

ORDINANCE NO. 1999

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, TO AMEND 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.

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 providing revisions for a better understanding to contractors and residents. In addition to addressing these issues, staff also proposed one change (requested by the City Council, driven by public inquiry) to address challenges for homeowners of corner lots related to setbacks and fence materials by amending Article 8 - Zoning-Districts, Development Standards, Tree Preservation within the City's Unified Development Code; and

WHEREAS, a public hearing before the Planning and Zoning Commission was held on November 10, 2020, to receive public input; and

WHEREAS, no person spoke at the public hearing either in favor or opposition to the proposed amendments; and

WHEREAS, the Planning and Zoning Commission tabled the item to the December 8, 2020, meeting to provide time for the Commissioners and Staff to review the proposed changes made by Commissioner Sagar; and

WHEREAS, the Planning and Zoning Commission unanimously recommended approval of the item with modifications at the December 8, 2020, meeting; and

WHEREAS, no person spoke at the public hearing either in favor or opposition to the proposed amendments; and

WHEREAS, a notice of a public hearing before the City Council was published in a newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, a public hearing was held before the City Council on January 5, 2021, to receive public input; and

WHEREAS, the City Council does find that there is community support for said Ordinance changes 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 to amend 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, in the City of Keller, Tarrant County, Texas, as set forth in Exhibit "A" and incorporated herein.

Section 3: 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 4: 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.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 7 to 0 on this the 5th day of January 2021.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Armin R. Mizani, Mayor

ATTEST:

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Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney