

DATE: August 6, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 5, 2013

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2013-12
APPLICANT: CITY OF PLANO**

Request to amend Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance to allow retaining wall signs. Tabled July 15, 2013.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____

STIPULATIONS:

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

Amend Subsection 3.1602 (Definitions) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations), such portion of subsection to read as follows:

Sign - Retaining Wall: Any onsite sign attached to a retaining wall.

Amend Subsection 3.1603 (Design and Construction Specifications) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations), such portion of subsection to read as follows:

2. Freestanding Signs

a. Agricultural Signs

Agricultural signs, limited to advertising produce, crops, or animals on a farm, may be erected in any Agricultural zoning district and shall not exceed 50 square feet. Maximum height of an agricultural sign shall be 15 feet with a required setback of 30 feet from the front and side property lines. Spacing between signs shall be a minimum of 200 feet.

b. Apartment Signs

Apartment signs may be erected in any residential zoning district and shall not exceed 25 square feet. Maximum height of an apartment sign shall be ten feet for a monument sign and 12 feet for a pole sign with a required setback of 15 feet from the front property line. Apartment signs are limited to one per street front.

c. General Business Signs

- i. General business signs may be erected in nonresidential zoning districts and shall not exceed 90 square feet for monument signs and 60 square feet for pole signs, except for signs on property fronting on U.S. Highway 75, in which case the sign may be 100 square feet. Maximum height of a general business sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and shall be located a minimum of 30 feet from adjoining private property lines and a minimum of 60 feet from any other freestanding sign, except directional signs.
- ii. Single tenant properties shall be limited to one freestanding sign per street front.
- iii. General business signs shall be constructed of materials that are not subject to deterioration when exposed to the weather. Internally-illuminated general business signs must be constructed of noncombustible material or approved plastics.
- iv. General business signs may be retaining wall signs in accordance with Subsection 3.1603 (2) (m) below.

d. Identification Signs

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

- ii. Identification signs shall be limited to one sign per street front per development.
- iii. Identification signs shall be constructed of materials that are not subject to deterioration when exposed to the weather. Such signs, when internally illuminated, must be constructed of noncombustible materials or approved plastics.
- iv. Identification signs may be retaining wall signs in accordance with Subsection 3.1603 (2)(m) below.

e. Institution Signs

Institution signs erected in residential zoning districts shall not exceed 32 square feet with a maximum height of ten feet. Institution signs erected in nonresidential zoning districts shall comply with the requirements of a general business sign. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from any adjoining property line. Institution signs are limited to one per street front.

f. Multipurpose Signs

- i. The total area of multipurpose pole signs shall not exceed 150 square feet. In the case of multipurpose monument signs, the maximum overall area shall be 225 square feet; however, the copy area shall be limited to 150 square feet leaving a base area of 75 square feet.
- ii. The identification portion of multipurpose signs shall not exceed 50 square feet. Any combination of directory and reader board shall not exceed 100 square feet.
- iii. Multipurpose signs may be erected in nonresidential zoning districts.
- iv. Maximum height shall be ten feet for multipurpose monument signs and 20 feet for multipurpose pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted.
- v. Required setback for multipurpose signs shall be 30 feet from front and adjoining private property lines. Multipurpose signs are limited to one per street front per development and a minimum spacing of 60 feet from any other freestanding sign, except directional signs, must be maintained. Multipurpose signs that meet the size and height requirements of a general business sign shall be allowed an eight-foot front setback.

- vi. Multipurpose signs shall be constructed of materials not subject to deterioration when exposed to the weather and when internally illuminated must be constructed of noncombustible materials or approved plastics.

g. Municipally-owned Signs

Municipally-owned signs may be erected in any zoning district and if exceeding 100 square feet shall be reviewed by the Board of Adjustment for specific approval. Municipally-owned signs shall not be placed in any sight visibility triangle and shall be located at least 25 feet from any privately-owned parcel of land. Maximum height of monument styled municipally-owned signs shall not exceed ten feet and pole signs shall not exceed 20 feet in overall height.

h. Subdivision Entry Signs

Subdivision entry signs may be erected in residential zoning districts and shall not exceed 30 square feet with a maximum height of two feet six inches. Required setback shall be three feet from the front property line, and signs are limited to two per subdivision entryway. Freestanding subdivision entry signs shall only be allowed in the absence of subdivision wall signs or plaques. The homeowners association or developer shall enter into a maintenance agreement with the City of Plano Planning Department.

i. Onsite Directional Signs

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

j. Menu Board Signs

Menu board signs may be erected in nonresidential zoning districts and shall not exceed 40 square feet with a maximum height of six feet. Required setback shall be a minimum of eight feet from any property line and shall be a minimum of ten feet from any other menu board sign.

k. Unified-lot Signs

- i. Unified-lot signs may be erected in nonresidential zoning districts and shall comply with restrictions for freestanding signs in Subsection 3.1603.
- ii. Unified-lot sign may be placed on a premise consisting of two or more contiguous lots where each lot owner has entered into a binding agreement to treat their separate lots as one lot for the limited purpose of signage. The agreement shall contain a legal description of the properties subject to the agreement; the agreement is a covenant running with the land to be filed and made a part of the Deed Records of Collin or Denton County, Texas; and that the agreement cannot be amended or terminated without the consent of the Building Official. A unified-lot sign agreement shall not be effective until a true and correct copy of the approved agreement is filed in the Deed Records of the applicable county and a file-marked copy is filed with the Building Official.

I. Directory Signs

- i. Directory signs shall not exceed 40 square feet.
- ii. Directory signs shall not exceed 15 feet in height, measured from grade.
- iii. For multiple-sided signs, the gross surface area of each side shall not exceed two times the allowable square footage divided by the number of sign faces.
- iv. All accessibility and visibility requirements must be met for public sidewalks and streets.
- v. Directory signs shall be located a minimum of 60 feet from any other freestanding sign, except directional signs.
- vi. Changes to tenant names/locations on an existing permitted directory sign shall not require a permit.
- vii. Any directory sign shall be located within the established build line for that property.
- viii. Directory signs shall be used only to provide way finding information to tenants within a property.

m. Retaining Wall Signs

- i. Retaining wall sign copy area shall not exceed 70 square feet.
- ii. Retaining wall sign copy area shall not exceed eight feet in height.
- iii. Retaining wall signs shall be exempt from any setback from the front property line (or any property line adjacent to a street). A setback of 30 feet shall be required from any adjoining private property lines and a minimum of 60 feet from any other freestanding sign.
- iv. Retaining wall signs shall not project more than 12 inches from the wall surface, and shall not project into public right-of-way or across a property line.
- v. The sign copy shall not extend beyond the edges of the retaining wall.
- vi. Retaining wall signs shall be constructed of materials that are not subject to deterioration when exposed to the weather and must be constructed of noncombustible materials. Plastic construction materials shall not be permitted.
- vii. Retaining wall signs shall be lit by external illumination only.
- viii. Retaining wall signs shall not be reader board/electronic message center type.

3. Requirements for Freestanding Signs Located within an Overlay District

- a. All freestanding signs in an overlay district as set out by the City of Plano Zoning Ordinance shall be monument-type or retaining wall signs. (Reference Article 4 for allowed size, height, and border requirements for monument signs.)
- b. Single tenant properties shall be limited to one freestanding sign per street front.
- c. Multi-tenant commercial developments shall be limited to the following:
 - i. Multipurpose Signs
One sign per street front per development.

ii. General Business Signs

One sign per street front of the development or one per 225 feet of street frontage or portion thereof.

iii. Directory Signs

- d. No single tenant shall be allowed to advertise on more than one sign per street front, excluding a listing on directory signs.

Amend Subsection 4.505 of Section 4.500 (Preston Road Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.505 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. The maximum sizes and dimensions of the above signs shall be as follows for monument signs:

Amend Subsection 4.605 of Section 4.600 (Dallas North Tollway Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.605 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

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

Amend Subsection 4.705 of Section 4.700 (190 Tollway/Plano Parkway Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.705 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

Amend Subsection 4.805 of Section 4.800 (State Highway 121 Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.805 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

Amend Subsection 4.904 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.904 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. The following standards shall apply to monument signs:

FOR CITY COUNCIL MEETING OF: August 26, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

EH/av

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 5, 2013

Agenda Item No. 6

Public Hearing: Zoning Case 2013-12

Applicant: City of Plano

DESCRIPTION:

Request to amend Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance to allow retaining wall signs. Tabled July 15, 2013.

HISTORY:

This item was tabled at the July 15, 2013 Planning & Zoning Commission meeting. It must be removed from the table.

The Commission tabled the proposed zoning request and requested additional information related to establishing a maximum percentage of signage allowed on a retaining wall. Refer to the Percentage of Signage on a Retaining Wall section within this report for additional analysis.

REMARKS:

Recently, the city received a request to locate a sign on a retaining wall. Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) of the Zoning Ordinance does not currently allow for signs to be placed on retaining walls. Sign types and designs continue to change as businesses find new ways to advertise. For some properties, a retaining wall may be an appropriate location for a sign, instead of a typical monument or pole sign. At its meeting on March 18, 2013, the Planning & Zoning Commission called a public hearing and directed staff to consider amendments to the sign ordinance as it pertains to retaining wall signs.

ISSUES:

There are several issues that staff has identified that need to be addressed in order to create regulations pertaining to retaining wall signs.

Sign Types

Retaining wall signs are not attached to a building; therefore, staff believes it is appropriate to classify them as freestanding signs, similar to monument signs. There are two types of existing freestanding signs that staff recommends allowing as retaining wall signs. The first is general business signs, which the ordinance defines as any sign used to identify a business, profession, service, product or activity conducted, sold or offered on the premises where such sign is located. The second type is identification signs, which is defined as a sign used to identify shopping centers, industrial sites, retail districts and commercial sites. These two sign types are typically used by commercial properties to advertise their individual business or overall development name. Staff believes these sign types are appropriate on retaining walls.

Setbacks

The Zoning Ordinance requires that general business and identification signs have a minimum setback of eight feet from the front property line and a minimum of 30 feet from adjoining private property lines. Retaining walls may be located anywhere on a property as determined by the specific engineering needs of the property. A retaining wall may be located on or in close proximity to a property line, thus encroaching into the setbacks that are currently applied to general business and identification signs.

Most properties are able to comply with the required setbacks for general business and identification signs by adjusting the placement of the monument and pole signs. However, a retaining wall is in a fixed location which is not subject to change. Due to the inflexible location of a retaining wall, staff believes it is appropriate to exempt retaining wall signs from existing sign setback requirements as it pertains to the front property line only. This allows for retaining wall signs to be placed at the front property line and provide visibility. Staff believes that a minimum 30-foot setback from adjoining private property lines should be applied for retaining wall signs similar to other general business and identification signs. If this setback were reduced, businesses with a retaining wall could potentially have an additional sign when compared to businesses that do not have a retaining wall. The 30-foot setback allows for consistent sign regulation.

Height

The height and length of a retaining wall can be varied based upon the engineering needs of the subject property. Therefore, staff recommends regulating the height of the sign copy area due to the varied retaining wall dimensions. Currently, the maximum height for general business or identification monument signs is limited to ten feet. Height is measured to the tallest point of the sign. Staff recommends limiting the maximum height of the copy area of a retaining wall sign to eight feet. While this sign height is less than what is presently allowed for monument signs, staff believes this sign height limitation is appropriate due to the fact that a retaining wall may be located at the front property line; therefore, a taller sign height may not be appropriate so close to the adjacent street.

The overlay districts for State Highway 190 and State Highway 121 have specific allowances for the height of freestanding signs which exceed the standard requirements for signs not located within overlay districts. Allowed heights within the overlay districts range from six feet to 12 feet. Staff recommends that retaining wall signs within overlay districts comply with the same retaining wall sign regulations proposed for properties located elsewhere in the city.

Size

The size of general business signs is limited to 90 square feet for monument signs, and 60 square feet for pole signs. Identification signs are limited to 150 square feet for monument signs, and 100 square feet for pole signs. Within the overlay districts, the monument sign size ranges from 50 square feet to 125 square feet. The size of a monument sign does not pertain to the square footage of copy area, but rather the size of the sign itself.

Staff recommends restricting the maximum size of retaining wall sign copy area to 70 square feet for all retaining wall signs regardless of where it is located within the city. This size is comparable to the sizes of monument and pole signs as well as with monument signs located in the overlay districts, and takes into account the possibility of the retaining wall being located closer to or at the street right-of-way line.

Illumination and Construction Materials

The ordinance allows general business and identification signs to be illuminated by internal or external illumination. The type of illumination can be varied based upon the type of sign construction and its proximity to residential zoning districts. Staff recommends limiting retaining wall signs to external illumination only. Staff is also concerned that some materials may not be aesthetically appropriate for a retaining wall; therefore, staff recommends prohibiting the use of plastic materials. Plastic signs are more suitable for locations other than retaining walls. External illumination and the exclusion of plastic materials is recommended to protect the integrity of the retaining wall and encourage more aesthetically appropriate retaining wall sign materials.

Number and Spacing of Signs

Currently, the ordinance limits individual tenants to one freestanding sign per street front, including properties located in the city's overlay districts. Staff believes retaining wall signs should also be subject to this limitation. Additionally, general business and identification monument and pole signs must be a minimum of 60 feet from any other freestanding sign, except directional signs. Staff believes that this spacing requirement should be applied to retaining wall signs as well. If a property owner decides to use a retaining wall for signage purposes, then it should be treated similar to other general business and identification freestanding signs, and be required to respect the spacing requirements as such.

In the overlay districts, multi-tenant commercial developments may have one sign per street front or one sign per 225 feet of street frontage or portion thereof. If a site has a large amount of street frontage, it would be possible for that site to have multiple

general business signs. Staff recommends this allowance be extended to retaining wall signs as well so that if the site exceeds the 225 feet of street frontage, the subject property can have more than one general business sign on a retaining wall.

Projection

The Zoning Ordinance restricts wall signs from projecting more than 30 inches from the wall surface. Staff believes it is appropriate to restrict the projection of retaining wall signs so that the sign does not extend too far from the face of the wall, and also so that the sign does not extend into right-of-way or across a property line.

Staff believes that a projection of 12 inches is an appropriate allowance for a retaining wall sign. A retaining wall can vary in thickness depending upon the needs of the subject property. Therefore, staff is concerned that a 30-inch sign projection would be out of proportion to the scale and size of a retaining wall. A 30-inch projection on a building is appropriate, because the sign projection would be more proportional to the building mass and the building is able to absorb the additional sign thickness.

Percentage of Signage on a Retaining Wall

At the July 15 meeting, the Commission directed staff to also consider regulations which would limit the size of a retaining wall sign to a percentage of the retaining wall area. Using a percentage calculation to limit the size of signs is the method used for wall signs on a building. The ordinance limits the size of wall signs to two times the linear width and 75% of coverage of each elevation. Unlike the wall of a building, the height of a retaining wall can vary from a few inches to several feet on the same property. This variability makes it difficult to calculate a percentage of allowed signage which would apply to a retaining wall. Furthermore, staff believes the proposed regulations which would limit the copy area and spacing of signs as provided for in the recommendation section below are sufficient to address allowable sizes of retaining wall signs.

As an example, per the Subdivision Ordinance, the minimum lot frontage for a non-corner lot on a Type C thoroughfare is 150 feet. If a property has a four foot tall retaining wall that is 100 feet in length, a 50% limitation on the signage on the retaining wall would limit the total allowed area of signage to 200 square feet. As noted previously, the proposed spacing requirement on a lot not located within an overlay district is 60 feet between signs. With a wall 100 feet in length, that would allow space for a maximum of two signs. With the proposed limitation of 70 square feet of copy area per sign, the total allowable amount of signage would be 140 square feet, well below the 200 square feet maximum in the percentage example explained above. For these reasons, staff recommends not using a percentage to determine the sign area on a retaining wall.

RECOMMENDATION:

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

Amend Subsection 3.1602 (Definitions) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations), such portion of subsection to read as follows:

Sign - Retaining Wall: Any onsite sign attached to a retaining wall.

Amend Subsection 3.1603 (Design and Construction Specifications) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations), such portion of subsection to read as follows:

2. Freestanding Signs

a. Agricultural Signs

Agricultural signs, limited to advertising produce, crops, or animals on a farm, may be erected in any Agricultural zoning district and shall not exceed 50 square feet. Maximum height of an agricultural sign shall be 15 feet with a required setback of 30 feet from the front and side property lines. Spacing between signs shall be a minimum of 200 feet.

b. Apartment Signs

Apartment signs may be erected in any residential zoning district and shall not exceed 25 square feet. Maximum height of an apartment sign shall be ten feet for a monument sign and 12 feet for a pole sign with a required setback of 15 feet from the front property line. Apartment signs are limited to one per street front.

c. General Business Signs

- i. General business signs may be erected in nonresidential zoning districts and shall not exceed 90 square feet for monument signs and 60 square feet for pole signs, except for signs on property fronting on U.S. Highway 75, in which case the sign may be 100 square feet. Maximum height of a general business sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and shall be located a minimum of 30 feet from adjoining private property lines and a minimum of 60 feet from any other freestanding sign, except directional signs.
- ii. Single tenant properties shall be limited to one freestanding sign per street front.
- iii. General business signs shall be constructed of materials that are not subject to deterioration when exposed to the weather. Internally-illuminated general business signs must be constructed of noncombustible material or approved plastics.

- iv. General business signs may be retaining wall signs in accordance with Subsection 3.1603 (2) (m) below.

d. Identification Signs

- i. An identification sign may be erected in nonresidential zoning districts and shall not exceed 150 square feet for monument signs and 100 square feet for pole signs. Maximum height of an identification sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from adjoining private property line, and the sign shall be located a minimum of 60 feet from any other freestanding sign, except directional signs.
- ii. Identification signs shall be limited to one sign per street front per development.
- iii. Identification signs shall be constructed of materials that are not subject to deterioration when exposed to the weather. Such signs, when internally illuminated, must be constructed of noncombustible materials or approved plastics.
- iv. Identification signs may be retaining wall signs in accordance with Subsection 3.1603 (2)(m) below.

e. Institution Signs

Institution signs erected in residential zoning districts shall not exceed 32 square feet with a maximum height of ten feet. Institution signs erected in nonresidential zoning districts shall comply with the requirements of a general business sign. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from any adjoining property line. Institution signs are limited to one per street front.

f. Multipurpose Signs

- i. The total area of multipurpose pole signs shall not exceed 150 square feet. In the case of multipurpose monument signs, the maximum overall area shall be 225 square feet; however, the copy area shall be limited to 150 square feet leaving a base area of 75 square feet.
- ii. The identification portion of multipurpose signs shall not exceed 50 square feet. Any combination of directory and reader board shall not exceed 100 square feet.
- iii. Multipurpose signs may be erected in nonresidential zoning districts.

- iv. Maximum height shall be ten feet for multipurpose monument signs and 20 feet for multipurpose pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted.
- v. Required setback for multipurpose signs shall be 30 feet from front and adjoining private property lines. Multipurpose signs are limited to one per street front per development and a minimum spacing of 60 feet from any other freestanding sign, except directional signs, must be maintained. Multipurpose signs that meet the size and height requirements of a general business sign shall be allowed an eight-foot front setback.
- vi. Multipurpose signs shall be constructed of materials not subject to deterioration when exposed to the weather and when internally illuminated must be constructed of noncombustible materials or approved plastics.

g. Municipally-owned Signs

Municipally-owned signs may be erected in any zoning district and if exceeding 100 square feet shall be reviewed by the Board of Adjustment for specific approval. Municipally-owned signs shall not be placed in any sight visibility triangle and shall be located at least 25 feet from any privately-owned parcel of land. Maximum height of monument styled municipally-owned signs shall not exceed ten feet and pole signs shall not exceed 20 feet in overall height.

h. Subdivision Entry Signs

Subdivision entry signs may be erected in residential zoning districts and shall not exceed 30 square feet with a maximum height of two feet six inches. Required setback shall be three feet from the front property line, and signs are limited to two per subdivision entryway. Freestanding subdivision entry signs shall only be allowed in the absence of subdivision wall signs or plaques. The homeowners association or developer shall enter into a maintenance agreement with the City of Plano Planning Department.

i. Onsite Directional Signs

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

j. Menu Board Signs

Menu board signs may be erected in nonresidential zoning districts and shall not exceed 40 square feet with a maximum height of six feet. Required setback shall be a minimum of eight feet from any property line and shall be a minimum of ten feet from any other menu board sign.

k. Unified-lot Signs

- i. Unified-lot signs may be erected in nonresidential zoning districts and shall comply with restrictions for freestanding signs in Subsection 3.1603.
- ii. Unified-lot sign may be placed on a premise consisting of two or more contiguous lots where each lot owner has entered into a binding agreement to treat their separate lots as one lot for the limited purpose of signage. The agreement shall contain a legal description of the properties subject to the agreement; the agreement is a covenant running with the land to be filed and made a part of the Deed Records of Collin or Denton County, Texas; and that the agreement cannot be amended or terminated without the consent of the Building Official. A unified-lot sign agreement shall not be effective until a true and correct copy of the approved agreement is filed in the Deed Records of the applicable county and a file-marked copy is filed with the Building Official.

l. Directory Signs

- i. Directory signs shall not exceed 40 square feet.
- ii. Directory signs shall not exceed 15 feet in height, measured from grade.
- iii. For multiple-sided signs, the gross surface area of each side shall not exceed two times the allowable square footage divided by the number of sign faces.
- iv. All accessibility and visibility requirements must be met for public sidewalks and streets.
- v. Directory signs shall be located a minimum of 60 feet from any other freestanding sign, except directional signs.
- vi. Changes to tenant names/locations on an existing permitted directory sign shall not require a permit.
- vii. Any directory sign shall be located within the established build line for that property.
- viii. Directory signs shall be used only to provide way finding information to tenants within a property.

m. Retaining Wall Signs

- i. Retaining wall sign copy area shall not exceed 70 square feet.
- ii. Retaining wall sign copy area shall not exceed eight feet in height.
- iii. Retaining wall signs shall be exempt from any setback from the front property line (or any property line adjacent to a street). A setback of 30 feet shall be required from any adjoining private property lines and a minimum of 60 feet from any other freestanding sign.
- iv. Retaining wall signs shall not project more than 12 inches from the wall surface, and shall not project into public right-of-way or across a property line.
- v. The sign copy shall not extend beyond the edges of the retaining wall.
- vi. Retaining wall signs shall be constructed of materials that are not subject to deterioration when exposed to the weather and must be constructed of noncombustible materials. Plastic construction materials shall not be permitted.
- vii. Retaining wall signs shall be lit by external illumination only.
- viii. Retaining wall signs shall not be reader board/electronic message center type.

3. Requirements for Freestanding Signs Located within an Overlay District

- a. All freestanding signs in an overlay district as set out by the City of Plano Zoning Ordinance shall be monument-type or retaining wall signs. (Reference Article 4 for allowed size, height, and border requirements for monument signs.)
- b. Single tenant properties shall be limited to one freestanding sign per street front.
- c. Multi-tenant commercial developments shall be limited to the following:
 - i. Multipurpose Signs
One sign per street front per development.
 - ii. General Business Signs
One sign per street front of the development or one per 225 feet of street frontage or portion thereof.
 - iii. Directory Signs

- d. No single tenant shall be allowed to advertise on more than one sign per street front, excluding a listing on directory signs.

Amend Subsection 4.505 of Section 4.500 (Preston Road Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.505 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. The maximum sizes and dimensions of the above signs shall be as follows for monument signs:

Amend Subsection 4.605 of Section 4.600 (Dallas North Tollway Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.605 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

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

Amend Subsection 4.705 of Section 4.700 (190 Tollway/Plano Parkway Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.705 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

Amend Subsection 4.805 of Section 4.800 (State Highway 121 Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.805 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

Amend Subsection 4.904 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations), such portion of subsection to read as follows:

4.904 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. The following standards shall apply to monument signs:

Zoning Case 2013-12

An Ordinance of the City of Plano, Texas, amending Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to allow retaining wall signs; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability 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 26th day of August, 2013, 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 26th day of August, 2013; 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. Subsection 3.1602 (Definitions) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended to allow retaining wall signs, such portion of subsection to read as follows:

Subsection 3.1602 Definitions

Sign - Retaining Wall: Any onsite sign attached to a retaining wall.

Section II. Subsection 3.1603 (Design and Construction Specifications) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) of the

Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended, such portion of subsection to read as follows:

Subsection 3.1603 Design and Construction Specifications

2. Freestanding Signs

a. Agricultural Signs

Agricultural signs, limited to advertising produce, crops, or animals on a farm, may be erected in any Agricultural zoning district and shall not exceed 50 square feet. Maximum height of an agricultural sign shall be 15 feet with a required setback of 30 feet from the front and side property lines. Spacing between signs shall be a minimum of 200 feet.

b. Apartment Signs

Apartment signs may be erected in any residential zoning district and shall not exceed 25 square feet. Maximum height of an apartment sign shall be ten feet for a monument sign and 12 feet for a pole sign with a required setback of 15 feet from the front property line. Apartment signs are limited to one per street front.

c. General Business Signs

- i. General business signs may be erected in nonresidential zoning districts and shall not exceed 90 square feet for monument signs and 60 square feet for pole signs, except for signs on property fronting on U.S. Highway 75, in which case the sign may be 100 square feet. Maximum height of a general business sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and shall be located a minimum of 30 feet from adjoining private property lines and a minimum of 60 feet from any other freestanding sign, except directional signs.
- ii. Single tenant properties shall be limited to one freestanding sign per street front.
- iii. General business signs shall be constructed of materials that are not subject to deterioration when exposed to the weather. Internally-illuminated general business signs must be constructed of noncombustible material or approved plastics.

- iv. General business signs may be retaining wall signs in accordance with Subsection 3.1603 (2) (m) below.

d. Identification Signs

- i. An identification sign may be erected in nonresidential zoning districts and shall not exceed 150 square feet for monument signs and 100 square feet for pole signs. Maximum height of an identification sign shall be ten feet for a monument sign and 20 feet for pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from adjoining private property line, and the sign shall be located a minimum of 60 feet from any other freestanding sign, except directional signs.
- ii. Identification signs shall be limited to one sign per street front per development.
- iii. Identification signs shall be constructed of materials that are not subject to deterioration when exposed to the weather. Such signs, when internally illuminated, must be constructed of noncombustible materials or approved plastics.
- iv. Identification signs may be retaining wall signs in accordance with Subsection 3.1603 (2)(m) below.

e. Institution Signs

Institution signs erected in residential zoning districts shall not exceed 32 square feet with a maximum height of ten feet. Institution signs erected in nonresidential zoning districts shall comply with the requirements of a general business sign. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from any adjoining property line. Institution signs are limited to one per street front.

f. Multipurpose Signs

- i. The total area of multipurpose pole signs shall not exceed 150 square feet. In the case of multipurpose monument signs, the maximum overall area shall be 225 square feet; however, the copy area shall be limited to 150 square feet leaving a base area of 75 square feet.
- ii. The identification portion of multipurpose signs shall not exceed 50 square feet. Any combination of directory and reader board shall not exceed 100 square feet.

- iii. Multipurpose signs may be erected in nonresidential zoning districts.
- iv. Maximum height shall be ten feet for multipurpose monument signs and 20 feet for multipurpose pole signs, except for signs located on property fronting on U.S. Highway 75, in which case a height of 40 feet is permitted.
- v. Required setback for multipurpose signs shall be 30 feet from front and adjoining private property lines. Multipurpose signs are limited to one per street front per development and a minimum spacing of 60 feet from any other freestanding sign, except directional signs, must be maintained. Multipurpose signs that meet the size and height requirements of a general business sign shall be allowed an eight-foot front setback.
- vi. Multipurpose signs shall be constructed of materials not subject to deterioration when exposed to the weather and when internally illuminated must be constructed of noncombustible materials or approved plastics.

g. Municipally-owned Signs

Municipally-owned signs may be erected in any zoning district and if exceeding 100 square feet shall be reviewed by the Board of Adjustment for specific approval. Municipally-owned signs shall not be placed in any sight visibility triangle and shall be located at least 25 feet from any privately-owned parcel of land. Maximum height of monument styled municipally-owned signs shall not exceed ten feet and pole signs shall not exceed 20 feet in overall height.

h. Subdivision Entry Signs

Subdivision entry signs may be erected in residential zoning districts and shall not exceed 30 square feet with a maximum height of two feet six inches. Required setback shall be three feet from the front property line, and signs are limited to two per subdivision entryway. Freestanding subdivision entry signs shall only be allowed in the absence of subdivision wall signs or plaques. The homeowners association or developer shall enter into a maintenance agreement with the City of Plano Planning Department.

i. Onsite Directional Signs

- i. Onsite directional signs shall not exceed eight square feet and 30 inches in height and shall not contain advertising.
- ii. Directional signs shall be located a minimum of 30 feet from other freestanding signs, including other directional signs.

- iii. Sign provisions specifically addressed by State or Federal government regulations which are in conflict with local sign ordinance shall be exempt from local sign ordinance regulations.

j. Menu Board Signs

Menu board signs may be erected in nonresidential zoning districts and shall not exceed 40 square feet with a maximum height of six feet. Required setback shall be a minimum of eight feet from any property line and shall be a minimum of ten feet from any other menu board sign.

k. Unified-lot Signs

- i. Unified-lot signs may be erected in nonresidential zoning districts and shall comply with restrictions for freestanding signs in Subsection 3.1603.
- ii. Unified-lot sign may be placed on a premise consisting of two or more contiguous lots where each lot owner has entered into a binding agreement to treat their separate lots as one lot for the limited purpose of signage. The agreement shall contain a legal description of the properties subject to the agreement; the agreement is a covenant running with the land to be filed and made a part of the Deed Records of Collin or Denton County, Texas; and that the agreement cannot be amended or terminated without the consent of the Building Official. A unified-lot sign agreement shall not be effective until a true and correct copy of the approved agreement is filed in the Deed Records of the applicable county and a file-marked copy is filed with the Building Official.

l. Directory Signs

- i. Directory signs shall not exceed 40 square feet.
- ii. Directory signs shall not exceed 15 feet in height, measured from grade.
- iii. For multiple-sided signs, the gross surface area of each side shall not exceed two times the allowable square footage divided by the number of sign faces.
- iv. All accessibility and visibility requirements must be met for public sidewalks and streets.
- v. Directory signs shall be located a minimum of 60 feet from any other freestanding sign, except directional signs.
- vi. Changes to tenant names/locations on an existing permitted directory sign shall not require a permit.

- vii. Any directory sign shall be located within the established build line for that property.
- viii. Directory signs shall be used only to provide way finding information to tenants within a property.

m. Retaining Wall Signs

- i. Retaining wall sign copy area shall not exceed 70 square feet.
- ii. Retaining wall sign copy area shall not exceed eight feet in height.
- iii. Retaining wall signs shall be exempt from any setback from the front property line (or any property line adjacent to a street). A setback of 30 feet shall be required from any adjoining private property lines and a minimum of 60 feet from any other freestanding sign.
- iv. Retaining wall signs shall not project more than 12 inches from the wall surface, and shall not project into public right-of-way or across a property line.
- v. The sign copy shall not extend beyond the edges of the retaining wall.
- vi. Retaining wall signs shall be constructed of materials that are not subject to deterioration when exposed to the weather and must be constructed of noncombustible materials. Plastic construction materials shall not be permitted.
- vii. Retaining wall signs shall be lit by external illumination only.
- viii. Retaining wall signs shall not be reader board/electronic message center type.

3. Requirements for Freestanding Signs Located within an Overlay District

- a. All freestanding signs in an overlay district as set out by the City of Plano Zoning Ordinance shall be monument-type or retaining wall signs. (Reference Article 4 for allowed size, height, and border requirements for monument signs.)
- b. Single tenant properties shall be limited to one freestanding sign per street front.
- c. Multi-tenant commercial developments shall be limited to the following:

i. Multipurpose Signs

One sign per street front per development.

ii. General Business Signs

One sign per street front of the development or one per 225 feet of street frontage or portion thereof.

iii. Directory Signs

d. No single tenant shall be allowed to advertise on more than one sign per street front, excluding a listing on directory signs.

Section III. Subsection 4.505 of Section 4.500 (Preston Road Overlay District) of Article 4 (Special District Regulations), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is here by further amended, such portion of subsection to read as follows:

4.505 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. The maximum sizes and dimensions of the above signs shall be as follows for monument signs:

Section IV. Subsection 4.605 of Section 4.600 (Dallas North Tollway Overlay District) of Article 4 (Special District Regulations), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is here by further amended, such portion of subsection to read as follows:

4.605 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600, shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

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

Section V. Subsection 4.705 of Section 4.700 (190 Tollway/Plano Parkway Overlay District) of Article 4 (Special District Regulations), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is here by further amended, such portion of subsection to read as follows:

4.705 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

Section VI. Subsection 4.805 of Section 4.800 (State Highway 121 Overlay District) of Article 4 (Special District Regulations), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is here by further amended, such portion of subsection to read as follows:

4.805 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. Except for those signs located within 150 feet of a residential zoning district, the following standards shall apply to monument signs:

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

Section VII. Subsection 4.904 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations), of the Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is here by further amended, such portion of subsection to read as follows:

4.904 All freestanding apartment, general business, identification, institution, and multipurpose signs, as defined in Section 3.1600 shall be monument type except where permitted as a retaining wall sign in Subsection 3.1603. The following standards shall apply to monument signs:

Section VIII. 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 IX. The repeal of any ordinance or part of ordinances effectuated 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 X. 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 XI. 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 XII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 26TH DAY OF AUGUST, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY