

MEMORANDUM



To: Planning and Zoning Commission

Through: Brian Lockley, AICP, Director of Planning

From: Steven Doss, Planner I

Date: April 12, 2016

Subject: P&Z Commission Training Series
[Topic 2: Zoning Ordinance Basics](#)

WHAT IS A ZONING ORDINANCE

Governed by Chapter 211 of the Texas Local Government Code, the McKinney Zoning Ordinance is intended to promote the health and general welfare of the City, facilitate the adequate provision of public services (such as transportation, water and parks), prevent overcrowding, and achieve other goals in accordance with the Comprehensive Plan. Chapter 146 of the McKinney Code of Ordinances is the City's Zoning Ordinance, which is divided into several sections:

- Article I: In General
- Article II: Special Provisions
- Article III: District Regulations
- Article IV: Special Regulations
- Article V: Administration
- Article VI: Enforcement
- Appendices

WHY HAVE A ZONING ORDINANCE

The Zoning Ordinance allows the City of McKinney to ensure that development within its corporate limits is both appropriate for a specific area and contributes to the health, safety and well-being of residents of and visitors to McKinney. The land use controls and building standards included in the Zoning Ordinance make it possible for the city to ensure that planned developments will be beneficial to the quality of life and vision for the city.

HOW DOES THE ZONING ORDINANCE WORK

A series of different zoning districts establish rules and regulations for property generally with regard to allowable land uses, building heights, parking, screening, landscaping and other factors. Land use information is codified in Article III and cataloged in the Schedule of Uses. Development standards are generally codified in Articles III and IV. The Zoning District Map delineates district boundaries across the city.

ADMINISTRATION OF THE ZONING ORDINANCE

The McKinney Zoning Ordinance is administered by the Development Services Division of the City (Planning Department) and enforced by the City Council with recommendations from the Planning and Zoning Commission. All properties within the corporate limits of the city are subject to the provisions of the Zoning Ordinance.

THE COMMISSION'S ROLE IN RELATION TO THE ZONING ORDINANCE

Generally, the Planning and Zoning Commission has been appointed to make recommendations to the City Council regarding amendments, updates and actions affecting the Zoning Ordinance. Specifically, Section 146-163 of the McKinney Zoning Ordinance grants the Planning and Zoning Commission the following authority and responsibilities:

1. The planning and zoning commission shall consider and may grant or deny approval of any site plan required, as provided in section 146-45.
2. The planning and zoning commission shall hold a public hearing and make a recommendation to the city council, prior to any consideration by the city council, on any of the following:
 - a. Any change or amendment to any of the provisions or regulations;
 - b. Any change or amendment to the zoning districts map, or any change in any zoning district boundary;
 - c. Any request for specific use permit;
 - d. Site plans as per section 146-45; and
 - e. Amendments to the comprehensive plan.
3. In the MTC - McKinney Town Center zoning district, the planning and zoning commission shall have the authority and responsibilities under the specific administration provisions of the MTC - McKinney Town Center zoning district regulations contained in appendix G of the city zoning regulations (chapter 146).
4. The planning and zoning commission shall, either on its own initiative or by direction of the city council or at the request of the director of planning, schedule and hold a public hearing on any proposed change or amendment to the McKinney Zoning Ordinance.
5. The planning and zoning commission shall have no authority to change any provisions of the McKinney Zoning Ordinance; nor grant any specific use permit; nor change any zoning district boundary; nor grant any variance or exception to the provisions of the McKinney Zoning Ordinance, except as a part of a site plan approval as provided in section 146-45.