



**ZONING AMENDMENT
STAFF REPORT**

City Council Meeting Date:
March 6, 2012

Council District All

Zoning Commission Recommendation:

Approved by a vote of 9-0

Opposition: none

Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Case Manager	<u>Jocelyn Murphy</u>	
Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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

Site Location: Citywide Mapsco: N/A

Proposed Use: 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, amending Chapter 2, "Review Bodies" to amend Section 2.102 "Urban Design Commission" to reduce the quorum from six to five members

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

Request: **TEXT AMENDMENT: AMEND URBAN DESIGN COMMISSION
QUORUM FROM 6 TO 5 MEMBERS**

The proposed amendment will reduce the quorum requirement from 6 to 5 members. This reduction will cause the UDC quorum to be equal to that of the Historic and Cultural Landmark Commission.

- Attachments:**
- Proposed Ordinance Amendment
 - Minutes of the Zoning Commission meeting

URBAN DESIGN QUORUM CHANGE

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE 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 CHAPTER 2, "REVIEW BODIES" TO AMEND SECTION 2.102 "URBAN DESIGN COMMISSION" TO REDUCE THE QUORUM FROM SIX TO FIVE MEMBERS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council adopted Ordinance No. 12088 on August 15, 1995, establishing the Scenic Preservation Commission "Commission" to review and designate areas of the City as scenic, cultural, architectural or historic areas and to address off-premise signs in those designated areas;

WHEREAS, on October 8, 2002 the City Council adopted Ordinance No. 15284 renaming the Commission to the Scenic Preservation and Design Review Commission expanding the powers to include designs for stealth communication towers and surface mounted antennas and increasing the membership of the Commission to nine regular members and two ad hoc members; and

WHEREAS, on October 23, 2007 the City Council adopted Ordinance No. 17844 renaming the Commission to the Urban Design Commission and revising membership criteria; and

WHEREAS, the Urban Design Commission consists of nine members; and

WHEREAS, the quorum requirement for the Urban Design Commission is set at six (6) members and the City staff recommends that the quorum requirement be reduced to five (5) members to facilitate the timely conduct of official business.

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

SECTION 1.

Chapter 2 of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, "Review Bodies", Section 2.102 "Urban Design Commission" subsection D. "Quorum" is amended to reduce the number of members required for a quorum from six to five members, to read as follows:

D. Quorum

~~Six~~Five voting members of the Urban Design Commission shall constitute a quorum. A motion to approve any matter before the Commission shall require the affirmative vote of five voting members of the Commission.

SECTION 2.

That this ordinance shall be cumulative of all provisions and of the Code of the City of Fort Worth affecting zoning and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances 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.

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 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 Ordinance No. 3011, Ordinance No. 13896, or any other ordinances affecting zoning 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 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.

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

APPROVED AS TO FORM AND LEGALITY:

By: _____
Assistant City Attorney

Adopted: _____

Effective: _____

Motion: Following brief discussion, Ms. Zadeh recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

9. ZC-12-019 City of Fort Worth Planning and Development (CD 8)- 1829 East Davis Street (South Hemphill Heights, Block 39, 0.15 Acres): from "B" Two-Family to "A-5" One-Family

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained this is surplus property.

Motion: Following brief discussion, Mr. Romero recommended approval of the request, seconded by Ms. Spann. The motion carried unanimously 9-0.

10. ZC-12-020 City of Fort Worth Planning and Development (CD ALL)- Text Amendment Urban Design Commission Quorum Change

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained to the Commissioners this amendment will change the quorum for the Urban Design Commission from six members to five.

Motion: Following brief discussion, Mr. Edmonds recommended approval of the request, seconded by Ms. Spann. The motion carried unanimously 9-0.

11. ZC-12-021 City of Fort Worth Planning and Development (CD ALL)- Text Amendment Amendments to Telecommunications Towers

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained to the Commissioners the changes to the Telecommunications Towers.

Mr. West asked staff to verify this is a result of studies that have been done and that the industry has had an opportunity to provide input and there was no opposition. Ms. Burghdoff confirmed with a yes.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 9-0.

12. ZC-12-022 City of Fort Worth Planning and Development (CD 3)- Text Amendment Reorganize and Renumber Overlay Districts and add a Mixed-Use and Form Based District Use Table; Reactivate O-1 and O-2 Floodplain Districts

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained to the Commissioners staff is requesting a 30 day continuance.