

**EXHIBIT \_**  
**HUNTINGTON PARK**  
**PLANNED DEVELOPMENT STANDARDS**

**GENERAL STANDARDS**

The development pattern of the Huntington Park community shall generally conform with the Zoning Plan (Exhibit \_\_). The relationship between zones and the approximate scale of the zones shall be as depicted on the Zoning Plan. Acreages shown on the Zoning Plan are approximate and may ultimately vary due to street alignments, median break spacing, etc. Acreages of each zone shall be determined at the time of preliminary platting.

The areas depicted as “Open Space” on the Zoning Plan are based on physical characteristics. These areas are to be preserved and emphasized in the community’s design for the enjoyment of the community’s residents and visitors as activated open spaces. Used primarily as passive recreation, these spaces are intended to protect and maintain natural habitats, while still providing recreational opportunities. The acreages depicted on the Zoning Plan are approximate. The actual size and configuration of the spaces shall be determined at the preliminary plat. They shall be dedicated as common areas on a recorded plat. The ultimate size of the spaces shall not be less than 90% of the acreage identified on the Plan. The design and programming of these spaces shall be coordinated with the Parks Department at the time of site plan/building permit and may account for up to 50% of the collective park dedication requirements associated with the multi-family development.

Multi-Family Development Timing: Site Plans for multi-family development shall not be submitted to the City for review until the following criteria have been met.

- A. Buildings located on a minimum of 12 acres collectively of Pods 4 and 5, as shown on the Zoning Plan (Exhibit \_\_), shall have an approved certificate of occupancy.
- B. The section of the US Highway 380 By-Pass which traverses the Huntington Park development shall be under construction, or 100 acres collectively, of single-family development within Pods 1, 2, or 3 as shown on the Zoning Plan (Exhibit \_\_), shall have a recorded final plat, whichever is sooner.

**DEFINITIONS**

In addition to the definitions established in Section 902 of the McKinney Unified Development Code, the following terms shall have the meanings ascribed to them in this district.

- A. **Build-to-Zone (BTZ):** The area between the minimum and maximum front setbacks within which the primary building façade shall be built.
- B. **Building Frontage:** The minimum percentage of the building’s front façade on the first floor that is required to be located at the front build-to-line or zone as a proportion of the block frontage along the street. Parks, plazas, squares, improved forecourts, and pedestrian breezeway frontages shall be considered as buildings for the calculation of building frontage.
- C. **Civic/Open Space:** Publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned. For all residential uses, privately accessible open spaces such as courtyards, porches, and balconies may also be considered as Civic/open Space.

- D. **Encroachment:** Any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit extending into a setback.
- E. **Height:** The vertical distance between the average height of the highest and lowest point of grade on a lot to the highest point of the building or structure. For buildings or structures with roofs that have a slope of 5:12 or greater, the height shall be measured to the midpoint of the roof.
- F. **Floor Height:** The height between each floor plate in a building measured from the top of a floor to the surface of the ceiling.
- G. **Ground Floor Activated (GFA) Overlay:** The GFA Overlay allows by right, those uses identified in the use charts on the ground floor of a building in areas designated as “GFA” on the Zoning Plan (Exhibit \_\_) inset. Areas of a building which are designated for the GFA Overlay uses shall be constructed as a concrete podium and shall have a minimum interior height of 14’ floor to floor. A minimum of 70,000 square feet of GFA allowed uses shall collectively be developed in those areas designated as “GFA” on the Zoning Plan inset. Additionally, uses allowed in the GFA Overlay may be permitted in those areas designated on the Zoning Plan inset as “GFA Expansion Zone” upon approval of a site plan/building permit by the City. If uses allowed in the GFA Overlay are provided for in the GFA Expansion Zone, the above referenced building standards shall apply to the subject building(s). Required GFA square footages may not be used to satisfy amenity requirements for multi-family developments outlined in Article 2, Section 206 (G)(4) of the McKinney Unified Development Code.

## USES

Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart below.

HUNTINGTON PARK USE CHART									
<b>P = Permitted use</b> <b>C = Addt'l use-specific criteria</b> <b>Blank cell = Prohibited use</b> <b>S = Specific Use Permit required</b> <b>A = Accessory use</b> <b>T = Temporary use</b>	SINGLE-FAMILY RESIDENTIAL				MULTI-FAMILY RESIDENTIAL		NON-RESIDENTIAL		
	HP-60	HP-50	HP-40	HP-TH	HP-BR	HP-U	GFA OVERLAY	HP-C2	HP-C3
<b>Residential Uses</b>									
Single-family detached	P	P	P						
Single-family attached				P					
Duplex				P					
Triplex				P					
Quadplex				P					
Multi-family, brownstone					P				
Multi-family, traditional						P			
Live-Work Space					P	P			
Independent living						P		<u>S</u>	<u>S</u>
<b>Group Living</b>									
Assisted living facility				<u>S</u>		P		P	P
Community care home	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>					
Community care facility								P	P
Crisis support home	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>					
<b>Non-Residential Uses</b>									
Agricultural and ranching, private or wholesale	P	P	P	P	P	P	P	P	P
Amenity center, neighborhood	P	P	P	P	P	P			
Animal care and services, indoor only							P	P	P
Animal care and services, outdoor area								<u>S</u>	<u>S</u>
Arts or cultural center	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	P	P	P
Banks and financial services							P	P	P
Car wash								<u>C</u>	<u>C</u>
Civic club or fraternal organization							P	P	P
Clinic, medical or dental							P	P	P

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	HP-60	HP-50	HP-40	HP-TH	HP-BR	HP-U	GFA OVERLAY	HP-C2	HP-C3
College or university							P		P
Commercial entertainment, indoor							<u>S</u>	<u>S</u>	P
Commercial entertainment, outdoor									<u>S</u>
Community garden	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>
Cottage industrial								<u>C</u>	<u>C</u>
Country club	P	P	P	P				<u>C</u>	<u>C</u>
Day care center							<u>C</u>	<u>C</u>	<u>C</u>
Dispatch office									<u>C</u>
Electric vehicle charging facility									<u>C</u>
Farmers' market, permanent								P	P
Fuel sales, passenger vehicles								<u>C</u>	<u>C</u>
Funeral home or mortuary								<u>S</u>	P
Government facilities (city, excluding airport uses)	P	P	P	P	P	P	P	P	P
Government or public facility (non-city)								<u>C</u>	<u>C</u>
Greenhouse or plant nursery								P	P
Gun range, indoor								<u>C</u>	P
Gym or fitness studio-Primary Use							P	P	P
Hospital								P	P
Hotel or motel								P	P
Microbrewery, distillery, winery or cidery								<u>C</u>	P
Office showroom/warehouse								<u>S</u>	P
Office							P	P	P
Parking garage or lot, paid or private					P	P		P	P
Personal service							P	P	P
Radio or TV broadcast station								<u>C</u>	P
Reception or event center, indoor							P	P	P
Reception or event center outdoor								<u>S</u>	<u>C</u>
Recreation area, private	P	P	P	P	P	P	P	P	P
Religious assembly	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>

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	HP-60	HP-50	HP-40	HP-TH	HP-BR	HP-U	GFA OVERLAY	HP-C2	HP-C3
Restaurant, brew pub							<u>C</u>	<u>C</u>	<u>C</u>
Restaurant, carry out and delivery only							<u>C</u>	<u>C</u>	P
Restaurant, dine-in							<u>C</u>	<u>C</u>	<u>C</u>
Restaurant, drive-in or drive-through								<u>C</u>	<u>C</u>
Retail sales							P	<u>C</u>	<u>C</u>
School, business or trade							<u>S</u>	P	P
School, public, private or parochial	P	P	P	P	P	P	P	P	P
Self-storage								<u>S</u>	<u>S</u>
Utility substation	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>
Vehicle repair, major									<u>S</u>
Vehicle repair, minor									P
<b>Accessory Uses</b>									
<i>Note: for all allowed accessory uses, specific requirements shall apply. See below.</i>									
Accessory building, detached	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>			
Accessory dwelling unit	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>					
Accessory structure	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>			
Caretaker's or watchman's quarters								<u>A</u>	<u>A</u>
Electric vehicle charging station	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		<u>A</u>	<u>A</u>
Helistop								<u>A</u>	<u>A</u>
Home occupation	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>			
Outdoor storage								<u>A</u>	<u>A</u>
Swimming pool	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>			
<b>Temporary Uses</b>									
<i>Note: for all allowed Temporary uses, specific requirements shall apply. See below.</i>									
Batch plant (outdoor), temporary	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>				<u>I</u>	<u>I</u>
Construction field office	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>
Model home	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>				
Portable storage container	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>			
Religious or philanthropic uses	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>
Seasonal sales	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>	<u>I</u>		<u>I</u>	<u>I</u>

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	HP-60	HP-50	HP-40	HP-TH	HP-BR	HP-U	GFA OVERLAY	HP-C2	HP-C3
<b>Special Uses</b>									
Bed & breakfast	<u>S</u>	<u>S</u>	<u>S</u>						
Food truck courts								<u>S</u>	<u>S</u>
Food truck operation sites						<u>C</u>		<u>C</u>	<u>C</u>
Private club							<u>S</u>	<u>S</u>	<u>S</u>
Telecommunication Structure, High Rise								<u>S</u>	<u>S</u>
Telecommunication Structure, Low Rise	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>
Telecommunication Structure, Stealth	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>

### USE-SPECIFIC STANDARDS

- A. The use-specific standards listed in this section apply to those uses listed on the same line of the Use Chart, regardless of their respective level of permission.
- B. Use-specific standards in this section apply to all zoning districts unless otherwise stated.
- C. Should any use-specific standards conflict with the standards development standards below, these use-specific standards apply unless otherwise stated.
- D. Any use not specifically defined below shall default to the definition established in the McKinney UDC.

### RESIDENTIAL USES

- A. **Multi-family, brownstone:** A single lot containing five or more dwelling units. Each individual building be built as a townhome-style building. Brownstones shall not have front entry garages if garages are provided. All brownstone units shall include a primary front door entrance into the home which shall be accessed from the sidewalk. Homes must also include windows which provide residents with a view of the street and sidewalk area.
- B. **Independent Living:** A private age-restricted facility, also known as a retirement community, that provides its residents community dining with on-site meal preparation and service and transportation services, and may also include light housekeeping and/or recreational/enrichment/socialization activities. These facilities do not provide any on-site health supervision or related care for residents. Senior Independent Living is considered to be a multi-family use and shall follow the multi-family development standards.
- C. **Live-Work Space:** A mixed-use building type with a dwelling unit that is also used for work purposes, provided that the 'work' component is (1) restricted to the uses of professional office, personal

service, cottage industrial, artist's workshop, studio, or other similar uses, (2) is located on the street level and constructed to Commercial Ready standards, and (3) is constructed as separate units under a condominium regime or as a single unit. The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live-work dwelling is distinguished from a home occupation otherwise defined by Section 205.G.2.g of the McKinney Unified Development Code in that the 'work' component is not required to be incidental and secondary to the 'live' component. Additionally, the 'work' component may employ more than one (1) individual who is not an occupant of the 'live' component.

Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.

### **GROUP LIVING USES**

- A. **Community Care Home:** A community-based residential home as defined and regulated by Chapter 123 of the Human Resources Code for persons with disabilities (limited to no more than 6 persons with disabilities plus 2 staff in the home at the same time).

Where the Use Chart indicates "C", this use shall be limited to no more than six residents and two staff members; and no new community care home shall be established within a half mile of any other use in the Group Living category.

- B. **Crisis Support Home:** A temporary residence which provides special care for survivors of domestic violence or emotional or mental abuse. Where the Use Chart indicates "C", this use shall be limited to no more than 6 persons plus two staff members; and indicates no new crisis support home shall be established within a half mile of any other use in the Group Living category.

### **NONRESIDENTIAL USES**

- A. **Animal Care and Services, Outdoor Area:** A commercial facility where dogs, cats, or other domestic animals are housed, groomed, bred, trained, sold, or boarded during the day or overnight, or a facility where such animals receive medical care. This type of facility includes an outdoor component, such as an outdoor play area or run, but does not include outdoor pens or kennels for boarding. Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.

- B. **Arts or Cultural Center:** A public, private, or non-profit institution with the purpose of preserving and displaying objects with cultural significance. This use includes museums, art galleries, libraries, and performing arts centers. Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.

- C. **Car Wash:** A self-service or full-service facility for washing, cleaning, and drying vehicles including automobiles, motorcycles, buses, or recreational vehicles. This definition excludes facilities that serve semi-trailer trucks with at least 3 axles that are designed to tow trailers. Where the Use Chart, indicates "C", this use may not be located within ½ mile of another car wash. All buildings, vacuums, outdoor speakers, air and water dispensers, and other structures in conjunction with a car wash use shall be located a minimum of 200 feet away from any residential use or zoning district. This

provision shall not apply to a car wash use within 200 feet of a residential use or zoning district that is separated from the residential use or zone by an existing street. The provisions above may be modified or eliminated with approval of a Specific Use Permit.

- D. **Commercial Entertainment, Indoor:** An amusement or recreation enterprise wholly enclosed in a building that is treated acoustically to reduce the transmission of sound from the indoor activities. Commercial amusement facilities include indoor recreation area, bowling alley, indoor theatre, skating rink, and enclosed trampoline parks. Where the Use Chart indicates an “S”, approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- E. **Commercial Entertainment, Outdoor:** An amusement or recreation enterprise offering entertainment or games of skill where any portion of the activity takes place in the open including outdoor recreation area, golf driving range and golf course, archery range, axe-throwing, outdoor theatre, performance venue, and miniature golf course. Where the Use Chart indicates an “S”, approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- F. **Community Garden:** An area with a lot size of less than 3 acres used to cultivate goods including fruits, vegetables, flowers, and herbs. Where the Use Chart indicates “C”, the use shall not engage in the retail sale of any goods.
- G. **Cottage Industrial:** An establishment or business where the primary purpose is small-scale and individualized (i.e., not mass-produced) assembly and light manufacturing of commodities and is characterized by low to no external impact. This use includes workshops and studios for cottage industries such as pottery, glassblowing, metal-working and fabrication, weapon bluing, and furniture-making. Cottage industrial enterprises may include direct sales to consumers and repair or rehabilitation of household goods, appliances, or furnishings. This use does not include any maintenance or repair work done on automobiles. Where the Use Chart indicates “C”, all operations shall occur within a fully enclosed building. Additionally, the maximum square footage allowed for artisanal manufacturing operations is 20,000 square feet.
- H. **Day Care Center:** A facility where children, or elderly and/or people with special needs, receive care from a provider for a period of less than 24 hours per day. The term “Day Care Center” includes the following: nursery schools, childcare centers, Montessori schools, private pre-kindergartens, and play groups. Day care center does not include kindergartens accredited or recognized by the Texas State Board of Education or that are supported in whole or in part by state tax funds. Day care facility also does not include “Assisted Living Facility,” or any other group living situations where residents remain overnight, or for periods of 24 hours or more. Where the Use Chart indicates “C”,
  1. No portion of the day care center site may be located within 300 feet of gasoline pumps or underground gasoline storage tanks, or any other storage area for explosive materials.
  2. In the HP-C3 zoning district, a day care center shall only be permitted in conjunction with an office building.
  3. Where required by state law, day care centers shall be and remain licensed by the state and shall operate in accordance with their license and all applicable state laws.
  4. A day care center exempt from state licensing requirements shall provide proof of exemption.
  5. The provisions above may be modified or eliminated with approval of a Specific Use Permit



- I. **Electrical Vehicle Charging Facility:** A property that is primarily devoted to charging electric vehicles for free or for a charge. An Electric Vehicle Charging Facility may include structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. Where the Use Chart indicates “C”,
  - 1. Electric vehicle charging parking spaces shall maintain a minimum width of 10 feet.
  - 2. EVCS may be de-energized or otherwise restricted after normal business hours of the use(s) it serves.
  - 3. Cords shall be retractable or have a place to hang the connector and cord sufficiently above the pedestrian surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- J. **Farmers’ Market, Permanent:** An area where space is rented to individual vendors who sell agricultural or horticultural goods. Vendors may also include specialty food producers selling baked goods, candies, jams, jellies, spices, condiments, cheeses, eggs, milk, honey, meats, fish, and pasta, but this definition does not include the sale of arts and crafts products, or any other item not specifically allowed per this ordinance. Where the Use Chart indicates an “S”, approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- K. **Fuel Sales, Passenger Vehicles:** A facility for the retail dispensing and sale of vehicle fuels, including gasoline, gas/oil mixtures, diesel fuel, ethanol, electricity, or compressed natural gas through fixed dispensing equipment, operated by customers or employees. Accessory uses may include the sale of convenience items, food, lubricants, batteries, inspection of vehicles for state registration, car wash tunnels, and similar accessory uses. Where the Use Chart indicates “C”,
  - 1. Fuel pump islands shall be located at least 250 feet from a property line of a single family, duplex, triplex, and quadplex residential zone or use.
  - 2. No more than two fueling stations may be allowed at any roadway intersection.
  - 3. The provisions above may be modified or eliminated with approval of a Specific Use Permit.
- L. **Funeral Home or Mortuary:** A place for the storage of human bodies prior to their interment (burial, cremation, aquamation, or other similar preparation), or a building used for the preparation of the deceased for burial and the display of the deceased and associated ceremonies prior to interment. Where the Use Chart indicates an “S”, approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- M. **Government or Public Facility (non-city):** Any non-municipal public or governmental building, structure, facility, site feature, or property owned, leased, or operated by a public or governmental agency including but not limited to a public building, fleet maintenance facility, equipment and material storage yard, government office, public infrastructure, arts or cultural center, park, or playfield or stadium. Where the Use Chart indicates “C”,
  - 1. The outdoor storage of materials and the equipment and vehicle repair and storage areas shall adhere to all applicable screening requirements for these uses; and
  - 2. Where the outdoor storage of materials and equipment and vehicle repair or storage is proposed adjacent to a residential zone or use, a specific use permit shall be required pursuant Section 203C.3 of the McKinney UDC.
- N. **Gun Range, Indoor:** An indoor facility where firearms are discharged at targets and which is designed so that discharges from the firearms are prevented, by means of backstops, berms, or other barriers, from going beyond the walls of the facility. Where the Use Chart indicates “C”, gun

ranges shall not be located within 500 feet of any residential use or zone.

- O. **Microbrewery, Distillery, Winery, or Cidery:** A small-scale commercial operation engaged in the production and distribution of beer, wine, liquor, or cider that may operate in conjunction with a restaurant and typically offers retail sales for consumption on site or off the premises. Where the Use Chart indicates "C",
  - 1. A microbrewery, distillery, winery, or cidery shall not exceed 20,000 square feet.
  - 2. A microbrewery can be up to 50,000 square feet if it contains a restaurant component that accounts for at least 30 percent of the building's gross floor area.
- P. **Office Showroom/Warehouse:** An establishment that primarily consists of sales offices and display areas for products and/or services delivered or performed off-premises. Catalog and telephones sales facilities are examples of this use. Incidental retail sales is permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50 percent of the total floor area. This designation does not include service contractor. Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- Q. **Radio or TV Broadcast Station:** A building or portion of a building used as a place to record and broadcast music, videos, and other media. Where the Use Chart indicates "C",
  - 1. The maximum height of the tower as measured from finished grade to the tower's highest point shall be equal to or less than the setback distance to the nearest residential zone or use.
  - 2. No radio or television broadcast tower shall be closer to any residential district boundary line or residential use than a distance equal to twice the height of the support structure. Setback distance shall be measured as the shortest possible distance from the structure to the closest point of a residential district boundary line, or residential use property line.
- R. **Reception or Event Center, Outdoor:** A commercial or non-profit facility that may have an indoor component, in combination with an outdoor space, that can be rented to accommodate large groups of people for entertainment, weddings, and similar activities. Where the Use Chart indicates "C", no outdoor facilities shall be permitted within 500 feet of residential zones or uses; however, a reduction in this distance may be permitted with approval of a Specific Use Permit. Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- S. **Religious Assembly:** Any structure dedicated to worship and religious training that may also include on-site housing for religious personnel. Religious assembly uses may also include preschools or day cares in compliance with applicable regulations, and/or temporary free overnight lodging sponsored and operated by the religious entity as a part of its goals, mission, or ministry, provided to individuals or families having no regular home or residential address. Standards for any religious assembly providing temporary overnight lodging include:
  - 1. The provision of temporary free overnight lodging is limited to a maximum of 30 nights per calendar year.
  - 2. Facilities shall provide housing for no more than 14 guests per night.
  - 3. Provision of temporary lodging requires an annual permit for such accessory use issued by the Chief Building Official.
- T. **Restaurant, Brew Pub:** An eating/drinking establishment that is open to the public, where food and beverages are prepared, served, and consumed within the primary building or in an outdoor seating area on the premises. This use also includes a microbrewery as an accessory use. The microbrewery in conjunction with the restaurant allows limited manufacturing and production for the primary sale on-site. Off-site distribution associated with the microbrewery shall not be permitted. Outdoor

patios ancillary to an indoor restaurant use shall be permitted subject to the following standards where the Use Chart indicates "C":

1. The outdoor patio shall not exceed 30 percent of the overall floor area of the restaurant, or 3,000 square feet, whichever is less.
    - a. The Director of Planning may approve, as part of a Site Plan, an outdoor patio greater than 30 percent of the overall floor area or greater than 3,000 square feet, if it is determined that the size of the outdoor patio is in keeping with the scale and character of the surrounding area.
    - b. In cases where outdoor patios are larger than 3,000 square feet, the use shall be classified as Commercial Entertainment, Outdoor, and shall only be permitted as indicated in the Use Chart.
    - c. The outdoor patio shall not include any fixed stage or performance area.
  2. Outdoor performances shall only be permitted within a confined patio.
  3. No outdoor performances shall be permitted within 500 feet of a residential property line or zoning district, without the approval of a Specific Use Permit.
- U. **Restaurant, Carry-Out and Delivery Only:** An establishment that is open to the public, where food and beverages are prepared and sold for off- premises consumption. Where the Use Chart indicates "C", carry-out restaurants shall be no greater than 4,000 square feet in floor area.
- V. **Restaurant, Dine-In:** An eating/drinking establishment that is open to the public, where food and beverages are prepared, served, and primarily consumed within the primary building, or in a designated outdoor dining area, such as a deck or patio. Outdoor patios ancillary to an indoor restaurant use shall be permitted subject to the following standards where the Use Chart indicates "C":
1. The outdoor patio shall not exceed 30 percent of the overall floor area of the restaurant, or 3,000 square feet, whichever is less.
    - a. The Director of Planning may approve, as part of a Site Plan, an outdoor patio greater than 30 percent of the overall floor area or greater than 3,000 square feet, if it is determined that the size of the outdoor patio is in keeping with the scale and character of the surrounding area.
    - b. In cases where outdoor patios are larger than 3,000 square feet, the use shall be classified as Commercial Entertainment, Outdoor, and shall only be permitted as indicated in the Use Chart.
    - c. The outdoor patio shall not include any fixed stage or performance area.
  2. Outdoor performances shall only be permitted within a confined patio.
  3. No outdoor performances shall be permitted within 500 feet of a residential property line or zoning district, without the approval of a Specific Use Permit.
- W. **Restaurant, Drive-In or Drive-Through:** An eating/drinking establishment that is open to the public, where food and beverages are prepared and served to customers in motor vehicles. Food or drink may also be served for off-premises consumption as carry-out orders at drive-in or drive-through points of service. Outdoor patios ancillary to an indoor restaurant use shall be permitted subject to the following standards: where the Use Chart indicates "C":
1. Speaker boxes shall be placed no closer than 20 feet from any residential zone or use.
  2. The outdoor patio shall not exceed 30 percent of the overall floor area of the restaurant, or 3,000 square feet, whichever is less.

- a. The Director of Planning may approve, as part of a Site Plan, an outdoor patio greater than 30 percent of the overall floor area or greater than 3,000 square feet, if it is determined that the size of the outdoor patio is in keeping with the scale, character, and context of the restaurant and surrounding area.
  - b. Unless otherwise approved in *above*, outdoor patios that are larger than 3,000 square feet shall be classified as Commercial Entertainment, Outdoor, and shall only be permitted as indicated in the Use Chart.
  - c. The outdoor patio shall not include any fixed stage or performance area.
- 3. Outdoor performances shall only be permitted within a confined patio.
- 4. No outdoor performances shall be permitted within 500 feet of a residential property line or zoning district, without the approval of a Specific Use Permit.
- X. **Retail Sales:** Establishments engaged in selling goods, commodities, or merchandise to the general public for personal, household, or business consumption or use. Where the Use Chart indicates “C”,
  - 1. For those retail sales establishments with an outdoor display component, the following standards shall apply:
    - a. Occasional sidewalk sales of merchandise normally sold within the retail establishment are permitted.
    - b. Outdoor display shall occur within 100 feet from a customer entrance and no further than 25 feet in depth from the front façade of the primary building.
    - c. Outdoor display shall not impede pedestrian walkways or vehicular access aisles.
    - d. Goods shall not be displayed in required parking areas.
    - e. Goods that are completely surrounded by an approved screening device as described in Table 2-35: *Site Feature Screening Requirements* of the McKinney UDC. shall not be considered to be an outdoor display.
    - f. Occasional sidewalk sales of merchandise normally sold within the retail establishment are permitted for up to 16 hours per day. All sale items and display structures shall be brought indoors outside of store operating hours.
- Y. **School, Business or Trade:** A business operating for profit and offering instruction and training in a service or art such as automotive mechanics, barbering, cosmetology, information technology, or commercial art school. Such establishments may also include on-site faculty or employee housing. Where the Use Chart indicates an “S”, approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- Z. **Self Storage:** A building containing separate, individual, compartmentalized storage units that can only be rented or leased for the storage of customers' household goods. Conducting sales, business, or any other activity shall be prohibited within any individual self-storage unit. This use is also commonly referred to as mini-warehouse. Where the Use Chart indicates an “S”, approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- AA. **Utility Substation:** A facility used to convert electric power, natural gas, and telephone or television signals for transmission through a regional interconnecting grid system for distribution. This use may include a distribution and/or dedicated substation. Where the Use Chart indicates an “S”, approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.
- BB. **Vehicle Repair, Major:** An establishment primarily engaged in providing heavy motor vehicle repair

and maintenance, including activities such as engine overhauls, transmission or differential repair, automobile/truck painting, body and fender work, and welding. This definition does not include vehicle fuel sales or car washes. Where the Use Chart indicates an “S”, approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.

## **ACCESSORY USES**

- A. **Accessory Building, Detached:** A building on the same lot with, and of a size and nature customarily subordinate to, a primary residential building. In residential districts, this may include, but is not limited to, storage sheds and garages. Accessory buildings attached to the primary building are considered an extension of the primary building and shall be subject to the regulations that apply to the primary building. Accessory buildings are permitted in the zoning districts as listed in the Use Chart. See Table 2-27: Standards for Detached Accessory Buildings and Structures in the McKinney UDC.
- B. **Accessory Dwelling Unit:** A residential dwelling unit that is subordinate to and detached from the primary dwelling unit but located on the same lot. An accessory dwelling unit may also be referred to as a backyard cottage. Standards for this use include:
  - 1. No more than one accessory dwelling unit may be located on any conforming lot as identified in the summary for residential district standards, Table 2-24: Residential Zoning Districts.
  - 2. An accessory dwelling unit shall not exceed 50 percent of the total square footage of the primary dwelling. If the primary dwelling is 1,200 square feet or less, the ADU shall not exceed 75 percent of the total square footage of the primary dwelling.
  - 3. An accessory dwelling unit shall observe the same building height and setbacks as the primary dwelling and shall be set behind the front face of the primary building.
  - 4. An accessory dwelling unit shall be constructed in a similar or complementary architectural style as the primary dwelling and constructed with exterior materials complementary to those of the primary dwelling when located within the Historically Significant Area or the primary dwelling is a Significantly Important Building.
  - 5. An accessory dwelling unit must be under the same ownership as the primary dwelling.
  - 6. An accessory dwelling unit shall not have a separate electric meter.
  - 7. An accessory dwelling unit shall contain facilities for its own cooking, sleeping, eating, living, and sanitation accommodations.
- C. **Accessory Structure:** A structure built vertically above ground level, that is open on at least two sides unless stated otherwise herein. Examples include, but are not limited to, gazebos, pergolas, arbors, decks, shade structures, and geothermal equipment. Accessory structures attached to the primary building shall be considered an extension of the primary structure and shall be subject to the regulations that apply to the primary building. See Table 2-27: Standards for Detached Accessory Buildings and Structures of the McKinney UDC for standards.
- D. **Caretaker’s or Watchman’s Quarters:** An accessory residential dwelling unit located on a lot with a separate principal use, intended for the occupancy of a caretaker, security guard, or other person charged with oversight or protection of the primary buildings and uses.
- E. **Electric Vehicle Charging Station:** Electric charging-ready parking spaces made available as accessory use, incidental to a primary use.

1. Standards for this use in Non-Residential and Multi-family Districts include:
    - a. Electric vehicle charging parking spaces shall maintain a minimum width of 10 feet.
    - b. As an accessory use, the EVCS must be operational during the normal business hours of the use(s) that it serves. EVCS may be de-energized or otherwise restricted after normal business hours of the use(s) it serves.
    - c. Cords shall be retractable or have a place to hang the connector and cord sufficiently above the pedestrian surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
  2. Standards for this use in Single-Family Residential Districts include:
    - a. Individual dwellings may have electric vehicle charging units that are not subject to these regulations.
    - b. If electric vehicle charging-ready spaces are provided in a common or shared parking area, they shall observe the requirements for non-residential districts.
- F. **Helistop:** A designated, marked area on the ground or the top of a building or structure where helicopters may land, load and takeoff subject to the owner or operator having previously obtained an FAA letter of airspace determination and an FAA statement of no objection to the proposed approach and departure routes plus compliance with all other applicable local, state, and federal rules, laws, and requirements. This accessory use does not include the fueling or storage of aircrafts.
- G. **Home Occupation:** A business, occupation, or profession conducted within a residential dwelling unit by the resident thereof. Standards for this use include:
1. The home occupation shall maintain the residential character of the neighborhood.
  2. The home occupation shall be clearly incidental and secondary to the primary residential use of the premises.
  3. The home occupation shall be conducted entirely within the enclosed primary structure, or entirely within an enclosed accessory structure.
  4. Home occupations are not permitted in accessory dwelling units.
  5. The proprietor or operator of the home occupation shall be a resident of the dwelling unit from which it is conducted. More than one home occupation may be conducted from a dwelling unit, provided each proprietor or operator resides in the dwelling.
  6. Home occupations conducted from within garages may not occupy parking spaces required to meet the minimum off-street parking requirements.
  7. Home occupations shall not produce any alteration or change to the residence or the environment which is inconsistent with the typical appearance of a residential dwelling.
  8. The home occupation shall not have a separate entrance.
  9. Not more than two patron or business-related vehicles shall be present at any time, and the proprietor shall provide adequate off-street parking for such vehicles.
  10. A maximum of one commercial vehicle may be used or parked on the property in connection with the home occupation. The commercial vehicle shall not be loaded or unloaded, parked, or idled in the street. Additional standards for commercial vehicles are provided in Chapter 70 of the McKinney Code of Ordinances.

11. The home occupation shall not require regular or frequent deliveries by large delivery trucks or vehicles in excess of 1½ tons.
12. The home occupation shall not display advertising or signs or other visual or audio devices which call attention to the business use.
13. The address of the home occupation shall not be listed in any advertisement.
14. The home occupation shall employ no more than one individual who is not an occupant of the residence, and no more than three non-residents shall be on-site at any time in connection with the operation of the home occupation.
15. Retail sale of commodities is not permitted, except items produced by the home occupation, sales incidental to a service, or orders previously made by telephone, internet or at a sales party.
16. The home occupation shall not accept clients or customers before 7:00 a.m. or after 10:00 p.m. This limitation does not apply to in-home daycares, which are permitted to operate between 6 a.m. and 12 a.m.
17. Uses allowed as home occupations shall include the following:
  - a. Office of an accountant, architect, attorney, engineer, realtor, minister, rabbi, clergyman, or similar profession.
  - b. Office of a salesperson or manufacturer's representative, provided that no retail or wholesale transactions or provision of services may be personally and physically made on remises, except as otherwise expressly permitted by this chapter.
  - c. Author, artist, or sculptor.
  - d. Dressmaker, seamstress, tailor, or milliner.
  - e. Music/dance teacher, tutoring, or similar instruction, provided that no more than three pupils may be present at any one time.
  - f. Swimming lessons or water safety instruction, provided that a maximum of six pupils may be present at any one time.
  - g. Home craft such as weaving, model-making, etc.
  - h. Repair shop for small electrical appliances, cameras, watches, or other small items, provided that items can be carried by one person with no special equipment, and provided that no internal combustion engine repair is allowed.
  - i. Food preparation such as cake decorating, catering, etc., is allowed, provided that no on-premises consumption by customers is allowed, and provided that the business is in full compliance with health regulations.
  - j. Day care in a registered family home in compliance with state law, with a maximum of six children permitted at any one time.
  - k. Barbershop, beauty salon, or manicure studio, provided that no more than one customer is served at any one time; and
  - l. Community home and other residential care facility that qualifies as a community home under the Community Homes for Disabled Persons Location Act, Chapter 123, of the Texas Human Resources Code.

18. The following uses are specifically prohibited as home occupations:

- a. Animal hospital, commercial stable, kennel.
- b. Bed and breakfast.
- c. In-home day care for more than six people.
- d. Schooling or instruction with more than three students present at one time.
- e. Restaurant or on-premises food/beverage consumption of any kind.
- f. Automobile, boat or trailer repair, small engine or motorcycle repair, large appliance repair, repair of any items with internal combustion engine.
- g. Cabinetry, metal work, or welding shop.
- h. Office for doctor, dentist, veterinarian, or other medical-related profession.
- i. On-premises retail or wholesale sales of any kind, except as permitted in item 205G.2.g.l.o of this section, and garage sales as provided for in Chapter 54, Article II of the Code of Ordinances.
- j. Commercial clothing laundering or cleaning.
- k. Mortuary or funeral home.
- l. Trailer, vehicle, tool, or equipment rental; and/or
- m. Any use defined by the building code as assembly, factory/industrial, hazardous, institutional, or mercantile occupancy.

19. If there is a concern about the suitability of a proposed home occupation occurring in residential setting, the Director of Planning shall determine whether the proposed home occupation is appropriate and may proceed. The Director of Planning shall evaluate the proposed home occupation in terms of its impact on neighboring property, its similarity to other allowed and prohibited uses, and its conformance with the regulations of this section. If the applicant disagrees with the determination of the Director of Planning, the applicant may request that the use be evaluated by the City Council.

20. Any home occupation that was legally in existence as of the effective date of the ordinance from which this chapter is derived and that is not in full conformity with these provisions shall be deemed a legal nonconforming use.

H. **Outdoor Storage:** Storage of goods or products, including vehicle storage, on a lot in the open air or within a structure that has no roof. Outdoor storage does not include a wreckage, junk, or salvage yard.

1. Standards for this use include:

- a. Outdoor storage is permitted as an accessory use only. It may not be the primary or only use on a parcel.
- b. Outdoor storage areas must be screened on all sides from public view using an approved screening device as described in Table 2-35: Site Feature Screening Requirements.
- c. No materials shall be stacked higher than the top of a required screening device.



- d. Wall openings shall not exceed 26 feet in width and shall have a gate or door that provides an opaque screen.
- e. Prohibited Areas:
  - I. Outdoor storage shall not be located in front of the main building or within any required setback.
  - II. Outdoor storage shall not be located within any drainage or other type of easement.
  - III. Outdoor storage shall not be located within any required parking areas, parking spaces, loading areas, fire lanes, vehicular travel aisles, or customer pick-up lanes.
- f. Size Limitations:
  - I. In industrial and airport districts, outdoor storage shall have no size limits.
  - II. In non-residential and agricultural districts, outdoor storage shall not occupy an area exceeding 25 percent of the gross floor area of the primary use building on the site, or more than 10 percent of the lot area, whichever is less.
  - III. The Director of Planning may approve, as part of a Site Plan process, an outdoor storage area that exceeds 25 percent of the gross floor area of the primary use building on the site, or more than 10 percent of the lot area, if it is determined that the size of the outdoor storage area would not adversely impact the surrounding area. The decision of the Director of Planning may be appealed in accordance with Section 203F, Appeal Procedures, of the McKinney UDC.
- I. **Swimming Pool:** A pool or spa constructed or installed below or above ground, located on private residential property, under the control of the property owner. Standards for this use include:
  - 1. All swimming pools shall be located behind the front yard setback or front face of the primary building, whichever is greater. In no case shall the pool proper be constructed closer than five feet to any property line of the lot or tract on which it is situated.

## **TEMPORARY USES**

- A. **Batch Plant (Outdoor), Temporary:** A temporary facility for the production of concrete or asphalt, where its ingredients or products are ground up, mixed, or otherwise prepared for use on-site. Standards for this include:
  - 1. Requests for operation of a temporary batch plant shall include all necessary permitting by TCEQ and be reviewed by the Director of Engineering; and
  - 2. The Director of Engineering shall be responsible for determining the period of time which a temporary batch plant may operate.
- B. **Construction Field Office:** A mobile trailer or any other temporary structure used by a construction contractor for office/headquarters purposes at the site of and for the duration of the construction of a structure or building project. This use also includes equipment storage, portable lavatories permitted on or adjacent to the construction site, or on lots or parcels owned or controlled by the owner of the lot or parcel on which the construction is taking place. Standards for this use include:

1. Construction field offices may only be approved for licensed contractors working on construction projects for which any required permits have been obtained.
  2. No structure may encroach into any public right-of-way or easement.
  3. The field office shall be required to comply with adopted Building Code.
  4. The use may only occur up to 14 days before construction activity commences.
  5. All temporary facilities shall be removed within 30 days after issuance of a certificate of occupancy, upon completion of construction.
  6. No structure may contain sleeping or cooking facilities.
  7. Portable lavatories shall be located on-site and serviced regularly to minimize impacts to adjacent residential uses.
  8. Upon failure to comply with these or any other applicable regulations, the Building Official may order the construction activities to be discontinued, until such time as adequate compliance is demonstrated.
- C. **Model Home:** A single-family dwelling in a developing subdivision located on a legal lot that is limited to temporary use as a sales office for the subdivision and to provide an example of the dwellings which have been built or which are proposed to be built in the same subdivision. This temporary use may exist as long as the subdivision is still developing.
- D. **Portable Storage Container:** Any container, storage unit, pod, or other portable structure used for the storage of personal property of any kind, which is temporarily located on the same property as the primary building. Standards for this use include:
1. No more than one portable storage container may be stored on a lot or parcel with a residential use, except for multi-family and mobile home, at a time.
  2. The portable storage container shall be placed only on a paved surface and shall not encroach into the public right-of-way.
  3. A portable storage container may be located on a lot or parcel for a period not exceeding ten consecutive days, from the time of delivery to the time of removal.
  4. A portable storage container shall not be located on the same lot or parcel more than one time in any given 30-calendar-day period for each owner or tenant. Each day that a portable storage container remains after the removal date shall constitute a violation.
  5. It is the obligation of the owner or user of the portable storage container to secure it in a manner that assures the safety of persons or property in the vicinity of the container.
  6. Portable storage containers may be allowed on multi-family residential properties as long as the minimum required parking is maintained.
- E. **Religious or Philanthropic Uses:** Uses of a religious or philanthropic nature by those organizations not normally conducting business-for-profit may be allowed for the period of their actual duration up to a maximum of 30 days, with the exception that 2 extensions of up to 30 days may be possible, upon application and approval by the Chief Building Official.
- F. **Seasonal Sales:** A location temporarily used for the sale of goods or products associated with a seasonal or cultural event, such as the sale of Christmas trees, pumpkins, snow cones and shaved ice, firewood, plants, or seasonal produce. This use may also include a temporary farmers' market.

Such sales are limited in duration and typically take place in locations not devoted to such sales for the remainder of the year. Standards for this use include:

1. Temporary use permits issued for seasonal sales shall be valid for a maximum of 30 consecutive days, with the possibility of two extensions, of up to 30 days each, not to exceed 120 days over a 12-month period.
2. No more than three unique temporary use permits shall be issued for a single lot in a calendar year.
3. Temporary tents, structures, or stands used for seasonal sales shall not exceed 150 square feet.
4. Temporary seasonal sales shall not be located within 300 feet of any residential structure.

### **SPECIAL USES**

A. **Bed & Breakfast:** A lodging facility where paying guests can rent one or more bedrooms in an owner-occupied private home that offers lodging and serves breakfast to guests. Standards for this use include:

1. Bed and breakfasts may be established only in single-family or duplex structures.
2. All bed and breakfast facilities shall be owner-occupied and managed at all times.
3. Meals may be served to paying overnight guests. No cooking facilities shall be permitted in any of the bedrooms.
4. Only one sign shall be permitted on the premises which shall not exceed four square feet in area and may not include the word "hotel" or "motel."
5. Off-street parking shall be provided equal to one parking space per guest bedroom and shall be screened from all streets. No parking shall be permitted in the front yard area.
6. The facilities shall meet all of the minimum requirements of the city-county health department and shall conform in all respects to the requirements of the fire code, building code, electrical code, and plumbing code.
7. All such facilities shall be responsible for the collection of the city hotel/motel tax.
8. All City health officers, building inspectors, the Fire Marshal, and other code enforcement officials of the City shall have the right to go on any premises for which a Specific Use Permit for a bed and breakfast facility has been issued during normal business hours for the purpose of verifying compliance with this Article and all other applicable ordinances of the City.

Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC.

B. **Food Truck Courts:** A property used or developed to accommodate one or more food trucks as the primary use of the property while possibly accommodating areas on the property for entertainment or recreational opportunities. Food truck courts must have a valid certificate of occupancy in addition to all other applicable permits and inspections. Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC. Standards for this use include:

1. A permanent building with restrooms is required to be located on the site;
  2. No portable or temporary restrooms shall be allowed on the site;
  3. Food trucks shall meet the requirements of the section 206I Food Trucks, Food Truck Operation Sites, and Food Truck Courts and Chapter 46 Food Establishment Regulations; and
  4. Location requirements:
    - a. No food truck operations including, but not limited to food preparation, sales or consumption shall be permitted within 100 feet of any door, window or outdoor dining area of any existing restaurant(s) or food service establishment(s). Food trucks shall be exempted from this requirement with the express written permission of the restaurants' or food service establishments' owner or authorized representative;
    - b. Food trucks shall not engage in sales operations within 100 feet of any property used for single-family residential purposes. This distance may be eliminated if unanimous written consent from each property owner located within the 100-foot buffer is provided;
    - c. Food trucks and their customers shall be prohibited from utilizing public rights-of-ways for food sales, preparation and/or consumption;
    - d. All portions of a food truck and its associated operations shall be located within 150 feet, as determined by the Fire Marshal, of a dedicated fire lane easement or a public street;
    - e. Food trucks must be parked, situated and operated in a manner that does not restrict orderly and/or safe vehicular and/or pedestrian movements; and
    - f. Food trucks may not occupy required off-street parking or loading spaces.
    - g. In addition to the above criteria, the following criteria shall also be considered in the SUP approval process.
      - I. The nature of the proposed use.
      - II. Proximity to other food truck courts and food truck operation sites.
      - III. Proximity to existing "brick and mortar" restaurants.
      - IV. The number of food trucks allowed within the food truck court at a single time.
      - V. Existing uses in surrounding areas.
      - VI. Noise, dust, light, and traffic generated.
      - VII. Health and sanitary conditions; and
      - VIII. Compliance with other regulations of the Code of Ordinances.
- C. **Food Truck Operation Sites:** The geographic area, not located within a food truck court, within which the food truck will park, prepare, and sell food and/or associated non-alcoholic beverages. This also includes areas where the food truck's customers go to park and consume food and/or non-alcoholic beverages sold from the food truck. The sale of merchandise other than food and non-alcoholic beverages shall not be permitted at food truck operation sites. Where the Use Chart indicates "C",
1. Operation sites must have a valid food truck temporary site permit in addition to all other applicable permits and inspections.

2. Food trucks shall meet the requirements of Section 206I Food Trucks, Food Truck Operation Sites, and Food Truck Courts and Chapter 46 Food Establishment Regulations in the McKinney UDC.
  3. A maximum of one food truck shall be permitted for every one acre of land area. There shall be a maximum of six food trucks on an individual tract of land.
  4. Operation sites must meet the following location requirements:
    - a. No food truck operations including, but not limited to food preparation, sales or consumption shall be permitted within 100 feet of any door, window or outdoor dining area of any existing restaurant(s) or food service establishment(s). Food trucks shall be exempted from this requirement with the express written permission of the restaurants' or food service establishments' owner or authorized representative.
    - b. Food trucks shall not engage in sales operations within 100 feet of any property used for single-family residential purposes. This distance may be eliminated if unanimous written consent from each property owner located within the 100-foot buffer is provided.
    - c. All portions of a food truck and its associated operation site shall be located within 150 feet, as determined by the fire marshal, of a dedicated fire lane easement or a public street.
    - d. Food trucks and their customers shall be prohibited from utilizing public rights-of-ways for food sales, preparation, and/or consumption.
    - e. Food trucks must be parked, situated and operated in a manner that does not restrict orderly and/or safe vehicular and/or pedestrian movements.
    - f. Food trucks and operation sites may not occupy required off-street parking or loading spaces.
- D. **Private Club:** An establishment providing social and dining facilities, as well as alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of, that portion of V.T.C.A., Alcoholic Beverage Code §32.01 et seq., as it pertains to the operation of private clubs. Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC. The City Council may deny a Specific Use Permit for the operation of a private club if it should affirmatively determine that the issuance of the same would be detrimental or offensive to the neighborhood or otherwise be contrary to the health, safety, or general welfare of the City and its inhabitants. The following criteria shall also be considered in the SUP approval process.
1. Location.
    - a. Private clubs must comply with the regulations in Chapter 14 – Alcoholic Beverages, including the distance requirements found in Section 14-54 – Development Standards of the McKinney UDC.
    - b. No signs advertising the sale of alcoholic beverages shall be permitted other than those authorized under the state alcoholic beverage code and the City sign ordinance.
  2. Operation Regulations.
    - a. The service of alcoholic beverages without food is prohibited in dining areas and is restricted to a bar or lounge area as described in this article.

- b. Such establishments shall contain a minimum of 50 dining seats with a minimum of 600 square feet of dining area. Calculation of the square feet of dining area shall exclude kitchen and storage areas, bar and lounge areas, and cashier and reception areas.
  - c. A private club with a bar or lounge area shall be designed so that patrons can enter only from an area within the primary use, e.g., the dining or reception area of a restaurant, hotel or motel. Emergency exits direct to the outside are permitted.
  - d. No signs advertising the sale of alcoholic beverages shall be permitted other than those authorized under the state alcoholic beverage code and the city sign ordinance.
  - e. Such establishments shall comply with all of the provisions of the state alcoholic beverage code and receive a private club permit from the state within one year from the date of issuance of the special use permit by the city, each such limitation in time being subject to extension by the City Council.
3. Non-Compliance Remedies.
- a. City Council may revoke a Specific Use Permit if it finds that any condition imposed at the time of granting the permit is not met or thereafter ceases to exist.
  - b. City Council may revoke a Specific Use Permit upon finding that any of the operational requirements imposed at the time of granting the permit are not met or thereafter cease to exist. A Specific Use Permit shall be subject to review based on recommendation from the Police Department that the public safety has been or is being jeopardized.
  - c. The City Manager and the Police Department are specifically authorized to receive, accept, and investigate complaints regarding operation of private clubs from any source. The Specific Use Permit associated with the club's operation is subject to City Council review when the Police Department asserts that the public safety has been or is being jeopardized.
  - d. Pursuant to a public hearing, the City Council may revoke a Specific Use Permit upon finding that any of the operational requirements associated with the permit are not being met. The purpose of the public hearing is to make a determination on the validity of apparent non-compliance with the requirements of this Article.
  - e. The permittee shall be given at least 10 days' written notice of the date, time and place of the public hearing, and the Specific Use Permit shall remain in full effect pending the outcome of the public hearing.
  - f. The permit holder, or the permit holder's designated attorney or representative, may appear at the public hearing to offer testimony and evidence regarding the assertion of noncompliance, and shall further have the right to cross-examine witnesses testifying at the hearing.
  - g. Upon hearing all evidence with regard to the matter, the City Council shall enter an order finding compliance or noncompliance on the part of the permit holder. If the order finds compliance, the matter shall be concluded for that audit year. If the order finds noncompliance, the City Council shall further provide for:

- I. Immediate suspension of the operation of the private club, and immediate action to revoke or delete the Specific Use Permit for a private club from the zoning of the permit holder's property; or
  - II. Establishing a probationary period of up to one year to allow the permit holder to continue to operate the private club while coming back into compliance with those requirements found to be noncompliant at the public hearing.
  - III. If the cause of noncompliance is the result of an audit regarding receipt requirement as described in item III. of this subsection, the permit holder shall demonstrate achieving the required percentage of food sales for not less than 50 percent of the months of the probationary period. At the behest of the City Manager, this evidence may be provided through an additional audit at the permit holder's expense, performed by an accountant selected by the City Manager.
  - IV. The results of this audit shall be scheduled for consideration at a City Council meeting, with advance notification and participation of the permit holder conducted as described in provisions d. and e. above in this subsection.
  - V. If the City Council enters an order finding compliance, the probationary period(s) shall be ended and the permit holder's operations under the Specific Use Permit may be continued.
  - VI. If the City Council enters an order finding noncompliance, the Council shall order immediate suspension of the operation of the private club, and immediate action to revoke or delete the Specific Use Permit for a private club from the zoning of the permit holder's property
- h. A Specific Use Permit for the operation of a private club shall not be issued for a period of one year for an establishment that has had a Specific Use Permit revoked pursuant to the procedures described above in this section.
- E. **Telecommunications Structure, High Rise:** A support structure that exceeds 40 feet in height in which commercial broadcasting or telecommunication antennae are mounted. This definition also includes any ancillary ground equipment needed to facilitate communication or broadcasting activities. This definition shall also include a satellite dish exceeding twelve (12) feet in diameter and a microwave-transmitting tower. All radiating equipment must comply with Federal Communications Commission (FCC), Environmental Protection Agency (EPA), Occupational Health and Safety Administration (OSHA), and all other applicable State and Federal regulatory agency requirements and guidelines for human safety, as they exist or may be amended. Where the Use Chart indicates an "S", approval of an SUP is required pursuant to the evaluation criteria and procedure specified in Section 203C.3 of the McKinney UDC and the extent to which the proposed antenna complies with the provisions of Section 206.H, Communication Antennas, Support Structures and Satellite Dishes of the McKinney UDC.
- F. **Telecommunications Structure, Low Rise:** A support structure that does not exceed 40 feet in height in which commercial broadcasting or telecommunication antennae are mounted. This definition also includes any ancillary ground equipment needed to facilitate communication or broadcasting activities. All radiating equipment must comply with Federal Communications Commission (FCC), Environmental Protection Agency (EPA), Occupational Health and Safety Administration (OSHA), and all other applicable State and Federal regulatory agency requirements and guidelines for human safety, as they exist or may be amended. The maximum height of the structure may extend above

the allowable height of the governing zoning district, not to exceed 40 feet even if an applicable overlay district allows a taller height. Heights greater than 40 feet may be approved by the City Council via the Specific Use Permit Process.

- G. **Telecommunications Structure, Stealth:** A structure that is designed to accommodate commercial communication or broadcasting antennae that is concealed or camouflaged in a manner that any antennae appear to a casual observer to be something other than a telecommunications facility. Where the Use Chart indicates “C”,
1. Shall be designed and constructed in such a manner to be consistent with the existing landscape, streetscape, or development pattern of the area.
  2. Stealth Telecommunication Structures shall only include:
    - a. A commercial antenna placed wholly within any permitted building or structure.
    - b. A structure without any visible antennae that is designed to resemble something other than a telecommunication device including, but not limited to a development identification monument, flagpole, clock tower, or athletic field light pole.
    - c. A commercial antenna attached to a utility structure (e.g., electrical transmission/distribution tower, elevated water storage tank, etc.) regardless of the height of said structure.
    - d. A commercial antenna on the roof of a building in a non-residential zoning district that is not visible from an adjacent property or right-of-way.
    - e. A commercial antenna mounted flush to the exterior of a building/structure in a non-residential zoning district that is painted and/or disguised to integrate into the overall architectural design and is not readily visible/identifiable as an antenna from public roadways or neighboring residential properties; or
    - f. Another type of stealth telecommunication structure that has been approved by the City Council via the Specific Use Permit Process.
  3. The maximum height of the structure may extend 25 percent above the allowable height of the governing zoning district, not to exceed 75 feet even if an applicable overlay district allows a taller height. Heights greater than 25 percent or 75 feet may be approved by the City Council via the Specific Use Permit Process.
  4. Structures that exceed the height allowances of this section shall be treated as high-rise telecommunication structures.



## **HP-60 RESIDENTIAL STANDARDS**

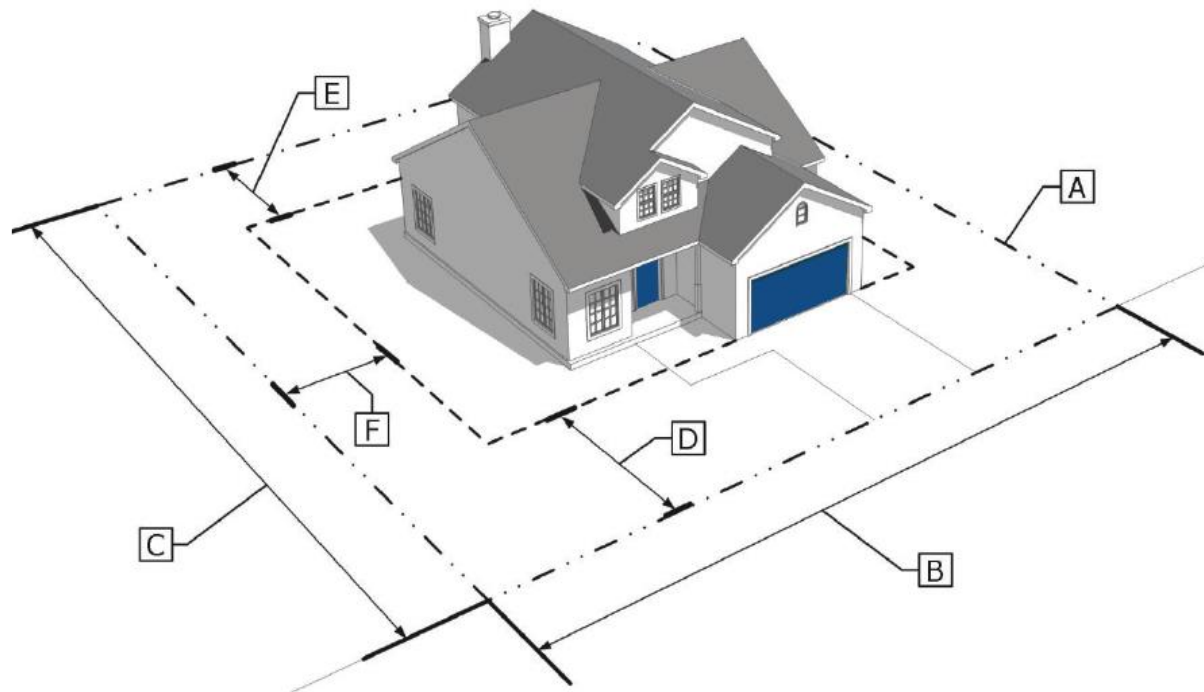
### **USES**

Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart.

### **DIMENSIONAL STANDARDS**

- A. Minimum lot area: 7,200 square feet.
- B. Minimum lot width: 60'.
- C. Minimum lot depth: 110'.
- D. Minimum front yard: 20'.
- E. Minimum rear yard: 15'. [1]
- F. Minimum side yard-interior lot: 5'.
- G. Minimum side yard-corner lot adjacent to a street: 15'. [1].
- H. Maximum height: 35'.

[1] A minimum driveway length of 20 feet shall be provided from the garage door to the street or alley right-of-way line, as required by the McKinney Engineering Design Manual. The driveway length may be reduced if a variance is granted by the Director of Engineering, and the number of required spaces is provided in an offsite common area or approved on-street parking per Table 2-39: Minimum Vehicle parking and Stacking Requirements of the McKinney Unified Development Code.



## **HP-50 RESIDENTIAL STANDARDS**

### **USES**

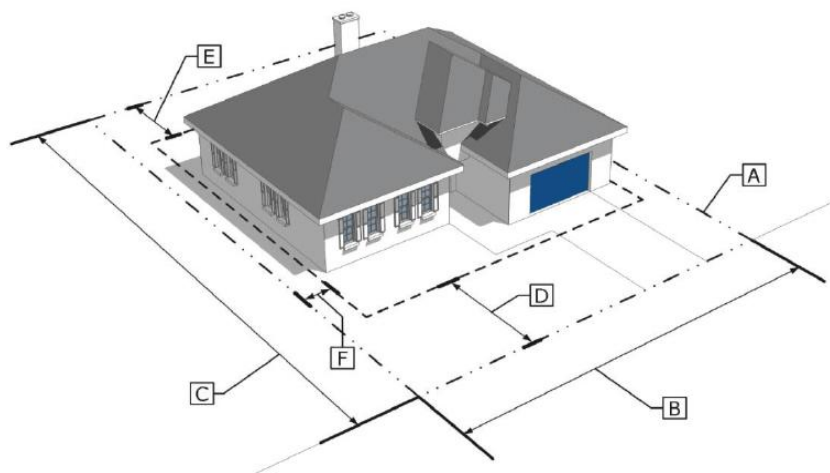
Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart.

The area designated as, “HP-50/40” on the Zoning Plan shall be developed using the dimensional standards for both the HP-50 and HP-40 Districts. The lots utilizing the HP-40 dimensional standards may be interspersed throughout the neighborhood. Additionally, not more than 33% of the neighborhood’s total lots may be developed using the HP-40 dimensional standards. The lotting mix shall be determined at the time of preliminary platting.

### **DIMENSIONAL STANDARDS**

- A. Minimum lot area: 6,000 square feet.
- B. Minimum lot width: 50’.
- C. Minimum lot depth: 110’
- D. Minimum front yard: 20’.
- E. Minimum rear yard: 10’. [1]
- F. Minimum side yard-interior lot: 5’.
- G. Minimum side yard-corner lot adjacent to a street: 15’. [1].
- H. Maximum height: 35’.

[1] A minimum driveway length of 20 feet shall be provided from the garage door to the street or alley right-of-way line, as required by the McKinney Engineering Design Manual. The driveway length may be reduced if a variance is granted by the Director of Engineering, and the number of required spaces is provided in an offsite common area or approved on-street parking per Table 2-39: Minimum Vehicle parking and Stacking Requirements of the McKinney Unified Development Code.



## **HP-40 RESIDENTIAL STANDARDS**

### **USES**

Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart.

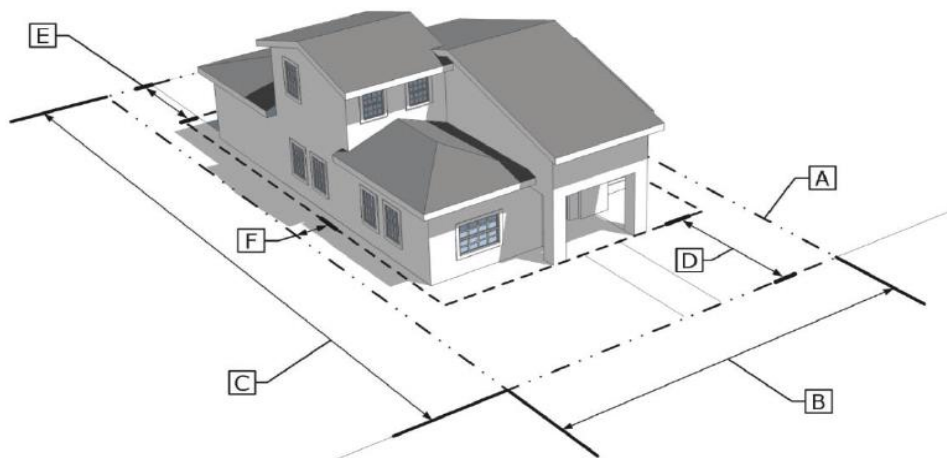
The area designated as, “HP-50/40” on the Zoning Plan shall be developed using the dimensional standards for both the HP-50 and HP-40 Districts. The lots utilizing the HP-40 dimensional standards may be interspersed throughout the neighborhood. Additionally, not more than 33% of the neighborhood’s total lots may be developed using the HP-40 dimensional standards. The lotting mix shall be determined at the time of preliminary platting.

### **DIMENSIONAL STANDARDS**

- A. Minimum lot area: 4,400 square feet.
- B. Minimum lot width: 40’.[1]
- C. Minimum lot depth: 85’
- D. Minimum front yard: 10’.
- E. Minimum rear yard: 10’. [2]
- F. Minimum side yard-interior lot: 5’.
- G. Minimum side yard-corner lot adjacent to a street: 15’. [2].
- H. Maximum height: 35’.

[1] Lots less than 50 feet in width shall be accessed via alleys abutting the rear of the lot, as required by the McKinney Engineering Design Manual.

[2] A minimum driveway length of 20 feet shall be provided from the garage door to the street or alley right-of-way line, as required by the McKinney Engineering Design Manual. The driveway length may be reduced if a variance is granted by the Director of Engineering, and the number of required spaces is provided in an offsite common area or approved on-street parking per Table 2-39: Minimum Vehicle parking and Stacking Requirements of the McKinney Unified Development Code.



## **HP-TH RESIDENTIAL STANDARDS**

### **USES**

Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart.

### **DIMENSIONAL STANDARDS**

- A. Minimum lot area: 1,800 square feet.
- B. Minimum lot width: 22'. [1][4]
- C. Minimum lot depth: 82'.
- D. Minimum front yard: 10'.
- E. Minimum rear yard: 10'. [2]
- F. Minimum side yard-end unit lot: 5'.
- G. Minimum side yard-interior unit lot: 0'. [3]
- H. Minimum side yard-corner lot adjacent to a street: 15'. [2].
- I. Maximum height: 35'.

[1] Lots less than 50 feet in width shall be accessed via alleys abutting the rear of the lot, as required by the McKinney Engineering Design manual.

[2] A minimum driveway length of 20 feet shall be provided from the garage door to the street or alley right-of-way line, as required by the McKinney Engineering Design Manual. The driveway length may be reduced if a variance is granted by the Director of Engineering and the number of required spaces is provided in an offsite common area or approved on-street parking per Table 2-39: Minimum Vehicle parking and Stacking Requirements of the McKinney Unified Development Code.

[3] If minimum building separation between adjacent homes is less than 10', appropriate fire rated building materials shall be used.

[4] Where lots are less than 40' wide, Street Trees shall be provided in compliance with the standards of the McKinney Engineering Design Manual.



## HP-BR BROWNSTONE STANDARDS

### USES

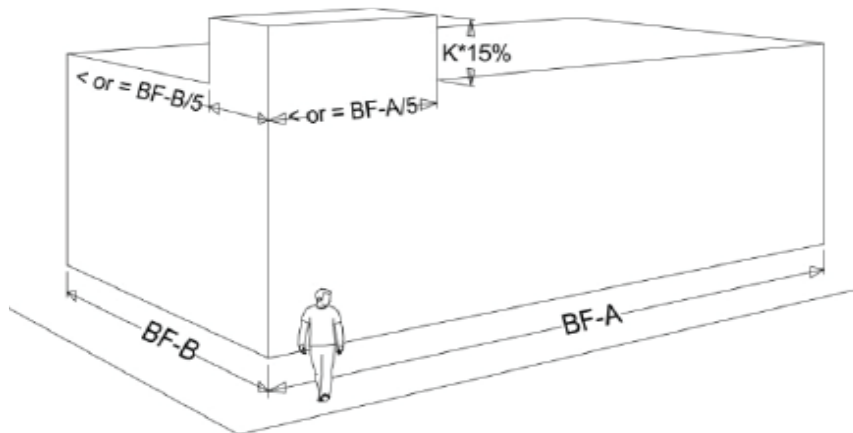
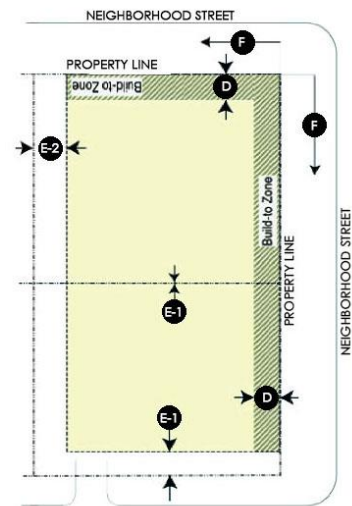
Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart.

The maximum number of Brownstones collectively shall be 200. The maximum number of units per building in a brownstone building shall be 7. The minimum number of units per building in a brownstone building shall be 4, however, up to 10% of the collective total buildings may have a minimum of 3 units.

### DIMENSIONAL STANDARDS

- A. Minimum lot area: 0 square feet.
- B. Minimum lot width: 0'.
- C. Minimum lot depth: 0'.
- D. Build-to-Zone: Street or Civic/Open Space: 6' (min) – 20' (max).
- E. Setbacks:
  - 1. Side: 0' Interior Lot, 5' End Lot. [1]
  - 2. Rear: 5'. [1]
- F. Minimum Building Frontage: Street or Civic/Open Space: 50%.
- G. Minimum height: 25' (2 stories)
- H. Maximum height: 44' (3 stories)
- I. Minimum floor height: [2][3]
  - 1. Residential use: 9'. Nonresidential use, exclusive of parking garages (First floor): 12'

- [1] Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- [2] Attics and mezzanines less than 7' (avg) height shall not be counted as a story.
- [3] Corner buildings may exceed the maximum height by 15% for 20% of the building's frontage along each corresponding street façade.



## OFF-STREET PARKING

### A. Minimum Parking Requirements:

<u>Land Use</u>	<u>Minimum Spaces Required</u>
Multi-Family Residential	1.75 space per dwelling unit
Live-Work Space	1 space per 1,000 sq. ft. of floor area

Note: The overall parking requirement for a multi-family residential building shall be based on the number of dwelling units in the building using the above parking ratio. That parking requirement is also inclusive of all ancillary uses associated with the building, such as leasing offices, gyms, swimming pools, common activity rooms, etc.

- B. "On-Street" Parking: Parking spaces located within the street right-of-way available along the frontage lines of a building block, may be counted toward meeting the parking requirement for that building.
- C. Parking Modifications and Reductions: A parking study may be submitted to demonstrate further parking reductions or alternatives in accordance with Article 2 (206)(E)(4) the McKinney Unified Development Code, as amended.
- D. Surface Parking Lot Location:
1. Parking lot shall be located either:
    - a. Behind the principal building.
    - b. A minimum of 3' behind the building façade line along the street.
    - c. A minimum of 6' behind the property line if a building does not have frontage along the street.
  1. Side and Rear setbacks: 0'.
- F. Surface Parking Lot Screening:
1. Off-street surface parking must be screened from a street using one or more of the following methods:
    - a. A three-foot-high earthen berm planted with ground cover recommended for local area use by the building official. The berm may not have a slope that exceeds one foot of height for each three feet of width.
    - b. A solid masonry wall between 3 and 4 feet in height.
    - c. Hedge-like evergreen plant materials, as identified in Plant List 5 and 6 (Evergreen Shrubs) of Appendix 2A of the McKinney UDC. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a minimum of 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years.
- For purposes of this Section, if the parking space is immediately accessible from a street, it shall not be considered "off-street" parking.

## ARCHITECTURAL DESIGN GUIDELINES

### A. Brownstone Building Design:

1. A minimum of 90% of the total façade area of the home, exclusive of doors and windows, shall be constructed of brick, stone, man-made stone, 3 coat masonry stucco or cementitious siding.

2. A maximum of 10% of the total façade area of the home, exclusive of doors and windows, may be constructed of materials other than those listed above. However, unpainted metal, galvanized metal, corrugated metal, or metal subject to ordinary rusting shall not be used as a building material. Architecturally finished metal materials may account for up to 15% of the material on the wall's face.
3. All brownstone buildings shall include a primary front door entrance into the home which shall be accessed from the sidewalk of the adjacent MF Neighborhood Street.
4. Homes must also include windows which provide residents with a view of the street and sidewalk area.

## **STREETSCAPE AND LANDSCAPE STANDARDS**

### **A. Sidewalks and Paving:**

1. Sidewalks must have a minimum width of six feet unless otherwise depicted on the typical Street section exhibit.
2. Sidewalks must be continuous and level across all driveways and curb cuts and designed to be at the same grade as an existing sidewalk, if applicable.
3. At each allowed pedestrian crossing as determined by city staff, crossings may be clearly marked by colored, patterned, or stamped concrete.
4. Public sidewalks occurring outside of the street right-of-way must be contained within an identified easement.
5. Alternative paving materials including, but not limited to, pavers, colored concrete, and stamped concrete are allowable materials to be used for sidewalks located within an access easement or right-of-way. Cement-stabilized sand base can be used for pedestrian walkways. Sidewalks located within an access easement or right-of-way shall be maintained by a Property Owner Association (POA).

### **B. Landscape:**

1. Parkway Trees: Parkway trees shall be required along all MF Neighborhood Streets. Parkway trees shall be a minimum 4" caliper in size at the time of planting. Each tree shall be planted in a planting area no less than 6' x 6', however, the tree well area may be no smaller than 5' by 5'. Trees shall be provided in a quantity of 1 tree per 30 linear feet of street frontage. Spacing of trees shall generally be 44' O.C. However, spacing and location of trees with respect to structures and streets, etc. shall be determined at the time of site plan approval. In the event less than the required number of trees can be planted along the street, the remaining trees may be located within 20' of the street right-of-way and/or pedestrian easement if present. Consideration shall be given to a design which ensures an unobstructed 14' clear height of fire lanes and public streets to allow for aerial fire apparatus to function properly. Examples of Parkway tree planting options are shown on Exhibit \_\_, Street Designs. Parkway Tree spacing not specified within this section, or as otherwise shown on the MF Neighborhood Street Design exhibit, shall adhere to Section 7.4.D of the City of McKinney Engineering Design Manual.
2. A Parkway Tree Planting Plan shall be included with the civil engineering plans for review, based on the typical sections, separation distance, and spacing noted in these standards or accompanying Street Design exhibits. Once approved with the civil engineering plans, the parkway Planting Plan shall also be submitted with the Final Plat for the subdivision of record purposes. Parkway Trees shall be planted with the adjacent site construction and verified by the Director of Planning. It is the responsibility of the developer to provide the tree planting plan to general contractors, and others to ensure compliance with the approved plan. Parkway Trees

found to not to be in compliance with this section shall be removed and replaced at the developer or property owner's expense.

3. Parkway Trees shall be maintained by the adjacent property owner in accordance with Section 70-56 of the City of McKinney Code of Ordinances. The developer may enter into a License Agreement with the City to have the POA be responsible for Parkway Tree maintenance. The City of their designee(s) shall have the right, but not the obligation, to trim or remove trees as necessary for safe and efficient operations of streets, utilities, and other services, or for public safety purposes.
4. Grass and ground cover: When clearly visible from the street, all unpaved ground areas shall be planted with grass or low growing shrubs or ground cover, ornamental grasses, or a combination thereof.

C. Lighting, and Mechanical:

1. Lighting elements shall be LED only. No HID or fluorescent lights (except fluorescent bulbs that screw into standard socket fixtures) may be used on the exterior of buildings.
2. All lighting shall be focused downward or narrowly focused on its intended target such as signing. Uplighting may be used to highlight landscaping, etc.
3. Mechanical and electrical equipment, transformers, meters, and garbage containers shall be located and screened so that they are not visible from the street or other public areas.



## HP-U UPTOWN STANDARDS

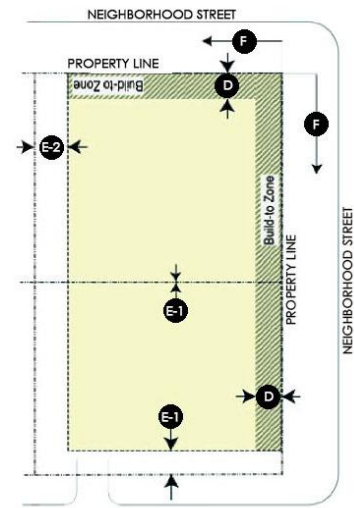
### USES

Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart.

The maximum number of apartments collectively shall not be greater than 3,711.

### DIMENSIONAL STANDARDS

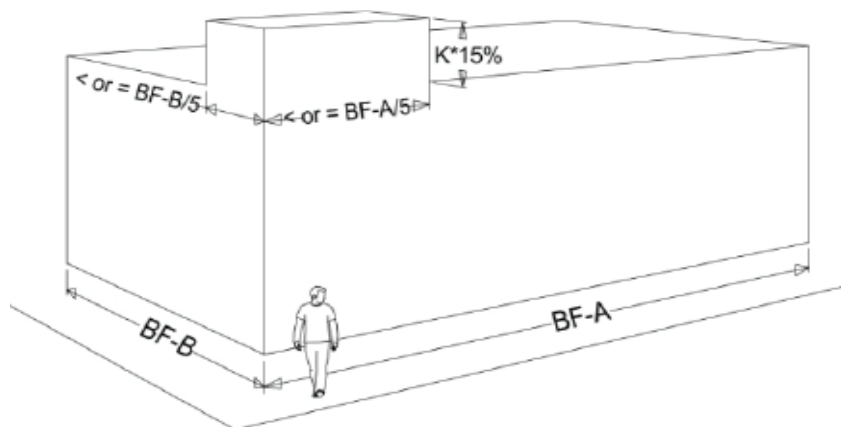
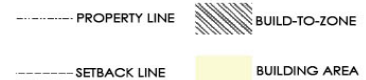
- A. Minimum lot area: 0 square feet.
- B. Minimum lot width: 0'.
- C. Minimum lot depth: 0'.
- D. Build-to-Zone: Street or Civic/Open Space: 0' (min) – 10' (max).
- E. Setbacks:
  - 1. Side: 0'. [1]
  - 2. Rear: 0'. [1]
- F. Minimum Building Frontage: Street or Civic/Open Space: 70%.
- G. Minimum height: 42' (3 stories)
- H. Maximum height: 70' (5 stories)
- I. Minimum floor height: [2][3]
  - 1. Residential use: 9'.
  - 2. Nonresidential use, exclusive of parking garages (First floor): 12'.



[1] Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.

[2] Attics and mezzanines less than 7' (avg) height shall not be counted as a story.

[3] Corner buildings may exceed the maximum height by 15% for 20% of the building's frontage along each corresponding street façade.



## OFF-STREET PARKING

### A. Minimum Parking Requirements:

<u>Land Use</u>	<u>Minimum Spaces Required</u>
Multi-family Residential	1.75 space per dwelling unit
GFA Restaurant	1 space per 150 sq. ft. of floor area
GFA Retail	1 space per 250 sq. ft. of floor area
Live-Work Space	1 space per 1,000 sq. ft. of floor area

Note: The overall parking requirement for a multi-family residential building shall be based on the number of dwelling units in the building using the above parking ratio. That parking requirement is also inclusive of all ancillary uses associated with the building, such as leasing offices, gyms, swimming pools, common activity rooms, etc.

- B. "On-Street" Parking: A maximum of 20% of the parking spaces available within the street right-of-way along the frontage lines for that portion of a building block designated for GFA uses, may be counted toward meeting the parking requirement for GFA uses of that building. Said parking spaces shall not be used as resident parking. A maximum of 20% of the parking spaces located within the street right-of-way available along the frontage lines of a building block other than those listed above, may be counted toward meeting the parking requirement for buildings on that block.
- C. Structured Parking: A minimum of 80% of the required parking for a multi-family residential building shall be provided in a structured parking garage.
- D. Parking Modifications and Reductions: A parking study may be submitted to demonstrate further parking reductions or alternatives in accordance with Article 2, Section 206.E.4 the McKinney Unified Development Code, as amended.
- E. Surface Parking Lot Location: Parking lots should be located behind the principal building. If physical barriers/limits prevent this, then a parking lot shall be located either:
- A minimum of 3' behind the building façade line along the street.
  - A minimum of 6' behind the property line if a building does not have frontage along the street.
- F. Surface Parking Screening:
- Off-street surface parking must be screened from a MF Neighborhood Street using one or more of the following methods:
    - A three-foot-high earthen berm planted with ground cover recommended for local area use by the building official. The berm may not have a slope that exceeds one foot of height for each three feet of width.
    - A solid masonry wall between 3 and 4 feet in height.
    - Hedge-like evergreen plant materials, as identified in Plant List 5 and 6 (Evergreen Shrubs) of Appendix 2A of the McKinney UDC. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a minimum of 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines can provide a solid appearance within three years.

For purposes of this Section, if the parking space is immediately accessible from a street, it shall not be considered "off-street" parking.

### G. Structured Parking Location:

1. Parking structure shall be located at a minimum of 25' from the property line.
  2. Side and Rear setbacks: 0'.
- H. Structured Parking Screening:
1. A minimum of 50% of the ground-level facade of any multi-floor parking structure which faces a street shall be screened by any combination of the following methods.
    - a. An active use other than parking with a minimum depth of 25'.
    - b. An exterior facade that is similar in materials, architecture, and appearance to the facade of an adjacent building.
    - c. Is screened from a street by another building.
    - d. Evergreen plant materials, as identified in Plant List 6 (Evergreen Shrubs) of Appendix 2A of the McKinney UDC . The plant materials must be in a bed that is at least five feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a minimum of 36 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines can provide the screening within three years.
  2. Parking structures that are not fully enclosed must have solid screening walls or similar screening materials to screen headlights, of a minimum height of 33 inches on each parking level.
  3. The maximum blank wall length on an above-grade parking structure shall be 30 feet. This paragraph does not prohibit spandrel glass in excess of 30 feet.

#### **ARCHITECTURAL DESIGN GUIDELINES**

- A. A building must have a minimum of one primary entrance that is architecturally prominent and clearly visible from the street it is oriented to. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection. All primary entrances shall be oriented to the public sidewalk. Secondary and service entrances may be located from internal parking areas or driveways.
- B. External Façade Materials: The following shall apply to all exterior walls of buildings and parking structures which are clearly visible from a street, or Civic/Open Space. A minimum of 85% of the building facades shall be comprised of materials identified in #1 and #2 below.
  1. Exterior building walls may be glass curtain walls, brick, stone, cultured stone, burnished block, painted concrete, cementitious fiber board (plank or panel), mass timber, or 3-coat masonry stucco.
  2. Exterior Insulated Finished Systems (EIFS) may be used as a façade material on an exterior building wall on the second story or above.
  3. Architecturally finished metal materials may account for up to 15% of the material on the wall's face. Unpainted metal, galvanized metal, corrugated metal, or metal subject to ordinary rusting shall not be used as a building material.
  4. Glass reflectivity. for windows must not exceed 25 percent.
  5. Transparency. Transparency standards shall only apply to the first floor of a building, up to 12' high.
    - a. Front yard facades must have a minimum transparency of 30 percent.
    - b. Side yard facades must have a minimum transparency of 20 percent. If the rear or side façade of a building is adjacent to a parking structure, no minimum transparency shall be required for the building's façade. For purposes of this section, the front yard shall be determined during the site plan approval process.

6. Roof-mounted equipment screening, if provided, shall be perforated metal screens or materials which are compatible with the façade materials incorporated in the building design.

## **STREETSCAPE AND LANDSCAPE STANDARDS**

### **A. Sidewalks and Paving:**

1. Sidewalks located within the right-of-way or public access easement must have a minimum unobstructed width of six feet and a total width of ten feet.
2. Sidewalks must be continuous and level across all driveways and curb cuts and designed to be at the same grade as an existing sidewalk, if applicable.
3. At each allowed pedestrian crossing as determined by city staff, crossings may be clearly marked by colored, patterned, or stamped concrete.
4. Public sidewalks occurring outside of the street right-of-way must be contained within an identified access easement.
5. Alternative paving materials including, but not limited to, pavers, colored concrete, and stamped concrete are allowable materials to be used for sidewalks located within an access easement or right-of-way. Cement-stabilized sand base can be used for pedestrian walkways. Sidewalks located within an access easement or right-of-way shall be maintained by a Property Owner Association (POA).

### **B. Open Space:**

1. A range of open spaces shall be incorporated into the design of a block to provide usable public and private areas. The size, design, provided amenities, etc. shall be determined at the time of building permit application. Open spaces may include parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned. They do not have a minimum or maximum size. They allow for both structured and unstructured recreation. They may be hardscaped with formal landscaping and be available for civic purposes, or they may be designed and equipped for recreation. The treatment of such spaces shall be reflective of their purpose and surroundings.
2. Outdoor amenities such as playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos are allowed. Ordinary projections of windowsills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed.
3. Open space may contain primarily grass, vegetation, or open water. If the water feature is used as a retention pond, pedestrian amenities such as fountains, benches, paths, or shade structures shall also be provided.
4. Except for emergency vehicles, designated open spaces may not be parked or driven upon.

### **C. Landscape:**

1. Parkway Trees: Parkway trees shall be required along all MF Neighborhood Streets. Parkway trees shall be a minimum 4" caliper in size at the time of planting. Each tree shall be planted in a planting area no less than 6' x 6', however, the tree well area may be no smaller than 5' by 5'. Trees shall be provided in a quantity of 1 tree per 30 linear feet of street frontage. Spacing of trees shall generally be 44' O.C. However, spacing and location of trees with respect to structures and streets, etc. shall be determined at the time of site plan approval. In the event less than the required number of trees can be planted along the street, the remaining trees may be located within 20' of the street right-of-way and/or pedestrian easement if present. Consideration shall be given to a design which ensures an unobstructed 14' clear height of fire lanes and public streets to allow for aerial fire apparatus to function properly. Examples of Parkway tree planting options are shown on Exhibit \_\_\_, Street Designs. Parkway Tree spacing

not specified within this section, or as otherwise shown on the MF Neighborhood Street Design exhibit, shall adhere to Section 7.4.D of the City of McKinney Engineering Design Manual.

2. A Parkway Tree Planting Plan shall be included with the civil engineering plans for review, based on the typical sections, separation distance, and spacing noted in these standards or accompanying Street Design exhibits. Once approved with the civil engineering plans, the parkway Planting Plan shall also be submitted with the Final Plat for the subdivision of record purposes. Parkway Trees shall be planted with the adjacent site construction and verified by the Director of Planning. It is the responsibility of the developer to provide the tree planting plan to general contractors, and others to ensure compliance with the approved plan. Parkway Trees found to not to be in compliance with this section shall be removed and replaced at the developer or property owner's expense.
  3. Parkway Trees shall be maintained by the adjacent property owner in accordance with Section 70-56 of the City of McKinney Code of Ordinances. The developer may enter into a License Agreement with the City to have the POA be responsible for Parkway Tree maintenance. The City or their designee(s) shall have the right, but not the obligation, to trim or remove trees as necessary for safe and efficient operations of streets, utilities, and other services, or for public safety purposes.
  4. Grass and ground cover: When clearly visible from the street, all unpaved ground areas shall be planted with grass or low growing shrubs or ground cover, ornamental grasses, or a combination thereof.
- D. Lighting, and Mechanical:
1. Lighting elements shall be LED only. No HID or fluorescent lights (except fluorescent bulbs that screw into standard socket fixtures) may be used on the exterior of buildings.
  2. All lighting shall be focused downward or narrowly focused on its intended target such as signing. Uplighting may be used to highlight landscaping, etc.
  3. Mechanical and electrical equipment, transformers, meters, and garbage containers shall be located and screened so that they are not visible from the street or other public areas.

## **HP-C2 LOCAL COMMERCIAL STANDARDS**

### **USES**

Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart.

### **DIMENSIONAL STANDARDS**

- A. Minimum lot area: 0 square feet.
- B. Minimum lot width: 0'.
- C. Minimum lot depth: 0'.
- D. Minimum front yard: 20'.
- E. Minimum rear yard: 0'. [1]
- F. Minimum side yard-interior: 0'. [1]
- G. Maximum height: 45'.

[1] When a non-residential use shares a property line(s) with a single-family, duplex, triplex, or quadplex residential use or a single-family residential zone, the following buildings setbacks shall apply along the shared property line(s).

- 1. 1 story: 30'.
- 2. 2 stories: 50'.
- 3. 3 or more stories: 2' of setback for each foot of building height.



## **HP-C3 REGIONAL COMMERCIAL STANDARDS**

### **USES**

Uses shall be allowed or prohibited, as identified in the Huntington Park Use Chart.

### **DIMENSIONAL STANDARDS**

- A. Minimum lot area: 0 square feet.
- B. Minimum lot width: 0'.
- C. Minimum lot depth: 0'.
- D. Minimum front yard: 20'.
- E. Minimum rear yard: 0'. [1]
- F. Minimum side yard-interior: 0'. [1]
- G. Maximum height: 55'.

[1] When a non-residential use shares a property line(s) with a single-family, duplex, triplex, or quadplex residential use or a single-family residential zone, the following buildings setbacks shall apply along the shared property line(s).

- 1. 1 story: 30'.
- 2. 2 stories: 50'.
- 3. 3 or more stories: 2' of setback for each foot of building height.

