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# ARCHITECTURAL AND SITE DESIGN STANDARDS: ANALYSIS AND RECOMMENDATIONS

December 16, 2014



***PLANNING DEPARTMENT***

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### **Appendices:**

- Appendix A – Draft Architectural Design Standards which Illustrate Staff’s Recommended Model
- Appendix B – 1999 Architectural Design Standards Analysis

## Introduction

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The City of McKinney's current architectural and site standards have been in place for almost 15 years; adopted on May 2, 2000. McKinney has seen a lot of changes since then. Most notably, McKinney has grown from a population of approximately 55,000 in 2000 to a population of over 150,000 in 2015. McKinney currently finds itself in a period of transition; evolving from the quaint charm, typical of a smaller bedroom community to the hustle and bustle likely found in many larger first-ring suburban cities. McKinney is currently faced with, as was the case in 2000, the need to encourage non-residential development to support its ever growing residential population while carefully balancing the need to preserve its historical and small town character. It is generally understood and acknowledged that the encouragement of non-residential development should not come at the expense of quality.

In 1999, McKinney's City Council and Staff knew that commercial development and change would eventually come. To ensure that McKinney would stay unique and to ensure that the coming commercial development was with the character appropriate to McKinney's values and history, the City Council and Staff set out to adopt architectural and site development standards. McKinney's Staff went through the arduous task of seeking out various types of architectural standards ordinances. They compiled examples of subjective ordinances, objective ordinances, ordinances administered by Staff, ordinances administered by boards, ordinances with minimum point requirements, ordinances with formula requirements and ordinances that were not weighted by points.

In 2000, a weighted, objective point system that was administered by Staff with an optional, subjective administrative process by a board, best reflected the values of the City of McKinney and its City Council. These standards have not been significantly modified since that time even though the City of McKinney and the development climate of North Texas have changed considerably. It's fair to say that the current regulations should be re-evaluated to ensure that they still adequately reflect the desires of the City Council and the citizens of McKinney.

## The Problem

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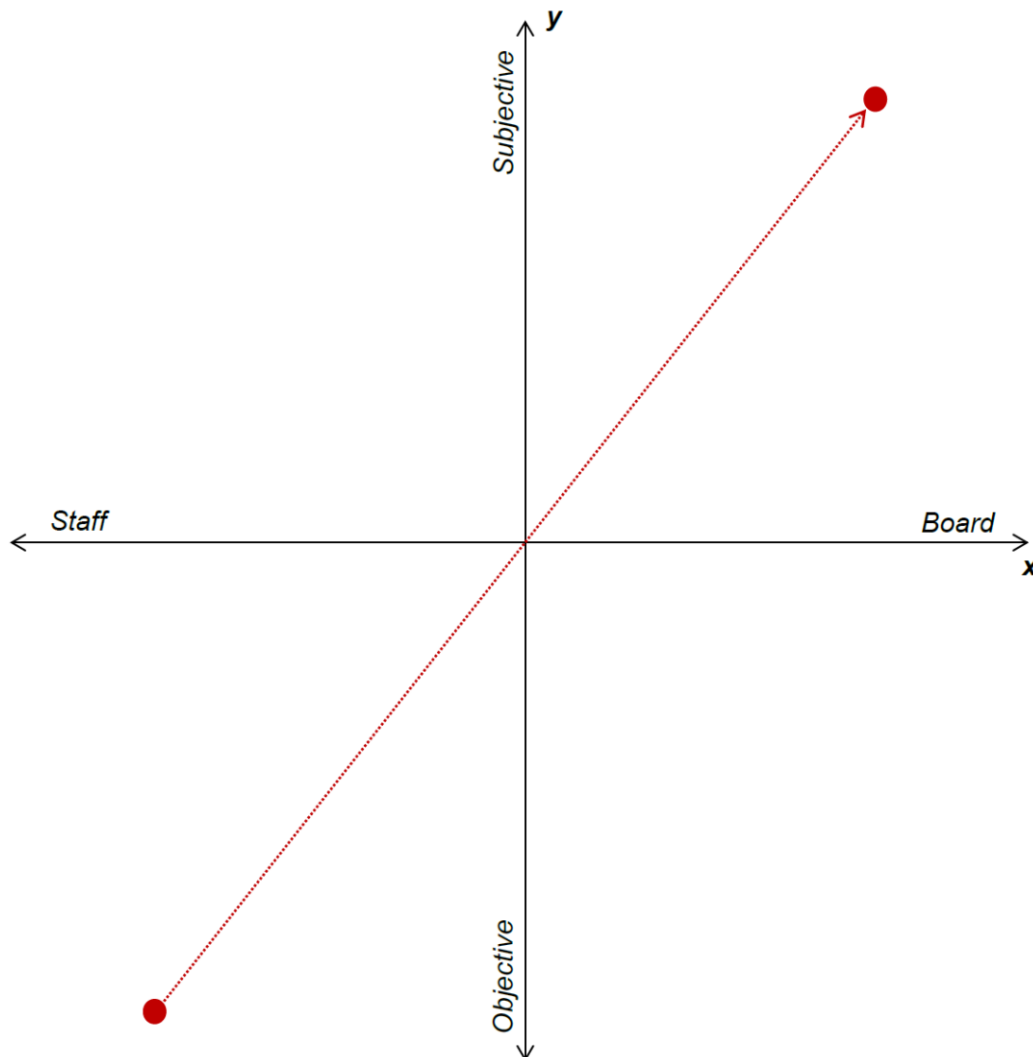
Because of McKinney's exponential growth over the last approximately 15 years, it's important to revisit our existing ordinances and the standards they contain to ensure the values they uphold are still the values held by McKinney's citizens and their elected representatives on the City Council. The existing architectural standards ordinance must also be revisited because, over the past few years, Staff has received specific feedback from several City Council members and from the development community that the current architectural and site standards ordinance is **too restrictive and stifles creativity, results in too many delays** and is **too confusing**. Staff has also heard comments that **additional building materials should be allowed by right**.

Before drafting an amendment to the architectural and site standards section of the Zoning Ordinance, Staff needed to gauge how the values and opinions of the City Council and the citizens of McKinney may have changed over the past 15 years. Staff

must also ascertain if McKinney's ordinances are actually too restrictive and too confusing or if this is merely a common misperception.

## **Architectural Design Standards Ordinance Models**

McKinney's approach to architectural and site standards can be easily illustrated by the model pictured below. In this model, there are two axis'; the "y" axis represents a continuum ranging from an ordinance that is completely objective to an ordinance that is completely subjective with variations of the two lying in between the two extremes and the "x" axis represents a continuum ranging from an ordinance completely administered by Staff to an ordinance that is completely administered by a board or commission with variations of the two lying in between the two extremes. The benefit of viewing architectural standards regulations in a graphical manner is that it's easy to recognize that there are an infinite number of possible regulation types that will fall within the parameters of this graph. The model that works best ultimately depends on the goals and objectives of a given community.



**McKinney's Existing Architectural and Site Standards Ordinance Model**

As one can see from the graphic above, McKinney currently utilizes an ordinance that is primarily objective in nature and is administered by Staff. However, McKinney's ordinance does allow for a limited discretionary approval by the Planning and Zoning Commission if a project does not fall perfectly within the confines of McKinney's ordinance.

As was previously stated, when drafting McKinney's model ordinance, Staff reviewed many other types of architectural standards ordinance models and formats. A few of these models are listed below for comparison along with the pros and cons of those models.

**Subjective Review Model:** Subjective reviews are usually accomplished through project evaluation by a board or by Staff. Staff and the board are typically given general direction from the City Council as to what constitutes acceptable or unacceptable design for a community. Generally, it is important for individuals participating in subjective reviews to have knowledge or a background in architectural history or style, general development principles, landscape architecture, and/or historic preservation.

Strengths

- Subjective reviews are flexible and allow for varying expression.
- Allows the reviewer(s) various amounts of discretion to ensure that community values are captured by a proposed building's design.

Weaknesses

- This type of review is not standardized and is highly subjective.
- As the composition of a board changes, so do their preferences.
- Less predictability for applicants and City over time.

**Formulaic Model:** Formulaic approaches to architectural standards attempt to standardize design evaluation by adhering to a methodology of point accumulation. This approach tries to reduce the subjective nature of aesthetic evaluation by identifying and quantifying the merits of positive elements such as roof slope, windows, and façade designs. These models typically use a weighted formula to place importance on specific architectural elements. The final score determines whether a structure is deemed acceptable or unacceptable.

Strengths

- Formulaic approaches typically avoid arbitrary and subjective decision making by minimizing the subjectivity in architectural review.
- Formulaic approaches ensure consistent architectural character throughout a municipality by placing high importance on specific architectural features and finishes.

Weaknesses

- Formulaic designs do not ensure architecturally pleasing designs.

- Conversely, buildings that may be architecturally pleasing may not receive enough points for approval.
- Formulaic approaches are often complex and difficult to understand and administer.

McKinney's current architectural standards ordinance assigns specific amounts of points for each architectural or site element reflected in most proposed non-residential designs. The points awarded for each element were determined by the City Council, in 2000, based on their importance. More points are awarded for architectural or site elements that are deemed more important than other less important elements resulting in a weighted point scale. If enough points are earned, the design is approved by Staff. If enough points are not earned, the design is modified or denied often resulting in the submittal of meritorious exception applications. Meritorious exceptions are intended to serve as a way for innovative designs to obtain approval without satisfying the required minimum point score. Meritorious exceptions were not intended to serve as a variance or appeal procedure or a cost saving measure for developers.

It should be noted that large portions of the non-residential properties in McKinney are also subject to the additional, typically more restrictive, architectural design standards of a property owner's association. While these standards are not enforced by the City of McKinney, these standards assist in maintaining a consistent architectural theme or quality throughout developments including, but not limited to Stonebridge Ranch (including Adriatica), the Villages of Eldorado, and/or Craig Ranch. In areas without these additional design controls, more architectural flexibility within the framework of McKinney's architectural and site design standards are often evident.

*It's worth noting that the Cities of Plano, Frisco and Allen implement various types of regulations that fall more on the flexible, subjective Staff review side of the objective-subjective spectrum. It's also important to acknowledge that a strict, overly rigid series of architectural design requirements, in addition to other development regulations, may serve as a deterrent to desirable residential and non-residential developments.*

## **Stated Concerns with McKinney's Current Regulations**

There are three main concerns that Staff has heard in regard to McKinney's current architectural design regulations:

1. *The current regulations are too restrictive;*
2. *The current point system is too confusing; and*
3. *The current architectural and design standards create delays in the development timeline.*

In order to properly address these concerns, Staff has examined each stated concern greater depth below to establish if the stated concern is valid or if it is merely a case of misperception.

Concern 1: *The current regulations are too restrictive.*

Before evaluating how restrictive the City of McKinney's current regulations are, it's important to recognize the common complaints which lead to this perception.

- The current regulations evaluate design on a “per wall” basis rather than a “per elevation” basis. Because the City's regulations place a significant level of importance on masonry content (brick, stone or synthetic stone) combined with the “per wall” evaluation approach, buildings can feel very heavy and monotonous. This may have a negative impact on the visual interest of a building.
- Additionally, McKinney's current regulations only allow exterior finishing materials including, but not limited to brick, stone, synthetic stone, stucco, EIFS, architectural concrete masonry units, or concrete tilt wall construction. Architectural metal and glass-curtain walls were added as approved finishing materials in limited instances in 2010. Architectural wood accents are not currently allowed, but may be permitted with the Planning and Zoning Commission's approval of a meritorious exception. While the majority of buildings will be finished with brick, stone, or a synthetic stone material, other materials are allowed but meritorious exceptions are needed in order to approve the use of new or innovative products which may delay the approval and development process.
- Additionally, the meritorious exception process has begun to lose its purpose over the last approximately five years. Originally, the meritorious exception process was designed to allow for exceptional quality or innovative architectural designs that were not allowed by the existing ordinance provisions. More recently, the meritorious exception process has served more as a de facto variance procedure which offers relief from the rigidity and lack of architectural variation offered by the existing regulations. Simply stated, an innovative or exceptional architectural design is no longer the basis for which approval is granted. In current practice, a meritorious exception application need only show that the building's design has been stifled by the current regulations. That said, there are still instances where innovative or exceptional designs are approved through the meritorious exception process, but these cases have become the exception rather than the rule.

It is not difficult to see why regular users of the City of McKinney's architectural standards find it to be too restrictive as it offers a fairly limited finishing materials palette and requires buildings to be evaluated on a “per wall” basis which may stifle architectural design and creativity. ***Staff recommends amendments to eliminate or significantly reduce the rigidity of the existing regulations which should address these stated concerns.*** Doing so will allow for more flexibility in design and material placement and will offer opportunities for more interesting façade compositions.

Concern 2: The current point system is too confusing.

As previously stated, the City of McKinney's current architectural and site design standards utilizes a weighted point system to approve or disapprove an architectural design proposal. This point system assigns specific values for architectural features deemed important by the community and allows the design professional to pick and choose from a list of architectural design elements that will be implemented to satisfy the architectural design requirements of McKinney's regulations. While to a layman this point system may seem confusing, design professionals are adept at following and adhering to McKinney's architectural standards without much difficulty. In fact, McKinney's weighted point system is similar to the approval system utilized by the U.S. Green Building Council for LEED certification.

With that stated, there are several aspects of McKinney's architectural and site standards that may rightly be perceived as being confusing.

- While the point system, in theory, is not confusing, the ordinance provisions that feed the point system are often verbose and at-times poorly worded. These overly wordy ordinance provisions are necessary due to the objectivity of the ordinance. Without the specific verbiage tying down every aspect of a given design principle or requirement, subjectivity, room for interpretation and disagreement, and confusion may be introduced. Inevitably, attempting to eliminate confusion by creating very specifically worded ordinance provisions, introduces confusion into the overall point system.
  - For example, ordinance provisions like "...the combined width of offsets shall be at least 20 percent but no greater than 50 percent of the total length of that elevation; and the height of such offsets shall be equal to or greater than 75 percent of each elevation..." exist throughout the ordinance. This provision is clearly confusing to read and is equally confusing to apply and enforce. In this aspect, McKinney's regulations are very confusing and are extremely problematic.

Staff agrees that there are ordinance provisions in the current regulations that are confusing and also agrees that the overly wordy style of the ordinance provisions leads to confusion. ***Staff recommends amending the ordinance to eliminate the current point system and its verbose ordinance provisions in favor of a clearly worded ordinance which is easy to understand, interpret, apply, and enforce.***

Concern 3: The current architectural and site design standards create delays in the development timeline.

When the current regulations were created, the meritorious exception was intended to serve as a subjective approval process for innovative or exceptional quality designs. Unfortunately, many developers don't realize a meritorious exception submittal will be necessary until they have submitted their building construction documents for review



and approval which is typically after the Planning Department's portion of the development process is complete. This results in untimely delays to the project's schedule as a new submittal must be made to the Planning Department, possibly delaying the project by up to a month. If a developer knows in advance that a meritorious exception will be sought because of a proposed building's design not being able to meet the City's regulations, no additional time is added to the design schedule.

Recognizing that portions of the existing architectural standards ordinance are confusing and possibly too restrictive which may lead to unexpected, redundant case submittals being necessary, ***Staff recommends modifying the submittal and approval process to eliminate unnecessary delays and additional case submittals.***

## **Summary**

It's important to reiterate that the current regulations have served the City of McKinney and its residents fairly well over the past approximately 15 years; with a few obvious and notable areas for improvement. McKinney has seen a number of visually appealing buildings built within those 15 years through the Staff approval and meritorious exception processes. However, the City has also seen some buildings constructed that leave a lot to be desired but met the minimum requirements of our ordinances. It's important to remember that no architectural standards regulations exist which will prevent "bad" designs 100% of the time.

Currently, Staff exercises objective approval authority over designs while a-typical designs require the Planning and Zoning Commission's approval via the meritorious exception process. In this aspect, the current ordinance works exactly as it was designed in 2000.

The current architectural standards and site standards section of the Zoning Ordinance ensures that a high level of masonry will be provided on each building that is to be built in McKinney unless the Planning and Zoning Commission exercises their discretionary approval of a proposed design via the meritorious exception process. In this aspect, the current ordinance works exactly as it was designed in 2000.

That said, it's obvious to see that the City of McKinney, the development climate, and architectural standards regulations locally and nationwide have changed significantly over the last 15 years thereby mandating amendments to our existing regulations. The existing regulations place more importance on a building's masonry content than its architectural design and subjective appeal. While this approach may be appropriate for a prototypical building, this approach can stifle creativity and architectural variety across multiple sites and developments.

## **Questions to Consider Before Revising the Current Ordinance**

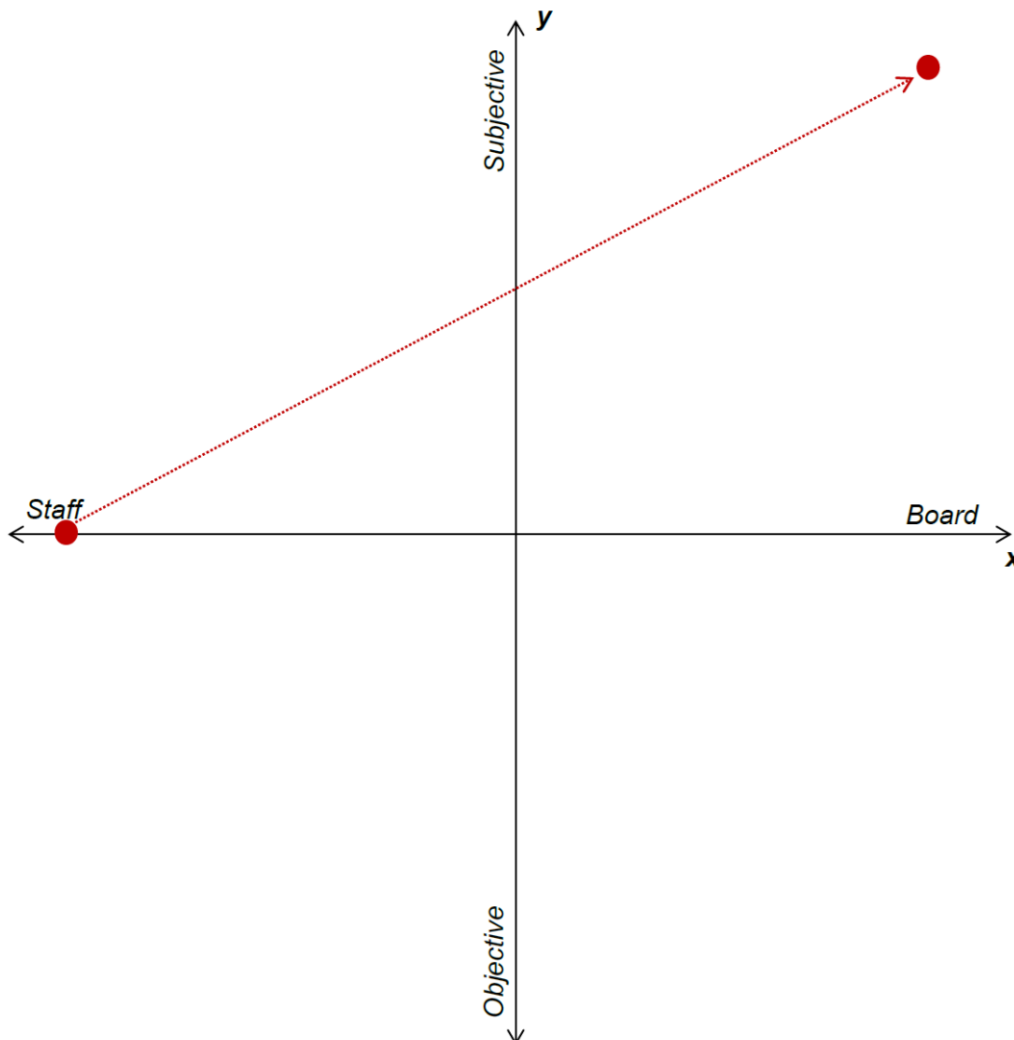
**Question 1:** Does the ordinance need to allow architectural flexibility and variety? If so, to what degree?

Question 2: Does the City Council want to allow a more subjective Staff review with an appeal process to the Planning and Zoning Commission (and ultimately to the City Council if need be)?

### **Staff Recommendation**

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In light of all of the comments and input that Staff has received regarding the existing architectural standards and site standards section of the Zoning Ordinance, Staff recommends overhauling the City's architectural and site design standards. The proposed amendments should create regulations which offer a more subjective review that allows for architectural variety in terms of design and finishing materials while offering up an appeal process to a higher approval authority. A graphic representation of this recommended model is provided below and a preliminary draft version of architectural and site standards regulations implementing this model is attached for reference purposes (Appendix A).



### **Recommended Architectural and Site Standards Ordinance Model**