

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 2, “ADMINISTRATION” OF THE CODE OF THE CITY OF FORT WORTH (2015), AS AMENDED, BY AMENDING ARTICLE XII “FEE SCHEDULES”, SECTION 2-321 “DEVELOPMENT APPLICATION FEES” TO REVISE FEES AND ADD FEES FOR CERTAIN SERVICES RELATED TO DEVELOPMENT, ZONING AND PLATTING APPLICATION FEES; AND AMEND CHAPTER 12, “EMERGENCY REPORTING EQUIPMENT AND PROCEDURES” TO RELOCATE ALARM PERMIT APPLICATION FEES TO SECTION 2-321 AND PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council deems it appropriate to amend the fee schedule as it relates to services rendered for development, zoning and platting application fees to recover the costs incurred by the City to provide services.

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

**SECTION 1.**

Chapter 2, of the City Code of the City of Fort Worth, Article XII “Fee Schedules”, Section 2-321 "Zoning and platting application fees", is amended to revise certain fees and add certain fees, and to renumber and reorganize some of the section to read as follows:

**Sec. 2-321. Development Application Fees.**

(a) For services rendered, the following schedule of fees and charges is hereby adopted; provided, however, that such fees may be waived or refunded by action of the city council in accordance with policies adopted by the city council:

<b>Application Fees</b>		
		<u>Notes</u>
<b><i>Alarm System Permits</i></b>		
a. <u>Residential</u>	<u>\$50.00</u>	
b. <u>Other alarm system locations</u>	<u>\$100.00</u>	
<b><i>Alcohol</i></b>		
a. Variance request to City Council	\$500.00	
b. Distance check	\$50.00	
<b><i>Annexation</i></b>		
a. 75 acres or less	\$700.00	Fee waived for commercial/industrial use only of 25 acres or less
b. More than 75 acres	\$700.00	Plus \$10.00 per acre over 75 acres
c. Limited purpose annexation	\$3,000.00	
<b><i>Appeals</i></b>		
a. Downtown Design Review Board	\$300.00	
b. Historic and Cultural Landmarks Commission	\$300.00	
c. Urban Design Commission	\$300.00	
<b><i>City Plan Commission</i></b>		
a. Concept plan	\$900.00	
b. Plats:		
1. Preliminary plat	<del>\$770</del> <u>\$50.00</u>	Plus <del>\$20</del> <u>\$30.00</u> per each acre non-residential Plus <del>\$40</del> <u>\$15.00</u> per lot residential
2. Final plat	\$385.00	Plus <del>\$20</del> <u>\$30.00</u> per lot residential Plus <del>\$20</del> <u>\$25.00</u> per acre non-residential
3. Re-plat (with public hearing)	\$500.00	Plus <del>\$20</del> <u>\$25.00</u> per lot residential Plus <del>\$45</del> <u>\$25.00</u> per acre non-residential
4. Minor Plat and Replat (no public hearing)	<del>\$385</del> <u>\$425.00</u>	Plus <del>\$20</del> <u>\$25.00</u> per lot residential Plus <del>\$45</del> <u>\$25.00</u> per acre non-residential
5. Conveyance Plat	\$200.00	
6. Plat revisions after first revision	\$220.00	
7. Plat correction	\$50.00	
8. Plat vacation	\$400.00	
c. Waivers and Other matters of business	\$220.00	

Filing fees with the county: Collection of filing fees for the appropriate county will be in addition to the fee rates above		
<b>Agreements Application Fees</b>		
a. Community Facilities Agreement and amendments	<del>\$1,750</del> 2,230.00	
b. Stormwater Facilities Management Agreement	<u>\$635.00</u>	
c. Transportation Impact Fee credit Agreement	<u>\$860.00</u>	
<b>Door-to-Door Vendor</b>	\$50.00	
<b>Hearing Continuance</b>	\$200.00	At applicant's request (after public notice) of board of adjustment, city plan commission and zoning commission public hearings
<b>Master Thoroughfare Plan - Amendment</b>	\$700.00	
<b>Newsracks</b>		
a. Permit Fees	\$20.00	
b. Application fee per applicant plus, per newsrack	\$5.00	
<b>Paper Filing Fee</b>	\$50.00	Additional fee assessed for any development application that can be submitted online
<b>Parkway Permit</b>		
a. Commercial	\$150.00	
b. Residential	\$100.00	
<b>Pre-submittal Meeting</b>	\$250.00	
<b>Sexually Oriented Businesses; Application for Specialized Certificate of Occupancy</b>		
a. Amended, modified, renewal or transfer	\$500.00	
b. New	\$700.00	
<b>Special Districts (MUDS/WCIDS)</b>		
a. Petition	\$15,000.00	
b. Agreement amendments	\$10,000.00	
<b>Street Name Change</b>	\$700.00	
<b>Traffic Control Review Plan</b>	\$100.00	
<b>Unified Residential "CR," "C," and "D" Zoning Districts Site Plan</b>		
a. New	\$600.00	
b. Revised	\$300.00	
<b>Unified Sign Agreement</b>	\$1,500.00	

<b>Urban Forestry</b>		
a. Application fee for staff review		
1. Base fee—First five acres (up to 5.00), including one revision	\$250.00	The acreage will be based on the preliminary plat or site plan, whichever is appropriate, at the time of submission of the urban forestry plan
2. Additional acreage—5.01 acres and over, per acre above base fee	\$15.00	The acreage will be based on the preliminary plat or site plan, whichever is appropriate, at the time of submission of the urban forestry plan
3. Additional revisions (each)	\$100.00	
4. After-the-Fact Base fee – First five acres (up to 5.00), including one revision	\$500.00	The acreage will be based on the preliminary plat or site plan, whichever is appropriate, at the time of submission of the urban forestry plan
5. After-the-Fact Additional acreage – 5.01 acres and over, per acre above base fee	\$30.00	The acreage will be based on the preliminary plat or site plan, whichever is appropriate, at the time of submission of the urban forestry plan
b. Application fee for appeal hearing before urban design commission	\$300.00	
<b>Vacations or Closures, ROW, Emergency and Public Access Easements</b>		
a. Public access or emergency easement vacation	\$400.00	
b. Street and alley vacations	\$700.00	
<b>Zoning Board of Adjustment</b>		
a. Interpretation request	\$400.00	
b. Variance		
1. Nonresidential/other residential	\$500.00	<u>Plus an additional one hundred fifty dollars (\$150.00) for each additional variance requested in same application for owner-occupied residential.</u>
2. Residential (owner-occupied)	\$300.00	<u>Plus an additional three hundred dollars (\$300.00) for each additional variance requested in the same application for nonresidential property or other residential property</u>
3. Sign – Nonresidential/other residential	<u>\$750.00</u>	<u>Plus an additional seven hundred fifty dollars (\$750.00) for each additional variance requested in the same application for nonresidential property or other residential property.</u>
c. Special exception		
1. Nonresidential/other residential	<del>\$750</del> <u>1,000.00</u>	<u>Plus an additional three hundred dollars (\$500.00) for each additional special exception requested in the same</u>

		<u>application for nonresidential property or other residential property.</u>
2. Residential (owner-occupied)	\$400 <u>500</u> .00	Plus an additional one hundred fifty dollars (\$250.00) for each additional special exception requested in same application for owner-occupied residential.
3. <del>Fee waived non-profit recycling collection facilities</del>		
<b>Zoning Commission</b>		
a. Zoning Application:		Designated fee shall be twice the amount shown when double noticing and special city council consideration is required or requested, apart from the normal processing schedule. Double fee charge is not exempt of incentive programs granted to the project.
1. Less than 1 acre*	\$1,200.00	For application requests of less than one acre in size, when down zoning to a one- or two-family districts that is consistent with the most current adopted Comprehensive Plan, a fee of \$450.00 is required.
2. 1—5 acres*	\$1,500.00	
3. 5.01—10 acres*	\$1,800.00	
4. 10.01—25 acres*	\$2,200.00	
5. 25.01 or more acres (base fee)*	\$2,200.00	Plus \$50.00 per acre, not to exceed \$6,000.00.
b. Administrative site plan amendment	\$250.00	
c. "CD" Conservation District overlay rezoning	No fee	
d. "HC," "HSE" and "DD" Historic and Cultural Landmarks District overlay rezoning	No fee	
e. Planned development (PD) site plan*	\$800.00	
f. Vendor permit: holiday and 10-day	\$50.00	
g. Zoning verification letter		
1. 10-day letter	\$50.00	
2. 3-day letter	\$100.00	

(b) No final approval of a plat shall be given by the City Plan Commission of the City unless and until a receipt is furnished to the secretary of such commission showing that the fee provided for in this section has been paid; no petition shall be docketed with the Zoning Commission of the City unless and until a receipt has been furnished to the secretary of such commission showing that the fee provided for in this section has been paid; no application for

relief shall be docketed with the Board of Adjustment of the City unless and until a receipt is furnished the secretary of such board showing that the fee provided for in this section has been paid and no petition shall be docketed with other boards and commissions of the City unless and until a receipt has been furnished to the secretary of such commission and boards showing that the fee provided for in this section has been paid.

**Sec. 2-322. Penalties and Mitigation Fees.**

(a) For ordinance violations or development activities requiring mitigation, the following schedule of penalties and mitigation fees is hereby adopted; provided, however, that such fees may be waived or refunded by action of the city council in accordance with policies adopted by the city council:

<b>(b) Penalties and Mitigation Fees</b>		
		<u>Notes</u>
<b>Urban Forestry</b>		
a. Penalties		
1. Unauthorized removal of non-significant trees	\$300.00 / diameter inch or \$7.50 / canopy sf	Penalty to be assessed according to Urban Forestry Ordinance, Section 6.302. Funds deposited into PARD Tree Fund
2. Unauthorized removal of significant trees	\$600.00 / diameter inch or \$15.00/ canopy sf	Penalty to be assessed according to Urban Forestry Ordinance, Section 6.302. Funds deposited into PARD Tree Fund
3. Administrative fee assessed on penalties	\$500.00 / case	Funds deposited into P&D account to cover staff investigative and enforcement costs
b. Mitigation Fees		
1. Removal of significant trees	\$300.00 / diameter inch or \$7.50/ canopy sf	Fees to be assessed according to Urban Forestry Ordinance, Section 6.302, when applicant opts for mitigation by payment. Funds deposited into PARD Tree Fund.

**SECTION 2.**

Chapter 12 “Emergency Reporting Equipment and Procedures,” Section 12-2 “Alarm Permit required; fee; application; transfer” subsection (c) of the Code of the City of Fort Worth is hereby amended to delete the permit fee dollar amount and replace with a reference to Section 2-321 to read as follows:

**Sec. 12-2 ALARM PERMIT REQUIRED; FEE; APPLICATION; TRANSFER.**

....

(c) The fee for annual permit, an annual permit renewal or a permit reinstatement for all alarm permits ~~is \$50~~ is specified in Section 2-321 of the City Code.

....

**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.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Ordinance No. 3011, Ordinance No. 13896, Ordinance 21653 or 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 6.**

This Ordinance shall take effect on October 1, 2019 and after publication as required by law.

APPROVED AS TO FORM AND LEGALITY

By: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mary Kayser, City Secretary

ADOPTED: \_\_\_\_\_, 2019

EFFECTIVE: October 1, 2019