



**ZONING AMENDMENT
STAFF REPORT**

City Council Meeting Date:
April 3, 2012

Council District 3

Zoning Commission Recommendation:

Approved by a vote of 9-0

Opposition: none

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Jocelyn Murphy</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: City of Fort Worth Planning and Development Department

Site Location: Citywide Mapsco: N/A

Proposed Use: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth, to amend

- Section 5 "Schedule of Permitted Uses" of the Camp Bowie Revitalization Code of Section 4.1204 of Chapter 4, "District Regulations" and
- The table of permitted uses in the Ridglea Urban Village Core South Zone

Request: **TEXT AMENDMENT: PROPOSED AMENDMENTS TO THE CAMP BOWIE FORM BASED CODE, RIDGLEA URBAN VILLAGE CORE SOUTH**

The majority of ZC-11-075, the map amendment creating the eight subdistricts for the Camp Bowie Boulevard Revitalization (CB) form-based code, was approved at the October 2011 Council hearing. At this time, the Ridglea Urban Village Core South Zone was continued due to concerns about the reuse of buildings in the zone and the proximity and effect on residential areas. Since that meeting, consideration was given to ways to mitigate the potential negative effects on the Como neighborhood.

This amendment proposes to remove bars and/or drinking establishments from the permitted uses in the Ridglea Urban Village Core South Zone.

The purpose of the Corridor is to support economic development and reinvestment along the aging Camp Bowie commercial corridor between I-30 and SW Loop 820. The Camp Bowie Code implements specific development nodes with a pedestrian oriented mix of uses with convenient access between area neighborhoods and shopping, employment, housing and retail neighborhood services. West of Alta Mere, the CB Code implements a vision for employment-oriented development in addition to a mix of light industrial and art-oriented uses. The intent is to revitalize Camp Bowie Boulevard to be an attractive, vibrant commercial corridor in the community.

Attachments:

- Proposed Ordinance Amendments
- Minutes of the Zoning Commission meeting
- Minutes of the City Council meeting

**CAMP BOWIE FORM BASED DISTRICT
RIDGLEA URBAN VILLAGE CORE SOUTH USES**

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING SECTION 5 "SCHEDULE OF PERMITTED USES" OF THE CAMP BOWIE REVITALIZATION CODE OF SECTION 4.1204 OF CHAPTER 4, "DISTRICT REGULATIONS" TO REVISE THE TABLE OF PERMITTED USES IN THE RIDGLEA URBAN VILLAGE CORE SOUTH ZONE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of Fort Worth adopted Ordinance No. 19936 establishing the Camp Bowie District and adopting design standards and guidelines applicable to the district; and

WHEREAS, the Camp Bowie Revitalization Code will promote economic development and reinvestment along an aging commercial corridor to help create a vibrant urban walkable district; and

WHEREAS, the Camp Bowie Revitalization Code is intended to provide development standards and guidelines to ensure high quality development that is consistent with the vision established by Camp Bowie District, Inc.; and

WHEREAS, the Camp Bowie Revitalization Code contains a schedule of permitted uses for all of the subzones contained within the boundaries of the district; and

WHEREAS, it is advisable to revise the schedule of permitted uses for the Ridglea Urban Village Core South Zone;

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

SECTION 1.

Section 5, "Schedule of Permitted Uses" of the Camp Bowie Revitalization Code as adopted and incorporated by reference into Section 4.1204 of Chapter 4, "District Regulations" of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, is hereby amended to remove bars as a permitted use in the Ridglea Urban Village Core South Zone as set out in Exhibit "A" attached and hereby incorporated in the Zoning Ordinance.

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 Two Thousand Dollars (\$2,000.00) 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.

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 7.

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

APPROVED AS TO FORM AND LEGALITY:

Assistant City Attorney

ADOPTED: _____

EFFECTIVE:

Table 5.1 - Schedule of Uses								
Character Zone	Highway Commercial	Ridglea Gateway	Ridglea Urban Village Core - North	Ridglea Urban Village Core - South	General Corridor Mixed-Use	Industrial Art	Western Business	Transition
Land Use								
Commercial Uses (Office, Retail, Sales and Service Uses)								
Retail Sales or Service (personal service uses) with <u>no drive through facility</u> (includes alcohol sales). Excluded from this category are retail sales and service establishments geared towards the automobile	P	P	P	P	P	P	P	P
Auto-related Sales or Service Establishments	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, <u>with no drive through facility</u>	P	P	P	P	P	P	P	P
Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, doctors, etc.	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	P	P	P	P	P	P	P	NP
Food Service Uses such as full-service restaurants, cafeterias, bakeries and snack bars with <u>no drive through facilities</u> Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages (with food service).	P	P	P	P	P	P	P	P
* Bars	P	NP	NP	NP	NP	NP	NP	NP
Pet and animal sales or service (incl. vet clinic)	P	P	P	P	P	P	P	NP
Any permitted use with a drive through facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP

P= Permitted by right

NP= Not Permitted

P/C = Permitted with Specific Criteria as established in Table 5.2

P/A = Permitted Accessory Use

NA= Not applicable

P/A/C = Permitted Accessory Use with Specific Criteria as established in Table 5.2

A* = Accessory use to not exceed 25% of the primary use building square footage

P* = Residential not permitted within the 65 decibel or greater zone.

P/SEU = Permitted with a Special Exception Use Permit by BOA

Table 5.1 – Schedule of Uses

Character Zone	Highway Commercial	Ridglea Gateway	Ridglea Urban Village Core	Ridglea Urban Village Core	General Corridor Mixed-Use	Industrial Art	Western Business	Transition
Arts, Entertainment, and Recreation Uses								
Amusement or theme park establishment (indoor) including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	P	NP
Amusement or theme park establishment (outdoor) including miniature golf, go-cart tracks, etc.	P/SEU	NP	NP	NP	P/SEU	P/SEU	P/SEU	NP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto electronics sales or service)	P	P	P	P	P	P	P	P
Theater, cinema, dance, or music establishment	P	P	P	P	P	P	P	NP
Museums and other special purpose recreational institutions	P	P	P	P	P	P	P	NP
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P	P	P	NP
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Educational, Public Administration, Health Care and Other Institutional Uses								
Business associations and professional membership organizations	P	P	P	P	P	P	P	NP
Child day care and preschools	P	P	P	P	P	P	P	P
Schools, libraries, and community halls	P	P	P	P	P	P	P	P
Universities and Colleges	P	P	P	P	P	P	P	NP
Technical, trade, and specialty schools	P	P	P	P	P	P	P	NP
Hospitals and nursing establishments	P	P	P	P	P	P	P	NP
Civic uses	P	P	P	P	P	P	P	P
Social and fraternal organizations	P	P	P	P	P	P	P	NP
Social services and philanthropic organizations	P	P	P	P	P	P	P	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P	P	P	P	P	P	P	NP
Religious Institutions	P	P	P	P	P	P	P	P
Funeral homes	P	P	P	P	P	P	P	NP
Residential Uses								
Home Occupations	P/A	P/A	P/A	P/A	P/A	P*/A	NA	P/A
Multi-family residential								
Ground floor	P/C	P/C	P/C	P/C	P*/C	P*/C	P*/C	P
Upper floors	P	P	P	P	P*	P*	P*	P
Residential Lofts	P	P	P	P	P*	NP	P*	P
Single-family residential attached dwelling unit (Townhomes)	NP	NP	NP	NP	NP	P*	NP	P
Accessory residential unit	NA	NA	NA	NA	NA	NA	NA	P/A
Live-work unit	P	P	P	P	P*	P*	P*	P

P= Permitted by right

NP= Not Permitted

P/C = Permitted with Specific Criteria as established in Table 5.2

P/A = Permitted Accessory Use

NA= Not applicable

P/A/C = Permitted Accessory Use with Specific Criteria as established in Table 5.2

P/SEU = Permitted with a Special Exception Use Permit by ZBA

A* = Accessory use to not exceed 25% of the primary use building square footage

P* = Residential not permitted within the 65 decibel or greater zone.

Table 5.1 - Schedule of Uses								
Character Zone	Highway Commercial	Ridgela Gateway	Ridgela Urban Village Core - North	Ridgela Urban Village Core - South	General Corridor Mixed-Use	Industrial Art	Western Business	Transition
Manufacturing, transportation, communication, and utility Uses								
Cottage Manufacturing uses	NP	NP	NP	P/C	P/C	P	P	NP
Food and textile product manufacturing	NP	NP	NP	NP	P	P	P	NP
Wood, paper, and printing products manufacturing	NP	NP	NP	NP	P	P	P	NP
Machinery, electronics, and transportation equipment manufacturing	NP	NP	NP	NP	NP	P	P	NP
Miscellaneous manufacturing and assembly (included in this category are jewelry, silverware, equipment, electronics, personal metal goods, flatware, dolls, toys, games, musical instruments, office supplies, and signs.)	NP	NP	NP	NP	P	P	P	NP
Wholesale trade establishment	NP	NP	NP	NP	P	P	P	NP
Warehouse and storage services	NP	NP	NP	NP	P	P	P	NP
Transportation services (air, rail, road, truck and freight)	NP	NP	NP	NP	P	P	P	NP
Publishing (newspaper, books, periodicals, software)	P	P	P	P	P	P	P	NP
Motion picture and sound recording	P	P	P	P	P	P	P	NP
Telecommunications and broadcasting (radio, TV, cable, wireless communications, including stealth telecommunications towers, telephone, etc)	P	P	P	P	P	P	P	NP
Telecommunications Tower	NP	NP	NP	NP	NP	NP	NP	NP
Information services and data processing	P	P	P	P	P	P	P	NP
Other Uses								
Hotels/Motels	P	P	P	P	P	P	P	P
Parking, surface (primary use of property)	P	P/C	P/C	P/C	P/C	P	P/C	NP
Parking, surface (accessory use of property)	P	P	P	P	P	P	P	P
Parking, structured	P	P	P	P	P	P	P	P
Private attached garage	NP	NP	NP	NP	NP	NP	NP	P/A
Private detached garage	NP	NP	NP	NP	NP	NP	NP	P/A
Sales from kiosks (for food vendors other city ordinances apply)	NP	P	P	P	P	P	P	P
Veterinary clinic	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Community garden	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Incidental Outdoor Display (subject to standards in Section 7 of the Code)	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Antennas including cell, accessory, and mounted on top of buildings.	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
Wind energy equipment	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Solar energy equipment	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Special Event (subject to City's Special Events Ordinance)	P	P	P	P	P	P	P	P

P= Permitted by right

NP= Not Permitted

P/C = Permitted with Specific Criteria as established in Table 5.2

P/A = Permitted Accessory Use

NA= Not applicable

P/A/C = Permitted Accessory Use with Specific Criteria as established in Table 5.2

P/SEU = Permitted with a Special Exception Use Permit by ZBA

A* = Accessory use to not exceed 25% of the primary use building square footage

P* = Residential not permitted within the 65 decibel or greater zone.

Lee Frampton/Brentmoor NA	816 E. Biddison		Opposition		Spoke at hearing
Paul Millender/South Hemphill Heights NA	3121 Lipscomb St		Opposition		Spoke at hearing
Paul Sinclair	2829 Travis Ave		Opposition		Spoke at hearing
Alonzo Aquilar	3725 Stuart Dr		Opposition		Spoke at hearing
Vickie Bargas/Worth Heights NA	301 E. Drew			Support	Spoke at hearing
Connie Medina	3716 S. Jones			Support	Spoke at hearing
Laura Rios	3736 S. Jones			Support	Spoke at hearing
Chris Bonilla	8540 Charleston			Support	Spoke at hearing
Shaw Clark NA				Support	Sent letter

IV. New Cases

3. ZC-11-100A City of Fort Worth Planning and Development (CD 3)- Text Amendment: Amendments to Camp Bowie Form Based District, Ridglea Urban Village Core South

Text Amendment amending Section 5 “Schedule of Permitted Uses” of the Camp Bowie Revitalization Code of Section 4.1204 of Chapter 4, District Regulations” to revise the table of permitted uses in the Ridglea Urban Village Core South Zone

Jocelyn Murphy, Planning Manager, City of Fort Worth, Texas explained to the Commissioners this amendment is to remove bars as a permitted use from the Ridglea Urban Village Core South zone.

Motion: Following brief discussion, Mr. West recommended approval of the request, seconded by Mr. Genua. The motion carried unanimously 9-0.

4. ZC-12-013 Rodrigo Armendariz (CD 6)- 7108 South Freeway (Halmark Addition, Lot C, 0.46 Acres): from “E” Neighborhood Commercial to “PD/E” Planned Development for all uses in “E” Neighborhood Commercial plus outdoor storage of granite slabs for sale and outdoor storage in rear, site plan included.

Justin Goddard, 7108 South Freeway, Fort Worth, Texas representing the property owner explained to the Commissioners the owner purchased this property about four years ago and has displayed granite slabs on the parking lot since then. Mr. Goddard noted the value of the property has increased since they moved in. A letter of support was submitted from the property owner to the west and has had no issues with them. It was also mentioned they would support the screening of the property as requested by the neighborhood.