

**Planning and Zoning Commission Meeting Minutes of April 23, 2019:**

**19-0003M** Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Chapter 146 (Zoning Regulations), Section 146-40 (Nonconforming uses and nonconforming structures) of the Code of Ordinances. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, explained the proposed ordinance amendments. She stated that in the Fall of 2018 an amendment to the Zoning Ordinance modified the allowance of residential uses within some of the city's legacy commercial zoning districts. Ms. Arnold stated that Staff was recently made aware of some potential issues with the nonconforming status of some properties within those zoning districts. She stated that Staff was recommending modifying the nonconforming use section of the Zoning Ordinance to relieve those issues. Ms. Arnold stated that the presentation that was presented to City Council at the April 2, 2019 meeting was included in the packet. She offered to answer questions. Commission Member McCall asked for some examples. Ms. Arnold stated that there is a mix of zoning districts within Downtown McKinney. She stated that some property owners within the old "BN" – Neighborhood Business District or "BG" – General Business District that are looking to sell their house are having issues with getting underwriting due to their nonconforming status and some of the underwriters are not approving their loan requests. Ms. Arnold stated that the nonconforming status does have a limitation on the reconstruction of a structure if there is damage to more than 50% of the structure. She stated that the proposed amendments would relieve them

from the 50% rule, so they could secure financing. Ms. Arnold gave another example of where a residential neighborhood within the old “BN” – Neighborhood Business District that is not fully built out would not currently be able to build residential houses on the undeveloped lots within that subdivision. She stated that the proposed amendments would also address this issue. Chairman Cox stated that Ms. Arnold did an excellent job explaining the proposed amendments. The Commission Members agreed. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing and recommend approval of the proposed ordinance amendments, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to the May 7, 2019 City Council meeting.