

Item H-1

PUBLIC HEARING: Consider an ordinance approving an amendment to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending provisions related to carports to require a Specific Use Permit (SUP) in all residential zoning districts, located 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. (UDC-20-0007)

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- Keller's UDC addresses size, spacing, building materials and setbacks related to carports.
- In September 2019, the Texas Legislature prohibited cities from regulating building materials (including for accessory structures like carports).
- In August 2020, the mayor shared concerns with staff after observing some recent metal carport construction and asked how our existing regulations compared to other cities.



Summary of Benchmark Cities

- Most cities allow in residential zoning districts
- No cities allow structures to be built within any easements
- Maximum lot coverage potentially limits the size of structures (especially on small lots)
- Structures must be 5-10 feet apart
- Most cities (including Keller) have design standards that require building material compatibility with the main structure (i.e. shingled roof, wrapped posts with brick/similar masonry products, etc.)
- Colleyville requires an SUP

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On September 15, 2020, during a City Council work session, staff presented the ordinances of surrounding cities related to carports and proposed text modifications to address concerns related to carports.

City Council suggested staff bring forward the proposed changes for consideration as an amendment to the UDC. The primary change would require obtaining an SUP before constructing a carport.

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Proposed modifications include adding “SUP” to the zoning tables for all residential districts (SF-36, SF-30, SF-25, SF-20, SF-15, SF-12, SF-10, and SF-8.4).

SF-36 Zoning District Use Table	
P = Permitted Uses	
SUP = May Be Approved as Special Use Permit	
Additional uses permitted only by Planned Development Districts are listed in Section 8.04(I)	
- = Not Permitted	
Use	SUP or P
Accessory building (detached) 1,200 sq. ft. or less	P
Accessory building (detached) in excess of 1,200 sq. ft.	SUP
Accessory dwelling (detached) on lots 1.5 acres or larger	SUP
Amateur radio, TV, or CB antenna (50 ft. or less in height)	P
Antenna: radio, TV, relay, microwave, or telecommunications (over 50 ft.)	SUP
Assisted Living Facility (up to 6 residents) (Amended by Ord. No. 1809 on September 6, 2016)	P
Assisted Living Facility (7 or 8 residents) (Amended by Ord. No. 1809 on September 6, 2016)	SUP
Athletic stadium or field operated by the city or school district	P
Batching plant (temporary)	Permit
<u>Carport</u>	<u>SUP</u>
Cemetery or mausoleum (new or expansion)	SUP

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Staff suggests simplifying UDC Section 8.06 (f) (1) and (2) – Building Design and Development Standards as follows:

f. Detached carports shall adhere to the following standards:

- 1) ~~Carports constructed entirely out of metal may be permitted if architectural metal is proposed. In all residential zoning districts (SF-36, SF-30, SF-25, SF-20, SF-15, SF-12, SF-10, and SF-8.4), a Specific Use Permit (SUP) is required. The construction of one carport per lot is permitted; a building permit is required for the construction of a carport regardless of size. Columns and roof structure must be compatible both in design and with materials on with the main structure. Detached carports shall be located at the rear of the property and observe all building setback requirements.~~
- 2) ~~The construction of one carport per lot, as an accessory building to a mobile home, will be permitted within legally platted mobile home parks or subdivisions and may be constructed entirely of metal. The location of the carport may be within the front, side or rear yard; and the maximum size shall not exceed four hundred (400) square feet. The carport structure, including poles and overhangs, shall have a setback of a minimum of three (3) feet from all property lines; and the carport roof shall not drain onto the adjacent lot. A building permit shall be required for the construction of a carport.~~

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Staff suggests removing language in UDC Section 8.07 (C) (7) – Off-Street Parking and Loading Requirements as follows:

5. An attached front facing garage is permitted, in lieu of a detached garage, if located at the rear of the lot, with a minimum of forty-five feet (45') behind the property line. The garage door(s) exposure to the street shall not exceed seventy-two square feet (72').
6. An attached front facing garage is permitted with a porte-cochère design that shields a part of the garage door(s) exposure.
- ~~7. Detached carports shall be allowed only in the rear yard meeting all setback requirements. A building permit is required and shall be approved by the Community Development Department.~~

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- Staff suggests removing language within UDC Section 8.10 (A) (5) – Accessory Building and Use Regulations as follows:

5. Detached accessory buildings shall be prohibited in front of the main building. ~~Detached carports shall be located at the rear of the property and observe all building setback requirements. Covered parking may be approved in the front of the buildings by GUP.~~

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- An amendment to the text of the UDC requires a public hearing notice to be published in the local newspaper 15 days prior to the scheduled City Council Meeting date. The notice for the City Council public hearing was published in the Nov. 1, 2020, edition of the Fort Worth Star-Telegram
- As of today, staff has not received any letters written in support or opposition from the public.

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On Oct. 27, 2020, the Planning and Zoning Commission unanimously approved the proposed UDC text changes as submitted.



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The City Council has the following options when considering an amendment to the text of the UDC:

- Approve as submitted
- Approve with modifications or additional amendments(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



Questions?
Julie Smith
817-743-4130

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