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PUBLIC HEARING: Consider amendments 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. (UDC-19-0019)

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The current Unified Development Code (UDC) fence regulations were amended August 6, 2019, due to a number of variance requests in recent years. These changes simplified the fence ordinance for easier implementation and less frustration for applicants.

City Council recommended a trial period to ensure the amendments were working as intended before moving the variance process to the Zoning Board of Adjustment (ZBA). In addition to three other minor amendments, this proposed code change would transfer the appeal process related to fences back to the ZBA.

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Proposed Amendments:

1. The threshold set to determine when a legal, non-conforming fence should be required to comply with the current code, which is replacement of sixty percent (60%) or greater of the fence. The code update did not include a definitive time-frame permissible between partial fence replacement to prevent loss of a grandfathered status. This update requires a one-year timeframe between fence permits in order to retain the legal non-conforming status.

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Proposed Amendments:

2. Fence wraps to be utilized in lieu of development signs currently have no parameters as to how much of the fence wrap may be utilized for advertisement of the project itself. The proposed amendments limit advertisement to no more than fifty percent (50%) of the sign on a white background to minimize traffic distractions. This would mimic the style of the current sign wrap for the hotel in Town Center. This amendment was suggested by the Planning and Zoning Commission.

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Proposed Amendments:

3. Fences located on unusual topography adjacent to drainage ways may use alternative fencing materials as identified within this section with the approval of the Public Works Director.

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Proposed Amendments:

4. Special exceptions may be considered for a variance request. **This request must be made by application to the Zoning Board of Adjustment.**

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Planning and Zoning Recommendation

On December 10, 2019, the Planning and Zoning Commission recommended City Council approve the proposed amendments as presented by a unanimous vote of 7-0.

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Public Notice:

- On November 29, 2019, the City published in Fort Worth Star Telegram. Staff has not received any letters in support or opposition.

The City Council has the following options when considering an amendment to the text of the UDC:

- Approve as submitted
- Approve with modifications or additional amendment(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



Questions?

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