



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 18-0010M **Name:** Zoning Ordinance Correction  
**Type:** Ordinance **Status:** Approved  
**In control:** City Council Regular Meeting  
**On agenda:** 10/2/2018 **Final action:** 10/2/2018  
**Title:** Conduct a Public Hearing to Consider/Discuss/Act on a Correction Ordinance to Amend Chapter 146 (Zoning Regulations), Appendix B-2 (Regional Employment Center - Overlay Urban Design Standards) of the Code of Ordinances, and Accompanying Ordinance

**Indexes:**

**Attachments:** 1. PZ Minutes, 2. Appendix B-2 Redlines, 3. Prop. Ordinance, 4. Prop. Exhibit A

| Date      | Ver. | Action By                    | Action                          | Result |
|-----------|------|------------------------------|---------------------------------|--------|
| 10/2/2018 | 2    | City Council Regular Meeting | Approved Closing Public Hearing | Pass   |
| 10/2/2018 | 2    | City Council Regular Meeting | Approved                        | Pass   |
| 9/11/2018 | 1    | Planning & Zoning Commission | Approved and Referred           | Pass   |

Conduct a Public Hearing to Consider/Discuss/Act on a Correction Ordinance to Amend Chapter 146 (Zoning Regulations), Appendix B-2 (Regional Employment Center - Overlay Urban Design Standards) of the Code of Ordinances, and Accompanying Ordinance

**COUNCIL GOAL:** Operational Excellence  
(2E: Continuously provide a high level of customer service to our citizens)

**MEETING DATE:** October 2, 2018

**DEPARTMENT:** Planning

**CONTACT:** Jennifer Arnold, AICP, Interim Director of Planning  
Samantha Pickett, AICP, Planning Manager

**CITY COUNCIL RECOMMENDED ACTION:** Staff recommends approval of the proposed amendment to the Zoning Ordinance.

**ITEM SUMMARY:** Staff is proposing to amend Section 146, Appendix B-2 (Regional Employment Center - Overlay Urban Design Standards) to modify the use table to require a Specific Use Permit (SUP) for Utility Substations or Regulating Stations in all Regional Employment Center (REC) zoning districts to properly include the Appendix B-2 Schedule of Uses in the previously adopted ordinance amendment (Ordinance No. 2016-09-075).

In September of 2016, City Council approved amendments to Appendix F-4 (Schedule of Uses) and Appendix G-2 (MTC - McKinney Town Center District) to require a Specific Use Permit (SUP) for

Utility Substations or Regulating Stations. As part of this action, Appendix B-2 was inadvertently omitted; the amendment currently under consideration makes the same change to the Schedule of Uses within the REC Overlay District for consistency.

**BACKGROUND INFORMATION:** Within the last few years, the City has been approached by several utility companies regarding the possibility of having another power substation along State Highway 121 (Sam Rayburn Tollway), one of McKinney's prime commercial development corridors. Given that utility substations are currently permitted within the REC Overlay District Schedule of Uses, if any of these companies moves forward with their plans, the City would not have much say in the site selection process as the REC Overlay covers a large portion of the southwest sector of City, with southern adjacency to SH 121. Having another substation along a prime commercial corridor creates several issues for the City as it creates unsightly development that impacts the potential for future development around the site and reduces the amount of available land for non-residential development. By requiring an SUP in all areas of the City, including the REC Overlay District, the City Council will be given the opportunity to weigh in on any site selections before they are concluded and provides consistency in the various Schedules within the Ordinance.

Staff surveyed several neighboring cities (Plano, Frisco, Allen, The Colony) to provide a comparison on how these cities handle utility substations. Below is a brief summary for each city:

- Plano:
  - An Electrical Substation requires an SUP in all zoning districts, except their Agricultural District where it is permitted by right.
- Frisco:
  - Electrical substations are classified as a Private Utility and are a permitted use in all districts.
- Allen:
  - Electrical substations are classified as a Public Service Facility, which encompasses a variety of public service structures. An SUP is required in their office and corridor commercial districts and is permitted by right in their remaining industrial, office and retail/commercial districts. Public Service Facilities are not a permitted use in any residential districts.
- The Colony:
  - Electrical Substations are a permitted use in all commercial and industrial districts. An SUP is required in all other zoning districts.

**BOARD OR COMMISSION RECOMMENDATION:** On September 11, 2018, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed amendment.