

AGENDA ITEM

TO: Planning and Zoning Commission

FROM: Michael Quint, Director of Planning

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by the City of McKinney to Amend Sections 146-46 (Definitions), 146-70 (RS 120 District), 146-71 (RS 84 District), 146-72 (RS 72 District), 146-73 (RS 60 District), 146-74 (RS 45 District), 146-75 (RD 30 District), 146-76 (RG 27 District), 146-77 (RG 25 District), 146-83 (NC District), 146-84 (BN District), 146-85 (BG District), 146-86 (C District), 146-87 (O-1 District), 146-88 (O District), 146-89 (BC District), 146-90 (ML District), 146-91 (MH District), 146-130 (Vehicle Parking), Appendix F-1 (Schedule of Yards and Setbacks), Appendix F-2 (Schedule of Heights, Areas, and Densities) and Appendix F-4 (Schedule of Uses) of the Zoning Regulations; and to Establish Sections 146-102 (SF12 District), 146-103 (SF10 District), 146-104 (SF8 District), 146-105 (SF7.2 District), 146-106 (SF5 District), 146-107 (DR District), 146-108 (TH District), 146-109 (SO District), 146-110 (RO District), 146-111 (C1 District), 146-112 (C2 District), 146-113 (C3 District), 146-114 (LI District) and 146-115 (HI District) of the Zoning Regulations

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the March 4, 2014 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendments to multiple sections of Chapter 146 (Zoning Regulations) of the Code of Ordinances.

ITEM SUMMARY: Staff is proposing a series of amendments to multiple sections of the Zoning Ordinance that correspond to the creation of 14 new zoning districts. These new zoning districts represent Staff's attempt to create a set of regulations that are more reflective of the existing development climate without modifying existing property rights. The proposed 14 zoning districts will be available to utilize for future rezoning requests while most of the existing zoning districts will no longer be available for future rezoning requests.

In order to formally create these new zoning districts in addition to "freezing" some of the existing zoning districts going forward, new space limits and new/modified zoning districts regulations must be established. Staff has proposed modifications to Appendix

F-1 (Schedule of Yards and Setbacks) and F-2 (Heights, Areas, and Densities) of the Zoning Ordinance. These modifications include the consolidation of the information shown in the two Appendices into a single, more streamlined appendix. In an effort to preserve existing property rights, none of the space limits were modified for any existing zoning districts. Also, a single sentence is being added to the district regulations for those zoning districts that may not be utilized for future rezoning requests. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." This sentence will prohibit the district's use for rezoning requests going forward but will retain the existing regulations so that existing property rights remain untouched. The proposed date of July 1, 2014 was recommended by the Development Advocacy Group. Lastly, district regulations are being created for each new zoning district which will formally establish each new zoning district and will reference where information regarding the space limits and allowed land uses are located.

These proposed amendments were originally sent to the City Council for review on November 15, 2013 and were discussed with the City Council on December 16, 2013 and January 6, 2014. Additionally, Staff discussed these proposed amendments with various members of the development community at a Development Advocacy Group meeting on January 15, 2014, which was facilitated by the McKinney Economic Development Corporation (MEDC) Staff.

PROPOSED AMENDMENTS TO EXISTING REGULATIONS:

Proposed Changes to Section 146-46 (Definitions): This section is being modified to incorporate land use definitions (Truck Stop, Truck Fueling Station, Indoor Gun Range, Community Garden) that were approved by the City Council as part of the New and Unlisted Use process.

Proposed Changes to Section 146-70 (RS 120 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-71 (RS 84 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-72 (RS 72 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-73 (RS 60 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-74 (RS 45 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-75 (RD 30 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-76 (RG 27 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-77 (RG 25 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will

remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-83 (NC District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-84 (BN District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-85 (BG District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-86 (C District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-87 (O-1 District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: "Zoning or rezoning to this classification will not generally be permitted after July 1, 2014." While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-88 (O District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence

states: “Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.” While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-89 (BC District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: “Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.” While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-90 (ML District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: “Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.” While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-91 (MH District): As proposed by Staff, no one will be able to zone/rezone their property to this zoning district after July 1, 2014. In order to implement this change, one sentence is being added to this section. This sentence states: “Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.” While this zoning district will not be utilized going forward, it will remain in the Zoning Ordinance so any properties that are governed by this zoning district will not see any impacts on the existing property rights.

Proposed Changes to Section 146-130 (Vehicle Parking): This section is being modified to incorporate minimum off-street parking requirements for land uses (Truck Stop, Truck Fueling Station, Indoor Gun Range, Community Garden) that were previously approved by the City Council as part of the New and Unlisted Use process. These minimum off-street parking standards are identical to those previously approved by the City Council. None of the other minimum off-street parking requirements are changing thus existing property rights will not be affected.

Proposed Changes to Appendix F-1 (Schedule of Yards and Setbacks): This appendix is being modified to incorporate all of the information currently reflected by Appendix F-2 (Schedule of Heights, Areas, and Densities) in addition to the space limits for the 14 new zoning districts that are being proposed. None of the existing space limits are being modified and as such, property rights will not be affected.

Proposed Changes to Appendix F-2 (Schedule of Heights, Areas, and Densities): This appendix is being eliminated in an effort to reduce the number of exhibits that must be referenced in order to identify a zoning district’s entire set of space limits. All of the

information that is currently reflected on Appendix F-2 will now be reflected on Appendix F-1. None of the existing space limits are being modified and as such, property rights will not be affected.

Proposed Changes to Appendix F-4 (Schedule of Uses): This appendix is being modified to incorporate the land uses (Truck Stop, Truck Fueling Station, Indoor Gun Range, Community Garden) previously approved by the City Council as part of the New and Unlisted Use process. Additionally, duplicate land uses were eliminated while ensuring that property rights were not affected. Finally, the 14 new zoning districts that are being proposed by Staff were added to the appendix as discussed previously with the City Council on December 14, 2013.

PROPOSED ESTABLISHMENT OF NEW REGULATIONS:

Proposed Section 146-102 (SF12 District): This zoning district is designed to stabilize and protect the residential characteristics of the district and to encourage a suitable family life environment on relatively ample lots. It is mostly closely aligned with the existing RS 120 zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market while respecting the vision outlined within the City's Comprehensive Plan (median and mean lot size/maximum density). For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-103 (SF10 District): This zoning district is designed to stabilize and protect the residential characteristics of the district and to encourage a suitable family life environment on relatively ample lots. It is mostly closely aligned with the existing RS 120 and RS 84 zoning districts. This zoning district will be available for use going forward and its space limits are more reflective of the current development market while respecting the vision outlined within the City's Comprehensive Plan (median and mean lot size/maximum density). For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-104 (SF8 District): This zoning district is designed to encourage a suitable family life on medium size lots. It is mostly closely aligned with the existing RS 84 zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market while respecting the vision outlined within the City's Comprehensive Plan (median and mean lot size/maximum density). For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-105 (SF7.2 District): This zoning district is designed to encourage a suitable family life on medium size lots. It is mostly closely aligned with the existing RS 72 zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market while respecting the vision outlined within the City's Comprehensive Plan (median and mean

lot size/maximum density). For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-106 (SF5 District): This zoning district is designed to encourage a suitable family life on a variety of lot sizes while ensuring an appropriate residential density for the overall development. It is mostly closely aligned with the existing RS 60 and RS 45 zoning districts. This zoning district will be available for use going forward and its space limits are more reflective of the current development market while respecting the vision outlined within the City's Comprehensive Plan (median and mean lot size/maximum density). This zoning district will also allow for a wide range of product types including, but not limited to "zero-lot line" homes and "center-loaded" homes. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-107 (DR District): This zoning district is designed to provide for a medium density residential environment which consists of two-family residential (duplex) units. It is mostly closely aligned with the existing RD 30 zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-108 (TH District): This zoning district is designed to provide for a medium density residential environment which consists of attached single family residential (townhome) units. It is mostly closely aligned with the existing RG 27 zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1, with the exception of a density bonus which may be found in this section (146-108).

Proposed Section 146-109 (SO District): This zoning district is designed to provide for low intensity office uses which are typically located at intersections of arterial roads and collector roads. It is mostly closely aligned with the existing O-1 zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-110 (RO District): This zoning district is designed to provide for high intensity office uses which are typically located along major regional highways or at intersections with major regional highways. It is mostly closely aligned with the existing O zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-111 (C1 District): This zoning district is designed to provide for low intensity commercial uses which are typically located where collector roads intersect with other collector roads or arterial roads. It is mostly closely aligned with the existing

NC and BN zoning districts. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-112 (C2 District): This zoning district is designed to provide for medium intensity commercial uses which are typically located where arterial roads intersect with other arterial roads. It is mostly closely aligned with the existing BG zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-113 (C3 District): This zoning district is designed to provide for high intensity commercial uses which are typically located along major regional highways and where arterial roads intersect with major regional highways. It is mostly closely aligned with the existing C zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-114 (LI District): This zoning district is designed to provide for a wide range of commercial and industrial uses, all of which shall be comparatively nuisance-free. It is mostly closely aligned with the existing ML zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

Proposed Section 146-115 (HI District): This zoning district is designed to provide for the widest range of industrial operations permitted in the city. It is the zone for location of those industries, which have not reached a technical stage in processing, which renders them free of nuisance factors or where economics precludes construction and operation in a nuisance-free manner. It is mostly closely aligned with the existing MH zoning district. This zoning district will be available for use going forward and its space limits are more reflective of the current development market. For maximum ease of use, all of the space limits for this zoning district may be found in Appendix F-1.

OPPOSITION TO OR SUPPORT OF AMENDMENTS: Staff discussed these proposed amendments with various members of the development community at a Development Advocacy Group meeting on January 15, 2014, which was facilitated by the McKinney Economic Development Corporation (MEDC) Staff. At that time, Staff received broad support of the proposed amendments in addition to recommended modifications to a few proposed development regulations. Additionally, the Development Advocacy Group also recommended a “freeze” date of July 1, 2014 for the existing zoning districts that will not be utilized for future rezoning requests.

Staff has not received any other feedback, either in support of or opposition to the proposed amendments.