

McKinney, Texas

Development Code Update

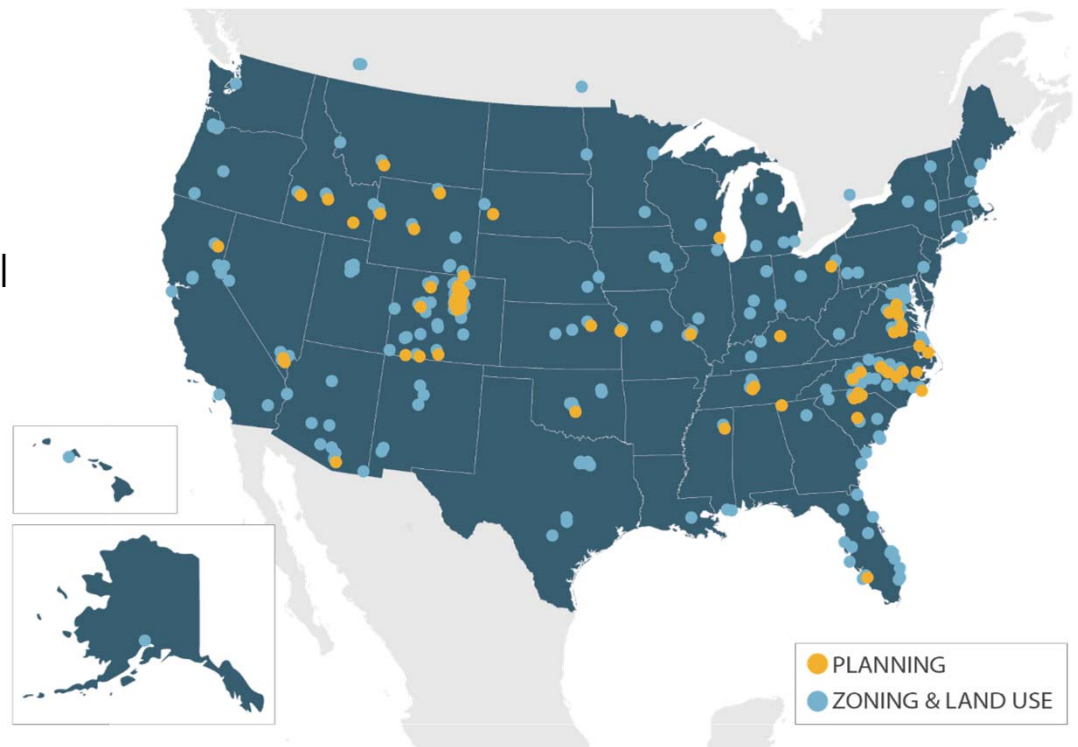
Assessment and
Annotated Outline

January 2020

CLARION

CLARION ASSOCIATES

- National consulting practice with 25+ years experience
- Multi-disciplinary: Planners, attorneys, designers, and landscape architects
- Offices in Denver and Chapel Hill
- Focus on plan implementation and user-friendly codes
- Leaders in innovative codes integrating traditional and form-based approaches
- Texas experience: Addison, Arlington, Austin, Cedar Hill, Denton, Irving, Rowlett, San Antonio



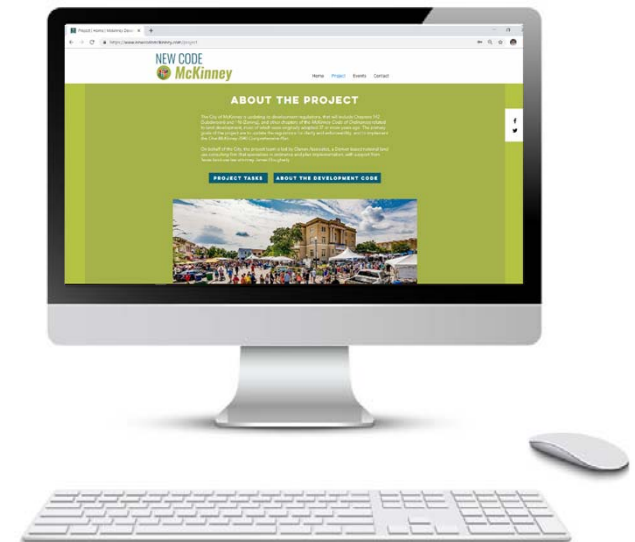
PROJECT GOALS

- Implement the ONE McKinney 2040 Plan
- Simplify regulations
- Introduce flexible tools
- Improve user-friendliness
- Improve processes and procedures
- Encourage high-quality and mixed-use development
- Integrate best practices and current trends from Texas and around the nation
- Align with federal and state law

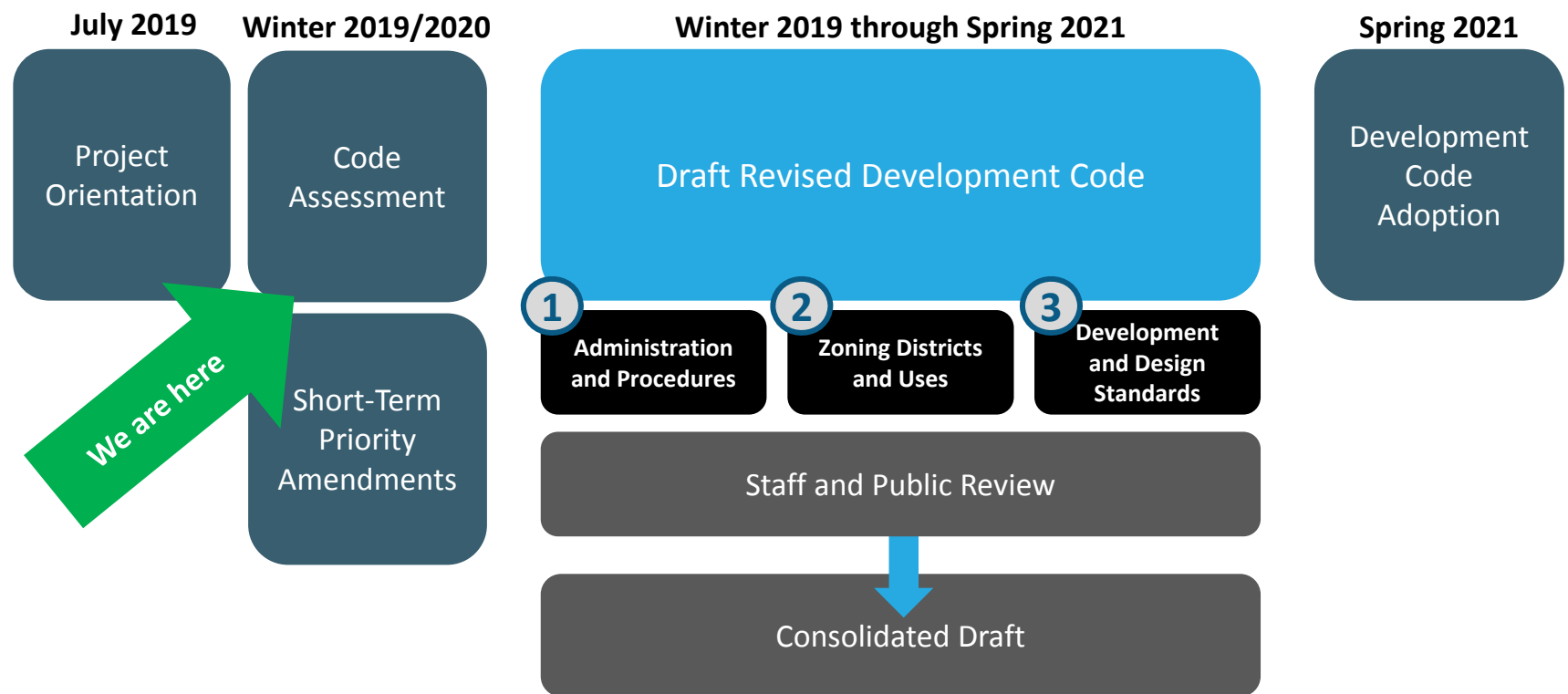


PROJECT SO FAR

- **Conducted interviews and hosted survey**
 - Stakeholder Interviews
 - 220 survey responses (Development community, businesses, and residents)
- **Reviewed current ordinances**
- **Created website**
(www.newcodemckinney.com)
 - Access project materials
 - Provide input
 - Sign up to receive updates
 - View project calendar
 - Access surveys
(1st survey – 220 responses!)

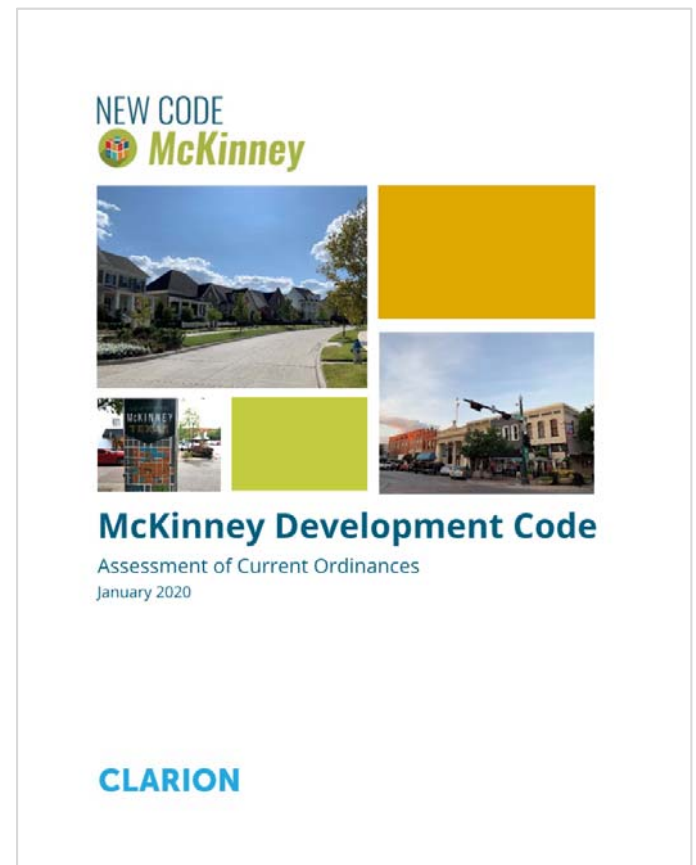


PROJECT SCOPE & TIMELINE



TODAY'S MEETING

- **Present assessment report findings**
- **Discuss proposed recommendations**
- **Receive feedback from the Council**

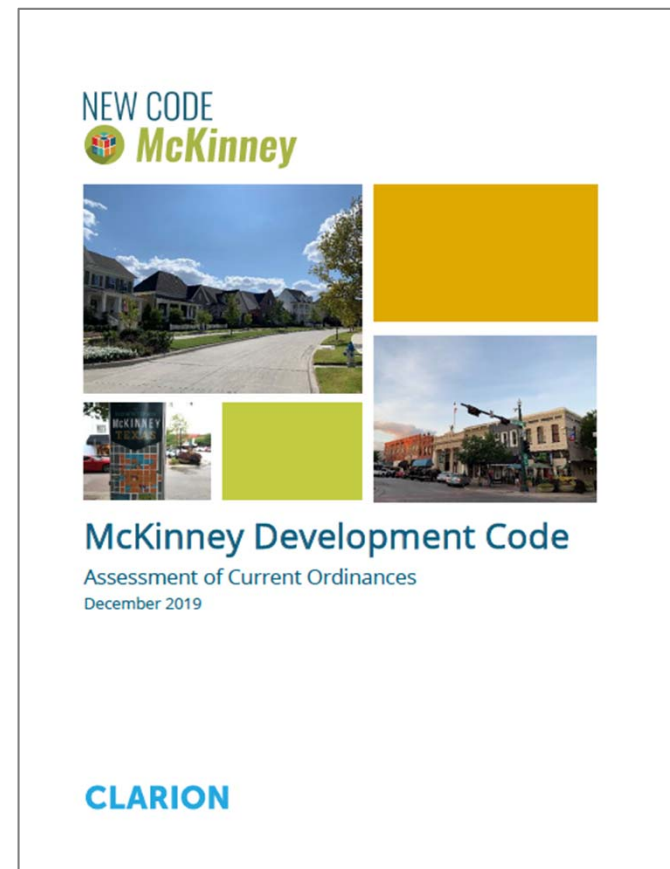




ASSESSMENT REPORT & ANNOTATED OUTLINE

SUMMARY OF REPORT

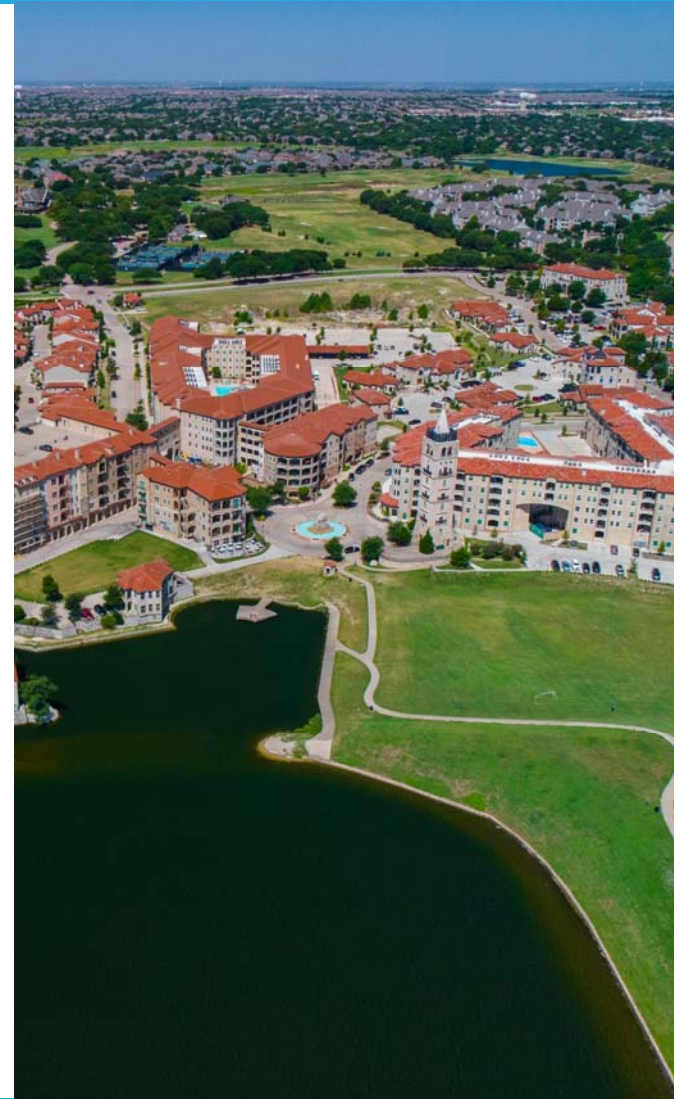
- Identify the strengths and weaknesses of the current development regulations
- Identify potential solutions and best practices
- Provide a detailed roadmap for a new code



KEY AREAS TO IMPROVE THE DEVELOPMENT REGULATIONS

- Create a more user-friendly code
- Reorganize and strengthen use regulations
- Improve and tailor development standards
- Simplify development review procedures
- Fine tune the zoning districts

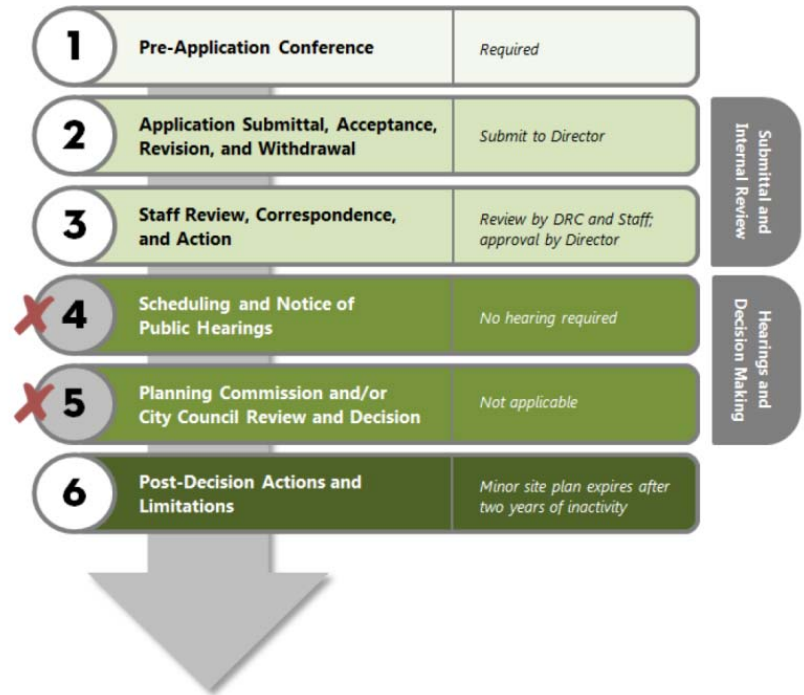
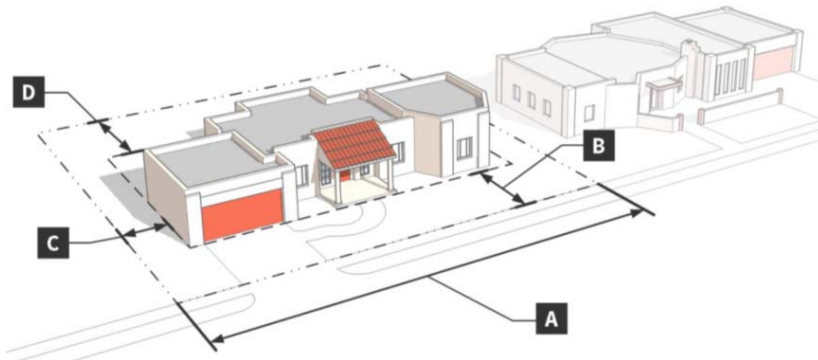
For each topic, we'll cover some (but not all) of the key recommendations from the Assessment Report





**CREATE A MORE USER-
FRIENDLY CODE**

ADD MORE GRAPHICS



IMPROVE PAGE LAYOUT

Current

Sec. 146-72. - RS 72 - Single Family Residence district.

- (a) *Purpose.* The "RS 72" - Single Family Residence zone is designed to encourage a suitable family life on medium size lots. More uses are allowed as a matter of right throughout the zone than in the larger lot size zones. Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.
- (b) *Permitted uses.* Those uses indicated as being permitted in the "RS 72" - Single Family Residence zone in the Schedule of Uses shall be allowed.
- (c) *Space limits.* The space limits identified in Appendix F of the Zoning Ordinance as being applicable to the "RS 72" - Single Family Residence zone shall apply.

(Code 1982, § 41-67; Ord. No. 2000-01-03, § 1A, 1-4-2000; Ord. No. 2002-08-084, § I.34, 8-20-2002; Ord. No. 2004-12-124, § I, 12-15-2004; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2010-12-053, § 14, 12-7-2010; Ord. No. 2014-03-018, § 4, 3-4-2014)

Sec. 146-73. - RS 60 - Single Family Residence district.

- (a) *Purpose.* The "RS 60" - Single Family Residence zone is designed to encourage a suitable family life on medium size lots. More uses are allowed as a matter of right throughout the zone than in the larger lot size zones. Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.
- (b) *Permitted uses.* The following uses are permitted in the "RS 60" - Single Family Residence zone:
 - (1) Crop and tree farming but not including the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises, except as provided for as a permitted home occupation; and
 - (2) Other uses indicated as being permitted in the "RS 60" - Single Family Residence zone in the Schedule of Uses.
- (c) *Space limits.* The space limits identified in Appendix F of the Zoning Ordinance as being applicable to the "RS 60" - Single Family Residence zone shall apply.
- (d) *Miscellaneous provisions.* Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

(Code 1982, § 41-68; Ord. No. 1270, § 3.07, 12-15-1981; Ord. No. 1612, § 1, 12-17-1985; Ord. No. 1657, § 1, 6-17-1986; Ord. No. 94-08-26, § 3(C), 8-16-1994; Ord. No. 2002-08-084, § I.22, 8-20-2002; Ord. No. 2004-12-124, § I, 12-15-04; Ord. No. 2006-10-121, § II, 10-17-2006; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2010-12-053, § 14, 12-7-2010; Ord. No. 2012-11-056, § 28, 11-5-2012; Ord. No. 2013-04-033, § 3, 4-2-2013; Ord. No. 2014-03-018, § 5, 3-4-2014)

Sec. 146-74. - RS 45 - Single Family Residence district; zero lot line homes.

- (a) *Purpose.* The "RS 45" - Single Family Residence zone is designed to provide single family homes on lots of moderate size. Zoning or rezoning to this classification will not generally be permitted after July 1, 2014.
- (b) *Permitted uses.* Those uses indicated as being permitted in the "RS 45" - Single Family Residence zone in the schedule of uses shall be allowed.
- (c) *Space limits.* The space limits identified in Appendix F of the zoning ordinance as being applicable to the "RS 45" - Single Family Residence zone shall apply.

Proposed

2.10. RM-3: High-Density Multifamily^{3B}

A. Purpose

The RM-3 district is intended to accommodate high-density multifamily residential uses, with limited single-family uses and duplexes. The RM-3 district may include limited community and educational uses and incidental or accessory uses. This district can also serve as a transition between other multifamily and commercial or mixed-use zoning districts.

B. RM-3 Lot and Building Standards

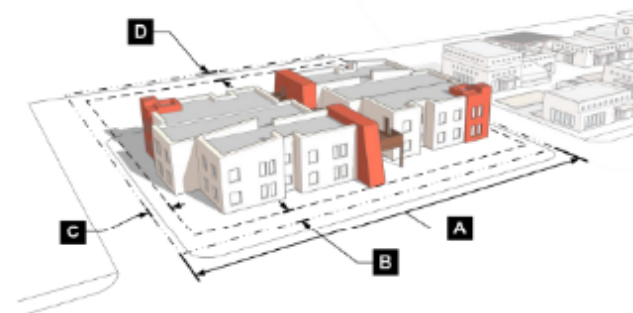
Lot Standards	
A Width (minimum)	100 feet
Area (minimum)	8,000 sq. ft. [1] ^{3B}
Density (maximum)	20 du/acre
Setbacks (minimum)	
B Front	30 feet [2] ^{3B}
C Side [3]	8 feet [4]
D Rear	20 feet [5]
Height	
Building height	See 2.23.D
Impervious Coverage (maximum)	
Building coverage	40 percent [6] ^{3B}
Total coverage	70 percent

C. Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 2.23
Use-Specific Standards	Section 3.3
Off-Street Parking	Section 5.5
Landscaping/Buffering	Section 5.6
Site and Building Design	Section 5.7

Notes:

- [1] Currently 24,780 sq. ft. (0.57 acre)
- [2] Currently 30 feet
- [3] Did not carry forward the side setback abutting a street, which is currently 15 feet
- [4] Currently 10 feet
- [5] Currently 25 feet
- [6] Currently 25 percent



^{3B} This district is carried forward from the current RM-3 district.

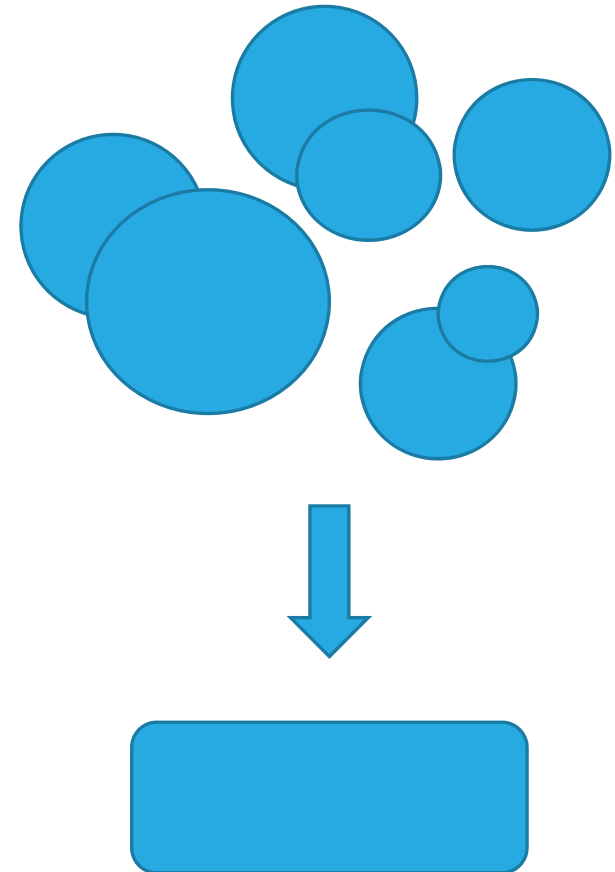
^{3B} The current lot size requirement can act as a barrier to achieving higher densities than the lower intensity districts RM-1 and RM-2.

^{3B} A shallower setback will encourage more walkable and dense development in key areas throughout the city.

^{3B} Revised to match the proposed limits in the RM-1 and RM-2 districts.

OTHER USER-FRIENDLY IMPROVEMENTS

- **Reorganize content**
 - Group similar standards
 - Eliminate repetition
 - See recommendations in Annotated Outline
- **Define key terms**
 - Consolidate definitions
 - Revise for clarity
 - Define missing terms
- **Use clear language**
 - Remove legalese where possible
 - Replace jargon with clear language





FINE-TUNE ZONING DISTRICTS

ZONING DISTRICTS (EST. PRE-2014)

AG	Agricultural district (ten acres per lot)
RED-1	Residential estates district (one acre per lot)
RED-2	Residential estates district (two acres per lot)
RS 120	Single family residence district (12,000 square feet per lot)
RS 84	Single family residence district (8,400 square feet per lot)
RS 72	Single family residence district (7,200 square feet per lot)
RS 60	Single family residence district (6,000 square feet per lot)
RS 45	Single family residence district (4,500 square feet per lot)
RD 30	Duplex residence district
RG 27	General residence townhome district
RG 25	General residence district
RG 18	General residence district
MF-1	Multiple family residential - low density district
MF-2	Multiple family residential - medium density district
MF-3	Multiple family residential - medium-high density district
MP	Mobile home park district

NC	Neighborhood convenience district
BN	Neighborhood business district
BG	General business district
C	Planned center district
O-1	Neighborhood office district
O	Office district
BC	Commercial business district
ML	Light manufacturing district
MH	Heavy manufacturing district
AP	Airport district
GC	Governmental complex district
MTC	McKinney town center district
PD	Planned development district
CHD	Commercial historic overlay district (suffix)
H	Historic preservation overlay district (suffix)
FP	Floodplain district (prefix)
REC	Regional employment center overlay district (suffix)
TMN	Traditional McKinney neighborhood overlay district (suffix)

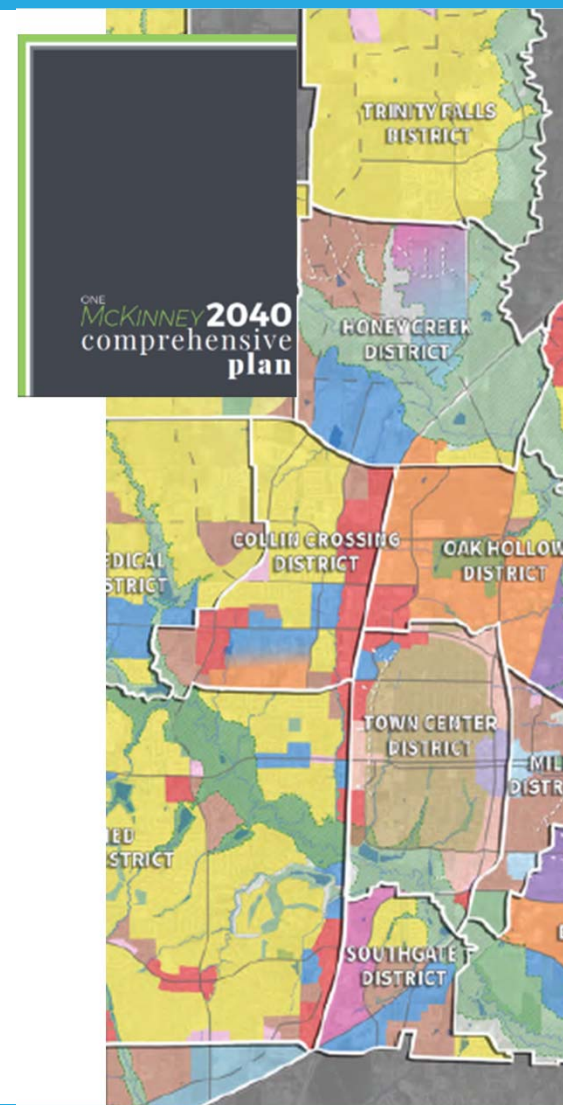
ZONING DISTRICTS (EST. 2014)

SF12	Single family residential district (12,000 square feet per lot)
SF10	Single family residential district (10,000 square feet per lot)
SF8	Single family residential district (8,000 square feet per lot)
SF7.2	Single family residential district (7,200 square feet per lot)
SF5	Single family residential district (5,000 square feet per lot)
DR	Duplex residential district
TH	Townhome residential district
SO	Suburban office district
RO	Regional office district
C1	Neighborhood commercial district
C2	Local commercial district
C3	Regional commercial district
LI	Light industrial district
HI	Heavy industrial district

IMPLEMENT THE 2040 PLAN

Align with Character Districts and Placetypes:

- The 2040 plan identifies unique character districts and placetypes with varied development patterns, uses, and densities.
- The menu of zoning districts should be aligned to accommodate them.



PROPOSED LINEUP

- **Consolidate districts**

- Similar purpose
- Similar lot and building standards
- Similar uses allowed
- Example – NC, O-1, C1, and BN → C1 Neighborhood Commercial

- **Create new districts**

- Additional residential estate (half-acre lots)
- Mixed-use (neighborhood, transition, urban, and regional)

- **Rename districts**

- Example: SF10 → R2



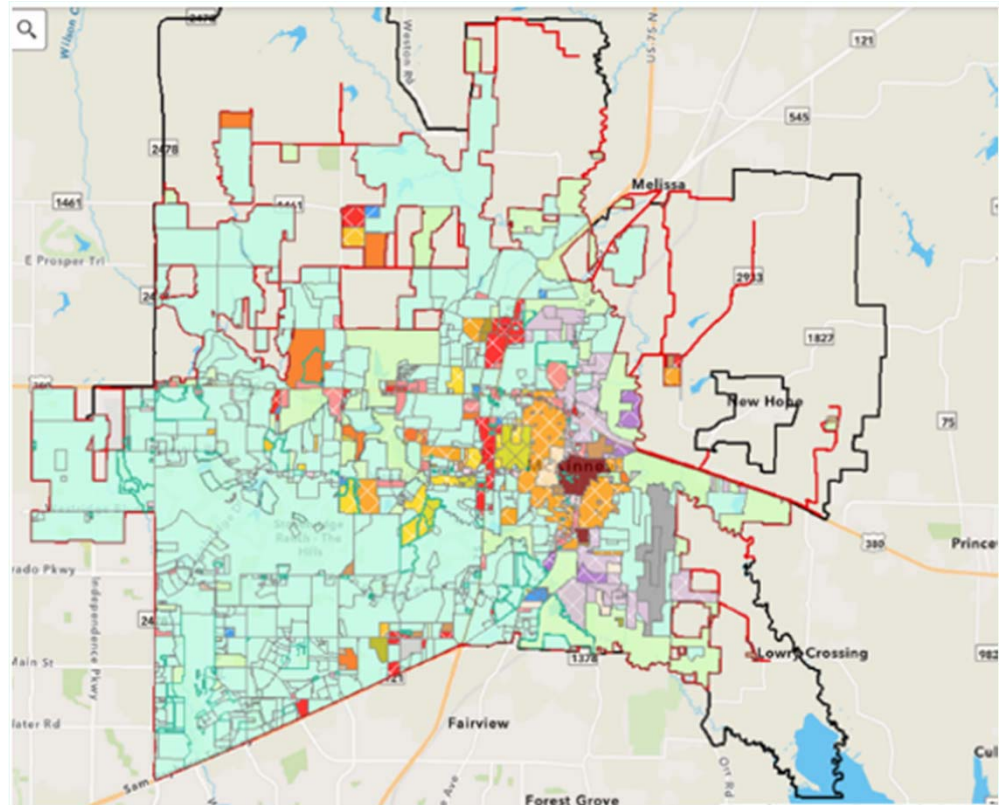
ONE McKinney 2040 says...

A Mixed-Use Center offers people the ability to live, shop, work, and play in one community. (p. 45)

REDUCE RELIANCE ON PDs

Maintain as an option moving forward, but:

- Improve regulations
 - fine-tune zoning districts
 - Integrate flexibility for development standards
- Improve the PD process



PD: 58.5% land area



REVISE USE REGULATIONS

REVISIT USE TYPES AND PERMISSIONS

- **Consolidate use types where possible**
 - E.g., food store, hardware, paint sales
- **Define broad use categories and subcategories**
 - E.g., office, retail, personal services, household living
- **Revisit use permissions**
 - Implement the 2040 Plan
 - Remove barriers to desirable uses
 - Revise standards if appropriate



REVISE SCHEDULE OF USE TABLE

Current

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 [10]	MF-1	MF-2	MF-3	MP	NC	BN	BG	C	O-1	O	BC	ML	MH	AP	GC	MTG	SF 12	SF 10	SF 8	SF 7.2	SF 5	DR	TH	SO	RO	C1	C2	C3	LI			
Water storage tank	S	S	S	S	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	
Water treatment plant	S																							P	P			N-1																P
Recreational and Entertainment Uses																																												
Amusement, commercial (indoor) (4)																				P	P	P	P	P	P			N-1											S	P	P	P		
Amusement, commercial (outdoor) (5)																								P	P			N-1												S	S	P		
Carnival or circus (temporary)	T																			T	T	T	T	T	T	T	T	N-1											T	T	T	T		
Country club (31)	S	S	S	S	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	S	S	S	S	S	S	S		
Fitness club, gymnasium, exercise area or similar use																			P	P	P		P	P	P			N-1								S	S	P	P	P	P			
Golf course (public)	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	P	P	N-1	P	P	P	P	P	P	P	S	S	S	S	S	S	P		
Golf course (private)	S								S	S	S	S	S	S	S					P				P	P	P			N-1	P	P	P	P	P	P	P	S	S	S	S	S	S		
Park or playground (public) (31)	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	P	P	N-1	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Playfield or stadium (public) (88)	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	P	P	N-1	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Private club (See Ch. 138, Art. II, Sec. 148-41) (89)																				S	S		S					N-1									S	S	S	S	S			
Recreation area (private) (91)	P				S			S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P	P			N-1	P	P	P	P	P	P	P	P	P	P	P	P	P		
Recreation center (public) (92)	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		
Sexually oriented business (See Ch. 136, Art. V)																									P			N-1																
Swim or tennis club (112)	P							S	S	S	P	P	P	P	P			P	P	P		P	P	P	P			N-1									S	S	P	P	P	P		
Swimming pool (public)	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	P	P	N-1	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Swimming pool (private) (113)	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		
Theater (indoor)																				P	P		P	P	P			N-1								S	P		P	P	P			
Theater (outdoor)																								P	P	P			N-1													P	P	

Proposed

Article 3. Use Regulations
3.3 Table of Allowed Uses

**Table 3.3
Table of Allowed Uses**

P = permitted C = conditional use permit required A = accessory Blank cell = not permitted

	Residential	Non-Residential	Other	Use Specific Standards
Residential				
Household Dwelling	P	P	P	
Dwelling, Co-Housing	P	P	P	3.3.42
Dwelling, Duplex	P	P	P	
Dwelling, Low-Rise	P	P	P	3.3.42
Dwelling, Mid-Rise	P	P	P	3.3.42
Dwelling, Single-Family Attached	P	P	P	3.3.42
Dwelling, Single-Family Detached	P	P	P	3.3.42
Manufactured Home	P	P	P	3.3.42
Group Dwelling				
Accessory Dwelling Unit	P	P	P	
Boarding House	C	C	C	
PUBLIC, INSTITUTIONAL AND COMMERCIAL				
Community and Cultural Facilities				
Library or Information Facility	P	P	P	3.3.43
Club or Lodge	P	P	P	3.3.43
Day Care	C	C	C	3.3.43
Animal Facility	P	P	P	3.3.43
Museum	P	P	P	3.3.43
Bank, Office	C	C	C	3.3.43
Bank and Office Space Building	P	P	P	3.3.43
Public Assembly	C	C	C	3.3.43
Educational Facilities				
School, Public or Private	C	C	C	3.3.43
School, Vocational or Trade	C	C	C	3.3.43
Healthcare Facilities				
Hospital	P	P	P	3.3.43
Medical or Dental Clinic	C	C	C	3.3.43

Ordinance 3.001 - Ordinance and Code
Revised 1/1/2017 - July 2017

UPDATE USE-SPECIFIC STANDARDS

- **Reorganize the use-specific standards**
 - Currently scattered throughout chapters 138 and 146
 - Establish standalone section for use standards
- **Establish new and revise current use-specific standards**
 - Remove regulations from definitions
 - Mitigate impacts (e.g., size limitations, location, buffering, operational requirements)
 - Coordinate with use permissions



IMPLEMENT THE 2040 PLAN

Provide a mix of housing choices: The plan identifies the need to expand housing choices to accommodate diverse demographics and lifestyles.

New dwelling types proposed for consideration:

- **Co-housing/cottage housing** (multiple single-family detached units on a single lot)
- **Live-work** (business owner resides on site)
- **Triplexes** and **fourplexes**
- **Tiny homes** (could be a version of co-housing)





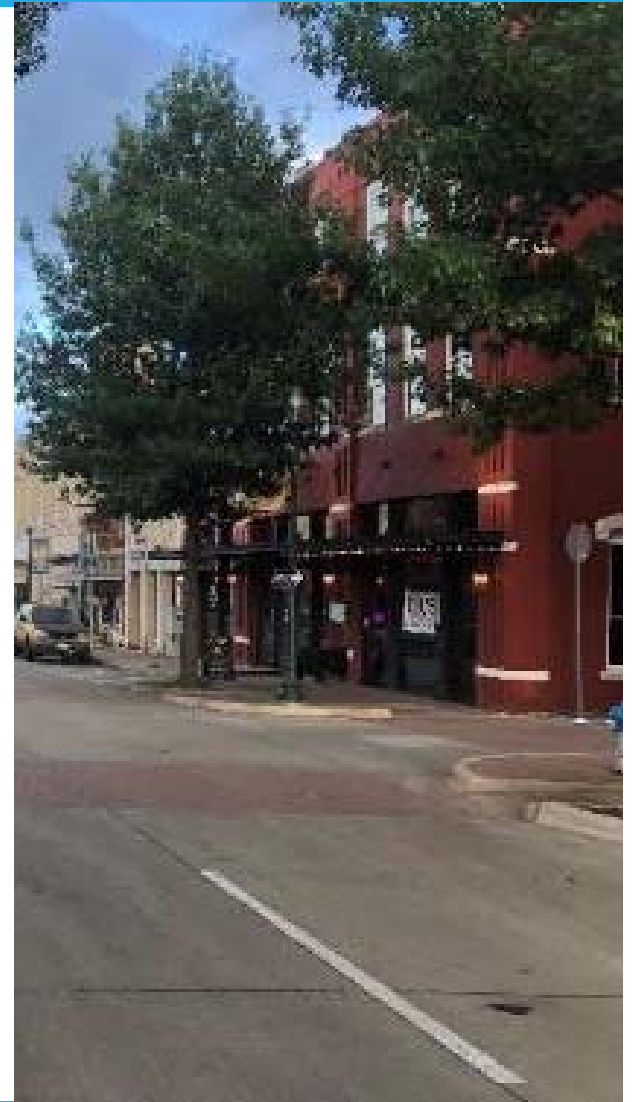
UPDATE AND TAILOR DEVELOPMENT STANDARDS

DEVELOPMENT STANDARDS

The Development Standards address the quality of development, including standards for:

- Access and connectivity
- Stormwater and drainage
- Landscaping and fences
- Tree preservation
- Building and site design
- Outdoor lighting
- Parking and loading
- Signage

Consolidate, clarify purpose, define applicability



UPDATE DIMENSIONAL STANDARDS

- Adjust and simplify lot and building dimensional standards to respond to market conditions
 - Lot size
 - Density and FAR (floor area ratio)
 - Setbacks
 - Height



Survey Response

"It's too hard to be creative in McKinney, current standards result in 'vanilla' development."

IMPLEMENT THE 2040 PLAN

Establish flexible alternatives:

- The 2040 plan identifies the need to include flexibility to accommodate market demands
- Flexible alternatives could be defined and included in development standards (e.g., parking, building design, landscaping)
 - Consider Alternative Equivalent Compliance procedure
 - Introduce menus/optional approaches



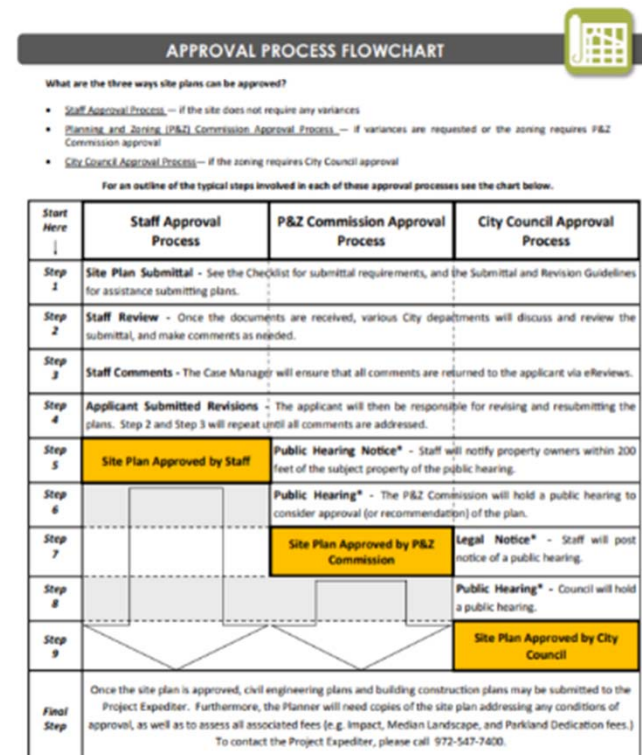


SIMPLIFY PROCEDURES

REVIEW PROCEDURES

The current McKinney development review procedures establish review and evaluation of various development application types, including:

- Subdivisions and replats;
- Rezoning;
- General development plans;
- Specific use permits;
- Site plans; and
- Variances and appeals.



ESTABLISH COMMON REVIEW PROCEDURES

- Pre-application consultation
- Application submittal and acceptance
- Staff review
- Public hearing scheduling and notice
- Decision-making review and action
- Post-decision actions and limitations

Say it once (and only once)!

All specific development application types would then refer to these common review procedures

8.3. Common Review Procedures

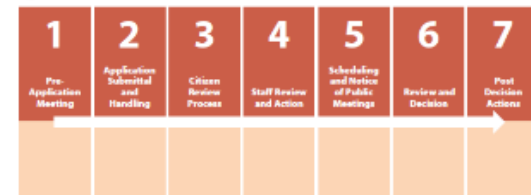
Commentary

Common review procedures are new to Sedona. Although the current development code has a good organizational framework for procedures, a lot of the information is repeated for each application procedure. For the Analysis report, these common review procedures consolidate general steps that are applicable to multiple development application types. The application-specific procedures then refer back to these common review procedures and note any modifications or additions.

A. General

This section describes the standard procedures and rules applicable to all development applications, unless otherwise stated in this Code. Common review procedures include seven steps, as shown below in Figure 8-1: Common Review Procedures, not all of which are applicable to every development application. Application-specific procedures in sections 8.4 through 8.8 identify additional procedures and rules beyond those in this section.

Figure 8-1: Common Review Procedures



B. Pre-Application Meeting⁵¹⁰

(1) Purpose

The pre-application meeting is intended to provide an opportunity for the applicant to meet with City staff to review applicable submittal requirements and review procedures associated with the proposed development concept.

(2) When Required

A pre-application meeting is required according to Table 8.1, Summary Table of Review Procedures.

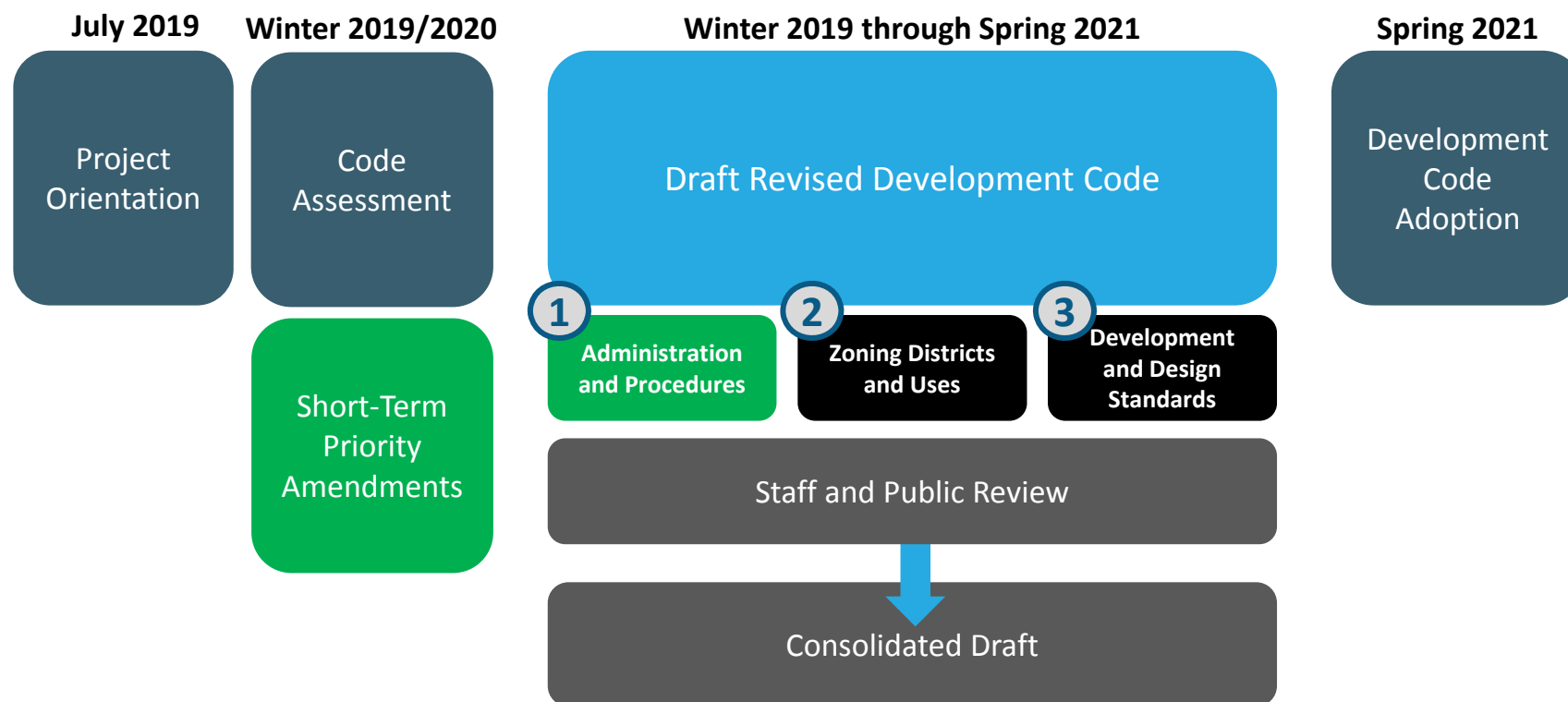
⁵¹⁰ (New. This common procedure for pre-application conferences replaces and consolidates those currently found in multiple individual procedures including meeting, conditional use, development review, and others. The name is changed from the current "pre-application consultation.")

SIMPLIFY PROCEDURES

- **Reconsider decision-making authority**
 - Intermediate use review process (P&Z only, instead of both P&Z and City Council)
 - Referral process by which staff can send applications to P&Z or city council
 - Authorize minor modifications (draft underway)
- **Reconsider the site plan procedure**
 - Consider distinguishing major vs. minor
- **Improve subdivision procedures**
 - Clarify requirements for ETJ
 - Consider an optional concept plan process



NEXT STEPS



SHORT-TERM PRIORITY AMENDMENTS

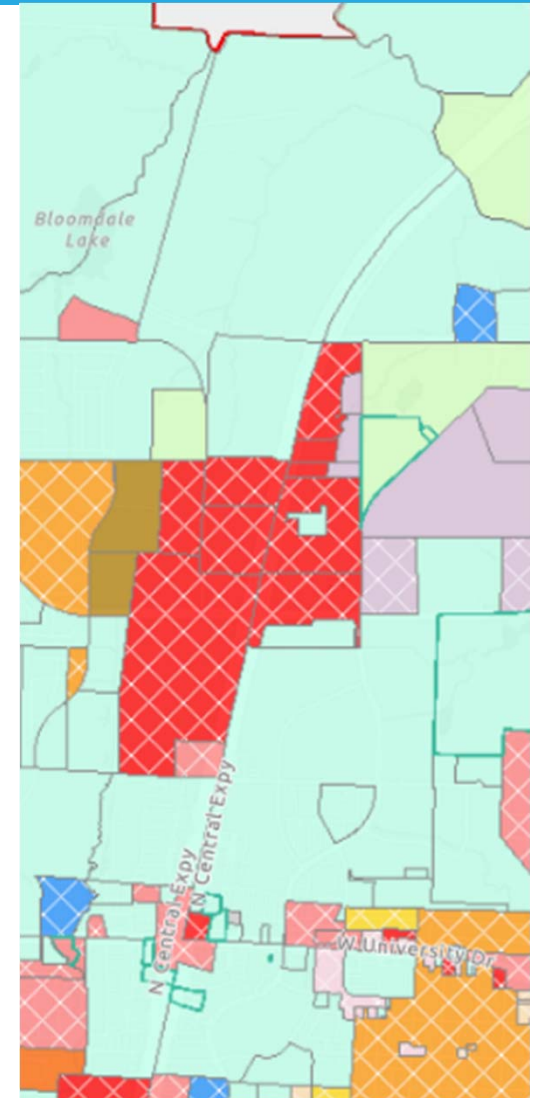
The City is working on the following priority code amendments for consideration this spring:

- **Parking** (spaces required, and flexible alternatives)
- **Sign code** (remove content-based regulation)
- New **minor modification procedure** that authorizes adjustments to quantifiable standards

These topics will move forward on an expedited schedule ahead of the full code update.

FUTURE CONSIDERATIONS

- **Reconciling new development regulations with the zoning map**
 - **Timing:** Prior to effective date of new code
 - Address consolidations and name changes (no boundary changes)
- **Substantive changes to map (optional)**
 - **Timing:** Future – any time after effective date of new code
 - Would require approvals through rezoning process



DISCUSSION

Feedback or questions?

- They could relate to the substance of the regulations....
 - *Administrative procedures*
 - *Zoning districts and uses*
 - *Development standards*
- Or relate to code organization and user-friendliness...
- Or relate to coordination with other City policies...
- Or something else?

THANK YOU!

Visit the project website:

www.newcodemckinney.com



Project email: info@newcodemckinney.com

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