

ORDINANCE NO. 1960

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING THE CITY OF KELLER'S UNIFIED DEVELOPMENT CODE, ADOPTED BY ORDINANCE NO. 1746 DATED JULY 7, 2015, BY AMENDING ARTICLE 8 - ZONING DISTRICTS, DEVELOPMENT STANDARDS, TREE PRESERVATION, RELATING TO FENCE REQUIREMENTS; AUTHORIZING PUBLICATION; PROVIDING PENALTIES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in the deliberation of the City Council of the City of Keller, Texas, it is deemed to be in the best interest of the health, safety, and general welfare of the citizens of the City of Keller that the Unified Development Code be amended by providing revisions to Article 8 - Zoning Districts, Development Standards, Tree Preservation, relating to fence requirements within the City's Unified Development Code; and

WHEREAS, this proposed code change would transfer the appeal process related to fences back to the Zoning Board of Adjustment (ZBA); and

WHEREAS, a public hearing before the Planning and Zoning Commission was held on December 10, 2019, to receive public input; and

WHEREAS, the Planning and Zoning Commission has recommended to approve the amendments as presented by a vote of 7 to 0; and

WHEREAS, 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, public hearing before the City Council was held on December 17, 2019, to receive public input; and

WHEREAS, the City Council does find that there is a public necessity for said Ordinance changes and that the public demands the required 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, all Sections shall be amended to read as detailed in "Exhibit A," incorporated into this Ordinance by reference.

Section 3: THAT, all other ordinances in conflict herewith are hereby repealed.

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.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 6 to 0 on this the 17th day of December 2019.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
P.H. McGrail, 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