



**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by the City of McKinney to Amend Sections 142-73 (General Development Plan) and 142-99 (Lots) of the Subdivision Regulations and Sections 146-40 (Nonconforming Uses and Nonconforming Structures), 146-44 (Access Management Plan Approval), and 146-45 (Site Plan Approval) of the Zoning Regulations, and Accompanying Ordinance

**MEETING DATE:** April 2, 2013

**DEPARTMENT:** Planning

**CONTACT:** Michael Quint, Director of Planning

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends approval of the proposed amendments to the Zoning and Subdivision Ordinances.

**ITEM SUMMARY:**

- The proposed amendments were originally considered by the Planning and Zoning Commission on September 11, 2012 before they were ultimately approved and adopted by the Planning and Zoning Commission and City Council at the November 5, 2012 joint meeting (Ordinance number 2012-11-056). Since that time, Staff has received feedback from members of the City Council that the ordinance amendments adopted via Ordinance number 2012-11-056 resulted in unforeseen and possibly negative impacts to existing property rights. As such, Ordinance number 2012-11-056 is planned to be repealed by the City Council on April 2, 2013 (Case #13-029M2).

Subsequent to the repeal of Ordinance number 2012-11-056, Staff is requesting that a few amendments contained within that ordinance be re-adopted as they result in an improvement to the overall development process and minimally impact existing property rights. The amendments that Staff recommends be re-adopted address the elimination of the General Development Plan and Access Management Plan processes, grant Staff the ability to approve site plans that conform to the regulations of the Zoning Ordinance, and update the non-conforming uses and structures section of the Zoning Ordinance in an attempt to streamline the development and redevelopment in nonconforming situations. These amendments are discussed in more detail with the attached staff report.

**BACKGROUND INFORMATION:**

- See the attached staff report.

**SPECIAL CONSIDERATIONS:**

- See the attached staff report.

**FINANCIAL SUMMARY:**

- None.

**BOARD OR COMMISSION RECOMMENDATION:**

- At the March 26, 2013 meeting, the Planning and Zoning Commission unanimously recommended approval of the proposed ordinance amendments per Staff's recommendation.