# UDC Amendments

25-0004M

# Background

- 89th legislative session adopted three primary bills that impact land use and zoning

  – Senate Bill 840* – mixed use and multifamily uses

  – Senate Bill 15* – single-family uses and "small lots"

  – House Bill 24 – zoning protest petitions

- Joint Work Session in August on the primary bills

- Additional minor bills addressed

  – House Bill 2464 – home-based businesses

  – Senate Bill 1567 – dwelling unit occupancy

*Only applies to municipalities with a population over 150,000 in a county with a population over 300,000

# Comprehensive Plan – Principles & Outcomes

*"Establish a land-use and development pattern that **establishes transitions between land uses**... while providing flexibility to respond to the real estate markets."*

*"Private sector development... meet McKinney's **expectations for excellence in design** and create places with market support and long-term economic viability."*

# SB 840 – Multi-Family and Mixed-Use

## Land Use Regulations

- Must allow multi-family and mixed use where office, commercial, retail, warehouse, and similar uses are allowed

## Development Standards

- Limits cities' ability to regulate density, building height, setbacks, and parking requirements for multi-family and mixed use in any zoning district

## Other Provisions

- Areas around airports and heavy industrial uses are exempt
- In the case of conversion to multi-family or mixed-use, restricts ability to require certain engineering studies and development standards

## SB 840 – Zoning Districts

| Use | MR | MF-36 | C1 | C2 | C3 | O1 | O2 | I1 | I2 |
|---|---|---|---|---|---|---|---|---|---|
| Multi-family, Cottage | P | P | C | C | | C | | | |
| Multi-family, Traditional | P | P | | | C | | C | | |
| Mixed-use Residential | | | C | C | C | C | C | | |

Blue = current regulations
Red = proposed changes

▪ Use-specific criteria:

   – Permitted by operation of law pursuant to TLGC §218

   – Comply with applicable requirements in  §206G.6, Design Standards

# SB 840 – Zoning Districts

- Change "MF-30 – Multi-Family Residential" to "MF-36 – Multi-Family Residential"
  - Required to allow a maximum density of 36 dwelling units per acre
  - Residential adjacency setback reduced to 25 feet
  - No changes to the building form or amenity requirements in this district

- Remove "FR – Flex Residential" zoning district

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# SB 840 – Development Standards in Non-Residential Districts

## Standards for Compliance with State Law

- 1 parking space per dwelling unit
- Reduced setbacks and buffers to match non-residential requirements
- Maximum density of 36 units per acre
- Maximum heights ranging from 45 feet to 75 feet depending on district

## Additional Proposed Standards

- 75% of parking must be covered or enclosed
- Limits on number of dwelling units in a single building
- Minimum first floor height of 14 feet
- Façade off-sets required for traditional multi-family and mixed use
- Balconies prohibited facing single-family residential

# SB 840 – Development Standards in Non-Residential Districts

| Zoning District | § reference | Lot Standards | | | Building Setbacks | | | | Min. Height [4] | Max. Height [1] | Max. Density |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Lot Area (sq ft) | Lot Width (ft) | Lot Depth (ft) | Front (ft)[2] | Rear (ft) | Side Interior (ft) | Residential Adjacency [3] | Building Height (stories) | Building Height (ft) | Density (du/acre) |
| C1 | 204N | 0 | 0 | 0 | 20 | 0 | 0 | 25 | 2 stories | 45 | 36 |
| C2 | 204O | 0 | 0 | 0 | 20 | 0 | 0 | 25 | 2 stories | 45 | 36 |
| C3 | 204P | 0 | 0 | 0 | 20 | 0 | 0 | 25 | 4 stories | 55 | 36 |
| O1 | 204Q | 0 | 0 | 0 | 20 | 0 | 0 | 25 | 2 stories | 45 | 36 |
| O2 | 204R | 0 | 0 | 0 | 20 | 0 | 0 | 25 | 5 stories | 75 | 36 |

Table 2-45: Non-Residential Zoning Districts

## Senate Bill 840 – Development Standards in Non-Residential Districts

- Additional amenities and site enhancements required for development in non-residential districts

- New amenities added for all zoning districts
  - Enhanced adjacency buffer of an additional 30 feet adjacent to single-family
  - Guest parking above minimum requirements

# Senate Bill 15 – Small Lot Subdivisions

## Applicability

- Zoned for single-family residential uses
- Has no recorded plat
- Five acres or more

## Lot Size Restrictions

- 3,000 sq. ft.
- 30 feet wide*
- 75 feet deep

*Lots less than 50 feet require rear access via alleys*

## Development Standards

- Front yard setback no greater than 15 feet
- Side yard setback no greater than 5 feet
- Rear yard setback no greater than 10 feet
- Maximum of 1 required parking space
- Cannot require covered or off-site parking
- Minimum three stories

# Senate Bill 15 – Small Lot Subdivisions

| Use | R43 | R12 | R8 | R6 | R5 | R3 | TR1.8 |
|---|---|---|---|---|---|---|---|
| Single-family, attached | | | | | | P | P |
| Single-family, detached | P | P | P | P | P | P | |
| Small-lot single-family, detached | C | C | C | C | C | C | C |
| Small-lot single-family, attached | | | | | | C | C |

Blue = current regulations
Red = proposed changes

- Use-specific criteria:
  - Permitted by operation of law pursuant to TLGC §211
  - Indicate the "small lot" designation with a note on the plat
  - Meet the standards in the R3 zoning district
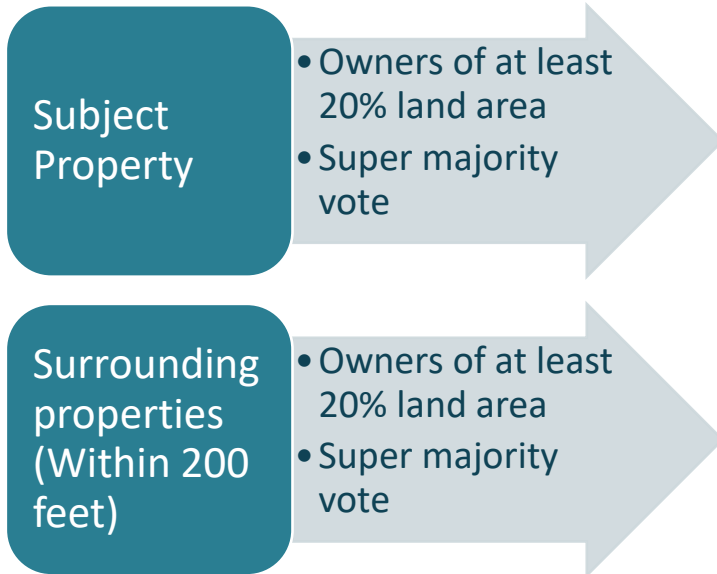
## Senate Bill 15 – Small Lot Subdivisions

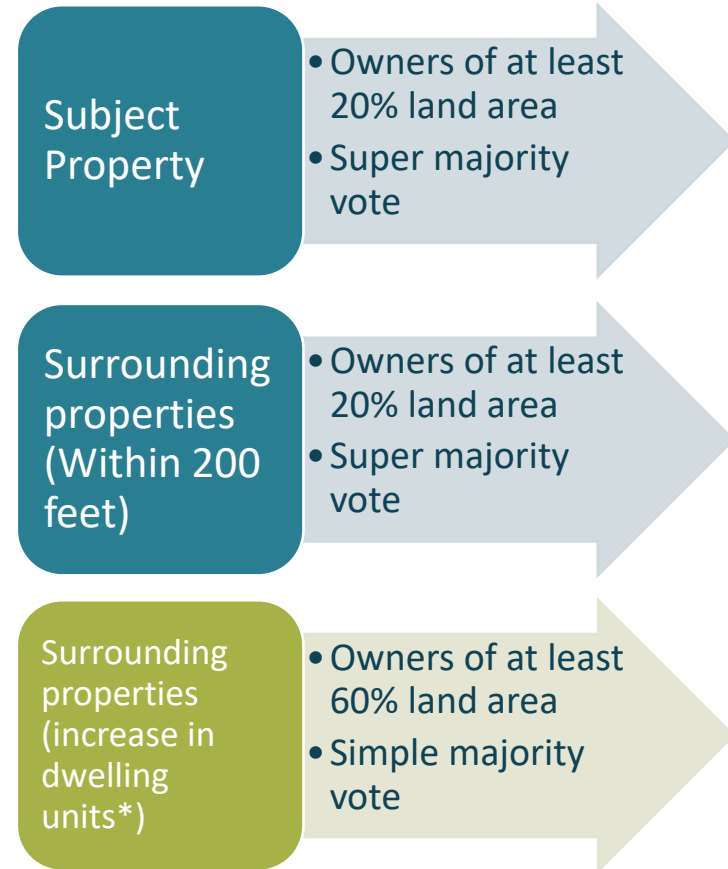| Table 2-8: R3 Dimensional Standards [4] | | |
|---|---|---|
| **Lot Dimensions (minimum)** | | |
| A | Lot area (sq ft) | 3,000 |
| B | Lot width (ft) | 30 [2] |
| C | Lot depth (ft) | 75 |
| **Building Setbacks (minimum)** | | |
| D | Front (ft) | 15 [3] |
| E | Rear (ft) | 10 [3] [5] |
| F | Side interior (ft) | 5 [1] |
| | Side corner lot (ft) | 15 [3] [5] |
| **Height (maximum)** | | |
| | Height (ft) | 40 |

- For lots 4,000 sq. ft. or less in area, one parking space accessed from the alley is required

  – Unable to require garage or covered parking

  – Unable to require more than one space

- Number of required trees per lot is determined by lot size

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# House Bill 24 – Zoning Protest Petitions

## Current Requirement

**Subject Property**
- Owners of at least 20% land area
- Super majority vote

**Surrounding properties (Within 200 feet)**
- Owners of at least 20% land area
- Super majority vote

## New Requirement (as of Sept. 1st)

**Subject Property**
- Owners of at least 20% land area
- Super majority vote

**Surrounding properties (Within 200 feet)**
- Owners of at least 20% land area
- Super majority vote

**Surrounding properties (increase in dwelling units*)**
- Owners of at least 60% land area
- Simple majority vote

*and no industrial or commercial uses (except for certain mixed-use development)

## Next Steps

✓ 8/19 – Joint Work Session

❑ 9/9 – Planning and Zoning Commission Meeting

❑ 9/16 – City Council Meeting

# Questions?