

DATE: August 2, 2016
TO: Honorable Mayor & City Council
FROM: John Muns, Chair, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 1, 2016

**AGENDA ITEM NO. 3 - PUBLIC HEARING
ZONING CASE 2016-025
APPLICANT: CITY OF PLANO**

Request to amend Section 10.800 (BG, Downtown Business/Government District) of Article 10 (Nonresidential Districts) to consider various amendments to sign regulations. Project #ZC2016-025.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____
Speaker Card(s) Received **Support:** 2 **Oppose:** 0 **Neutral:** 0
Letters Received Within 200' Notice Area: **Support:** 0 **Oppose:** 0 **Neutral:** 0
Letters Received Outside 200' Notice Area: **Support:** 0 **Oppose:** 0 **Neutral:** 0
Petition(s) Received: 0 **# Of Signatures:** 0

STIPULATIONS:

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

Amend Section 10.800.6 (BG, Downtown Business/Government District) (Sign Regulations) of Article 10 (Nonresidential Districts), such portions of section to read as follows:

B. General Provisions

i. Issuance of Sign Permit and Certificate of Appropriateness

Signs shall conform to the criteria in this section and to appropriate city codes, including obtaining a Certificate of Appropriateness if located in a Heritage Resource Overlay District, prior to issuance of a sign permit.

F. Sign Standards

vii. Directory Signs

a. General

On multi-tenant buildings where there are two or more tenants without direct outside access to a public street, a directory sign may be allowed. One directory sign per street, alley, or mews face is permitted.

xi. Mural Signs

Mural signs shall be regulated by Sec. 22.300. ~~Murals shall be attached rather than directly onto an exterior wall.~~

xiv. Wall Signs – Attached

b. Sign Area and Structure Size

The maximum permitted sign area for a single business or single storefront shall be one square foot per linear foot of business frontage along a public street, alley, or mews. The width of the sign structure shall not exceed half the width of the business's linear frontage. The maximum height of the sign structure shall not exceed one-third of the total height of the wall to which it is attached.

xv. Wall Signs- Painted

a. Sign Area

The maximum permitted sign area for a single business or single storefront shall be one square foot per linear foot of business frontage along a public street, alley, or mews. The width of the sign shall not exceed half the width of the business's linear frontage. The maximum height of the sign shall not exceed one-third of the total height of the wall to which it is attached.

xvi. Window Signs

a. Sign Area

ii. Window signs that exceed 15% of an individual window shall obtain a permit, unless the sign is a noncommercial temporary sign. All window signs located in a Heritage Resource Overlay District, except for Incidental Signs, require a Certificate of Appropriateness.

FOR CITY COUNCIL MEETING OF: August 8, 2016 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

DM/amf

xc: City of Plano, Owner
Doug McDonald, City of Plano
Wayne Snell, Permit Services Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 1, 2016

Agenda Item No. 3

Public Hearing: Zoning Case 2016-025

Applicant: City of Plano

DESCRIPTION:

Request to amend Section 10.800 (BG, Downtown Business/Government District) of Article 10 (Nonresidential Districts) to consider various amendments to sign regulations. Project #ZC2016-025.

REMARKS:

Over the past year, staff has been working with the Heritage Commission, public stakeholders, appointed project Advisory Committee, and heritage preservation consultants to update the Downtown Heritage Resource District Design Standards. These standards are used by the Heritage Commission to evaluate exterior improvements of heritage structures to ensure the integrity of the buildings and district. As part of the public outreach process, downtown stakeholders requested greater flexibility for signage, including the addition of mural signs and rear entry signage, which have been incorporated into the new Downtown Heritage Resource District Design Standards. These standards were approved by City Council on June 13, 2016. Due to these changes, there are inconsistencies between the BG district regulations and new Downtown Heritage Resource District Design Standards. On June 6, 2016, the Planning & Zoning Commission called a public hearing to consider related amendments to the Zoning Ordinance.

Mural Signage

The Zoning Ordinance defines a mural sign as a picture painted directly onto or applied to an exterior wall which does not contain logos or names of any business entity. Murals are reviewed and approved by the Building Official for compliance with the definition and other applicable local, state, and federal laws. However, Subsection .6 (Sign Regulations) of Section 10.800 (BG Downtown Business/Government District) further restricts mural signs in the BG District by stating: "Murals shall be attached rather than painted directly onto an exterior wall." The intent of this regulation was to protect the integrity of the Historic Downtown Plano buildings and prevent painting historic brick that was not previously painted.

The updated Design Standards provide greater detail and flexibility on how murals can be incorporated in a historic downtown while safeguarding the integrity of the structures. The standards state:

- Murals should not be directly painted onto a building wall that has not been previously painted. If the building wall has not been previously painted, the mural should be attached to the wall.
- Murals painted directly onto a building shall only be allowed for previously painted buildings or buildings with stucco siding.
- Murals shall only be appropriate along an interior secondary wall (not facing a street) or a rear wall.

Additionally, the Design Standards do not allow buildings with original building materials, such as brick, to be painted or covered with new building materials. This restriction prevents buildings from being painted or covered for the purpose of installing a mural sign. With these additional protections, staff believes it is not necessary to continue restricting painted murals in the BG district.

Rear Entry Signage

Traditionally, rear entrances on a historic building were used for utilitarian purposes, as service entrances and other private operations. Today, rear entries have become public areas, providing direct access to parking, plazas, pedestrian ways, or outdoor dining. The updated Design Standards encourage the enhancement of entrances with new doors, windows, canopies, lighting, and signs. However, the Zoning Ordinance restricts the location of Directory Signs and Wall Signs to public streets. This prohibits many businesses in Downtown Plano, particularly businesses on the south side of 15th Street and along K Avenue, from installing rear-entry signage.

These buildings would benefit from rear-entry signage as they face public alleys or mews, which lead to customer parking. Staff believes by allowing signs to face public alleys and mews, in addition to public streets, merchants will have the opportunity to enhance their business presence within public areas. This modification will also address the inconsistency with the Downtown Heritage Resource District Design Standards.

Certificate of Appropriateness References

A Certificate of Appropriateness is a required document for exterior work proposed by an owner or applicant on an individually designated heritage resource or on a building located within a designated Heritage Resource District. The review and approval of a Certificate of Appropriateness ensures the improvement complies with all design standards and guidelines adopted by City Council. Staff recommends the addition of two Certificate of Appropriateness references within the BG district as all properties within the Downtown Heritage Resource Overlay District are zoned BG (see attachment for map). These reference additions are intended to increase awareness of the Certificate of Appropriateness process for applicable properties.

Conformance to the Comprehensive Plan

The Comprehensive Plan includes a recommendation that applies to this zoning case:

Heritage Preservation Action Statement (HP5) - Review, and amend as necessary, the Zoning Ordinance for compatibility with the character of the existing historic districts.

This zoning case is a part of the city's continued efforts to review and evaluate the Zoning Ordinance for potential improvements related to heritage preservation. The city recently completed new design standards for the preservation, restoration, rehabilitation, and reconstruction of structures in the Downtown Heritage Resource Overlay District. The proposed amendments will address inconsistencies between the BG district regulations and new Downtown Heritage Resource District Design Standards. Staff believes the proposed changes are in conformance with the Heritage Preservation Action Statement (HP5).

SUMMARY:

This zoning case includes several amendments intended to address inconsistencies with the recently adopted Heritage Resource District Design Standards. The amendments will also increase awareness of the Certificate of Appropriateness process for applicable properties within a Heritage Resource Overlay District. The recommended updates are in conformance with the recommendations of the Comprehensive Plan. For these reasons, staff recommends approval of the zoning case.

RECOMMENDATION:

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

Amend Section 10.800.6 (BG, Downtown Business/Government District) (Sign Regulations) of Article 10 (Nonresidential Districts), such portions of section to read as follows:

B. General Provisions

i. Issuance of Sign Permit and Certificate of Appropriateness

Signs shall conform to the criteria in this section and to appropriate city codes, including obtaining a Certificate of Appropriateness if located in a Heritage Resource Overlay District, prior to issuance of a sign permit.

F. Sign Standards

vii. Directory Signs

a. General

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xi. Mural Signs

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xiv. Wall Signs – Attached

b. Sign Area and Structure Size

The maximum permitted sign area for a single business or single storefront shall be one square foot per linear foot of business frontage along a public street, alley, or mews. The width of the sign structure shall not exceed half the width of the business's linear frontage. The maximum height of the sign structure shall not exceed one-third of the total height of the wall to which it is attached.

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Zoning Case 2016-025

An Ordinance of the City of Plano, Texas, amending Section 10.800 (BG, Downtown Business/Government District) of Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, pertaining to sign regulations; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 8th day of August, 2016, for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 8th day of August, 2016; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Section 10.800.6 (BG, Downtown Business/Government District) (Sign Regulations) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of B and F to read as follows:

B. General Provisions

i. Issuance of Sign Permit and Certificate of Appropriateness

Signs shall conform to the criteria in this section and to appropriate city codes, including obtaining a Certificate of Appropriateness if located in a Heritage Resource Overlay District, prior to issuance of a sign permit.

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Section II. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section III. The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section IV. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section V. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 8TH DAY OF AUGUST, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY