

Item H-6

PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code (UDC), adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article 8 - Zoning Districts- to add provisions regulating garage conversions; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-21-0006)

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- The UDC permits conversions of garages to conditioned space in any zoning district as long as a replacement garage capable of parking two vehicles is constructed at the same time.
- A resident recently requested converting his garage without building a replacement garage. The Applicant indicated it may be years before he could build a replacement garage.

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Council discussed the policy implications of amending the UDC to permit the garage conversions with garage replacements at a work session on June 1, 2021. The discussion included the following:

- In response to Council questions about whether there had been many requests for such conversions, staff noted there were few requests each year and they were usually for homes in the SF-8.4 zoning district. Staff did not recall any such requests in the SF-36 zoning district. For the particular resident inquiry, because the property was on a long cul-de-sac, such a conversion would also trigger a fire sprinkler for the entire home. (A separate structure would not require a sprinkler system.)
- Staff observed that in smaller-lot zoning districts where there had historically been garage conversions, the conversions pushed vehicle parking onto the streets potentially causing challenges for first responders, service vehicles and traffic generally.

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- Two council members suggested it might be appropriate to allow such conversions without a replacement garage if the property was zoned SF-36. The assumption was that in SF-36 zoning, the lots would provide ample room for onsite parking.
- Council asked staff to take a proposal to the Planning and Zoning Commission to consider whether to allow garage conversions in the SF-36 zoning district only.

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At the Commission's June 22, 2021, meeting, the Commission discussed the proposal during the work session:

- Some commissioners did not see a reason to amend the UDC given the lack of demand for garage conversions generally and particularly in the SF-36 zoning district.
- Commissioner Thompson pointed out that some parcels zoned SF-36 were smaller than their zoning and may not be capable of parking on site if the garage were converted. He suggested using a minimum lot size similar to triggering requirements for accessory dwelling units (ADUs) and agricultural accessory structures (both require a minimum 1.5 acres before a request can be made).
- There was concern expressed regarding potential property value impact (given the recent hail storm, covered parking could be important), though support for more flexibility for individual homeowners was also expressed.

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Article 8.03(C)(d) *Parking Regulations.*

Currently:

A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.

Proposed:

A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space **unless a garage with a minimum capacity of two (2) cars is constructed on the same lot as the primary dwelling unit at the same time as the garage conversion, or the lot is at least 36,000 square-feet in size (in which case a replacement garage is not required).**

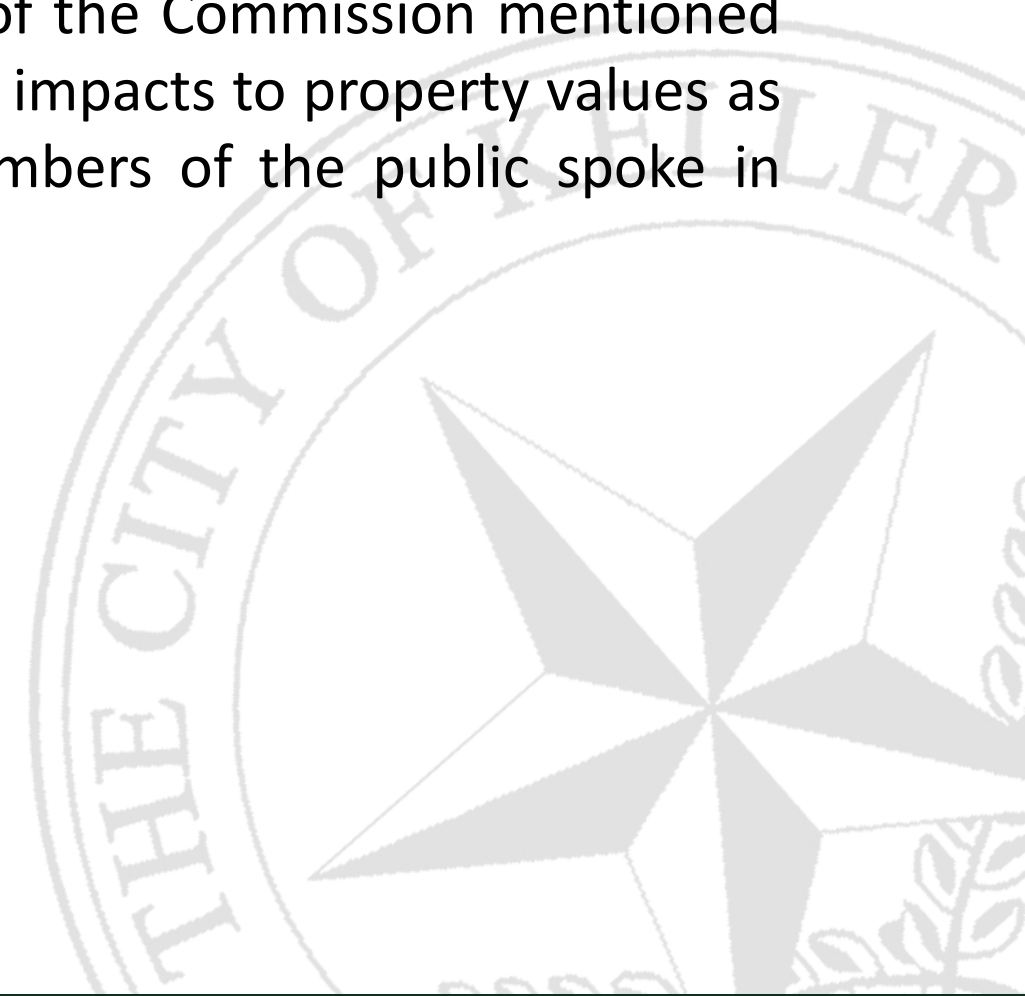
Staff would recommend “as long as on-site parking for two cars is provided” to clarify the intent.

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- An amendment to the text of the UDC requires a public hearing notice to be published in the local newspaper ten (10) days prior to the Planning and Zoning Commission meeting date. The notice was published in the June 27, 2021, edition of the *Fort Worth Star-Telegram*.
- As of today, staff has not received any response from the public.

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On July 13, 2021, the Planning and Zoning Commission unanimously recommended denial of the item. The majority of the Commission mentioned the lack of need for the change and the potential impacts to property values as reasons to not support the application. No members of the public spoke in favor or opposition.



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The City Council has the following options when considering an amendment to the Unified Development Code:

- Approve
- Approve with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny as recommended by the Planning and Zoning Commission



Questions?
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