



## Legislation Details (With Text)

**File #:** 20-492      **Version:** 1

**Type:** New Business      **Status:** Approved

**File created:** 10/30/2020      **In control:** City Council

**On agenda:** 11/17/2020      **Final action:** 11/17/2020

**Title:** 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 in 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)

**Attachments:** 1. 111720\_UDC Amend-Carports\_Ordinance.pdf, 2. 111720\_UDC Amend-Carports\_Exhibit A, 3. 111720\_UDC Amend-Carports\_Staff Attachment - Sister City Comparison.pdf, 4. Item H-1 Carport Presentation

Date	Ver.	Action By	Action	Result
11/17/2020	1	City Council	close the public hearing	Pass
11/17/2020	1	City Council	approve	Pass

**To:** Mark Hafner, City Manager

**From:** Katasha Smithers, Planner I

### Subject:

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 in 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)

### Background:

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 materials 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 compare to other cities.

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.

**Sister Cities:**

Please see attached Staff Attachment A.

**Proposed Amendments:**

Modifying all residential zoning district use tables by adding carports by an SUP and amending provisions related to carports in Article 8. See Exhibit A.

**Citizen Input:**

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 scheduled Planning and Zoning Commission meeting date and fifteen (15) days prior to the City Council Meeting Date. The notice for the City Council public hearing was published in the November 1, 2020, edition of the *Fort Worth Star-Telegram*.

As of the publishing of this Staff Report, Staff has not received any comments either in favor or opposition of the proposed UDC amendment.

**Planning and Zoning Recommendation:**

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

**Alternatives:**

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.