

Article 5. Text or Map Amendment (Rezoning)

3.500 Application Required

Every proposal to amend, supplement or change the regulations or restrictions of this Ordinance, or the boundaries of the zoning districts, shall be filed with the Zoning Commission, in accordance with the Zoning Commission's established rules of procedure. An application may be filed by the owner of property or an authorized agent, or by the Planning and Development Department upon recommendation of the Zoning Commission, Plan Commission, Board of Adjustment or City Council.

3.501 Fee Required

Every application shall be accompanied by the appropriate filing fee as provided in the Schedule of Fees and Charges contained in Chapter 25 of the City Code. No fee shall be charged for proposals filed upon recommendation of the Zoning Commission, Plan Commission, Board of Adjustment or City Council.

3.502 Notice

A. Written Notice

Written notice of all public hearings before the Zoning Commission on proposed changes in zoning classification shall be sent to owners of real property lying within 300 feet of the property upon which the change in classification is proposed, such notice to be given not less than ten days before the date set for hearing to all such owners who have rendered their said property for City taxes, as the ownership appears on the last approved City Tax Roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the United States Mail. When property lying within 300 feet of the property proposed to be changed is located in territory which was annexed to the City after the final date for making the renditions which are included on the last approved City Tax Roll, at least 15 days notice of the time and place of the public hearing shall be published in an official newspaper or a paper of general circulation in the City. Refer to *'District Regulations, Chapter 4.305 Uses'* for additional notice requirements for halfway houses and certain multi-family dwellings.

B. Posted Notice

1. The City Manager or a designee shall direct the erection of at least one sign upon each property proposed to be rezoned. Where possible, such sign or signs shall be located in a conspicuous place or places upon such property at a point or points nearest any right-of-way, street, roadway or public thoroughfare adjacent to such property.
2. Such sign(s) shall be so erected not less than ten days before the date set for public hearing before the Zoning Commission. Any such sign or signs shall be removed subsequent to the occurrence of either final action by the City Council or withdrawal of the application for amendment.
3. Such sign(s) shall substantially indicate that a zoning amendment is proposed and shall further set forth that additional information can be acquired by telephoning the number indicated thereon.
4. The erection and/or the continued maintenance of any such sign(s) shall not be deemed a condition precedent to the holding of any public hearing, to the recommendation concerning or adoption of any proposed zoning amendment or to any other official action concerning any such amendment.

C. Published Notice

Notice of a public hearing before the City Council shall be given by publication one time in the official newspaper or a paper of general circulation in the municipality at least 15 days before the time of the hearing. Refer to *'District Regulations, Chapter 4.305 Uses'* for additional requirements for halfway houses.

3.503 Zoning Commission Public Hearing and Recommendation

The Zoning Commission shall hold public hearings on all properly filed proposals. After closing of the public hearing on a proposal, the Zoning Commission shall transmit to the City Council its recommendation on said proposal.

3.504 City Council Hearing and Action

A. Zoning Commission Recommendation and Council Hearing.

Every proposal to amend a zoning boundary which is recommended for approval or denial by the Zoning Commission and every proposed amendment to the regulations of this ordinance shall be forwarded to the City Council for a public hearing as required by state law. No change, however, shall become effective until after the adoption of an ordinance and its publication as required by law.



Picture 3.4 . [\(Popup full image\)](#)

B. City Council Action.

Upon receipt of the final report and recommendation of the Zoning Commission, the City Council may:

1. Approve the application;
2. Deny the application with prejudice;
3. Deny the application without prejudice as to re-filing upon showing that unnecessary hardship will otherwise result and that the intent and spirit of the ordinance will be observed; or
4. Refer the original proposal to the Zoning Commission for a new hearing, report and recommendation.

C. Proposal Recommended for Denial

Upon receipt of the final report and recommendation of the Zoning Commission, the City Council may;

1. Approve the application;
2. Deny the application with prejudice;
3. Deny the application without prejudice as to re-filing upon showing that unnecessary hardship will otherwise result and that the intent and spirit of the ordinance will be observed; or

4. Refer the original proposal to the Zoning Commission for a new hearing, report and recommendation.

3.505 Limitation on Reapplication

When a proposal is denied by the City Council or when the applicant has withdrawn a proposal after the giving of public notice, no new applications of like nature shall be accepted by the City or scheduled for a hearing by the Zoning Commission within a period of 12 months of the date of denial or withdrawal unless the proposal is denied without prejudice; provided, however, on receipt of written request by the original applicant describing substantially changed conditions in the community since the prior consideration of the proposal so as to justify an earlier review of this matter, the City Council may waive the mandatory delay period and authorize the acceptance of the new application.

3.506 City Plan Commission Review for Effectiveness

The City Plan Commission shall regularly review the effectiveness of this Zoning Ordinance in accomplishing the objectives of the city plan. When the City Plan Commission finds that the development of an area is contrary to or inconsistent with the planning objectives for that area, or that the frequency of requests indicates a need for broad scale changes, the City Plan Commission shall advise the Zoning Commission of its conclusions thereon and may file a proposal to amend, supplement or change the regulations and the districts on behalf of the community at large. The report of the City Plan Commission shall be included with the Zoning Commission report to the City Council. Upon annexation of territory to the City of Fort Worth, the City Plan Commission shall prepare a report recommending the locations and types of districts to be established in said territory, and shall file a copy of said report with the City Council and with the Zoning Commission for public hearing thereon.

(Ord. No. 13896, Eff. 10/12/99; Ord. No. 16948, 05/16/06; Ord. No. 17522, 04/24/07)