



21-1084

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Chapter 90 (Streets and Sidewalks) of the Code of Ordinances by Adding New Provisions Permitting Parklets Within Certain Areas of the City and Providing Minimum Requirements thereof and Repealing All Conflicting Ordinances

**COUNCIL GOAL:** Enhance the Quality of Life in McKinney  
5D: Promote reinvestment activities in McKinney's historic downtown that balance preservation of historic character and current market needs

**MEETING DATE:** December 7, 2021

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Paula Nasta, AIA, Planning Manager

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends approval of the proposed amendments to the parklets ordinance.

**ITEM SUMMARY:**

- In order to support Downtown McKinney businesses that have been affected by limited occupancy and social distancing requirements during the Covid-19 pandemic, the City Council directed staff to pursue a parklet program in December 2020. The program established requirements for businesses wishing to temporarily use on-street parking spaces in downtown McKinney for expansion of dining space into "parklets."
- The current ordinance was set to expire the earlier of December 31, 2021. The proposed ordinance would make the parklet program permanent by removing the expiration date.
- In addition to initiating amendments to create a program to allow private businesses to create their own parklets, the City and McKinney Main Street purchased two parklets using existing funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Businesses may rent these parklets from McKinney Main Street program who owns and will manage these units.

- Since the adoption of the parklet ordinances, businesses have expressed interest in constructing their own parklets, but none has submitted an application to date. Under this proposed ordinance, business may apply for and construct their own parklets or rent them from McKinney Main Street.

## **BACKGROUND:**

- Cities around the country and in Texas have addressed a need for additional outdoor dining space by allowing use of on-street parking spaces for expansion of dining space, sometimes called “parklets.” This approach allows for greater physical distance between people and adds activity and visual interest to the pedestrian environment.
- The McKinney Restaurant Council raised the idea of allowing dining in on-street parking spaces at the November 10, 2020, City Council Special Meeting.
- In December 2020, the City Council approved an ordinance that allowed for a parklet program on a temporary basis. As state restrictions on social distance were lifting, the City Council extended the program through December 31, 2021. The ordinance under consideration would remove the expiration date and allow parklets in downtown McKinney on a regular basis.

## **PROPOSED AMENDMENTS:**

- Amend Chapter 87 (Special Events), deleting: Chapter 87, Article VII “Parklets”. This Article authorizes temporary parklets and sets minimum standards for parklets. This Article will be deleted with this amendment in order to locate the parklet program permanently.
- Amend Chapter 90 (Streets and Sidewalks) to add the new Article VI, “Parklets” Section 90-360 to permit parklets in certain areas. This new section
  - creates the permanent parklet program;
  - provides a mechanism for the Director of Planning or his/her designee to approve parklet permits;
  - designates the permitted area;
  - establishes eligibility;
- Amend Chapter 90 (Streets and Sidewalks) to add Section 90-360 Minimum Requirements. This new section:
  - stipulates the minimum requirements for parklet construction.
  - Identifies prohibited elements
  - establishes provisions for violation of the ordinance; and
  - sets an effective date.
- Amend Appendix A- Schedule of Fees, Chapter 90 “Streets and Sidewalks” to establish both fees for parklet permits. This amendment establishes:
  - A one-time \$250 application fee; and

- An annual two parking space \$250 rental fee for parklet use

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no emails or phone calls in support of or opposition to the proposed amendments.

**SUPPORTING MATERIALS:**

[Proposed Ordinance](#)

[Ordinance - 12/05/20 Original](#)

[Ordinance - 03/16/21 Amended](#)