



## Legislation Details (With Text)

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<b>File created:</b>	5/24/2018	<b>In control:</b>	City Council
<b>On agenda:</b>	6/5/2018	<b>Final action:</b>	6/5/2018
<b>Title:</b>	PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code, adopted by Ordinance No 1746, dated July 7, 2015 by amending Article 3, Definitions; and Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.03 Zoning Districts, Town Center, Section 8.06 Service Area Design and Requirements, Section 8.13 Screening Wall Requirements, Section 8.15 Supplementary Regulations, Section 8.18 Illustrations, and Section 8.19 Tree and Natural Feature Preservation. City of Keller, applicant. (UDC-18-0008)		
<b>Attachments:</b>	1. 060518_UDC Text Amend_Ord. No. 1891, 2. 060518_UDC Text Amend_ Section 8.03 Fig. 18 & 19 TC Brick Columns Details.pdf, 3. 060518_UDC Text Amend_ Section 8.06 D Service Area Design and Requirement.pdf, 4. 060518_UDC Text Amend_ Section 8.18 Figure 20, 21, 22-2.pdf, 5. 060518_UDC Text Amend_ Section 8.13 Screening Wall Requirements.pdf, 6. 060518_UDC Text Amend_ Section 8.15 Supplementary Reg's Visual clearance.pdf, 7. 060518_UDC Text Amend_ Section 8.19 L. Tree PruningRestrictions.pdf, 8. 060518_UDC Text Amend_picsofdumpstersforCC.pdf, 9. Presentation		

Date	Ver.	Action By	Action	Result
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**To:** Mark R. Hafner, City Manager

**From:** Susan Kenney, Director of Community Development

### Subject:

PUBLIC HEARING: Consider an ordinance approving amendments to the City of Keller Unified Development Code, adopted by Ordinance No 1746, dated July 7, 2015 by amending Article 3, Definitions; and Article 8, Zoning Districts, Development Standards, Tree Preservation, Section 8.03 Zoning Districts, Town Center, Section 8.06 Service Area Design and Requirements, Section 8.13 Screening Wall Requirements, Section 8.15 Supplementary Regulations, Section 8.18 Illustrations, and Section 8.19 Tree and Natural Feature Preservation. City of Keller, applicant. (UDC-18-0008)

### Action Requested:

Conduct a public hearing and consider amendments to the City of Keller Unified Development Code, Article 3, Definitions and Article 8, Zoning Districts, Development Standards, Tree Preservation.

### Background:

Staff is recommending these Unified Development Code (UDC) changes in order to make corrections to the code. In addition, we are proposing to improve the standards for Section 8.06 (D) Service Area Design and Requirements, such as improving the requirements for the Waste Container Enclosure and Gate and allowing for open fencing or louvers in a wall for air conditioning units and other ground mounted equipment to allow for air flow when needed. We are also proposing that trees over a public street or curb need to have a 15 foot vertical clearance, instead of the current 13.5 feet. This is to allow for Fire Apparatus that are 13.5 feet tall to not have an issue with the trees.

The proposed changes concern:

Section 8.03 Zoning Districts, TC (Town Center) Figures 18 & 19 Brick Columns Details (correcting numbers)

Section 8.06 D Service Area Design and Requirements (improving standards)

Section 3.01 Definitions for Waste Container and Trash Compactor

Section 8.18 Figures 20, 21, 22 Concerning Waste Container Screening Closure and Gate, and Figure 22: correcting number showing street visual clearance requirement

Section 8.13 Screening Wall Requirements, by changing the word refuse storage to waste container. Also for screening walls for ground mounted utilities and heating/coolings units, we are adding see Section 8.06 (D)(4). We are deleting the definition for Refuse Containers, because we have a new definition for Waste Container.

Section 8.15 Supplementary Regulations 5. Visual clearance, correcting the Figure number referred to. It should say 22, but says 21

Section 8.19 Tree and Natural Feature Preservation L. Pruning (requiring 15 ft vertical clearance over a public road or curb.

Since the Planning and Zoning Recommendation on May 14, 2018, staff has made the following changes to Section 8.06 Service Area Design and Requirements (changes are shown in this orange/brown color in the attachment):

- 1) We are specifying that the waste container or trash compactor screening wall gate shall be made of non-wood materials.
- 2) Openings in a screening wall to allow for air flow to A/C units and other ground mounted mechanical equipment shall be made of non-wood louvers or ornamental metal or tubular steel open fencing.
- 3) The graphics in Figures 20 and 21 have been modified accordingly.

### **Analysis:**

This request proposes amendments to the Unified Development Code in order to make corrections to the Code and to improve the standards for service areas and to increase tree clearance over public streets to allow for fire truck apparatus.

The proposed amendments can be found in the attached document. Please note that additions to the current regulations are indicated by underlined text. Deletions are indicated by strike-through text.

### **Public Input:**

Notice of the public hearing to consider these amendments was published in the Fort Worth Star-Telegram.

### **Citizen Input/Board Review:**

At their May 14, 2018 meeting, the Planning and Zoning Commission held a public hearing and no public comment was given. As of May 29, 2018, no public comment has been received. The Planning and Zoning Commission considered these proposed UDC text amendments and recommended approval 7-0.

### **Summary:**

Section 2.06 (C) of the UDC, lists criteria for approval of an amendment to the Unified Development Code:

- Whether such change is consistent with the intent and purpose of this Development Code.

- The areas that are most likely to be directly affected by the amendment and in what way they will be affected.
- Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts, or other social or economic conditions in the areas and zoning districts affected.

**Professional Opinion:**

It is staff's professional opinion that the proposed amendments meet the criteria as described in Section 2.06 (C), and staff recommends approval of the amendments as submitted.

**City Council Action:**

The City Council has the following alternatives when considering text amendments to Keller's Code of Ordinances:

- Approve as submitted
- Approve with additional amendment(s)
- Table the agenda item (and continuing the public hearing) to a specific date with clarification of intent and purpose
- Deny the item