



# New Code McKinney

Development Code  
Update

Installment 1:  
Administration and  
Procedures

September 2020

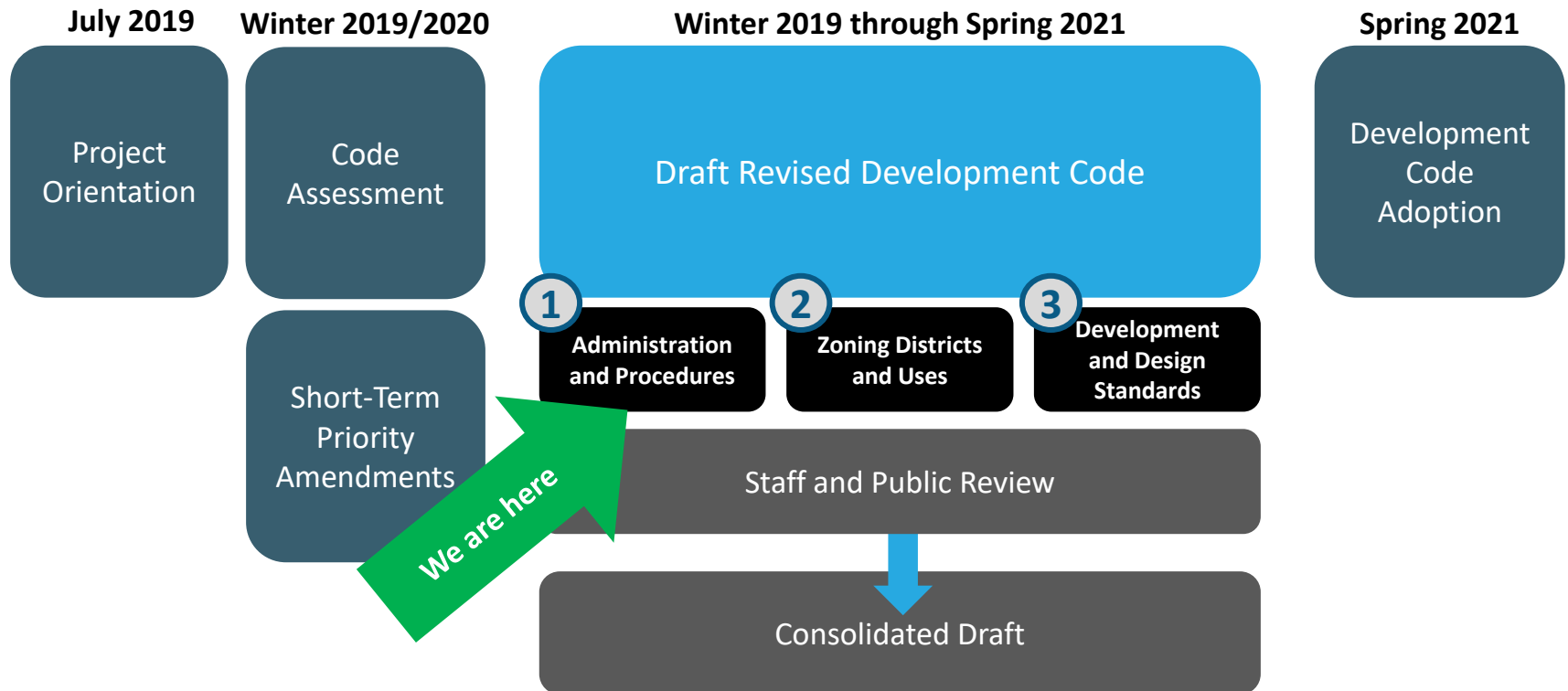
**CLARION**

# PROJECT GOALS

- **Implement 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**
- **Align with federal and state law**



# PROJECT SCOPE & TIMELINE



# A LOOK BACK & A LOOK AHEAD

We are here

## Project Orientation

### Summer 2019

- City Tour
- Kickoff presentation
- Stakeholder Interviews
- Hosted Survey
- Created website

## Code Assessment

### Fall/Winter 2019

- Code assessment report
- City presentations and posted report for public review

## Short-Term Priority Amendments

### Fall/Winter 2019

- Legislative updates (Aug 2019)
- Staff Amendments (Nov 2019)
- Parking Updates (in review)
- Sign Code Updates (in progress)

Draft Revised Development Code

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### Spring/Fall 2020

#### Administration and Procedures

- Staff Draft Review/Development
- Public Draft Finalization (September)
- Public Review (September/October)
  - MDC Review
  - P&Z/City Council Presentation
  - online draft and survey

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### Fall/Winter 2020

#### Zoning Districts and Uses

- Staff Draft Review/Development

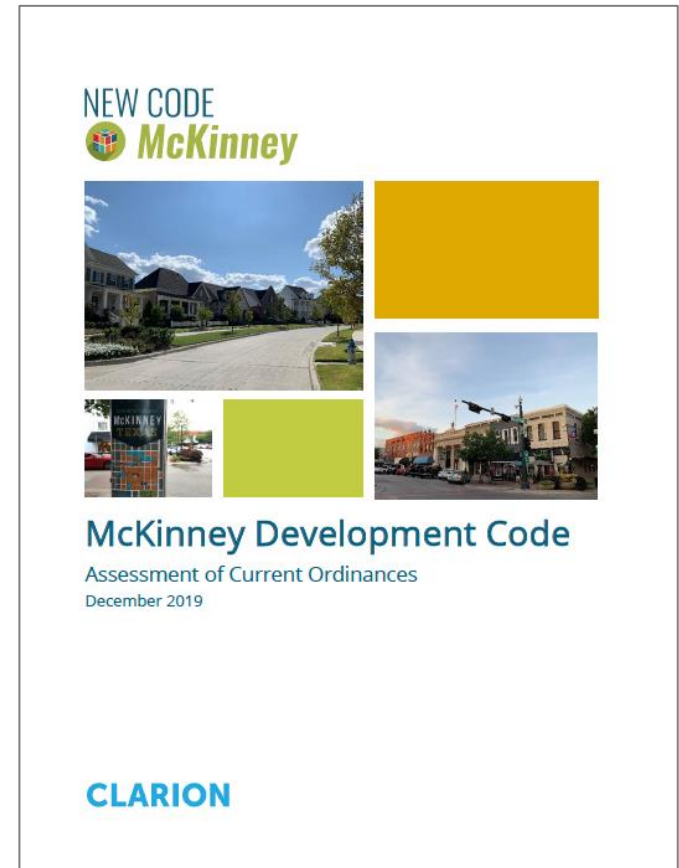
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### Winter 2020/Spring 2021

#### Development and Design Standards

# ASSESSMENT REPORT

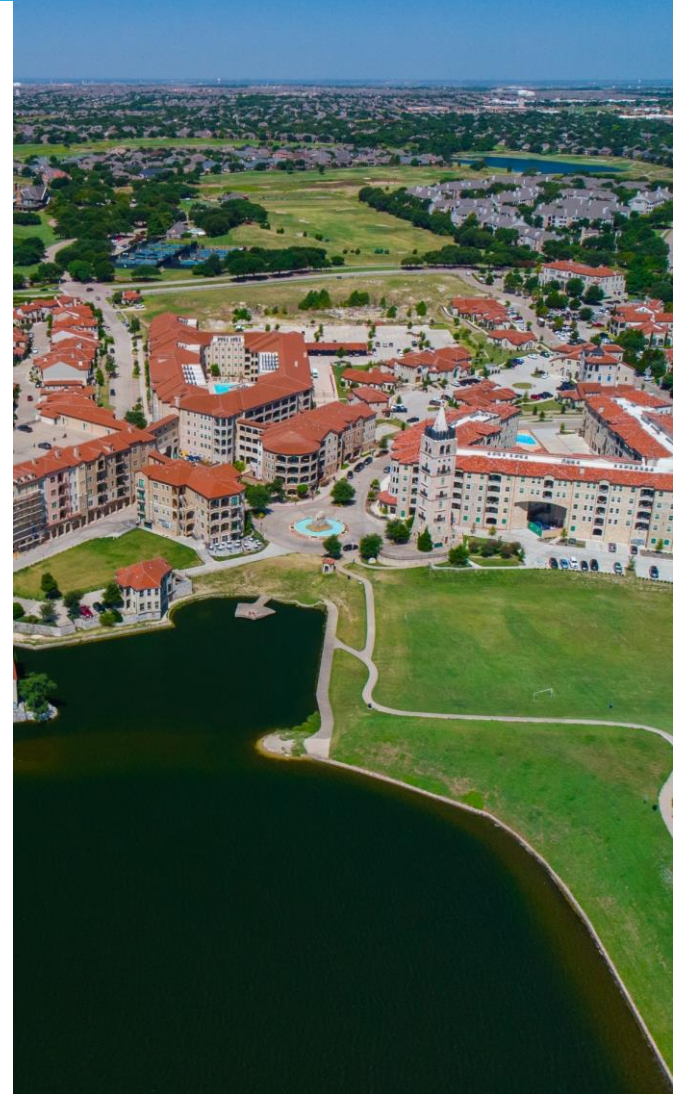
- Identify the strengths and weaknesses of the current development regulations
- Identify potential solutions and best practices
- Provide a detailed roadmap for a new unified code





# KEY AREAS TO IMPROVE THE DEVELOPMENT REGULATIONS

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



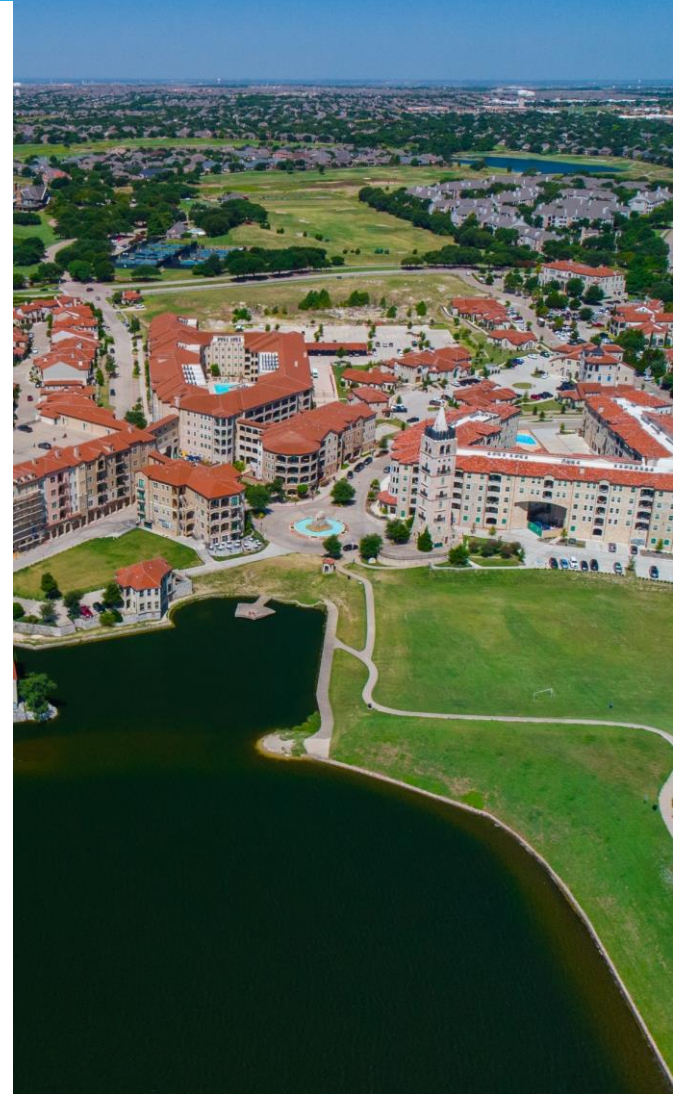
# ADMINISTRATION & PROCEDURES IMPROVEMENTS

## **More user-friendly code:**

- Page layout
- Graphics

## **Simplify Procedures:**

- Unified Development Code
- Subdivision/Platting Procedures
- Administrative Manual



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**CREATE A MORE USER-  
FRIENDLY CODE**



# 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

### Article 1: General Provisions

#### COMMENTARY

This article incorporates the general provisions from both the subdivision regulations (current Chapter 142) and the zoning ordinance (current Chapter 146). In this new unified development code (the "Code"), both zoning and subdivision share general provisions, definitions, and common review procedures.

Throughout this draft, when current provisions are carried forward, in many cases we revised the text for clarity, consistency, and to reduce planner jargon, often without footnote. We also reduced the amount of legal language where possible.

There are several references to the "administrative manual" in lieu of including specific technical, submittal, or fee details. The concept of an administrative manual is already in place on the City's website, with application schedules, forms, submittal requirements, and flowcharts embedded as online assistance. Although we use the term "manual" that information could (and should) continue to live on the website instead of a printed manual.

#### 1.1 Title<sup>1</sup>

This chapter may be cited and referred to as the "Unified Development Code of the City of McKinney, Texas," or "this Code."

#### 1.2 Purpose<sup>2</sup>

It is the purpose of this Code for the City of McKinney to promote and protect the health, safety, and welfare of the community by establishing standards and regulations for review and approval of all proposed development of property in the City, and providing a development review process that will be comprehensive, consistent, and efficient in the implementation of the Comprehensive Plan and other goals, policies, and standards of the City and its extraterritorial jurisdiction (ETJ).

#### 1.3 Authority, Applicability, and Jurisdiction

##### 1.3.1 Authority<sup>3</sup>

This Code is enacted pursuant to the powers granted and limitations imposed by the laws of the State of Texas, including the statutory authority granted in Texas Local Government Code chapters 211 and 212, and all other relevant laws of the State of Texas. Whenever any provision of this Code refers to or cites a section of the Texas Revised Statutes and that section is later amended or superseded, this Code shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section of the Texas Revised Statutes.

##### 1.3.2 Applicability<sup>4</sup>

Unless otherwise stated, this Code applies to all land, buildings, structures, and uses located within the City and, if applicable, its ETJ. The provisions of this Code are the minimum standards necessary to accomplish the purposes of this Code and implement the Comprehensive Plan. Unless otherwise stated in this Code, whenever provisions in this Code conflict with provisions in other city regulations or with other provisions within this Code, the provision that is more restrictive or particular shall govern over the provision that is less restrictive or general.

<sup>1</sup> From 146-1. Revised to reference "this Code" which includes subdivision.

<sup>2</sup> New, replaces 146-2.

<sup>3</sup> New, replaces 146-3 and 142-3.

<sup>4</sup> From 146-5, retained from "compliance required."

# ADD MORE GRAPHICS

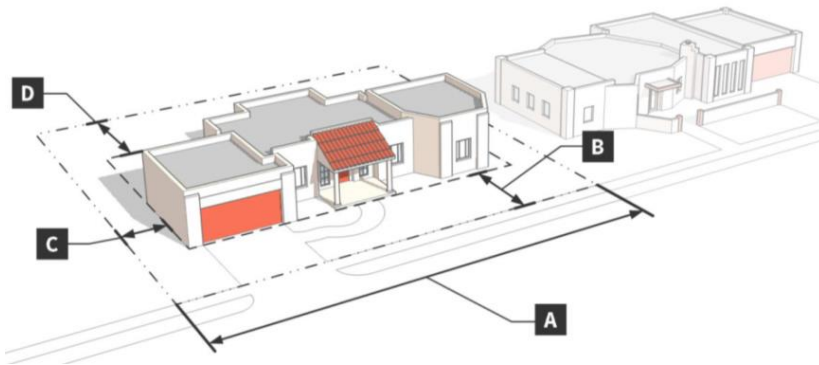


Figure 2-2: Summary of Rezoning Procedure

Pre-Development Meeting (2.3.2)	Neighborhood Meeting (2.3.3)	Application Submittal and Handling (2.3.4)	Staff Review (2.3.5)	Scheduling and Notice of Hearings (2.3.6)	Review and Decision (2.3.7)	Post-Decision Actions and Limitations (2.3.8)
Recommended	Recommended	Submit to Director of Planning	Review by Staff	P&Z and City Council hearings required	P&Z review; City Council decision	Director of Planning amends the Official Zoning Map



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**SIMPLIFY PROCEDURES**

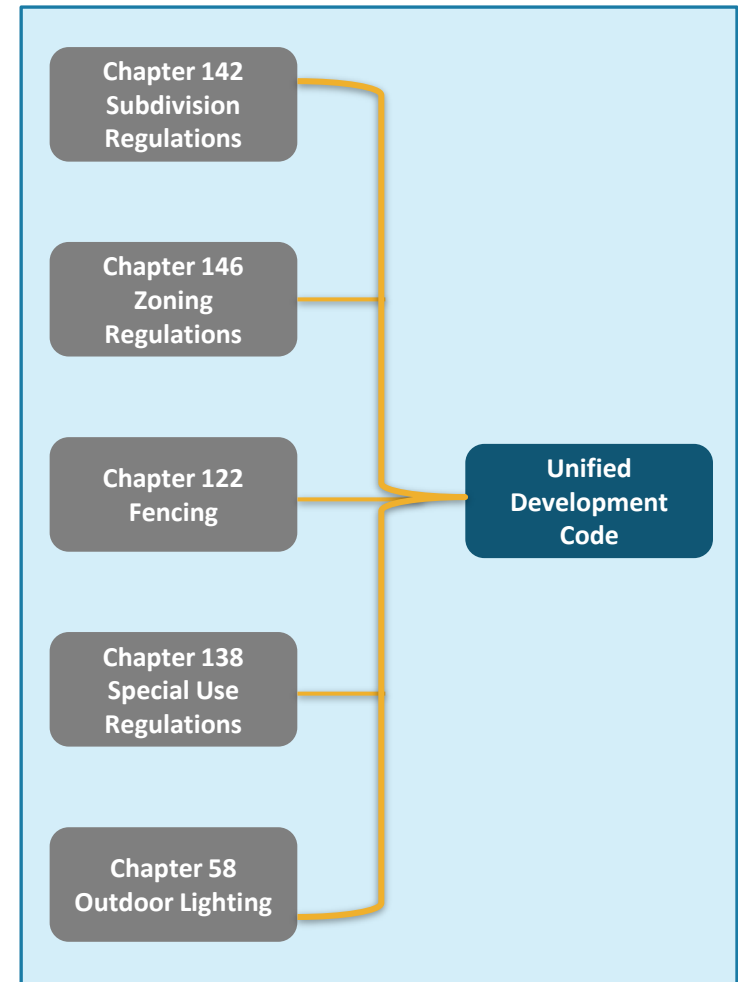
# WHAT WE HEARD

- **Procedures generally**

- Poor ordinance organization, hard to find information
- Often not clear what procedures required for a project
- Ambiguous code creates unpredictability
- Consider more delegation of minor approvals to staff
- A high level of detail is required in early submissions for many projects
- Lack of clear and objective review criteria introduces risk of inconsistent, unpredictable, and negotiated approvals

# NEW CODE MCKINNEY: UNIFIED DEVELOPMENT CODE

1. General Provisions
2. Review Procedures: Zoning
3. Review Procedures: Subdivision
4. Zoning Districts
5. Use Regulations
6. Development Standards
7. Subdivision Standards
8. Rules of Construction and Definitions

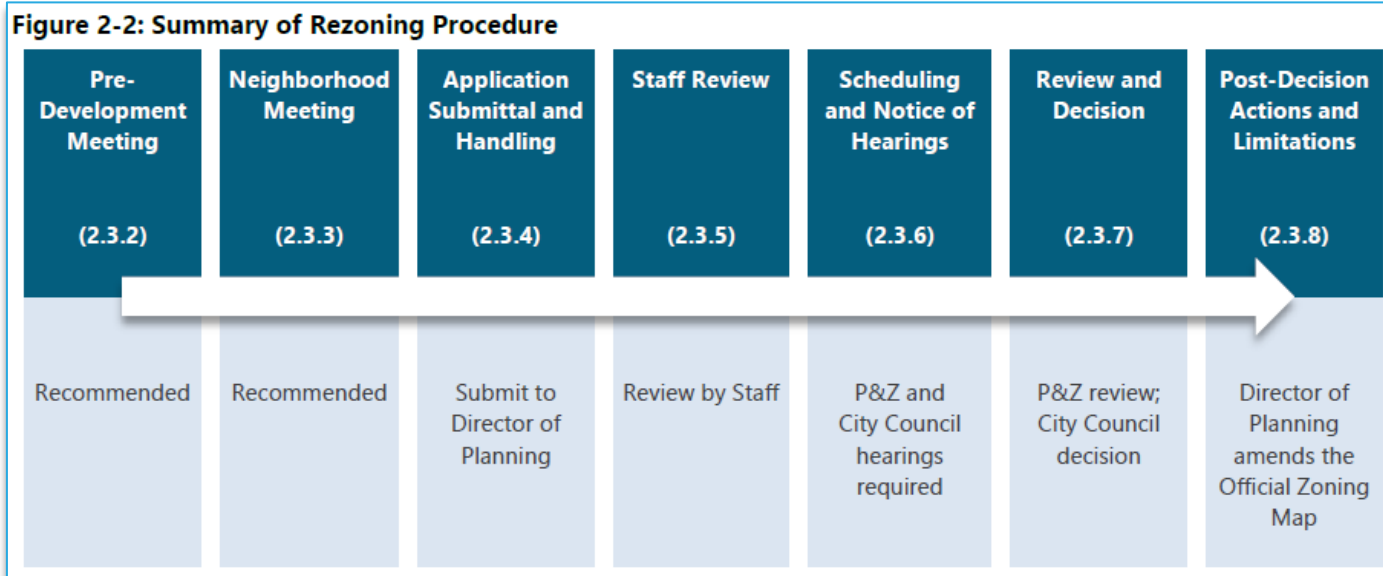




# NEW CODE MCKINNEY: COMMON REVIEW PROCEDURES

**Say it once (and only once)!**

- Specific applications refer to common procedures



# NEW CODE MCKINNEY: SUBDIVISION PROCEDURES

- **Current Subdivision Procedures**
  - **Preliminary-Final (Re)Plat**
  - **Record Plat**
  - Minor (Re)Plat
  - Amending Plat
  - Conveyance Plat
- **Proposed Subdivision Procedures**
  - **Preliminary Plat**
  - **Final Plat**
  - **Replat**
  - Minor Plat
  - Amending Plat
  - Conveyance Plat
- **Why this is good:**
  - Consistency with other cities
  - Helps to avoid confusion with developers that are new to McKinney
  - Helps to shorten the replat process to a single step

# NEW CODE MCKINNEY: ADMINISTRATIVE MANUAL

- **Create an Administrative Manual to support the UDC**
  - More user friendly
  - Allows procedural-related items to stand apart from regulatory/development requirements
  - Manual format allows for easy updating and improvements over time as opposed to ordinance amendments

Article 2: Review Procedures  
2.5 Subdivision Procedures  
2.5.2 Minor Plat

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## 2.5.2 Minor Plat

**COMMENTARY**  
This minor plat procedure consolidates the current minor plat procedure (Sec. 142-77) and amending plat procedure (142-79), both of which are authorized for administrative review and approval according to TLGC § 212.0065.

**A. Purpose**  
The minor plat procedure is established to evaluate proposed plats that will involve four or fewer lots or involve minimal amendments to approved final plats. The minor plat procedure also provides a mechanism for administrative platting decisions, to address plat errors, to apply minor adjustments to property boundaries, and for conveyance plats.

**B. Applicability**  
In accordance with TLGC § 212.0065, the City delegates to the Director of Planning the authority to review and approve minor plats for plats that:

1. Involve four or fewer lots;
2. All such lots front onto an existing street;
3. Do not require the dedication of public right-of-way or other public improvements; and
4. Do not require the creation of any new street or the extension of municipal facilities.

**C. Minor Plat Procedure**  
Figure 2-11 identifies the applicable steps from §2.3, *Common Review Procedures*, that apply to the review of minor plat applications. Additions or modifications to the common review procedures are noted in this subsection.

**Figure 2-7: Summary of Minor Plat Procedure**

Application Submittal and Handling (2.2.4)	Staff Review (2.2.5)	Scheduling and Notice of Hearings (2.2.6)	Review and Decision (2.2.7)	Post-Decision Actions and Limitations (2.2.8)
Submit application to Director of Planning	Review by Director of Planning	Not required unless referred to P&Z and/or City Council	Decision by Director of Planning; may refer to P&Z and/or City Council for decision	See text

**1. Pre-Application Conference**  
A pre-development meeting is optional, and if elected shall be held in accordance with §2.3.2, *Pre-Development Meeting*.

**2. Application Submittal and Handling**

**a. Generally**  
The application shall be submitted, accepted, and revised, and may be withdrawn in accordance with §2.3.4, *Application Submittal and Handling*.

**b. Additional Requirements**

- i. Documentation submitted for approval of minor plats shall meet the final plat requirements in accordance with §2.6.4.

McKinney, TX – Development Code  
Administration and Procedures – June 2020

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# NEXT STEPS

- **September/October**
  - Administration and Procedures
    - Posting of Public Draft and Hosting Survey
  - Zoning Districts and Uses
    - Review of Staff Draft

# THANK YOU!

Visit the project website:

[www.newcodemckinney.com](http://www.newcodemckinney.com)



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**CLARION**

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