

ORDINANCE NO. 2097

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF KELLER, TEXAS APPROVING AN AMENDMENT TO THE CITY OF KELLER UNIFIED DEVELOPMENT CODE (UDC), ADOPTED BY ORDINANCE NO. 1746 DATED JULY 7, 2015, BY AMENDING ARTICLE FIVE – SUBDIVISION DESIGN AND IMPROVEMENT REQUIREMENTS, SECTION 5.06 – SIDEWALKS AND TRAILS, SECTION 5.12 – BLOCKS, SECTION 5.24 – DESIGN STANDARDS, AND APPENDIX C – SUBDIVISION DESIGN AND IMPROVEMENT REQUIREMENTS, SECTION 1 – BUILDING SERVICES, RELATING TO SIDEWALK WIDTHS AND FEE ASSESSMENT; PROVIDING PENALTIES; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE. (UDC-22-0008)

WHEREAS, the City Council of the City of Keller, Texas, finds it to be in the best interest of the citizens to amend the Unified Development Code (UDC) as detailed in “Exhibit A” related to minimum sidewalk widths and fee assessment; and

WHEREAS, these modifications will provide greater utility of public sidewalks; and

WHEREAS, the City’s Planning and Zoning Commission and the City Council, in accordance with the Charter of the City of Keller, State Law, and the ordinances of the City of Keller, have given the required notices and have held the required public hearings regarding the UDC amendments described in this ordinance; and

WHEREAS, the Planning and Zoning Commission held a public hearing on September 27, 2022 and recommended approval of the amendments; and

WHEREAS, the City Council does find that there is community support for said revisions to the Unified Development Code, and that the public requires the amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, in accordance with the Unified Development Code, the City Council of the City of Keller, Texas hereby authorizes approval of amendment to the City of Keller Unified Development Code, adopted by Ordinance No. 1746 dated July 7, 2015, by amending Article Five – Subdivision Design and Improvement Requirements, Section 5.06 – Sidewalks and Trails, Section 5.12 – Blocks, Section 5.24 – Design

Standards, and Appendix C – Subdivision Design and Improvement Requirements, Section 1 – Building Services, relating to sidewalk widths and fee assessment; providing penalties; authorizing publication; and establishing an effective date. City of Keller, applicant, in the City of Keller, Tarrant County, Texas, and incorporated herein.

- Section 3: THAT, all sections shall be amended to read as detailed in “Exhibit A,” incorporated into this ordinance by reference.
- Section 4: THAT, all other ordinances in conflict herewith are hereby repealed.
- Section 5: THAT, any person, firm, or corporation violating any of the provisions of this ordinance, as read together with the Unified Development Code and accompanying map thereto, shall be guilty of a misdemeanor and upon final conviction therefore shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such hereunder.
- Section 6: THAT, if any section, paragraph, clause, phrase, or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the validity or unenforceability of such section, paragraph, clause, phrase, or provision shall not affect any of the remaining provisions of this ordinance.
- Section 7: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.
- Section 8: THAT, this ordinance shall become effective thirty-days after the date of passage and adoption by the City Council of the City of Keller, Texas.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 7 to 0 on this the 18th day of October, 2022.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
Armin R. Mizani, Mayor

ATTEST:

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Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney

## EXHIBIT A: Proposed Draft UDC Amendments

### Section 5.06(B) - Sidewalks and Trails –

- B. Sidewalks not less than five feet (5') wide shall be constructed adjacent to all residential streets. A six foot (6') wide sidewalk is required for all thoroughfares as shown on the Major Thoroughfare Plan. Sidewalks shall be constructed within the street right-of-way one foot from the property line. If sidewalks are constructed adjacent to the curb, an additional one foot (1') of width is required. A minimum five foot (5') wide sidewalk shall be constructed when sidewalk repairs or reconstructions are performed and when gaps in existing sidewalks are filled, as conditions allow. Other locations may be approved by the City at the time of plat or site plan approval by the Director of Public Works or designate. If sidewalks are to be constructed on private property, a public sidewalk easement shall be granted to the City.

### Section 5.12(C) - Blocks –

- C. Where blocks are adjacent to a school or public park, or are platted one thousand feet (1,000') or longer, the City may require a walkway near the middle of the block or at a street that terminates between the streets at the ends of the block. The walkway shall be concrete and shall not be less than five feet (5') in width and shall extend through the block from sidewalk to sidewalk, or to the rear property line of the lots that front the street, if a double row of lots do not exist. The walkway shall not cross streets.

### Section 5.24(A.2.b.2.h) - Sidewalks –

- ii. Concrete sidewalks will have a thickness of not less than four inches (4") and will be constructed of three thousand six hundred pounds per square inch (3,600 psi) compressive strength concrete and will be reinforced with a minimum of No. 3 rebar on eighteen-inch (18") centers each way. Sidewalks will be constructed on both sides of all streets and thoroughfares within the right-of-way and will extend along the street frontage including the side corner lots and block ends. All concrete for sidewalks will be placed on two inches (2") of stabilized base.
- iii. All sidewalk intersections with street curbs shall be constructed to provide a curb ramp that complies with the Proposed Right of Way Accessibility Guidelines (PROWAG). Barrier free curb ramps shall be provided for access to the street and ramp widths shall match sidewalk connection widths.

### Section Appendix C - Fee Schedule –

Sidewalks/Curb Cut Fees	Fees based on actual costs as derived from City's current miscellaneous concrete contract and will be the product of the current miscellaneous concrete contract unit cost and square footage of sidewalk required to meet UDC requirements.
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