

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING THE CITY OF KELLER'S UNIFIED DEVELOPMENT CODE (UDC), ADOPTED BY ORDINANCE NO. 1746 DATED JULY 7, 2015, BY PROVIDING PROVISIONS TO PERMIT MURALS ON PRIVATE PROPERTY/BUSINESSES AND MODIFYING ARTICLE THREE - DEFINITIONS, AND ARTICLE EIGHT - ZONING DISTRICTS, DEVELOPMENT STANDARDS, TREE PRESERVATION; PROVIDING PENALTIES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTING OF ORDINANCES CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, aesthetically pleasing and artfully designed murals not only help advertise private businesses, they also add to the richness of the built environment and unique vernacular of a particular street or retail/commercial area; and

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 citizens of the City of Keller that the Unified Development Code be amended by providing provisions to permit murals on private property/businesses and modifying Article Three - Definitions, and Article Eight - Zoning Districts, Development Standards, Tree Preservation to better match established purposes within the City's stated goals and purposes; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission was published in a newspaper of general circulation in Keller at least ten (10) days prior to such hearing; and

WHEREAS, public hearings before the Planning and Zoning Commission were held on May 26, 2020, to receive public input; and the Planning and Zoning Commission has heretofore made a recommendation to approve the amendments as presented; 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 June 16, 2020, 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 to on this 16<sup>th</sup> day of June, 2020.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Pat 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