

ORDINANCE NO. 714

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY AMENDING TABLE 4.3 "SPATIAL REQUIREMENTS: OLD TOWN DISTRICTS" BY ALLOWING FOR A MINIMUM OF ONE STORY FOR PRINCIPAL BUILDINGS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AND EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council has adopted the City of Kennedale Unified Development Code ("Unified Development Code") that regulates the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan and that otherwise regulates the development and use of properties within the city limits of the City of Kennedale; and

WHEREAS, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on September 10, 2020, and the City Council of the City of Kennedale, Texas held a public hearing on September 15, 2020, with respect to the amendments described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, Article 22 of the Unified Development Code, and all other laws dealing with notice, publication, and procedural requirements for amending the Unified Development Code.

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

SECTION 1.

Table 4.3 "Spatial Requirements: Old Town Districts" of the Unified Development Code is hereby amended to read as follows:

Table 4.3 Spatial Requirements: Old Town Districts					
Requirement		OT-1	OT-2	OT-3	OT-4
Lots					
Min. Area (s.f.)		8,000	5,000	5,000	5,000
Min. Width (ft.)		60	50	50	50
Depth (ft.)		120	80	100	100
Max. Impervious (%)		50	70	75	75
Setbacks¹					
Min. Front (ft.)	Primary	20	10	5	5
	Secondary	5	5	5	5
Min. Side (ft.)		5	5	5	5
Min. Rear (ft.)		15	15	5	5
Principal Buildings					
Max. Height (ft.)		35	35	50	50
Max. Stories (number)		Sec. 4.4	Sec. 4.4	3	3
Min. Stories (number)		1	1	1	1
Min. GFA (s.f.)		1,500	1,500	1,000	1,050
Min. Masonry (%)		Sec. 4.4	Sec. 4.4	Sec. 4.5	Sec. 4.5
Maximum GFA (s.f.)		5,000	5,000	-	-
Accessory Buildings (100 s.f. +)					
Max. Number		1	1	1	1
Max Size (% of rear yard)		10	10	10	10
Max. Height (ft.)		15	15	15	15
Max. Stories (number)		1	1	1	1
Min. Side Setback (ft.) ²		0	0	0	0
Min. Rear Setback (ft.) ²		0	0	0	0
Min. Setback from Principal (ft.)		5	5	5	5

SECTION 2.

This Ordinance shall be cumulative of all provisions of ordinances and of the Unified Development Code of the City of Kennedale, Texas (2016), as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that in the event the sections, paragraphs, sentences, clauses, or phrases of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 4.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing development or land use that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

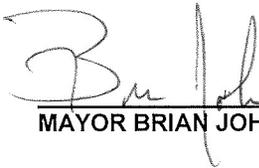
The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, the penalty clause, the publication clause, and the effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

SECTION 7.

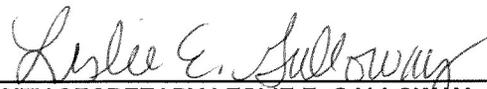
This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

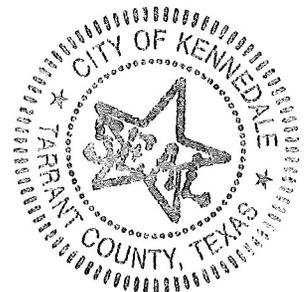
DULY PASED, ADOPTED, AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, ON THE 15TH DAY OF SEPTEMBER, 2020.

APPROVED:

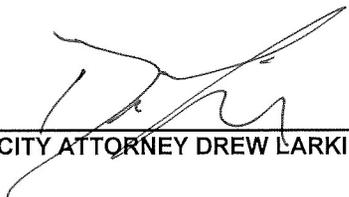

MAYOR BRIAN JOHNSON

ATTEST:


CITY SECRETARY LESLIE E. GALLOWAY



APPROVED AS TO FORM AND LEGALITY:


CITY ATTORNEY DREW LARKIN

EFFECTIVE DATE:

09/23/2020

Star-Telegram MEDIA

Arlington Citizen-Journal | The Keller Citizen | La Estrella
Mansfield News-Mirror | Star-Telegram Northeast | Weatherford Star-Telegram
star-telegram.com | 808 Throckmorton St. | Ft Worth, Tx. 76102-6315

Order Confirmation

Customer
CITY OF KENNEDALE

Customer Account
600629

Customer Address
405 MUNICIPAL DR
KENNEDEALE TX 760602249 USA

Customer Phone
817-360-0522

Customer Fax

Sales Rep
agrisham@mcclatchy.com

Payor Customer
CITY OF KENNEDALE

Payor Account
600629

Payor Address
405 MUNICIPAL DR
KENNEDEALE TX 760602249 USA

Payor Phone
817-360-0522

Customer EMail
rericson@cityofkennedale.com

Order Taker
agrisham@mcclatchy.com

<u>PO Number</u>	<u>Payment Method</u>	<u>Blind Box</u>	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>
	Invoice		0	0	1

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$90.98	\$0.00	\$90.98	\$0.00	\$90.98

<u>Ad Order Number</u>	<u>Order Source</u>	<u>Ordered By</u>	<u>Special Pricing</u>
0004761983		LESLIE E. GALLOWAY	
Invoice Text			Promo Type
Package Buy			Materials

Ad Order Information

Ad Number **Ad Type** **Production Method** **Production Notes**
0004761983-01 FTW-Legal Liner AdBooker

External Ad Number **Ad Attributes** **Ad Released** **Pick Up**
No

Ad Size **Color**
1 X 58 li

Product **Placement** **Times Run** **Schedule Cost**
FTW- Star-Telegram 0300 - Legals Classified 1 \$75.98

Run Schedule Invoice Text **Position**
CITY OF KENNEDALE ORDINANCE NO. 714 AN C 0301 - Legals & Public Notices

Run Dates
09/23/2020

Product **Placement** **Times Run** **Schedule Cost**
FTW-Upsell ST.Com 0300 - Legals Classified 1 \$15.00

Run Schedule Invoice Text **Position**
CITY OF KENNEDALE ORDINANCE NO. 714 AN C 0301 - Legals & Public Notices

Run Dates
09/23/2020

CITY OF KENNEDALE ORDINANCE NO. 714 AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY AMENDING TABLE 4.3 "SPATIAL REQUIREMENTS: OLD TOWN DISTRICTS" BY ALLOWING FOR A MINIMUM OF ONE STORY FOR PRINCIPAL BUILDINGS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AND EFFECTIVE DATE. ANY PERSON, FIRM, OR CORPORATION WHO VIOLATES, DISOBEYS, OMITTS, NEGLECTS OR REFUSES TO COMPLY WITH OR WHO RESISTS THE ENFORCEMENT OF ANY OF THE PROVISIONS OF THIS ORDINANCE SHALL BE FINED NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000.00). EACH DAY THAT A VIOLATION IS PERMITTED TO EXIST SHALL CONSTITUTE A SEPARATE OFFENSE. THE CITY SECRETARY OF THE CITY OF KENNEDALE IS HEREBY DIRECTED TO PUBLISH IN THE OFFICIAL NEWSPAPER OF THE CITY OF KENNEDALE THE CAPTION, THE PENALTY CLAUSE, THE PUBLICATION CLAUSE, AND THE EFFECTIVE DATE CLAUSE OF THIS ORDINANCE AS PROVIDED BY SECTION 3.10 OF THE CHARTER OF THE CITY OF KENNEDALE. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER THE DATE OF ITS PASSAGE AND PUBLICATION AS REQUIRED BY LAW, AND IT IS SO ORDAINED. DULY PASSED, ADOPTED, AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, ON THE 15TH DAY OF SEPTEMBER, 2020. APPROVED /S/ MAYOR BRIAN JOHNSON / ATTEST /S/ CITY SECRETARY LESLIE E. GALLOWAY / APPROVED AS TO FORM AND LEGALITY /S/ CITY ATTORNEY DREW LARKIN