



Legislation Details (With Text)

File #: 20-501 **Version:** 1

Type: New Business **Status:** Agenda Ready

File created: 11/3/2020 **In control:** Planning & Zoning Commission

On agenda: 11/10/2020 **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-20-0008)

Attachments: 1. Exhibit A - Proposed UDC text changes with commentary.pdf

Date	Ver.	Action By	Action	Result
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To: Planning and Zoning Commission

From: Melinda Hernandez, Code Compliance Coordinator

Subject:

PUBLIC HEARING: 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-20-0008)

Background:

The current Unified Development Code (UDC) fence regulations were amended in August 2019 and December 2019.

Analysis:

After the proposed changes were implemented, contractors and residents still found the text was challenging to navigate because of duplications and lack of organization. In addition to addressing these issues, staff also proposes one change (requested by the City Council, driven by public inquiry) to address challenges for homeowners of corner lots related to setbacks and fence materials.

Proposed UDC Amendments:

- Relax the setback for fences on corner lots, with a required vision clip
- Relax the setback for fences adjacent to a future thoroughfare with no plan for build out of the thoroughfare in the next five years
- Substitute the term of art "rot/kick boards" as an alternative to "bottom caps" to ensure integrity of the fence
- Clarify requirement for swing gates in or adjacent to drainage ways/easements
- Allowing privacy fences next to passive parks
- Clarify safety measures for swimming pool barriers
- Clarify the requirements for drive-gates in smaller zoning districts
- Clarify safety measures for temporary construction fences

- Expand exceptions and clarify requirements for agricultural use fences
- Clarify allowable fencing for multi-family properties with four or less units

The sections that have been red-lined and marked through have been re-located within the ordinance for better organization and ease of understanding.

All modifications are located in Section 8.11 and 8.12. See attached 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 Planning and Zoning Commission public hearing was published in the October 29, 2020, edition of the *Fort Worth Star-Telegram*.

Alternatives:

Planning and Zoning Commission has the following options when considering an amendment to the text of the UDC:

- Recommend approval as submitted.
- Recommend approval with modifications or additional amendments(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 1, 2020.

Supporting Documents:

- Exhibit A - Proposed UDC text changes with commentary