

MEMORANDUM

TO: Jennifer Arnold and Aaron Bloxham, City of McKinney
FROM: Matt Goebel and Jenny Baker, Clarion Associates
DATE: February 15, 2021
RE: **McKinney Development Code: Zoning Districts and Use Regulations, UPDATED PUBLIC DRAFT**

We are pleased to submit the updated public draft for Module 2 of McKinney's Development Code, which includes:

Article 2, Section 2.2: Zoning Districts

Article 2, Section 2.3: Use Definitions and Use-Specific Standards

This updated version of the public draft incorporates the edits and updates to the first public draft, as requested by staff. Though updated, this version of the document remains a draft only; there are still several opportunities for public review and input related to this material before the formal adoption process begins (where several more opportunities for input are provided).

Pursuant to discussion with staff regarding the need for a defined transition strategy when implementing the proposed new district lineup, we offer the following summary explanation for how the City may go about the process, designed to allow property owners an opportunity to appeal zoning changes to their property with which they disagree.

Transition Strategy to Implement New/Updated Zoning Districts

Along with adoption of a new Development Code, McKinney may consider changes to the Zoning Map to reflect new district names or eliminate unused districts. In the future, the City may also work with property owners to consider applying new districts that do not exist today.

The conversion chart on pages 4 and 5 of the draft shows generally how existing districts correspond to new districts in this draft. Many of these conversions involve no changes to the Zoning Map, some involve simple name changes, and others involve transitioning properties with obsolete zoning district designations to one of the new district options.

Generally, the goal in updating McKinney's districts is to ensure that new districts allow more land uses and more flexible dimensional standards. However, there may be some instances where a proposed new district or regulation offers fewer land uses or a more restrictive dimensional standard than was previously allowed. In such cases, cities typically allow citizens the opportunity to comment on, or object to, the possible zoning change to their property.

- One window for accepting such feedback is prior to adoption of the new code, either when the public is initially reviewing proposed changes or during adoption hearings.



- A second opportunity, to be available for a designated period of time that is yet to be determined, would allow for future appeals through a procedure in the new code under which property owners could petition the city to retain the uses and development standards that existed on the property prior to the adoption of the new code.

In order to avoid infringing upon or curtailing a property right or permission that had previously been permitted to a property owner by the current Code, we understand that the City of McKinney will continue to explore these options along with other alternatives as part of the New Code McKinney initiative.

The remainder of this memorandum highlights key changes incorporated into this version of the draft.

Structural Reorganization

This version of the draft reflects changes to the overall structure of the document, based on the reorganization proposed in the public draft of Module 1. Rather than separate articles for Zoning Districts and Use Regulations, these are now sections within the higher-level Article 2, Zoning Ordinance, that will also contain Zoning Procedures (Section 2.1), and the Development Regulations (Section 2.4) that will be part of module 3.

Section 2.2: Zoning Districts

This draft reflects changes requested by staff, including:

- **New Zoning District Correspondence table**

This draft includes the table requested by staff to show the correspondence between the districts proposed in this draft with McKinney’s current and obsolete districts.
- **Expanded Intent statements**

The draft includes edits and expansions to each district’s Intent statement, demonstrating the district’s correlation with placetypes described in the ONE McKinney 2040 Comprehensive Plan.
- **Updated illustrations**

This draft includes district graphics for non-residential districts, and reflects updates to other district graphics as requested by staff.
- **Dimensional Standards**

Dimensional standards have been updated to incorporate allowances for greater building height where appropriate, eliminate corner setbacks for non-residential zones, and incorporate the consistent standard regarding setbacks for non-residential zones adjacent single family or duplex residential uses or zones.

Section 2.3: Use Regulations

This draft reflects changes requested by staff, including:

- **Table of Allowed Uses**

Most sub-categories have been removed from the table, maintaining only Residential, Non-Residential, Accessory and Temporary Use categories. Within these categories, all uses are

now organized alphabetically. New uses have been incorporated as requested, as has the “C” designation among the permissions.

- **Use Definitions and Use-Specific Standards**

The elimination of subcategories is also reflected in this section. Each use is alphabetized within the remaining four categories, accompanied by a definition, and followed by any use specific standards, and/or criteria for approval of a Specific Use Permit where required.

- **Special Use Standards**

Some uses have moved from Chapter 138, Special Use Regulations, in the current ordinance, to be included among the uses in this installment. Newly integrated uses include Bed & Breakfast, Donation Collection Container, Private Club, Home Occupation, and Wind Energy Conversion System Farm. The following uses remain in Chapter 138: Food Trucks, Operations Sites, and Food Truck Courts; Mobile or Manufactured Home Park; Oil and Natural Gas Well Drilling; and Sexually Oriented Business.