CITY OF McKINNEY, TEXAS

Legislation Details (With Text)

File #:	22-0007M	**Name:**	Alternate Notice for Development Regulations Update (New Code McKinney)
Type:	Ordinance	**Status:**	Approved
		In control:	City Council Regular Meeting
On agenda:	10/3/2022	**Final action:**	10/3/2022

Title: Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Prescribing the Type of Notice to be Given of the Time and Place of a Public Hearing to be Held Jointly by the City Council and the Planning and Zoning Commission to Consider, Discuss, and Act on Amending and Relocating Chapter 146 (Zoning Ordinance), Chapter 142 (Subdivision Ordinance), Chapter 58 (Lighting Ordinance), Chapter 122, Article IV (Fence Ordinance), Chapter 134 (Sign Ordinance), and Chapter 130, Article IV (Stormwater Management Ordinance) into a Unified Development Code, and Accompanying Ordinance

Indexes:

Attachments: 1. Ordinance, 2. Public Outreach Poster, 3. Presentation

Date	Ver.	Action By	Action	Result
10/3/2022	1	City Council Regular Meeting	Close the public hearing	Pass
10/3/2022	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Prescribing the Type of Notice to be Given of the Time and Place of a Public Hearing to be Held Jointly by the City Council and the Planning and Zoning Commission to Consider, Discuss, and Act on Amending and Relocating Chapter 146 (Zoning Ordinance), Chapter 142 (Subdivision Ordinance), Chapter 58 (Lighting Ordinance), Chapter 122, Article IV (Fence Ordinance), Chapter 134 (Sign Ordinance), and Chapter 130, Article IV (Stormwater Management Ordinance) into a Unified Development Code, and Accompanying Ordinance

COUNCIL GOAL: Direction for Strategic and Economic Growth
(1C: Provide a Strong City Economy by Facilitating a Balance between Industrial, Commercial, Residential, and Open Space)

MEETING DATE: October 3, 2022

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Aaron Bloxham, Principal Planner
Alan Lathrom, Assistant City Attorney

RECOMMENDED CITY COUNCIL ACTION:

- Staff recommends approval of the proposed Ordinance.

ITEM SUMMARY:

- As part of the New Code McKinney Initiative, staff recommends a number of amendments to Chapter 146 (Zoning Ordinance), Chapter 142 (Subdivision Ordinance), Chapter 58 (Lighting Ordinance), Chapter 122, Article IV (Fence Ordinance), Chapter 134 (Sign Ordinance), and Chapter 130, Article IV (Stormwater Management Ordinance); including the relocation of these chapters into a Unified Development Code.

- As part of this effort, the city is responsible for complying with all municipal and state procedures for amending chapters of the McKinney Code of Ordinances. In particular, Chapter 211 of the Texas Local Government Code outlines the procedures for amending the city's zoning ordinance.

- Typically, Chapter 211 of the LGC requires that a public hearing be held by the Planning and Zoning Commission prior to a public hearing by City Council for consideration of amendments to municipal zoning regulations or zoning boundaries.

- However, Staff recommends that the City Council exercise its authority under Sections 211.006 and 211.007 of the LGC to establish a single public hearing process with the Planning and Zoning Commission for amendments to the city's zoning regulations and to establish the type of notice to be given for this joint meeting.

- As proposed, the type of notice to be given includes the following components:

    - On or before the 16th day before the date of the public hearing, the city shall cause a notice of the time and place of the public hearing to be published in the newspaper of general circulation in the city;

    - On or before the 30th day before the date of the public hearing, the time and place of the public hearing shall be posted on the city's Internet website;

    - On or before the 30th day before the date of the public hearing, a final draft of the proposed Unified Development Code shall be posted on the city's website;

    - The city shall cause an informational advertisement providing the time and place of the public hearing to be posted in the October edition of the Community Impact Newspaper; and

    - An informational flyer providing the time and place of the public hearing shall be included in City of McKinney Utility Services Statements (utility bills) mailed in the month of October.

BACKGROUND INFORMATION:

- An update to the City's development regulations is a priority implementation measure identified in the ONE McKinney 2040 Comprehensive Plan.

- The New Code McKinney builds on the work of the Comprehensive Plan by reviewing and modernizing key components of the City's development code so that they better align with the

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vision described in the ONE McKinney 2040 Comprehensive Plan.

- In the spring of 2019, the city entered into a professional services agreement with a consultant (Clarion Associates) in support of the code overhaul initiative. The major project tasks and milestones of the initiative are as follows:

  Task 1. Project Orientation and Management (LAUNCHED JULY 22, 2019)
  Task 2. Short-Term Priority Amendments (COMPLETE)
  Task 3. Code Assessment (COMPLETED JANUARY 2020)
  Task 4. Prepare Draft Development Code
  4a. Administration and Procedures (Draft Complete)
  4b. Zoning Districts and Uses (Draft Complete)
  4c. Development and Design Standards (Draft Complete)
  4d. Consolidated Code (Draft Complete)
  Task 5. Adoption (UNDERWAY)

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