

ORDINANCE NO. 2044

AN ORDINANCE OF THE CITY COUNCIL OF 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 8 - ZONING DISTRICTS, DEVELOPMENT STANDARDS, TREE PRESERVATION, RELATED TO FENCE REQUIREMENTS; AUTHORIZING PUBLICATION; PROVIDE FOR PENALTIES; AND ESTABLISHING AN EFFECTIVE DATE. CITY OF KELLER, APPLICANT.

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 by clarifying the height and setback requirements on corner lots and cul-de-sacs, providing exceptions to the four-foot setback requirements on the front property adjacent to bar ditches, allowing white vinyl fencing in certain cases for the SF-36 zoning district, and adding a definition for "open style" fencing within the City's Unified Development Code (UDC-21-0008) as detailed in "Exhibit A"; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission (Commission) was sent to real property owners within three hundred feet (300') of the property herein described at least ten (10) days before such hearing; and

WHEREAS, the Commission held a public hearing on October 12, 2021 and unanimously recommended approval as presented; 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, at least fifteen (15) days before such hearing; and

WHEREAS, a public hearing to receive public input was held at the City Council meeting on November 2, 2021; 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 8 - Zoning Districts, Development Standards, Tree Preservation, related to fence requirements; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-21-0008), 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 upon its adoption and publication provided by law.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 6 to 1 on this the 2nd day of November, 2021.

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