



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
August 4, 2015

Council District ALL

Continued	Yes ___ No <u>X</u>
Case Manager	<u>Jocelyn Murphy</u>
Surplus	Yes ___ No <u>X</u>
Council Initiated	Yes ___ No <u>X</u>

Owner / Applicant: City of Fort Worth Planning and Development Department

Proposed Change: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend Chapter 4 "District Regulations" to amend:

- Article 1. "Standards For Selected Uses" of "Chapter 5 "Supplemental Use Standards", to amend Section 5.107a, "Boarding Houses" to revise standards to conform to the definition for Boarding Houses

To review the proposed amendments: <http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

Request: TEXT AMENDMENT: BOARDING HOUSE SUPPLEMENTAL STANDARDS

Background:
Staff is proposing to amend Section 5.107A, the Supplemental Standards for a Boarding House or Lodging House, in coordination with an amendment to the definition in ZC-15-103.

The Supplemental Standards will be revised to remove "single housekeeping unit", since that term is used in the definition of Family. Since the definition will be revised to incorporate existing Supplemental Standards in Boarding Houses, those standards including requirements for a resident manager and the length of stay will be removed.

Attachments: Proposed Ordinance
Minutes from the Zoning Commission meeting

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING ARTICLE 1. "STANDARDS FOR SELECTED USES" OF "CHAPTER 5 "SUPPLEMENTAL USE STANDARDS", TO AMEND SECTION 5.107A, "BOARDING HOUSES" TO REVISE STANDARDS TO CONFORM TO THE DEFINITION FOR BOARDING HOUSES; 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, on October 8, 2002 the City Council adopted Ordinance No. 15286-10-2002 which provided for additional supplemental development standards and operational regulations to address health and safety issues related to boarding houses; and

WHEREAS, definition of "boarding house or lodging house" has been revised to clarify and distinguish its definition from the unrelated persons portion of the definition of Family; and

WHEREAS, the following amendments to the supplemental development standards in Section 5.107A "Boarding Houses" are being proposed to follow the revised definition of Boarding House or Lodging House";

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

SECTION 1.

Article 1 "Standards for Selected Uses" of Chapter 5 "Supplemental Use Standards", being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of the City of Fort Worth, Section 5.107A "Boarding Houses" is amended to revise the standards for boarding houses to follow the revised definition for boarding houses or lodging houses, to read as follows:

Sec. 5.107A Boarding Houses.

Boarding houses may be permitted in accordance with the use tables in Chapter 4, Articles 6 and 8, subject to the following conditions.

- ~~(a) The term BOARDINGHOUSES shall also include lodging houses.~~
- ~~(b) Each boardinghouse shall be a single structure containing assigned rooms for residents.~~

- (ae) No more than one boarding house per individual tract, parcel or platted lot is allowed.
- ~~—(d) A boarding house must be constructed in compliance with all applicable requirements of the “boarding house (not transient)” provisions of the building code.~~
- ~~—(be) No more than two occupants per sleeping room are allowed.~~
- (bf) All sleeping rooms shall be a minimum size of 70 square feet for one occupant and 120 square feet for two occupants, plus 50 square feet for each additional occupant.
- (cg) Public ingress and egress to the boarding house shall be through one common exterior entrance. Ingress and egress for boarders shall be through common exterior entrances.
- (dh) Entry access to all ~~boarding~~ sleeping rooms shall be through the interior of the building. No exit doors from individual ~~boardingsleeping~~ sleeping rooms shall lead directly to the exterior of the building.
- (ei) Residents must have access on-site to shared common areas for cooking and eating. A common kitchen facility equipped for cooking meals located on-site must be available to the residents, or daily meals must be provided on-site for the residents of the boarding house.
- (ff) No cooking is permitted in any sleeping room. No cooking facilities are permitted in any sleeping room.
- (gk) Each floor must contain at least one fully-equipped bathroom for each five residents that is accessible from a common hallway.
- ~~(l) Each boardinghouse shall have a resident manager.~~
- (hm) All residents must execute a lease before occupancy.
- ~~—(n) Rooms must be leased to the same resident for at least seven consecutive calendar days.~~
- (io) Parking spaces shall be provided as follows: ~~one space for the resident manager;~~ one space per leased sleeping room; and one space per four employees.
- (jp) Owner of the boardinghouse must obtain a certificate of occupancy and register with the multifamily inspection program before operating a boardinghouse.

SECTION 2.

This ordinance shall be cumulative of all other ordinances of the Code of the City of Fort Worth, Texas (1986), as amended, affecting zoning and shall not repeal any of the provisions of

such ordinances, except in those instances where provisions of such ordinance are in direct conflict with the provisions of this ordinance.

SECTION 3.

That all rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of Ordinance Nos. 3011, 13896, or any amendments thereto 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 or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 4.

That 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 void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

That 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 (\$2000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

That the City Secretary of the City of Fort Worth, Texas is hereby directed to publish 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.

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

APPROVED AS TO FORM AND LEGALITY:

By: _____

Assistant City Attorney

Mary Kayser, City Secretary

Adopted: _____

Effective: _____

DRAFT

25. ZC-15-103 City of Fort Worth Planning & Development: Text Amendment: Definitions (CD All)

An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of The City of Fort Worth (1986), by Amending:

- **Chapter 9 “Definitions”, to amend Section 9.101, “Defined Terms” to revise the definitions of “Family”, “Boarding House”, “Community Home”, and “Restaurant”, and;**
- **Add Definitions for “Transient or Short Term Residential” and “Single Housekeeping Unit”**

Ms. Murphy explained the text amendment.

Motion: Following brief discussion, Mr. Edmonds recommended Approval of the request, seconded by Mr. Northern. The motion carried unanimously 7-0.

26. ZC-15-104 City of Fort Worth Planning & Development: Text Amendment: Boarding House Supplemental Standards (CD All)

An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of The City of Fort Worth (1986), by Amending:

- **Article 1. “Standards for Selected Uses” of Chapter 5 “Supplemental Use Standards”, to amend Section 5.107a, “Boarding Houses” to revise standards to conform to the definition for Boarding Houses**

Ms. Murphy explained the text amendment.

Motion: Following brief discussion, Ms. Reed recommended Approval of the request, seconded by Mr. Reeves. The motion carried unanimously 7-0.

27. ZC-15-105 City of Fort Worth Planning & Development: Text Amendment: Board of Adjustment Interpretation Procedures (CD All)

An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix “A” of the Code of The City of Fort Worth (1986), by Amending:

- **Chapter 3 “Review Procedures”, to amend Article 2 “Ordinance Interpretation” to amend in its entirety the process to appeal an ordinance interpretation of the Zoning Administrator**

Ms. Murphy explained the text amendment.