

ORDINANCE NO. 23309-08-2018

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 21563, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING SECTION 4.713, "URBAN RESIDENTIAL "UR" DISTRICT OF ARTICLE 7 "RESIDENTIAL DISTRICTS", OF CHAPTER 4, "DISTRICT REGULATIONS" TO AMEND SUBSECTION D, "DEVELOPMENT STANDARDS" BY CLARIFYING THE MEASUREMENT USED FOR REAR SETBACKS AND TO AMEND SUBSECTION E, "OFF-STREET PARKING AND LOADING" TO REVISE THE PARKING TABLE FOR APARTMENTS/CONDOMINIUMS AND TO CLARIFY WHEN ON-STREET PARKING MAY BE APPLIED TO MINIMUM 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, the Comprehensive Plan designates mixed-use growth centers and urban villages to encourage the development of sustainable, compact, pedestrian- scaled, mixed-use neighborhoods and commercial centers; and

WHEREAS, in December 2007, the City Council adopted urban village master plans that recommended creating an urban residential zoning district to serve as a transition between mixed use areas and adjacent single- family neighborhoods; and

WHEREAS, the Planning and Development Department formed a Mixed-Use Zoning Advisory Group (MUZAG), consisting of representatives from pertinent City commissions, development community, neighborhood associations, design professionals, and other interested parties to guide the creation of an urban residential zoning classification; and

WHEREAS, on January 26, 2010, the City Council adopted Ordinance No. 19013-01-2010, to add the "Urban Residential" zoning district to address the need for denser residential developments to support and complement rail transit and to support commercial uses compatible with central city neighborhoods or urban mixed-use districts, and as amended by 22809-08-2017; and

WHEREAS, the Urban Residential zoning district is a residential- only district with building heights consistent with single- family zoning where an urban form is still desirable; and

WHEREAS, City staff convened MUZAG again in 2018 to address issues and topics identified by staff, developers, and neighborhood groups related to the Mixed-Use and Urban

Residential zoning districts; and the identified concerns raised about parking allowances and measurement of rear setbacks changes were considered significant and to be amended before the entirety of the amendment were completed; and

WHEREAS, it is recommended that the City Council adopt an amendment to the Zoning Ordinance to revise the Urban Residential district standards;

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

SECTION 1.

Chapter 4 “District Regulations”, Article 7, “Residential Districts” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise to Section 4.713 “Urban Residential “UR” District” subsection (d) to clarify the measurement used for rear setbacks, to read as follows:

Sec. 4.713 URBAN RESIDENTIAL (“UR”) DISTRICT.

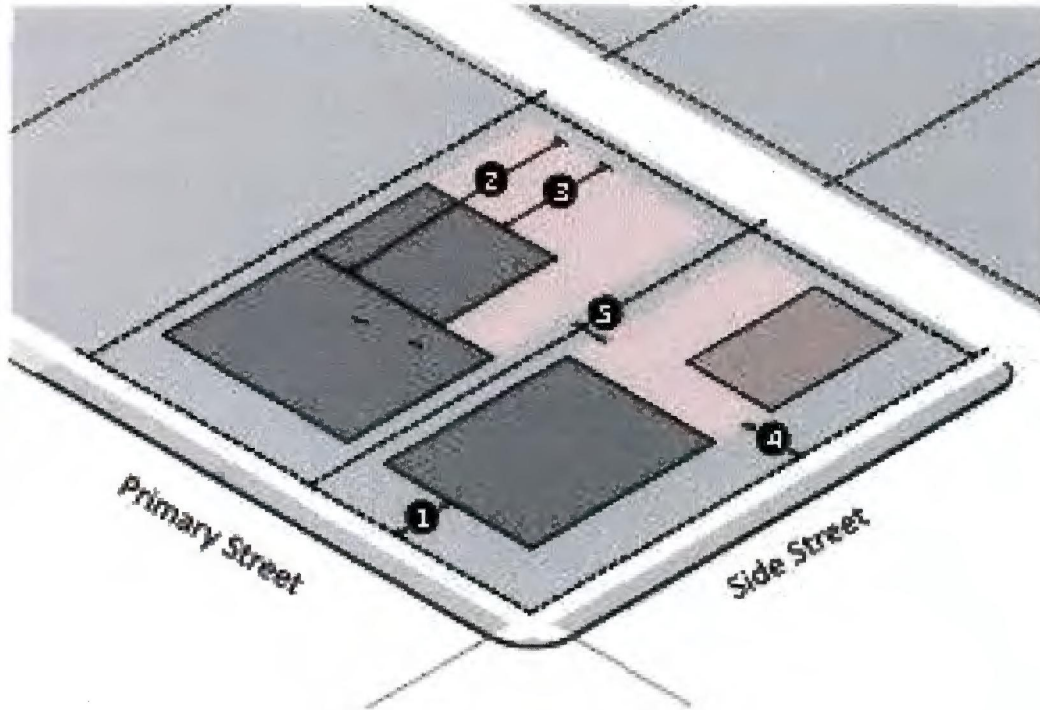
(d) *Property development standards.* In the Urban Residential (UR) District, the dimensions of yards, the placement of the building, the minimum and maximum height of buildings, the maximum residential density and the required enhanced landscaping shall be as follows:

.....

(2) *Setbacks.* All setbacks shall meet the following requirements and are subject to the following provisions:

REQUIREMENT	DISTANCE
(1) Front Yard (min/max)	0'/20'
(2) Rear Yard - Primary Structure (min.) If provided, width of adjacent alley, driveway access lot or access easement may be counted towards minimum setback	20'
(3) Rear Yard - Accessory Structure (min.) If alley provided then for accessory structure	5' 0'
(4) Side Yard (min/max)	0'/20'
(5) *Side: Common Lot Line (min/max)	0'/5'

**Subject to building code spacing requirements*



SECTION 2.

Chapter 4 “District Regulations”, Article 7, “Residential Districts” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise to Section 4.713 “Urban Residential “UR” District” subsection (e) to revise the parking table for apartments/condominiums and to clarify when on-street parking may be applied to minimum parking requirements, to read as follows:

Sec. 4.713 URBAN RESIDENTIAL (“UR”) DISTRICT.

....

(e) *Off-street parking and loading.*

(1) *Off-street parking and loading.* The following table establishes the required parking for the allowed building types in the UR District. All applicable requirements and applicable nonresidential use requirements included in Chapter 6, Article 2 apply.

a. *Parking table.*

BUILDING TYPE/USE	REQUIREMENT
Single Family Detached	2 parking spaces per dwelling unit. See subsection (e)(3) for location requirements .
Townhouse	2 parking spaces per dwelling unit. See subsection (e)(4) for location requirements.
Duplex and Manor House (2+ units)	2 spaces per dwelling unit; Plus, 1 space per bedroom over 3 bedrooms per dwelling unit. See Section (e)(3) for location requirements.
Apartment/Condominium	1 off-street required per bedroom located behind the front building line; Plus, 1 space per 250 square feet of common areas, offices, and recreation (less hallways, laundry rooms, and storage) Proximity to Rail Station: *If the development is within 1,320 feet of a rail transit station then .5 to 1 off-street spaces required per bedroom, located behind the front building line; Plus, 1 space per 250 square feet of common areas, offices, and recreation (less hallways, laundry rooms, and storage).
<i>*All partial spaces are rounded up</i>	

(2) *Other off-street parking and loading standards.*

....

- c. On-street parking along the lot frontage may be applied toward the minimum parking requirements only when located fully out of the travel lanes as defined in the Master Thoroughfare Plan when there is parking on both sides of the street. On-street parking that is applied toward minimum parking requirements shall be counted towards the maximum parking limitations.

SECTION 3.

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 4.

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 5.

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 6.

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 which 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 7.

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 8.

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

SECTION 9.

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

APPROVED AS TO FORM AND LEGALITY:

ATTEST:

By: Melinda Ramos
Melinda Ramos
Sr. Assistant City Attorney

Mary J. Kayser
Mary J. Kayser,
City Secretary

ADOPTED: August 7, 2018

EFFECTIVE: August 31, 2018