

ORDINANCE NO. 1799

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, AMENDING THE CITY OF KELLER UNIFIED DEVELOPMENT CODE, ADOPTED BY ORDINANCE NO. 1746, DATED JULY 7, 2015; BY AMENDING ARTICLE 8 ZONING DISTRICTS, DEVELOPMENT STANDARDS, TREE PRESERVATION, TO REPLACE SECTION 8.09, SIGN REGULATIONS, TO AMEND SECTION 8.08 LANDSCAPE REQUIREMENTS, TO AMEND SECTION 8.03 (Q) OTK - OLD TOWN KELLER DISTRICT SIGNAGE REQUIREMENTS, TO AMEND SECTION 8.03 (P) TC - TOWN CENTER SIGNAGE REGULATIONS, TO AMEND SECTION 8.18 ILLUSTRATIONS, AND BY AMENDING ARTICLE 3, DEFINITIONS TO ADD, REMOVE, AND MODIFY DEFINITIONS IN SECTION 3.01 DEFINITIONS; PROVIDING A CONFLICTING ORDINANCE CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in the deliberation of the City Council of the City of Keller, Texas, it is deemed to be in the best interest of the health, safety, and general welfare of the citizens of the City of Keller that the Unified Development Code be amended by amending Article 8 Zoning Districts, Development Standards, Tree Preservation, to replace Section 8.09, Sign Regulations, to amend Section 8.08 Landscape Requirements, to amend Section 8.03 (Q) OTK - Old Town Keller District signage requirements, to amend Section 8.03 (P) TC - Town Center signage regulations, to amend Section 8.18 Illustrations, and by amending Article 3, Definitions to add, remove, and modify definitions in Section 3.01 Definitions; and

WHEREAS, notice of a public hearing before the Planning and Zoning Commission was published in a newspaper of general circulation in Keller at least ten (10) days prior to such hearing; and

WHEREAS, a public hearing before the Planning and Zoning Commission was held on June 13, 2016, to receive public input; and the Planning and Zoning Commission has heretofore made a recommendation to approve the amendments; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Keller at least fifteen (15) days before such hearing; and

WHEREAS, the City Council of the City of Keller, Texas did consider the following factors in making a determination as to whether the Ordinance changes contained herein should be approved: safety of the motoring public and pedestrians; safety of persons and property; orderly sharing of commercial and non-commercial messages; economic value of the streetscape; and the general welfare of the citizens of the City of Keller; and

WHEREAS, the City Council does find that there is a public necessity for said Ordinance changes, that the public demands it, that the public interest clearly requires the amendments, that said Ordinance changes do not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and does find that said Ordinance changes improve safety and aesthetics, helps secure safety from fire, panic, and other dangers; promotes health, safety, and the general welfare of the citizens of the City of Keller; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration or population; and facilitates the adequate provisions of transportation, water, sewerage, parks, and other public requirements.

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, Section 8.09, Sign Regulations, shall be replaced as shown in Exhibit "A".
- Section 3: THAT, Section 8.08 Landscape Requirements, shall be amended to read as shown in Exhibit "A".
- Section 4: THAT, Section 8.03 (Q) OTK - Old Town Keller 5. Designs Standards e. Signage Requirements be amended to read as shown in Exhibit "A"
- Section 5: THAT, Section 8.03 (P) TC - Town Center, 4. Design Standards k. Signage shall be amended to read as shown in Exhibit "A"
- Section 6: THAT, Section 8.18 Illustrations, shall be amended to add additional illustrations as shown in Exhibit "A":
- Section 7: THAT, Section 3.01 Definitions, shall be amended as shown in Exhibit "A" and all items shall then be renumbered accordingly:
- Section 8: THAT, all other ordinances in conflict herewith are hereby repealed.
- Section 9: THAT, any person, firm or corporation violating any of the provisions of this Ordinance as read together with the Unified Development Code, 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 any such violation continues shall constitute a separate offense and shall be punishable as such hereunder.
- Section 10: 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 11: THAT, this Ordinance supercedes all ordinances or parts of ordinances in conflict with the provisions stated herein.

Section 12: THAT, the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause of this Ordinance as an alternative method of publication provided by law.

Section 13: THAT, this Ordinance shall become effective upon its adoption and publication provided by law.

AND IT IS SO ORDAINED.

Passed and approved by a vote of 6 to 1 on this 5th day of July, 2016.

CITY OF KELLER, TEXAS

BY: _____
Mark Mathews, Mayor

ATTEST:

Sheila Stephens, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney