

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**FROM:** Brandon Opiela, Planning Manager

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by the City of McKinney to Amend Appendix B (Urban Design Standards for the Regional Employment Center) of Chapter 146, Including Section B-1 (Map of Regional Employment Center Overlay Zones) and Section B-2 (Regional Employment Center – Overlay Urban Design Standards), 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 May 20, 2014 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed amendments to Appendix B (Urban Design Standards for the Regional Employment Center) of Chapter 146 of the Code of Ordinances.

**ITEM SUMMARY:** Staff is proposing a series of amendments to Appendix B (Urban Design Standards for the Regional Employment Center) of the Zoning Ordinance, which corresponds with rezoning requests made within the “REC” – Regional Employment Center Overlay District since 2010. The “REC” - Regional Employment Center Overlay District (approximately 4,500 acres) was originally adopted by the City Council in 2001 and has not been significantly modified or amended since 2003.

The proposed amendments represent Staff’s effort to modify existing regulations (which have led to frequent rezoning requests and often considered contrary to current market and development trends) to be more reflective of the development climate without modifying existing property rights. At the request of the City Council, Staff has analyzed all rezoning requests submitted since 2010 for properties within the REC and provided a chart showing each requested modification to the requirements of the REC.

Through this analysis, Staff identified a total of 15 requested modifications to the REC standards spanning 12 development projects. In the attached chart, these modifications have been ordered based on the frequency of the request and the recommendations of Staff, the Planning and Zoning Commission, as well as the final action taken by the City Council for each request has also been provided. It should be noted that additional rezoning requests have been made for properties within the REC, but did not modify specific regulations found within the REC and, as such, have been excluded from the attached chart.

Staff has also provided an aerial exhibit of the properties included within the REC. Staff has shaded each of the parcels to illustrate developed (using a lighter color) and undeveloped (using a bolder color) properties as well as to clarify which properties are currently subject to the requirements of the REC. Properties shaded in blue indicate those that have been zoned on or after February 6, 2001 (the establishment of the REC) and are currently subject to the guidelines of the REC. Properties shaded in red indicate those that were zoned prior to the establishment of the REC and are not currently subject to the design guidelines and will only be subject to the standards of the REC if a future rezoning request is made.

The requested special ordinance provisions were originally discussed at the February 24, 2014 City Council work session. At this meeting, City Council requested that Staff meet with affected property owners to gather input concerning possible amendments to the REC regulations. Staff subsequently held a public input meeting on March 27, 2014 to discuss moving forward with possible amendments. Those in attendance offered broad support for Staff to amend the ordinances in a manner that would allow for greater development options without eliminating current entitlements.

**PROPOSED AMENDMENTS:** Staff is proposing a series of amendments to the urban design standards for the REC which are discussed further below and in conjunction with the 15 special ordinance provisions requested (as shown on the attached chart).

1. **Reduction in Single Family Garage Offset:** As proposed by Staff, a provision requiring a 20 foot offset between the front façade/or porch and the garage door face on a front entry lot has been amended to encourage said offset rather than requiring it. Without an offset provided, Staff also needed to modify additional provisions to prevent conflicts with other related regulations of the REC. These included the option for residential dwellings to be set back (minimum 20 foot front yard setback) from street frontage further than the typical build-to-line utilized by neighborhoods developing in an urban manner, ensured a 20 foot long driveway is preserved for front entry garages, and allowed parking in the front yard.
2. **Front Porch Modifications:** Although porches are not specifically required within the REC, they are strongly encouraged. The REC guidelines do; however, mandate a minimum porch depth of 4 feet when porches are provided. As proposed by Staff, this provision has been modified to encourage a usable porch depth of 4 feet, but no longer requires it.
3. **Reduction of Finished Floor Elevation for Single Family Lots:** As proposed by Staff, a provision mandating the finished floor elevation to be 2 feet higher than the surface grade of the lot for all dwellings has been amended to encourage the increase in elevation (providing a stoop at the entrance), rather than require it.
4. **Allowance of Cul-de-Sacs:** As proposed by Staff, a provision prohibiting cul-de-sacs within the REC has been amended to now encourage both ends of a street to terminate at other streets; rather than requiring it.

5. Reduction of Single Family Side Yard at Corner: As proposed by Staff, provisions within the Area and Bulk Regulations for single family detached lots (standard and small) requiring a minimum side yard at corner setback of 15 feet and 10 feet respectively, have been modified to 5 feet for all side yard setbacks, with exception to areas where a greater setback is warranted to meet sight visibility requirements per the City Engineer. This will allow for urban style developments to maintain a distinct edge along the street frontages without an unnecessary setback.
6. Removal of Lot Coverage for Single Family Residential: As proposed by Staff, provisions within the Area and Bulk Regulations for single family lots, regarding maximum lot coverage, have been removed allowing said dwellings to build to the prescribed setback lines and allowing greater flexibility in residential development options. In 2010, maximum lot coverage was removed from single family zoning districts of the Zoning Ordinance; however, they were not modified within the REC guidelines.
7. Increased Multi-Family Building Setbacks: As proposed by Staff, a provision within the Area and Bulk Regulations for apartment dwellings regarding front setback maintains the existing 15 foot build-to-line for urban style developments and has been modified to also allow a standard minimum front setback of 35 feet for multi-family developments (consistent with multi-family standards outside of the REC) not intending to develop in an urban manner, allowing additional flexibility for development.
8. Increased Multi-Family Building Heights: As proposed by Staff, a provision within the Area and Bulk Regulations for apartment dwellings regarding maximum building heights has been modified to allow multi-family buildings, developing in an urban manner, to be allowed up to 4 stories in height (except the maximum height shall be 2 stories within 125 feet of a single family residential zoning district). For all developments not intending to develop in an urban manner, the existing height limitation of 35 feet or 2.5 stories shall remain.
9. Allowance of Zero-Lot Line Homes: As proposed by Staff, provisions within the Area and Bulk Regulations for single family detached lots (standard and small), requiring a minimum side yard of 5 feet, have been modified to allow for a zero-lot line option (as long as a minimum building separation of 10 feet is maintained) which is consistent with the standards of "SF5" – Single Family Residential District. Staff feels that this modification will provide flexibility to accommodate market trends.
10. Removal of Build-to-Line for Commercial Buildings: As proposed by Staff, provisions requiring commercial buildings to be located on a build-to-line of 2 to 6 feet along street frontages has been modified to present an additional option of setting commercial buildings further back from the property line with a minimum 20 foot front yard setback. The proposed setback is consistent with the newly adopted commercial districts and builds in flexibility for building locations with respect to

current market trends. With the proposed amendment allowing commercial buildings to be set back further from the street, Staff also needed to modify additional provisions to prevent conflicts with other related regulations of the REC. These included the ability for off-street surface parking to be located between the building and street frontages as well as to the sides of the buildings (rather than behind the building as required for urban developments) and allowing screening for certain parking areas to be set back from the build-to-line.

11. Front Entry Garages for Lots Under 50 Feet in Width: The existing regulations within the Area and Bulk Regulations for single family residential lots less than 50 feet in width require alleys and prohibit front yard parking and access. However, another similar provision in the parking section of the Neighborhood Zone does not specifically prohibit front facing garages. Based on discussion at the February 24, 2014 City Council work session, Staff has not modified provisions within the Area and Bulk Regulations to allow lots less than 50 feet in width to be allowed front entry garages/parking. Instead, Staff has modified the conflicting provision within the parking section now requiring lots less than 50 feet in width to utilize alley access. Additionally, Staff modified a conflicting provision for lots greater than 50 feet in width that are currently allowed to utilize front entry garages; however, were prohibited from using the driveway for front yard parking.
12. Extended Maximum Block Lengths: As proposed by Staff, a provision mandating the maximum permitted block lengths (600 feet and 800 feet) based on the average sizes of the lots on the block has been amended to encourage the stated maximums, rather than to require them, offering greater flexibility with regard to the street network and neighborhood circulation.
13. Elimination of a General Development Plan: Staff has proposed to remove the entire General Development Plan (GDP) section within the REC guidelines as well as other references to the GDP throughout the remainder of the guidelines. The purpose of a GDP within the REC is to show a potential integration and connectivity between separate uses; however, often times the general development plans submitted to Staff are preliminary in nature and are unable to predict the ultimate development pattern of the property causing delays in the process when revisions are required to be made to the GDP. It is important to note that the requirement for a GDP within the Subdivision Ordinance was removed in 2013 in an effort to streamline the development process; however some existing "PD" – Planned Development Districts may still required a GDP. Staff believes that existing application types such as zoning requests; site plans, or plats share generally the same information making the GDP an unnecessary step in the process. Applicants may still choose to submit a conceptual land plan to better illustrate a development proposal, but the elimination of this process as a requirement should help to streamline the development process by as much as one month in some cases.
14. Reduction in Minimum Number of Townhome Units: As proposed by Staff, the provision requiring a minimum number of townhome units has been removed to

allow for greater flexibility in townhome development options. Currently, a minimum of 4 townhome dwellings is required.

15. Removal of Maximum Lot Area for Single Family Detached Lots: Subsequent to the City Council work session on February 24, 2014, Staff found an additional special ordinance provision that had been requested to remove the maximum lot area of certain single family residential lots. As proposed, Staff has eliminated a maximum lot area on single family detached lots (standard and small) which did not take into account key shaped lots (where a front property line is narrower than the rear property line) and required lots to be reduced in size in conjunction with oddly placed common areas in order to meet the requirement.

Additionally, Staff has created a new definition for “*Urban (pedestrian-oriented)*” to help characterize urban development patterns intended by the REC guidelines and has ensured all references to other sections of the Zoning Regulations have been updated to the current location.

**OPPOSITION TO OR SUPPORT OF AMENDMENTS:** Staff held a public input meeting on March 27, 2014 to discuss possible amendments to the REC regulations. Those in attendance offered broad support for Staff to amend the ordinances in a manner that would allow for greater development options without eliminating current entitlements. Staff received a number of phone calls in support of changes to the REC regulations and has also included two letters of support (see attached).

**ATTACHMENTS:**

- Proposed Changes to Appendix B (Urban Design Standards for the Regional Employment Center)
- Chart of Requested Modifications to the REC Guidelines
- Map of Properties within the REC Overlay District
- Letters of Support