

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE 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 (2015), BY AMENDING CHAPTER 4, “DISTRICT REGULATIONS”, ARTICLE 6, SECTION 4.603 “RESIDENTIAL DISTRICT USE TABLE”, TO ADD SMALL LOT HOUSING (CH. 211 SUBCHAPTER D LOC. GOV’T CODE) AS A NEW USE UNDER THE “HOUSEHOLD LIVING” CATEGORY, TO ALLOW THE USE IN ALL ONE FAMILY DISTRICTS; AMENDING CHAPTER 6 “DEVELOPMENT STANDARDS”, ARTICLE 5 “RESIDENTIAL DESIGN STANDARDS” AND ADD SECTION 6.509 TITLED “SMALL LOT HOUSING” AND ADOPT DEVELOPMENT STANDARDS CONSISTENT WITH CHAPTER 211 OF THE LOCAL GOVERNMENT CODE; AMENDING CHAPTER 4, “DISTRICT REGULATIONS”, ARTICLE 8, SECTION 4.803 “NON-RESIDENTIAL DISTRICT USE TABLE”, TO REMOVE “GOVERNMENT OFFICE FACILITY” AS AN ALLOWED USE IN “CF” COMMUNITY FACILITIES; AMENDING CHAPTER 4, DISTRICT REGULATIONS, ARTICLE 12 , SECTION 4.1203 “FORM BASED CODE DISTRICT USE TABLE”, TO REMOVE “GOVERNMENT OFFICE FACILITY” AS A USE ALLOWED IN “CB/T; AMENDING APPENDIX A, CHAPTER 9, “DEFINITIONS”, SECTION 9.101, “DEFINED TERMS” TO ADD THE DEFINITION OF “MIXED-USE RESIDENTIAL” AND AMEND THE DEFINITION OF “MULTIFAMILY DWELLING” TO INCLUDE “MULTIFAMILY RESIDENTIAL”; 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 to promote the public health, safety, morals, or general welfare and protect and preserve places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, Section 211.005 of the TLGC authorizes the governing body of a municipality to divide the municipality into districts of a number, shape, and size that the governing body considers best for carrying out the provisions of Chapter 211, General Zoning Regulations, within which districts the governing body may regulate the erection, construction, reconstruction, alteration, repair or use of buildings, other structures or land; and

WHEREAS, during the regular session of the 89th Texas Legislature a number of bills were approved that impact municipalities in numerous ways, including, but not limited to, the use and development of property and the application of municipal zoning authority; and

WHEREAS, the new legislation included Senate Bill 15, which amended the TLCG to establish regulations to encourage development of higher density by prohibiting certain municipalities from enforcing zoning ordinances that require residential lots to exceed 3,000 square feet in size, be wider than 30 feet, or be deeper than 75 feet. Furthermore, Senate Bill 15 established regulations that prohibit cities from establishing certain regulations for lots that are 4,000 square feet or less (“Small Lots”); and

WHEREAS, on August 26, 2025, the City of Fort Worth City Council adopted Resolution No. 25-5356, affirming the City’s obligation to comply with statutes enacted during the regular session of the 89th Texas legislature; and

WHEREAS, city staff have reviewed Senate Bills 15, 840, and 2477 and their impact on the City’s zoning ordinance and recommend that the zoning ordinance be amended to incorporate the requirements set forth under those legislative bills; and

WHEREAS, city staff recommends amending the “Residential District Use Table” to create a new land use titled “Small Lot Housing” and allow such use in all one family districts; and

WHEREAS, city staff recommends amending Chapter 6 “Development Standards”, Article 5 “Residential Design Standards” to add a new section titled “Small Lot Housing” and adopt regulations and development standards for Small Lot Housing; and

WHEREAS, city staff recommends amending Chapter 4 “District Regulations”, Article 8, “Non-Residential District Use Table” to remove “Government Office Facility” from “CF” “Community Facilities District”; and

WHEREAS, city staff recommends amending the Chapter 4 “District Regulations”, Article 12 “Form-Based Code District Use Table” to remove “Government Office Facility” from “CB/T” Camp Bowie Transition Zone; and

WHEREAS, city staff recommends amending the zoning ordinance by adding the definition of “Mixed-Use Residential”, to be consistent with the definition of mixed-use residential as provided under Chapter 218 of the TLGC and amend the definition of “Multifamily Dwelling” to add “Multifamily Residential” to have the same definition.

WHEREAS, city staff finds that their recommendations are consistent with Senate Bills 15, 840 and 2477; and

WHEREAS, staff will bring additional amendments to the zoning ordinance addressing other changes required by SB 840 and 2477 at a later date; and

WHEREAS, the Zoning Commission and City Council agree with city staff’s recommended amendments to the zoning ordinance and finds such amendments to be consistent with Senate Bills 15, 840 and 2477.

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

SECTION 1.

That the Code of the City of Fort Worth, Texas (2015), as amended, is hereby further amended by amending Appendix A, Chapter 9, “Definitions” of the Zoning Ordinance of the City of Fort Worth, Section 9.101, “Defined Terms” to add the definition of “Mixed-Use Residential” and amend the definition of “multifamily dwelling” to include the term “multifamily residential”, which shall read as follows:

MIXED-USE RESIDENTIAL. When used to describe land use or development, shall mean the use or development, as applicable, of a site consisting of residential and nonresidential uses in which the residential uses are at least 65 percent of the total square footage of the development. The term includes the use or development of a condominium. This definition shall only apply to Mixed-Use Residential developments that are developed in accordance with Chapter 218 of the Texas Local Government Code.

DWELLING, MULTIFAMILY OR RESIDENTIAL, MULTIFAMILY. One or more buildings containing or aggregating three or more one-family dwelling units.

SECTION 2.

Chapter 4, “District Regulations”, Article 6, “Residential District Use Table”, Section 4.603, “Residential District Use Table” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to add a new land use titled “Small Lot Housing” in the Household Living category and allow it in all one family districts: “A-2.5A”, “A-43”, “A-21”, “A-10”, “A-7.5”, “A-5”, and “AR”.

SECTION 3.

Chapter 6, “Development Standards”, Article 5 “Residential Design Standards”, is hereby amended to add a new section, Section 6.509 titled “Small Lot Housing” and adopt regulations to read as follows:

§6.509 SMALL LOT HOUSING.

- (a) Small lot housing shall be allowed as required by Chapter 211, Subchapter D of the Texas Local Government Code and in accordance with this Section.
- (b) Small lot housing is only allowed if it will be located on a tract of land in the City that:
 - (1) will be platted and located in an area zoned for one-family residential;
 - (2) is five acres or more; and
 - (3) has no recorded plat.
- (c) Small lot housing shall not be allowed in an area located within:
 - (1) 3,000 feet of an airport or military base;

- (2) 15,000 feet of the boundary of a military base if the area is designated by the City or joint airport zoning board as a military airport overlay zone with a clear zone and accident potential zone designation, as described by the military base’s air installation compatible use zone report; or
- (3) in an area that is the subject of an agreement with the City that does not authorize or provide for small lot housing.
- (d) Property development standards.
 - (1) Small lot housing must meet the standards in the following table:

<u>Lot width</u>	<u>30 feet minimum at building line</u>
<u>Lot length</u>	<u>75 feet minimum</u>
<u>Lot area</u>	<u>3,000 square feet minimum; 4,000 square feet maximum</u>
<u>Lot coverage</u>	<u>70% maximum</u>
<u>Front yard*</u>	<u>15 feet minimum</u>
<u>Side yard*</u>	<u>5 feet minimum; fire and building codes apply</u>
<u>Rear yard</u>	<u>10 feet minimum</u>
<u>Height</u>	<u>3 stories maximum not exceeding 10 feet in height measured from the interior floor to ceiling.</u>
<u>No front yard entry driveway or parking.</u>	
<u>* The Development Standards in Section 6.101 shall not apply.</u>	

- (2) Small lot housing must comply with the following:
 - i. Signs. An unilluminated nameplate bearing the family name of the occupants residing in the residence not to exceed one square foot in area shall be allowed.
 - ii. Access through Residential Districts. A driveway or walk on private property shall not provide access for uses in the “CR” district through the “K” district
 - iii. Location of Carports/Porte Cocheres. Allowed in rear yards. (See § 5.301(d) Accessory Buildings on Residential Lots and § 6.101(a) Yards.)
 - iv. Maximum Number of Garages. No more than one garage, one carport, or one porte-cochere shall be allowed per residential unit on a single residential lot.
 - v. Fences. Eight feet high behind front yard. (See § § 5.305 Fences for fence requirements for fences allowed for residential dwellings.);
 - vi. Façade. Compliance with Section 4.708, except no wall articulation requirements.
 - vii. Access through Residential Districts. A driveway or walk on private property shall not provide access for uses in the “CR” district through the “K” district; and
 - viii. Parking Requirement. 1 space per dwelling unit.

SECTION 4.

Chapter 4, “District Regulations”, Article 8, “Non-Residential District Use Table,” Section 4.803, “Non-Residential District Use Table” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to remove the use titled “Government Office Facility” from “CF” Community Facilities District and have the cell appear blank.

SECTION 5.

Chapter 4, “District Regulations”, Article 12, “Form-Based Code District Use Table,” Section 4.1203, “District Use Table”, “Nonresidential Uses”, “Government”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to remove the use titled “Government Office Facility” as a use allowed in “CB/T” and have the cell appear blank.

SECTION 6.

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 7.

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 8.

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 9.

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 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 10.

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 11.

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

SECTION 12.

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

APPROVED AS TO FORM AND LEGALITY:

By: _____
Christopher Austria,
Senior Assistant City Attorney

Jannette S. Goodall,
City Secretary

ADOPTED: _____

EFFECTIVE: _____