

Sec. 146-131. - Off-street loading.

Every building or part thereof erected or occupied for retail business, service, manufacturing, storage, warehousing, hotel, mortuary, or any other use similarly involving the receipt or distribution by vehicles of materials or merchandise, may provide and maintain on the same premises loading space in accordance with the following requirements. If a loading space is provided, then the loading space must comply with the requirements below. These requirements shall not apply to the MTC - McKinney Town Center zoning district. For those standards that are specifically applicable to the MTC - McKinney Town Center zoning district, refer to appendix G to this zoning ordinance.

- (1) Each required loading space shall meet the following minimum size requirements:
 - a. Twelve feet by 60 feet for industrial or warehouse uses.
 - b. Twelve feet by 35 feet for commercial and institutional uses.
 - c. Fourteen feet minimum vertical clearance.
- (2) Access and maneuvering areas shall be provided on the same building lot as the principal use for which the loading space is intended.
- (3) Distance from property lines shall be as follows:
 - a. Any loading dock or structure and its associated loading spaces shall be:
 1. Set back a minimum distance of 200 feet from any adjacent residential use or zoning district; and
 2. Set back a minimum distance of 75 feet from any public street or front property line; and
 3. Oriented away from the street frontage.
 - b. Any loading spaces not associated with a loading dock or structure shall be set back a minimum distance of 50 feet from any adjacent residential use or zoning district, and there shall be no minimum setback if the subject property abuts a non-residential use or lot line.
 - c. In instances where a property has more than one street frontage, the bay doors shall be oriented away from the street frontage with the greatest width. If the streets are the same width, then the bay doors shall be oriented away from the property's front lot line (as defined in section 146-46(66)g.).
- (4) Loading docks for any establishment, which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m. and is adjacent to a residential use or districts shall be designed and constructed so as to enclose the loading operation on three sides to reduce noise, with the open end directed away from residential property.
- (5) If unique site circumstances prevent strict adherence with subsection (3) of this section, the planning and zoning commission may consider a variance to the provisions of subsections (3) of this section; provided that sufficient screening and buffering is provided to mitigate the impact of the loading areas on surrounding properties. The applicant shall prove that the variance from the zoning regulations is warranted under the circumstances presented. A variance may be granted if the planning and zoning commission and/or city council, depending on which body has the final approval authority as indicated in section 146-45 finds that:
 - a. Unique circumstances exist on the property that make application of subsections (3) of this section unduly burdensome on the applicant;
 - b. The variance will have no adverse impact on current or future development;
 - c. The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses; and
 - d. The variance will have no adverse impact on the public health, safety, and general welfare.

A financial hardship shall not be considered a basis for the granting of a variance.