

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

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF FORT WORTH (2015), AS AMENDED, TO REVISE REFERENCES TO THE MASTER THOROUGHFARE PLAN TO REFER TO THE MASTER TRANSPORTATION PLAN OR THE MASTER ROADWAY NETWORK; PROVIDING FOR NONSUBSTANTIVE REVISIONS TO THE CITY CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Fort Worth, Texas has adopted the Master Transportation Plan (“Master Transportation Plan”) which consolidates transportation policies into a unified document that guides capital programming investments; and

**WHEREAS**, the Master Transportation Plan includes a Master Roadway Network as a framework for planning, preserving, and managing the current and future roadway system; and

**WHEREAS**, the Master Roadway Network replaces the City’s Master Thoroughfare Plan and provides a coordinated structure for how the City guides development, prioritizes investments, and accommodates multimodal mobility as Fort Worth continues to grow; and

**WHEREAS**, the City Council finds it necessary to amend the City Code to revise all references to the Master Thoroughfare Plan to refer to the Master Transportation Plan or the Master Roadway Network; and

**WHEREAS**, the City Plan Commission has reviewed the proposed amendments to the Subdivision Ordinance contained herein and recommends that the City Council amend the Subdivision Ordinance as proposed;

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

**SECTION 1.**

Chapter 2 “Administration,” Article XII “Fee Schedules,” Section 2-321 “Development Application Fees,” Subsection (a) of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend the title of the application fee for Master Thoroughfare Plan Amendments to be and read as follows:

<b>Master Thoroughfare Plan Roadway Network – Amendment</b>	<b>\$787.50</b>
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## SECTION 2.

Chapter 9 “Community Facilities Agreements,” Article III “Infrastructure Plan Review Process,” Section 9-207 “Design Standards; Requests for Alternative Specifications” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend Subsection (a), subdivision (3) to be and read as follows:

- (3) Master ~~Thoroughfare~~Transportation Plan;

## SECTION 3.

Chapter 15 “Gas,” Article II “Gas Drilling and Production,” Division VII “Onsite and Technical Regulations,” Section 15-42 “Technical Regulations” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (a), subdivision (17), paragraph, (a) subparagraph (3) to be and read as follows:

3. Transportation and Public Works for Master ~~Thoroughfare~~Transportation Plan and floodplain review;

## SECTION 4.

Chapter 15 “Gas,” Article II “Gas Drilling and Production,” Division VII “Onsite and Technical Regulations,” Section 15-42 “Technical Regulations” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (a), subdivision (17), paragraph, (c) to be and read as follows:

- c. *Fresh water fracture pond.* No fresh water fracture pond may be placed in any City recognized drainage way or FEMA floodplain or floodway without a floodplain development permit from the Transportation and Public Works Department. Fresh water fracture pond shall not be placed in existing or future rights-of-way as shown on the City’s Master ~~Thoroughfare~~Transportation Plan.

## SECTION 5.

Chapter 20 “Licenses and Miscellaneous Business Regulations,” Article XII “Outdoor Events,” Division 1 “General Provisions,” Section 20-404 “Definitions” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend the definition of “neighborhood event” to be and read as follows:

***NEIGHBORHOOD EVENT.*** Outdoor gatherings or celebrations with less than 500 attendees at any one time on a ~~residential~~local street, as defined by the City’s current Master ~~Thoroughfare~~Transportation Plan or as approved as a ~~residential~~local street by the City Traffic Engineer or designee, that are sponsored by a neighborhood association or by persons living on the block that requires the use, occupation or full or partial closure of a street, sidewalk or public right-of-way. Neighborhood tours, such as home or garden tours, shall not be considered a ***NEIGHBORHOOD EVENT***.

## SECTION 6.

Chapter 20 “Licenses and Miscellaneous Business Regulations,” Article XII “Outdoor Events,” Division 1 “General Provisions,” Section 20-404 “Definitions” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend the definition of “neighborhood parade” to be and read as follows:

**NEIGHBORHOOD PARADE.** A procession of less than 500 pedestrians, vehicles or animals or any combination thereof, traveling in unison along or upon a ~~residential~~local street, as defined by the City’s current Master ~~Thoroughfare~~Transportation Plan, and organized, conducted and sponsored by a neighborhood association or by persons living on the block.

## SECTION 7.

Chapter 20 “Licenses and Miscellaneous Business Regulations,” Article XII “Outdoor Events,” Division 9 “Neighborhood Events and Neighborhood Parades,” Section 20-438 “Permit Process” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (a), subdivision (3) to be and read as follows:

- (3) A neighborhood parade must be located on a ~~residential~~local street as defined by the City’s current Master ~~Thoroughfare~~Transportation Plan or as approved as a residential street by the City Traffic Engineer and take no longer than two hours to complete.

## SECTION 8.

Chapter 30 “Streets and Sidewalks,” Article VIII “Transportation Impact Fees,” Division 1 “General Provisions,” Section 30-154 “Definitions” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend the definition of “roadway” to be and read as follows:

**ROADWAY.** Any thoroughfare designated in the City’s adopted Master ~~Thoroughfare~~Transportation Plan, as may be amended from time to time. **ROADWAY** also includes any thoroughfare designated as a numbered highway on the official federal or Texas highway system; to the extent that the City incurs capital improvement costs for such facility.

## SECTION 9.

Chapter 30 “Streets and Sidewalks,” Article VIII “Transportation Impact Fees,” Division 2 “Assessment and Collection of Impact Fees,” Section 30-173 “Collection of Impact Fees” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (d), subdivision (1), paragraph (a) to be and read as follows:

- a. The Schedule 2 transportation impact fees shall be reduced by 50% for any development where:
  1. One or more points of access serve at least 75% of the peak-hour site-generated traffic volumes;
  2. Such point(s) connect the development to the City's thoroughfare system, as depicted in the Master Roadway Network - City Roadways in the City's Master ~~Thoroughfare~~ Transportation Plan (MTP) provided however, sites with multiple access points may include a TxDOT facility as one of the access points to meet this criteria; and
  3. The transportation facility so connected has been improved to its ultimate capacity as classified under the current Master ~~Thoroughfare~~ Transportation Plan.

#### **SECTION 10.**

Chapter 30 “Streets and Sidewalks,” Article VIII “Transportation Impact Fees,” Division 3 “Credits Against Impact Fees,” Section 30-181 “Credits Against Transportation Impact Fees,” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (d), subdivision (2) to be and read as follows:

- (2) No credit shall be given for a transportation facility which is not identified within the transportation improvements plan, unless the facility is on or qualifies for inclusion on the Master ~~Thoroughfare Plan~~ Roadway Network - City Roadways in the City’s Master Transportation Plan and the City agrees that such improvement supplies capacity to new developments other than the development paying the transportation impact fee and provisions for credits are incorporated in an agreement for credits pursuant to Section 30-182.

#### **SECTION 11.**

Chapter 31 “Subdivision Ordinance,” Article I “Plan Commission,” Section 31-5 “Decisions” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (b) to be and read as follows:

(b) *Approval.* The Commission or Director shall approve any plan or plat, as applicable, that conforms to this Chapter, the Comprehensive Plan as it applies within the City limits (except where it conflicts with existing zoning) and its appendices; Master ~~Thoroughfare~~ Transportation Plan; parks and recreation policies, applicable infrastructure policies and manuals; Meacham, Alliance and Spinks Airport Controls; other City codes, ordinances, policies, rules or regulations; and applicable state and federal laws.

## SECTION 12.

Chapter 31 “Subdivision Ordinance,” Article I “Plan Commission,” Section 31-5 “Decisions” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (c), subdivision (1) to be and read as follows:

- (1) The Commission or Director, as applicable, may conditionally approve a plan or plat where there is a Master ~~Thoroughfare Plan~~Roadway Network amendment, a rezoning or Board of Adjustment application is pending or when a plat or plan does not fully conform with this Chapter including all plans, design standards and policy manuals incorporated by reference into the Subdivision Ordinance and other applicable regulations in the City Code and state law. The Commission or Director shall not deny or place conditions of approval based upon public protest, private deed covenants and agreements, or allegations that the plan or plat is not in keeping with the character of the neighborhood.

## SECTION 13.

Chapter 31 “Subdivision Ordinance,” Article I “Plan Commission,” Section 31-5 “Decisions” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (e) to be and read as follows:

(e) *Denial.* The Commission or Director, as applicable, may deny any plan or plat or that does not conform to this Chapter, the Comprehensive Plan as it applies within the City limits (except where it conflicts with existing zoning) and its appendices, Master ~~Thoroughfare~~Transportation Plan, parks and recreation policies, applicable infrastructure policies and manuals, Meacham, Alliance and Spinks Airport controls, other City codes, ordinances, policies, rules or regulations; and other applicable state and federal laws. If the plat or plan is denied, the Commission or Director, as applicable, shall provide a written statement to the applicant in accordance with Tex. Local Government Code § 212.0091. The applicant may submit a response to the denial to the Commission or Director, as applicable, in accordance with Tex. Local Government Code § 212.0093. If submitted in accordance with filing calendar, the Executive Secretary shall file said response with the Commission or Director, as applicable, for consideration within 15 days. The Commission or Director, as applicable, shall approve or disapprove a response submitted in accordance with Tex. Local Government Code § 212.0093. If the response is disapproved, the Commission or Director, as applicable, shall provide a written statement to the applicant in accordance with Tex. Local Government Code § 212.0091.

## SECTION 14.

Chapter 31 “Subdivision Ordinance,” Article II “Development Review Committee,” Section 31-21 “Establishment” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to be and read as follows:

The Development Review Committee (DRC) is established to assist the City Plan and Zoning Commissions in their review of plans and plats; rights-of-way vacations and closures; Master ~~Thoroughfare Plan~~Roadway Network changes; and zoning changes and

site plans.

## SECTION 15.

Chapter 31 “Subdivision Ordinance,” Article IV “Submission and Review Process,” Section 31-62 “Submission Process” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (c) to be and read as follows:

- (c) *Public notices for certain applications.* The following applications shall require notice of a public hearing: applications for waivers from Subdivision Ordinance requirements for plats, right-of-way or easement vacations and Master ~~Thoroughfare Plan~~ Roadway Network amendments/ or waivers requiring Plan Commission approval. Notice of the public hearing shall be sent to the applicant or his or her agent; and to the owners of all properties lying within 200 feet of the property (as ownership appears on the last approved county tax roll). Notice may also be sent to the owners of all abutting properties located outside the City limits and to other persons as the Executive Secretary determines may be affected by the proposal. Notice shall be given in writing, deposited in the United States mail, postage prepaid, not less than ten days prior to the date of Commission hearing. The notice shall advise that a specific application as listed above has been submitted for consideration and is available for review in the Development Services Department. The notice shall not be deemed a condition precedent to the holding of any public hearing or to any official action concerning the matter before the Plan Commission.

## SECTION 16.

Chapter 31 “Subdivision Ordinance,” Article IV “Submission and Review Process,” Section 31-63 “Review, Approval and Expiration” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (a), subdivision (2) to be and read as follows:

- (2) *Review.* The DRC shall review the concept plan to determine the relationship of proposed traffic-ways to existing neighborhood circulation patterns; compliance with this chapter; the Master ~~Thoroughfare~~ Transportation Plan; the comprehensive plan; parks and recreation policies; Meacham, Alliance and Spinks Airport controls; and other City codes, ordinances, policies, rules or regulations; and the need for other public facilities

## SECTION 17.

Chapter 31 “Subdivision Ordinance,” Article IV “Submission and Review Process,” Section 31-63 “Review, Approval and Expiration” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (b), subdivision (1), paragraph (g) to be and read as follows:

- g. Approved Master ~~Thoroughfare Plan~~Roadway Network amendments or a copy of the application for approval;

**SECTION 18.**

Chapter 31 “Subdivision Ordinance,” Article IV “Submission and Review Process,” Section 31-63 “Review, Approval and Expiration” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (b), subdivision (2) to be and read as follows:

- (2) *Review.* The DRC shall review the preliminary plat to determine the relationship of proposed traffic-ways to existing neighborhood circulation patterns; compliance with this chapter; the Master ~~Thoroughfare~~Transportation Plan; the comprehensive plan; parks and recreation policies; Meacham, Alliance and Spinks Airport controls; and other City codes, ordinances, policies, rules or regulations; and the need for other public facilities.

**SECTION 19.**

Chapter 31 “Subdivision Ordinance,” Article IV “Submission and Review Process,” Section 31-63 “Review, Approval and Expiration” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (b), subdivision (3), paragraph (b), subparagraph (4) to be and read as follows:

- 4. Conformance with the latest adopted Master ~~Thoroughfare Plan~~Roadway Network and related street standards as determined by the City traffic engineer;

**SECTION 20.**

Chapter 31 “Subdivision Ordinance,” Article IV “Submission and Review Process,” Section 31-63 “Review, Approval and Expiration” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (d), subdivision (1), paragraph (j) to be and read as follows:

- j. Approved Master ~~Thoroughfare Plan~~Roadway Network amendments or a copy of the application for approval;

**SECTION 21.**

Chapter 31 “Subdivision Ordinance,” Article IV “Submission and Review Process,” Section 31-63 “Review, Approval and Expiration” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (d), subdivision (3), paragraph (b), subparagraph (5) to be and read as follows:

- 5. Approval of proper zoning, street vacations, and Master ~~Thoroughfare Plan~~Roadway Network amendments; and

## SECTION 22.

Chapter 31 “Subdivision Ordinance,” Article V “Subdivision General Standards,” Section 31-81 “Generally” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (a) to be and read as follows:

- (a) Plats, plans and proposed public improvements shall conform to this chapter, the Comprehensive Plan as it applies within the City limits (except where it conflicts with existing zoning); Master ~~Thoroughfare~~Transportation Plan; parks and recreation policies; Meacham, Alliance and Spinks Airport controls; and other City codes, ordinances, policies, rules or regulations.

## SECTION 23.

Chapter 31 “Subdivision Ordinance,” Article VI “Subdivision Design Standards,” Section 31-102 “Streets and Blocks Arrangements” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend subsection (b), subdivision (3), paragraph (b) to be and read as follows:

- b. *Senior high schools.* New senior high school sites shall have direct access to an adjacent arterial or collector street. Said schools shall have “boundary” streets on at least three sides of the site. Two of which shall have at least 60-foot ROW’s with paving widths of not less than 36 feet to 40 feet, as determined by TPW, with one such street classified as a major collector street. The third boundary street shall be an arterial or collector street having ROW and paving widths commensurate with the City’s Master ~~Thoroughfare Plan~~Roadway Network standards.

## SECTION 24.

Chapter 31 “Subdivision Ordinance,” Article VI “Subdivision Design Standards,” Section 31-106 “Street Design Standards,” subsection (a) of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to be and read as follows:

- ~~(a) *Street types.* The primary categorization for thoroughfares is the street type. Rather than categorizing thoroughfares solely on the basis of traffic volumes and speeds, the master thoroughfare plan categorizations are designed to reflect streets' respective land-use contexts, and a balanced approach to the various transportation modes needing to use each street type. The master thoroughfare plan includes five street types: activity street, commercial mixed use street neighborhood connector, commercial connector, and system link as follows:~~

- ~~(1) *Activity street.* Activity streets are "destination streets." They are typically retail-oriented, with generous parkway widths and room for sidewalk cafes and other such features. Automobile speeds are slow, and lanes are slightly narrower than typical. Parking is typically on-street, and building facades front the street. Buildings are typically one to three stories high. Streets are typically in a grid pattern, diffusing~~

traffic. Bicycles may share the street depending on speeds, but bike lanes are also used.

- (2) ~~Commercial/mixed use street.~~ Commercial/mixed use streets have a business flavor and can often be found downtown. Buildings are typically multi-storied and are often office/commercial-oriented, but may have residential uses on the upper floors. Buildings front on the street and on-street parking is common, but parking garages are also common—meaning automobiles are often turning to and from the street. Wide sidewalks are prevalent and are especially busy during rush hours and the lunch hour. Streets are typically in a grid pattern, diffusing traffic. Commuter transit is prevalent, and traffic speeds are fairly slow. Lanes are slightly narrower than typical. Bicycles are often accommodated by bike lanes.
- (3) ~~Neighborhood connector.~~ Neighborhood connectors provide access from neighborhoods to services. They are often run at the peripheries of residential areas, and landscaped medians are fairly common. Sidewalks or multi-use paths are typically separated from the street by a landscape buffer. Buildings (or residential fences) are generally set well back from the street. This street type is especially suited for on-street bicycle travel due to relatively infrequent driveways and cross-streets. Automobile speeds are moderate.
- (4) ~~Commercial connector.~~ Commercial connectors typically serve retail portions of the city. Many driveways may be present, and a mixture of medians and center turn lanes help to regulate movements to and from sites. Retail stores are generally separated from the street by surface parking lots. Automobile speeds are moderate to high. Bicycle facilities must be carefully designed due to the amount of driveways. Sidewalks are generally buffered from the street by landscaping.
- (5) ~~System link.~~ System links tend to emphasize longer distance automobile traffic, often providing connections to freeways. Automobile speeds are moderate to high. Pedestrians and bicyclists are buffered from traffic as much as possible; multi-use off-street paths are common. System links always include raised medians to separate traffic directions and facilitate left turns. Most left turns occur at signalized intersections; access to driveways is typically via right turns.
- (6) ~~Industrial street.~~
  - a. ~~Service.~~ Industrial streets are established for industrial areas to recognize different types of vehicles, i.e. with larger turning radii, heavier industrial type traffic, and wheel loads. These streets are minor arterials that route industrial traffic to and from the arterial system with industrial districts.
  - b. ~~Average daily traffic volumes.~~ Traffic volumes vary from 5,000 vehicles per day to 20,000 vehicles per day or more.
  - c. ~~Right-of-way and roadway design standards.~~ ROW and paving widths shall

conform to those identified in the current Master Thoroughfare Plan.

~~(7) — Collector street (C).~~

~~a. — Service.~~

- ~~1. The collector street system differs from the arterial systems in that facilities on the collector system may penetrate neighborhoods, distributing trips from the arterials through the neighborhood area to the ultimate destination such as a park, elementary, or middle school, which may be on a residential street or a collector street. Conversely, the collector street also collects traffic from residential streets in the neighborhood and channels it into the arterial systems. In some cases, due to the design of the overall street system, a minor amount of through traffic may be carried on some collector streets.~~
- ~~2. The collector provides for both land access service and local traffic movements within residential neighborhoods, commercial areas and industrial areas.~~
- ~~3. Street layout shall provide for collector streets in areas between arterial streets. See § 31-101(g).~~

~~b. *Average daily traffic volumes.* Average traffic volumes on collector streets should not exceed 5,000 vehicles per day in residential areas, and 10,000 vehicles per day in commercial or industrial areas.~~

~~c. *Right-of-way and roadway design standards.*~~

- ~~1. *Residential collectors (C).*~~
- ~~2. *Commercial collectors.*~~

~~(8) — Urban local (residential street) (UL).~~

~~a. — *Service.* Urban local residential streets are residential streets, which carry traffic to and from collector and other residential streets. They are likewise comprised of cul-de-sacs and loop streets, which serve low-density residential areas and very limited public facilities, often in conjunction with collector streets. Urban local residential streets are usually of limited length and non-continuous in nature to discourage through traffic.~~

~~b. — *Average traffic volumes.* Average traffic volumes on urban local residential streets should not exceed 2,500 vehicles per day and are normally in the range of 1,000 vehicles per day.~~

~~(9) — Limited local (residential street) (LL).~~

- a. ~~Service. Limited local streets are residential streets, which serve only cluster or zero lot line housing and have several limiting restrictions and conditions which prohibit their use in other types of developments, except in very specific instances. These restrictions and conditions are detailed elsewhere in these regulations.~~
- b. ~~Average traffic volumes. Traffic volumes in these types of developments approximate 1,000 or less vehicles per day.~~

(a) Street classifications are set forth in the Master Roadway Network in the City’s Master Transportation Plan.

**SECTION 25.**

Chapter 31 “Subdivision Ordinance,” Article VI “Subdivision Design Standards,” Section 31-106 “Street Design Standards,” subsection (c), subdivision (1) of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to be and read as follows:

- 1. *Conformance with ~~MTP~~Master Transportation Plan and development considerations.* The arrangement, classification, character, extent and location of streets shall conform to the Master ~~Thoroughfare~~Transportation Plan and shall be considered in relation to existing and planned streets, to topographical conditions, to drainage in and through the proposed and adjacent subdivisions, to public convenience and safety, and to the proposed uses of land to be served by such streets.

**SECTION 26.**

Chapter 31 “Subdivision Ordinance,” Article VI “Subdivision Design Standards,” Section 31-106 “Street Design Standards,” subsection (c), subdivision (5) of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to be and read as follows:

- (5) *Additional right-of-way (ROW) requirements at high volume intersections.* Additional right-of-way, other than the minimums shown in the Master ~~Thoroughfare~~Transportation Plan (MTP) may be required at high volume driveways for turning lanes, etc., as determined by TPW during the design phase of the street system and prior to submitting the final plat.

**SECTION 27.**

Chapter 31 “Subdivision Ordinance,” Article VI “Subdivision Design Standards,” Section 31-107 “Gated Subdivisions and Developments,” subsection (b), subdivision (2) of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to be and read as follows:

- (2) *Excluded streets.* Streets shown on the City’s Master ~~Thoroughfare Plan~~ Roadway

Network shall not be regarded as private streets. The private street may not impact public traffic circulation or impair access to property either on-site or off-site to the subdivision or development; or impair access to or from public facilities, including schools, parks and libraries; or otherwise impair the response time of emergency vehicles.

#### SECTION 28.

Chapter 31 “Subdivision Ordinance,” Article IX “Glossary of Terms,” Section 31-171 “Glossary of Terms” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend the definition of “access” to be and read as follows:

***ACCESS.*** Adequate access is defined as having frontage on a paved road meeting the right-of-way and pavement dimensions set forth in the Master ~~Thoroughfare Plan~~Roadway Network.

#### SECTION 29.

Chapter 31 “Subdivision Ordinance,” Article IX “Glossary of Terms,” Section 31-171 “Glossary of Terms” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend the definition of “comprehensive plan” to be and read as follows:

***COMPREHENSIVE PLAN.*** For purposes of this chapter, the comprehensive plan shall include current and future streets, alleys, parks, playgrounds and public facilities as delineated by the Master ~~Thoroughfare Plan~~Roadway Network; parks and recreation policies; Meacham, Alliance and Spinks Airport controls; and other City codes, ordinances or regulations.

#### SECTION 30.

Chapter 31 “Subdivision Ordinance,” Article IX “Glossary of Terms,” Section 31-171 “Glossary of Terms” of the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to add a definition of “Master Roadway Network” to be and read as follows:

***MASTER ROADWAY NETWORK.*** A chapter within the City’s Master Transportation Plan that consists of the City’s long-range framework for planning, preserving, and managing the future roadway system that serves as the City’s adopted framework for defining roadway functions, cross-sections and multimodal system design.

#### SECTION 31.

Chapter 4 “District Regulations” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, codified as Appendix A to the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend Article 7 “Residential Districts,” Section 4.710 “Low Density Multifamily (“CR”) District,” subsection (d), subdivision (2), paragraph (c), subparagraph (ii) to be and read as follows:

- ii. 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~~Transportation 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 32.**

Chapter 4 “District Regulations” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, codified as Appendix A to the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend Article 7 “Residential Districts,” Section 4.711 “Medium Density Multifamily (“C”) District,” subsection (d), subdivision (2), paragraph (c), subparagraph (ii) to be and read as follows:

- ii. 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~~Transportation 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 33.**

Chapter 4 “District Regulations” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, codified as Appendix A to the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend Article 7 “Residential Districts,” Section 4.712 “High Density Multifamily (“D”) District,” subsection (d), subdivision (2), paragraph (c), subparagraph (ii) to be and read as follows:

- ii. 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~~Transportation 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 34.**

Chapter 5 “Supplemental Use Standards” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, codified as Appendix A to the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend Article 3 “Accessory Uses,” Section 5.305 “Fences,” subsection (a), subdivision (18), paragraph (a) to be and read as follows:

- a. Any property (except when located in a mixed use district) that is platted into three lots or more for one- or two-family development where the side or rear yard are adjacent to an arterial street as defined by the City’s Master Thoroughfare Transportation Plan, shall be required to provide a minimum six-foot

wall of brick, stone, masonry, decorative cast concrete, wrought iron, tubular steel, durable composite board with top and bottom rails, or other material with a projected life expectancy of 25 years or more along the entire length of each property. Masonry columns shall be provided not greater than ten feet on center. All fence posts must be placed at a depth of at least 24 inches into the ground, filled and anchored with concrete footers or encasement. A horizontal relief of the same height shall be placed parallel to the arterial street at intervals not greater than 500 feet with a minimum off-set of three feet in depth by 50 feet in length. The off-set section shall be wrought iron type fence design or other such material as approved by the Director of ~~Planning and~~ Development Services, as referenced in subsection (c)(1) below. Required fences may also be located within an easement dedicated to a home owners association (HOA) or public improvement district (PID), or, a designated lot of not less than five feet wide along the rear or side property line of the residential lots adjacent to the arterial street right-of-way under the control of an HOA or PID. No building permit shall be issued for lots required to provide a masonry screen fence under this section until a building permit has been provided for the fence.

### **SECTION 35.**

Chapter 5 “Supplemental Use Standards” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, codified as Appendix A to the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend Article 3 “Accessory Uses,” Section 5.305 “Fences,” subsection (c), subdivision (2), paragraph (b), subparagraph (2) to be and read as follows:

2. Boards used in the construction shall be spruce, cedar, redwood or other durable decay-resistant construction. The lumber grade of boards shall be “select,” #1 or equal. Boards should be spaced one-eighth-inch apart and shall face the residential district, unless the majority of the residents whose property faces the fence request that the finished side face the adjacent commercial or industrial property. The finished sides of all fences constructed adjacent to a freeway or arterial street shown on the Master ~~Thoroughfare~~ Transportation Plan shall face the right-of-way; and

### **SECTION 36.**

Chapter 5 “Supplemental Use Standards” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, codified as Appendix A to the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend Article 3 “Accessory Uses,” Section 5.305 “Fences,” subsections (d) and (e) to be and read as follows:

- (d) *Specifications for other required fences.* Fences required to be constructed pursuant to the Zoning Ordinance, other than required screening fences, shall be constructed of materials allowed for screening fences pursuant to subsection (c)(1) above or from wrought iron, tubular steel or chain link. Wood, concrete and masonry fences over six feet in height shall be constructed in accordance with the construction

requirements set out in subsection (c)(2) above. The finished sides of all fences constructed adjacent to either a freewaylimited access route, such as a freeway, tollway or expressway, or an arterial shown on the Master ThoroughfareTransportation Plan shall face the right-of-way.

- (e) *Specifications for all other fences adjacent to a freewaylimited access route or arterial street.* Except for screening fences and other required fences, which shall comply with subsections (c) and (d) above, fences that are constructed adjacent to a freewaylimited access route or arterial shown on the Master ~~Thoroughfare~~Transportation Plan shall be constructed of wood, brick, stone, reinforced concrete products, masonry, wrought iron, tubular steel or chain link. In addition, the Development Services Director or his or her designee may approve other materials provided the material is expressly designed for fence installation and is resistant to sunlight and moisture. The finished sides of all fences constructed adjacent to a freewaylimited access route or arterial street shown on the Master ~~Thoroughfare~~Transportation Plan shall face the right-of-way.

#### **SECTION 37.**

Chapter 6 “Development Standards” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, codified as Appendix A to the Code of the City of Fort Worth, Texas (2015), as amended, is hereby amended to amend Article 4 “Signs,” Section 6.409 “Regulations Governing On-Premise Detached Signs in Commercial and Industrial Districts,” subsection (f), subdivision (2) to be and read as follows:

- (2) Street types are as defined in the most recently adopted/amended Master ~~Thoroughfare~~Transportation Plan.

#### **SECTION 38.**

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 39.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Code of the City of Fort Worth 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 40.**

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 41.**

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 Five Hundred Dollars (\$500.00) for each offense. 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 that govern fire safety, zoning or public health and sanitation, including the dumping of refuse, 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 42.**

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 days in the official newspaper of the City of Fort Worth, Texas as authorized by Local Government Code Section 52.013.

**SECTION 43.**

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

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Richard A. McCracken  
Senior Assistant City Attorney

\_\_\_\_\_  
Jannette S. Goodall  
City Secretary

ADOPTED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_