



Legislation Details (With Text)

File #: 19-646 **Version:** 1

Type: New Business **Status:** Approved

File created: 12/3/2019 **In control:** Planning & Zoning Commission

On agenda: 12/10/2019 **Final action:**

Title: PUBLIC HEARING: Consider 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, Development Standards, Tree Preservation, related to fence requirements; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-19-0019)

Attachments: 1. 121019_FenceAmendmentUDC-19-0019_RedLineCode

Date	Ver.	Action By	Action	Result
12/10/2019	1	Planning & Zoning Commission	close the public hearing	
12/10/2019	1	Planning & Zoning Commission	approve with conditions	Pass

To: Planning and Zoning Commission

From: JP Ducay, Planner 1

Subject:

PUBLIC HEARING: Consider 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, Development Standards, Tree Preservation, related to fence requirements; authorizing publication; provide for penalties; and establishing an effective date. City of Keller, applicant. (UDC-19-0019)

Fence Code Background:

The current Unified Development Code (UDC) fence regulations were amended August 6, 2019, due to a number of variance requests in recent years. These changes simplified the fence ordinance for easier implementation and less frustration for applicants. City Council recommended a trial period to ensure the amendments were working as intended before moving the variance process to the Zoning Board of Adjustment (ZBA). This proposed code change would transfer the appeal process related to fences back to the ZBA.

Two other minor amendments are recommended:

- The threshold set to determine when a legal, non-conforming fence should be required to comply with the current code which is replacement of sixty percent (60%) or greater of the legal, non-conforming fence. The code update did not include a definitive time-frame permissible between partial fence replacement to prevent loss of a grandfathered status. This update requires a one-year time-frame between fence permits in order to retain the legal non-conforming status.
- Fence wraps to be utilized in lieu of development signs currently have no parameters as to how much of the fence wrap may be utilized for advertisement of the project itself. The

proposed amendments limit advertisement to no more than fifty percent (50%) of the sign on a white background to minimize traffic distractions. This would mimic the style of the current sign wrap for the hotel in Town Center. This amendment was suggested by the Planning and Zoning Commission.

Attachments:

Attachment A: Red-line version of Code

Public Notice:

Amendments to the text of the UDC require 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 15 days prior to the scheduled City Council meeting date. The notice for the Planning and Zoning Commission public hearing and City Council was double notified for both meetings and was published in the November 29, 2019, edition of the Fort Worth Star-Telegram.

Alternatives:

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

- Recommend approval as submitted.
- Recommend approval with modifications or additional amendment(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.

City Council Action:

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, then this UDC Text Amendment application will be scheduled for City Council action on December 17, 2019.