

Item H-10

PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article Eight - Zoning Districts, relating to Car Wash regulations; providing penalties; authorizing publication; and establishing an effective date. (UDC-23-0003)

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Background

- The Tax Cuts and Jobs Act of 2017 allowed 100% depreciation of car wash equipment after the first year. This benefit continues through 2023 and then diminishes each year until phased out in 2027.
- In Keller, developer interest in car washes has increased significantly.
- In the last 12 months, staff held five Development Review Committee meetings and fielded many more inquiries about potential car wash sites.
- Car wash services do not generate sales and use tax.

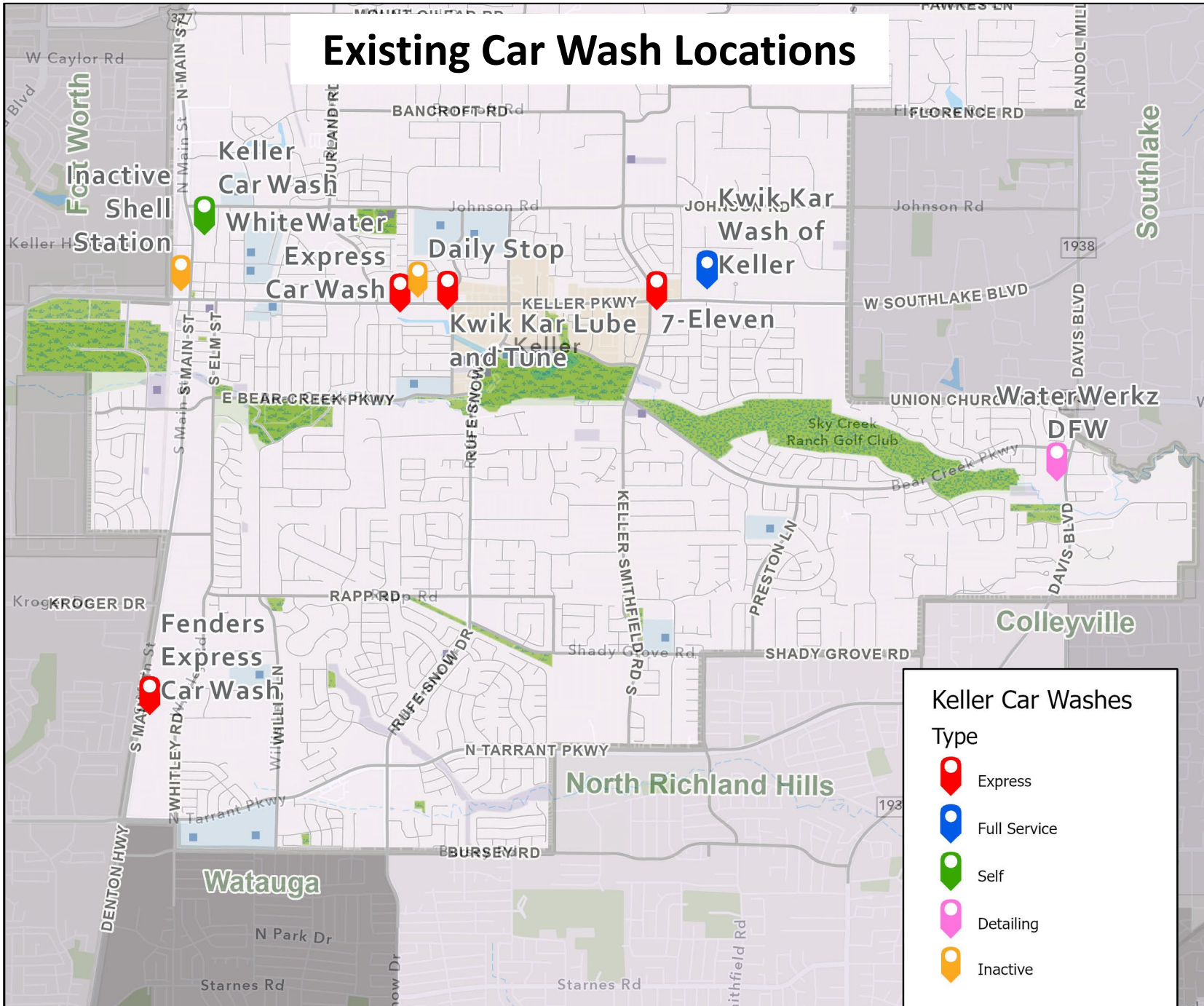
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Market Trend: Car Wash and Auto Detailing Industry

Tarrant County	
Year	Project Count
2017	2
2018	1
2019	3
2020	8
2021	12
2022	20
2023	-






Texas	
Year	Project Count
2017	49
2018	58
2019	84
2020	81
2021	134
2022	169
2023	12

Existing Car Wash Locations



Keller Car Washes

Type

-  Express
-  Full Service
-  Self
-  Detailing
-  Inactive

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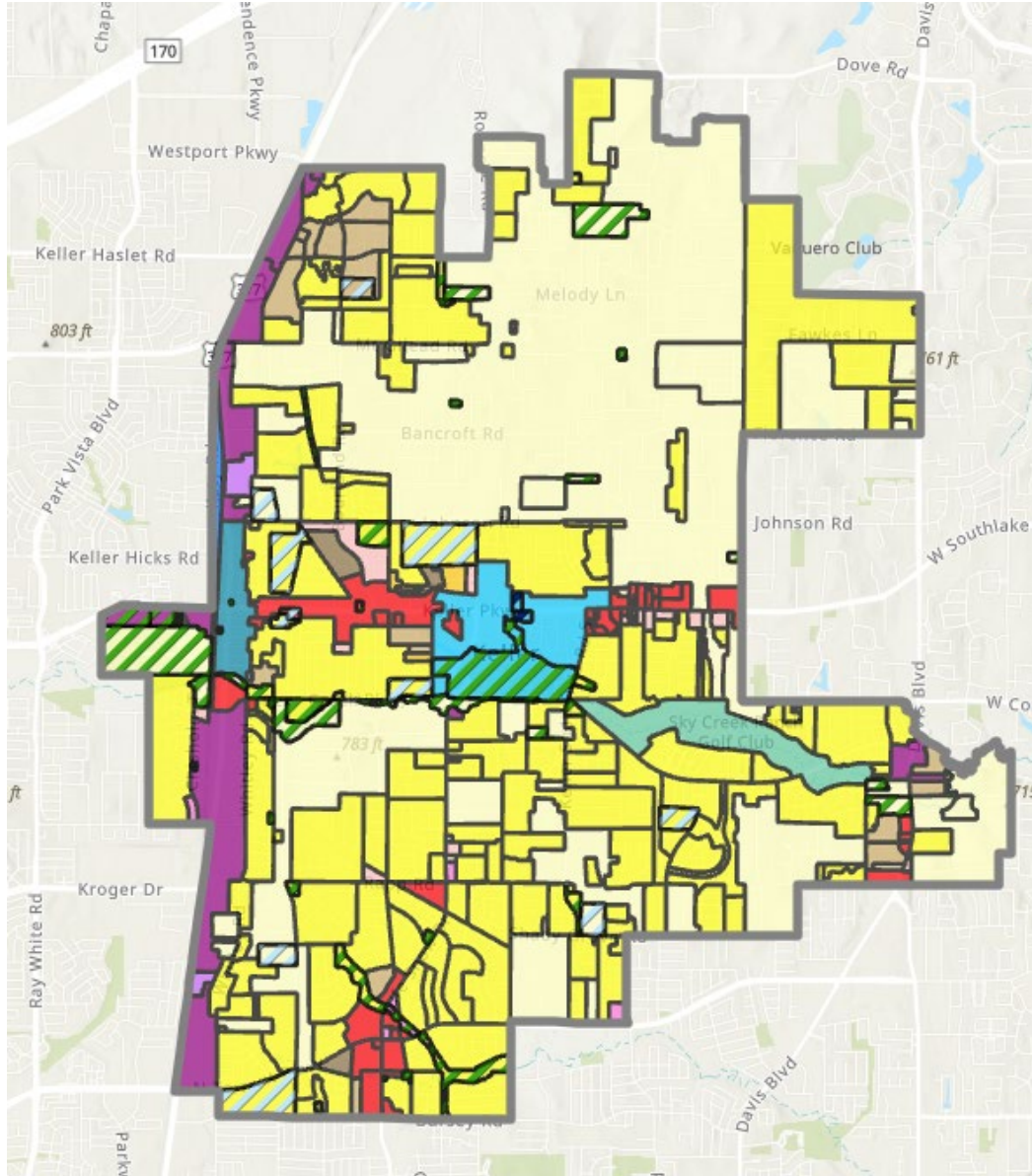
Car washes are currently allowed in the following zoning districts by SUP:

- Neighborhood Services
- Retail
- Commercial
- Katy Road
- Light Industrial

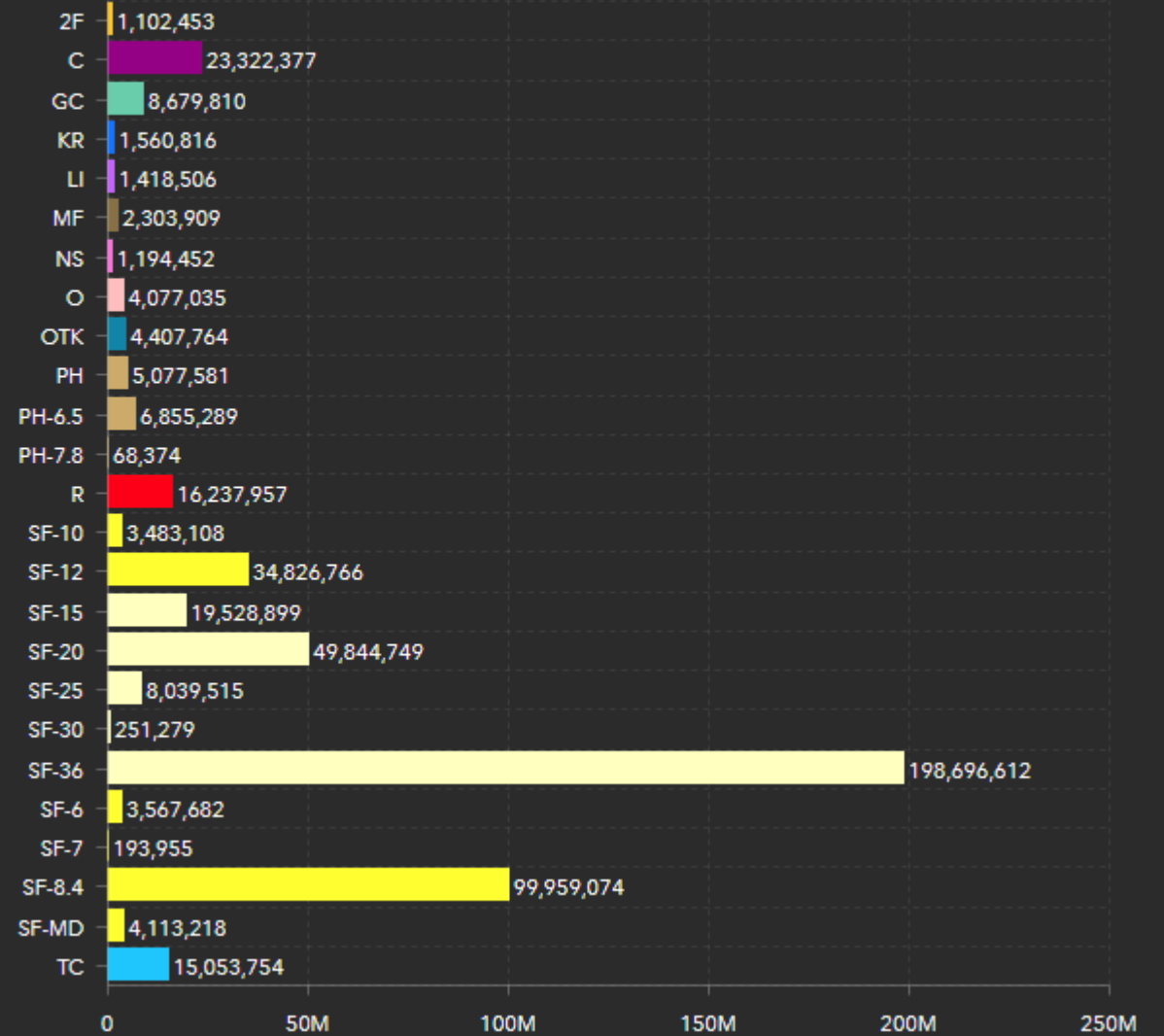
At the Feb. 7, 2023 work session, Council gave direction to eliminate car washes from the Use Tables of both the Neighborhood Services and Retail zoning districts, but retain car washes in the Commercial, Katy Road, and Light Industrial zoning districts with an SUP. The Planning and Zoning Commission recommended also removing car washes from the Commercial Zoning District.

Car washes would still not be allowed by right in any zoning district.

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Zoning in Sq Ft



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Summary:

The proposed UDC Amendments, based on the Planning and Zoning Commission recommendation, include:

1. Eliminate the use of “Vehicle or car wash” from the Neighborhood Services, Retail and Commercial Zoning Districts’ use charts.

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An amendment to the text of the UDC requires a public hearing notice to be published in the local newspaper ten (10) days prior to the scheduled Planning and Zoning Commission meeting date and fifteen (15) days prior to the City Council Meeting Date. Notices were published in the March 3, 2023 and March 21, 2023 editions of the *Fort Worth Star-Telegram* for the respective Planning and Zoning Commission and City Council public hearings.

As of today, staff has not received any comments from the public on the proposed amendment.

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Planning & Zoning Commission Recommendation:

On March 14, 2023, the Commission voted to unanimously recommend approval of the proposed UDC amendments with the amendment that “Vehicle or car wash” also be removed from the Commercial Zoning District use chart.

The Commission noted the unlikely ability for a proposal in these areas to be successful given that these zoning districts are primarily located on Main Street and Keller Parkway and are often close or adjacent to residential neighborhoods. If this recommendation were adopted, car washes would be allowed, with an SUP, in the Katy Road and Light Industrial Zoning Districts.

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The City Council has the following options when considering a Unified Development Code Amendment:

- Approve as submitted
- Approve as recommended by the Planning and Zoning Commission
- Approve with modifications or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



Questions?
Community Development
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