

ORDINANCE NO. 2061

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS, APPROVING AN AMENDMENT TO THE CITY OF KELLER UNIFIED DEVELOPMENT CODE (UDC), ADOPTED BY ORDINANCE NO. 1746 DATED JULY 7, 2015, BY AMENDING ARTICLE 3 – DEFINITIONS AND ARTICLE 8 - ZONING DISTRICTS, DEVELOPMENT STANDARDS, TREE PRESERVATION, RELATED TO CBD, VAPE AND SMOKE SHOPS; AUTHORIZING PUBLICATION; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE. CITY OF KELLER, APPLICANT. (UDC-22-0002)

WHEREAS, the City Council of the City of Keller, Texas, finds it to be in the best interest of the citizens to amend the Unified Development Code as detailed in “Exhibit A” related to CBD, Vape and Smoke Shops; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission (Commission) was published in the Fort Worth Star Telegram on March 27, 2022; and

WHEREAS, the Commission held a public hearing on April 12, 2022 and unanimously recommended approval; and

WHEREAS, notice of a public hearing before the City Council was published in the Fort Worth Star Telegram, a newspaper of general circulation in Keller, on April 17, 2022; and

WHEREAS, the City Council does find that there is community support for said revisions to the Unified Development Code, and that the public requires the amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, in accordance with the Unified Development Code, the City Council of the City of Keller, Texas hereby authorizes approval of amendment to the City of Keller Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article 3 – Definitions and Article 8 - Zoning Districts, Development Standards, Tree Preservation, related to CBD, Vape and Smoke Shops; authorizing publication; providing a penalty; and establishing an effective date. City of Keller, applicant, in the City of Keller, Tarrant County, Texas, and incorporated herein.

- Section 3: THAT, all sections shall be amended to read as detailed in “Exhibit A,” incorporated into this Ordinance by reference.
- Section 4: THAT, all other ordinances in conflict herewith are hereby repealed.
- Section 5: THAT, any person, firm, or corporation violating any of the provisions of this Ordinance, as read together with the Unified Development Code and accompanying map thereto, shall be guilty of a misdemeanor and upon final conviction therefore shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such hereunder.
- Section 6: THAT, if any section, paragraph, clause, phrase, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the validity or unenforceability of such section, paragraph, clause, phrase, or provision shall not affect any of the remaining provisions of this Ordinance.
- Section 7: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.
- Section 8: THAT, this Ordinance shall become effective thirty-days after the date of passage and adoption by the City Council of the City of Keller, Texas.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 7 to 0 on this the 3rd day of May, 2022.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney