

**ORDINANCE NO. 23430-09-2018**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NUMBER 21653, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH (2015), BY AMENDING A PORTION OF SECTION 6.507, "SINGLE FAMILY RESIDENTIAL DESIGN STANDARDS" TO STRENGTHEN EXISTING DESIGN STANDARDS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 211 of the Texas Local Government Code ("TLGC") authorizes the governing body of a municipality to adopt zoning regulations designed to, among other things, secure safety from fire and other dangers and promote the health and general welfare;

**WHEREAS**, monotony in one-family dwelling unit design (aka single-family residential) lowers property values, affecting the property tax base of the City of Fort Worth ("City"); creates confusion when police and fire vehicles seek to locate properties, affecting the health and safety of the City; and detracts from the aesthetics of the City, affecting its general welfare;

**WHEREAS**, the City Council adopted one-family dwelling unit design standards in 2006 as a result of recommendations from a special commission that it created to evaluate the issue (Ordinance Number 16925-05-2006; as amended by Ordinance Nos. 17513-04-2007 and 18823-09-2009);

**WHEREAS**, the purpose of the design standards was to mitigate the issues associated with monotony by prohibiting one-family dwelling units located within a certain lot pattern from having duplicate elevations;

**WHEREAS**, with the population of the City growing by approximately 20,000 people per year since 2006, the City has experienced a continued and substantial increase in permits applications for new one-family dwelling units;

**WHEREAS**, the demand for new housing has resulted in developments no longer complying with the spirit and intent of the one-family dwelling unit design standards; and

**WHEREAS**, the City Council desires to strengthen the City's existing one-family dwelling unit design standards to prevent against the deleterious effects of monotony and to protect the future viability of residential properties and neighborhoods.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

**SECTION 1.**

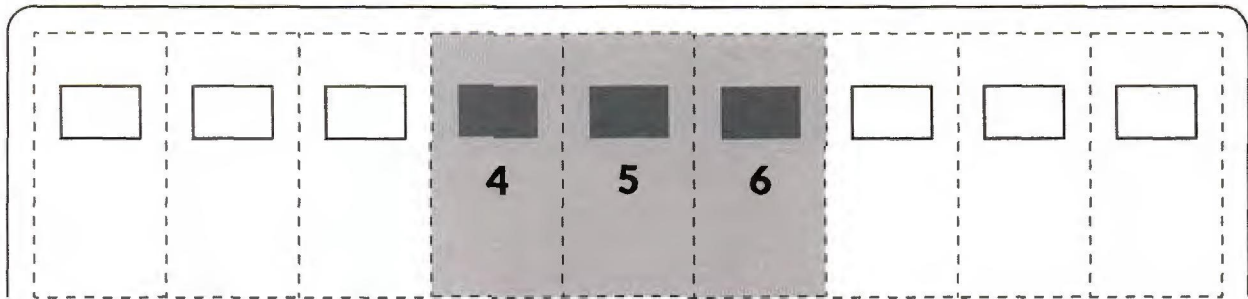
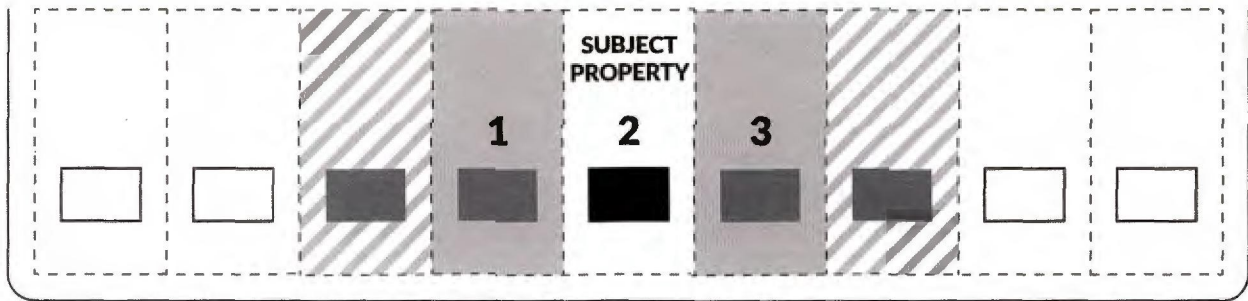
Chapter 6, "Development Standards", Article 5, "Residential Design Standards", Section 6.507, "Single-Family Residential Design Standards", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise the section heading and lead in sentence and repeal all of the language in subsection (a) and replace it with new and revised language to strengthen the existing one-family residential design standards and shall read as follows:

**6.507 ONE-FAMILY DWELLING UNIT DESIGN STANDARDS**

One-family dwellings must comply with the following standards.

- (a) *Elevation.* The intent of this subsection is to promote the health, safety, and general welfare of the City of Fort Worth and its citizens through the adoption and enforcement of one-family dwelling unit design standards that limit the effects of repetition and uniformity by requiring substantive variation and diversity in front elevations within a certain lot pattern. The elevations for one-family dwelling units within a six (6) lot pattern must be sufficiently differentiated from each other and from any one-family dwelling unit that is two (2) lots removed on either side of the subject property on the same side of the street, as generally depicted below and otherwise set forth herein.

Figure 1.




 One-Family dwelling that is two (2) lots removed on either side of the subject property on the same block face.

Figure 2.

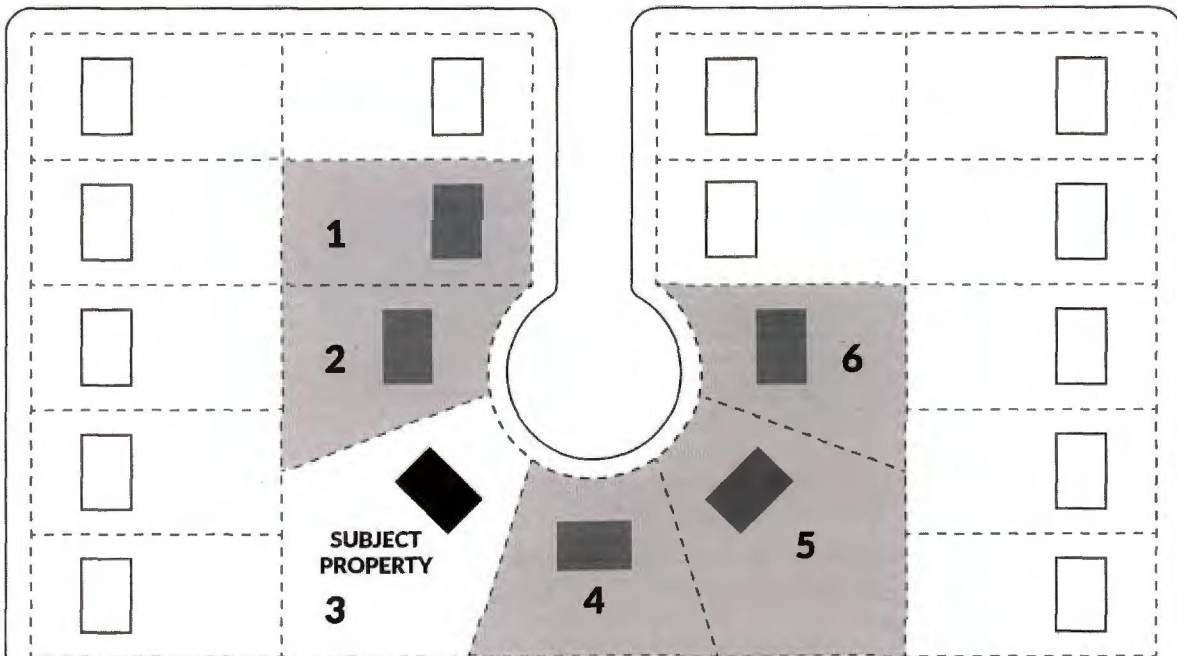
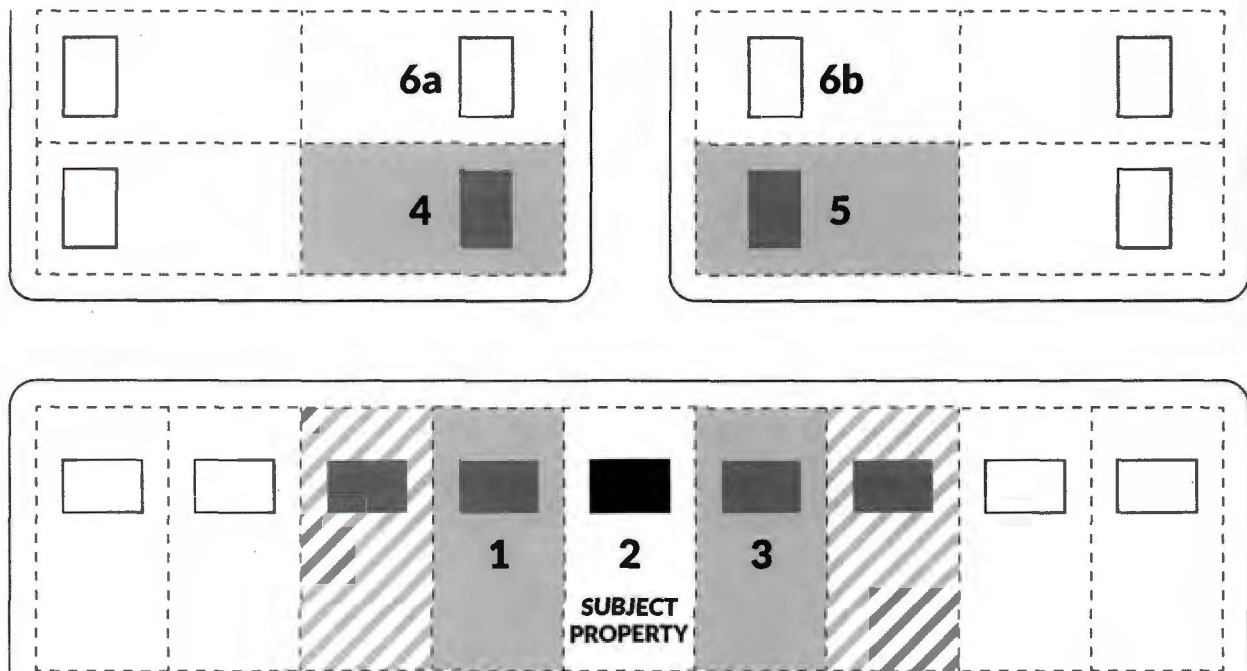



Figure 3.



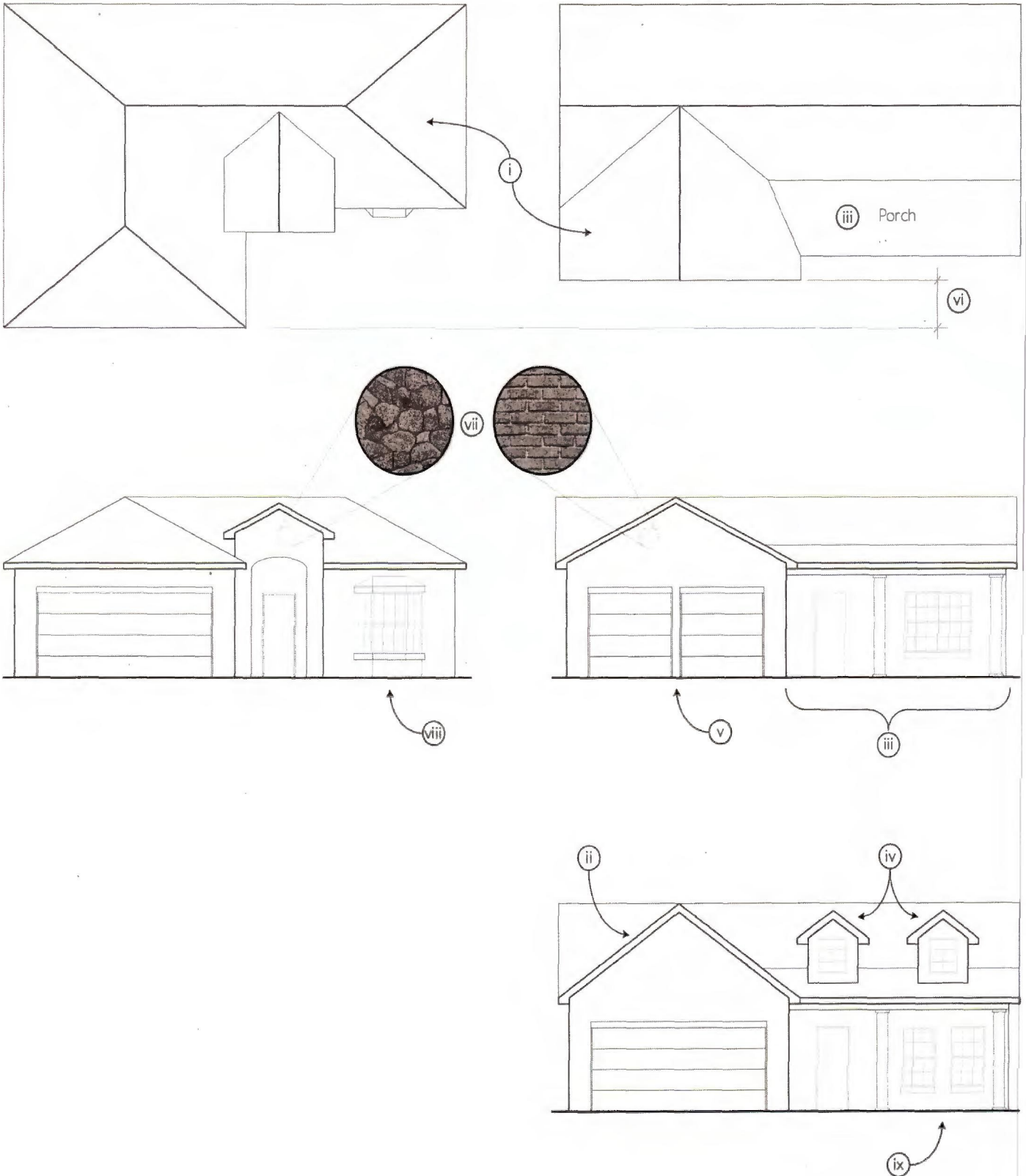
 One-Family dwelling that is two (2) lots removed on either side of the subject property on the same block face.

**6a/6b:** In this scenario, the applicant for the subject property has the discretion to choose whether lot 6a or 6b will satisfy the six lot pattern.

- (1) For a one-family dwelling unit to be deemed sufficiently differentiated, i.e., different façade elevation, either Subsection a. or b. below must be met:
  - a. One of the following elements is met:
    - i. Different number of full stories, except where there are two or more dwellings of the same number of stories within the applicable lot pattern in which case the three elements in subsection b. must be satisfied; or
    - ii. Side-loaded garage, except where there are two or more dwellings with a side-loaded garage within the applicable lot pattern in which case the three elements in subsection b. must be satisfied.
  - b. Three of the following elements are met:
    - i. Change in roofline that is at least 50% of the width of the front elevation;
    - ii. Change in roof pitch of at least two (2) units of change as measured by a roof's vertical rise over its

- horizontal span (e.g., 6/12 pitch to 8/12 pitch);
- iii. Inclusion or exclusion of a front porch or front entry structure, or change in height of a front porch roof of at least four (4) feet. A porch must be a minimum of four (4) feet in depth to create a functional space;
  - iv. Difference in number of dormers;
  - v. Change in number of front facing garage bay doors;
  - vi. Garages recessed or projected by a minimum increment of four (4) feet;
  - vii. Change in exterior materials covering 50% or more of the wall coverage on the front façade (excluding openings);
  - viii. Addition of a bay window that projects a minimum of one foot from the front wall, as measured from the ground up; or
  - ix. Difference in number of windows, provided there is at least two (2) feet of separation between windows when two (2) or more windows are present.

**Figure 4.**  
**Depictions Correspond to the Numbering Under Section 6.507(a)(1)b.**



- (2) The below items will not be considered when evaluating the above-stated elements:
- a. Change in paint or material color;
  - b. Change in roof pitch of less than two (2) units of change as measured by a roof's vertical rise over its horizontal span (e.g., 6/12 pitch to 7/12 pitch);
  - c. Change in roofline of less than 50% of the width of the front elevation;
  - d. Minor changes in exterior architectural features;
  - e. Same proportions of exterior features, including flipped or mirrored façade elevation; and
  - f. Changes in roof material, including, without limitation, composition and metal roofs.

## **SECTION 2.**

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event 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 the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

## **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) for each offense. Each day that a violation exists shall constitute a separate offense.

## **SECTION 5.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Ordinances Nos. 3011, 13896, 21653 and any other ordinances

affecting zoning 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 Fort Worth, Texas, is hereby directed to publish the caption, penalty clause, and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

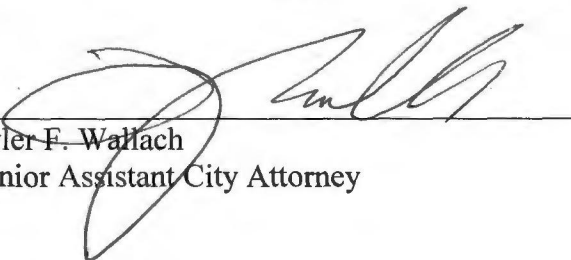
**SECTION 7.**

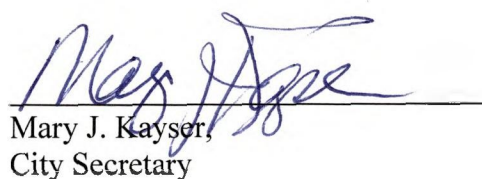
All other provisions of the Zoning Ordinance of the City of Fort Worth not herein amended shall remain in full force and effect.

**SECTION 8.**

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

  
Tyler F. Wallach  
Senior Assistant City Attorney

  
Mary J. Kayser,  
City Secretary

ADOPTED: September 25, 2018

EFFECTIVE: October 3, 2018