ORDINANCE NO. ____________

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 21653, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING CHAPTER 6, "DEVELOPMENT STANDARDS," ARTICLE 2 "OFF STREET PARKING AND LOADING", OF SECTION 6.201 "OFF STREET PARKING REQUIREMENTS" TO EXCEPT HISTORICALLY DESIGNATED PROPERTIES FROM OFF-STREET PARKING REQUIREMENTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, minimum parking requirements often run counter to the purpose and intent of historic preservation, which is to protect and enhance historic structures, sites, and districts to promote the economic, cultural, educational, and general welfare of the public;

WHEREAS, the City Council has recognized that, through the adoption of the Historic Preservation Ordinance, preserving the historical, cultural, and archeological heritage of the City is necessary because changes increasingly threaten to destroy buildings, structures, and areas having important historical, cultural, architectural, archeological, and community values, which, when damaged or destroyed, cannot be replaced;

WHEREAS, off-street parking requirements often run counter to the above-stated purposes of preservation because, in many cases, minimum parking requirements cannot be met without making significant alterations and changes to the historic structures and sites that the City seeks to protect; and

WHEREAS, because minimum off-street parking requirements have an adverse effect on the preservation of historic structures and areas, City Council desires to eliminate minimum parking requirements for properties that are locally designated as historic and cultural landmark (HC) or highly significant endangered (HSE) or listed in the National Register of Historic Places.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:
SECTION 1.
“Off Street Parking Requirements” of the Zoning Ordinance of the City of Fort Worth is amended  
to add Subsection 6.201(b)(3) to except historic properties from the minimum off-street parking  
requirements and reads as follows:

“6.201 Off Street Parking Requirements  
  . . .  
  (b). Required Off Street Parking  
  . . .  
  (3) Exception. Properties designated as historic and cultural landmark  
or highly significant endangered or listed on the National Register  
of Historic Places are not subject to the required off-street parking  
requirements set forth in this Section 6.201.

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 No. 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:

By: ______________________________________
    Tyler F. Wallach                        Mary J. Kayser
    Sr. Assistant City Attorney              City Secretary

ADOPTED: ________________________________

EFFECTIVE:______________________________