

ORDINANCE NO. 15946

AN ORDINANCE AMENDING SECTION 22-175 "HEAD IN PARKING PROHIBITED" OF CHAPTER 22, "MOTOR VEHICLES AND TRAFFIC" OF THE CODE OF THE CITY OF FORT WORTH (1986), AS AMENDED, BY AMENDING THE HEADING TO DELETE THE WORD "PROHIBITED" AND TO ADD PROVISIONS TO REQUIRE EXISTING HEAD-IN PARKING TO BE REMOVED EXCEPT WHEN PERMITTED AND TO ALLOW NEW ANGLE/HEAD-IN PARKING IN CERTAIN CIRCUMSTANCES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in January 2002, the City Manager appointed the Development Standards Task Force to assess the extent to which the City's development standards and procedures effectively implement the development policies contained in the City's Comprehensive Plan; and

WHEREAS, the City Council conducted a public hearing on the proposed amendments of the Development Standards Task Force on January 13, 2004 and a workshop concerning the amendments on January 20, 2004; and

WHEREAS, on January 27, 2004 the City Council approved the majority of the proposed amendments of the Development Standards Task Force, but continued the proposals regarding sidewalks and head-in parking to allow staff to present additional information and potential alternatives; and

WHEREAS, based on the recommendations of the Development Standards Task Force and the city staff, it is necessary to amend the existing ordinance provisions to require existing head-in parking to be removed except under certain conditions and to allow new angle/head-in parking under certain circumstances;

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

SECTION 1.

Section 22-175, "Head-in Parking Prohibited" of Chapter 22, Article VI, Division I of the City Code of the City of Fort Worth, "Motor Vehicles and Traffic", "Stopping, Standing and Parking," is amended by deleting "Prohibited" from the heading and by adding new subsections (c) and (d) to allow new angle/head-in parking under certain circumstances to read as follows:

Section 22-175. Head-in parking

- (a) Except as provided for in section (d) below, all head-in parking which requires a parked vehicle to use the public right-of-way for maneuvering in and out of a parking space is prohibited.
- (b) Existing head-in parking may remain on a minor street, which is defined as one that is not more than three thousand (3,000) feet long, has a speed not exceeding thirty (30) miles per hour, carries no more than one thousand two hundred (1,200) vehicles per day, and its traffic load is not expected to increase, if the following conditions are met:
 - (1) The City Traffic Engineer determines that such parking will not create a traffic or pedestrian hazard.
 - (2) A recessed parking area is constructed in such a manner that no part of a vehicle (approximately eighteen (18) feet long) parked perpendicular to the street extends into the street as defined by a curb line.
 - (3) A paved pedestrian walkway not less than six (6) feet wide shall be constructed parallel to the curb line across the front of the parking area. The six-foot walkway shall be connected on both ends, to the normal walk line with a paved walk not less than four (4) feet wide constructed perpendicular to the curb line. If the parking area and six-foot walkway extend beyond the normal property line, the adjacent property owner requesting the parking shall provide a dedicated easement for public use. In the event that the existing head-in parking is located in such a manner that a parked vehicle clears the normal property line (approximately ten (10) feet behind the curb), the requirement of the walkway in front of the parking area will be eliminated.
 - (4) The construction of laid-down curb, pedestrian walks and paved head-in parking area shall be in accordance with standard City of Fort Worth specifications for driveways and sidewalks.
- (c) Existing head-in parking shall be removed except as permitted by section (b) and stand-up curb shall be constructed at such time that the property adjacent to the laid-down curb changes usage, the building on the adjacent property is substantially remodeled or when the street is reconstructed
- (d) New angle/head-in parking may be constructed if the following conditions are met:

- (1) The new parking directly supports a redevelopment project. A redevelopment project shall be defined as any project that includes a change in use of an existing structure, or the reuse of an existing parcel where prior use can be demonstrated to the City.
 - (2) The parking space is a minimum of twenty feet (20') in depth measured from the face of the curb. In constrained areas, an eighteen foot (18') minimum may be considered and approved, when deemed appropriate by the City Traffic Engineer. T
 - (3) The parking spaces are at an angle of sixty degrees (60°) or greater to the face of the curb.
 - (4) The travel lane adjacent to the new parking will be a minimum of fifteen feet (15') wide. In constrained areas, a minimum twelve-foot (12') wide travel lane may be considered and approved, when deemed appropriate by the City Traffic Engineer.
 - (5) A minimum six-foot wide paved sidewalk is required adjacent to the new parking.
 - (6) The City Traffic Engineer determines that the new parking does not create a hazard to pedestrians or traffic.
 - (7) The construction of curb and gutter, sidewalks and the paved angle/head-in parking area meet all City specifications.
- (e) The decision of the City Traffic Engineer may be appealed to the City Council.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (1986), 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 3.

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 4.

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. Each day that a violation exists shall constitute a separate offense.

SECTION 5.

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 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 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 V.T.C.A. Local Government Code Subsection 52.013.

SECTION 7.

That this ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY

By: *Sarah J. Mullenbach*
Assistant City Attorney

ADOPTED: 4-13-04

EFFECTIVE: 4-20-04