

P&Z Commission Training Series

Topic 3: Zoning Ordinance Specials
May 24, 2016



- MONEY MAGAZINE 2014 -

Commission Training Series

Topics and Progress

- Comprehensive Planning and Its Influence on Development
- The McKinney Zoning Ordinance Part 1 (The Basics)
- The McKinney Zoning Ordinance Part 2 (Zoning Specials)**
- The McKinney Subdivision Ordinance and Platting Process
- Site Planning and Architectural Standards in McKinney
- The McKinney Development Process from A to Z

Zoning Ordinance Specials

Governing Legislation

Governed by and applied through Chapter 211 of the Texas Local Government Code.

Chapter 211 of the Texas Local Government Code states:

“The powers granted under this subchapter are for the purpose of promoting the public health, safety, morals, or general welfare...”

Chapter 146 of the McKinney Code of Ordinances (Zoning Ordinance) states:

“It is the purpose of this chapter [to act] ... in accordance with the comprehensive urban plan for the city.”

Zoning Ordinance Specials (cont)

What?

- Within the City of McKinney's Zoning Ordinance there are special regulatory tools that have been established to achieve specific planning and urban design objectives for a specific area, use, or district.
- Some of the types of special regulatory tools in the City of McKinney Zoning Ordinance are:
 - Specific Use Permits (SUP's);
 - Planned Development Districts (PD's);
 - McKinney Town Center District (MTC); and
 - Overlay Districts
- Provides flexibility to capture and adapt to future uses and market trends.
- Establishes regulations to achieve specific planning and urban design objectives within the City.

Allows the City to promote orderly growth and development so that quality of life can be maintained as the City grows.

Zoning Ordinance Specials (con't.)

Who?

- Applies to all properties within the Special Districts and to specific uses of the McKinney City Limits
- Administered by Development Services Division of the City (Planning Department)
- Enforced by City Council with recommendations from Planning & Zoning Commission
- Generally, Planning & Zoning Commission has approval authority for site plans and façade plans

Specific Use Permits (Sec. 146-41)

Purpose

Specific use permits are permits for land uses that may impact the surrounding property in regards to noise, light, odor, traffic, smoke, etc. and are required to contain requirements and safeguards to mitigate the impacts of the specific use.

Special Specific Use Regulations:

- Car Wash
- Service Station
- Private Club
- Bed and Breakfast Facilities
- Private Street Subdivisions
- Mini-warehouse Uses
- Other Uses as indicated by “S” in the schedule of uses

The McKinney Zoning Ordinance: Schedule of Uses

Type of Use	AG	RED-1	RED-2	RS 120	RS 84	RS 72	RS 60	RS 45	RD 30	RG 27	RG 25	RG 15 [18]	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	MTC	SF 12	SF 10	SF 8	SF 7.2	SF 5	DR	TH	SO	RO	C1	C2	C3	LI	HI				
Residential Uses																																														
Bed and breakfast (See Ch. 138, Art. IV)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S		S								N-1	S	S	S	S	S	S	S										
Boardinghouse or rooming house (17)											P		P	P	P			P	P	P			P						N-1										S	S	S					
Dormitories					P	P	P	P	P	P	P	P	P	P	P			P	P	P			P						N-1										P	P	P	P				
Independent living facility (retirement community) (56)											P	P	P	P	P				S	S	S	S							N-1						S	S	S	S	S	S	S					
Mobile home dwelling (68)															P														N-1																	
Mobile home park (See Ch. 138, Art. III) (69)															P														N-1																	
Multiple family dwelling (apartment) (71)											P	P	P	P	P			P	P	P									N-1																	
Multiple family dwelling, senior (senior apartment) (72)											P	P	P	P	P			P	P	P									N-1																	
Single family dwelling (attached) (104)										P	P	P	P	P	P			P	S	P									N-1																	
Single family dwelling (detached) (105)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P									N-1	P	P	P	P	P	P	P										
Two family dwelling (duplex) (119)									P	P	P	P	P	P	P		P	P	P	P									N-1																	
Watchman or caretaker quarters	P	P	P																										N-1										S	S	S	P	P			
Educational and Institutional Uses																																														
Assisted living facility, nursing home, or rest home (10)													P	P	P	P		P	P	P	P	S	S						N-1									S	S	S	S	P	P	P		
Cemetery	S																												N-1																	
Church, rectory, or other places of worship including church-operated day-care facilities and pre-schools (25)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P			N-1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Clinic (28)																	P	P	P	P	P	P	P						N-1										P	P	P	P	P			
College or university	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P			P	P	P		P							N-1										P	P	P	P	P			

Planned Development District

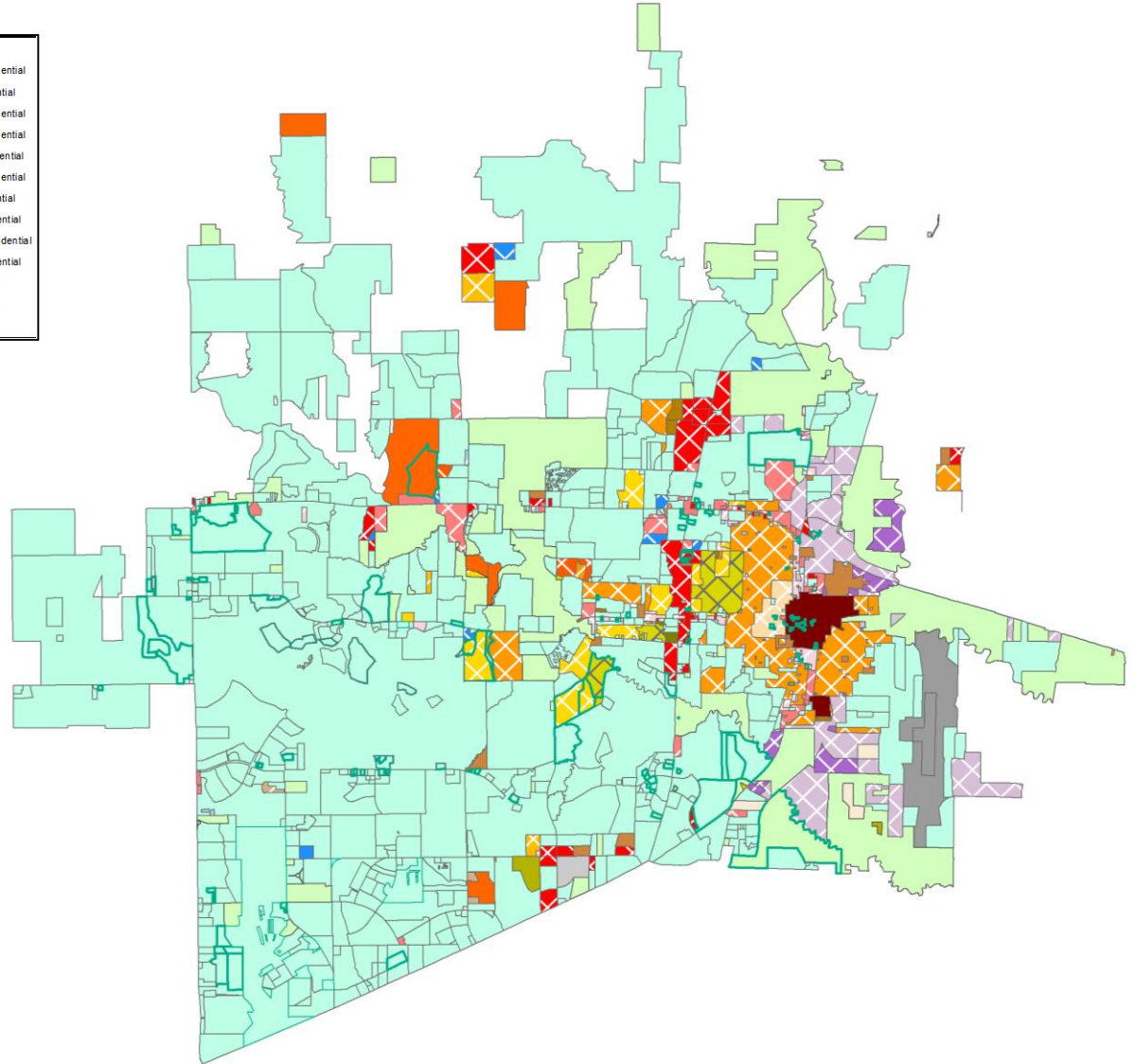
Purpose

The Planned Development district is designed to provide the flexibility and allow new and innovative developments to occur within the city that otherwise would not occur within the existing districts.

- PD's must provide a level of **exceptional quality or innovation** for the associated design or development.
- Exceptional quality or innovation forms:
 - Enhanced landscaping
 - Creative site or architectural designs, or
 - Some other innovative element(s)
- Examples
 - Tucker Hill
 - Adriatica

The McKinney Zoning Ordinance: Zoning Map

SUP: Special Use Permit	ML: Light Manufacturing	MP: Mobile Home Park
AG: Agriculture	HI: Heavy Industrial	RS-45: Single Family Residential
FP: Floodplain	MH: Heavy Manufacturing	SF5: Single Family Residential
GC: Governmental Complex	SO: Suburban Office	RS-60: Single Family Residential
AP: Airport	O-1: Neighborhood Office	RS-72: Single Family Residential
MTC: McKinney Town Center	RO: Regional Office	SF7.2: Single Family Residential
PD: Planned Development	O: Office	RS-84: Single Family Residential
C1: Neighborhood Commercial	MF-1: Multifamily Residential	SF8: Single Family Residential
BN: Neighborhood Business	RG-25: General Residential	SF10: Single Family Residential
C2: Local Commercial	RG-18: General Residential	RS-120: Single Family Residential
BG: General Business	TH: Townhome Residential	SF12: Single Family Residential
C3: Regional Commercial	RG-27: General Residential Townhome	RED-2: Residential Estates
C: Planned Center	DR: Duplex Residential	RED-1: Residential Estates
LI: Light Industrial	RD-30: Duplex Residential	

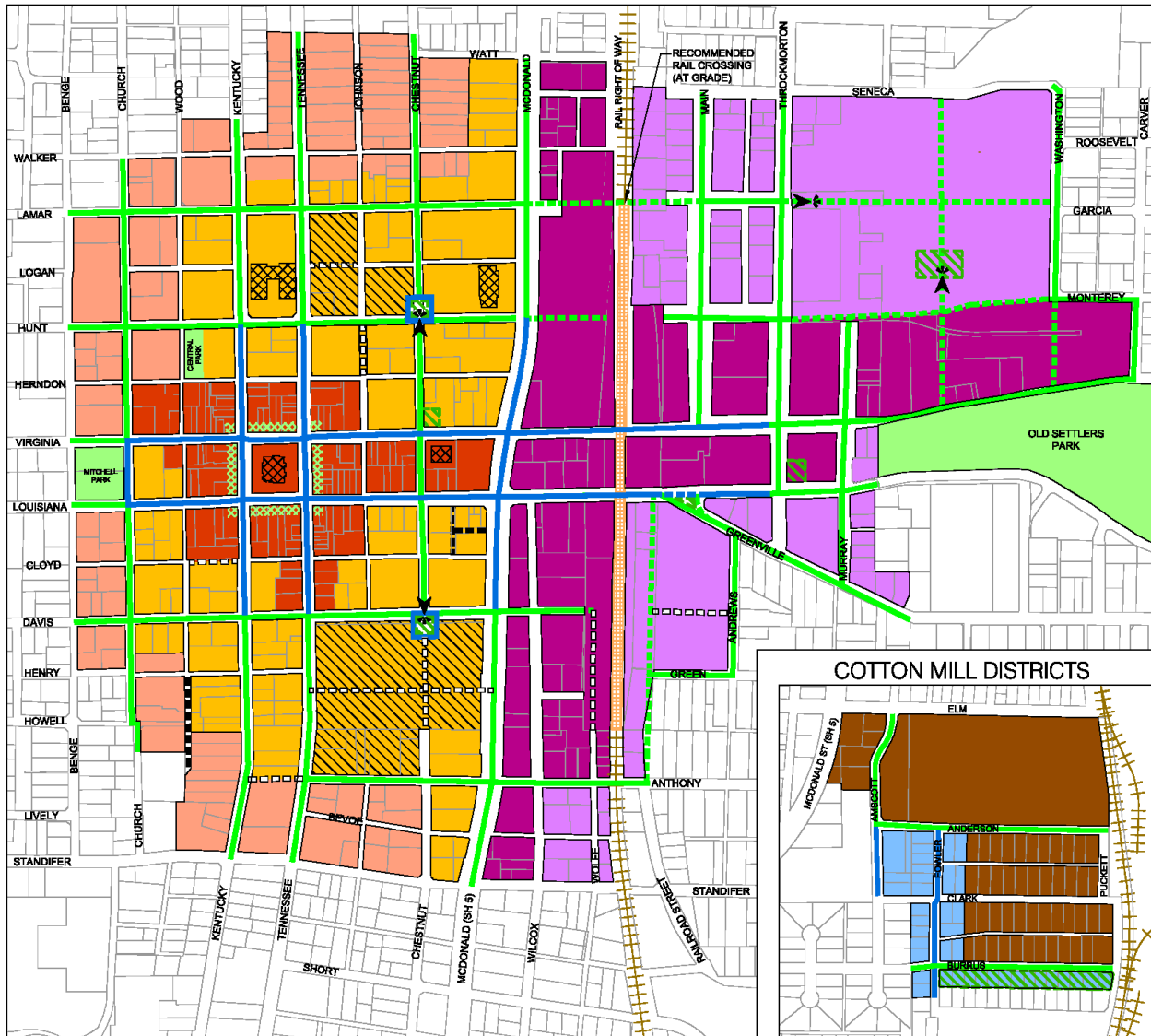


McKinney Town Center District

Purpose

- The McKinney Town Center district (“MTC”), is a district that is intended to implement the Town Center Study Phase 1 Report and associated illustrative vision (known together as the "Town Center Master Plan") adopted by City Council in March 2008.
- It facilitates pedestrian oriented, mixed-use, urban infill redevelopment in and around the historic core of McKinney, providing shopping, employment, housing, and business and personal services.
- The MTC district arose from the desire to capitalize and expand on the unique features and aspects of Downtown McKinney.

McKinney Town Center Regulating Plan



CHARACTER DISTRICTS	
Historic Core	Transit Village Edge
Downtown Core	Cotton Mill Core
Downtown Edge	Cotton Mill Edge
Transit Village Core	

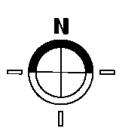
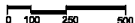
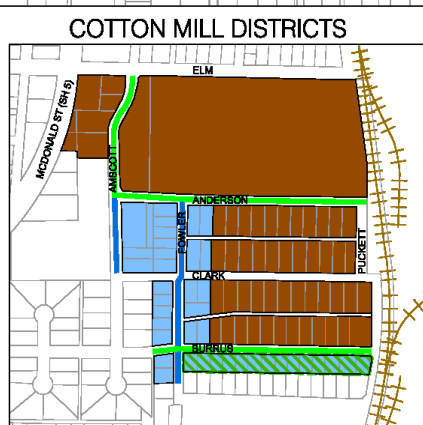
STREET DESIGNATIONS	
Pedestrian Priority 'A'	Recommended Priority 'A'
Pedestrian Priority 'B'	Recommended Priority 'B'
Recommended Service Street	Recommended Street Vacation

Note: Streets with no designation are service street

SPECIAL REQUIREMENT	
Required Commercial Frontage	

OTHER	
Existing Civic Building	Recommended Civic Building Site
Existing Civic/Open Space	Recommended Civic/Open Space
	Recommended Passenger Rail Station & Platform
	Recommended Vista Terminus

LOCATOR MAP	



Overlay Districts

Purpose

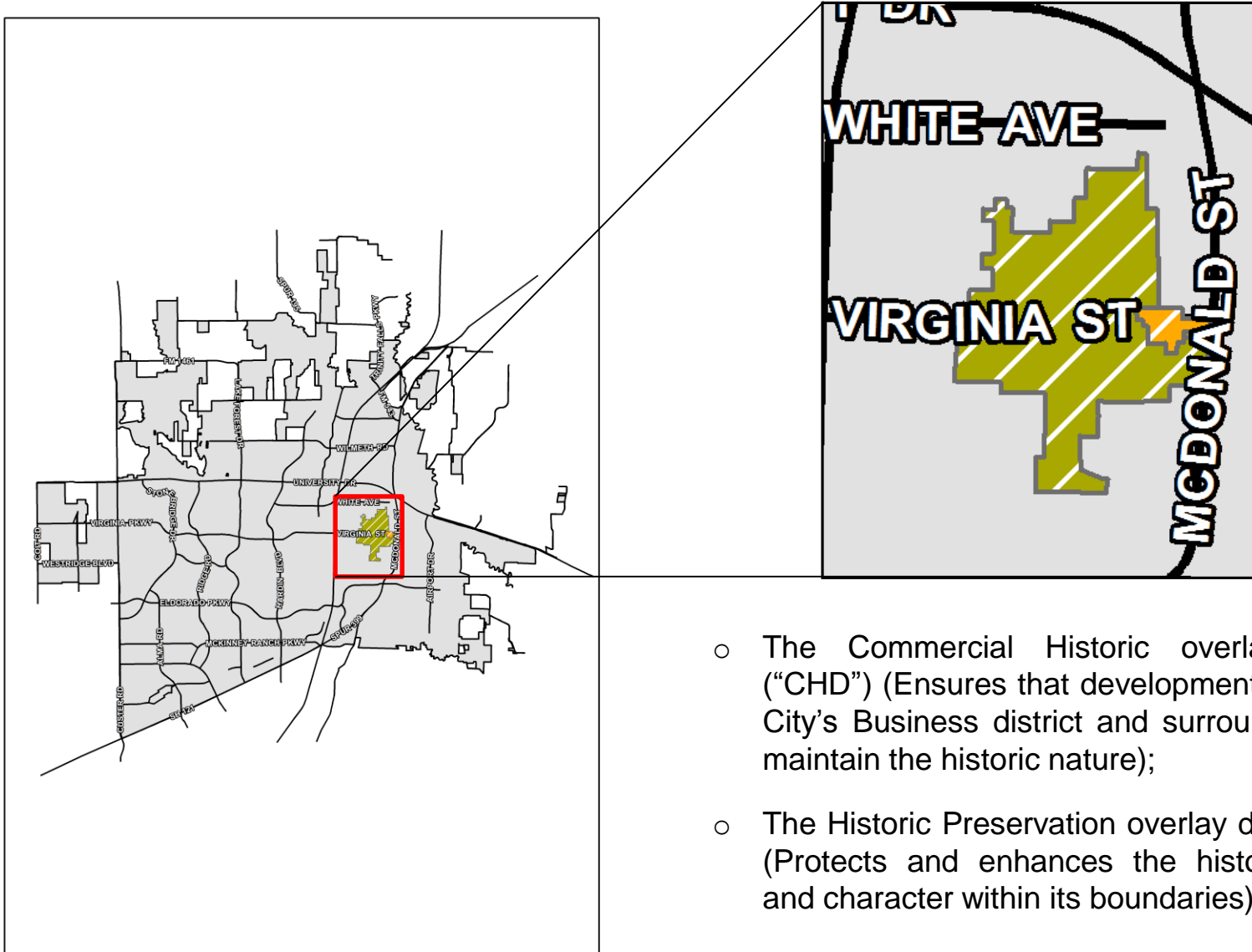
An Overlay District is a regulatory tool that creates a special zoning district, placed over an existing base zone(s), which identifies special provisions in addition to those in the underlying base zone. Overlay districts may be used to protect a neighborhood from encroaching development (Historic), or used to promote development by implementing different standards (Commercial Corridor).

Currently, the City of McKinney Zoning Ordinance has five overlay districts and they are listed below:

- The Commercial Historic overlay district (“CHD”);
- The Historic Preservation overlay district (“H”);
- *The Regional Employment Center overlay district (“REC”)
- The Traditional McKinney Neighborhood overlay district (“TMN”) (Allows for a modified set of standards of the underlying zoning for substandard lots that were in place prior to the zoning being established); and
- The Corridor Commercial overlay district (“CC”) (Created to incentivize and promote economic development along the major regional highways).

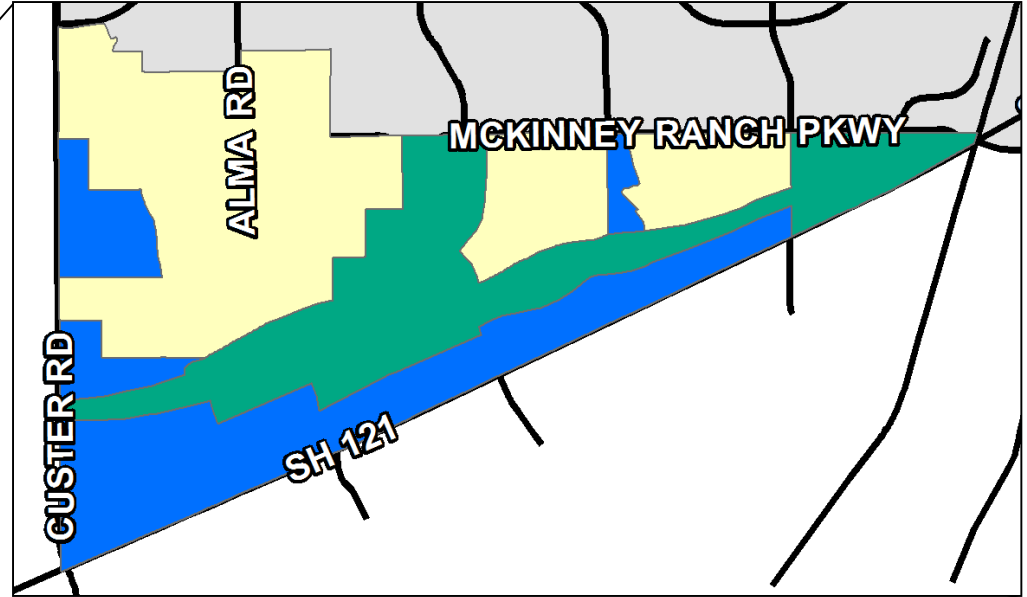
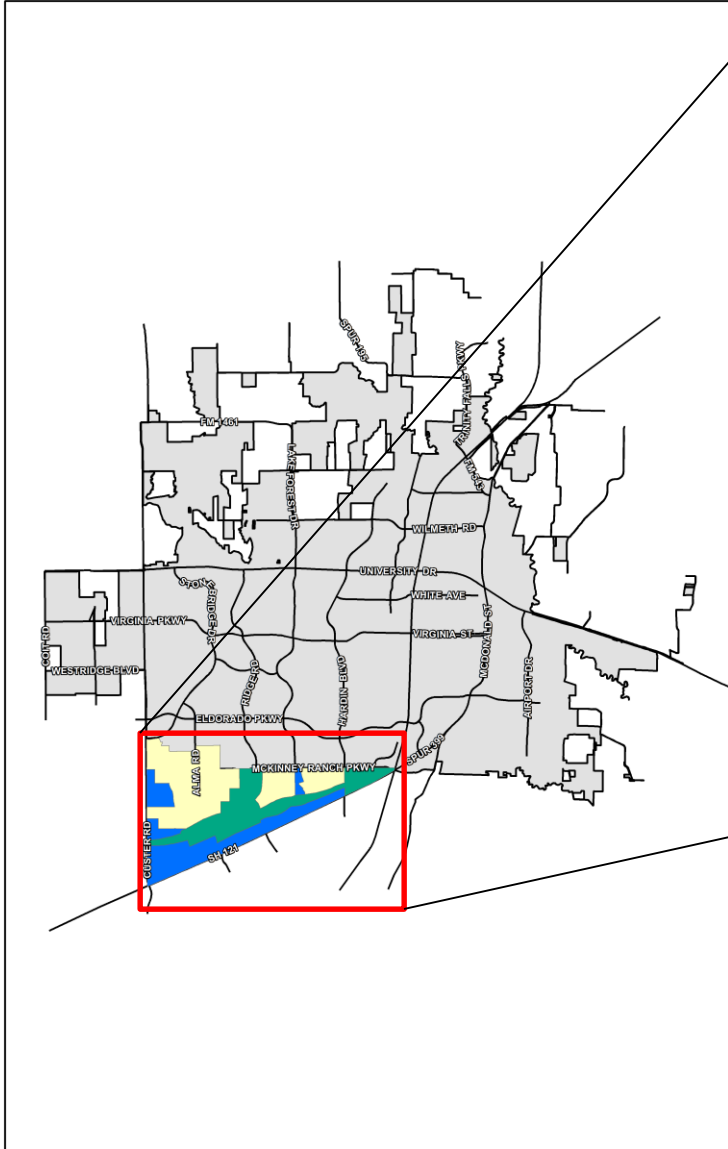
**The “REC” was repealed in June of 2015; however, many of the planned developments within the boundaries of “REC” still include requirements that are subject to the regulations of the “REC” district.*

Commercial Historic and Historic Overlay District



- The Commercial Historic overlay district (“CHD”) (Ensures that development within the City’s Business district and surrounding area maintain the historic nature);
- The Historic Preservation overlay district (“H”) (Protects and enhances the historic nature and character within its boundaries);

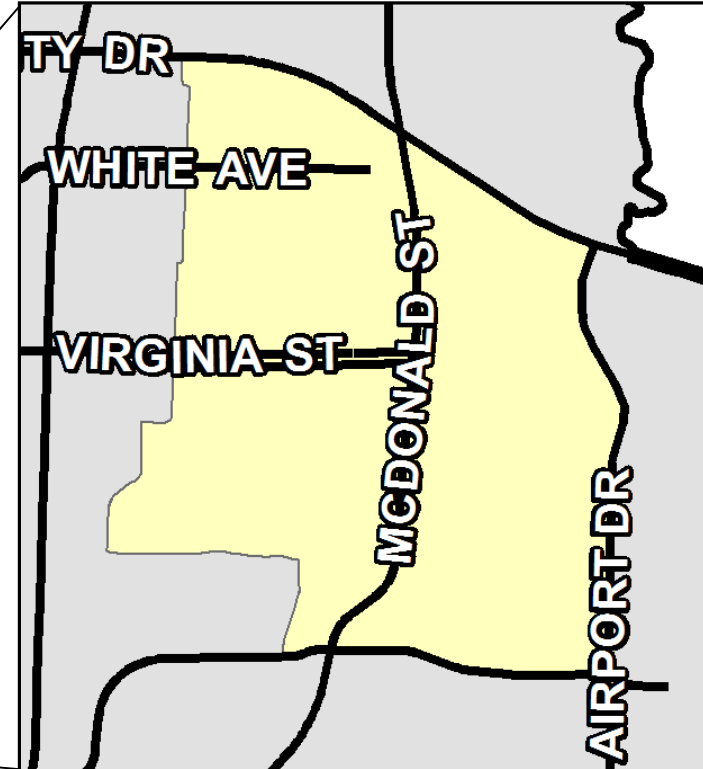
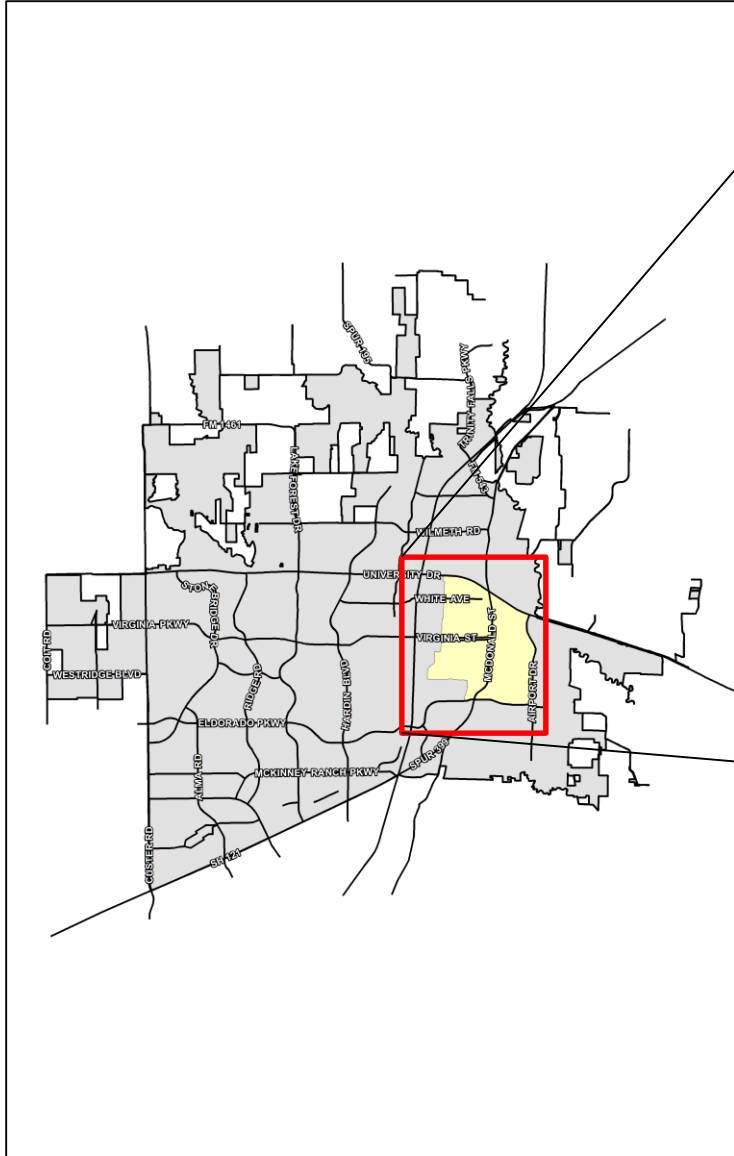
Regional Employment Center Overlay District



- *The Regional Employment Center overlay district (“REC”) (Designed to provide design standards that promote and capitalize on development around State Highway 121);

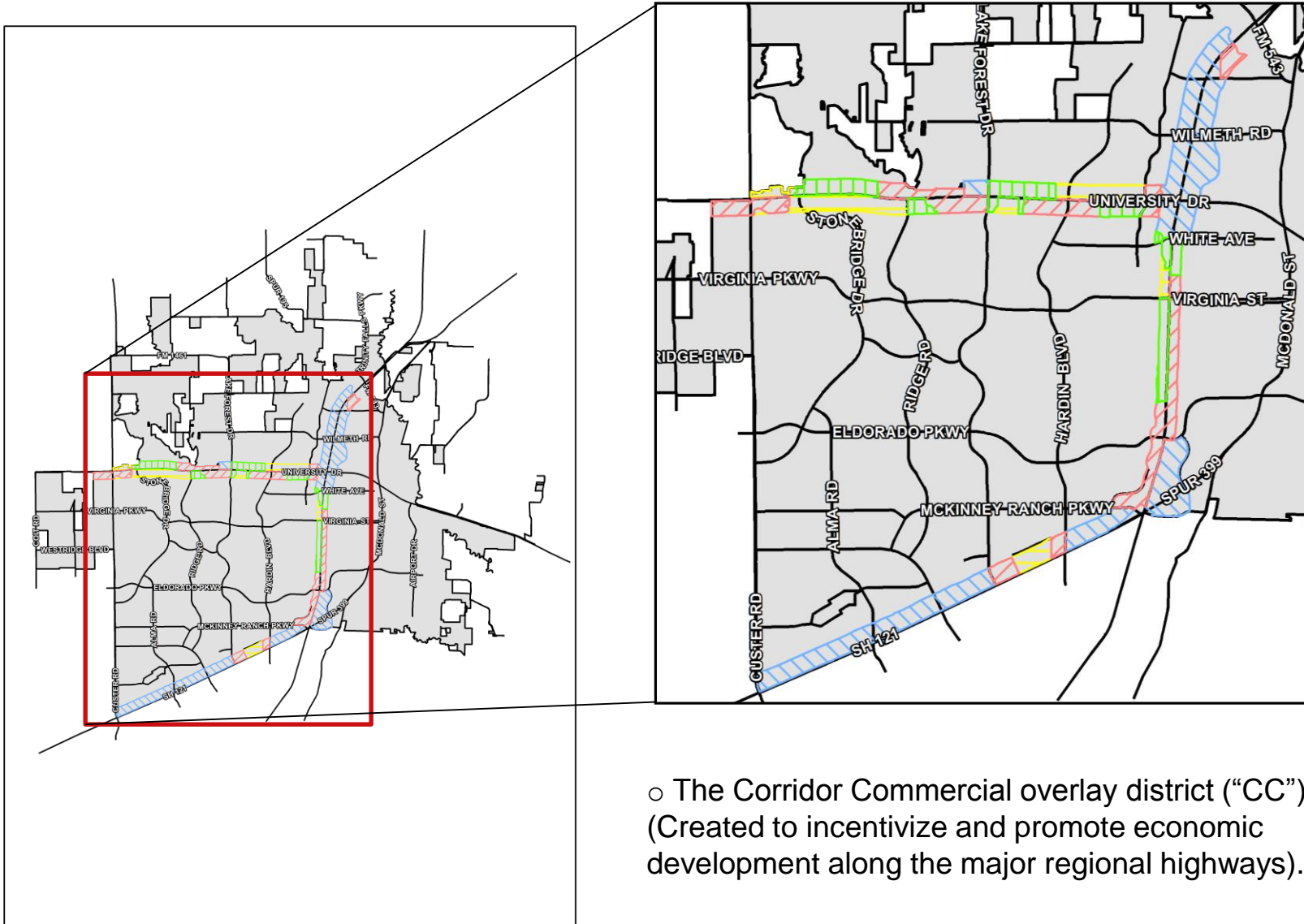
**The “REC” was repealed in June of 2015; however, many of the planned developments within the boundaries of “REC” still include requirements that are subject to the regulations of the “REC” district.*

Traditional McKinney Neighborhood Overlay District



- The Traditional McKinney Neighborhood overlay district (“TMN”) (Allows for a modified set of standards of the underlying zoning for substandard lots that were in place prior to the zoning being established);

Corridor Commercial Overlay District



- The Corridor Commercial overlay district (“CC”) (Created to incentivize and promote economic development along the major regional highways).

Planning and Zoning Commission

Role

Generally, the Planning and Zoning Commission has been appointed to make recommendations to the City Council regarding amendments, updates and actions affecting the Zoning Ordinance. Specifically, Section 146-163 of the McKinney Zoning Ordinance grants the Planning and Zoning Commission the following authority and responsibilities:

- The Planning and Zoning Commission shall consider and may grant or deny approval of any site plan required, as provided in section 146-45.
- The Planning and Zoning Commission shall hold a public hearing and make a recommendation to the City Council, prior to any consideration by the City Council, on any of the following:
 - Any change or amendment to any of the provisions or regulations;
 - Any change or amendment to the zoning districts map, or any change in any zoning district boundary;
 - Any request for specific use permit;
 - Site plans as per Section 146-45; and
 - Amendments to the comprehensive plan.

Planning and Zoning Commission (cont)

Role

- In the MTC - McKinney Town Center zoning district, the Planning and Zoning Commission shall have the authority and responsibilities under the specific administration provisions of the MTC - McKinney Town Center zoning district regulations contained in Appendix G of the City zoning regulations (Chapter 146).
- The Planning and Zoning Commission shall, either on its own initiative or by direction of the City Council or at the request of the Director of Planning, schedule and hold a public hearing on any proposed change or amendment to the McKinney Zoning Ordinance.
- The Planning and Zoning Commission shall have no authority to change any provisions of the McKinney Zoning Ordinance; nor grant any specific use permit; nor change any zoning district boundary; nor grant any variance or exception to the provisions of the McKinney Zoning Ordinance, except as a part of a site plan approval as provided in section 146-45.

Questions?



- MONEY MAGAZINE 2014 -