

UDC Amendments

25-0004M2

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

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

Table 2-45: Non-Residential Zoning 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

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

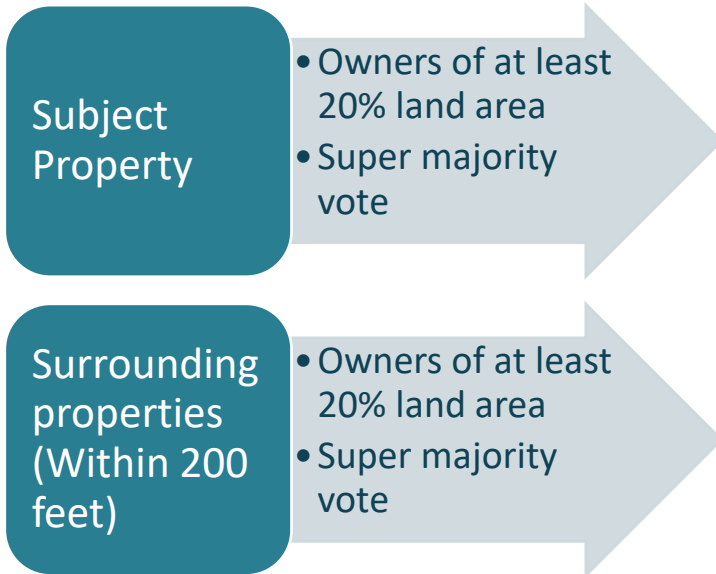
Table 2-8: R3 Dimensional Standards [4]

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

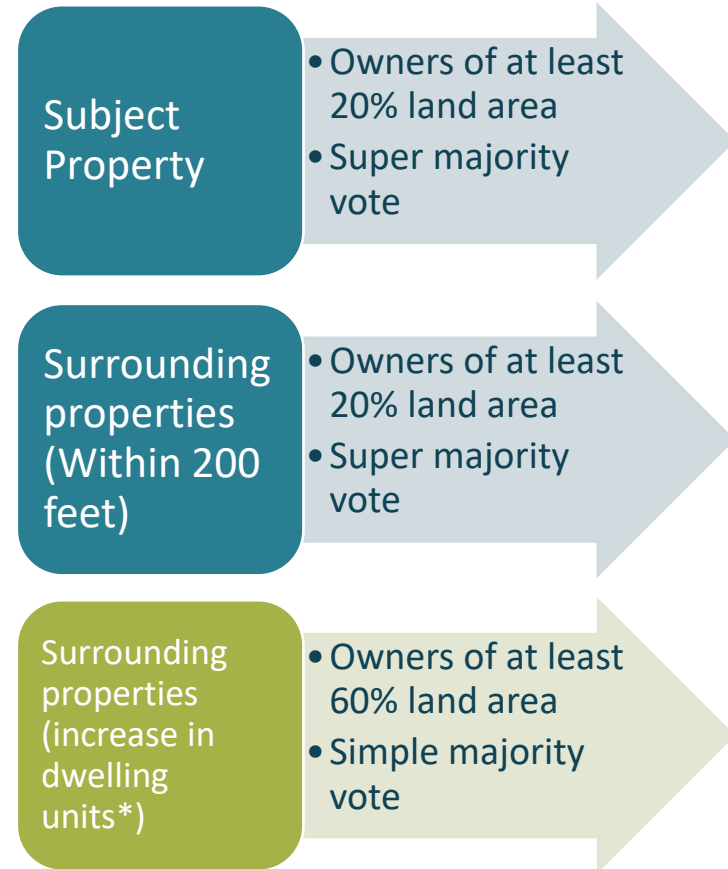
- For lots 4,000 sq. ft. or less in area, one parking space accessed from the alley is required
 - Unable to require garage or covered parking
 - Unable to require more than one space
- Number of required trees per lot is determined by lot size

House Bill 24 – Zoning Protest Petitions

Current Requirement



New Requirement (as of Sept. 1st)



**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?