



## ZONING CHANGE AMENDMENT APPLICATION INSTRUCTIONS

City of Fort Worth, Texas...Planning & Development Department.....Zoning Applications Section

Rev. 04.10.12

**IMPORTANT:** Please note the Following Requirements:

- A. Persons filing an application to amend the zoning ordinance must be fully prepared to present their proposal at the Zoning Commission and City Council public hearings.
- B. An application denied by the City Council cannot be accepted as a new request until one year from the date the original application was denied.

**WHO MAY APPLY:** A change of Zoning District may be proposed only by : 1) the owner of the property involved, or 2) a person having written authorization to represent and act on behalf of the owner. *Note: Where large areas or extensive ownership entities are involved, the Zoning Commission may sponsor a zoning change upon appropriate study of the issues.*

**WHERE TO APPLY:** Please submit your application for a zoning change form to the Development Dept., Zoning Applications Section, 1000 Throckmorton Street, Lower Level of City Hall. An accurate legal description of your property must be provided when filing your zoning change application. When there is more than one owner involved, a "Letter of Authorization" from each owner is required, and must contain original signature(s).

<b>FILING FEES:</b>	Less than 1 acre	\$ 924* **	If a Planned Development (PD) is requested: add \$ 803 for site plan review. Hearing Continuance .....\$187 At applicant's request (after public notice)
	1-5 acres	\$ 1,232*	
	More than 5 acres	\$ 1,870*	

\* The required fee shall be twice the amount shown when the applicant requests that the case be heard at the next City Council meeting, requiring special consideration.

\*\* When downzoning less than one acre of property to a one or two family district which is consistent with the most current adopted Future Land Use Plan, a reduced fee of \$ 429 applies.

**FILING DEADLINE:** Applications are to be filed in the Development Department no later the Monday, 30 days prior to the Zoning Commission's hearing. Please see the Zoning Commission Scheduled for the date **INCOMPLETE OR INACCURATE APPLICATIONS WILL NOT BE PROCESSED FOR THE NEXT COMMISSION MEETING.**

**PLANNED DEVELOPMENTS (PD)** All applications for a Planned Development must be accompanied by a site plan. The site plan will be processed as part of the zoning case and not as a separate case. The list of required contents for a site plan is included with this application. The site plan is adopted as part of the ordinance for the zoning change, and any deviation from this adopted plan other than that state in Section 4.303B of the Zoning Ordinance may require processing of a new zoning case and reapproval by the Zoning Commission and City Council. The site plan requirement may be waived only by approval of the Zoning Commission and City Council.

**HEARING SCHEDULE:** The Zoning Commission public hearings are scheduled for the 2<sup>nd</sup> Wednesday of each month. The Zoning Commission makes recommendations on the proposals, to the City Council. The City Council must also hold a public hearing and adopt an ordinance for the application request to become effective. The public hearing on the proposed ordinance will be held by the City Council typically the 1<sup>st</sup> Tuesday of the month following the date of the Zoning Commission hearing. The request is also advertised in the official newspaper of the City (currently The Fort Worth Star Telegram) at least 15 days prior to the City Council's hearing.

# ZONING CHANGE AMENDMENT APPLICATION INSTRUCTIONS

(CONTINUED)

Rev. 04.10.12

**PURPOSE OF PUBLIC HEARING:** Zoning Regulations are established to promote and protect the Public Health, Safety, Morals and General Welfare of all citizens. The Commission is not a Court of Law; nor is it conducting a trial. The purpose of the hearing is to give persons who may be affected by a proposed zoning change, an opportunity to comment on how they might be benefited or injured by the proposal.

**KEY INFORMATION TO PRESENT TO THE COMMISSION AND COUNCIL** You should clearly and concisely state your response to the following questions:

- A. What is the disadvantage of the present zoning classification ?
- B. What is the advantage of the proposed zoning classification, if approved ?

**HEARING PRESENTATION:** When called upon by the Commission Chairman, present **ALL** relevant facts during your initial presentation. The Commission will consider only information which is made available at the hearing. Failure on your part to present supporting facts will not be considered sufficient grounds for either a 'rehearing' or 'continuance' of your case.

The property owner or applicant must be present at the hearing since they are most likely to be familiar with the property and proposed uses. In some instances the Applicant may find it helpful to employ the assistance and services of a qualified agent or advisor acquainted with Zoning regulations and land use issues.

**CITY COUNCIL ACTION** A public hearing is held by the City Council for all zoning change requests, whether recommended for approval or denial by the Zoning Commission. Council may take the following actions:

1. Approve as recommended;
2. Deny with or without prejudice (if denied without prejudice, the Applicant does not have to wait one year before submitting another request for zoning change);
3. Continue hearing;
4. Continue hearing and re-send notices as required under state law in order to substitute a more restrictive classification unless the affected property owner is present and agrees or if not present, agrees in writing to the more restrictive change on his/her property; or
5. Return to Zoning Commission for rehearing.

When the City Council has denied a proposal, or when the applicant has withdrawn the proposal at the Zoning Commission meeting after the giving of public notice, no new applications of like nature shall be accepted by the City or scheduled for hearing by the Zoning Commission within a period of twelve (12) months of the date of Council denial or applicant's withdrawal.

**EFFECTIVE DATE OF ZONING AMENDMENT** The proposed zoning change becomes effective upon adoption of an enabling ordinance by the City Council and upon publication (twice) in the official newspaper of the City.

**NOTES :**

- \* **The applicant must be present for both the Zoning Commission and City Council Hearings.**
- \* **At the hearing, a 'speaker request form' must be completed and turned in to the staff desk upon addressing either the Commission or City Council. For the City Council meetings, beginning April 1, 2011, the speaker request form must be turned in by 6:45 p.m. before the start of the meeting**



# APPLICATION TO AMEND THE ZONING ORDINANCE

City of Fort Worth, Texas.....Planning & Development Department.....Zoning Applications Section

(Must be a complete application for acceptance)

Rev. 09.18.09

**PROPERTY OWNER** \_\_\_\_\_

Mailing Address \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email / Fax \_\_\_\_\_

**APPLICANT / AGENT** \_\_\_\_\_

Mailing Address \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_ Cell (\_\_\_\_) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Email / Fax \_\_\_\_\_

**OTHER CONTACT** Name \_\_\_\_\_ Phone \_\_\_\_\_

## PURPOSE OF PROPOSAL

Amend the ZONING MAP to change the zoning district boundaries on the following parcel(s):

Lot / Tract No. _____	Lot / Tract No. _____	Lot / Tract No. _____	Lot / Tract No. _____
From _____	From _____	From _____	From _____
To _____	To _____	To _____	To _____

If establishing a Planned Development District (**PD**):

Name of Proposed Project \_\_\_\_\_

Site Plan Included (Approval of a site plan does not waive health and safety standards.)

Site Plan Waiver Requested Reason Site Plan not provided: \_\_\_\_\_

*(Note: Site plans submitted as part of new PD zoning change requests will be processed under one zoning case number.)*

## PROPERTY DESCRIPTION

**Location address** (if applicable): \_\_\_\_\_

**Certified Legal Description:** A Registered Texas Surveyor's **certified metes and bounds** legal description is required. If the area to be rezoned is entirely encompassed by a recorded deed, a copy of the deed description is acceptable. If it is within a recorded subdivision, provide a **copy of the plat** with the subdivision name and recording information. The boundary description of each parcel to be re-zoned shall be furnished on 8 1/2" x 11" paper, bearing the surveyor's name, seal and date. Any partial or non-surveyed parcel or tract, extracted from a recorded deed, will require a certified legal description as noted above.

**CD:** *containing a certified Metes & Bounds Legal Description, of that noted above, including case exhibit drawings, shall be formatted with Microsoft Windows 2000.*

**Property to be re-zoned is currently subdivided**, and described below: (provide copy of plat)

Subdivision Name \_\_\_\_\_

Block \_\_\_\_\_ Lot(s) \_\_\_\_\_; Block \_\_\_\_\_ Lot(s) \_\_\_\_\_; Block \_\_\_\_\_ Lots(s) \_\_\_\_\_

**Total net land area** \_\_\_\_\_ (acres /or square feet)

**Sketch Drawing of Area to be Re-Zoned, including Location Map** (8 1/2" x 11")

# APPLICATION TO AMEND THE ZONING ORDINANCE (Cont'd.)

Rev. 09.18.09

## DEVELOPMENT INFORMATION

Related Cases: PP: \_\_\_\_\_ FP: \_\_\_\_\_ FS: \_\_\_\_\_ B/A: \_\_\_\_\_ ZC: \_\_\_\_\_ AX: \_\_\_\_\_

Mapscop Ref. No. \_\_\_\_\_; ETJ (indicate county) \_\_\_\_\_

Developer of property will be:  Present Owner  Purchaser  Unknown

Present use of this property is: \_\_\_\_\_

Proposed **new** use(s) is: \_\_\_\_\_

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## ACKNOWLEDGEMENTS

*I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal before the Zoning Commission and City Council public hearings. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of my zoning request.*

*I understand that all recommendations of the Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the first Tuesday of the following month. I further understand that any actions of the Zoning Commission are considered recommendations to the City Council and that I may be heard **by the City Council** at the prescribed Council hearing date where a final decision will be made.*

*I further understand that if I am not present nor duly represented at the Commission's public hearing, the Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.*

*I reserve the right to **withdraw** this proposal at any time, within 14 days of the deadline filing date, upon written request filed with the Executive Secretary of the Commission. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal, filed any time after the 14 days following the filing deadline, shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. I / We respectfully request approval and adoption of the proposed zoning / land use of property, within the City of Fort Worth, as identified in this application.*

## SIGN INSTALLATION AUTHORIZATION

*Authority is hereby granted to the City of Fort Worth, or its agent, to install upon the above described property, sign or signs in a conspicuous place, or places, at a point, or points nearest any right-of-way, street, roadway or historic designation, or, special exception or public thoroughfare abutting said property. Such sign or signs indicate that a zoning amendment is proposed and that further information can be acquired by telephoning the number indicated.*

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Signature of Owner/ Agent\* \_\_\_\_\_ Date \_\_\_\_\_  
(circle one)

Printed name \_\_\_\_\_ Phone. No. \_\_\_\_\_

\*Note: An Agent must furnish a signed 'Letter of Authorization' from the owner, when submitting this application.

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Fee \$	Receipt No.	Application Received By :	Date filed :	Case No. :



## LETTER OF AUTHORIZATION FOR ZONING CASE REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO (NAME) \_\_\_\_\_  
ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AS INDICATED AT THE APPRAISAL DISTRICT, TO  
FILE AND PRESENT AN APPLICATION TO THE CITY OF FORT WORTH, TEXAS, TO REQUEST A CHANGE IN  
ZONING CLASSIFICATION FOR THE FOLLOWING PROPERTY:

\_\_\_\_\_  
\_\_\_\_\_  
**(CERTIFIED LEGAL DESCRIPTION]**

**ACKNOWLEDGEMENTS:**

**I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal at the Zoning Commission and City Council hearings. I further certify that I have read and understand the information provided concerning the procedure for consideration of my zoning request.**

**I understand that all recommendations of the Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the first Tuesday of the following month. I further understand that any actions of the Zoning Commission are considered recommendations to the City Council and that I may be heard by the City Council at the prescribed Council hearing date where a final decision will be made.**

I understand that if I am not present or represented at the public hearings, the Zoning Commission may dismiss the request, which constitutes a recommendation that the request be denied. I further understand that if I am not present or represented at the City Council hearing, the City Council may deny the request.

I reserve the right to withdraw this proposal at any time within 14 days from the deadline filing date, upon written request filed with the Executive Secretary to the Commission, and such withdrawal shall immediately stop all proceedings thereon; provided, however, a withdrawal filed any time after said 14 days shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal after public notice nor upon denial of my case by the Commission or Council.

**THIS AUTHORIZATION WILL REMAIN IN FORCE UNLESS REVOKED BY WRITTEN NOTICE.**

**OWNER'S SIGNATURE** of the above described property: \_\_\_\_\_

OWNER'S NAME (printed) \_\_\_\_\_

ADDRESS and ZIP \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**RELATED CASE NO., if applicable:** \_\_\_\_\_



## ZONING CHANGE APPLICATION CHECKLIST

Applicant must complete and submit this checklist when filing an application.

### ZONING CHANGE APPLICATION DATA:

- Applicant Name, Address, City, State, Zip Code, Area Code, Telephone Number
- Confirmed Ownership (Sources: Appraisal district records; recently recorded deed, etc.)
- Nature of request complete and understood

### Applicable Property Description:

- Address: Number & Street
- Subdivision: \_\_\_\_\_ Name \_\_\_\_\_ Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_ -Provide copy of plat-
- Survey: \_\_\_\_\_ Name \_\_\_\_\_ Abstract No. \_\_\_\_\_ Tract(s)
- Certified Metes & Bounds Legal Description
  
- If there is more than one rezoning category, a legal description / metes and bounds must describe each requested zoning district.
  
- Total land area to be rezoned
  
- Development information completed
  
- Existing land use-identified
  
- Proposed new land use - identified
  
- Reason supporting proposed change - completed
  
- Signatures of owner and /or applicant
  
- Signed Letter of Authorization -if applicable



## SITE PLAN CHECKLIST AND REQUIREMENTS

### To initiate the site plan review process, please provide:

- 12 copies – 18” x 24” Blue or Black Line prints – **(All Site Plans shall be Accordion Folded);**
- 1 copy – 8 ½” x 11” Black Line Print

### After staff review and 15 days prior to the Zoning hearing, provide:

- For Zoning Commission hearing: 15 copies of revisions to site plan, *as requested by staff* – 18” x 24” Blue or Black Line prints and one 8 ½” x 11” copy. **(All Site Plans shall be Accordion Folded.)**  
If revisions are not received a minimum of one week before the scheduled hearing, the application will be incomplete and the case may be delayed until the revisions are received.
- For City Council hearing: 3 copies of revisions to site plan, *if requested by the Zoning Commission* – 18” x 24” Blue or Black Line prints and one 8 ½” x 11” copy. **(All Site Plans shall be Accordion Folded.)**  
If revisions are not received a minimum of one week before the scheduled hearing, the application will be incomplete and the case may be delayed until the revisions are received.

Copies for the Zoning Commission and City Council may be submitted together, after staff review. However, additional copies will be required if the Zoning Commission requires amendments to the site plan.

A minimum of **five (5) copies of the final, approved site plan** will be required upon submittal for signature. The City will retain three originals, one will be returned to the applicant, and one will be provided to the City Secretary for inclusion in the ordinance.

Submit all required documents to the Department of Planning & Development, Zoning Section, Lower Level, City Hall.

APPROVAL OF A SITE PLAN DOES NOT WAIVE HEALTH AND SAFETY STANDARDS BY TPW, FIRE, ETC.

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#### 1. Survey Plat:

- A current boundary survey or plat of the property by legal addition.

#### 2. Site Plan Illustration Items to be Shown on the Plan:

- Buildings and Structures – The location and dimensions of all existing and proposed buildings and structures on the site, including those proposed for removal; the specific category of land/occupancy use(s) to be contained therein; the gross floor area, number of stories, land density per net acre of any residential buildings to remain or proposed, building height and separation, exterior construction material(s); and the location of all entrances and exits to buildings.
- Streets, Parking, and Drives – The location, paving and Right-of-Way widths, dimensions, and type(s) of all existing and proposed surface materials of perimeter and internal public and private streets, driveways, entrances, exits, parking and loading areas including the number of off-street parking and handicapped spaces, access ramps, wheel stops/curbing and internal vehicular circulation pattern(s) or flow diagrams.
- Supplemental Surfaces – The types of surfacing *i.e.* grass turf, gravel, walks, etc. elsewhere existing or proposed on the site that is not proposed for vehicular paving and circulation.
- Dumpsters/Air Conditioners/Compactors – The size and location of all garbage containers, compactors, ground mounted air conditioners, etc., including the screening material identification and height thereof.
- Fences and Screening – Existing and/or proposed location and height of all screen fences or walls and screen planting (including type), buffer yards.
- Land Use and Zoning – Land use and zoning classifications of both the site area and the immediately adjacent properties abutting the site.

- Area Lighting – The location, height, type, foot-candle level and orientation of all area and security lighting.
- Signs – The location, type, height and illumination of all proposed wall, roof, monument, and pole signs, **including a note that all signage will conform to Article 4, Signs.**
- Setbacks and Easements – Show all utility, drainage, and other easements, and all setbacks as appropriate to the zoning district and recorded plats.

**3. Landscape Features to be Shown on the Plan;**

- Note stating that the project will **comply with Section 6.301, Landscaping**

**4. Project Identification and Related Information to be Shown on the Plan:**

- Title of project of development (in bold letters) in the lower right hand corner of the plan.
- Date of preparation or revision, as applicable.
- Name, address and telephone number of engineer, architect, surveyor, planning and developer/owner.
- North point, scale, date, and legal description or proposed site.
- Location sketch map.
- Provide the Zoning case number in the lower right hand corner of the plan, below the title.
- Provide signature line labeled: **“Director of Planning and Development”** with a **“Date”** line below, at lower right hand corner of the drawing, above the project title.