

CAMP BOWIE (“CB”) DISTRICT

ZC-11-100

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 ARTICLE 9 “COMMERCIAL DISTRICTS”, OF CHAPTER 4, “DISTRICT REGULATIONS” TO ADD A NEW SECTION, SECTION 4.1204 “CAMP BOWIE (“CB”) DISTRICT” AND TO ADD SEPARATE ZONES WITHIN THE DISTRICT; PROVIDING FOR DESIGN STANDARDS AND GUIDELINES FOR NEW CONSTRUCTION AND CERTAIN RENOVATIONS; REQUIRING A CERTIFICATE OF APPROPRIATENESS FOR NEW CONSTRUCTION AND CERTAIN RENOVATIONS; PROVIDING FOR ADMINISTRATIVE APPROVAL OF CERTIFICATE OF APPROPRIATENESS UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN APPEAL PROCESS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Camp Bowie Zoning Standards and Guidelines 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 development standards and guidelines are based principles of urban design and allow property owners flexibility in land use, while prescribing a higher level of detail in building design and form; and

WHEREAS, the development standards and guideline will support economic development, a sustainable tax base, and job creation by establishing predictable supports and leverages investment in and around Camp Bowie Boulevard.

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

SECTION 1.

Article 12, "Urban Design Districts" of Chapter 4 "District Regulations" is amended to add a new section, Section 4.1204, "Camp Bowie ("CB") District to provide a specified mixed-use development zone for the Camp Bowie area and to provide development standards and guidelines to and administrative procedures to read as follows:

4.1204. Camp Bowie Overlay ("CB") District

A. Purpose and Intent

It is the purpose of the Camp Bowie District to provide a more functional and attractive community through the use of recognized principles of urban design and allow property owners flexibility in land use. The design standards and guidelines and administrative procedures for new construction and certain renovations in the area prescribe a higher level of detail in building design and form.

B. Uses

In the Camp Bowie ("CB") District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued except in accordance with the use tables and supplemental standards contained in Section 5 of the document "Camp Bowie Boulevard Revitalization Code," an adopted supplement to the City's Zoning Ordinance.

C. Property Development Standards

The minimum dimension of lots and yards and the height of buildings in the Camp Bowie ("CB") District is listed below by character zone and shall be as shown in the document "Camp Bowie Boulevard Revitalization Code."

The Development Standards may only be applied to that area know as the Camp Bowie District of Fort Worth, boundary as described in Exhibits "A" and "B", attached here to and incorporated by reference.

Highway Commercial Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street / Civic Space)	10' minimum, 20' maximum
Front (Boulevard/Local Street/ Highway)	10' minimum, 40' maximum
Side and Rear (from property line)	0'

Building Height:

6 stories maximum

Ridglea Gateway Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street / Civic Space)	10' minimum, 20' maximum
Front (Boulevard/Local Street)	10' minimum, 30' maximum
Side and Rear (from property line)	0'

Building Height:

5 stories maximum

Ridglea Urban Village Core North Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	5' minimum, 10' maximum
Front (Boulevard and Local Streets)	10' minimum, 75' maximum
Side or Rear (distance from property line)	0'

Building Height:

3 stories maximum

Ridglea Urban Village Core South Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	5' minimum, 10' maximum
Front (Boulevard and Local Streets)	10' minimum, 75' maximum
Side or Rear (distance from property line)	0'

Building Height:

10 stories maximum

General Corridor Mixed Use Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	10' minimum, 20' maximum
Front (Boulevard and Local Streets)	10' minimum, 75' maximum
Side or Rear (distance from property line)	0'

Building Height:

6 stories maximum

Industrial Arts Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	10' minimum, 20' maximum
Front (Boulevard and Local Streets)	10' minimum, 30' maximum
Side or Rear (distance from property line)	0'

Building Height:

5 stories maximum

Western Business District Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	10' minimum, 20' maximum
Front (Boulevard and Local Streets)	10' minimum, 75' maximum

Side or Rear (distance from property line) 0'
Building Height:
5 stories maximum

Transition Zone

Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space) 5' minimum, 10' maximum
Front (Boulevard and Local Streets) 10' minimum, 30' maximum
Side or Rear (distance from property line) 0'

Building Height:
3 stories maximum

D. Other Development Standards

Development in the Camp Bowie ("CB") District is subject to the development standards and guidelines contained in the "Camp Bowie District Boulevard Revitalization Code" document, attached as Exhibit "C". The Camp Bowie District Boulevard Revitalization Code is hereby approved by the City Council and included in the zoning ordinance by reference. All future amendments to the Camp Bowie District Boulevard Revitalization Code must be considered by the Zoning Commission and approved by the City Council in accordance with the procedure set out in Article 5, Chapter 3.

E. Development Review Process

1. *Certificate of appropriateness required.*

Within the Camp Bowie District, issuance of a certificate of appropriateness reflecting compliance the Camp Bowie Boulevard Revitalization Code is required as a condition for the following:

- a. Acceptance by the Planning and Development Department of an application for a building permit for construction of a new structure;
- b. Acceptance by the Planning and Development Department of an application for a building permit for expansion of an existing structure;
- c. Acceptance by the Planning and Development Department of an application for a building permit for renovation, remodeling or other alteration of an existing structure; and
- d. Construction of a surface parking lot.
- e. Acceptance by the Planning and Development Department of an application for a sign permit.

2. *Application for certificate of appropriateness.*

The following materials shall be submitted to the Planning and Development department in connection with an application for a certificate of appropriateness. The materials must be submitted at least twenty-one (21) days before the meeting of the design review board at which the application for a certificate of appropriateness will be

considered. At the time application materials are submitted, the applicant shall receive a sign provided by the Planning and Development Department that shall be posted on the project site at street level in a location readily visible to the public no less than ten (10) days prior to the meeting of the UDC.

- a. Copies of site plan including:
 - i. Footprints of all existing structures.
 - ii. Proposed footprint of all new structures.
 - iii. Existing structures adjacent to the property.
 - iv. Building setbacks.
 - v. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at-grade mechanical units, dumpsters, and all other site improvements.
 - b. Copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
 - c. Copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
 - d. Copies of schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material;
 - e. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
 - f. For all detached signs, nine site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter-inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.
3. *Authority to approve certificate of appropriateness.*
- a. The Planning and Development Director or designee is hereby charged with the Duty and invested with the authority to approve a certificate of appropriateness for new construction and renovations when the project conforms to all standards and guidelines of the Camp Bowie Boulevard Revitalization Code. The director may

refer any case to the UDC for review. Do you want to add that the director has the discretion to forward an application to the UDC for decision.

- b. The Urban Design Commission is hereby charged with and invested with the authority to enforce the Camp Bowie Boulevard Revitalization Code for new construction and exterior renovations by hearing and deciding applications for certificates of appropriateness with this section. .

F. Appeal.

1. All decisions by the Planning and Development director may be appealed to the Urban Design Commission. A written notice of the appeal must be filed with the Executive Secretary of the Urban Design Commission within ten (10) days of notice of the decision of the Planning and Development Director or designee. The standard of review before the UDC shall be *de novo*.
2. All decisions by the Urban Design Commission may be appealed to the Appeals Board by the applicant. A written notice of appeal must be filed with the City Secretary within ten days after receipt of notification of the Urban Design Commission's decision. The written notice of appeal shall specify:
 - i. That the decision of the board is unreasonable, either in whole or in part; and
 - ii. The grounds for the appeal.
- b. The Appeals Board shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The secretary of the Urban Design Commission shall forward to the Appeals Board a complete record of the matter, including a transcript of the tape of the hearing before the Urban Design Commission. In consideration of an appeal, the Appeals Board shall:
 - i. Hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Urban Design Commission;
 - ii. Apply the substantial evidence test to the decision of the Urban Design Commission, considering the record made before the Urban Design Commission;
 - iii. Have the option to remand any case back to the Urban Design Commission for further proceedings.
- c. The Appeals Board may uphold, reverse or modify the decision of the Urban Design Commission unless a continuance is agreed to by the owner/appellant.

SECTION 2.

This ordinance shall be cumulative of all other ordinances of the Code of the City of Fort Worth, Texas (1986), as amended, affecting zoning and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinance are in direct conflict with the provisions of this ordinance.

SECTION 3.

That all rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of Ordinance Nos. 3011, 13896, or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 4.

That 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 void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

That 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 is permitted to exist shall constitute a separate offense.

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 Section 52.013, Texas Local Government Code.

SECTION 7.

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

APPROVED AS TO FORM AND LEGALITY:

By: _____

Assistant City Attorney

Adopted: _____

Effective: _____

Laura Voltman, Senior Planner, City of Fort Worth explained to the Commissioners this is an upgrade from demolition delay to historic & cultural overlay.

Motion: Following brief discussion, Ms. Reed recommended approval of the request, seconded by Ms. Zadeh. The motion carried unanimously 8-0.

**36. ZC-11-100 City of Fort Worth Planning & Development Text Amendment: Camp Bowie Corridor District Text Amendment (CD All)-
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,
Add:**

- A New Section, Section 4.120^A. "Camp Bowie ("CB") District;
- Add separate zones within the District;
- Providing for design standards and guidelines for new construction and certain renovations; and
- Requiring a Certificate of Appropriateness for new construction and certain renovations.

Laura Voltman, Senior Planner, City of Fort Worth explained to the Commissioners this is a Council-initiated case brought forward by Camp Bowie District Inc.

Brandy O'Quinn, 2801 Willing Avenue, Fort Worth, Texas with Urban Strategies, representing Camp Bowie District explained the request to the Commissioners. Ms. O'Quinn mentioned they started this process about two years ago. The District covers from I-30 to 820 West. Design workshops were held in January 2010 for design and a public meeting was held in April. They have continued to hold public meetings to address concerns from the neighborhood. Gateway Planning has been acquiring all the feedback.

Jay Narayana, 101 Summit Avenue, Fort Worth, Texas representing Gateway Planning Group explained to the Commissioners this was presented to them in their work session last month and only minor changes are still being worked out.

Mr. Ortiz asked staff if the case needed to be continued to work on the minor changes. Ms. Voltman responded and mentioned the minor changes have to deal with uses in the code and how they relate to the use chart of the Zoning Ordinance. She explained the changes are less restrictive than what was noticed for the public hearing and can move forward.

Mr. Edmonds asked for clarification on what they are approving. Ms. Burghdoff explained the use table proposed today will be consistent with what is going before Council. She mentioned some of the uses may need to be worded differently for instance Cottage Industry and what type of industrial uses would be permitted. Ms. Voltman mentioned there is a definition in the code of what Cottage Industry would include that may help.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Ms. Reed. The motion carried unanimously 8-0.