



Legislation Details (With Text)

File #: 19-658 **Version:** 1

Type: New Business **Status:** Approved

File created: 12/9/2019 **In control:** City Council

On agenda: 12/17/2019 **Final action:** 12/17/2019

Title: 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, 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. 121719_UDCFenceAmendmentsUDC-19-0019_ProposedOrdinance, 2. 121719_UDCFenceAmendmentsUDC-19-0019_Exhibit A, 3. Presentation_Fence Amendments (H-1)

Date	Ver.	Action By	Action	Result
12/17/2019	1	City Council	close the public hearing	
12/17/2019	1	City Council	approve	

To: Mark Hafner, City Manager

From: Julie Smith, Community Development Director

Subject:

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, 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.

Three other minor amendments are recommended:

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

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.

- Open fencing is required along and across drainage easements. However, occasionally unusual topography could justify using regular privacy fencing. This amendment would permit alternative fence materials as identified within this section with the approval of the Public Works Director.

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.

Planning and Zoning Recommendation:

On December 10, 2019, the Planning and Zoning Commission held a public hearing. No one offered any comments either in support or opposition. The Commission recommended City Council approve the proposed amendments as presented by a unanimous vote of 7-0.

City Council Action:

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.
- Table the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.