



22-0005M2

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Amending Sections 146-130 (Vehicle Parking) and Section 146-134 (Performance Standards) of the Code of Ordinances, and Accompanying Ordinance

COUNCIL GOAL: Direction for Strategic and Economic Growth
(1C: Provide a Strong City Economy by Facilitating a Balance between Industrial, Commercial, Residential, and Open Space)

MEETING DATE: August 16, 2022

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Aaron Bloxham, Principal Planner

RECOMMENDED CITY COUNCIL ACTION:

- Staff recommends approval of the proposed amendments.

ITEM SUMMARY:

- Staff proposes to remove or relocate certain regulations currently found within the Zoning Ordinance in order to eliminate redundant information, reduce potential conflicts, and relocate regulations to a more appropriate chapter of McKinney's Code of Ordinances.
- The regulations being removed pertain to items that are already governed by other agencies (such as the state) or by other provisions of the McKinney Code of Ordinances.

PROPOSED AMENDMENTS:

- Section 146-134 (Performance Standards)
 - Performance Standards includes regulations for smoke and particulate matter, odorous matter, fire and explosive material, toxic and noxious matter, vibration, waste materials, noise, and construction hours.

- Staff proposes to remove the performance standards for smoke and particulate matter, odorous matter, fire and explosive material, toxic and noxious matter, vibration, and waste materials from the Chapter 146 (Zoning Regulations) because these standards are already governed by either a state agency or another provision within McKinney's Code of Ordinances, respectively.
- Staff proposes to relocate the performance standards related to noise from Chapter 146 (Zoning Regulations) to Chapter 70, Article V of the McKinney Code of Ordinances, which already includes other requirements pertaining to the emittance of noise in the city.
- Staff proposes to relocate the performance standards for allowable construction hours from Chapter 146 (Zoning Ordinance) to Chapter 122 (Construction Regulations) of the McKinney Code of Ordinances, which already includes other requirements pertaining to construction regulations.
- Section 146-130 (Vehicle Parking)
 - Staff proposes to relocate parking prohibitions for private property from Chapter 146 (Zoning Regulations) to Chapter 70 (Offenses and Miscellaneous Provisions).
 - Staff proposes to relocate parking prohibitions for public streets from Chapter 146 (Zoning Regulations) to Chapter 62 (Motor Vehicles and Traffic).

BACKGROUND INFORMATION:

- As part of the New Code McKinney initiative (development regulation overhaul), city staff and the consultant team have identified sections that are not located in the appropriate chapters of the City's Code of Ordinances or that are governed by other state regulations and laws.
- Based on this determination, these amendments are being proposed to help achieve the goals of the update to improve clarity, flexibility, usability, and implementation of the Code of Ordinances.

OPPOSITION TO OR SUPPORT OF REQUEST:

- Staff has received no comments or phone calls in support of or opposition to this request. This does not include calls or emails that may have been sent directly to the Council. As part of the Planning and Zoning Commission Public Hearing, Staff did not receive any public comments through the online citizen portal.

BOARD OR COMMISSION RECOMMENDATION:

- On July 26, 2022, the Planning and Zoning Commission voted 7-0-0 to

recommend approval of the proposed amendments.

SUPPORTING MATERIALS:

[Draft PZ Minutes 07.26.pdf](#)

[Section 146-130 \(Vehicle Parking\) redlines](#)

[Section 146-134 \(Performance Standards\) redlines](#)

[Proposed Ordinance](#)

[Exhibits A-B](#)