

**RESOLUTION NO. 2020-09-XXX (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, APPROVING RULES OF PROCEDURE FOR THE CITY OF MCKINNEY BOARD OF ADJUSTMENT CONSISTENT WITH STATE LAW AND SECTION 146-165 OF THE CODE OF ORDINANCES, CITY OF MCKINNEY, TEXAS; AUTHORIZING THE BOARD OF ADJUSTMENT TO ADOPT THE RULES OF PROCEDURE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Texas Legislature recently amended Tex. Loc. Gov't Code § 211.008 to require approval by the governing body of any rules adopted by a board of adjustment in accordance with the Texas Zoning Enabling Act; and

**WHEREAS**, the City of McKinney Board of Adjustment wishes to adopt rules of procedure consistent with Section 146-165 of the Code of Ordinances, City of McKinney, Texas, (the "McKinney Code") and particularly for the various hearings conducted before the Board; and

**WHEREAS**, the City Council of the City of McKinney, Texas has considered the proposed rules of procedure for the Board of Adjustment; and

**WHEREAS**, the City Council of the City of McKinney, Texas has determined that adoption of the proposed rules of procedure would assist the Board of Adjustment by establishing uniform procedures consistent with the Board's operation under McKinney Code § 146-165 and for conducting hearings before the Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

- Section 1. The City Council of the City of McKinney, Texas hereby approves the Rules of Procedure attached hereto for the McKinney Board of Adjustment.
- Section 2. The City of McKinney Board of Adjustment is authorized to adopt the Rules of Procedure at its earliest convenience.
- Section 3. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 15<sup>TH</sup> DAY OF SEPTEMBER, 2020.**

CITY OF MCKINNEY, TEXAS

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GEORGE C. FULLER  
Mayor

ATTEST:

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EMPRESS DRANE  
City Secretary

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney