Chapter 6 Development Standards

Article 1. General

6.100 Height

The height, area and setback requirements in the various districts in Chapter 4 shall be subject to the following exceptions and regulations:

1. Except for multifamily developments subject to the Unified Residential Development provisions of Section 6.506, the height of a building in the “A” through “F” Districts may be increased when the front, side and rear yard dimensions are each increased above the minimum requirements by one foot for each foot such building exceeds the height limit of the district in which it is located.

2. Except for multifamily dwellings developed in accordance with the Unified Residential Development provisions of Section 6.506, the height of a building shall be the vertical distance measured from the curb level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof; provided, however, that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

3. Height in multifamily residential developments constructed in accordance with the provisions of Section 6.506, Unified Residential Development, shall be measured from the top of the finished slab to top of the highest wall top plate.

4. Except for multifamily dwellings developed in accordance with the Unified Residential Development provisions of Section 6.506, on through lots 150 feet or less in depth, the height of a building may be measured from the curb level on either street. On through lots more than 150 feet in depth the height regulations and basis of height measurements for the street permitting the greater height shall apply to a depth of not more than 150 feet from that street.
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5. Elevator penthouses or bulkheads; mechanical equipment rooms; cooling towers; tanks; enclosed stairwells; and ornamental cupolas and domes; signs and spires may be erected on buildings to any height not prohibited by any other law, code or regulation.

6. Nothing in this Ordinance shall interfere with limitation on height of structures included in the airport zoning regulations in Section 3-260, et seq. of the City Code. ((Ord. No.13896, Eff. 10/12/99; 16330, 03/08/05)

6.101 Yards

A. Yards to Remain Unobstructed

Every part of a required yard shall be open from its lowest point to the sky unobstructed, except that:

1. Ordinary sills, belt courses, cornices, chimneys, bay windows, buttresses and ornamental features may project not more than six inches into a required yard; and
2. Eaves may project not more than 36 inches into a required yard.
3. A terrace garage in any residential district may be located in a front or side yard, provided that it is completely recessed into the terrace, and that the height of the terrace is sufficient to cover and conceal the structure from above, and further provided that the doors when open, shall not project beyond the property line, and that the structure shall be set back at least five feet from any property line.
4. The front yard setback shall be measured from the front property line to the main wall of the structure. An open porch or patio that has a vertical roof support may not be set closer than fifteen (15) feet from the front property line on a local street and ten (10) feet on a limited local street.

B. Multifamily/Nonresidential Districts Adjacent to Residential Districts

1. For corner lots in multifamily and nonresidential districts that abut the front yard of a lot with residential zoning, the exterior minimum side yard requirements shall be the same as the front yard requirements of the adjacent residential lot.
2. Structures are not permitted to be located in this yard area, nor can such area be used for signage, garbage collection, loading and/or parking of vehicles, any type of storage, or any nonresidential activity.
3. This required yard area shall not be graveled or hard-surfaced, but shall be maintained as open green space, save and except for necessary driveways.

C. Multifamily/Nonresidential Districts Across the street from Residential Districts

1. Zero Lot Line/Cluster ("R1") and Townhouse/Cluster ("R2") Districts. For Zero Lot Line/Cluster ("R1") and Townhouse/Cluster ("R2") Districts that fronts a public or private street classified as a residential or collector street and that are across the street from a One-Family Residential or Multifamily District, the front, side and rear setback requirements shall be the same as the setback requirements for the residential or multifamily district.
2. Nonresidential Districts. Property located in "FR" through "K" Districts, that fronts a public or private street classified as a residential or collector street and that is across the street from a One-Family Residential or Multifamily District, the front, side and rear setback requirements shall be the same as the setback requirements for the residential or multifamily district.
3. The setback requirement shall apply to the entire front, side or rear yard and shall not be limited to the portion of the property that is directly across the street from a residential district. The setback requirement shall extend through the entire block face.

D. Front Yard Setbacks

1. The front yard setback in residential districts shall be the greatest of: the following prescribed setbacks:
   a. The platted building line;
   b. The setback for the applicable zoning district; or
   c. The setback of the nearest building on either side that is the closest to the street, up to a maximum setback of fifty (50) feet, provided that said setback is not the result of
a variance granted by the Board of Adjustment. This requirement is applicable only if homes have been constructed on at least 40% of the lots within the blockface. This requirement does not apply to properties within a cul-de-sac.

2. Where 60% of the existing block face has been built such that the setbacks of the existing structures are less than the minimum required setback, an infill structure may be constructed consistent with the setback of the nearest building on either side that is closest to the street, regardless of whether said setback is the result of a variance granted by the Board of Adjustment.

E. **Through Lots.** If the rear frontage of a through lot is on an arterial or wider street, the rear yard setback standards for the applicable district apply. If the rear frontage of a through lot is located on a local or collector street, the front yard setback standards of the applicable district shall apply.

All other subsections of Section 6.101, “Yards” shall remain in full force and effect.

F. **Projected Front Yard Setbacks**

1. **Corner Lot.**
   a. Where a corner lot abuts on the side of a lot facing the other intersecting street, there shall be a side yard on the corner lot equal to the front yard required on the lot adjacent to the rear of the corner lot or separated only by an alley.
   b. Where a corner lot abuts the rear of a lot with a greater side yard setback, there shall be a side yard on the corner lot equal to the side yard required on the lot that abuts to the rear of the corner lot or separated only by an alley.

   ![Projected Front Yard Setback, Corner Lot](Popup full image)

2. **Interior Lot.** Where an interior lot abuts another zoning district, there shall be a projected front yard equal to the most restrictive front yard required on any lot in the same block face.

   ![Projected Front Yard Setback, Interior Lot](Popup full image)

G. **Rear Yard Exception Adjacent to Railway**

No rear yard shall be required in the “ER” to “K” Districts inclusive on any lot used for business or industrial purposes, the rear line of which adjoins a railway right-of-way or which has a rear railway track connection.
H. Yards and Official Line for Future Rights-of-Way
Where an official line has been established for future widening or opening of a street upon which a lot abuts, then the width of a yard shall be measured from such official line to the nearest line of the building. No commercial or industrial building shall be located closer than 30 feet to the centerline of the street.

I. Historic Overlay District Setbacks
Where the historic district has been built such that the setbacks of existing structures are less than the minimum required setback, an infill structure may be constructed consistent with the setbacks established in the historic district, regardless of whether said setback is the result of a variance granted by the Board of Adjustment.

(Ord. No. 13896, Eff. 10/12/99; 15816, 01/06/04; 15826, 01/13/04; 15926, 03/23/04; 16393, 04/05/05; 16651, 10/11/05; 16924, 05/02/06; 18902, 11/03/09; Ord. No. 20984, 10/15/13)