

**ORDINANCE NO. 25514-05-2022**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 21653, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING CHAPTER 5, SUPPLEMENTAL USE STANDARDS," ARTICLE I, "STANDARDS FOR SELECTED USES," SECTION 5.108 "CAR WASH" TO CLARIFY DEVELOPMENT STANDARDS FOR CERTAIN TYPES OF CAR WASHES; AMEND SECTION 4.803 "NONRESIDENTIAL DISTRICT USE TABLE" TO CLARIFY WHERE CERTAIN TYPES OF CAR WASHES ARE ALLOWED AND AMEND CHAPTER 9, "DEFINITIONS" TO ADD DEFINITIONS RELATED TO CAR WASHES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on January 18, 2022 the City Council was presented Informal Report (IR) No. 22-010, providing information on the current regulations in the Zoning Ordinance related to self-service and full-service car washes and in which zoning districts the use is allowed, and

**WHEREAS**, the informal report proposed amendments to add automated-service car washes to the types of car washes to be regulated; and

**WHEREAS**, the proposed amendments will also provide definitions for the three types of car wash facilities, provide in which districts each type of car wash is allowed by right or by conditional use permit; and provide clarification to supplemental development standards for all car wash types;

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

**SECTION 1.**

Chapter 5 "Supplemental Use Standards" of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise Article 1, "Standards for Selected Uses", Section 5.108 "Car Washes" to read as follows:

**Sec. 5.108 CAR WASH.**

Car wash facilities shall be limited to the districts designated "CUP" or "P" in the use tables in Chapter 4, Articles 8 and 12, subject to the following conditions:

- (a) All washing facilities shall occur under a roofed area with at least two walls.

(b) All drying and vacuuming facilities may be outside the building but shall not be in the front yard and shall not be closer than 25 feet from any residential district. No car wash dryer shall face a residential district or use.

(c) The building surfaces shall be faced with masonry, porcelainized steel, baked enamel steel or other material equal in durability and appearance.

(d) Setback requirements for full-service and automated-service car washes:

- 1) Full-service car washes are allowed by right in “F” and “G” when the distance from a residential district or use is greater than 200 feet. A conditional use permit is required if the distance from a residential district or use is 200 feet or less.
- 2) Automated-service car washes in “G” are allowed by right when the distance from a residential district or use is greater than 200 feet. A conditional use permit is required when the distance from a residential district or use is 200 feet or less.
- 3) The measurement of the distance between the car wash and the residential use shall be along the nearest property line of the residential use to the nearest property line of the car wash, along street lines and a direct line across intersections.

(e) The building shall set back not less than 25 feet from the front property line.

(f) Off-street parking shall be provided on the property in the ratio of not less than three parking spaces for each washing stall, or five parking spaces for each automobile that may be accommodated on the washing line within a facility.

(g) All off-street parking areas shall be hard-surfaced and dust-free.

(h) Any lights used to illuminate the area shall be directed downward and away from adjacent residential properties.

(i) A permanent screening fence or wall not less than six feet in height shall be constructed along any site property line which abuts a residential district or use.

## **SECTION 2.**

Article 8, “Non-Residential Use Table,” Section 4.803, “Non-Residential District Use Table” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is here by amended to revise “Vehicle Sales and Service” “Car Wash, full or self-service” to add automated-service and clarify where each type of car washes, self-service, automated-service and full-service

is allowed by right, by conditional use permit and when supplemental use standards apply as depicted in Exhibit A.

### SECTION 3.

Chapter 9 “Definitions”, Section 9.101 “Defined Terms” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to add definitions for “Car Wash” types to read as follows:

**CAR WASH.** A facility for the washing or steam cleaning of vehicles as follows:

- a) **Self-service.** Facilities where a vehicle may be manually washed, sprayed, dried or vacuumed by its owner or operator with equipment provided by the facility. Typically, no employees will be on-site at the facility.
- b) **Automated-service.** Facilities where a vehicle is driven by the owner or operator through an automated tunnel for washing and drying but the owner or operator vacuums the vehicle with equipment provided by the facility. Minimal staff will be on-site at the facility.
- c) **Full-service.** Facilities where operating functions are performed entirely by the facility with the use of washing, waxing, drying, and vacuuming equipment supplemented with manual detailing. Employees will be on site at the facility.

### SECTION 4.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), 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 5.

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 6.**

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 (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

#### **SECTION 7.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Ordinances No. 3011, 13896, 21653 and 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 8.**

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 9.**

All other provisions of the Zoning Ordinance of the City of Fort Worth not herein amended shall remain in full force and effect.

**SECTION 10.**

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

APPROVED AS TO FORM AND LEGALITY:

By: Melinda Ramos  
Melinda Ramos,  
Sr. Assistant City Attorney

Jannette S. Goodall  
Jannette S. Goodall (May 12, 2022 07:06 CDT)  
Jannette S. Goodall,  
City Secretary

ADOPTED: May 10, 2022

EFFECTIVE: May 18, 2022

