforming uses as provided in [Section 1.3.D.3.D.](#)

D. Additional Required Notice for the Creation of Nonconforming Uses

The City must provide written notice of each public hearing regarding any proposed adoption of or change to a zoning regulation or boundary under which a current conforming use of a property is a nonconforming use if the regulation or boundary is adopted or changed. The notice must:

1. Be mailed by United States mail to each owner of real or business personal property where the proposed nonconforming use is located as indicated by the most recently approved municipal tax roll and each occupant of the property not later than the 10th day before the hearing date;
2. Contain the time and place of the hearing; and
3. Include the following text in bold 14-point type or larger:

“THE CITY OF PLANO IS HOLDING A HEARING THAT WILL DETERMINE WHETHER YOU MAY LOSE THE RIGHT TO CONTINUE USING YOUR PROPERTY FOR ITS CURRENT USE, PLEASE READ THIS NOTICE CAREFULLY.”

4. Planning & Zoning Commission Action

- A.** The Planning & Zoning Commission must make a preliminary report and hold a public hearing on any petition for any amendment or change prior to making its recommendation and final report to the City Council.
- B.** After the public hearing, the Planning & Zoning Commission will take one of the following actions:
 1. Approve: The petition is recommended for approval as submitted.
 2. Approve with amendments and conditions: The petition is recommended for approval with modifications made to the original request.
 3. Table: The petition may be tabled to a future public hearing.
 - A.** The Commission may request further study and table the petition to a date certain within 90 days.
 - B.** The petitioner may request tabling. The Commission may choose to table indefinitely and require renoticing or table to a date certain within 90 days.
 4. Deny: The petition may be denied in its entirety, at which time the Planning & Zoning Commission should offer reasons for the denial.
- C.** Following action by the Planning & Zoning Commission, the City Secretary and the City Council will be notified of any final report and recommendation made by the Planning & Zoning Commission on the petition.
- D. Effect of Planning & Zoning Commission Action**
 1. If Approved

If the petition was approved, including approvals with amendments and conditions, the City Secretary will schedule a public hearing regarding the petition before the City Council, giving notice as required by this UDC and the State of Texas.

2. If Denied

- A.** If the petition was denied by the Planning & Zoning Commission, the petitioner may file a written request with the Planning Department staff within 30 days to schedule a public hearing before the City Council regarding the petition.
- B.** Upon receipt of the written request, the City Secretary will schedule a public hearing regarding the petition before the City Council, giving notice as required by this UDC and the State of Texas. Once such a request is filed, the action of the Commission regarding the question of prejudice will be totally vacated, and the City Council will determine the question as provided in [Section 1.3.D.6. City Council Action](#) below.

E. Petitioner's Response to Planning & Zoning Commission Action

The petitioner may accept or may not accept the recommendation of the Planning & Zoning Commission.

1. If the Petitioner Accepts the Recommendation

If the petitioner accepts the recommendation of the Planning & Zoning Commission, subsequent public notice will be written based on the petition as approved.

2. If the Petitioner Rejects the Recommendation

If the petitioner does not accept the recommendation of the Planning & Zoning Commission, the petitioner may continue their original request, and subsequent public notice will be written based on the petition as originally submitted. Any part of the request not conforming to the Planning & Zoning Commission's recommendations are presumed to have been denied by the Planning & Zoning Commission.

5. City Council Public Hearing

- A.** A public hearing will be held by the City Council before adopting any proposed amendment.
- B.** Notice of such hearing must be given by publication in a newspaper of general circulation in the city of Plano and the City's website stating the time and place of such public hearing at least 15 days before the hearing.
- C.** Where applicable, notice must also be provided for the creation of nonconforming uses as provided in [Section 1.3.D.3.D.](#)

6. City Council Action

- A.** If a protest against the petition was filed, see [Section 2.3.B.5.C.](#)
- B.** After the public hearing, the City Council may:
 - 1.** Approve: The petition for an amendment consistent with the public notice provided is approved.
 - 2.** Approve with amendments and conditions: The petition is approved with modifications made to the original request as permitted by law.
 - 3.** Table: The petition may be tabled to a date certain, either:
 - A.** For further study up to 90 days at the request of the Council, or
 - B.** At the request of the petitioner.
 - 4.** Deny: The petition may be denied in whole or in part.
 - 5.** Refer: The petition may be remanded back to the Planning & Zoning Commission for further study.

Article 2. Zoning Regulations

Section 2.1. Zoning General Provisions

A. Purpose

These Zoning Regulations are established in accordance with Texas Local Government Code Chapter 211 for the purpose of promoting the public health, safety, morals, and the general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.

B. Applicability

The regulations of these Zoning Regulations apply to all land, structures, and uses within the City. These provisions govern the construction, alteration, relocation, enlargement, and use of buildings and structures; the development, improvement, and occupancy of land; and the placement and maintenance of site features including but not limited to fences, walls, landscaping, signage, and parking. No building, structure, land, or site feature may be constructed, developed, occupied, maintained, or altered except in compliance with the Zoning Regulations of this UDC and any conditions of approval adopted pursuant to it.

C. Authority

These Zoning Regulations are enacted pursuant to the authority granted to municipalities by the laws of the State of Texas, including but not limited to Chapter 211 of the Texas Local Government Code.

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Section 2.2. Plan Review Procedures

A. General

1. Overview

- A.** This section establishes a site plan review process for land development. The process involves a series of three plans (concept plan, preliminary site plan, and site plan), progressing from a general evaluation of a site and development concept to approval of a detailed plan for the site's development.
- B.** The process generally includes the following steps of development:
 - 1. Concept plan: Initial, general site assessment, primarily addressing access and circulation. Allows phasing for large properties.
 - 2. Preliminary site plan: Detailed layout of buildings, parking, landscaping, screening, and improvements. Confirms the general layout prior to detailed engineering.
 - 3. Site plan: Final, detailed drawing of all structures, improvements, and utilities. Required prior to (or concurrently with) engineering plans and permits.

2. Purpose

The purpose of this process is to:

- A.** Ensure compliance with City-adopted development regulations and other applicable regulations for which the City has enforcement responsibility;
- B.** Promote safe, efficient, and harmonious use of land through application of City-adopted design standards and guidelines;
- C.** Promote stormwater quality planning into the site planning process;
- D.** Protect and enhance the city's environmental and aesthetic quality;
- E.** Ensure adequate public facilities to serve development;
- F.** Provide an iterative development process that allows real estate investment to mitigate some risk through a phased design process;
- G.** Prevent or mitigate adverse development impacts, including overcrowding and congestion; and
- H.** Aid evaluation and coordination of land subdivision.

B. Concept Plan

1. Purpose

- A.** A concept plan is the initial step in the site plan review process. This plan is a general site assessment and development concept. A concept plan defines a basic schematic design for development.
- B.** The purpose of a concept plan is to:
 - 1. Evaluate development feasibility and site conditions, including vegetation, topography, drainage, surface, and subsurface factors affecting the site's development.
 - 2. Determine building placement, size, density, and intensity.
 - 3. Locate public streets and rights-of-way; determine points of ingress and egress between the development and public streets, including median breaks and turn lanes; and determine primary routes of vehicular circulation and parking areas internal to the development.
 - 4. Delineate development phasing.

5. Other purposes related to the establishment of a Planned Development (PD) district. (See [Section 2.3.D](#))

2. Applicability

- A. An approved, valid concept plan is required for a Planned Development (PD) district (see [Section 2.3.D](#)), a phased development, or any development 100 acres or larger.
- B. For all other developments, a concept plan is optional prior to the consideration of a preliminary site plan and may be beneficial in establishing schematic design and phasing prior to more detailed site design.

3. Application and Approval Process**A. General Application**

1. Area Included in the Concept Plan
 - A. All concept plans must include all contiguous property of common ownership.
 - B. Within a Planned Development (PD) district, the concept plan must also include all property contained within the PD.
 - C. Within a phased development, the concept plan must include all development phases.
2. The applicant must submit an application that includes the information included in the Concept Plan Checklist.

B. Additional Requirements

1. Unless otherwise excepted, the site review process and engineering plans and studies are required to evaluate the impacts of the proposed development on the public infrastructure system. Engineering plans and studies include:
 - A. Preliminary drainage plans;
 - B. Flood studies and preliminary floodplain reclamation plans;
 - C. Preliminary water and sewer plans;
 - D. Traffic studies;
 - E. Water and sewer capacity study; and
 - F. Other plans if deemed necessary for thorough review by the Director of Planning or Director of Engineering.
2. These plans and studies are considered documents to aid in the review of the site review process.

C. Standards of Approval

1. The Planning & Zoning Commission may approve, conditionally approve, table, or deny a concept plan based on compliance with this UDC, other applicable regulations, and required studies or approvals.
2. Such decision is considered administrative unless a Zoning Variance or other relief is requested.

D. Effect

1. Where a concept plan application is made, approval of a concept plan authorizes an applicant to apply for approval of a preliminary site plan subject to compliance with any condition attached to the approval of the concept plan.
2. As long as the concept plan remains valid, the location of streets, drives, median breaks, and curb cuts must remain fixed and any subsequently prepared plan for an adjacent property or property located on

the opposite face of a public street abutting the site must coordinate its circulation system with the earlier approved, valid concept plan.

3. Except as authorized by this UDC, a concept plan may not be used to approve a modification to development regulations.
4. Where an approved plan conflicts with an adopted regulation and no authorized modification is expressly approved, the regulation applies.
5. Where approved, valid concept plans delineate areas as separate phases of development, each phase may be independently planned and developed, provided that it is in accordance with the concept plan and other applicable regulations.

C. Preliminary Site Plan

1. Purpose

- A. A preliminary site plan is the second step in the site plan approval process.
- B. The purpose of the preliminary site plan is to:
 1. Ensure compliance with applicable development regulations and previously approved, valid plans affecting development of the property.
 2. Determine the placement, configuration, coverage, size, and height of buildings.
 3. Determine the design of public street improvements and rights-of-way, and the design and location of drives, aisles, and parking.
 4. Determine location and preliminary design of open space, landscaping, walls, screens, and amenities.
 5. Determine the preliminary design of drainage facilities and utilities.

2. Applicability

- A. An approved, valid preliminary site plan is required for developments larger than five (5) acres, except for the development of agricultural buildings. For all other developments, a preliminary site plan is optional prior to the consideration of a site plan.

3. Application and Approval Process

A. General Application

1. Area included in the Preliminary Site Plan
 - A. The preliminary site plan must include all contiguous property of common ownership unless the site is an approved platted lot or permitted as a freestanding phase of development shown on an approved, valid concept plan.
 - B. Within a Planned Development (PD) district, the preliminary site plan must also include all property contained within the PD, except as permitted as a freestanding phase of development shown on an approved, valid concept plan.
2. The applicant must submit an application that includes the information included in the Preliminary Site Plan Checklist.

B. Additional Requirements

1. Unless otherwise excepted, the site review process and engineering plans and studies are required to evaluate the impacts of the proposed development on the public infrastructure system. Engineering plans and studies include:
 - A. Preliminary drainage plans;

- B.** Flood studies and preliminary floodplain reclamation plans;
- C.** Preliminary water and sewer plans;
- D.** Traffic studies;
- E.** Water and sewer capacity study; and
- F.** Other plans if deemed necessary for thorough review by the Director of Planning or Director of Engineering.

2. These plans and studies are considered documents to aid in the review of the site review process.

C. Standards of Approval

- 1. The Planning & Zoning Commission may approve, conditionally approve, table, or deny a preliminary site plan based on compliance with this UDC, other applicable regulations, required studies or approvals, and previously approved, valid plans for the property.
- 2. Such decision is considered administrative unless a Zoning Variance or other relief is requested.

D. Effect

- 1. Approval of a preliminary site plan authorizes an applicant to apply for site plan approval for development of the entire site or a portion thereof, provided that the site plan conforms to the preliminary site plan and any conditions attached to its approval.
- 2. As long as the preliminary site plan remains valid, the location of buildings, landscaped areas, open space, streets, drives, fire lanes, median breaks, curb cuts, and parking must remain fixed except to permit minor adjustments resulting from subsequent engineering improvements or to prevent a condition affecting public health or safety that was not known at the time of approval.
- 3. Except as authorized by this UDC, a preliminary site plan may not be used to approve a modification to development regulations.
- 4. Where an approved plan conflicts with an adopted regulation and no authorized modification is expressly approved, the regulation applies.

D. Site Plan

1. Purpose

- A.** A site plan is the final step required in the site plan approval process. The site plan is a detailed plan of the public and private improvements to be constructed.
- B.** The purpose of the plan is to:
 - 1. Ensure compliance with applicable development regulations and previously approved, valid plans affecting development of the property.
 - 2. Coordinate and document the design of public and private improvements to be constructed.
 - 3. Coordinate the subdivision of land, including the granting of easements, development agreements, and provision of surety.

2. Applicability

- A.** An approved, valid site plan is required prior to the consideration of any construction plan and permit for all development except as provided below.
 - 1. Development of agricultural buildings.
 - 2. Capital improvement projects for trail, sidewalk, or infrastructure improvements.

3. Replacement of a regulated antenna, provided the replacement does not increase the height or expand the footprint of the structure.

- B. Site plans and engineering plans may be submitted concurrently for review; however, engineering permits will not be approved until the associated site plan is approved. Revisions to the site plan may require corresponding revisions to the engineering or construction plans.

3. Application and Approval Process

A. General Application

1. Area Included in a Site Plan

- A. The site plan must include all contiguous property of common ownership unless the site is an approved platted lot or permitted as a freestanding phase of development shown on an approved, valid concept or preliminary site plan.
- B. Within a Planned Development (PD) district, the site plan must include all property contained within the PD, except as permitted as a freestanding phase of development shown on an approved, valid concept or preliminary site plan.

2. The applicant must submit an application that includes the information included in the Site Plan Checklist.

B. 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):

1. Preliminary or final plat or replat;
2. Engineering plans;
3. Stormwater quality plan;
4. Traffic study;
5. Landscape and irrigation plans;
6. Tree preservation and protection plan;
7. Facade plan;
8. Certificate of Appropriateness;
9. Certificate of Compliance; and
10. Other approvals as required by ordinance.

C. Standards of Approval

1. Approval of a Site Plan Following an Approved Preliminary Site Plan

- A. Where application for site plan approval is made for development defined on an approved, valid preliminary site plan, the Director of Planning may approve, conditionally approve, or deny the application based upon the criteria in [Section 2.2.D.3.C.3](#) below.
- B. The applicant may appeal the decision of the Director of Planning to the Planning & Zoning Commission by filing a Notice of Appeal within 10 days following the date the Director of Planning notifies the applicant of their action.

2. Approval of a Site Plan Without an Approved Preliminary Site Plan or with a Major Amendment

Where an application for site plan approval is made for development that is not defined on an approved, valid preliminary site plan, or where the proposed site plan constitutes a major amendment to an approved, valid preliminary site plan, the Planning & Zoning Commission may approve, conditionally approve, table, or deny the application based on the criteria below.

3. Criteria for Approval

- A.** The site plan approval authority will approve, conditionally approve, or deny a site plan based on compliance with this UDC, other applicable regulations, required studies or approvals, and previously approved, valid plans for the property.
- B.** Such decision is considered administrative unless discretionary relief is requested of the approval authority.

D. Effect

- 1.** Approval of a site plan is the City's authorization to apply for approval of building permits and to receive approval of engineering plans.
- 2.** As long as the site plan remains valid, the City may not apply any additional requirements concerning building placement, streets, drives, parking, landscaping, or screening.
- 3.** Site plan approval is separate and distinct from other permits and approvals as may be required by the City and other regulatory agencies.
- 4.** Except as authorized by this UDC, a site plan may not be used to approve a modification to development regulations.
- 5.** Where an approved plan conflicts with an adopted regulation and no authorized modification is expressly approved, the regulation applies.

E. Landscape Plan

Note: Placeholder for content to be added during Module 4.

F. Façade Plan

Note: Placeholder for content to be added during Module 4.

G. Active Plan Amendments

Following the approval of a concept plan, preliminary site plan, or site plan and before the issuance of a Certificate of Occupancy, the property owner(s) may request an amendment. Amendments are classified as minor and major.

1. Minor Amendments

- A.** Minor amendments include corrections of distances and dimensions, adjustments of building configuration and placement, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping, and screening, and changes to utilities and service locations that do not substantially change the original plan.
- B.** The Director of Planning may approve or disapprove a minor amendment. Disapproval may be appealed to the Planning & Zoning Commission.

2. Major Amendments

- A. Major amendments include changes to previously approved stormwater conservation areas, increases in building height, and increasing building proximity to an adjacent offsite residential use. All other amendments not identified as a minor amendment are considered major amendments.
- B. Major amendments will be considered by the Planning & Zoning Commission at a public meeting in accordance with the same procedures and requirements for the approval of the original plan.

H. Post-Approval Modifications and Redevelopment**1. General Requirement**

After completion of improvements shown on an approved site plan and issuance of a Certificate of Occupancy, any additional development, site modifications, or redevelopment of the site is subject to review and approval through a Substantially Conforming Site Plan (SCSP), Revised Site Plan (RSP), or an Addendum Site Plan (ASP).

2. Substantially Conforming Site Plans

A Substantially Conforming Site Plan (SCSP) is a streamlined, administrative process for limited modifications to an approved site plan. These requests are reviewed and approved by the Director of Planning for compliance with applicable zoning and development standards and the procedures established in the SCSP Checklist. An approved SCSP replaces the previous site plan for the affected property.

3. Revised Site Plans

- A. A Revised Site Plan (RSP) is required when proposed changes exceed the scope of a Substantially Conforming Site Plan (SCSP) or otherwise necessitate review by the Planning & Zoning Commission. RSPs are processed and considered in accordance with the requirements and procedures for a Site Plan (SP) in effect at the time of submittal.
- B. An approved Preliminary Site Plan (PSP) is required prior to the submittal of a Revised Site Plan (RSP) if the proposed development meets the applicability requirements for a PSP in [Section 2.2.C.2.](#)

4. Addendum Site Plans

An Addendum Site Plan (ASP) may be used when proposing changes that would typically require a Revised Site Plan (RSP) within a limited area on a site that is 10 acres or larger. These requests are reviewed and approved by the Planning & Zoning Commission for compliance with applicable zoning and development standards and the procedures established in the ASP Checklist. An approved ASP is added to the approved site plan for the affected property.

5. Plans Adopted by Ordinance

- A. Plans adopted by ordinance may only be revised through the rezoning process as a Revised Site Plan (RSP), except for minor amendments as described below.
- B. The Planning & Zoning Commission may approve minor amendments to plans adopted by ordinance provided the amendment does not authorize any of the following:
 - 1. Substantially alter the arrangement of buildings, increase the number of buildings, or change the use of building space designated on the original plan.
 - 2. Substantially alter the configuration of streets or lots.
 - 3. Increase the height of buildings.
 - 4. Substantially alter vehicular circulation or placement of parking areas.
 - 5. Reduce or lessen the effectiveness of open space, landscaped buffers, and landscape edges.

6. Conflict with other regulations or conditions specified within the ordinance adopting the plan.

I. Extension and Reinstatement

Approval of a site plan may be extended or reinstated subject to the procedures in [Section 1.3.C.4.](#)

J. Revocation**1. Grounds for Revocation**

The City Council or the Planning & Zoning Commission may revoke approval of a concept plan, preliminary site plan, or site plan if it determines that the conditions of the approval have not been met or if the plan contains, or is based upon, incorrect information which affects a significant health or safety interest.

2. Expiration of Previously Approved Plans

Any plan approved prior to March 13, 1986, on which no progress has been made toward completion of the project expired on May 11, 2004. All other plans expire according to the standards within [Section 1.3.C.](#)

K. Appeals**1. Right to Appeal**

The decision of the Planning & Zoning Commission to approve or deny a concept plan, preliminary site plan, or site plan is final unless an appeal of the decision is made to the City Council. The applicant, Director of Planning, or two members of City Council may file an appeal.

2. Filing a Notice of Appeal

A Notice of Appeal must be filed in the office of the Director of Planning no later than 10 days after the Commission notifies the applicant of its decision, unless the appeal is associated with a zoning petition, in which case the deadline is same as the zoning petition appeal deadline. Notification of the Commission's decision may occur through oral ruling by the Commission at a public meeting.

3. Contents of the Notice of Appeal

The Notice of Appeal must set forth in clear and concise fashion the basis for the appeal.

4. Notice to Property Owner

The City must send written notice of an appeal to the property owner, unless the appeal is requested by the property owner.

5. City Council Hearing and Action

The City Council will consider the appeal at a public meeting no later than 45 days after the date on which the Notice of Appeal is filed. The City Council may affirm, modify, or reverse the decision of the Commission and may, where appropriate, remand the plan to the Commission for further proceedings consistent with City Council's decision.

L. Relief from Development Exactions

If an applicant seeks to challenge the nexus or proportionality of a mitigation required by adopted codes and ordinances, the applicant must follow the procedure to seek relief by the Waivers from Development Exactions procedure listed in Sec. XXXX (Subdivision Ordinance).

Section 2.3. Zoning Procedures**A. Zoning Upon Annexation****1. Initial Zoning Classification**

All territory hereafter annexed to the City of Plano will be initially classified as the Agricultural (SAG) district. The procedure for establishing zoning for an annexed territory must conform to the procedure established by law for a change in zoning.

2. Applicable Regulations

In an area classified upon annexation as the SAG district, the following will apply:

- A.** All lots must meet the development regulations of this UDC.
- B.** No person may erect, construct, proceed, or continue with the erection or construction of any building or structure, or add to any building or structure, or cause the same to be done in any newly annexed territory to the City of Plano without first applying for and obtaining a Building Permit or Certificate of Occupancy from the Building Official.
- C.** No permit for the construction of a building or use of land will be issued by the Building Official other than a permit which will allow the construction of a building permitted in the SAG district, unless and until such territory has been classified in a zoning district other than the SAG district, by the City Council in the manner provided by law.

B. Zoning Map Amendments (Rezoning)**1. General**

- A.** The Zoning Map may be amended from time to time as provided herein.
- B.** These requirements apply in addition to those established by [Section 1.3.D. UDC Amendments](#).

2. Initiation

- A.** A zoning map amendment (rezoning) may be initiated by:
 - 1. The Planning & Zoning Commission;
 - 2. The City Council; or
 - 3. The property owner of the land proposed for rezoning (the "petitioner").

B. Petitioner-Initiated Zoning Map Amendments

A petitioner must submit a zoning petition that includes sufficient information relative to the amendment requested as determined in the pre-application meeting.

C. City-Initiated Zoning Map Amendments

A request to initiate a zoning map amendment may be placed on the agenda of a regular meeting of the Planning & Zoning Commission or City Council by staff.

3. Additional Notice Required for Zoning Map Amendments

- A.** Notice of a public hearing must, at a minimum, meet the requirements of the general laws of the State of Texas.

B. Required Written Notice

1. Except for proposed comprehensive zoning changes as allowed by Texas Local Government Code Section 211.0063, the following notice is required:
 - A. Before the 20th day before the hearing date, written notice of each public hearing before the Planning & Zoning Commission on a proposed change in a zoning classification must be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed.
 - B. Required notices must be served by their deposit in the municipality, properly addressed with postage paid, in the United States mail.

C. Courtesy Written Notice

1. Except for proposed comprehensive zoning changes as allowed by Texas Local Government Code Section 211.0063, the following notice is required:
 - A. For properties located within 500 feet of a proposed change in a zoning classification, which do not receive a notice as required by [Section 2.3.B.3.B.1.A](#), a written courtesy notice will be sent to each owner of real property, as indicated by the most recently approved municipal tax roll, before the 20th day before the hearing.
 - B. Courtesy notices must be served by their deposit in the municipality, properly addressed with postage paid, in the United States mail.

D. Required Posted Sign Notice

Prior to the issuance of mailed notice of the public hearing:

1. Not later than the 28th day before the date of the Planning & Zoning Commission public hearing, the applicant must provide, maintain, and pay for zoning sign(s) in compliance with the requirements specified on the City's zoning petition form and Sec. 211.0073 of the Texas Local Government Code.
 - A. The petitioner must submit a signed and notarized affidavit, certifying that the required sign(s) is (are) posted on the subject property, to the Planning Department staff no later than the 28th day before the date of the Planning & Zoning Commission hearing, and that the sign will remain posted until the date of City Council's final determination on the proposed change.
2. Where the City initiates proceedings to consider a change in zoning on any specific property not owned and controlled by the City, per Texas Local Government Code Section 211.0073, the City must post the sign on the subject property, or, if for multiple properties, in the right-of-way.

4. Protests of a Zoning Map Amendment Petition**A. Filing Deadline for Submittal of a Protest**

A written protest must be received by the Planning Department by noon of the business day prior to the City Council public hearing date. A protest sent through the mail must be received by the Planning Department by the same deadline.

B. Effect of Protest Petitions on Council Vote

If sufficient protest as defined below is submitted against a proposed zoning change, the change must receive the affirmative vote of the City Council as described in this section.

1. Residential Zoning Changes

These requirements apply to proposed map amendments where the proposed change would have the effect of allowing more residential development than the existing zoning regulation or district boundary

and has the effect of not allowing more commercial or industrial uses, other than those uses limited to the first floor of a residential development and not exceeding 35% of the overall development.

A. Signature Threshold

The protest must be written and signed by the owners of at least 60% of the aggregate area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, or 20% of the aggregate area of the lots or land covered by the proposed change. The area of streets and alleys is included in this calculation, and unincorporated areas are excluded from this calculation.

B. Council Vote

1. When protested by the owners of 60% of the land immediately adjoining the area covered by the proposed change, the proposed change must receive the affirmative vote of the majority of all members of the City Council.
2. When protested by the owners of 20% of the land covered by the proposed change, the proposed change must receive the affirmative vote of at least three-fourths of all members of the City Council.

2. Proposed Comprehensive Zoning Changes

Changes proposed by the city that meet one or more of the following standards cannot be protested:

- A.** A change that would allow more residential development than the previous regulation and would apply uniformly to each parcel in the zoning district or districts; or
- B.** The adoption of a new zoning code or zoning map that would apply to the entire municipality; or
- C.** The adoption of a zoning overlay district that would have the effect of allowing more residential development than would be allowed without the overlay and that includes an area along a major roadway, highway, or transit corridor.

3. All other Zoning Changes

These requirements apply to other land-based zoning cases.

A. Signature Threshold

The protest must be written and signed by the owners of at least 20% of either the aggregate area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, or the aggregate area of the lots or land covered by the proposed change. The area of streets and alleys is included in this calculation, and unincorporated areas are excluded from this calculation.

B. Council Vote

If the signature threshold is met as described above, the proposed change must receive the affirmative vote of at least three-fourths of all members of the City Council.

C. Standing to Protest

1. A protest of a proposed zoning change must be in writing and must be signed by the owner of the property in question or by a person authorized by power of attorney to act on behalf of the owner. For specific ownership types, the following must apply:

A. Corporations

The protest must be signed by the president or an attorney-in-fact authorized to sign on behalf of the corporation.

B. General or Limited Partnerships

The protest must be signed by a general partner or by an attorney-in-fact authorized to sign on behalf of the general or limited partnership.

C. Jointly-Held or Community Property

If the property is owned by two or more persons, the protest must be signed by a majority of the owners, or by a person authorized by power of attorney to sign the protest on behalf of a majority of the owners, except that in the case of community property, the city will presume the written protest of one spouse to be the protest of both.

D. Condominiums

1. Lots or land subject to a condominium declaration are presumed to be commonly owned in undivided interests by the owners of all condominium units and under the control of the governing body of the condominium.
2. For such lots or land to be included in calculating the lots or land area protesting a proposed rezoning, both of the following conditions must be met:
 - A. The written protest must state that the governing body of the condominium has authorized a written protest in accordance with its bylaws, and
 - B. The person signing the protest is authorized to act on behalf of the governing body of the condominium.
3. A written protest signed by the owner of an individual condominium unit will not be accepted unless the filing party produces legal documents governing the condominium which clearly establish the right of an individual owner to act with respect to their respective undivided interest in the common elements of the condominium.

2. Presumption of Validity

In all cases where a protest meets the requirements of this UDC, the City will presume the signatures on the protest are valid.

D. Withdrawal of Protest

A withdrawal of a protest must be in writing. If multiple protests and withdrawals are filed on behalf of the same owner, the instrument with the latest date and time of execution controls.

5. Successive Applications

- A. When either the Planning & Zoning Commission or the City Council denies a zoning petition, the denial may be issued with prejudice (blocking refiling) or without prejudice (allowing refiling).
 1. Without Prejudice

If a denial does not clearly state that it is with prejudice, it will be deemed without prejudice, meaning the petition may be refiled at any time.
 2. With Prejudice
 - A. If a denial is issued with prejudice, no petition may be filed for all or part of the subject tract for two years from the date of denial.
 - B. The Planning & Zoning Commission may waive the two-year waiting period if it determines that sufficient changes in circumstances regarding the property or the petition have occurred. The Planning & Zoning Commission's decision to grant or not grant a waiver of the two-year waiting period may be appealed to the City Council.

B. Following Zoning Map Amendment Petition Approval

1. If a zoning map amendment is approved by the City Council, no further petition may be considered for all or a part of the subject tract of land for a period of two years from the date of the City Council's action, unless the Planning & Zoning Commission determines that there are substantive reasons to permit the waiving of the two-year waiting period and the granting of a new hearing. The Planning & Zoning Commission's decision may be appealed to the City Council.
2. Substantive reasons for waiving the two-year period include, but are not limited to:
 - A. Correction of an error.
 - B. A change of conditions affecting the property that was not known at the time of zoning.
 - C. A change in public plans or policies as it affects the property.

C. Presumption of Validity for Certain Changes to Zoning Regulations or District Boundaries

A change to a zoning regulation or district boundary that has the effect of allowing more residential development than the previous regulation is conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change has not been filed before the 60th day after the effective date of the change.

6. Expiration

Any pending zoning petition will automatically expire if no progress has been made, such as the submittal of revisions to staff, for a period of one year.

C. Community Design (CD) Districts**1. Purpose**

The purpose of Community Design (CD) districts is to allow for additional standards and conditions to execute a unique development exhibit that aligns with the Comprehensive Plan.

2. Applicability

Only the Neighborhood Residential Design (CNR), Mixed-Use Community Design (CMC), and Neighborhood Business Design (CNB) districts may be used as base districts for CDs.

3. Supplemental Requirements

- A. The Planning & Zoning Commission and City Council may amend or supplement the base district regulations and related development regulations in this UDC to implement individual development exhibits; however, the following requirements cannot be modified:
 1. In the Neighborhood Residential Design (CNR) district:
 - A. The Housing-Types Requirements in Section XXXX.
 2. In the Mixed-Use Community Design (CMC) and Neighborhood Business Design (CNB) districts:
 - A. A minimum of three distinct uses must be provided; and
 - B. Nonresidential uses must be constructed within the first phase of development.
- B. A CD district may not be used to:
 1. Waive the requirement for a development exhibit or a governance association.
 2. Require construction of public improvements or the dedication or reservation of land that is not of primary benefit to development within the district or necessary to mitigate an adverse impact attributable to development within the district, unless compensation is provided as required by law.

3. Secure agreements between owners of property within the district with third parties.
4. Assign responsibility to the City for the enforcement of private deed restrictions or covenants.
5. Waive or modify the requirements of ordinances other than this UDC, except as specifically authorized herein.

C. Governance Association

A Governance Association must be established in accordance with the following:

1. Applications for building permits for development within a CD district must not be accepted or approved until a suitable property owners' governance association is established.
2. The association must be responsible for maintaining all common property, improvements, and amenities within the district.
3. The association must have power sufficient to assess and collect dues and charges as required to perform its responsibilities. It may have additional powers to administer other programs, including but not limited to, security, promotion and marketing, and entertainment. A Municipal Management District or Public Improvement District created in conformance with the Texas Local Government Code may be created to satisfy this requirement.
4. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and to other amenities must be incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

4. Application and Approval Process**A. Development Exhibit**

1. A development exhibit is required as part of the rezoning petition process.
2. The exhibit must include all property within the district and must be approved before any concept plan, preliminary site plan, or site plan can be considered.
3. The development exhibit serves to:
 - A. Ensure compliance with applicable regulations and valid, previously approved plans.
 - B. Determine the placement, configuration, size, use, height, and coverage of buildings.
 - C. Specify the mix of land uses.
 - D. Design public and private street improvements, rights-of-way, drives, aisles, and parking.
 - E. Outline the location and design of open spaces, landscaping, walls, screens, and amenities.
 - F. Enumerate standards, conditions, performance, and implementation requirements not covered by base zoning.
 - G. Provide preliminary designs for drainage facilities, utilities, and stormwater quality areas.

B. Application Required

The applicant must submit a zoning petition as described in [Section 2.3.B.](#)

C. Standards of Approval

The Planning & Zoning Commission and City Council may approve, conditionally approve, table, or deny a CD district based on:

1. Conformance with the Comprehensive Plan.

2. Compliance with this UDC, other applicable regulations, required studies or approvals, and previously approved, valid plans for the property.
3. Compliance with previously approved, valid site-specific stormwater quality plan.
4. Compliance with the recommended mitigation of a traffic study as deemed acceptable by the Director of Engineering.
5. Impact on the site's natural resources and effect on adjacent area property and land use.
6. Safety and efficiency of vehicular and pedestrian circulation, traffic control, and congestion mitigation.
7. Safety and convenience of off-street parking and loading facilities.
8. Access for firefighting and emergency equipment to buildings.
9. Use of landscaping and screening to shield lights, noise, movement, or activities from adjacent properties and to complement the design and location of buildings and parking.
10. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.

D. Adoption

1. Approval of a CD is considered a rezoning and must follow the regulations established in [Section 1.3.A.](#)
2. The development exhibit must be adopted as part of the ordinance creating the CD district.
3. The boundary of each CD district must be defined on the Zoning Map and will be designated by the letters CD followed by a unique number and the code of the applicable base district (e.g., CD-000-CNR).

E. Amendments to a CD's Adopted Development Exhibit

Following the adoption of a CD's development exhibit, the property owner(s) may request an amendment. Amendments are classified as minor and major.

1. Minor Amendments

- A.** The Director of Planning may approve or disapprove a minor amendment to the development exhibit. Disapproval may be appealed to the Planning & Zoning Commission.
- B.** Minor amendments are limited to:
 1. Corrections of distances and dimensions,
 2. Relocation of a building within the same block or lot, provided the footprint, height, and massing are substantially consistent with the approved plan,
 3. Relocation of the same approved land uses within the development to adjacent blocks,
 4. Adjustment to the layout or exact location of landscaping, screening, open space, utilities, parking, or drive aisles,
 5. Minor adjustments to service areas or loading locations that do not increase visibility or impact to adjacent development, and
 6. Minor phasing amendments to add an adjacent nonresidential or vertically mixed-use building into the current phase.
- C.** No minor amendment may create a negative impact on adjacent development or reduce approved buffers, open space, or pedestrian connectivity.

2. Major Amendments

Except where otherwise prohibited by law, major amendments to the development exhibit may only be considered through the same process by which the CD was created. Major amendments to a CD's adopted development exhibit include but are not limited to:

- A.** Changes to land use categories, permitted use types, or intensity of development,
- B.** Increases in maximum building height or nonresidential floor area ratio,
- C.** Significant modifications to lot configuration, block structure, or the street network,
- D.** Elimination or reduction of required open space, landscaping, or buffering,
- E.** Relocation of nonresidential uses adjacent to residential areas in a manner that increases off-site impacts,
- F.** Changes to phasing that materially delay or alter the delivery of infrastructure, amenities, or mitigation measures relied upon in the original approval, and
- G.** Any other modification determined by the Director of Planning to substantially change the approved plan's concept, intensity, or compatibility.

F. Effect**1. CD Zoning Designation**

Once action is taken by the City Council to approve a CD, the CD does not have an expiration date and may only be revised through the rezoning process.

- 2.** As long as the CD's development exhibit remains valid, the location of buildings, landscape areas, open space, streets, drives, fire lanes, median breaks, curb cuts, and parking must remain fixed except as permitted by minor adjustments resulting from subsequent engineering improvements or to prevent a condition affecting public health or safety that was not known at the time of approval.
- 3.** Where a CD's development exhibit conflicts with this UDC and no authorized modification is expressly approved, the UDC's regulation applies.

D. Planned Development (PD) Districts**1. Purpose**

Planned Development districts are established for the following purposes:

- A.** To protect and provide for the public health, safety, and general welfare of the city.
- B.** To guide the future development of the city in accordance with the Comprehensive Plan.
- C.** To accommodate innovation by modifying regulations to better accomplish the City's development goals.
- D.** To mitigate developmental impacts, especially those related to the environment, traffic, public services and facilities, and adjacent and nearby land uses.
- E.** To protect and enhance the aesthetic and visual quality of development by creating architectural and cultural districts intended to provide for unique locations which are of architectural and cultural importance to the community.

2. Applicability

- A.** PD districts may be used, in accordance with [Section 2.3.D.2.C](#) and [Section 2.3.D.2.D](#), to modify and supplement the regulations contained within the following regulations:

- 1.** [Article 2. Zoning Regulations](#);

2. [Article 3. Subdivision Regulations](#); and
3. Street Design Standards.

B. Criteria for Establishment

1. PD districts must demonstrate a clear public benefit that advances the goals of the Comprehensive Plan and reflects innovation in design, land use, or community impact that exceeds the minimum requirements of the base zoning district.
2. No PD district may be established smaller than five acres unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or a related study.
3. No PD district may be established when another zoning district or a specific use permit could adequately accommodate the proposed development.

C. Permitted Areas of Regulation

PD districts may be used to:

1. Define and condition land uses permitted within each district, including expanding or restricting uses permitted by right or by specific use permit within a base zoning district. PD districts may specify the location of land uses and define standards for operation and performance of land uses.
2. Specify development standards and actions required to protect the environment and to preserve natural features and vegetation within the district.
3. Define development standards pertaining to the size, height, bulk, coverage, placement, setback, configuration, and number of buildings; regulate the design and exterior appearance of buildings; define standards for lot size, dimensions, and street frontage; and specify the location, extent, and design standards for open space, landscaping, screening and buffers, appurtenances, signage, and amenities. PD districts may modify, delete, or add to those standards provided in a base zoning district. The standards may be more or less restrictive than those in a base zoning district.
4. Specify the location and design of streets, drives, parking, and pedestrian and bicycle facilities.
5. Modify the standards of the Street Design Standards and the Subdivision Regulations related to design of public and private facilities, but only where a specific finding is made by the City Council that the alternative standard does not decrease public safety, impair traffic movement, or result in a higher maintenance cost.
6. Specify the timing, sequencing, and phasing of development, including coordinating the type, location, and intensity of development permitted with the construction and availability of public facilities and services.
7. Provide for the construction of public improvements and facilities onsite or within public easements and rights-of-way abutting the site as required to serve and benefit development within the district or as may be required to mitigate impacts resulting from the development on other properties and uses outside of the district. Standards within [Article 3. Subdivision Regulations](#) pertaining to the design, performance, and cost participation for public improvements may be amended by a PD district.

D. Prohibited Areas of Regulation

A PD district cannot be used to:

1. Require construction of public improvements or the dedication or reservation of land that is not of primary benefit to development within the district or necessary to mitigate an adverse impact attributable to development within the district, unless compensation is provided as required by law.

2. Secure agreements between owners of property within the district with third parties.
3. Assign responsibility to the City for the enforcement of private deed restrictions or covenants.
4. Waive or modify requirements other than those in [Section 2.3.D.2.A](#) above.

3. District Types

A PD district may be created as an overlay district or as a freestanding district as described below:

A. Overlay PD Districts

1. An overlay PD district superimposes regulations onto a standard zoning district defined in [Section 2.5.C. Residential Zoning Districts](#) or [Section 2.5.D. Mixed-Use Zoning Districts](#). A PD overlay may modify, supplement, or delete the regulations of a standard zoning district (referred to as the base district).
2. Except as specified by the terms of the ordinance establishing a PD overlay, the regulations of the base district apply, and any subsequent general amendment to the base district apply.
3. A PD district established as an overlay district will be designated by letters PD followed by a unique number and the code of the applicable base district (e.g., PD-000-RDD).

B. Freestanding PD Districts

1. A freestanding PD district is a unique zoning classification. The zoning regulations affecting development within the district are limited to those specifically defined within the ordinance establishing the district (which may include other regulations by reference) and may only be changed by amending the district.
2. New freestanding PD districts are generally not supported. A freestanding PD district may only be established where the use of the overlay method cannot reasonably achieve the purposes of this UDC and the PD district is in accordance with the Comprehensive Plan.
3. A PD district established as a freestanding district will be designated by the letters FPD followed by a unique number and a code describing the general land use (e.g., FPD-000-MU).

4. Application and Approval Process

A. Application Required

The applicant must submit a zoning petition as described in [Section 2.3.B](#).

B. Standard of Approval

The approval, approval with conditions, or denial of PD districts is at the sole discretion of the City Council based on its judgment of the merit of the proposed district as related to the stated purposes in [Section 2.3.D.1](#).

C. Site Review Process Required

The site review process applies to the development of land for uses within any PD district as required in [Section 2.2](#).

D. Initial Plan Review

1. A concept plan, or other plan satisfying the site review process, is required as part of an application for establishing or amending a PD district.
2. Additional information, studies, and plans may be required by the Planning & Zoning Commission or the City Council to determine the merit of establishing a PD district and as required to develop regulations to be incorporated in the ordinance establishing or amending a PD district.

E. Approval

1. Approval of a PD is considered a rezoning and must follow the regulations established in [Section 1.3.A.](#)
2. Upon approval, the boundary of each PD district will be defined on the Zoning Map and identified as specified in [Section 2.3.D.3.](#)
3. Plans submitted in conjunction with establishing or amending a PD district may be approved by:
 - A. The Planning & Zoning Commission via separate administrative action pending approval of the ordinance establishing or amending a consistent PD district by City Council, or
 - B. City Council as part of the ordinance establishing or amending the PD district.

F. Effect

1. PD Zoning Designation

Once action is taken by the City Council to approve a PD, the PD does not have an expiration date and may only be revised through the rezoning process.
2. Plans Adopted by Ordinance
 - A. Plans adopted by ordinance have no expiration date and may only be revised following the procedures in [Section 2.2.H.5.](#)
 - B. Plans adopted by ordinance control development of the property, including the location of land use and development intensity.
3. Administratively Approved Plans
 - A. Plans that are approved by administrative action expire in accordance with the provisions of [Section 2.2.](#)
 - B. Where the plan has expired and no extension is approved, the property owners of the PD must receive approval of a new plan prior to applying for development permits.
 - C. Any new plan must conform to the regulations existing at the time of the development application.

G. Administration

1. Conflicting Regulation

Where regulations set forth within a PD district directly and specifically conflict with those of another ordinance, the regulations of the PD district prevail.
2. Multiple Ownership

Where the land within a PD is divided among multiple owners, all owners must authorize the submittal of petitions to amend the PD district or plans applying to the entire district. A single owner may request that the City initiate an amendment to the PD district in accordance with the provisions of [Section 2.3.B.2.](#)

H. Partial Rezoning

Owners of property within a PD district may request rezoning of the portion of the district they own to separate it from the remaining property within the PD district. In considering the request, the Planning & Zoning Commission and City Council will evaluate the effect of the rezoning on the remaining property and may require adjustments to the terms and conditions of the original PD resulting from a change in boundary.

E. Specific Use Permits (SUPs)**1. Purpose**

The purpose of an SUP is to allow and regulate uses that are not permitted by right in a particular zoning district but that could provide a benefit to the community in specific cases. This is achieved by establishing appropriate development standards and safeguards during the review process to ensure the use is compatible and promotes the general welfare.

2. Applicability

The City Council, after a public hearing and proper notice to all parties affected and after recommendations by the Planning & Zoning Commission may authorize the issuance of specific use permits (SUPs) for the uses indicated by an "S" in the use tables of [Section 2.6.B. Use Chart](#).

3. Application Procedure and Requirements

- A.** The applicant must submit a zoning petition as described in [Section 2.3.B](#).
- B.** The Planning & Zoning Commission, in considering and determining its recommendations to the City Council on any request for an SUP, may require from the applicant plans, information, operating data, and expert evaluation concerning the location, function, and characteristics of any building or use proposed.
- C.** The City Council may, in the interest of the public welfare and to ensure compliance with this UDC, establish conditions of operation, location, arrangement, and type and manner of construction of any use for which a permit is authorized. The City Council may impose development standards and safeguards important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view, traffic, or other undesirable or hazardous conditions.
- D.** SUPs are considered an overlay zoning district and are approved following the procedures of a zoning map amendment (rezoning). See [Section 1.3.A](#).
- E.** All SUPs approved in accordance with the provisions of this UDC must be referenced on the Zoning Map. An SUP will be designated by the letter S followed by a unique number (e.g., S-000).
- F.** Effect

1. SUP Zoning Designation

Once action is taken by the City Council to approve an SUP, the SUP does not have an expiration date and may only be revised through the rezoning process.

2. Plans Adopted by Ordinance

Plans adopted by ordinance have no expiration date and may only be revised following the procedures in [Section 2.2.H.4](#).

3. Administratively-Approved Plans

- A.** Plans that are approved by administrative action expire in accordance with the provisions of [Section 2.2](#).
- B.** Where the plan has expired and no extension is approved, the property owners of the SUP must receive approval of a new plan prior to applying for development permits.
- C.** Any new plan must conform to the regulations existing at the time of application.

F. Heritage District Procedures**1. Purpose**

This section establishes the procedures required for the establishment of a Heritage Resource Overlay District. See Sec. XXXX for the district's purpose statement.

2. Applicability

The provisions of this section apply to all properties designated, amended, or removed as heritage resources in accordance with the criteria established in [Section 16-110](#) of the City Code of Ordinances, as amended.

3. Permitted Areas of Regulation

In making the individual Heritage Landmark (H) or Heritage District (HD) designation, the Planning & Zoning Commission and City Council may allow additional permitted uses in the district or reduce, increase, or revise the height, yard, area, coverage, parking, and any other developmental standards contained within this UDC, if such action is determined to be necessary for the preservation or protection of the H- or HD-designated property.

4. Procedure

- A. Procedures used by the Heritage Commission, Planning & Zoning Commission, and the City Council for the original designation, amendment, or removal of a heritage resource designation are located in [Section 16-111](#) of the City Code of Ordinances, as amended.
- B. The applicant must submit a zoning petition as described in [Section 2.3.B](#).

5. Certificate of Appropriateness Review

- A. No person or entity may carry out any construction, reconstruction, alteration, restoration, rehabilitation, stabilization, repair, site improvements, demolition, or relocation of any H- or HD-designated property that affects the exterior appearance of any structure without obtaining a Certificate of Appropriateness by the Heritage Commission or Heritage Preservation Officer, or other designee of the Director of Planning, as appropriate, for the types of work described in [Section 16-112](#) of the City Code of Ordinances, as amended.
- B. No person or entity may carry out any construction, installation, or erection of a network node in or within 300 feet of an H- or HD-designated property without obtaining a Certificate of Appropriateness from the Heritage Preservation Officer, or other designee of the Director of Planning. The Heritage Preservation Officer or designee will review the application for such network node for consistency with the Small Cell Wireless Facility Network Node Design & Placement Guidelines, as well as other guidelines and standards that may be in place.
- C. Certificate of Appropriateness review procedures, criteria, exemptions, and other associated requirements are located in [Article VI, Chapter 16](#), of the City Code of Ordinances, as amended.
- D. Ownership of a property that has been modified in violation of the above requirements is also a violation of this code.

G. Neighborhood Conservation Overlay District Procedures**1. Purpose**

This section establishes the procedures required for the establishment of a Neighborhood Conservation Overlay District (NC). See Sec. XXXX for the district's purpose statement.

2. Applicability

- A. The provisions of this section apply to all properties designated as a Neighborhood Conservation Overlay District.

- B.** To qualify as a Neighborhood Conservation Overlay District, the area should generally meet all of the following criteria:
- 1.** The proposed district contains a minimum of four contiguous properties within a block or proximate properties abutting either side of the same street.
 - 2.** At least 75 percent of the land area, excluding right-of-way, in the proposed district is developed with primary habitable structures at least 35 years or older.
 - 3.** The proposed district possesses one or more of the following distinctive architectural, physical, or visual characteristics that create a unified and recognizable setting, character, or association:
 - A.** Scale, size, type of construction, or unique building materials;
 - B.** Setbacks, lot layouts, street layouts, sidewalks, or alleys;
 - C.** Natural or streetscape characteristics, such as parks, greenbelts, creeks, or street landscaping;
 - D.** Abuts or links to designated heritage resources.
 - 4.** 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 (see [Section 2.3.G.4](#)). Gaps, holes, or other irregular shapes in the boundaries of a proposed district are discouraged.

3. Types of Neighborhood Conservation Districts

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.

1. 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

2. Review Required

All new construction, additions, and exterior alterations regulated by a designated NC district requires issuance of a building permit.

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.

1. 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.

2. Review Required

All new construction, additions, exterior alterations, or other ancillary site improvements regulated by an adopted neighborhood conservation plan (see [Section 2.3.G.4](#)) within a designated Neighborhood Conservation District requires 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 must be submitted in the form prescribed by the Director of Planning.

4. Neighborhood Conservation Plan

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

A. Components

Recommended components of a Neighborhood Conservation Plan include:

1. Introduction

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

2. 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.

3. Goals and Objectives

This section should describe the intent of creating the district, what features or characteristics 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.

4. Design Standards

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

5. 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.

6. 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 becomes effective upon designation of the associated district.

5. Restrictions**A. Uses**

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

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

A Neighborhood Conservation Overlay 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 an NC district.

C. Demolitions

A Neighborhood Conservation Overlay district may not regulate demolition of structures within the district.

D. Emergency Repair

If a property within a Neighborhood Conservation Overlay 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, must apply for a Certificate of Compliance, if required, within 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 and Sustainability departments are required with an approved Certificate of Compliance before work can commence.

6. Procedure**A. Application Required**

1. The applicant must submit a zoning petition as described in [Section 2.3.B.](#)
2. 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 Overlay district by submitting a written petition that includes the property owner signatures of at least 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 excludes public property, streets, alleys, and other public rights-of-way.
3. The associated Neighborhood Conservation Plan must be submitted as part of the zoning petition.

B. Validation

Upon receipt of a written petition, the Director of Planning will review the petition to confirm the required signatures have been provided and make a final determination as to which type of Neighborhood Conservation Overlay district applies. In all cases where a petition has been submitted pursuant to this section, the City will presume that the persons whose signature(s) 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**1. Planning Model**

Petitions for designation of a Neighborhood Conservation Overlay district following the Planning Model will proceed in the same manner as a petition for amendments to the Zoning Map (see [Section 2.4.A. Zoning Text or Map Amendments \(Rezoning\)](#)).

2. Architectural Model

Petitions for designation of a Neighborhood Conservation Overlay District following the Architectural Model will proceed in the same manner as a petition for amendments to the Zoning Map (see [Section 2.4.A. Zoning Text or Map Amendments \(Rezoning\)](#)), except that a public hearing and consideration by the Heritage Commission is required prior to consideration by the Planning & Zoning Commission. The Heritage Commission will review the proposed Neighborhood Conservation Overlay 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 must be sent to all owners of real property within 500 feet of the proposed district at least 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 becomes null and void upon removal of its associated Neighborhood Conservation Overlay district designation.

7. Relationship to State Law

Neighborhood Conservation Overlay districts are not local historic districts under [Texas Local Government Code Section 211.0165](#), as amended.

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Section 2.4. Special Zoning Procedures

A. Nonconformities

Note: Placeholder for content.

B. Zoning Variances

1. Purpose

The purpose of a Zoning Variance is to allow the Board of Adjustment to authorize deviations from [Article 2. Zoning Regulations](#) due to the presence of a hardship and other specific criteria.

2. Applicability

- A. The Board of Adjustment may consider permitting a variance from the terms of this Article ([Article 2. Zoning Regulations](#)).
- B. Zoning Variances may only be used to waive or modify dimensional requirements, such as setbacks, building heights, or lot coverage. Zoning Variances cannot be used to modify permitted uses or use-based standards.
- C. Zoning Variances may not authorize any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels of land in the same zoning district.
- D. Zoning Variances may only be considered if all administrative options have been exhausted.
- E. No appeal to the Board of Adjustment for the same variance on the same property is allowed prior to the expiration of two years from a previous ruling by the Board of Adjustment unless other property in the immediate vicinity has within the two-year period been rezoned or the physical conditions have changed.

3. Application and Approval Process

A. Timing of the Request

A Zoning Variance must be requested concurrently with the site plan review or building permit review process, except where a plan or permit is not required.

B. Standard of Approval

The Board of Adjustment may permit such variance from the terms of this Article ([Article 2. Zoning Regulations](#)) if all of the following conditions are met:

- 1. Because of special conditions, including restricted area, shape, topography, or physical features that are peculiar to the subject parcel of land, a literal enforcement of this ordinance or its amendments would result in an unnecessary hardship; and
- 2. The variance will observe the spirit and intent of this ordinance, align with the public interest, and comport with substantial justice; and
- 3. The variance does not result in an unnecessary encumbrance on another parcel of land; and
- 4. The variance is not based solely on economic gain or loss except where the financial cost of compliance is greater than 50% of the appraised value of the structure as shown on the most recent appraisal roll; and

5. The variance does not grant relief to a self-created or personal hardship except to the extent that the self-created or personal hardship arises from factors or grounds that may be considered under [Section 2.4.B.3.C](#) below.

C. Grounds for Unnecessary Hardship

The Board may consider the following as exceptions to determine whether compliance with this UDC would result in unnecessary hardship:

1. Compliance would result in a loss to the lot on which the structure is located on at least 25% of the physical area on which development may occur.
2. Compliance would result in the structure not being in compliance with another requirement of this UDC, building code, or other requirement.
3. The City considers the structure to be a nonconforming structure.

D. Procedure

1. The applicant must submit a Zoning Variance application.
2. Before the 10th day before a public hearing, written notice of the hearing must be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the Zoning Variance is requested. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail.
3. Following a public hearing, the Board of Adjustment may approve, approve with conditions specific to the property, or deny a Zoning Variance request.
4. Pursuant to Section 211.009.(c) of the Texas Local Government Code, the concurring vote of 75% of the appointed members of the Board of Adjustment is necessary to grant a Zoning Variance.

E. Zoning Variance Appeals

1. Decisions by the Board of Adjustment may be appealed within 10 days after the date the Board announces its decision either orally or in writing to the petitioner in accordance with Section 211.011 of the Texas Local Government Code.
2. If the court reverses or modifies the Board of Adjustment's decision, the Board of Adjustment may elect to appeal that decision.

C. Special Exceptions

Note: Placeholder for content regarding Special Exceptions.

D. Alternative Compliance

Note: Placeholder for content regarding Alternative Compliance.

E. Certificates of Occupancy**1. Purpose**

The purpose of the Certificate of Occupancy process is to ensure that all buildings and structures within the city are utilized in compliance with applicable regulations and codes to ensure that a property is suitable for the intended occupancy.

2. Applicability

Certificates of Occupancy are required, consistent with the Building Code. The provisions of this section do not apply to Detached House, Duplex, or Townhouse buildings or Agricultural Uses, except as required by the Building Code.

3. Requirements**A. Zoning Use**

1. An applicant for a Certificate of Occupancy must fully disclose use of the building or parcel on the application for a Certificate of Occupancy.
2. All Certificates of Occupancy issued after the effective date of these regulations must indicate zoning use of the building or parcel.
3. After the effective date of these regulations, zoning uses listed on a Certificate of Occupancy must be allowed uses under the Zoning Regulations.
4. A Certificate of Occupancy can only be issued when a property has an approved site plan and approved final plat filed of record, with exceptions as specifically granted in [Section 2.4.E.3.C](#).
5. A Certificate of Occupancy can only be issued to a property where the associated use and any additional development, site modifications, or redevelopment are in conformance with the approved site plan as determined by the Director of Planning, with exceptions as specifically granted in [Section 2.4.E.3.C](#).

- B.** After March 26, 2018, all Land Occupancy Permits previously issued are hereby renamed Certificates of Occupancy and treated as Certificates of Occupancy for all intents and purposes.

C. Exceptions

A Certificate of Occupancy may be issued for a property without an approved site plan or approved final plat filed of record under the following exceptions. These exceptions do not exempt the property from other site plan or platting requirements in this UDC.

1. The requirement for a recorded plat may be waived for a property located in the Original Donation, Reed, or Portman Additions to the City of Plano.
2. The requirement for an approved site plan may be waived for a property where both of the following conditions are met:
 - A.** The property was lawfully developed before the requirement for a site plan was instituted; and
 - B.** There have been no substantial changes to the property since the requirement for a site plan was instituted. Substantial changes include, but are not limited to, expansion or addition of buildings, parking areas, or open storage.

4. Application and Approval Process

- A.** The Building Official may establish procedures for the application and approval of a Certificate of Occupancy consistent with the Building Code.

- B. Certain types of Certificates of Occupancy, specifically “clean and show” permits that do not authorize occupancy or operation of a use, may be issued by the Building Official without Planning Department review.

5. Denial or Revocation of Certificates of Occupancy

A. Grounds for Denial

The following constitutes sufficient grounds for denial of a Certificate of Occupancy:

1. Misrepresentation of information related to the proposed use in an application for a Certificate of Occupancy,
2. Omission of material information related to the proposed use in an application for a Certificate of Occupancy,
3. The proposed use is disallowed under [Article 2. Zoning Regulations](#) or other applicable laws, or
4. The applicant fails to provide adequate or complete information on the application.

B. Grounds for Revocation

A Certificate of Occupancy may be revoked consistent with the Building Code, including where it is determined that the building or structure or portion thereof is in violation of the provisions of this UDC.

C. Revocation Process

The process for revocation of a Certificate of Occupancy for failure to meet the requirements of this section is as follows:

1. Notice of Revocation

The Building Official must issue a written notice of intent to revoke a Certificate of Occupancy. The notice must set forth the grounds upon which the notice is issued, and inform the holder that the Certificate of Occupancy will be revoked at the end of 10 business days after service of such notice unless a formal decision is requested.

2. Request for Formal Decision

To request a formal decision, a written request must be filed with the Building Official within 10 days of receiving the Notice of Revocation. If no request for a formal decision is filed within the 10-day period, the Building Official's decision to revoke the Certificate of Occupancy becomes final.

3. Formal Decision

A meeting must be scheduled before the Building Official not less than 10 business days nor more than 30 days after the date a timely written request for a formal decision was filed. At the meeting, the Certificate holder will be allowed an opportunity to respond to the allegations and present any mitigating evidence or reasons why the proposed revocation is improper. The Building Official must provide a decision within 20 business days of the date of the meeting.

4. Appeal of Revocation

If, after the meeting, the Building Official determines that the Certificate of Occupancy should be revoked, an appeal of the Building Official's decision may be made to the Board of Adjustment in accordance with Chapter 211 of the Texas Local Government Code and [Section 2.4.F. Appeals of Zoning Decisions by](#) an Administrative Official.

D. Offense

It is an offense for any person, firm, association, or corporation with ownership, care, custody, or control over any portion of a building or parcel of land to allow such building or parcel to be used, occupied, or modified in any manner that does not comply with a current, valid Certificate of Occupancy, as required by the Building Code.

F. Appeals of Zoning Decisions by an Administrative Official**1. Purpose**

The purpose of an appeal of a zoning decision by an administrative official is to allow the Board of Adjustment to hear and decide appeals where it is alleged there is error on any order, requirement, decision, or determination made by an administrative officer in the enforcement of [Article 2. Zoning Regulations](#). For purposes of this section, “administrative official” means the person within a city department having the final decision-making authority within the department relative to the enforcement issue.

2. Applicability

- A.** In exercising its powers, the Board of Adjustment may, in conformity with the provisions of Section 211.009(b) of the Texas Local Government Code, reverse or affirm, wholly or partly, or may modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the Board has the same authority as the administrative official, including the power to impose reasonable conditions to be complied with by the petitioner.
- B.** This section pertains only to administrative official decisions made regarding [Article 2. Zoning Regulations](#) and excludes appeals specifically heard elsewhere by provisions in this UDC.
- C.** Any of the following persons may appeal to the Board of Adjustment a decision made by an administrative official:
 - 1.** A person who:
 - A.** Filed the application that is the subject of the decision;
 - B.** Is the owner or representative of the owner of the property that is the subject of the decision; or
 - C.** Is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or
 - 2.** Any officer, department, board, or bureau of the municipality affected by the decision.
- D.** The Board of Adjustment will determine whether a person has standing to appeal, if standing is challenged by the applicant, owner, an aggrieved person as described in [Section 2.4.F.2.C](#) above, or the city. The Board will base its determination of standing upon the criteria above. The matter of standing will be decided at the time of the hearing on the appeal.
- E.** Such appeal must be made not later than the 20th day after the order, requirement, decision or determination has been rendered by the administrative officer, by filing with the administrative officer and with the Board of Adjustment a Notice of Appeal on a form provided by the City. The administrative official must immediately forward to the Board of Adjustment all the documents constituting the record of the action that is appealed.
- F.** An appeal stays all proceedings of the action unless the administrative officer certifies to the Board of Adjustment that by reason of facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property. In such case, proceedings are not stayed, unless a restraining order is granted by the Board of Adjustment or by a court of record on petition.

3. Application and Approval Process

A. Procedure

1. The applicant must submit an Administrative Appeal application.
2. The Board must give public notice of the hearing and due notice to the parties in interest.
3. A party may appear at the appeal hearing in person or by agent or attorney.
4. The Board must hear and decide the appeal at the next meeting for which notice can be provided and not later than the 60th day after the date the appeal is filed.
5. Each case must be heard by at least 75% of the members of the Board of Adjustment.
6. The concurring vote of 75% of the members of the Board of Adjustment is necessary to revise any order, requirement, decision, or determination of an administrative officer, or to decide in favor of the petitioner on any matter upon which it is required to pass under this ordinance or to approve any variance under this ordinance.

B. Appeal of a Board of Adjustment Decision

1. Decisions by the Board of Adjustment may be appealed within 10 days after the date the Board announces its decision either orally or in writing to the petitioner in accordance with Section 211.011 of the Texas Local Government Code.
2. If the court reverses or modifies the Board of Adjustment's decision, the Board of Adjustment may elect to appeal that decision.

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Section 2.5. Zoning Districts

A. Establishment of Zoning Districts and Map

B. Zoning District Boundaries

C. Residential Zoning Districts

Note: Placeholder for content from Module 1.

D. Mixed-Use Zoning Districts

E. Community Design Districts

F. Special Zoning Districts

G. Overlay Zoning Districts

Section 2.6. Permitted Uses and Use-Based Standards

A. Uses Generally

B. Use Chart

Note: Placeholder for content from Module 1.

C. Use-Based Standards

Section 2.7. Zoning Development Standards

A. Lot and Building Standards

B. Building Design Standards

C. Residential Adjacency Standards

D. Accessory Buildings

Note: Placeholder for content from Module 4.

E. Parking and Loading

F. Landscaping and Tree Preservation

G. Open Storage

H. Screening, Buffering, and Fencing

I. Signs

J. Performance Standards

K. Traffic Studies

Article 3. Subdivision Regulations

Section 3.1. Subdivision General Provisions

A. Purpose

As authorized by Texas Local Government Code Chapter 212, the subdivision regulations in this article have been established for the purpose of promoting the public health, safety, morals, and general welfare of the city. They have been designed to:

1. Establish reasonable standards of design and procedures for platting and replatting to coordinate layout and use of land; and
2. Ensure that adequate public facilities and services are available and will have sufficient capacity to serve the proposed subdivision or development.

B. Applicability

1. Generally

- A. These regulations apply to all subdivisions of land, development, redevelopment, and land disturbing activities located within the city.
- B. The city cannot extend utilities, provide access to public roads, or issue building permits for the development of any property which has not received final plat approval, except as otherwise provided by this UDC or as authorized under Sec. 212.0045 of the Texas Local Government Code.

2. Exceptions

A. The types of subdivision listed below do not require approval by the City of Plano:

1. The division of land into two or more parts where all parts are larger than 5 acres and where no new building or improvement is proposed and no required public improvement is to be dedicated.
 2. The creation of a remainder of a tract caused by the platting of a portion of the tract, provided the remainder is larger than 20 acres.
 3. The division of a tract or parcel for purposes of creating a dedication plat.
 4. The creation of a leasehold for agricultural use of the subject property, provided that the use does not involve the construction of a building(s) to be used as a residence or for any purpose not directly related to agricultural use of the land or crops or livestock raised thereon.
 5. The division of property through inheritance, the probate of an estate, or by a court of law.
 6. The creation of a leasehold for a space within a multi-occupant building or a commercial building site which does not abut a public street, or the division of property into such leaseholds do not require approval by the City of Plano, provided that:
 - A. The property is a part of an approved subdivision or addition and regulated in accordance with the site plan requirements of the city, and
 - B. Such plat has been amended as may be required to add easements or otherwise serve the leasehold.
- C. For purposes of this [Section 3.1.B.2.A.6](#), a leasehold abuts a public street if:
1. It is immediately adjacent to a public street; or
 2. It is so close to a public street that no usable property lies between the leasehold and the public street.

- B. A written request may be given to the Director of Planning for information concerning whether a plat is required under these regulations, in accordance with Sec. 212.0115, as amended, of the Texas Local Government Code.
- C. The exclusion of such activities from these regulations does not waive any jurisdiction the city now exercises or may exercise over such matters.
- D. Except as provided in [Section 3.1.B.2](#) above, no land may be subdivided or platted through the use of any legal description other than with reference to a plat approved by the Planning & Zoning Commission or the Director of Planning in accordance with these regulations.
- E. Except as provided in [Section 3.1.B.2](#) above, and for lots of record established prior to the effective date of this UDC, no land can be sold, leased, or transferred until the property owner has obtained approval of a final plat or conveyance plat from the Director of Planning, the Planning & Zoning Commission, or the City Council, as required by this UDC and recorded said plat with the county land records.
- F. The city must withhold all public improvements and utilities, including the maintenance of streets and the provision of sewage facilities and water service, from all tracts, lots, or additions, the platting of which has not been officially approved by the Director of Planning, the Planning & Zoning Commission, or the City Council and for which a certificate of compliance has not been issued pursuant to Sec. XXXX.
- G. Except as provided in Sec. XXXX, no building permit or certificate of occupancy will be issued for any parcel or tract of land inside the city limits until such property has received final plat approval and recordation and is in substantial conformity with the provisions of these regulations, and no private improvements can take place or be commenced except in conformity with these regulations.
- H. For plats approved prior to January 8, 2024, if the Board of Adjustment grants a zoning variance to a minimum yard shown as a building setback line on a plat, the Building Official is authorized to issue a building permit or certificate of occupancy for development on the lot without requiring the removal of the platted building setback line consistent with the Board of Adjustment variance.

3. Process to Claim an Exception

A. Request for Determination

Any person claiming an exception under these regulations, or under Sec. 212.0045 of the Texas Local Government Code, must comply with the following procedures:

1. The property owner or authorized representative must review the applicable exception criteria as provided in Sec. XXXX and confirm eligibility for an exception based on the nature of the proposed land division,
2. The property owner or authorized representative may submit a written request to the Director of Planning for a determination concerning whether a plat is required under these regulations, in accordance with Sec. 212.0115 of the TLGC, and
3. The property owner or authorized representative must produce a statement identifying the specific exception being claimed under Sec. 212.0045 of the TLGC.

B. Determination by Director

1. Upon receipt of a written request and required documentation, the Director of Planning must review the request and issue a written determination advising the applicant whether a plat is required.
2. If the Director of Planning determines that the proposed division qualifies as an exception, the city must record such determination in the official records of the Planning Department. Such determination will not be construed to waive any other applicable requirements of these regulations or other applicable ordinances, codes, or laws.

3. If the Director of Planning determines that the proposed division does not qualify for an exception, the applicant must be notified of the determination within 10 business days of the request and the property owner or authorized representative will be required to submit an application for plat approval in accordance with these regulations.

C. Effect of Determination

1. The granting of an exception to plat does not obligate the city to extend utilities, provide access to public roads, issue building permits, or otherwise provide city services to the property absent compliance with other applicable requirements as provided in this UDC or as required by state law.
2. Nothing in this section will waive or otherwise limit the jurisdiction or authority of the city to enforce these regulations or other applicable laws and ordinances.
3. The property owner must retain any written determination issued under this section as part of the permanent records associated with the property.

C. Authority

These regulations are formulated under the powers granted by Chapter 212, Subchapters A and B, of the Texas Local Government Code. The term "plat" as used in Subchapter A and this UDC must also include within its definition the term "development plat" specified in Subchapter B, except where noted.

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Section 3.2. Subdivision Plat Types and Procedures

A. Platting Generally

B. Preliminary Plats

Note: Placeholder for content from Module 3.

C. Final Plats

D. Replats

E. Amending Plats

F. Conveyance Plats

G. Issuance of Building Permits and Certificates of Occupancy

H. Plat Vacation

I. Right-of-Way Abandonment

J. Waiver of Right to 30-Day Action

K. Extension and Reinstatement Procedure

L. Subdivision Waiver

M. Subdivision Appeals

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Section 4.1. Usage and Interpretation

Note: Placeholder for content from Modules 1 and 4.

Section 4.2. Terms Defined

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Unified Development Code

City of Plano

Module 3A Review Draft | September 24, 2026

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Article 3. Subdivision Regulations

Section 3.1. Subdivision General Provisions

A. PURPOSE

These Subdivision Regulations are established in accordance with Texas Local Government Code Chapter 212 for the purpose of promoting the public health, safety, and general welfare during the development process through the orderly subdivision and platting processes. These processes ensure adequate public facilities and infrastructure, and establish reasonable standards for land layout, access, circulation, drainage, and public improvements.

B. AUTHORITY

These regulations are enacted pursuant to the authority granted to municipalities by the laws of the State of Texas including, but not limited to, Chapter 212 of the Texas Local Government Code.

C. APPLICABILITY

These regulations apply to all changes in property boundaries, subdivisions, and development of land that requires changes to public infrastructure or public property rights within the City, unless specifically exempted. These provisions govern the platting, replatting, amendment, or vacation of plats, the combining, splitting, or alteration of lots or tracts, and the dedication or construction of public improvements required in connection with those activities.

D. EXCEPTIONS

1. The types of subdivision listed below do not require approval by the City of Plano:
 - A. The division of land or the splitting of lots into two or more parts where all parts are larger than five acres and where each parcel has access to a public street or access by recorded easement, and no public improvement is being dedicated.
 - B. The creation of a remainder of a tract caused by the platting of a portion of the tract, provided the remainder is larger than 20 acres.
 - C. The division of property through inheritance, probate, eminent domain, acquisition by an entity with eminent domain authority, or by court order is not required to be platted for purposes of transfer of ownership. Any such division may be described by metes and bounds for conveyance; however:
 1. The division does not create a legal building site; and
 2. Plat approval is required prior to issuance of a building permit or development of the property as a separate tract.
 3. A parcel created under this provision will not be recognized as a separate building site for purposes of development, access, or utility service until a plat is approved in accordance with this UDC.
 - D. The creation of a leasehold for a space within a multi-tenant building, or the creation of a ground lease on a commercial building site, does not require subdivision or plat approval, including where the lease area does not abut a public street, provided that the following requirements are met:
 1. The property is part of an approved subdivision or addition and is developed in accordance with an approved site plan, where required by the City;
 2. The leasehold area has legal access to a public street, either directly or through shared access, internal circulation, or access easements, as applicable; and
 3. The plat has been amended, if necessary, to provide required easements or access necessary to serve the leasehold.

2. The exclusion of such activities from the platting requirements of this section does not exempt the property from compliance with other applicable provisions of this UDC or other City ordinances.

3. Determining Applicability and Certification**A. Request for Determination**

A person who wishes to claim that [Article 3](#) does not apply to their project or property; an exception to [Article 3](#) applies to their project or property; or they wish to exercise their right to a determination as to whether a plat has been prepared and whether it has been reviewed and approved by the authority under Texas Local Government Code Section 212.0115; must comply with the following procedures in order to obtain a determination from the Director of Planning:

1. All requests for determination under this subsection will be treated as a request for determination under Texas Local Government Code Section 212.0115.
2. Only the following are qualified persons entitled to a determination under this [Section 3.1.D.3](#):
 - A. A governmental entity;
 - B. A utility provider;
 - C. Any owner of the subject property; or
 - D. Any purchaser of property under a contract for conveyance.
3. The qualified person claiming that [Article 3](#) does not apply to their project or property, or claiming an exception to the application of [Article 3](#) to their project or property must:
 - A. Identify the property at issue;
 - B. Review the applicable jurisdiction and exception criteria as provided in [Section 3.1.D. Exceptions](#); and
 - C. Submit a written statement explaining the nature of the proposed development project and the basis for the lack of jurisdiction or eligibility for an exception.
4. The qualified person seeking a determination as to whether a plat has been prepared and whether it has been reviewed and approved by the authority under Texas Local Government Code Section 212.0115 must identify the property at issue and submit a written statement requesting the determination.

B. Delegation of Authority

The Planning & Zoning Commission delegates to the Director of Planning the authority to review and decide requests for determination under this section, including determinations regarding the applicability of [Article 3](#), eligibility for an exception, and certifications requested under Texas Local Government Code Section 212.0115. A determination by the Director of Planning may be appealed to the Planning & Zoning Commission in accordance with [Section 3.2.K. Subdivision Plat Appeal](#).

C. Determination by Director

1. Upon receipt of a written request under [Section 3.1.D.3.A](#) and required documentation, the Director of Planning must:
 - A. Review the request and make a determination in response to the request within 20 days after the date it receives the request;
 - B. Issue a written determination in the form of a certification within 10 days after the date the determination is made.

2. When no formal written request is received, the Director of Planning may make an informal determination about the applicability of Article 3 to any project.

D. Effect of Determination

1. The granting of an exception to plat does not obligate the City to extend utilities, provide access to public roads, issue building permits, or otherwise provide city services to the property absent compliance with other applicable requirements as provided in this UDC or as required by state law.
2. Nothing in this section will waive or otherwise limit the jurisdiction or authority of the City to enforce these regulations or other applicable laws and ordinances.
3. The property owner must retain any written determination issued under this section as part of the permanent records associated with the property.

E. ADEQUATE PUBLIC FACILITIES

Subdivisions must provide adequate public facilities as determined in [Section 3.6. Adequate Public Infrastructure Studies](#).

F. COMPLIANCE, ENFORCEMENT, WITHHOLDING PERMITS

1. No land may be subdivided or platted without approval of a subdivision plat in accordance with this UDC, unless expressly exempted in [Section 3.1.D Exceptions](#).
2. A person must not subdivide or plat land using a legal description that is not based on an approved plat, except as provided in [Section 3.1.D Exceptions](#).
3. Except as provided in [Section 3.1.D Exceptions](#), and for lots of record established prior to the effective date of this UDC, a lot, tract, or parcel created by dividing or subdividing land may not be sold, leased, or otherwise conveyed unless the lot, tract, or parcel is shown on the approved final plat or conveyance plat, as applicable, and the approved has been recorded in the county land records. The use of a metes-and-bounds or other legal description does not exempt a division of land from the platting requirements of this UDC.
4. The City is not required provide connection to any public infrastructure until one of the following conditions is met, except where plat approval is not required under this UDC:
 - A. Approval of a final plat for the development of a detached house, duplex, or townhouse buildings; or
 - B. Approval of a preliminary plat for all other development.

5. Building Permits and Certificates of Occupancy

No building permit or certificate of occupancy will be issued for a lot or building site unless the lot or site has been recorded by a final plat or replat approved by the Approval Authority and all public improvements have been completed and accepted in writing by the Director of Engineering, except as permitted below.

A. Nonresidential, Apartment, and Mixed-Use Residential Development

Building permits may be issued for nonresidential, apartment, or mixed-use residential development prior to the final plat recordation, provided that:

1. A preliminary plat is approved;
2. Civil engineering plans have been released by the Director of Engineering;
3. The Director of Engineering, in consultation with the Fire Marshal, determines that required fire access and fire protection infrastructure, including fire flow, are available or under construction in a manner that ensures continuous service during building construction; and
4. No lot may be sold or conveyed until a final plat has been approved and recorded.

B. Detached House, Duplex, and Townhouse Development

The Building Official may issue building permits for detached house, duplex, or townhouse development, including but not limited to model homes, for a portion of a residential subdivision prior to final plat approval and recordation, provided that:

1. A preliminary plat has been approved;
2. The Director of Engineering, in consultation with the Fire Marshal, determines all public improvements have been completed for that portion of the residential subdivision, including but not limited to those required for fire and emergency protection; and
3. No lot may be sold or conveyed until a final plat has been approved and recorded.

C. Lots of Record

The Building Official may issue building permits for development of a lot with no recorded plat, provided that:

1. The lot was lawfully created and is identified by a lot and block number in the county land records; lot qualifies as a lot of record;
2. There have been no changes to the lot lines;
3. There are no changes required to existing easements or other public property rights;
4. No new easement or public property dedication, or property dedication to a governance association, is required by this UDC; and
5. No public improvements, access modifications, or utility extensions are required to serve the proposed development.

D. Certificates of Occupancy

1. The Building Official may authorize issuance of a certificate of occupancy prior to final acceptance of all public improvements, provided that:
 - A. The Director of Engineering determines that the public infrastructure necessary to serve the structure is complete, operational, and adequate for occupancy;
 - B. The Fire Marshal determines that required fire access and fire protection infrastructure are adequate for occupancy; and
 - C. A subdivision improvement agreement or other approved mechanism ensures completion of any remaining improvements.
2. The certificate of occupancy may be revoked if the final plat approval and recording process is not completed consistent with Section 111 of the City of Plano Building Code.

E. Minimum Yard Variances

For plats approved prior to January 8, 2024, if the Board of Adjustment grants a zoning variance to a minimum yard shown as a building setback line on a plat, the Building Official is authorized to issue a building permit or certificate of occupancy for development on the lot without requiring the removal of the platted building setback line consistent with the Board of Adjustment variance.

Section 3.2. Platting Procedures

A. GENERAL PROCEDURES

1. General

- A. This section establishes plat review processes for the subdivision and development of land. The process includes the review of conveyance plats, preliminary plats, final plats, replats, amending plats, administrative plat notation, and plat vacations.
- B. The process generally involves one or more plats in the following sequence:
 1. Conveyance plat: An interim plat used to subdivide land or record a remainder tract where immediate development is not proposed.
 2. Preliminary plat or preliminary replat: Initial plat used to evaluate subdivision layout, public improvements, and infrastructure requirements before final plat approval or construction.
 3. Final plat or replat: Recordable plat used to create lots, dedicate easements or rights-of-way, and authorize conveyance or development in accordance with this UDC.
 4. Amending plat, administrative plat notation, or plat vacation: Procedures used to modify, correct, document, or vacate previously approved or recorded plats.

C. Plat Approval Authority

Plat Type	Approval Authority
Conveyance Plat	Director of Planning
Preliminary Plat	Director of Planning
Final Plat	Director of Planning
Preliminary Replat	Director of Planning, except where consideration by the Planning & Zoning Commission is required under this UDC
Replat	Director of Planning, except where consideration by the Planning & Zoning Commission is required under this UDC
Amending Plat	Director of Planning; may be referred to the Planning & Zoning Commission
Plat Vacation	Planning & Zoning Commission
Administrative Plat Notation	Director of Planning

2. Application Filing

An application for any plat type must be filed with the Planning Department in accordance with [Section 1.3.B. Submission of Development Application](#) and applicable submittal requirements. The official filing date is the date on which a complete application is submitted with fee paid.

3. Application Completeness

- A. The City will review each application for completeness and determine whether it contains sufficient information to accept and review in accordance with [Section 1.3.B. Submission of Development Application](#).
- B. Incomplete applications that do not include the required documents, the information prescribed herein, or the payment of associated application fees will be returned to the applicant with a list of deficiencies, except

that an application without the application fee will be accepted in accordance with [Section 3.2.A.4 Prefiling Review Option](#).

- C. If an applicant resubmits an application that has corrected all identified deficiencies, the application will be accepted as complete and acknowledged as such by the City. The application must be acknowledged by the City as complete to be considered filed.
- D. The fact that a City employee reviews an application to determine whether it can be considered complete is not equivalent to a determination that the application is complete.

4. Prefiling Review Option

- A. An applicant may elect to submit an application without the required fee for prefiling review.
- B. An application submitted for prefiling review is not considered officially filed and is not subject to the statutory action deadline (shot clock).
- C. The statutory action deadline (shot clock) applies upon payment of the required fee and an acknowledgment by the City that the application is complete.

5. Statutory Action Deadline (Shot Clock) and Extension

Once a complete application has been filed with the City, action must be taken on the plat in accordance with the procedures prescribed in TLGC Chapter 212.

A. Initial Action

- 1. The Plat Approval Authority must:
 - A. Approve, conditionally approve, or disapprove the application; and
 - B. Take action within 30 calendar days following the official filing date.
- 2. If the Plat Approval Authority fails to act within 30 calendar days, the application is deemed approved in accordance with state law.

B. Identification of Deficiencies

If the plat is conditionally approved or disapproved at either the Initial Action or Resubmittal stages, the City must:

- 1. Identify any remaining deficiencies; and
- 2. Cite the applicable regulations and laws.

C. Resubmittal Following Conditional Approval or Disapproval

- 1. If an application is resubmitted following conditional approval or disapproval, the Plat Approval Authority must:
 - A. Determine within 15 calendar days of the official resubmission date whether the resubmittal satisfies all identified requirements; and
 - B. Approve, conditionally approve, or disapprove the resubmittal.
- 2. If the Plat Approval Authority fails to act within 15 calendar days, the application is deemed approved in accordance with state law.

D. Extension of Statutory Review Period

1. Request

The applicant may request, in writing, an extension of the review period for up to 30 calendar days.

2. Decision Authority

The Director of Planning is the decision authority for extension requests under this section.

3. Effect of Request

- A.** A request for an extension postpones final action on the application for up to 30 additional calendar days.
- B.** The first three requests for an extension, for a cumulative extension period of up to 90 calendar days, receive automatic approval upon receipt by the City and do not require action by the Director of Planning. Any additional request for an extension may be approved or denied by the Director of Planning.
- C.** Approval of an extension does not waive or modify any other requirement of this UDC.

E. City Limitation

The City must not require or solicit an extension request.

F. Withdrawal

The City may suggest withdrawal of a filed application that is not ready for approval to avoid disapproval. A withdrawn application may be resubmitted without additional fees if resubmitted within 60 calendar days after withdrawal.

6. Public Hearing

The following procedures apply when a public hearing before the Planning & Zoning Commission is required by this Article of the UDC or Chapter 212 of the Texas Local Government Code. See Section 3.2.F.4. Additional Requirements for Residential Replats, for the circumstances in which a residential replat requires a public hearing and notice under Texas Local Government Code Sec. 212.015.

- A.** Notice of the hearing must be provided 15 days before the date of the hearing by:
 - 1.** Publication in an official newspaper or a newspaper of general circulation in the county; and
 - 2.** Written notice mailed to property owners meeting the following requirements:
 - A.** Sent to owners of lots within the original subdivision that are within 200 feet of the lots to be replatted, as shown on the most recent approved ad valorem tax roll of the City; and
 - B.** Delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the City.
- B.** If a proposed plat is a replat or preliminary replat of a residential subdivision and requires a Subdivision Waiver, and a written protest is filed by the owners of at least 20% of the area of the lots or land within the area entitled to notice under this Section, approval of the residential replat or preliminary replat requires the affirmative vote of at least three-fourths (3/4) of the members of the Commission present.
- C.** Written protest must be signed by an authorized person as described in Section 2.3.B.4.C (Standing to Protest).

Note: Previously accepted Section 2.3.B.4.C (Standing to Protest) will be moved to Article 1 so it can apply to both zoning and subdivision protests.

7. Effect of Approval

- A.** Approval authorizes the applicant to proceed to the next applicable steps in the development process, including:
 - 1.** Submission of engineering plans;
 - 2.** Execution of a subdivision improvement agreement;

3. Recordation of the plat; or
4. Application for building permits, as applicable.

B. Approval of a plat does not:

1. Authorize the issuance of building permits except as otherwise provided in this UDC;
2. Constitute acceptance of public improvements; or
3. Guarantee the availability of public facilities or infrastructure capacity, unless otherwise provided in [Section 3.6. Adequate Public Infrastructure Studies](#).

8. Signing and Recording Approved Plat**A. Public improvements must be completed prior to approval of final plat and recordation, except as authorized by this UDC. The Plat Approval Authority must endorse approval on the plat after:**

1. All conditions of approval are satisfied;
2. The Director of Engineering signs a certificate on the final plat confirming installation of improvements, dedication of public lands, and acceptance of improvements.

B. When a Subdivision Improvement Agreement or other authorized agreement is allowed by the Director of Engineering, the Plat Approval Authority must endorse approval of the plat after:

1. The Subdivision Improvement Agreement or other authorized agreement is executed; and
2. All conditions of plat approval other than those included in the Subdivision Improvement Agreement or other authorized agreement are satisfied.

C. Recordation of Approved Plats

1. The following approved plats must be recorded with the applicable county in accordance with state law and this UDC:

- A.** Conveyance plat;
- B.** Final plat;
- C.** Replat;
- D.** Amending plat; and
- E.** Plat vacation.

2. The Plat Approval Authority must endorse the plat prior to recording.
3. Except for a scrivener's correction, no changes may be made to an approved plat prior to recordation without resubmittal and reapproval.
4. The applicant is responsible for recording the plat and submitting a copy of the recorded plat to the City within the required timeframe, however the City reserves the right to record an approved plat.
5. Failure to record an approved plat within the time required by this UDC will result in the expiration of the approval.

9. Expiration and Extension of Approval

- A.** Approval of a plat will expire in accordance with [Section 1.3.C. Plan and Plat Validity and Expiration](#), unless a different timeframe is established herein for the specific plat type.

- B. Upon expiration, the plat is void and a new application must be submitted, subject to applicable regulations in effect at the time of resubmittal, unless vested rights apply, or the plat is reinstated as outlined in [Section 1.3.C.4.B. Extension and Reinstatement Procedure](#).

10. Subdivision and Street Naming

- A. The proposed name of the subdivision and associated streets must not duplicate or closely approximate phonetically the name of any other subdivision or street within the corporate limits of the City.
- B. Street names must not include surnames or names of corporations.
- C. The Director of Planning has authority to approve the name of a subdivision or street for addressing, recording, or similar purposes.
- D. Street names and subdivision names are fixed at the time of preliminary plat approval.
- E. The Planning Department will maintain an index of approved street names, and applicable naming guidelines.

B. CONVEYANCE PLAT**1. Purpose and Limitations**

A conveyance plat may be used solely to subdivide land or record an existing lot or parcel created by other means. A conveyance plat is an interim step in the subdivision and development of land.

2. Applicability

Conveyance plats may be used in lieu of a final plat to record the subdivision of property where immediate development is not proposed, subject to the following:

- A.** To record the remainder of a tract larger than five acres created by the final platting of a portion of the property, provided that the remainder is not intended for immediate development.
- B.** To record the subdivision of property into parcels five acres or smaller where:
 - 1. The parcels are not intended for immediate development;
 - 2. All public improvements are in place prior to approval;
 - 3. Minimum frontage requirements are met;
 - 4. All public rights-of-way are dedicated; and
 - 5. All abutting streets and utilities are installed and accepted by the City.
- C.** Installation of required public improvements may be deferred, in accordance with [Section 3.4.D. Deferral of Required Improvements](#).

3. Application and Criteria for Approval**A. General Application**

- 1. The applicant must submit an application that includes the information included in the Conveyance Plat Checklist.
- 2. The application must be submitted concurrently with a concept plan or preliminary site plan.

B. Criteria for Approval

- 1. The Plat Approval Authority may approve, conditionally approve, table, or disapprove a conveyance plat. A conveyance plat may be tabled only if final action can be taken within the applicable 30-day review period or within an extension period requested by the applicant. The decision must be based on compliance with the following standards:
 - A.** The plat substantially conforms with approved documents in the series of permits.
 - B.** The plat conforms to applicable zoning and other regulations.
 - C.** All tracts, parcels, lots, or sites created by a conveyance plat must have frontage and access to an existing or proposed public street defined on the Thoroughfare Plan Map or an existing standard street meeting City construction standards and accessing the existing city street system.
 - D.** Reservation of rights-of-way is provided where applicable as follows:
 - 1. Conveyance plats must provide for the reservation of future rights-of-way necessary to serve future development of the subject property, as determined by the Directors of Planning and Engineering based on access and circulation requirements.

2. Right-of-way reservation must comply with [Section 3.5.A.5.C Right-of-Way Dedication, Reservation, and Easements](#) and acknowledges the future obligation to dedicate right-of-way for public streets and thoroughfares necessary for development of the parcel identified on the City's Thoroughfare Plan Map or an approved concept plan according to the specifications in the Street Design Standards.
3. Reservation of right-of-way for future street is not required unless the improvements are:
 - A. Included in the City's current Community Investment Program; or
 - B. Otherwise scheduled and funded for construction.
4. Reservation of right-of-way:
 - A. Does not grant any property right or interest to the City or any other entity; and
 - B. Does not satisfy dedication or design requirements for future development; and
 - C. Does not vest the location or extent of future right-of-way requirements.
- E. Dedication of rights-of-way must be provided where applicable as follows:
 1. Dedication of right-of-way is required where a conveyance plat is used to record the remainder of a tract created by the final platting of a portion of the property.
 2. The required right-of-way dedication must be limited to:
 - A. That which is necessary to provide access to the property proposed for final plat approval; and
 - B. Improvements needed to complete turn lanes, intersections, and transitions in road pavement width resulting from development of the property proposed for final plat approval.
- F. The plat meets all other requirements of this UDC.

4. Effect of Approval and Reservation

- A. Approval of a conveyance plat does not relieve the property owner of obligations, including fees or required improvements, under this UDC or other City ordinances.
- B. Easements for access, utilities, and drainage may be recorded on a conveyance plat.
- C. Reservation or dedication of right-of-way does not relieve the property owner of obligations for:
 1. Street construction; or
 2. Assessments associated with public street improvements.

C. PRELIMINARY PLAT**1. Purpose and Limitations**

The purpose of the preliminary plat is to allow the Plat Approval Authority to evaluate the proposed plat for conformity with requirements of the zoning and subdivision regulations, review site conditions, evaluate civil engineering plans for public improvements, and provide adequate security for construction of the public improvements.

2. Applicability

- A. A preliminary plat is required prior to the construction of public improvements.
- B. A preliminary plat is not required where the applicant satisfies the requirements of this UDC to proceed directly to a final plat, including execution of a subdivision improvement agreement and provision of the required surety.

3. Application and Criteria for Approval**A. General Application**

- 1. The applicant must submit an application that includes the information included in the Preliminary Plat/Preliminary Replat Checklist.
- 2. The application must be submitted concurrently with a site plan where required.

B. Criteria for Approval

The Plat Approval Authority may approve, conditionally approve, table, or disapprove a preliminary plat. A preliminary plat may be tabled only if final action can be taken within the applicable 30-day review period or within an extension period requested by the applicant. The decision must be based on compliance with the following standards:

- 1. The plat substantially conforms with approved documents in the series of permits;
- 2. The Director of Engineering has reviewed the proposed public improvements and related infrastructure requirements, including right-of-way, easements, access, drainage, utilities, roadway geometry, traffic operations, and construction phasing;
- 3. Review of fire access and fire protection infrastructure, including fire flow, has been conducted in consultation with the Fire Marshal;
- 4. Provision for installation and dedication of public improvements has been made, including, but not limited to, entering into a Reimbursement Agreement for acquiring park land, or entering into a Development Agreement to ensure adequate infrastructure or to allocate costs between the applicant and the City;
- 5. The plat conforms to applicable zoning and other regulations; and, where required, is consistent with the concurrently submitted site plan; and
- 6. The plat meets all other requirements of this UDC.

4. Effect of Conditional Approval

- A. A preliminary plat is not considered approved and valid until all conditions enumerated in the conditional approval have been met.
- B. A conditionally approved preliminary plat is not considered finally approved and valid until all conditions of approval have been satisfied. The Plat Approval Authority may authorize the applicable City official or department to determine whether specified conditions have been satisfied.

- C. The Director of Engineering will only release engineering plans for construction after approval of the preliminary plat and in accordance with [Section 3.4.A. Engineering Plan Review and Release](#).

5. Effect of Meeting All Conditions After Approval

A preliminary plat that meets all conditions of approval will authorize the applicant to submit an application for final plat.

6. Amendments to Preliminary Plats That Have Not Expired

- A. At any time following the approval of a preliminary plat, and before the lapse of such approval, a property owner may request an amendment.
- B. The addition or deletion of more than 10% of the approved number of lots will be considered a major amendment.
- C. The addition or deletion of lots within 10% of the approved number and the adjustment of lot lines will be considered minor amendments.
- D. The Director of Planning may approve or disapprove minor amendments. Major amendments may be approved in accordance with the same requirements for the approval of a preliminary plat.
- E. The Plat Approval Authority must approve, conditionally approve, or disapprove any proposed amendment and may make any modifications in the terms and conditions of preliminary plat approval reasonably related to the proposed amendment.
- F. If the applicant is unwilling to accept the proposed amendment under the terms and conditions required by the Plat Approval Authority, the applicant may withdraw the proposed amendment or may appeal the action in accordance with [Section 3.2.K. Subdivision Plat Appeal](#).
- G. The approval of an amendment to a preliminary plat does not extend or otherwise affect the expiration of the preliminary plat for the remaining property.

D. FINAL PLAT**1. Purpose and Limitations**

The purpose of a final plat is to record the subdivision of property, including the accurate description of blocks, rights-of-way, easements, building lines, and street names.

2. Applicability

A final plat is required to create or record lots. Except as otherwise provided in this UDC, a final plat must be approved and recorded before the issuance of a building permit for vertical development in accordance with [Section 3.1.F.5. Building Permits and Certificates of Occupancy](#).

3. Application and Criteria for Approval**A. General Application**

The applicant must submit an application that includes all information required by the Final Plat/Replat Checklist.

B. Criteria for Approval

The Plat Approval Authority may approve, conditionally approve, table, or disapprove a final plat. A final plat may be tabled only if final action can be taken within the applicable 30-day review period or within an extension period requested by the applicant. The decision must be based on compliance with the following standards:

1. The plat substantially conforms to the preliminary plat;
2. Required public improvements have been constructed and are ready to be accepted, or an improvement agreement has been accepted by the City providing for the subsequent completion of improvements as noted in [Section 3.4.B. Construction and Acceptance Procedures](#);
3. The plat conforms to applicable zoning, subdivision, and other regulations;
4. Provision has been made for adequate public facilities under the terms of this ordinance; and
5. The plat meets all other requirements of this UDC.

4. Effect of Approval and Dedication

A. An approved and signed final plat must be recorded with the county as the official record of the subdivision of land in accordance with [Section 3.2.A.8. Signing and Recording Approved Plat](#).

B. A recorded final plat may be used to:

1. Reference lots and property interests; and
2. Support conveyance and development in accordance with this UDC.

E. PRELIMINARY REPLAT**1. Purpose and Limitations**

The purpose of the preliminary replat is to allow the Plat Approval Authority to evaluate the proposed replat for conformity with requirements of the zoning and subdivision regulations, review site conditions, evaluate civil engineering plans for public improvements, and provide adequate security for construction of the public improvements.

2. Applicability

A preliminary replat may be required prior to the submission of a replat for properties with a previously recorded final plat, as follows:

- A.** A preliminary replat is required prior to the construction of public improvements.
- B.** A preliminary replat is not required where the applicant satisfies the requirements of this UDC to proceed directly to a replat, including execution of an improvement agreement and provision of the required surety.

3. Application and Criteria for Approval

A preliminary replat must be reviewed and approved in accordance with:

- A.** The procedures and standards applicable to a preliminary plat under this UDC, as applicable; and
- B.** The standards applicable to a replat in [Section 3.2.F.4. Additional Requirements for Residential Replats](#) and [Section 3.2.F.5. Replatting of Duplex Lots](#), as applicable.

F. REPLAT**1. Purpose and Limitations**

The purpose of a replat is to modify or replace a previously recorded final plat, including reconfiguration of lots, blocks, or easements, in a manner that may affect subdivision layout or development potential and therefore requires review under the procedures applicable to a new plat.

2. Applicability

A replat is required for any modification to a recorded final plat that does not qualify as an amending plat or plat vacation.

A. A replat may be recorded without vacating the preceding plat if the replat:

1. Is signed and acknowledged by the owners of the property being replatted;
2. Is approved by the City; and
3. Does not amend or remove any covenants or restrictions previously incorporated in the final plat.

B. A replat is required where a proposed amendment exceeds the limits of an amending plat, including when the proposal:

1. Creates more than six lots;
2. Requires a new public street;
3. Requires the extension of municipal infrastructure; or
4. Modifies or removes right-of-way, easements, access, drainage, utilities, or public improvements.

C. A replat may be used to reconfigure existing lots or tracts where no development or infrastructure modifications are proposed. A preliminary plat is not required.

D. A replat is required, with a preliminary replat, where:

1. Subdivision of land is associated with development;
2. Existing public or private infrastructure will be removed, relocated, or modified; or
3. Subdivision of land occurs prior to completion of required public improvements.

3. Application and Criteria for Approval

A replat must be reviewed and approved in accordance with the procedures and standards applicable to a final plat under this UDC, as applicable.

4. Additional Requirements for Residential Replats

A. Any residential replat that adds or deletes lots or relocates, revises, or removes an existing lot line must show the original lot lines on the replat, except where minimum yard variances have been granted as described in [Section 3.1.F.5.E. Minimum Yard Variances](#).

B. In addition to compliance with [Section 3.2.C.2. Applicability](#), final action on a residential replat may be taken only after a public hearing in accordance with [Section 3.2.A.6. Public Hearing](#) if:

1. During the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or
2. Any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.

5. Replatting of Duplex Lots

Where duplex lots are not platted in pairs, they may be further subdivided into two separate parcels. Each parcel may be used as an individual dwelling site, provided that:

- A.** The building permit for the original duplex housing was issued after June 3, 1983;
- B.** Only one dwelling unit is permitted per parcel; and
- C.** No detached housing may be constructed on a resubdivided parcel.

6. Effect of Approval and Dedication

- A.** An approved and signed replat must be recorded with the county as the official record of the resubdivision of land.
- B.** The recorded replat supersedes the previous plat with or without vacation of the previous plat and serves as the official record document for the affected lots.
- C.** The recorded replat may be used to:
 - 1.** Reference lots and property interests; and
 - 2.** Support conveyance and development in accordance with this UDC.

G. AMENDING PLAT**1. Purpose and Limitations**

The purpose of an amending plat is to allow minor corrections and limited modifications to a recorded plat without requiring a replat, where such changes do not materially affect property rights, infrastructure, or the overall subdivision layout.

2. Applicability

- A.** An amending plat may be used only when the proposed amendment is limited to one or more of the qualifying circumstances listed in [Section 3.2.G.3. Qualifying Circumstances](#). A proposal that does not meet those qualifying circumstances must be processed as a replat or other applicable plat type in accordance with this UDC.
- B.** The Director of Planning may approve and issue an amending plat that meets the qualifying circumstances upon petition by the applicant if it complies with this UDC.
- C.** An amending plat does not require notice, a public hearing, or approval of other lot owners.
- D.** The Director of Planning may refer any amending plat application to the Commission for consideration.

3. Qualifying Circumstances

An amending plat may be approved only when the sole purpose is one or more of the following:

- A.** To correct errors in courses, distances, or legal descriptions shown on a prior plat;
- B.** To add omitted courses or distances;
- C.** To correct scrivener or clerical errors, including lot numbers, acreage, street names, or references to adjacent plats;
- D.** To show the correct location or character of monuments, including monuments set after the original survey due to surveyor unavailability;
- E.** To correct errors in lot line dimensions between adjacent lots, where:
 - 1. All affected property owners join in the application;
 - 2. No lot is eliminated;
 - 3. No covenants or restrictions are removed; and
 - 4. No material adverse effect on other property rights of other owners in the plat results.
- F.** To relocate a lot line to resolve an inadvertent encroachment of a structure or improvement;
- G.** To relocate lot lines between adjacent lots where all affected owners join in the application, provided the amendment does not:
 - 1. Remove easements, rights-of-way, covenants, or restrictions; or
 - 2. Increase the number of lots;
- H.** To make limited changes to create six or fewer lots, provided that:
 - 1. The changes do not conflict with zoning or other applicable regulations;
 - 2. The changes do not remove easements, rights-of-way, covenants, or restrictions; and
 - 3. The area is located within a residential improvement area approved by the Commission following a public hearing; or
- I.** To amend one or more lots fronting an existing street, where:

1. All affected property owners join in the application;
2. The number of lots is not increased;
3. No new street is created; and
4. No extension of municipal infrastructure is required.

4. Application and Criteria for Approval**A. General Application**

The applicant must submit an application that includes all information required by the Amending Plat Checklist.

B. Criteria for Approval

The Plat Approval Authority may approve, conditionally approve, table, or disapprove an amending plat, or may refer to the Commission. If referred, the Commission may approve, conditionally approve, table, or disapprove the amending plat. An amending plat may be tabled only if final action can be taken within the applicable 30-day review period or within an extension period requested by the applicant. The decision must be based on compliance with the following standards:

1. The proposed amendment is limited to the correction or modification identified in the application and does not materially alter the overall subdivision layout;
2. The proposed amendment does not impair existing property rights, easements, rights-of-way, covenants, restrictions, public improvements, or access rights, except as allowed by this UDC;
3. All affected property owners have joined in or consented to the application where required;
4. The proposed amendment complies with applicable zoning, subdivision, infrastructure, and development standards;
5. No new street or extension of public infrastructure is required; and
6. All review comments and conditions necessary to comply with this UDC have been addressed.

5. Effect of Approval

- A.** An approved and signed amending plat must be recorded with the county as the official record of the amended lot or lots.
- B.** The recorded amending plat supersedes the previous plat with or without vacation of the previous plat and serves as the official record document for the affected lots.
- C.** The recorded amending plat may be used to reference lots and property interests.

H. PLAT VACATION**1. Purpose and Limitation**

A plat vacation allows for platted land to return to an unplatted and unsubdivided condition.

2. Applicability and Property Owner Authorization

- A.** The owner of a tract covered by a plat may vacate the plat at any time before any lot in the plat is sold by submitting a signed and acknowledged instrument declaring the plat to be vacated.
- B.** If lots in the plat have been sold, the plat, or any part of the plat, may be vacated on the application of all the owners of lots in the plat.
- C.** The instrument must be approved by the Plat Approval Authority and recorded in the manner prescribed for the original plat.

3. Application and Criteria for Approval

- A.** An application for plat vacation must be submitted by all owners of lots in the plat.
- B.** The Plat Approval Authority may impose reasonable conditions to protect public health, safety, and welfare consistent with state law.

4. Effect of Vacation

- A.** Upon approval and recordation of the instrument vacating the plat, the plat is considered void.
- B.** The vacated plat remains part of the official land records.
- C.** Vacation of plat does not entitle the property owner to a refund of fees or the return of property, improvements, or other consideration dedicated or conveyed to the City.
- D.** Any infrastructure capacity, development authorization, or other approval associated with the vacated plat's original series of permits terminates upon vacation, except as otherwise provided by law or as conditioned when the vacation is approved.

I. ADMINISTRATIVE PLAT NOTATION**1. Purpose and Limitations**

The purpose of administrative plat notation is to allow the Plat Approval Authority to review and approve certain easements recorded by separate instrument in connection with an approved site plan when no public improvements are required, without requiring a replat or amending plat.

2. Applicability and Documentation

Administrative plat notation may be used to document easements recorded by separate instrument for the following purposes:

- A.** The sharing of parking spaces by two or more properties;
- B.** The sharing of a solid waste enclosure by two or more properties; or
- C.** The provision of shared access where no public improvements are required.

3. Application and Criteria for Approval

- A.** Separate instrument documents must be submitted concurrently with an application for a site plan, revised site plan, substantially conforming site plan, or addendum site plan.
- B.** Easements recorded by separate instrument must be irrevocable except on approval of the City of Plano if the easement is no longer required.
- C.** No administrative plat notation will be approved by the Plat Approval Authority until the associated separate instrument has been reviewed and accepted by the City and recorded with the applicable county, with a copy returned to the City.

4. Effect of Approval

- A.** An approved administrative plat notation is part of the City's land records.
- B.** An approved administrative plat notation is not recorded in the county land records.

J. SUBDIVISION WAIVER

1. Purpose and Limitations

- A. The Commission may approve a Subdivision Waiver from these regulations where strict compliance would result in unreasonable hardship or where an alternative proposal better achieves the intent of these regulations, provided that:
 - 1. The Subdivision Waiver does not fully nullify the intent and purpose of these regulations; and
 - 2. The Commission makes the required findings based on the evidence presented for the specific case, including that:
 - A. Strict compliance would result in an unnecessary hardship due to the unique physical conditions of the property, including size, shape, or topography;
 - B. The hardship is unique to the property and is not generally applicable to other properties;
 - C. The proposed alternative achieves equal or better results consistent with the intent of these regulations;
 - D. The Subdivision Waiver is the minimum relief necessary to address the hardship or alternative design; and
 - E. Approval of the Subdivision Waiver will not be detrimental to the public health, safety, or welfare or injurious to other property.
- B. This section does not limit the authority of the Director of Engineering, Director of Planning, Fire Marshal, or other authorized City official to approve administrative modifications, design exceptions, alternative designs, or technical adjustments where expressly authorized by this UDC, the Street Design Standards, Engineering Construction Standards, Stormwater Design Manual, Water and Wastewater Design Manual, Fire Code, or other Council-adopted City standards.
- C. Where an applicant seeks relief from a required subdivision design standard or from the design or configuration of a required subdivision improvement, approval of a Subdivision Waiver by the Commission is required unless an administrative official is given specific authority to grant the request under another regulation, a Council-adopted manual, or other Council-adopted City standard.
- D. A request for relief from a development exaction must be processed in accordance with [Section 3.4.F. Relief from Development Exactions](#).

2. Applicability and Conditions

In approving a Subdivision Waiver, the Commission may require such conditions that will, in its judgment, secure substantially the purposes described in [Section 1.1.A.3. Purpose of Adoption](#) and [Section 3.1.A. Purpose](#).

3. Application and Criteria for Approval and Relationship to State Law

- A. A request for a Subdivision Waiver must be submitted in writing by the property owner once the initial development application demonstrates the need. The request must clearly identify the requirement from which relief is requested, state the grounds for the request, describe the proposed alternative, and include all supporting facts, plans, studies, or other evidence relied upon by the applicant.

B. Relationship to State Law

Any request for an exception or variance pursuant to Section 212.015 of the Texas Local Government Code will follow the Subdivision Waiver process.

K. SUBDIVISION PLAT APPEAL

1. Appeal of Decisions of the Director

The applicant or two members of the Commission or Council may appeal the decision of the Director of Planning to the Commission to approve or disapprove any type of plat or plat vacation.

2. Appeal of Decisions of the Commission

Appeal of a decision by the Commission to approve or disapprove any type of plat or plat vacation will be considered by district court.

3. Application and Procedures

- A.** A Notice of Appeal must be filed with the Director of Planning no later than 10 calendar days after the applicant is notified of the decision.
- B.** Notification of the decision may occur through an oral ruling by the Commission at a public meeting.
- C.** Written notice of the appeal must be provided to the property owner.
- D.** The Notice of Appeal must clearly and concisely state the basis for the appeal.
- E.** The Commission must consider the appeal at a public meeting within 45 days after the Notice of Appeal is filed.

4. Effect of Approval

The Commission may:

- A.** Affirm the decision;
- B.** Modify the decision;
- C.** Reverse the decision; or
- D.** Remand the plat to the Director of Planning for further proceedings consistent with its decision.

Section 3.3. Subdivision Development Standards

A. LAND USE CONTEXTS

1. Relationship to the Thoroughfare Plan Map

To facilitate subdivision and street designs that are appropriate for a variety of neighborhood, commercial, and mixed-use settings, the required subdivision and lot design will be governed by the Land Use Contexts in the Thoroughfare Plan Map of the Comprehensive Plan.

2. Context Areas

A. Neighborhood Context

Intended primarily for conventional detached housing, duplex housing, and townhouse residential neighborhoods and compatible residential development patterns in residential zoning districts, including neighborhood-serving uses such as clubhouses, golf courses, schools, religious facilities, parks, open space, and similar civic or recreational uses.

B. Commercial Context

Intended primarily for office, commercial, employment, institutional, and apartment development outside of mixed-use districts.

C. Mixed-Use Context

Intended for compact, walkable, mixed-use, and urban development patterns, including residential subdivisions and developments emphasizing pedestrian connectivity and integrated street networks.

D. Corner Context

Intended for areas where streets support improved connectivity and pedestrian safety at major intersections. Local and collector streets may incorporate on-street parking, street trees, wider sidewalks, and landscaped parkways to support small-lot redevelopment and low-rise corner revitalization.

E. Downtown Streets

Intended for development within Downtown Plano and surrounding areas where a compact, pedestrian-oriented, mixed-use, and urban street environment is required or encouraged.

3. Applicability Table

- A. Each Land Use Context is intended to support certain primary land uses for a particular development pattern; however, zoning districts and planned developments may allow alternative land uses that must be accommodated appropriately. These alternative uses may be subject to the frontage, access, and lot design requirements of another Land Use Context per the table below.
- B. For example, an area designated Commercial Context on the Thoroughfare Plan Map may be zoned primarily for retail shopping centers but also allow development of a residential subdivision. In this case, the standards of the Commercial Context are applicable if developed as a retail shopping center and the standards of the Neighborhood Context are applicable if developed with detached houses.

	<i>Detached Houses, Duplexes, Townhouses, Parks, & Schools</i>	<i>Apartments, including Mixed-use Residential</i>	<i>Nonresidential Uses</i>
<i>Neighborhood Context</i>	Detached houses, duplexes, townhouses, parks, and schools are primary development types. The standards of the Neighborhood Context are applicable.	Apartments are a secondary development type. The standards of the Mixed-Use Context are applicable.	Nonresidential uses are secondary uses. The standards of the Commercial Context are applicable.
<i>Commercial Context</i>	<p>Detached houses, duplexes, townhouses, parks, and schools are secondary development types. For narrow lot subdivisions, the standards of the Mixed-Use Context are applicable.</p> <p>For all other subdivisions, the standards of the Neighborhood Context are applicable.</p> <p>For parks and schools, the standards of either the Neighborhood or Mixed-Use Context are applicable based on adjacent development.</p>	Apartments are a secondary development type. The standards of the Mixed-Use Context are applicable.	Nonresidential development types are primary development types. The standards of the Commercial Context are applicable.
<i>Mixed-Use Context</i>	All development types are primary development types. The standards of the Mixed-Use Context are applicable.	Apartments are a primary development type. The standards of the Mixed-Use Context are applicable.	All development types are primary development types. The standards of the Mixed-Use Context are applicable.
<i>Corner Context</i>	<p>Detached houses, duplexes, townhouses, parks, and schools are secondary development types. The standards of the Mixed-Use Context are applicable to narrow lot subdivisions or when combined with nonresidential uses.</p> <p>For all other subdivisions, the standards of the Neighborhood Context are applicable.</p> <p>For parks and schools, the standards of either the Neighborhood or Mixed-Use Context are applicable based on adjacent development.</p>	Apartments are a secondary development type. The standards of the Mixed-Use Context are applicable.	<p>For stand-alone nonresidential subdivisions, the standards of the Commercial Context are applicable.</p> <p>Where combined with residential uses, the standards of the Mixed-Use Context are applicable.</p>
<i>Downtown Context</i>	All development types are primary development types. The standards of the Downtown Context are applicable.	Apartments are a primary development type. The standards of the Downtown Context are applicable.	All development types are primary development types. The standards of the Downtown Context are applicable.

- C. Where the applicable Land Use Context is unclear, where more than one Land Use Context could apply, or where a conflict exists between potential Land Use Contexts, the Director of Planning may designate the applicable Land Use Context based on the proposed land use, approved zoning or development exhibit, site design, surrounding development pattern, and the intent of the applicable standards.

B. CONTEXT STANDARDS**1. Neighborhood Context Standards****A. Applicability Table**

	<i>Detached Houses, Duplexes, Townhouses, Parks, & Schools</i>	<i>Apartments, including Mixed-use Residential</i>	<i>Nonresidential Uses</i>
<i>Neighborhood Context</i>	Detached houses, duplexes, townhouses, parks, and schools are primary development types. The standards of the Neighborhood Context are applicable.	Apartment are a secondary development type. The standards of the Mixed-Use Context are applicable.	Nonresidential uses are secondary uses. The standards of the Commercial Context are applicable.

B. Street Design

- Streets and alleys must be designed in accordance with the Neighborhood Context of the Street Design Standards, except that Type F and Type G streets with narrow lot subdivisions must comply with the Mixed-Use Context of the Street Design Standards.
- Mews streets are not appropriate in this context.
- The City may require any residential street built adjacent to a park, school, religious facility, or other nonresidential use to be widened to a Type F width to ensure access, to provide parking, and to prevent traffic congestion. In all cases, the City will approve the proposed street alignment fronting on these uses.

C. Subdivision Design**1. Public Entrance Streets**

- Where abutting a Type D or above thoroughfare, subdivisions with more than 50 lots must provide at least one primary public entrance street and one secondary entrance street designed in accordance with the Street Design Standards.
- If built in phases, the primary public entrance street must be provided in the first phase.
- Regardless of phased construction, neighborhoods of connected, contiguous subdivisions greater than 100 acres in size (including parks, schools, and floodplain areas) should be designed to include at least one primary entrance street along each Type D or above thoroughfare bounding the neighborhood.

2. Subdivision Connectivity

New subdivisions must provide vehicular and pedestrian connections to existing or planned streets, sidewalks, trails, and other connections in adjacent subdivisions where necessary to establish a connected neighborhood network. The Director of Engineering may approve an alternative where a connection is impractical due to topography, existing development, environmental constraints, public safety considerations, or other physical limitations.

3. Alley Required

All narrow lot subdivisions must provide an alley for access to residential lots.

4. Blocks

- Street/Block lengths must comply with the Street Design Standards.

- B. Measurement of block length is calculated from street right-of-way line to street right-of-way line on each side of the block. Area dedicated for right-of-way corner clips may be calculated towards the measurement.
- C. The Director of Planning may approve an alternative block design where fire, emergency, and public safety are maintained and:
 - 1. The subdivision has an irregular shape or constrained infill configuration;
 - 2. Permanent access is provided to an existing public park, trail, open space, or private amenity area serving the subdivision;
 - 3. The alternative block design provides an overall level of connectivity that is equal or greater than would be achieved under the otherwise applicable block standards;
 - 4. Existing natural features are incorporated into an interconnected usable space system that serves the subdivision;
 - 5. Pedestrian and vehicular access is maintained or improved; or
 - 6. The alternative block design does not unreasonably increase travel distances or adversely affect access to adjacent properties.

5. Usable Open Space

- A. Patio home and townhouse subdivisions with more than 50 residential lots in all phases must provide usable open space, unless otherwise required by the governing zoning district.
- B. Required usable open space must be provided as follows:
 - 1. An amount equal to or greater than 10% of the gross platted area of the subdivision, excluding rights-of-way for major thoroughfares Type E or larger and easements for floodways; or
 - 2. The amount required by the applicable planned development district or community design district.
- C. Usable open space must be designed in accordance with [Section 3.3.D Usable Open Space](#).

D. Lot Design**1. Minimum Lot Size, Depth, and Width**

Lots must comply with the required minimum lot size of the applicable zoning district and the minimum frontage requirements of this section.

2. Duplex Lot Configuration

Lots in zoning districts permitting duplex housing development may be platted in pairs such that a single structure containing two dwellings may be constructed on each pair of lots. The subdivision plat will designate the pairs of lots and which lot lines are to be the outside lot lines of each pair.

3. Frontage Standards

- A. Minimum Lot Frontage:
 - 1. Detached house and duplex lots: 24 feet
 - 2. Townhouse lots: 15 feet
 - 3. Lot lines abutting an alley: 20 feet
- B. All lots must have frontage along one of the following:
 - 1. An improved Type F or G Thoroughfare; or

- 2. A parallel access road along a Type A through Type D Thoroughfare
- C. Double-frontage and reversed frontage lots are prohibited, except where the rear lot line abuts any Type A through Type E Thoroughfares and thoroughfare screening is provided in accordance with [Section 2.7.H. Screening, Buffering, and Fencing](#).
- D. Where a lot abuts a roundabout or traffic circle, sufficient frontage must be provided along an adjacent Type F or Type G street to accommodate a driveway location that meets the Street Design Standards.
- E. Lots located in the corner of a subdivision must provide frontage through one of the following:
 - 1. A public street or street segment that serves no more than three lots;
 - 2. An eyebrow or bulbout that provides at least 15 feet for turning movements; or
 - 3. For lots located along a street elbow, a shared driveway that serves no more than two lots and accommodates parking and turning movements outside of the public street.

4. Access Standards

- A. Vehicular access to a lot abutting a divided Type D Thoroughfare is only permitted where the access complies with the Street Design Standards.
- B. Lots may not be configured with direct vehicular access to more than one street. Where a lot abuts a major thoroughfare and a local street, vehicular access must be limited to the local street and direct access to the thoroughfare is prohibited.
- C. Vehicular access to a lot abutting a Type E Thoroughfare is permitted only where:
 - 1. The lot has a minimum lot width of 100 feet;
 - 2. A front yard setback of 50 feet is provided on the plat; and
 - 3. A circular driveway or other on-site maneuvering area is provided that allows vehicles to enter and exit the Type E Thoroughfare in a forward direction without using the street for maneuvering.
- D. Lots within a narrow lot subdivision must only be served by alley access.
- E. Direct vehicular access from a roundabout or a traffic circle is prohibited. A lot abutting a roundabout or traffic circle must take vehicular access from another abutting street and must have sufficient frontage to provide a driveway that complies with the applicable separation requirements of the Street Design Standards.
- F. With approval by the Director of Planning, parks and open space lots may be served by pedestrian access only.

2. Commercial Context Standards

A. Applicability Table

	<i>Detached Houses, Duplexes, Townhouses, Parks, & Schools</i>	<i>Apartments, including Mixed-use Residential</i>	<i>Nonresidential Uses</i>
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<i>Commercial Context</i>	<p>Detached houses, duplexes, townhouses, parks, and schools are secondary development types. For narrow lot subdivisions, the standards of the Mixed-Use Context are applicable.</p> <p>For all other subdivisions, the standards of the Neighborhood Context are applicable.</p> <p>For parks and schools, the standards of either the Neighborhood or Mixed-Use Context are applicable based on adjacent development.</p>	<p>Apartments are a secondary development type. The standards of the Mixed-Use Context are applicable.</p>	<p>Nonresidential development types are primary development types. The standards of the Commercial Context are applicable.</p>
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B. Street Design

- Streets must be designed in accordance with the Commercial Context of the Street Design Standards.
- Type G and Mews streets are prohibited in the Commercial Context unless approved through a Subdivision Waiver in accordance with [Section 3.2.J. Subdivision Waiver](#) or authorized by a Planned Development District.
- Streets carrying nonresidential traffic, especially truck traffic, will not normally be extended to the boundaries of adjacent existing or future residential areas.

C. Subdivision Design

1. Public Entrance Streets

Public entrance streets are not required.

2. Usable Open Space

Usable open space is not required unless otherwise required by the governing zoning district, in which case it must be designed in accordance with [Section 3.3.D. Usable Open Space](#).

3. Blocks

Street/Block length must comply with the Street Design Standards.

D. Lot Design

1. Minimum Lot Size, Width, and Depth

A. Lots must comply with the minimum lot standards of the zoning district and the frontage standards of this section.

B. Flag lots must have a minimum lot area of two acres.

2. Frontage Standards

A. Standard Lots

- Where abutting a Type A through Type D Thoroughfare, lots must have a minimum frontage of 150 feet.
- Where abutting a Type E through Type G Thoroughfare, lots must have a minimum frontage of 100 feet.

B. Corner Lots

1. Where abutting the intersection of two Type A through Type E Thoroughfares, lots must have a minimum frontage of 175 feet along each thoroughfare.
2. All other corner lots must comply with the applicable frontage requirement for each abutting street, unless otherwise approved by the Director of Planning.

C. Flag Lots

1. Flag lots must have a minimum lot frontage of 24 feet.
2. Flag lots must have at least one direct point of access from a street.
3. The required frontage and direct access must be provided through the flag stem. A flag lot may not rely solely on an access easement to satisfy the direct street access requirement.

D. Double Frontage Lots

Where a non-corner lots abuts two or more streets, the minimum frontage applies to the thoroughfare with the highest functional classification.

3. Access Standards

- A. Vehicular access must be provided in accordance with UDC, the Street Design Standards, and any applicable approved development plan.
- B. Access to a Type A Thoroughfare is prohibited. Parallel service roads to a Type A Thoroughfare will be considered a Type C Thoroughfare.
- C. Access to a Type G Thoroughfare is prohibited, but may be approved by the Director of Planning where access cannot be reasonably achieved on other abutting thoroughfares.
- D. Two points of access are required subject to the following:
 1. At least one point of access must be directly from a street. A driveway access split by the lot line and shared with the adjacent property may satisfy this requirement.
 2. A second point of access may be provided through an access easement where approved by the Director of Engineering.
 3. The Commission may approve a lot with only one point of access for a flag lot or where, due to topography, property configuration, existing development, infill or redevelopment conditions, environmental constraints, or other physical or legal limitations, a second point of access cannot reasonably be provided and traffic safety and fire protection are adequate. A second point of access cannot be denied solely because the applicant chooses not to pursue an available access connection. A recommendation will be provided by the Fire Marshal.
- E. Where abutting a median-divided street, all lots must have access to a median opening. Access to a median opening may be provided directly or through an approved access easement where approved by the Director of Engineering.
- F. All lots abutting a Type E or above street must provide access easements allowing cross-connectivity between adjacent lots.

3. Mixed-Use Context Standards**A. Applicability Table**

	<i>Detached Houses, Duplexes, Townhouses, Parks, & Schools</i>	<i>Apartments, including Mixed-use Residential</i>	<i>Nonresidential Uses</i>
<i>Mixed-Use Context</i>	All development types are primary development types. The standards of the Mixed-Use Context are applicable.	All development types are primary development types. The standards of the Mixed-Use Context are applicable.	All development types are primary development types. The standards of the Mixed-Use Context are applicable.

B. Street Design

- Streets must be designed in accordance with the Mixed-Use Context of the Street Design Standards.
- The City may require the sidewalk abutting a park, school, or public open space to be widened to 10 feet.
- Developments over five acres must provide an internal public, quasi-public, or private street network that separates the development into multiple blocks in accordance with the Street Design Standards.
- Streets within the Mixed-Use Context must be arranged in a connected grid or modified grid pattern.
- Cul-de-sac streets are prohibited.
- A mews street serving residential lots must not also serve nonresidential or apartment lots.

C. Subdivision Design**1. Public Entrance Streets**

- Where a mixed-use development over 10 acres abuts a major arterial, at least one primary entrance street is required.
- A primary entrance street must be designed as a Type F or above street.

2. Usable Open Space

- No usable open space is required for subdivisions with less than 50 total residential lots in all phases, unless otherwise required by the governing zoning district.
- For subdivisions with 50 or more residential lots, or where otherwise required by the applicable zoning district, usable open space must be provided as follows:
 - An amount equal to or greater than 10% of the gross platted area of the subdivision, excluding rights-of-way for major thoroughfares Type E or larger and easements for floodways; or
 - The amount required by the applicable planned development district or community design district.
- Usable open space must be designed in accordance with [Section 3.3.D. Usable Open Space](#).

3. Blocks

Street/Block Lengths must comply with the Street Design Standards.

D. Lot Design**1. Minimum Lot Size, Width, and Depth**

- Lots must comply with the minimum lot standards of the zoning district and the frontage standards of this section.
- Flag lots are prohibited.

2. Frontage Standards**A. Minimum Lot Frontage**

1. Nonresidential lots: 50 feet
2. Apartment lots: 50 feet
3. Residential lots: 15 feet

B. Apartment and nonresidential lots must have frontage along a Type B through Type G Thoroughfare. Secondary frontage may be provided along a mews street, paseo, shared street, or usable open space lot.

C. Residential lots must have primary frontage along one or more of the following:

1. Type F through Type G Throughfares;
2. Type D through Type E Thoroughfares, where approved by an adopted small area plan.
3. A mews street, subject to the following:
 - A.** No more than 50% of the residential lots within a development may have primary frontage solely along a mews street. Any additional lot served by the mews must have primary frontage and pedestrian access along a common open pace, courtyard, paseo, trail, natural area, or other landscape feature intended for recreational or environmental conservation purposes, with vehicular access provided from the mews at the rear of the lot;
 - B.** When a development is constructed in phases, 50% of the residential lots within each phase may have primary frontage solely along a mews street. Lots having primary frontage solely along a mews street in adjoining phases must not be contiguous across the phase boundary; and
 - C.** Where the Director of Engineering determines that a mews-oriented residential lot adjacent to a Type B or C Thoroughfare could appear to front onto the thoroughfare, the lot must maintain its primary frontage away from the thoroughfare. A fence or wall meeting City standards must be provided along the lot line adjoining the Type B or C Thoroughfare. Direct vehicular access to the Type B or C Thoroughfare is prohibited.
4. A paseo, subject to the following:
 - A.** Each residential lot fronting a paseo must also have frontage on a street or alley;
 - B.** No more than 50% of residential lots within a residential subdivision or mixed-use development may directly front a paseo;
 - C.** The plat, site plan, development exhibit, covenants, governance association documents, or other approved instrument must identify the entity responsible for ownership, access, and maintenance of the paseo; and
 - D.** The City is not responsible for maintenance of a paseo unless the paseo is accepted by the City as public right-of-way.
5. An open space lot, subject to the following:
 - A.** Lots that front onto open space rather than onto a Type F or G Thoroughfare must back to a mews. When such open space is adjacent to a Type B or C Thoroughfare, the distance between the front of the lot and the right-of-way line of the Thoroughfare must be a minimum of 50 feet.

- B. If there is a residential use, the sidewalk from the front door of each home must not connect directly to the public sidewalk along the Type B or C Thoroughfare. Each home's sidewalk must connect to a privately maintained, communal sidewalk that is separated from the parallel public sidewalk by at least 20 feet.
- 6. Residential lots must not front onto a shared street, as defined in the Street Design Standards, except where approved by the Director of Planning and Director of Engineering based on site constraints, infill or redevelopment conditions, or consistency with the Street Design Standards.
- 7. Double frontage and reversed frontage residential lots are prohibited, except where necessary to separate residential development from Type A, Type B, or Type C Thoroughfares and where thoroughfare screening is provided in accordance with [Section 2.7.H. Screening, Buffering, and Fencing](#).

3. Access Standards**A. Nonresidential and Apartment Lots:**

- 1. Two points of access are required subject to the following:
 - A. At least one point of access must be directly from a street. Driveway access split by the lot line and shared with the adjacent property may satisfy this requirement.
 - B. A second point of access may be provided through an access easement where approved by Director of Engineering.
- 2. Where abutting a median-divided street, all lots must have access to a median opening. Access to a median opening may be provided directly or through an approved access easement where approved by the Director of Engineering.
- 3. With approval by the Director of Planning, parks and open space lots may be served by pedestrian access only.

B. Residential Lots:

- 1. Residential lots must not be configured as through lots with direct vehicular access to more than one street. Where lots abut a major thoroughfare and a local street, access must be limited to the local street, and direct access to the thoroughfare is prohibited.
- 2. Vehicular access may be provided from a Type F or G Thoroughfare, mews, or alley.
- 3. Direct vehicular access to Type A through Type E Thoroughfares is prohibited.

4. Corner Context Standards

A. Applicability Table

The Corner Context is a flexible area that defers to the standards of another Land Use Context as outlined in the following table:

	<i>Detached Houses, Duplexes, Townhouses, Parks, & Schools</i>	<i>Apartments, including Mixed-use Residential</i>	<i>Nonresidential Uses</i>
<i>Corner Context</i>	<p>Detached houses, duplexes, townhouses, parks, and schools are secondary development types. The standards of the Mixed-Use Context are applicable to narrow lot subdivisions or when combined with nonresidential uses.</p> <p>For all other subdivisions, the standards of the Neighborhood Context are applicable.</p> <p>For parks and schools, the standards of either the Neighborhood or Mixed-Use Context are applicable based on adjacent development.</p>	<p>Apartments are a secondary development type. The standards of the Mixed-Use Context are applicable.</p>	<p>For stand-alone nonresidential subdivisions, the standards of the Commercial Context are applicable.</p> <p>Where combined with residential uses, the standards of the Mixed-Use Context are applicable.</p>

B. Street, Subdivision, and Lot Design

Streets, subdivisions, and lots must be designed in accordance with the applicable Land Use Context as described in the applicability table.

5. Downtown Context Standards

A. Applicability Table

	<i>Detached Houses, Duplexes, Townhouses, Parks, & Schools</i>	<i>Apartments, including Mixed-use Residential</i>	<i>Nonresidential Uses</i>
<i>Downtown Context</i>	All development types are primary development types. The standards of the Downtown Context are applicable.	All development types are primary development types. The standards of the Downtown Context are applicable.	All development types are primary development types. The standards of the Downtown Context are applicable.

B. Street Design

- Streets must be designed in accordance with the Downtown Streets Section of the Street Design Standards, as follows:

A. Downtown Couplet and Gateway Corridors

- The Downtown Couplet and Gateway Corridors identified on the Thoroughfare Plan Map may require development agreements, land dedication, or improvements by the developer addressing items such as:
 - Dedication of right-of-way or comparable easement,
 - Sidewalk widening,
 - Street lights, and
 - On-street parking and street trees.

B. Local Streets

1. Local Streets are to be constructed at the time of development.
2. New local streets must be dedicated in locations designated by the Thoroughfare Plan Map.

C. Alleys

1. Alleys must be preserved, extended, or provided where necessary to support service access, parking access, utilities, or the downtown development pattern.
2. Where alley access is available, vehicular access should be taken from the alley unless the Director of Engineering determines that alley access is not practical due to safety, utility, drainage, or operational constraints.
2. Downtown subdivisions and developments must provide pedestrian connections to adjacent streets, sidewalks, trails, paseos, public parking areas, transit stops, civic spaces, and open spaces.
3. Pedestrian connections must be provided through sidewalks, pedestrian easements, paseos, alleys designed for pedestrian use, or other facilities approved by the Director of Planning and, where located within public right-of-way or affecting public infrastructure, the Director of Engineering.
4. Cul-de-sac streets are prohibited.

C. Subdivision Design**1. Public Entrance Streets**

Public Entrance Streets are not required.

2. Usable Open Space

- A. No usable open space is required for subdivisions with less than 50 total residential lots in all phases, unless otherwise required by the governing zoning district.
- B. For subdivisions with 50 or more residential lots, or where otherwise required by the applicable zoning district, usable open space must be provided as follows:
 1. An amount equal to or greater than 10% of the gross platted area of the subdivision, excluding rights-of-way for major thoroughfares Type E or larger and easements for floodways; or
 2. The amount required by the applicable planned development district or community design district.
- C. Usable open space must be designed in accordance with [Section 3.3.D Usable Open Space](#).

3. Blocks

- A. Street/block length must comply with the Street Design Standards.
- B. Blocks must be arranged to maintain or extend the existing downtown street grid where practical.
- C. The Plat Approval Authority may approve an alternative block layout based on determinations by the Director of Planning and Director of Engineering where:
 1. Existing development patterns prevent strict compliance;
 2. Historic lot or block patterns are being preserved;
 3. The alternative improves pedestrian connectivity;
 4. The alternative supports redevelopment of constrained infill property; or
 5. Public access is provided through paseos, pedestrian easements, alleys, or other connections.

D. Lot Design**1. Minimum Lot Size, Width, and Depth**

- A.** Lots must comply with the minimum lot standards of the zoning district and the frontage standards of this section.
- B.** Flag lots are prohibited.

2. Frontage Standards

- A.** Lots fronting the following streets must have a minimum lot frontage of 20 feet:
 - 1.** 15th Street, between DART ROW and Municipal Avenue.
 - 2.** K Avenue, between 15th Place and Vontress Drive.
 - 3.** South side of 15th Place.
 - 4.** J Avenue, between 14th Street and 15th Street.
- B.** All other nonresidential and apartment lots must have a minimum lot frontage of 50 feet.
- C.** Residential lots must comply with the minimum street frontage standards of the Neighborhood Context.
- D.** Residential lots must not have primary frontage on the Downtown Couplet.

3. Access Standards

- A.** Two points of access are required.
- B.** The Director of Planning may approve no direct point of access for properties located within the Downtown Heritage Resource District if it is deemed the site is sufficiently served by pedestrian access.
- C.** Access to the Downtown Couplet from a residential lot is prohibited.

C. LOT DIMENSIONS AND GEOMETRY

- 1.** Buildable lots must comply with the minimum lot dimensions of the applicable zoning district and the minimum frontage requirements of this UDC.
- 2.** Side lot lines should be at right angles to streets or radial to curved street lines. The Director of Planning may approve an alternative lot line orientation where the alternative results in a better street layout, lot arrangement, or overall subdivision design.
- 3.** Lots must be configured to ensure feasible access, drainage, utility service, and development consistent with this UDC.
- 4.** Driveway access to buildings must be provided from an approved street, alley, or public way.
- 5.** All platted lots must have frontage on an improved street or public way that is connected to a major thoroughfare by an improved street network.
- 6.** A subdivision may not create remnant, remainder, or reserve lots that are not capable of being developed, maintained, or incorporated into the subdivision design.

D. USABLE OPEN SPACE

1. Usable open space must:
 - A. Be designed as an integrated part of the subdivision and may include greens, courtyards, plazas, paseos, pocket parks, trail connections, natural areas, seating areas, playgrounds, recreational areas, or similar spaces approved by the Director of Planning;
 - B. Be accessible to the lots it serves by sidewalk, trail, paseo, shared-use path, common access easement, or other pedestrian connection approved by the Director of Planning;
 - C. Be visible from a street, sidewalk, trail, paseo, common area, or other active area;
 - D. Avoid isolated or leftover areas that do not serve an identifiable residential, recreational, pedestrian, stormwater, or open space purpose;
 - E. Support pedestrian connectivity within the subdivision and to adjacent streets, parks, trails, open space, or civic areas where such connections are available; and
 - F. Include amenities, landscaping, natural features, recreational improvements, or other design features appropriate to the size, context, and intended users of the subdivision.
2. When usable open space is required in a subdivision, all residential lots must be within 600 feet of usable open space, measured along a street, sidewalk, trail, paseo, shared-use path, or other approved pedestrian route.
3. Ownership and maintenance of required usable open space must be identified on the plat, site plan, development plan, covenants, governance association documents, or other instrument approved by the City.

E. COMMON AREAS, PRIVATE AMENITIES, AND PERMANENT BEST MANAGEMENT PRACTICES**1. Common Areas**

- A. Common areas not meeting the dimensional requirements for a lot in the associated zoning district must be dedicated as easements to a governance association.

B. Common Area Lots

1. Common areas that meet the dimensional requirements for a lot in the associated zoning district must be established as common area lots and meet all of the following requirements:
 - A. The common area lot is owned in fee and maintained by a governance association;
 - B. The common area lot is used for open space, drainage, amenities, access, utilities, landscape areas, amenity centers, clubhouses, private or quasi-public streets, or similar subdivision purposes;
 - C. The common area lot is part of the overall subdivision design and is not used solely to create an unbuildable remnant or remainder lot; and
 - D. The configuration of the common area lot allows the lot to be developed as buildable lots if the governance association becomes defunct.
2. The Director of Planning may deny a request for a common area lot that places an undue financial burden on the governance association relative to the number of lots within the association.
3. Common area lots must:
 - A. Be designated with an "X" following the lot number on the plat, such as Lot 1X;
 - B. Be identified on the plat by intended use; and
 - C. Identify the governance association responsible for ownership and maintenance.

Practices

- C. The plat must include language designating ownership and maintenance responsibility of common areas to a governance association.

2. Governance Association Required

- A. Developments with commons areas, quasi-public streets, and private streets must establish a governance association.
- B. The governance association will own and maintain:
 - 1. Common area easements and lots and associated improvements;
 - 2. Quasi-public or private streets and associated improvements; and
 - 3. A reserve fund sufficient to manage, maintain, repair, and replace association-maintained improvements in accordance with City standards.
- C. The association documents must include:
 - 1. Adequate provisions to require easement interests held by the governance association to be transferred to the adjoining property owner if the association becomes defunct.
 - 2. Mandatory membership for all property owners;
 - 3. Description of responsibilities and property interests;
 - 4. Governance bylaws;
 - 5. Maintenance covenants that run with the land;
 - 6. Responsibility for insurance and taxes;
 - 7. Authority to collect dues, increase dues, impose assessments, and place liens; and
 - 8. Establishment of a maintenance reserve fund, if required, for any amenities, permanent Best Management Practices (BMPs), or private streets.
- D. The association documents must be reviewed and approved by the City Attorney prior to approval of a preliminary plat for compliance with this UDC and other applicable City ordinances.
- E. The association documents must be filed of record before final plat approval.
- F. Lot deeds must:
 - 1. Convey membership in the association; and
 - 2. Provide for payment of dues and assessments required by the association.
- G. The association may not be dissolved without prior written consent of the City.
- H. Association document provisions may not be amended without written consent of the City if the provisions are required by this UDC.

3. Maintenance Responsibility for Non-Public Facilities

- A. The plat, governance association documents, maintenance agreement, easement, deed restriction, or other instrument approved by the City must identify the entity responsible for ownership and maintenance of non-public facilities.
- B. The City is not responsible for the ownership, operation, maintenance, repair, or replacement of a non-public facility unless the facility is expressly dedicated to and accepted by the City.

Practices

4. Provision of Amenities or Permanent Best Management Practices**A. Applicability and Submittal Requirements**

Where amenities or permanent Best Management Practices (BMPs) are proposed as part of a subdivision or development and are owned and maintained in common by property owners; maintained through a governance association; or dedicated to the City and maintained publicly or privately by agreement, the City may require the following:

1. Plans and illustrations of the proposed amenities or permanent BMPs;
2. Cost estimates for construction, maintenance, and operation;
3. Association documents, deed restrictions, contracts, and agreements; and
4. Provision of surety for maintenance and related expenses.

B. Design Standards

Permanent BMPs must conform to Stormwater Quality Requirements and other applicable City design standards.

C. City Approval of Public Amenities

1. Prior to approval of the plat, the applicable City Director must provide approval for any public amenity that is:
 - A. Located on land proposed for dedication to the City; or
 - B. Located on private property but proposed to involve City maintenance, City funding, public access, or use of City property.
2. The applicable City Director may deny any such proposed amenity.

D. Completion Requirements

All amenities and permanent BMPs must be completed and in place prior to:

1. Acceptance of public improvements by the Director of Engineering;
2. Issuance of a Certificate of Occupancy; and
3. Occupancy of residential structures.

E. Governance Association Required

Any subdivision with common amenities or permanent BMPs must establish a governance association in accordance with [Section 3.3.E.2. Governance Association Required](#).

F. Notice to Purchasers

Builders must post and maintain notice stating that a governance association has been established, that membership is mandatory, and which amenities and permanent BMPs are to be owned and maintained by the association in:

1. Model homes and sales offices; and
2. Open space areas larger than 20,000 square feet.

G. Maintenance Reserve Fund

Prior to transfer of the association to lot owners, the developer must provide a reserve fund equal to two months of dues based on full buildout.

Practices

H. Association Activation and Transfer

Upon transfer of control to the association, the developer must:

1. Transfer control of utilities related to common property, amenities, and permanent BMPs; and
2. Disclose total costs to date for operation and maintenance of these facilities.

Section 3.4. Public Improvement Review and Construction Procedures

A. ENGINEERING PLAN REVIEW AND RELEASE

1. Purpose and Approval

- A.** The purpose of this section is to establish the procedure for review and release of civil engineering plans required for the construction of public improvements, private improvements affecting public infrastructure, utility extensions, drainage facilities, access improvements, and other improvements required by this UDC.
- B.** Except as otherwise provided by this UDC, prior to the Chair of the Planning & Zoning Commission or Director of Planning signing a recordable plat, all required public improvements must be completed, inspected, and accepted by the City through the Director of Engineering.
- C.** No person may begin construction of public improvements, work within public right-of-way or public easements, private improvements affecting public infrastructure, land-disturbing activity, grading, drainage work, paving, utility construction, or other construction activity regulated by this section until the Director of Engineering has released the applicable civil engineering plans and issued the required engineering construction permit or written authorization.

2. Required Improvements

- A.** Required improvements include improvements necessary to serve the subdivision, development, approved phase, or building site, including:
 - 1. Streets, alleys, sidewalks, trails, traffic control devices, street lighting, and related transportation improvements;
 - 2. Water systems;
 - 3. Wastewater systems;
 - 4. Stormwater management and drainage facilities;
 - 5. Fire access and fire protection infrastructure;
 - 6. Required landscaping, screening, park, trail, or open space improvements where required by this UDC or an approved agreement; and
 - 7. Permanent Best Management Practices (BMPs), where required for stormwater management or stormwater quality.
- B.** Required public improvements may include the extension, upgrade, replacement, or rehabilitation of existing infrastructure necessary to support development or the approved phase.
- C.** Required improvements must be constructed in accordance with the approved plat, released civil engineering plans, this UDC, applicable design manuals, Engineering Construction Standards, and other applicable City requirements.

3. Evaluation for Adequate Public Facilities

Subdivisions must provide adequate public facilities as determined in [Section 3.6. Adequate Public Infrastructure Studies](#).

4. Plans Prepared by Engineer

- A.** Civil engineering plans must be prepared by, or under the supervision of, a professional engineer licensed in the State of Texas. Plans or plan components within the lawful scope of practice of another licensed design professional, including a registered architect, registered landscape architect, or registered professional land surveyor, may be prepared by that professional as authorized by state law.

A. Engineering Plan Review and Release

- B.** The design professional responsible for the plans is responsible for the accuracy, completeness, and compliance of the plans with applicable laws, this UDC, adopted design manuals, Engineering Construction Standards, approved plans, and other applicable City requirements. The City review or release of civil engineering plans does not transfer design responsibility to the City and does not create City responsibility for the accuracy or adequacy of the design.

5. Submittal Requirements

- A.** The applicant must submit civil engineering plans, calculations, studies, reports, easement documents, cost estimates, and supporting materials in accordance with the applicable City checklists, design manuals, Engineering Construction Standards, and administrative procedures.
- B.** The Director of Engineering may determine that a submittal is incomplete and return the submittal without full review if required plans, calculations, studies, reports, signatures, seals, easements, fees, or supporting materials are missing or insufficient for review.
- C.** Plans submitted for preliminary review must:
1. Be dated;
 2. Include the responsible design professional and firm;
 3. Include the applicable registration number or license information; and
 4. Include a notation that the plans are submitted for review and are not released for construction.

D. Final Plan Requirements

Final civil engineering plans must bear the seal, signature, and date of the responsible design professional as required by state law and must include all information required by the applicable City checklist, design manual, Engineering Construction Standards, and administrative procedures.

6. Review Procedures and Release for Construction

A. Director of Engineering Authority

1. The Director of Engineering is responsible for review, approval, conditional approval, denial, release, revision, and interpretation of civil engineering plans for public infrastructure, drainage, utilities, roadway geometry, traffic operations, construction standards, public safety, and improvements proposed for City acceptance.
2. Review of fire access, fire protection infrastructure, and fire flow must be conducted in consultation with the Fire Marshal.

B. Plan Release for Construction

The Director of Engineering may release civil engineering plans for construction after:

1. Final approval of the preliminary plat through the Planning department;
2. All required inspection fees and other applicable fees have been paid;
3. The plans comply with this UDC, the Water and Wastewater Design Manual, Street Design Standards, Stormwater Design Manual, Engineering Construction Standards, Fire Code, and other applicable City standards; and
4. Required studies, calculations, reports, easements, dedications, agreements, permits, fees, and financial security have been submitted or approved, as applicable.

B. Construction and Acceptance Procedures

C. Phased Release

1. The Director of Engineering may release civil engineering plans on a phased basis when the Director determines that the phase can be constructed independently or with approved temporary measures and will not adversely affect access, drainage, utilities, traffic operations, fire access, fire protection infrastructure, public safety, adjacent property, or future development of other tracts. Phased releases must comply with the applicable phasing requirements.
2. Each phase must be submitted, reviewed, and permitted independently. The Director of Engineering may require an improvement agreement, temporary improvement, additional easement, construction sequencing plan, traffic control plan, erosion control plan, or other measure necessary to support phased release.

D. Construction Set Requirement

Upon release of civil engineering plans, the contractor must always maintain one complete set of City-released plans on the construction site during construction. The plans must be available for inspection by the City.

E. Applicability to Plans without Preliminary Plat

This plan review procedure also applies when plans are submitted with a final plat because a preliminary plat is not required under this UDC or a Subdivision Waiver from the preliminary plat requirement has been approved in accordance with [Section 3.2.J. Subdivision Waiver](#).

F. Failure to Commence Construction

If construction has not commenced within one year after approval of the plans, the Director of Engineering may require resubmittal, revision, or additional review of released plans if any of the following apply:

1. The applicable plat, site plan, development approval, permit, or agreement has expired or been modified;
2. Applicable construction standards for public works located on public lands or easements have changed;
3. Existing site conditions, infrastructure conditions, drainage conditions, traffic conditions, utility conflicts, or public safety conditions have materially changed such that construction under the current plans would lead to imminent destruction of property or injury to persons;
4. The proposed development or construction phasing has changed; or
5. Any refund, credit, forfeiture, reassessment, or reissuance of fees or permits will be determined in accordance with the City's adopted fee schedule and applicable administrative procedures.

B. CONSTRUCTION AND ACCEPTANCE PROCEDURES

1. Preconstruction Conference

- A. A preconstruction conference is held to review applicable City requirements, approved plans, inspection procedures, construction sequencing, erosion control, traffic control, utility coordination, public safety requirements, fire access, site stabilization, and other conditions of construction.
- B. The property owner, developer, contractor, design professional, and other parties responsible for construction must attend the preconstruction conference when required by the Director of Engineering. A review of construction activities affecting fire access, fire protection infrastructure, or fire flow must be conducted in consultation with the Fire Marshal.
- C. The Director of Engineering may require a preconstruction conference prior to:
 1. Release of the engineering construction permit; and

B. Construction and Acceptance Procedures

2. Any clearing, grubbing, grading, utility work, paving or construction of public improvements performed by a contractor.

2. Inspection of Improvements

A. Inspection and Compliance

1. Construction of all required public improvements, and any private improvements proposed for City acceptance or affecting public infrastructure, is subject to inspection, testing, and approval by the Director of Engineering.
2. All improvements must conform to:
 - A. The City's Engineering Construction Standards;
 - B. Approved engineering plans; and
 - C. Other applicable requirements of this UDC, approved agreements, permits, City design manuals, and City standards.
3. The property owner or contractor must request inspections at stages required by the Director of Engineering and must provide reasonable access to the site for inspection.
4. The City may conduct periodic inspections during construction to verify compliance with approved plans, specifications, testing requirements, and applicable City standards.
5. Work requiring inspection must not be covered or placed into service until inspection has occurred or the Director of Engineering has otherwise authorized the work to proceed.
6. The Director of Engineering may require materials testing, retesting, special inspection or third-party inspection services where necessary to verify compliance with approved plans, specifications, or City standards.
7. City inspection, testing, or observation does not relieve the property owner, developer, contractor, design professional, or other responsible party from responsibility for proper design, construction, materials, means, methods, safety, or compliance with approved plans and City standards.

B. Plan Revisions and Field Changes During Construction

1. Construction must conform to the released civil engineering plans.
2. Any material revision, field change, substitution, or deviation from approved plans must:
 - A. Be prepared by the engineer of record or another licensed design professional authorized by the property owner;
 - B. Be clearly documented; and
 - C. Be approved by the Director of Engineering prior to implementation.
3. Emergency field changes necessary to protect public safety, maintain utility service, or prevent damage to public infrastructure or adjacent property may proceed when authorized by the Director of Engineering. Revised documentation must be submitted as soon as practicable.

C. Correction of Deficiencies

If the Director of Engineering determines that public improvements are not constructed in accordance with approved plans, City standards, approved agreements, permits, or applicable requirements:

1. The property owner must correct or complete the improvements;

B. Construction and Acceptance Procedures

2. Deficiencies identified during inspection, testing, final walkthrough, or review of record drawings must be corrected prior to acceptance of the public improvements;
3. The Director of Engineering may require nonconforming work to be removed, replaced, reconstructed, uncovered, tested, retested, or otherwise corrected; and
4. The City may withhold acceptance, release of surety, issuance of permits, certificates of occupancy, or other development approvals to the extent authorized by this UDC and applicable law until required corrections are completed.

3. As-Built Plans Required

- A.** The City will not accept dedication of required public improvements until the applicant's engineer or surveyor has certified to the Director of Engineering that all required public improvements have been completed through submission of detailed record drawings (also called "as-builts") of the property in the format required by the Director of Engineering, indicating location, dimensions, materials, and other information required by the Director of Planning or the Director of Engineering.
- B.** The record drawings must show the following:
 1. All public improvements and any other improvements as shown on the approved engineering plans, including plat, site plan, paving, drainage, stormwater quality, water, sanitary sewer, screening wall, landscape, and irrigation;
 2. Layout of the lines and grades of all public improvements in accordance with approved engineering plans for the plat;
 3. All changes made in the approved engineering plans during construction; and
 4. A "record drawing statement" on each sheet of the approved engineering plans bearing the name of the engineer and the date.
- C.** Final record drawings must be prepared, signed, and sealed by the engineer of record or other licensed design professional as required by state law and City requirements.

4. Full Completion and Acceptance of Improvements

A. Purpose of Acceptance

1. Formal written acceptance of public improvements by the City indicates that the accepted public improvements have been completed to the satisfaction of the Director of Engineering and are accepted for City ownership, operation, and maintenance, subject to any required maintenance, warranty, correction, repair, or other continuing obligations.
2. Formal written acceptance of public improvements does not constitute acceptance of private improvements, residential lot improvements, temporary improvements, or other improvements not expressly accepted by the City.

B. Requirements of Acceptance

The Director of Engineering may accept public improvements when:

1. The improvements have been completed, inspected, and tested in accordance with approved civil engineering plans, City standards, approved agreements, permits, and applicable requirements;
2. All deficiencies identified by the City have been corrected, unless otherwise authorized under this section;
3. Required final record drawings and closeout documents have been submitted and accepted;

B. Construction and Acceptance Procedures

4. Required easements, rights-of-way, bills of sale, dedications, or other instruments necessary for City ownership, operation, access, and maintenance have been provided in a form acceptable to the City; and
5. Required maintenance or warranty surety has been provided.

C. Completion Documentation and Final Walkthrough

1. Draft Record Drawings

- A. Draft record drawings, commonly referred to as as-built drawings, must be submitted before the City conducts a final walkthrough.
- B. Draft record drawings must show the public improvements as constructed and must comply with the City's record drawing checklist, Engineering Construction Standards, and other submittal requirements maintained by the Engineering Department.

2. Final Walkthrough

- A. The City may conduct a final walkthrough after the Director of Engineering determines that the required public improvements are substantially complete and draft record drawings have been submitted.
- B. The final walkthrough may identify remaining corrections, testing, documentation, cleanup, stabilization, or other items required before final acceptance.
- C. Items identified during the final walkthrough must be completed and incorporated into the final record drawings, where applicable.

3. Final Record Drawings and Closeout Documents

- A. Final record drawings must be submitted before final acceptance of public improvements as required in [Section 3.4.B.3. As-Built Plans Required](#).
- B. The Director of Engineering may require supporting closeout documents, including test reports, certifications, easements, bills of sale, maintenance bonds, warranty surety, lien releases, affidavits, or other documents necessary for acceptance of the public improvements.

4. Final Acceptance

- A. The City will not accept dedication of required public improvements until the Director of Engineering determines that:
 1. The improvements have been completed in accordance with approved civil engineering plans, City standards, and applicable requirements;
 2. Required inspections and testing have been completed;
 3. Deficiencies have been corrected;
 4. Final record drawings and required closeout documents have been submitted and accepted; and
 5. Any required maintenance or warranty surety has been provided.
- B. The Director of Engineering will accept dedication of required public improvements in writing by letter addressed to the developer.
- C. Acceptance does not waive any maintenance, warranty, correction, repair, indemnity, or other obligation required by this UDC, a subdivision improvement agreement, construction contract, approved plans, City standards, or applicable law.

C. Timing of Completion Relative to Plats and Other Permits

D. Minor Incomplete Improvements Agreement

Note: The Minor Incomplete Improvements Agreement section is still being drafted and will be presented at a later date.

E. Completion of Remaining Improvements or Incomplete Items

Note: The Completion of Remaining Improvements or Incomplete Items section is still being drafted and will be presented at a later date.

5. Partial Completion and Acceptance of Improvements

A. The Director of Engineering may accept a portion of the required public improvements when:

1. The portion to be accepted is complete, functional, accessible, and capable of being operated and maintained independently;
2. Partial acceptance will not adversely affect public health, safety, emergency access, drainage, utility service, traffic operations, adjacent property, future development, or remaining construction;
3. The public improvements being accepted are located in public right-of-way or in an easement approved by the City;
4. Any required easement, right-of-way, bill of sale, dedication, or other instrument necessary for City ownership, operation, access, and maintenance has been provided in a form acceptable to the City;
5. The remaining improvements are secured by surety equal to 100 percent of the estimated cost of completion, or another amount approved by the Director of Engineering and City Attorney; and
6. The surety remains in effect for a duration approved by the Director of Engineering.

B. Partial acceptance does not release the property owner, developer, contractor, or other responsible party from the obligation to complete all remaining improvements within the approved timeframe.

6. General Procedures

C. TIMING OF COMPLETION RELATIVE TO PLATS AND OTHER PERMITS

1. Final Plat Recordation

A. A final plat or replat must not be signed or recorded until one of the following has occurred:

1. The Director of Engineering has accepted the required public improvements;
2. The Director of Engineering has approved deferral of the required public improvements in accordance with this section; or
3. The City has approved an improvement agreement securing completion of the required public improvements.

2. Building Permits and Certificates of Occupancy

Building permits and certificates of occupancy may be issued prior to recordation of a final plat or replat in accordance with [Section 3.1.F.5. Building Permits and Certificates of Occupancy](#).

D. Deferral of Required Improvements

D. DEFERRAL OF REQUIRED IMPROVEMENTS

Note: The Deferral of Required Improvements section is still being drafted and will be presented at a later date.

E. SUBDIVISION IMPROVEMENT AGREEMENT AND GUARANTEE

Note: The Subdivision Improvement Agreement and Guarantee section is still being drafted and will be presented at a later date.

F. RELIEF FROM DEVELOPMENT EXACTIONS

Note: The Relief from Development Exactions section is still being drafted and will be presented at a later date.

Section 3.5. Public Improvement Standards

A. STREETS, ACCESS, BIKEWAYS, AND SIDEWALKS

1. Conformance Required with Adopted Plans

Streets, alleys, sidewalks, bikeways, driveways, median openings, access points, rights-of-way, easements, and related public improvements must be designed, platted where applicable, constructed, and improved in accordance with:

- A. The Thoroughfare Plan Map of the Comprehensive Plan, including thoroughfare classifications;
- B. The Street Design Standards;
- C. The Engineering Construction Standards;
- D. Adequate public facilities policies of this UDC;
- E. Approved civil engineering plans; and
- F. Approved zoning, development plans, and applicable Land Use Context standards.

2. Street Network, Connectivity, and Block Access

- A. Streets must be arranged to provide a safe, connected, and coordinated street network that supports access, circulation, emergency response, pedestrian and bicycle connectivity, utilities, drainage, and the orderly development of adjacent property.
- B. Street layout must be coordinated with:
 - 1. Existing and proposed streets;
 - 2. The Thoroughfare Plan Map;
 - 3. Existing and planned rights-of-way;
 - 4. Existing development patterns;
 - 5. Topography and drainage;
 - 6. Utility corridors;
 - 7. Emergency access;
 - 8. Adjacent property; and
 - 9. The applicable Land Use Context and Street Design Standards.
- C. Streets must extend to the boundary of the property being platted where necessary to provide future connectivity, unless the Director of Engineering determines that the extension is unnecessary, impractical, undesirable for coordination with adjacent development, or prevented by physical constraints.
- D. Temporary dead-end streets and temporary turnarounds may be required by the Director of Engineering where necessary to provide future street connections, maintain adequate access, avoid excessive street length, or support phased development.
- E. Permanent dead-end streets and culs-de-sac must comply with the Street Design Standards and Engineering Construction Standards. Cul-de-sacs are not permitted in the Mixed-Use Context unless approved in accordance with this UDC.

- F. Street and alley lengths must comply with the Street Design Standards. Any waiver or alternative design must be reviewed in accordance with [Section 3.2.J. Subdivision Waiver](#). In reviewing a waiver, the Commission must consider the following:
1. Alternative designs which would reduce street or alley length;
 2. Access, congestion, emergency response, delivery of municipal services; and
 3. Any necessary mitigation, including but not limited to:
 - A. Increased street width;
 - B. Mid-block turnarounds;
 - C. Limiting the number of lots to be created or served;
 - D. Temporary points of access; and
 - E. Additional fire protection measures.
- G. Reserve strips or other devices that deny, restrict, or control access from adjacent property to a street, alley, public way, or other approved access facility are prohibited unless approved by the Director of Planning and Director of Engineering as part of an approved subdivision design based on a finding that:
1. The reserve strip or other device is necessary to implement an approved phasing plan, preserve a future street, alley, public way, utility, drainage, or pedestrian connection, or address an existing site constraint;
 2. The reserve strip or other device does not prevent required access, connectivity, utility service, drainage, emergency access, or future development of adjacent property;
 3. The reserve strip or other device is consistent with the Thoroughfare Plan Map, Street Design Standards, approved plat, and applicable requirements of this UDC;
 4. Ownership, maintenance, and responsibility for the reserve strip or other device are identified on the plat or another instrument approved by the City; and
 5. Any conditions for future dedication, removal, release, or conversion of the reserve strip or other device are identified on the plat or another instrument approved by the City.

3. Pedestrian and Bicycle Facilities**A. General**

1. Sidewalks, pedestrian access facilities, shared-use paths, bikeways, and bicycle facilities must be provided in accordance with this UDC, the Street Design Standards, the Parks Master Plan Map, the Bicycle Transportation Plan Map, approved civil engineering plans, approved development plans, and other applicable City standards.
2. Public sidewalks, bikeways, and shared-use paths must be constructed:
 - A. By the property owner with the subdivision improvements, unless deferred in accordance with the requirements of this section and [Section 3.4.D. Deferral of Required Improvements](#).
 - B. By the City, with a petition by the property owner, subject to escrow policies in [Section 3.7 Participation Policies and Procedures](#).
3. Public sidewalks, bikeways, and shared-use paths located outside public right-of-way must be located within a public access easement, private street lot, common area lot, or other location approved by the City.

4. Where a public sidewalk, bikeway, or shared-use path is located outside public right-of-way, the property owner must provide easements or other instruments approved by the City that establish:
 - A. Public access rights;
 - B. Construction, access, inspection, maintenance, utility, and drainage rights;
 - C. Access rights for the City and applicable utility providers;
 - D. Emergency access and governmental-service access rights; and
 - E. Maintenance responsibility.
5. Required easements must grant the City access for governmental services and functions, including fire protection, police services, solid waste collection, utility services, inspection, and code enforcement.
6. Required easements must allow the City to remove any vehicle or obstruction within the street lot that interferes with emergency access.
7. Public sidewalks, bikeways, and shared-use paths must be open and available for public use.
8. The Director of Planning and Director of Engineering may approve a temporary closure or restriction for:
 - A. Construction, maintenance, or repair;
 - B. Emergency response or public safety;
 - C. A special event; or
 - D. Another temporary condition that requires closure or restricted access.

B. Sidewalks

1. Sidewalks must be constructed in accordance with the Street Design Standards for:
 - A. All lots adjoining dedicated streets;
 - B. Major thoroughfares where lots do not adjoin the street;
 - C. Along power line easements; and
 - D. Other areas where pedestrian walkways are necessary.
2. Sidewalks must be constructed with subdivision improvements where they are:
 - A. Not adjacent to lots; or
 - B. Located across bridges or culverts.
3. Sidewalk construction may be deferred until development of adjacent lots only where approved by the Director of Engineering and secured through an improvement agreement.
4. Sidewalks adjacent to screening walls must generally be placed along the screening wall.
5. Sidewalk alignment to avoid poles, trees, or other obstacles must be approved by the Director of Engineering.

C. Bicycle Facilities

1. Bicycle facilities must be designed and located in accordance with:
 - A. Street Design Standards;
 - B. Parks Master Plan Map;
 - C. Bicycle Transportation Plan Map;

- D. Thoroughfare Plan Map;
- E. Approved civil engineering plans, and
- F. Other applicable City standards.

2. Bicycle facilities are classified into three categories:

- A. Shared-use paths,
- B. Bikeways, or
- C. On-street shared lanes.

D. Pedestrian Access Easements

- 1. The Plat Approval Authority may require perpetual, unobstructed easements to facilitate pedestrian access from streets to:
 - A. Schools;
 - B. Parks;
 - C. Playgrounds; or
 - D. Other nearby streets.
- 2. The width, location, design, and maintenance responsibility for pedestrian access easements must be approved by the Director of Planning and Director of Engineering.

4. Modifications to Standards for Infill Properties

- A. The Director of Engineering may authorize minor modifications to the standards of this section when existing developed properties are redeveloped or for infill development where existing streets, utilities, easements, or other permanent features hinder the development of public facilities in accordance with these standards.
- B. The Director of Engineering may defer any request for modification to the Planning & Zoning Commission for final approval.

5. Street Access, Design, and Private Streets

A. Lot Access, Driveways and Median Openings

- 1. Buildable lots and development sites must have access to a public street, approved private street, quasi-public street, public way, alley, shared access facility, or other access facility approved in accordance with this UDC.
- 2. Access must be adequately improved or secured in accordance with this UDC before issuance of permits or approvals requiring such access.
- 3. Driveway locations, access points, median openings, turn lanes, channelization, and access easements are subject to approval by the Director of Engineering and must comply with the Street Design Standards, Engineering Construction Standards, approved civil engineering plans, and applicable traffic study requirements.
- 4. Access must be arranged to protect public safety, emergency response, pedestrian and bicycle safety, traffic operations, drainage, utilities, and public infrastructure.
- 5. Where access is shared between lots or development sites, required access easements must be:
 - A. Recorded on the plat; or
 - B. Recorded by separate instrument in accordance with [Section 3.2.I. Administrative Plat Notation](#).

B. Street Design and Construction Standards

1. The property owner must design and construct required streets, alleys, sidewalks, bikeways, driveways, access points, median improvements, traffic control devices, drainage structures, bridges, culverts, turnarounds, and related public improvements in accordance with:
 - A. Street Design Standards;
 - B. Engineering Construction Standards;
 - C. Thoroughfare Plan Map;
 - D. Approved civil engineering plans; and
 - E. Adopted City standards, subject to any applicable participation, reimbursement, escrow, or development agreement approved in accordance with this UDC.
2. Technical design requirements, including pavement width, cross-sections, gradients, intersection design, turn lanes, tapers, channelization, street lighting, signage, and construction specifications, are governed by the Street Design Standards, Engineering Construction Standards, approved civil engineering plans, and other adopted City standards.
 - A. Additional alley width, easements, or design modifications may be required by the Director of Engineering where necessary to accommodate drainage, utilities, screening walls, access, emergency response, or other operational needs.
 - B. Median openings, median improvements, left-turn lanes, channelizing devices, acceleration lanes, deceleration lanes, and related access improvements must comply with the Street Design Standards, Engineering Construction Standards, approved civil engineering plans, applicable traffic studies, and any conditions established by the Director of Engineering.
 - C. Where required street, median, access, or traffic improvements affect existing public landscaping, irrigation, street lights, signs, traffic control devices, or other public improvements, the property owner must relocate, replace, restore, or mitigate the affected improvements in accordance with City standards and as approved by the Director of Engineering. Tree mitigation must comply with applicable City tree preservation and mitigation requirements.

C. Right-of-Way Dedication, Reservation, and Easements

1. The property owner must dedicate right-of-way required for development of the project as determined by the Street Design Standards and as shown on the Thoroughfare Plan Map, approved development exhibit, approved civil engineering plans, or as otherwise required by this UDC.
2. The property owner must dedicate or reserve right-of-way required for area or regional improvements as shown on the Thoroughfare Plan Map and budgeted in the Community Investment Program where applicable, approved development exhibits, approved civil engineering plans, or as otherwise required by this UDC.
3. Right-of-way dedication, reservation, and easement requirements must be proportionate to the subdivision or development and must comply with applicable law, this UDC, and any approved development agreement or participation policy.
4. Reservations and dedications associated with conveyance plats must comply with [Section 3.2.B. Conveyance Plat](#).
5. Slope easements, drainage easements, utility easements, access easements, public access easements, fire lane easements, and other easements must be provided where required by this UDC, when required by approved civil engineering plans, or when required by other applicable City-Council-adopted standards.

D. Existing, Substandard, Perimeter, and Future Streets

1. Where a subdivision or development abuts an existing substandard street, perimeter street, or future street, the property owner must dedicate right-of-way and construct improvements required to serve the subdivision or development in accordance with this UDC, the Thoroughfare Plan Map, Street Design Standards, Engineering Construction Standards, approved civil engineering plans, and applicable participation policies.
2. Where a subdivision or development abuts a perimeter street, the property owner must dedicate the required right-of-way for the abutting portion of the street. The required dedication may include one-half or more of the total required right-of-way where necessary due to street alignment, the Thoroughfare Plan Map, the Street Design Standards, approved development plans, or other applicable requirements.
3. Where a subdivision or development abuts only one side of a substandard, perimeter, or future street, the property owner must dedicate and improve the abutting side of the street, including sidewalks and related improvements, as determined by the Director of Engineering.
4. Where a subdivision or development abuts or includes both sides of a substandard or future street, the property owner must improve the street to meet applicable City standards.
5. Required widening, realignment, turn lanes, intersection improvements, transitions, and related improvements must be determined by the Director of Engineering based on the Street Design Standards, Engineering Construction Standards, Thoroughfare Plan Map, approved civil engineering plans, applicable traffic study, and public safety needs.
6. Type F collector streets not shown on the Thoroughfare Plan Map may be required where necessary to serve the proposed subdivision or development, as determined by the Director of Engineering in accordance with the Street Design Standards.

E. Quasi-Public Streets, Public Ways, Private Streets, and Private Alleys**1. General**

- A. Quasi-public streets, public ways, private streets, and private alleys may be approved only where consistent with this UDC, the Street Design Standards, Engineering Construction Standards, approved zoning, an approved development plan, and the intended subdivision or development pattern.
- B. The Director of Engineering determines whether the proposed street or access facility provides adequate access, emergency response, utility service, drainage, traffic operations, public infrastructure protection, and compliance with adopted engineering standards.
- C. The Director of Planning determines whether the proposed street or access facility is consistent with the subdivision layout, Land Use Context, zoning, lot arrangement, and approved development plan.
- D. The Fire Marshal must approve any design affecting emergency access, fire lanes, fire protection infrastructure, fire flow, gates, or access-control features.

2. Quasi-Public Streets

- A. Quasi-public streets must be designed and constructed in accordance with the Street Design Standards and Engineering Construction Standards.
- B. The required right-of-way for quasi-public streets may be provided within a private street lot or easement maintained by a governance association if acceptable to the Director of Engineering.

- C. Quasi-public streets must be open for public use and must not be gated or restricted, except as approved for temporary closures, special events, or other circumstances approved by the City.
- D. Public access, fire lane, utility, drainage, and other required easements must be granted to the City and applicable utility providers in a form approved by the City.
- E. Required easements must grant the City the right of access for governmental services and functions including fire protection, police services, solid waste collection, utility services, inspection, code enforcement, and other governmental functions.
- F. Required easements must allow the City to remove vehicles, gates, landscaping, signs, or other obstructions that interfere with emergency access, utility access, drainage, public access, or other governmental functions, as authorized by law and applicable easement terms.
- G. Ownership and maintenance responsibility for quasi-public streets must be identified on the plat, governance association documents, easement, maintenance agreement, or other instrument approved by the City.
- H. Quasi-public streets must be maintained by a governance association or other entity approved by the City.
- I. The City is not responsible for maintenance or repair of quasi-public streets unless the Director of Engineering accepts the quasi-public streets for public maintenance
- J. A development that includes quasi-public streets remains subject to City regulations that apply to public streets, unless specifically excluded or excluded by necessary implications arising from the nature as a quasi-public street.

3. Public Ways

- A. Nonresidential lots may be platted to a public way instead of a public, private, or quasi-public street upon approval by the Director of Planning in the following circumstances:
 - 1. Within a unified development with an internal circulation system;
 - 2. For a public utility facility which precedes street extensions; or
 - 3. Where access to a public street will be removed by construction of an overpass or other required facility.
- B. Public ways must be designed and constructed to the minimum standards of a fire lane.
- C. Where a public way is used to satisfy lot frontage or provide access, the plat must identify the public way as an easement allowing for pedestrian access, vehicular access, utilities, drainage, emergency access, and maintenance.
- D. Public ways must be maintained by the property owner, governance association, or other entity approved by the City unless expressly accepted by the City.

4. Private Streets and Alleys

- A. Lots may be served by a private street upon approval of a Specific Use Permit where:
 - 1. The street serves a unified development under common ownership or control; or
 - 2. A private street layout supports a planned development pattern, including gated or controlled-access developments.
- B. Private streets must be designed and constructed in accordance with applicable provisions of the Street Design Standards and Engineering Construction Standards, unless modified by an approved development plan.

- C. An emergency access and fire lane easement must be granted over all private streets, providing access for:
 - 1. Emergency services;
 - 2. Solid waste collection, where applicable; and
 - 3. Other governmental functions.
- D. Utility, drainage, access, and maintenance easements must be provided where necessary to serve all lots and protect public infrastructure.
- E. Private streets must be maintained by a governance association or other entity approved by the City.
- F. Gates or access control features may be permitted, subject to approval by the Director of Engineering and Fire Marshal.
- G. Gated private streets must provide adequate emergency access in accordance with City standards.
- H. Entrances to private streets must be marked with signage identifying the street as private in accordance with City standards.

5. Streets Excluded

- A. Streets shown on the Thoroughfare Plan Map must not be used, maintained, or constructed as private streets.
- B. The Plat Approval Authority may deny the creation of any quasi-public or private street if it determines that the street would:
 - 1. Negatively affect traffic circulation on public streets;
 - 2. Impair access to property either onsite or offsite to the subdivision;
 - 3. Impair access to or from public facilities, including schools, parks, and libraries; or
 - 4. Delay emergency response times.

6. Governance Associations Required

Governance associations required for quasi-public streets, public ways, private streets, private alleys, must comply with [Section 3.3.E.2. Governance Association Required](#).

7. City Utilities & Public Infrastructure

- A. Public water, wastewater, drainage facilities, street lights, and street signs located within a quasi-public street, public way, private street, or private alley lot must be designed, constructed, inspected, dedicated, accepted, and maintained in accordance with this UDC, approved civil engineering plans, and applicable City standards.
- B. Private utilities, private drainage facilities, private street lights, private signs, private streets, private alleys, private access facilities, and other private improvements remain the responsibility of the property owner, governance association, or other responsible entity unless expressly accepted by the City.
- C. Easements must be dedicated and provide the City with rights necessary for utilities, drainage, inspection, maintenance, emergency services, and other governmental functions prior to final plat approval.

8. Plans, Reviews, and Inspections

- A.** Quasi-public streets, public ways, private streets, private alleys, and related public or private improvements must be shown on required plats, civil engineering plans, and other documents required by the City.
- B.** The City may inspect quasi-public streets, private streets, private alleys, public ways, easements, and related facilities where necessary to verify emergency access, utility access, drainage function, public access, or protection of public infrastructure.

9. Plat Notes, Waiver, and Indemnity

- A.** The City may require plat notes, deed restrictions, governance association documents, easements, maintenance agreements, waivers, indemnity provisions, or other instruments for quasi-public streets, public ways, private streets, private alleys, and related facilities.
- B.** Required instruments must identify, as applicable:
 - 1. Ownership;
 - 2. Maintenance responsibility;
 - 3. Public access rights;
 - 4. Emergency access rights;
 - 5. Utility and drainage access rights;
 - 6. Restrictions on public use;
 - 7. Services that will not be provided by the City except as otherwise required for emergency response, fire lane enforcement, life-safety enforcement, or other governmental functions, including:
 - A.** Routine police patrols;
 - B.** Enforcement of traffic and parking regulations; and
 - C.** Preparation of accident reports.
 - 8. Maintenance and repair obligations;
 - 9. Indemnity, defense, and hold harmless obligations; and
 - 10. Procedures for enforcement, amendment, and termination.
- C.** Private traffic regulatory signs must conform to the Texas Manual on Uniform Traffic Control Devices, as amended.

10. Conversion to Public Streets

The governance association documents must allow the association to request that the City accept quasi-public streets, public ways, private streets and alleys, and associated property, as public streets and rights-of-way upon:

- A.** Written notice to all association members; and
- B.** Approval by at least 51% of the membership.
 - 1. The City is not obligated to accept quasi-public streets, public ways, or private streets or alleys as public.
 - 2. Before accepting any such facility, the City may require:

- A. Inspection and testing;
 - B. Repairs or reconstruction;
 - C. Title or easement documents; or
 - D. Other conditions determined necessary by the Director of Engineering.
- C. Any facility proposed for City acceptance must be brought into compliance with City standards or other acceptance criteria approved by the Director of Engineering.
- D. A Subdivision Waiver from the requirements of this paragraph is not permitted.

F. Street Lights, Street Names, Signs, and Traffic Control Devices

1. Street names must be submitted to the Planning Department for approval in accordance [Section 3.2.A.10. Subdivision and Street Naming](#).
2. **Street Name Signs and Traffic Control Signs**
 - A. The property owner must provide payment for street name signs for the development.
 1. The price of each street name installation will include cost of the sign assembly, pole, and installation.
 2. Payment by the property owner will be due prior to approval of the engineering plans by the Director of Engineering.
 - B. The property owner must provide street name signs, traffic control signs, and related sign improvements required for the subdivision or development in accordance with City standards.
 - C. Required signs must be installed before issuance of building permits, certificates of occupancy, or other approvals as determined by the City.
 - D. Private traffic regulatory signs must conform to applicable City standards and the Texas Manual on Uniform Traffic Control Devices, as amended.
3. **Street Lights**
 - A. Installation of street lights must be in accordance with the Street Design Standards, the applicable electrical provider, and the City's street lighting policies.
 - B. The developer is responsible for the cost of such street lighting installation and for the power costs for a length of time as specified in this UDC.
 - C. The developer must install conduits for street lights and traffic signals in divided thoroughfares as directed by the Director of Engineering.
4. **Traffic Control and Channelization Devices**
 - A. The developer must install traffic control devices, lane divider devices, channelization devices, and related improvements required by the Director of Engineering for:
 1. Safe traffic operation;
 2. Safe traffic transition; and
 3. Safe traffic control.
 - B. When required by the Director of Engineering, the developer must install traffic devices for lane division on Type E or wider thoroughfares.
 - C. Required devices must be installed in accordance with City standards.

5. Arterial Street Extensions (Type C or Greater)

- A.** When a major arterial street (Type C or greater) is extended through a property to intersect with another arterial:
 - 1. Six lanes must be constructed for a minimum distance of 350 feet from the intersection.
 - 2. Beyond that point, pavement width may transition to four lanes with an appropriate taper.
- B.** Where development abuts only one side of the extension, three full lanes must be constructed, including a left-turn lane and transition lane.
- C.** This requirement does not apply to widening an existing intersection that already provides four through lanes.

B. DRAINAGE AND STORMWATER MANAGEMENT**1. Conformance Required with Adopted Plans and Manuals****A. Drainage Adequacy**

All subdivisions and developments must provide adequate drainage and stormwater management in accordance with this UDC, the Stormwater Design Manual, the Stormwater Quality Requirements, the Streambank Stabilization Manual, the Engineering Construction Standards, the Flood Damage Prevention provisions of the Code of Ordinances, approved civil engineering plans, and other applicable City standards.

B. Adequate Public Facilities

All plats must conform to the City's adequate public facilities policies for drainage and stormwater management facilities in accordance with [Section 3.6. Adequate Public Infrastructure Studies](#).

C. Modifications to Standards for Infill Properties

- 1. The Director of Engineering may authorize minor modifications to the standards of this section when existing developed properties are redeveloped or for infill development where existing streets, utilities, easements, or other permanent features hinder the development of public facilities in accordance with these standards.
- 2. As a condition of modification, the Director of Engineering may require information to determine whether adequate conveyance exists off-site to accommodate post-development conditions and that easements or right-of-way are established as necessary to provide access to off-site facilities.
- 3. The Director of Engineering may defer any request for modification to the Planning & Zoning Commission for final approval.

2. Required Analysis, Plans, and Approval Authority**A. Required Analysis**

The Director of Engineering may require drainage studies, downstream assessments, flood studies, hydrologic and hydraulic analyses, stormwater quality plans, streambank stabilization plans, grading plans, erosion control plans, minimum finished floor or lot elevations, detention analyses, adequate outfall documentation, drainage easements, floodplain easements, access easements, maintenance plans, or other information necessary to determine compliance with this section.

B. Authority

The Director of Engineering is responsible for reviewing and approving drainage design, stormwater management, adequate outfall, downstream assessment, detention, retention, floodplain impacts, streambank stabilization, drainage studies, grading, erosion control, stormwater quality, drainage

easements, floodplain easements, access easements, maintenance access, and related improvements required to protect public infrastructure, adjacent property, downstream property, and public health, safety, and welfare.

C. Timing of Submittals

Drainage studies, stormwater quality plans, flood studies, streambank stabilization plans, maintenance plans, and related documents must be submitted at the stage required by this UDC, the Stormwater Design Manual, the Stormwater Quality Requirements, the Streambank Stabilization Manual, or approved City procedures.

D. Coordination with Public Improvements

Drainage and stormwater improvements required as part of a subdivision or development must be reviewed, constructed, inspected, accepted, and warranted in accordance with [Section 3.5. Public Improvement Standards](#), where applicable.

E. Emergency Access and Public Safety

Where drainage design, grading, floodplain conditions, detention, stormwater facilities, or stream crossings affect fire lanes, emergency access, access road grades, flood-prone access routes, or fire protection infrastructure, the Director of Engineering must consult with the Fire Marshal.

F. Lot Grading and Drainage

1. All lots, streets, alleys, open spaces, common areas, and development sites must be graded to provide positive drainage in accordance with the City of Plano Stormwater Design Manual, as adopted and amended.
2. Development must not divert, alter, concentrate, impound, or obstruct surface drainage in a manner that causes adverse impacts to adjacent or downstream properties.
3. Residential lots should generally drain toward:
 - A. A public street or alley;
 - B. Drainage easements; or
 - C. An approved drainage facility.
4. Lot-to-lot drainage is prohibited unless approved by the Director of Engineering. Where approved, lot-to-lot drainage may require:
 - A. Grading plans;
 - B. Drainage studies;
 - C. Drainage easements;
 - D. Drainage facilities; or
 - E. Maintenance obligations.
5. For redevelopment, infill development, constrained sites, or sites with existing drainage patterns, the Director of Engineering may approve alternative drainage arrangements where the proposed design complies with applicable City standards and does not create adverse impacts.

3. Drainage System Design**A. General Design Standards**

Storm sewer systems, culverts, channels, swales, detention facilities, retention facilities, outfalls, inlets, streambank stabilization improvements, stormwater quality facilities, erosion control measures, and related

drainage improvements must be designed in accordance with the Stormwater Design Manual, Stormwater Quality Requirements, Streambank Stabilization Manual, Engineering Construction Standards, approved civil engineering plans, and other applicable City standards.

B. Upstream Drainage

Culverts and other drainage facilities must be sized to accommodate runoff from the entire upstream drainage area, whether located inside or outside the subdivision or development.

C. Downstream Drainage and Adequate Outfall

The property owner's engineer must demonstrate adequate outfall and evaluate downstream drainage impacts where required by the Stormwater Design Manual or the Director of Engineering.

D. Required Mitigation

1. If adequate downstream capacity is not available, adequate outfall has not been demonstrated, or the development will create adverse drainage, flooding, erosion, or streambank impacts, the property owner's engineer must provide mitigation approved by the Director of Engineering. Required mitigation may include:
 - A. Drainage system upgrades;
 - B. Detention/retention facilities;
 - C. Bypass or parallel systems;
 - D. Channel improvements;
 - E. Outfall improvements;
 - F. Streambank stabilization;
 - G. Erosion protection;
 - H. Off-site easements;
 - I. Stormwater quality measures; or
 - J. Other approved measures.
2. The Plat Approval Authority may condition or disapprove plat approval, and the Director of Engineering may withhold civil engineering plan release, until required drainage mitigation is provided or otherwise secured in accordance with this UDC.

E. Oversized Improvements

Where oversized drainage improvements are required for system capacity beyond the proportional demand or impact of the development, City participation, if any, must be determined in accordance with [Section 3.7. Participation Policies and Procedures](#), and any required development agreement.

F. Stormwater Quality

Stormwater quality measures, permanent best management practices, stormwater quality areas, floatable controls, trash capture devices, low-impact development features, green infrastructure, and similar facilities must be provided where required by the Stormwater Quality Requirements, Stormwater Design Manual, approved civil engineering plans, or the Director of Engineering.

G. Location and Type of Drainage Facilities

1. Drainage must generally be provided within:
 - A. Public rights-of-way;

- B.** Easements;
 - C.** Stormwater quality areas; or
 - D.** Other locations approved by the Director of Engineering.
2. Drainage must generally be provided through underground systems located where required by the Stormwater Design Manual, Engineering Construction Standards, approved civil engineering plans, or the Director of Engineering.
 3. The Director of Engineering may approve an open channel, natural drainageways, swales, or other surface drainage facilities where appropriate in lieu of an underground system.
 4. A reinforced concrete pilot channel may be required by the Director of Engineering where necessary to prevent erosion or provide access.
 5. Alternative or innovative drainage concepts may be approved by the Director of Engineering if the design satisfies applicable City standards and provides enforceable provisions for ownership, access, inspection, maintenance, repair, and replacement. Any City costs must be approved by the City Council.

H. Detention, Retention, and Private Stormwater Facilities

1. Detention facilities, retention facilities, lakes, ponds, private channels, swales, permanent stormwater best management practices, low-impact development features, stormwater quality areas, and similar stormwater management facilities may be constructed where approved by the Director of Engineering.
2. Private stormwater facilities must be owned and maintained by the property owner, governance association, or other entity approved by the City, unless the facility is dedicated in fee to and accepted by the City for ownership and maintenance.
3. The Director of Engineering may require a maintenance plan, inspection program, access provisions, easements, covenants, plat notes, or other documents necessary to ensure long-term operation and maintenance of private stormwater facilities.
4. Approval of a private stormwater facility does not create City ownership, operation, or maintenance responsibility unless the City expressly accepts the facility.
5. The City may require easements, covenants, agreements, plat notes, or maintenance documents granting the City the right, but not the obligation, to enter, inspect, maintain, repair, remove obstructions, or correct drainage conditions where necessary to protect public health, safety, property, drainage function, stormwater quality, or public infrastructure.
6. If the responsible owner or entity fails to maintain a private stormwater facility, the City may take enforcement action and may recover costs as authorized by approved instruments, this UDC, the Code of Ordinances, or applicable law.

I. Creeks, Floodplains, Natural Drainage Areas, and Streambanks

1. Development within or adjacent to a floodplain, floodway, creek, natural drainageway, streambank, erosion hazard area, or similar drainage feature must comply with the Stormwater Design Manual, Streambank Stabilization Manual, Flood Damage Prevention provisions of the Code of Ordinances, approved civil engineering plans, and other applicable City standards.
2. Floodplains, floodways, creeks, natural drainageways, streambanks, and similar drainage areas must be preserved from clearing, grading, dumping, obstruction, encroachment, or alteration except as approved by the Director of Engineering.
3. Major creeks and natural drainageways must generally remain open and natural unless modification is approved by the Director of Engineering.

4. Smaller creeks, drainageways, swales, channels, or similar features may be modified, stabilized, relocated, improved, or enclosed only if approved by the Director of Engineering and designed in accordance with applicable City standards.
5. The Director of Engineering may require streambank analysis, erosion hazard assessment, stabilization, setbacks, maintenance access, or other mitigation in accordance with the Streambank Stabilization Manual.
6. Creeks, floodplains, natural drainageways, streambanks, and related improvements must be owned and maintained by the property owner, governance association, or other entity approved by the City, unless expressly dedicated to and accepted by the City for ownership and maintenance.
7. Floodplains, floodways, creeks, natural drainageways, streambanks, and similar drainage areas remain subject to applicable tree preservation, environmental, floodplain, and stormwater quality requirements of this UDC and the Code of Ordinances.

J. Easements and Maintenance Access

1. The Director of Engineering may require easements for drainage conveyance, flood conveyance, stormwater management, stormwater quality, detention, retention, access, inspection, maintenance, repair, replacement, erosion protection, streambank stabilization, or related purposes.
2. The location, width, configuration, and terms of required easements must be approved by the Director of Engineering based on the function of the facility, drainage area, floodplain conditions, streambank conditions, constructability, equipment access, maintenance needs, public safety, stormwater quality, erosion protection, and applicable City standards.
3. Easements must provide rights necessary for construction, reconstruction, inspection, access, maintenance, repair, replacement, drainage conveyance, flood conveyance, erosion protection, streambank stabilization, stormwater quality protection, and related drainage functions.
4. Easements or covenants must authorize a lien against the entity required to maintain the property in favor of the City and must secure payment for expenses if the entity fails to maintain the creek or drainage way.
5. Off-site easements required to serve a subdivision or development must be obtained before plat approval or civil engineering plan release, as applicable, unless otherwise approved by the Director of Engineering.
6. Drainage facilities must have access for inspection, maintenance, repair, replacement, and emergency response as determined by the Director of Engineering.
7. Where a creek, natural drainageway, channel, or similar drainage feature is maintained by a property owner, governance association, or other approved entity, or is dedicated to and accepted by the City, the subdivision or development must provide access from a public street, alley, public right-of-way, access easement, or other location approved by the Director of Engineering for inspection, maintenance, repair, replacement, and emergency response.
8. Structures, fences, walls, landscaping, trees, utilities, grading, fill, private improvements, or other obstructions are prohibited within drainage easements where they interfere with drainage conveyance, flood conveyance, access, maintenance, stormwater quality, erosion protection, streambank stabilization, public safety, or public infrastructure.
9. Required easements, covenants, maintenance agreements, plat notes, or other instruments may include lien rights, cost recovery provisions, enforcement rights, and other remedies approved by the City Attorney and authorized by applicable law.

K. Street Access

1. Where the City has designated a floodway or floodplain as part of the City park system, one of the following must be provided:
 - A. Parallel streets fronting onto the park.
 - B. Culs-de-sac which provide public access fronting onto the park.
 - C. Loop streets which provide public access fronting onto the park.
2. The City must approve the proposed street alignment fronting onto City parks. Access must:
 - A. Be located above the base flood elevation;
 - B. Be accessible to vehicles and equipment; and
 - C. Be provided at intervals not exceeding 1,200 feet along streets or alleys.

L. Grading, Erosion Control, and Construction Protection

1. Grading must comply with the Stormwater Design Manual, Erosion and Sediment Control Manual, Engineering Construction Standards, approved civil engineering plans, and other applicable City standards.
2. Erosion and sediment control measures must be provided before and during construction as required by applicable City standards and approved civil engineering plans.
3. Construction activity must not damage, obstruct, overload, or impair existing or proposed drainage facilities, storm sewer systems, creeks, channels, detention facilities, retention facilities, stormwater quality facilities, best management practices, streambanks, streets, alleys, sidewalks, utilities, or other public infrastructure.
4. The Director of Engineering may require temporary drainage facilities, temporary erosion control measures, construction phasing, stabilization, repair, restoration, or other protective measures necessary to protect drainage function, stormwater quality, public infrastructure, adjacent property, or public safety.

C. PARKS AND TRAILS**1. Conformance Required with Adopted Plans and Manuals**

Park dedication or improvements are required for all new or redeveloped subdivisions in accordance with the City's adopted Parks Master Plan and adopted technical design manual.

2. Required Plans and Approval Authority

- A. Plans and improvements for all parks must be submitted, approved, inspected, and accepted concurrently with review, construction, and acceptance of public infrastructure plans described in [Section 3.4. Public Improvement Review and Construction Procedures](#).
- B. Private parks must be shown on public infrastructure plans and constructed concurrently with public infrastructure, but do not require acceptance by the City.

3. Design of Parks, Open Spaces, and Trails

- A. Parks should be:
 1. Easily accessible;
 2. Open to public view;
 3. Designed to benefit surrounding development;

4. Designed to enhance the visual character of the City;
5. Designed to protect public safety; and
6. Designed to minimize conflicts with adjacent land uses.

B. The following guidelines apply to park design and adjacent development:

1. Park Location

Where physically feasible, parks should be bounded by:

- A. Streets; or
- B. Other public uses, such as schools, libraries, or recreation centers.

2. Residential Adjacency

Where residential lots abut a park:

- A. Residential lots should be oriented to face the park rather than back onto it. Residential lots may back onto a park only where:
 1. Site conditions (such as shape, topography, or drainage) prevent alternative design; or
 2. The subdivision layout complements the park use (such as golf course adjacency).
- B. Cul-de-sac or looped streets should be used to provide access to both lots and the park.
- C. Subdivisions adjacent to parks must not restrict reasonable access from other areas.
- D. The City may require street connections to existing or future subdivisions to ensure reasonable park access.

3. Nonresidential and Apartment Adjacency

Where nonresidential uses or apartments abut a park:

- A. Pedestrian and bicycle connections to the park must be provided where feasible and approved by the Director of Parks.
- B. Development must be arranged to support visual and pedestrian connections to the park, where compatible with the park's design and use.
- C. Landscaping, screening walls, or fences may be required where necessary to screen parking, loading, service areas, refuse facilities, utilities, or other incompatible conditions. Required screening must not unnecessarily impede pedestrian connections to the park.
4. Alleys may abut parks but must not serve as primary access for vehicles, bicycles, or pedestrians to the park.
5. Streets adjacent to parks must conform to the Thoroughfare Plan Map, Bicycle Transportation Plan Map, Street Design Standards, and applicable UDC standards.
6. The City may require residential streets adjacent to parks to be constructed as Type F streets, to provide access, parking, and reduce congestion.

C. Neighborhood and Linear Parks

1. Park Reservation and Dedication

- A. Land for neighborhood and linear parks must be reserved and dedicated in accordance with the Park Master Plan Map and Parks, Recreation, Trails and Open Space Master Plan.

- B. Concept plans and preliminary site plans will be reviewed by the City to determine whether park land dedication is required.
- C. If dedication is required, the City will specify the land requirements, and the developer must dedicate the identified land or propose an alternative site that reasonably meets the City's needs.
- D. The Director of Parks and Recreation will determine:
 - 1. The location; and
 - 2. The configuration of land reserved for future dedication.
- E. Prior to or concurrent with preliminary plat approval, the developer and the City must execute a reimbursement agreement.
- F. Park land and associated improvements must be:
 - 1. Dedicated to the City upon final plat approval; and
 - 2. Accepted in writing by the Director of Parks and Recreation after completion of improvements.

2. Site Criteria

- A. Neighborhood and linear park sites must be suitable in terms of:
 - 1. Size;
 - 2. Dimensions;
 - 3. Topography; and
 - 4. General character.
- B. Sites must meet the design criteria established in the City's Parks, Recreation, Trails and Open Space Master Plan.

3. Minimum Park Improvements

Neighborhood and linear parks must be improved by the developer prior to final acceptance by the Director of Parks and Recreation. The minimum park improvements must include:

- A. Grading and clearance of unwanted vegetation;
- B. Installation of drainage and stream erosion controls;
- C. Establishment of turf and planting of trees;
- D. Installation of perimeter streets and street lights;
- E. Provision of water and sewer service; and
- F. When required, the installation of hike and bike trails, must meet the following criteria:
 - 1. Hike and bike trail pavement must be a minimum of 10 feet in width and constructed in accordance with the Engineering Construction Standards.
 - 2. The longitudinal grade and cross-slopes for trails must be in accordance with the City's Trail Construction Details.
 - 3. Except at intersections, hike and bike trails must not be placed closer than three feet to a street.
 - 4. The slope of land adjacent to a hike and bike trail must be in accordance with the City's Trail Construction Details, except where the Director of Parks & Recreation finds no reasonable alternative to a greater slope.

5. Railings may be required at the developer's expense if the adjoining grade or obstructions along the trail present safety concerns.
6. Unobstructed turf area is required on both sides of the trail in accordance with the City's Trail Construction Details, except where the Director of Parks and Recreation finds no reasonable alternative exists.
7. An engineering plan for the hike and bike trail, including topography, drainage structures, adjacent streets, floodplain location, and other information related to the trail design must be submitted and approved by the City prior to release for construction.
8. Barricades and fencing must be maintained during the construction process.

4. Additional Improvements

- A. The developer may request permission to construct additional park improvements.
- B. The Director of Parks and Recreation may approve additional improvements if they are consistent with the design criteria and objectives of the Parks, Recreation, Trails and Open Space Master Plan.
- C. The Director of Parks and Recreation may deny additional improvements if they are determined to:
 1. Be inconsistent with the Parks, Recreation, Trails and Open Space Master Plan;
 2. Impose an unreasonable maintenance responsibility on the City, including costly materials, specialized maintenance needs, irrigation demands, long-term replacement costs, or additional staffing needs; or
 3. Be premature based on service demand.

5. Reimbursement Agreement with Improvement Plan

- A. No improvement may be made on or within a proposed park site unless a reimbursement agreement is approved by the City.
- B. Prior to or concurrent with preliminary plat approval the developer and the City must execute a reimbursement agreement defining the work to be performed, design and construction schedules, improvement costs, performance surety, and the amount and timing of reimbursement.

6. Completion of Design, Land Dedication, and Construction Improvements

- A. Park land must be dedicated to the City concurrent with approval and recording of the plat.
- B. All improvements specified in the reimbursement agreement must be completed prior to approval of the final recordable plat except where future performance is secured by an improvement agreement in accordance with [Section 3.4.B. Construction and Acceptance Procedures](#).

7. Cost Reimbursement

- A. The City must reimburse the developer for land and improvement costs for qualified park land dedication and improvements as described in the reimbursement agreement.
- B. The City may accept or reject voluntary dedications of land and improvements for public park purposes that are not shown on the Parks, Recreation, Trails and Open Space Master Plan; however, acceptance of such dedications may not qualify for cost reimbursement.

4. Modification to Standards for Infill Properties

- A. The Director of Parks and Recreation and the Director of Engineering may jointly authorize minor modifications to the standards of this section for redevelopment or infill development where existing streets,

utilities, easements, drainage facilities, topography, established vegetation, existing park or trail improvements, or other permanent features hinder compliance with these standards.

- B.** As a condition of a modification, the Director of Parks and Recreation or the Director of Engineering may require information demonstrating that the proposed modification:
 - 1. Maintains safe and functional public access to parks and trails;
 - 2. Preserves reasonable pedestrian and bicycle connectivity;
 - 3. Provides adequate emergency, maintenance, drainage, and utility access;
 - 4. Remains consistent with applicable City parks, trails, and transportation plans; and
 - 5. Includes any necessary easements, rights-of-way, alternative connections, or other improvements necessary to achieve the intent of this section.
- C.** A modification must not create an unsafe condition, materially reduce public access or connectivity, or impair the operation or maintenance of a park, trail, or public improvement.
- D.** The Director of Parks and Recreation or the Director of Engineering may refer a request for modification to the Planning & Zoning Commission for final approval.

D. RESERVATION OF LAND FOR PUBLIC USES

1. Reservation of Land

- A.** Preliminary plats and recordable plats must reserve land for future public use as designated in the Comprehensive Plan and associated plans for public facilities and utilities.
- B.** Such public uses include, but are not limited to:
 - 1. Parks;
 - 2. Libraries;
 - 3. Police and fire stations;
 - 4. Pump stations;
 - 5. Water storage tanks; and
 - 6. Lift stations.
- C.** Reserved land must be of suitable size, dimension, topography, and character for the intended public use.

2. Procedure for Reserving Land

The necessary land for future public use will be identified and reserved through the site review process as follows:

A. Concept Plan, Preliminary Site Plan, or Development Exhibit

- 1. All concept plans, preliminary site plans, and development exhibits will be reviewed to determine whether land reservations are required in accordance with [Section 3.5.D. Reservation of Land for Public Uses](#)
- 2. If land is required to be reserved the City will provide the developer with a description of the land to be reserved, applicable reservation requirements, the proposed public use, and an estimate of the time needed to complete acquisition.
- 3. The developer must:
 - A.** Accommodate the reservation as specified; or

- B.** Propose an alternative site that reasonably meets the same needs of the City.
- 4.** If an alternative site is proposed, the Commission must determine whether the alternative is acceptable.
- 5.** Land identified for reservation on an approved concept plan, preliminary site plan, or development exhibit:
 - A.** Indicates the City's intent to acquire the property at a future time; but
 - B.** Does not obligate the City to acquire the property.
 - C.** The City may release or void the reservation at any time.

B. Preliminary Plat and Final Plat

- 1.** All preliminary and final plats submitted for approval must continue to reserve sites for public use as designated on the approved development exhibit or concept plan.
- 2.** The City must initiate acquisition of any area reserved for public use within one year of preliminary plat approval unless extended by mutual agreement between the City and the developer.
- 3.** If the City does not initiate acquisition within this period:
 - A.** The reservation becomes void; and
 - B.** The area may be developed in accordance with this UDC.

Section 3.6. Adequate Public Infrastructure Studies

Note: The Adequate Public Infrastructure Studies section is still being drafted and will be presented at a later date.

A. PURPOSE

B. TRANSPORTATION

C. WATER AND WASTEWATER

D. RESERVATION AND RELEASE

E. PROJECT CHANGES

F. TRANSFERABILITY

G. APPEALS

H. MITIGATION

I. GENERAL REQUIREMENTS

Section 3.7. Participation Policies and Procedures

Note: The Participation Policies and Procedures section is still being drafted and will be presented at a later date.

A. PARTICIPATION POLICIES

B. PRO RATA

C. DEVELOPMENT AGREEMENT

D. COMPLEX REDEVELOPMENT AGREEMENT

Article 4. Definitions

Note: The definitions will be presented at a later date.

Section 4.1. Usage and Interpretation

Section 4.2. Terms Defined

1. Infill

A lot within an established developed area that is vacant, underutilized, or developed and proposed for redevelopment, and that is substantially served by existing streets, utilities, and other public infrastructure.

2. Infill Development

Development or redevelopment of a vacant, underutilized, or previously developed lot within an established developed area that is substantially served by existing streets, utilities, and other public infrastructure.

Section 4.3. Uses Defined