



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 3, 2012

Council District All

Zoning Commission Recommendation: Approval by a vote of 9-0 Opposition: None	Continued	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Case Manager	<u>Jocelyn Murphy</u>	
	Surplus	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Council Initiated	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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

- Reorganize and renumber Chapter 4 "District Regulations";
- Add a Mixed-Use And Form-Based District Use Table; and
- Re-Activate Floodplain "O-1" And "O-2" Districts

To review the proposed amendments:
<http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

Request: **TEXT AMENDMENT: PROPOSED AMENDMENTS TO THE ZONING ORDINANCE CREATING ARTICLES FOR OVERLAYS AND FORM-BASED CODES AND REACTIVATING O-1 AND O-2 FLOODPLAIN DISTRICTS**

The proposed amendments to reorganize and simplify sections of the Zoning Ordinance are necessary because the current structure is inconsistent, is difficult for users to find needed information, and does not easily expand for new mixed-use/form-based and overlay districts. In addition, the proposed changes will reactivate the O-1 and O-2 Floodplain classifications, helping the Tarrant Regional Water District (TRWD) establish more recreational facilities on the Trinity River.

No new regulations will be created through this proposed action; it is merely a simplification and reorganization of adopted regulations within the Zoning Ordinance or the transfer of existing ordinance items that should be found in the Zoning Ordinance. The proposed reorganization includes:

1. Setting up a separate article for all current and future overlay districts. This new article will provide a consistent structure and accommodate future overlay districts. These include overlays such as conservation districts, historic districts, and the Downtown and I-35W North design overlay districts.
2. Creating sections for each municipal airport. As part of the above new overlay article. A subsequent amendment would transfer the existing airport overlays for DFW, Meacham, and Alliance airports from the Aviation Code to the Zoning Ordinance. Updated overlays are being created for the municipal airports and the Naval Air Station Joint Reserve Base. The relocation of these municipal airport overlays from the Aviation Code to the Zoning Ordinance will provide for more

clear and direct application of the regulations during zoning review, permitting activity, and the Board of Adjustment evaluations necessary to grant variances.

3. Establishing a separate article for current and future mixed-use and form-based classifications. The current structure categorizes the mixed-use and form-based districts as commercial or industrial when, as mixed use, they include residential uses. The proposed amendments will provide a consistent structure and provide room for expansion.
4. Developing a land use chart for the mixed-use and form-based classifications. The new chart will include residential, commercial, and industrial uses and also add uses that were adopted with the Camp Bowie district such as farmer's market, cottage manufacturing, community garden, and sales from kiosks. No uses will be added through these amendments.
5. Reactivating the O-1 and O-2 Floodplain classifications. Staff received a request from the Planning Coordinator of the TRWD to reactivate these districts. As part of the Trinity River Vision implementation, the TRWD desires to construct or allow the construction of more river recreational uses, and many of their properties in this area are zoned O-1 and O-2 and within the floodplain. Full floodplain review will be completed for any new structures.

No changes will be made to the regulations of these sections at this time. Future amendments to move and revise the aviation zoning regulations and to update the O-1 and O-2 standards will be forthcoming.

Attachments:

- Summary Chart of Proposed Ordinance Amendments
- Minutes of the Zoning Commission meeting

**Recommended for Approval
by Zoning Commission 03/14/12
ZC-12-022**

**REORGANIZE AND RENUMBER CHAPTER 4 DISTRICT
REGULATIONS; ADD MIXED-USE & FORM-BASED USE TABLE;
REACTIVATE O-1 & O-2 FLOODPLAIN DISTRICTS**

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 (1986), TO REORGANIZE AND TO RENUMBER CHAPTER 4 "DISTRICT REGULATIONS"; TO ADD A MIXED-USE AND FORM-BASED DISTRICT USE TABLE; TO REACTIVATE FLOODPLAIN "O-1" AND "O-2" DISTRICTS; 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, on August 23, 1999 the City Council of Fort Worth passed Ordinance No. 13896 re-codifying the Zoning Ordinance; and

WHEREAS, Chapter 4 "District Regulations" of the Zoning Ordinance contains adopted regulations for the various zoning districts within the City of Fort Worth; and

WHEREAS, since the 1999 re-codification of the Zoning Ordinance the City Council has adopted additional overlay, mixed-use and form-based zoning districts; and

WHEREAS, as mixed-use and form-based districts were adopted they were placed in pre-existing categories, such as commercial and industrial, which do not accommodate the mix of uses available in the mixed-use and form-based districts; and

WHEREAS, staff proposes to reorganize chapter 4 "District Regulations" of the Zoning Ordinance to better accommodate mixed-use and form based districts and provide for greater ease and use of the district regulations; and

WHEREAS, as part of the reorganization a mixed-use and form-based use table will be included to complement the existing use tables for non-residential and residential districts; and

WHEREAS, at the request of the Tarrant Regional Water District and as part of the Trinity River Vision implementation the Flood Plain ("O-1" and "O-2") Districts are being reactivated to encourage river recreational uses; and

WHEREAS, notwithstanding the addition of the mixed-use and form-based districts use table and the reactivation of the Flood Plain (“O-1 and “O-2”) Districts, no changes are being made to the zoning district regulations contained in Chapter 4 of the Zoning Ordinance; and

WHEREAS, it is advisable that the City Council amend Chapter 4 of the Zoning Ordinance to reorganize the chapter to better accommodate overlay, mixed-use and form-based district, to add a table of uses for mixed-use and form-based districts and to reactivate the Flood Plain (“O-1” and “O-2”) districts;

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

SECTION 1.

Chapter 4 “District Regulations” of Ordinance No. 13986, the Zoning Ordinance of the City of Fort Worth, is hereby amended in its entirety to reorganize and renumber the zoning districts, to add a mixed-use and form based use table and to reactivate the Flood Plain (“O-1” and “O-2”) Districts as set forth in Exhibit “A”, attached hereto and incorporated herein.

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 of 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 (\$2000.00) 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 Ordinances No. 3011, 13896 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 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.

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

SECTION 8.

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

APPROVED AS TO FORM AND LEGALITY:

By: _____
Assistant City Attorney

ADOPTED: _____

EFFECTIVE: _____

EXHIBIT A

**CHAPTER 4
DISTRICT REGULATIONS**

DRAFT OUTLINE	Current section	Proposed section
APPENDIX A, CHAPTER 4. DISTRICT REGULATIONS		
Proposed changes are highlighted		
ARTICLE 1. GENERAL		
Sec 4.101. District hierarchy	No change	
Sec 4.102. District maps		
Sec 4.103. Compliance with district standards		
ARTICLE 2. SPECIAL PURPOSE DISTRICTS		
Sec 4.200. Agricultural ("AG") district	No change	
Sec 4.201. Community facilities ("CF") district		
Sec 4.202. Manufactured housing ("MH") district		
Sect 4.203 Floodplain ("O1") District	Inactive	4.203
Sect 4.204 Floodplain ("O2") District	Inactive	4.204
ARTICLE 3. PLANNED DEVELOPMENT DISTRICT		
ARTICLE 4. OVERLAY DISTRICTS		
Sec 4.400. Conservation CD Overlay District	Article 4	4.400
Sec 4.401. Historic Preservation Overlay Districts HSE, HC, DD	Article 5	4.401
Sec 4.402. Urban Design District – Downtown	4.1200	4.402
Sec 4.403. Trinity Uptown Peripheral Zones	4.1202	4.403
Sec 4.404. I-35 W North Corridor District	4.1203	4.404
Sec 4.405. Airport/Airfield Overlay Districts	Aviation Code Article IV	4.405
A. Generally:	Currently reserved	4.405A
1. Purpose and intent	NEW	4.405A1
2. Applicability	NEW	4.405A2
3. Disclosure	NEW	4.405A3
4. Height Considerations – need to be mentioned but refer to FAA and Part 77 Height regulations	NEW – summary but not regulated by ZO	4.405A4
B. DFW Airport Overlay District	from Article VI Airport Zoning Regulations, Division 2	4.405B
C. FTW Meacham Airport Overlay District	from Article VI Airport Zoning Regulations, Division 3	4.405C
D. AFW Alliance Airport Overlay District	from Article VI Airport Zoning Regulations, Division 4	4.405D
E. FWS Spinks Airport Overlay District	NEW	4.405E
F. NAS FW JRB Airfield Overlay District	NEW	4.405F
ARTICLE 5. RESERVED	Historic Preservation Overlay Districts	reserved
ARTICLE 6. RESIDENTIAL DISTRICT USE TABLE	I	Amend to remove Form Based codes; put in own chart
ARTICLE 7. RESIDENTIAL DISTRICTS	No change	
ARTICLE 8. NONRESIDENTIAL DISTRICT USE TABLE		Amend to remove Form Based codes; put in own chart

	Current section	Proposed section
ARTICLE 9. COMMERCIAL DISTRICTS		
4.900 Neighborhood Commercial Restricted ("ER") District		
4.901 Neighborhood Commercial ("E") District		
4.902 Low Intensity Mixed-Use ("MU-1") District <i>Moved</i>	4.902	4.1300
4.903 Low Intensity Greenfield Mixed-Use ("MU-1G") District <i>Moved</i>	4.903	4.1301
4.904 General Commercial Restricted ("FR") District	renumber	4.902
4.905 General Commercial ("F") District		4.903
4.906 Intensive Commercial ("G") District		4.904
4.907 Central Business ("H") District		4.905
4.908 Trinity Uptown TU	4.908	4.1204
4.909 Near Southside NS	4.909	4.1205
ARTICLE 10. INDUSTRIAL DISTRICTS		
4.1000 Light industrial ("I") district		
4.1001 High intensity mixed-use ("MU-2") district	4.1001	4.1202
4.1002 High intensity greenfield mixed-use ("MU-2G") district	4.1002	4.1203
4.1003 Medium industrial ("J") district		4.1001
4.1004 Heavy industrial ("K") district		4.1002
ARTICLE 11. INACTIVE DISTRICTS		
Floodplain ("O1") District <i>reactivate for river uses</i>		4.203
Floodplain ("O2") District <i>reactivate for river uses</i>		4.204
Multifamily Highrise ("DHR1") District	Renumber	4.1100
Multifamily Highrise ("DHR2") District		4.1101
Office Midrise ("OM") District		4.1102
Planned Commercial ("EP") District		4.1103
Industrial Park ("IP") District		4.1104
ARTICLE 12. FORM BASED DISTRICTS USE TABLE		
	URBAN-DESIGN DISTRICTS	4.1200
ARTICLE 13. FORM BASED DISTRICTS		
	NEW ARTICLE	
4.1200 Urban Design District – Downtown	4.1200	4.402
4.1300 Low Intensity Mixed-Use ("MU-1") District	4.902	4.1300
4.1301 Low Intensity Greenfield Mixed-Use ("MU-1G") District	4.903	4.1301
4.1302 High Intensity Mixed-Use ("MU-2") District	4.1001	4.1302
4.1303 High Intensity Greenfield Mixed-Use ("MU-2G") District	4.1002	4.1303
4.1304 Trinity Uptown District TU	4.908, 4.1201	4.1304
4.1305 Near Southside NS	4.909	4.1305
4.1306 Camp Bowie CB	4.1204	4.1306
4.1307 Future Berry/University		
4.1308 Future West 7 th ?		
4.1309 Future Museum Place?		

Ordinance with a minimum and maximum block length with 20% allowed to be between 200 and 500 feet; site plan waived to "G" Intensive Commercial

Travis Pierce, 777 Main Street, Fort Worth, Texas representing Edward Geren Ltd., explained to the Commissioners they are requesting another 60 day continuance.

Motion: Following brief discussion Mr. West recommended a continuance of the request to the May 2012 meeting, seconded by Ms. Spann. The motion carried unanimously 9-0.

3. 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 they met with the neighborhood and came to an agreement on the type of screening fence. The revised site plan shows metal fencing around the north, west and south property lines outside the 20 ft setback from the freeway and the dumpster moved to the south side of the lot.

Motion: Following brief discussion, Ms. Spann recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-12-013
Name	Address	In/Out 200 notification area	ft	Position on case	Summary
Steve Epstein/ Hallmark Camelot NA	1617 Steinburg Ln	Yes		Support	Sent letter in

4. ZC-12-022 City of Fort Worth Planning and Development (CD 3)- Text Amendment Reorganize and Renumber Overlay Districts and add a Mixed-Use and Form Based District Use Table; Reactivate O-1 and O-2 Floodplain Districts

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained to the Commissioners this is a cleanup of the Zoning Ordinance to reflect the expansion of several Form Base Districts and to reactivate the O-1 & O-2 districts.

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

Motion: Following brief discussion, Ms. Zadeh recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

9. ZC-12-019 City of Fort Worth Planning and Development (CD 8)- 1829 East Davis Street (South Hemphill Heights, Block 39, 0.15 Acres): from "B" Two-Family to "A-5" One-Family

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained this is surplus property.

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

10. ZC-12-020 City of Fort Worth Planning and Development (CD ALL)- Text Amendment Urban Design Commission Quorum Change

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained to the Commissioners this amendment will change the quorum for the Urban Design Commission from six members to five.

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

11. ZC-12-021 City of Fort Worth Planning and Development (CD ALL)- Text Amendment Amendments to Telecommunications Towers

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained to the Commissioners the changes to the Telecommunications Towers.

Mr. West asked staff to verify this is a result of studies that have been done and that the industry has had an opportunity to provide input and there was no opposition. Ms. Burghdoff confirmed with a yes.

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

12. ZC-12-022 City of Fort Worth Planning and Development (CD 3)- Text Amendment Reorganize and Renumber Overlay Districts and add a Mixed-Use and Form Based District Use Table; Reactivate O-1 and O-2 Floodplain Districts

Jocelyn Murphy, Planning Manager, 1000 Throckmorton, City of Fort Worth, Texas explained to the Commissioners staff is requesting a 30 day continuance.

Motion: Following brief discussion, Ms. Reed recommended a 30 day continuance of the request, seconded by Ms. Zadeh. The motion carried unanimously 9-0.

Meeting adjourned: 12:50 p.m.
02/08/12

Dana Burghdoff, Executive Secretary and Deputy Director, Planning and Development Department

Neftali Ortiz, Chair