

ORDINANCE NO. 1522

AN ORDINANCE AMENDING CITY OF MCKINNEY ORDINANCE NO. 1499; AMENDING THE PLANNED DEVELOPMENT REGULATIONS FOR THE HIGHLANDS ADDITION; PROVIDING FOR MODERATE DENSITY SINGLE FAMILY DISTRICTS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:

SECTION I: That from and after the effective date of this Ordinance, Ordinance No. 1499 of the City of McKinney and the planned development regulations contained therein for the Highlands Addition is hereby amended by the addition thereto of the following zoning district to be designated Moderate Density Single Family:

Intent:

The intent of this category of zoning is to enable greater flexibility to adjust to changes within the single family market while insuring a quality development. Its purpose is to provide the ability to combine Low and High Density Single Family or convert High Density Single Family zoning as defined by this Ordinance so that the overall density within the combined and/or converted tract(s) is less than the maximum that could have been achieved if the tract(s) had been developed to its/their original maximum density.

The combining of Low and High Density Single Family land is permissible only when the Low Density Single Family land is combined with an equal amount of High Density Single Family Land. Low Density Single Family land that is converted to Moderate Density Single Family land will still apply towards the 88 acre minimum Low Density Single Family requirement contained in Paragraph 6(a) since it is offset by a reduction in High Density Single Family land.

High Density Single Family land may be converted to Moderate Density Single Family land without restriction.

The combining or converting of land to Moderate Density Single Family zoning shall occur when the land is platted.

Permitted Uses:

Single Family attached or detached dwellings
 Cluster Single Family Dwellings
 Patio Homes
 Duplex
 Triplex
 Quadriplex
 Townhomes

Maximum Density:

Seven Dwellings Units/Acre. All permitted uses within this zoning classification shall comply with the following specific requirements:

Coverage: A maximum of 60% of the lot area including accessory buildings.

Parking: A minimum of two (2) uncovered parking spaces shall be maintained. However, if rear entry is provided, then one (1) covered and one (1) uncovered parking space shall be acceptable.

Building Height: No building or structure shall exceed thirty-five feet (35') in height.

SETBACKS

Front Yard: Eighteen feet (18') minimum. Key lots may have a minimum front yard setback of fifteen feet (15') if garage doors on the front lots are facing. All Key Lots within a cluster will have a minimum of fifty-six feet (56') of separation between facing garage doors.

Side Yard: Zero feet (0') on one or both sides of a structure (containing more than two dwelling units) provided that a minimum separation of fourteen feet (14') is provided between structures. For structures containing one or two dwelling units, a minimum separation of ten feet (10') shall be maintained between structures and shall be achieved through any combination of side yard setbacks that total ten feet (10').

Side Yard on Corner: Shall be the same as the Front Yard setback. For Key Lots a minimum setback of fifteen feet (15') shall be maintained from all street right of ways.

Rear Yard: Fifteen feet (15') minimum except that the Front and Rear Yard setback requirements may be switched if rear entry is provided. For Key Lots, a minimum useable yard of at least four hundred (400) square feet with a minimum dimension of ten feet (10') shall be provided.

Lot Width: No minimum is required provided that all lots comply with minimum setbacks, maximum coverage, and required useable yard areas and provided that all lots have a minimum of ten feet (10') frontage on an existing or proposed street.

Lot Depth: No minimum, provided all setbacks are met.

Lot Shape: Lots may be irregular in shape (such as Key Lots) so as to enable the density permitted in this zoning classification.

SECTION II: This ordinance shall take effect immediately upon its adoption.


SECTION III: If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared

invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION IV: It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefor, shall be fined any sum not exceeding \$200.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, on this the 5th day of March, 1985.

CORRECTLY ENROLLED:


Jennifer Cravens
City Secretary