

ORDINANCE NO. 1958

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 REZONING LOT 1R1, 1R2, 3,4R1,4R2, BLOCK A SITUATED IN CENTERVIEW OFFICE TO "TOWN CENTER MEDICAL" AND MODIFYING, ARTICLE 8 - ZONING-DISTRICTS, DEVELOPMENT STANDARDS, TREE PRESERVATION; AUTHORIZING PUBLICATION; PROVIDE FOR PENALTIES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Town Center Zoning District was created to be pedestrian-oriented and encourage, among other uses, cultural, entertainment, and residential uses; and

WHEREAS, this designated area existed prior to the creation of Town center and does not reflect cultural, entertainment, residential uses, and a pedestrian friendly area that is conducive to Town Center's vision and

WHEREAS, the buildings in this designated area were designed specifically for medical uses, emergency clinics, and medical offices, and

WHEREAS, by adding an overlay to "Town Center" to "Town Center Medical" it better meets the intent of the Future Land Use Plan while also accommodating existing medical offices; and

WHEREAS, only one person spoke during the public hearing, and he was in favor of the proposed medical overlay, and

WHEREAS, the public hearing before the Planning and Zoning Commission was held on November 25, 2019, to receive public input; and

WHEREAS, the Planning and Zoning Commission recommended to approve the proposed overlay as presented by a unanimous vote; and

WHEREAS, notice of a public hearing before the City Council was published in the Fort Worth Star Telegram on November 15, 2019, at least fifteen (15) days before such hearing; and

WHEREAS, the public hearing before the City Council was held on December 3, 2019, to receive public input; and

WHEREAS, the City Council does find that there is a public desire for said Ordinance changes; and

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, all Sections shall be amended to read as detailed in "Exhibit A," and "Exhibit B" incorporated into this Ordinance by reference.

Section 3: THAT, all other ordinances in conflict herewith are hereby repealed but such repeal.

Section 4: THAT, any person, firm, or corporation violating any of the provisions of this Ordinance as read together with the Unified Development Code, 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 any such violation continues shall constitute a separate offense and shall be punishable as such hereunder.

Section 5: 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 6: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause of this Ordinance as an alternative method of publication provided by law.

Section 7: THAT, this Ordinance shall become effective upon its adoption and publication provided by law.

Section 8: THAT, no offense committed an no liability, penalty or forfeiture civilly or criminally incurred prior to the time when such ordinances or part thereof shall be repealed or altered by the City of Keller shall be

discharged or affected by such repeal or alteration;
that the prosecution and suits for such offenses,
liabilities, penalties, or forfeitures shall be
instituted and proceeded with in all respects as if
such prior ordinance or part thereof had not been
repealed or altered.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 7 to 0 on this the 3rd day of
December 2019.

CITY OF KELLER, TEXAS

BY: _____
P.H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney