

ORDINANCE NO. 2023-09-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING CHAPTER 150, ENTITLED "UNIFIED DEVELOPMENT CODE," OF THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS TO CORRECT TYPOGRAPHICAL ERRORS AND MAKE NONSUBSTANTIVE EDITORIAL CHANGES TO ARTICLE 3 (SUBDIVISION REGULATIONS), ARTICLE 4 (SIGNS), AND ARTICLE 7 (STORMWATER MANAGEMENT) AND TO: (1) MAKE CERTAIN SUBSTANTIVE CHANGES RELATED TO PLATTING, PUBLIC IMPROVEMENTS, ENGINEERING AND CONSTRUCTION STANDARDS, FACILITIES AGREEMENTS, PRO RATA PAYMENTS, HOME OWNER'S AND PROPERTY OWNER'S ASSOCIATIONS COMMON AREAS, STREET CONNECTION DESIGN STANDARDS, RESIDENTIAL BUFFER AND SCREENING, AND PRIVATE STREET REGULATION OF ARTICLE 3 (SUBDIVISION REGULATIONS); (2) UPDATE THE AUTHORITY AND JURISDICTION OF ARTICLE 4 (SIGNS); (3) ADD A MERITORIOUS EXCEPTION PROCESS TO ARTICLE 5 (EXTERIOR LIGHTING); AND (4) MODIFY THE REQUIREMENTS FOR APPEALS AND VARIANCES AND EROSION CONTROL DEPOSITS OF ARTICLE 7 (STORMWATER MANAGEMENT); ESTABLISHING PRESUMPTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

WHEREAS, the City of McKinney adopted the Code of Ordinances for the protection of the public health and general welfare of the people of the City of McKinney; and

WHEREAS, the City Council have recognized that certain provisions of the Code of Ordinances should be reviewed and updated; and

WHEREAS, amendments to these provisions have been proposed and the City Council of the City of McKinney are of the opinion that these chapters should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. The Code of Ordinances, City of McKinney, Texas, Chapter 150 Article 3 (Subdivision Regulations), Article 4 (Signs), Article 5 (Exterior Lighting), Article 6 (Fences), and Article 7 (Stormwater Management), are hereby amended and shall read as indicated in Exhibit "A", attached hereto.

Section 2. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 3. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance and such ordinances shall remain intact and are hereby ratified, verified and affirmed.

Section 4. The caption of this ordinance shall be published one time in a newspaper of general circulation in the City of McKinney.

Section 5. This Ordinance shall become effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 19TH DAY OF SEPTEMBER, 2023.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER

Mayor

CHARLIE PHILIPS

Mayor Pro Tem

CORRECTLY ENROLLED:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney