

**ORDINANCE NO. 23609-03-2019**

**AN ORDINANCE AMENDING THE COMPREHENSIVE 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 (2015), TO AMEND CHAPTER 4, "DISTRICT REGULATIONS" TO AMEND ARTICLE 1, "GENERAL" TO ADD CONDITIONAL USE PERMIT TO THE LIST OF DISTRICTS ESTABLISHED, AMEND ARTICLE 4 "OVERLAY DISTRICTS" TO ADD SECTION 4.407 "CONDITIONAL USE PERMIT" TO PROVIDE FOR REGULATIONS AND PROCESSES APPLICABLE TO CONDITIONAL USE PERMITS; AMEND ARTICLE 3, "PLANNED DEVELOPMENT "PD" DISTRICT" TO REVISE LANGUAGE IN CONFORMANCE WITH THE CREATION OF CONDITIONAL USE PERMITS; AMEND ARTICLES 6, 8, AND 12, "RESIDENTIAL USE TABLE," "NONRESIDENTIAL DISTRICT USE TABLE" AND "FORM-BASED DISTRICTS" RESPECTIVELY TO REMOVE SPECIAL EXCEPTION DESIGNATIONS AND REPLACE WITH CONDITIONAL USE PERMIT DESIGNATIONS; AND TO AMEND CHAPTER 5, "SUPPLEMENTAL USE STANDARDS" TO ADD CERTAIN USES AND STANDARDS IN CONFORMANCE WITH THE CREATION OF THE CONDITIONAL USE PERMIT", 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**, Chapter 211 of the Texas Local Government Code ("TLGC") authorizes the governing body of a municipality to adopt zoning regulations to promote the public health, safety, morals, or general welfare and protect and preserve places and areas of historical, cultural, or architectural importance and significance;

**WHEREAS**, Section 211.005 of the TLGC authorizes the governing body of a municipality to divide the municipality into districts of a number, shape, and size that the governing body considers best for carrying out the provisions of Chapter 211, General Zoning Regulations, within which districts the governing body may regulate the erection, construction, reconstruction, alteration, repair or use of buildings, other structures or land;

**WHEREAS**, a Conditional Use Permit Overlay is intended to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance by providing an alternative to the current use of the Planned Development "PD" District for areas in transition; and

**WHEREAS**, a conditional use permit, if granted, may include conditions, including, duration of use and development in accordance with a submitted site plan, placed upon the

development of the property to minimize impacts on nearby uses and ensure compatibility with existing neighborhoods and surroundings; and

**WHEREAS**, upon the creation of the Conditional Use Permit Overlay, certain uses in the Planned Development "PD" district will be eligible for a conditional use permit and development standards related to those uses will be relocated to the Supplemental Use chapter of the Zoning Ordinance;

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

### **SECTION 1.**

Chapter 4, "District Regulations", Article 4, "Overlay Districts", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to add Sec. 4.407 to add language to provide for regulations and requirements for conditional use permits, to read as follows:

#### **Sec. 4.407     CONDITIONAL USE PERMIT (CUP) OVERLAY**

##### **(a) PURPOSE AND INTENT.**

1. *Purpose and Intent.* This purpose of this section is to set forth the standards for the Zoning Commission and City Council to evaluate proposed conditional uses and provide the procedures for considering and approving conditional use permit applications. Conditional uses are those uses which are generally compatible with the permitted land uses in a given zoning district, but which require individual review of their proposed location, design and configuration, and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district.

2. *Relation to Base Zoning District.* The conditional use permit is a zoning overlay that supplements the primary underlying zoning district classification by adding the specified use not otherwise allowed by right in the base zoning district. The zoning designation of property with a conditional use permit shall consist of the base zoning symbol and the overlay symbol as a suffix.

3. *Conditional Use Permit Amendment to Zoning Ordinance.* Every conditional use permit approved under the provisions of this section shall be considered as an amendment to the zoning ordinance as applicable to the property involved.

4. *Status of Conditional Permitted Uses.* The following general rules apply to all conditional uses:

- a) Conditional use permits in residential districts shall be limited to those uses designated "CUP" in the Residential District Use Table in Chapter 4, Article 6, Section 4.603.
- b) Approval of a conditional use permit shall authorize only the particular use or category of related uses for which the conditional use permit is issued.
- c) A conditional use shall not be enlarged, extended or otherwise modified unless approved by the City Council or approved administratively as applicable.
- d) The use of property for the purposes described in a conditional use permit shall not commence until a certificate of occupancy has been issued. A certificate of occupancy



shall not be issued until all or approvals which may be required by the Codes and Ordinances of the City, including, but not limited to, a Building Permit, a Certificate Of Occupancy and subdivision approval have been satisfied.

#### **(b) APPLICATION FOR CONDITIONAL USE PERMIT**

1. An application shall be filed with the Planning and Development Department on a form prepared by that department and accompanied by a site plan. An application shall not be accepted for filing until the information required by the application and the site plan is provided and the appropriate filing fee has been paid or a request for a site plan to be required and considered through the site plan public hearing process. The Zoning Administrator shall determine the completeness of the application and the required application fee has been paid.

2. The application shall include any additional information as determined by the Zoning Administrator

- a) The application will be scheduled for a public hearing before the Zoning Commission with appropriate notifications, once all comments from the Zoning Administrator have been addressed.
- b) The Zoning Commission and the City Council may request additional information to be included in the application.

3. An application for a conditional use permit may be withdrawn at any time, but if the application has been recommended for denial by the Zoning Commission in compliance with Chapter 3, any new application requesting substantially the same use on all or part of the same described land shall not be considered within one year of withdrawal. No application for a conditional use permit shall be considered for one year after a final decision denying the application by the City Council nor shall an application for a Planned Development District be accepted for one year after denial of a conditional use permit for a substantially similar use.

#### **(c) PROCEDURE**

1. *Public hearing required.* The Zoning Commission and the City Council shall hold a public hearing on all applications for conditional use permits. The procedures for public hearings for a request for approval of an application shall be in accordance with Chapter 3, Article 5.

2. *Written notice.* Written notice of the public hearing before the Zoning Commission shall be in conformance with Chapter 3, Article 5.

3. *Zoning Commission recommendation.* All recommendations by the Zoning Commission shall be forwarded to the City Council for the setting and holding of a public hearing thereon. At the public hearing the Zoning Commission shall review the application and receive from the applicant, the city staff, and others who have an interest in the matter, facts and opinions concerning the proposed use and the proposed conditions to which such use would be subject. The Zoning Commission may recommend approval to the City Council with or without conditions or modifications or recommend denial of the application.

4. *City Council.* Upon receipt of the recommendation of the Zoning Commission, the City Council may approve the application or deny the application with or without prejudice. Approval of a conditional use permit shall be by ordinance

**(d) STANDARDS.**

1. *Factors for Consideration.* When considering applications for a conditional use permit, the Zoning Commission in making its recommendation and the City Council in rendering its decision on the application shall on the basis of the site plan, if applicable, and other information submitted, evaluate the impact of the conditional use on, and the compatibility with surrounding properties and the neighborhoods to ensure the appropriateness of the use at a particular location. The Zoning Commission and the City Council shall consider the following:

- a) The proposed use is consistent with the Comprehensive Plan;
- b) The proposed use is compatible with the existing and adjacent uses.
- c) The proposed use meets all supplemental use standards specifically applicable to the use as set forth in Chapter 5;
- d) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods;
- e) The proposed use is not materially detrimental to the public health, safety, and welfare, or results in material damage or prejudice to other property in the vicinity.

2. *Conditions.* In approving the application, the Zoning Commission may recommend and the City Council may impose such conditions as are reasonably necessary to mitigate adverse effects of the proposed use in accordance with these standards and the purpose and intent of this section. Conditions and modifications may include, but are not limited to:

- a) regulation of period of time the use will be allowed,
- b) limitation of building size or height,
- c) increased open space,
- d) limitations on impervious surfaces,
- e) enhanced loading and parking requirements,
- f) additional landscaping, curbing, sidewalk, vehicular access and parking improvements, ,
- g) placement or orientation of buildings and entryways,
- h) buffer yards, landscaping and screening,
- i) signage restrictions and design,
- j) maintenance of buildings and outdoor areas, and,
- k) development in accordance with a submitted site plan.

Conditions imposed shall be complied with before a certificate of occupancy is issued for the use of the land or any structure which is part of the conditional use permit; and such conditions shall not be construed as conditions precedent to the approval of the zoning amendment, but shall be construed as conditions precedent to the granting of a certificate of occupancy.

3. *Waivers and Variances.* The City Council may waive or modify specific standards otherwise made applicable to the conditional use as reasonably necessary to mitigate adverse effects of the proposed use in accordance with the standards and purpose of this section. Conditions imposed by the City Council may not be waived or varied by the Board of Adjustment.



**(e) SITE PLAN REQUIREMENTS.**

1. *Site plan requirements.* The site plan submitted in support of a request for a conditional use permit shall contain sufficient information delineating the characteristics of the site, changes in those characteristics as may be proposed by the development, how the development will relate to public services and facilities, and what protection features are included to ensure that the development will be compatible with existing and allowable development on adjacent property and to mitigate development-related adverse impacts. The site plan shall show at least the following items of information:

- a) A current plat of the site including all easements;
- b) Description of the proposed use(s);
- c) Height, square footage, and setbacks of structures;
- d) Required yards and open space;
- e) Driveway widths and locations, roadway adjustments, traffic control devices, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets, as approved by Transportation and Public Works (TPW). A traffic impact analysis may be necessary as determined by TPW.
- f) Off-street parking and loading areas;
- g) Refuse and service areas including access and screening;
- h) Utilities with reference to location, availability, and compatibility;
- i) Note indicating that the development will comply with the below development standards of Chapter 6 unless otherwise provided on the site plan.
  - Exterior construction material and building design;
  - location and dimensions of signs;
  - Lighting, including shielding and ambient light level not to exceed one (1) foot candle when adjacent to one- or two-family residential zoning districts or uses.
  - Landscaping requirements
- j) An analysis of the existing land uses within 300 feet and the relationship of the proposed development to the existing land uses;
- k) Locations of floodplains and provisions for drainage, as approved by TPW;
- l) Any sustainable construction methods or design to be used in the development;
- m) Surface type of streets, alleys, and sidewalks, existing and proposed; and
- n) Any requested waivers to development standards shall be listed and clearly identified on the site plan.

**(f) AMENDMENTS.** An amendment is a request for a modification of any condition of a previously approved and currently valid conditional use permit.

1. *Review and Evaluation.* Any revisions to the conditional use permit after the approval by the City Council shall be submitted to the Zoning Administrator for distribution, review and evaluation by city staff prior to resubmission and consideration by the Zoning Commission and City Council where applicable.

2. *Minor amendments.* A conditional use permit is eligible for a minor amendment if the request conforms to the provisions of this section, is in keeping with the intent of the

comprehensive plan, and there have not been more than two minor amendments previously granted pursuant to this subsection.

Minor amendments to an approved site plan, which will not cause any of the following circumstances to occur, may be authorized by the Zoning Administrator:

a. For all zoning districts other than mixed-use, form-based or urban residential:

- 1) A change in the character of the development;
- 2) A five percent or greater increase in the gross floor areas of structures;
- 3) Any substantial and material changes in such external effects on adjacent property as noise, heat, light, glare and vibration;
- 4) A substantial and material reduction in the originally approved separations between buildings;
- 5) Any adverse changes in traffic circulation, safety, drainage or utilities;
- 6) A five percent or greater increase in the height of structures;
- 7) A ten percent or greater reduction in the originally approved setbacks from property lines;
- 8) A five percent or greater increase in ground coverage by structures;
- 9) A five percent or greater reduction in the ratio of off-street parking and loading space (provided that the minimum requirements of Chapter 6, Article 2 are met);
- 10) A change in the size, height, lighting, flashing, animation or orientation of originally approved signs. The decision of the Zoning Administrator as to whether requested changes are minor shall be final and non-appealable.

b. For all mixed-use, form-based or urban residential districts:

- 1) A change in the character of the development;
- 2) A 5% or greater reduction or increase in the gross floor areas of structures;
- 3) Any substantial and material changes in such external effects on adjacent property as noise, heat, light, glare and vibration;
- 4) A substantial and material increase in the originally approved separations between buildings;
- 5) Any adverse changes in traffic circulation, safety, drainage or utilities;
- 6) A 5% or greater reduction or increase in the height of structures;
- 7) A 10% or greater increase in the originally approved front yard setbacks from property lines;
- 8) A 5% or greater reduction or increase in ground coverage by structures;
- 9) A 5% or greater increase in the ratio of off-street parking and loading space unless provided in structured parking (provided that the minimum requirements of Chapter 6, Article 2 are met); and
- 10) A change in the size, height, lighting or orientation of originally approved signs.

The applicant for a minor amendment shall submit a site plan that is consistent with the requirements of subsection (e) above. The submittal shall include the site plan approved with the original application and a revised copy with annotation of the requested changes. The



revised site plan shall be prepared to scale the Zoning Administrator to indicate acceptance of the revised site plan and, if applicable, shall include appropriate signature and seals of the design professional (i.e. architect, engineer, and surveyor) that prepared the site plan. The site plan shall be processed only upon payment of the applicable fee. If approved, the site plan shall be recorded with the ordinance approving the conditional use permit in the office of the City Secretary and kept on file in the Planning and Development Department.

3. *Major Amendments.* Any proposed amendment other than those provided for in subsection (2) above shall be considered a major amendment of a previously approved and currently valid conditional use permit. A new conditional use permit authorization shall be approved in the same manner and under the same procedures as are applicable to the issuance of the original permit.

**(g) DURATION**

1. *Period of conditional use.* Conditional Use Permits shall be in effect for the duration of the use, or for a time period specified in the conditions of approval, or a time period is specified in Chapter 5, Supplemental Use Standards, or until the time a revocation of the permit is effectuated.

2. *Renewal.*

a) Public Hearing renewal. A conditional use permit that is not eligible for administrative renewal shall be scheduled for public hearings before the Zoning Commission and the City Council when an application is filed and accepted as complete by the Zoning Administrator. The property owner or representative must file a complete application for renewal with the Zoning Administrator not later than 90 days before the expiration date of the conditional use permit. The conditional use may continue to operate during the public hearing renewal process provided that an application for renewal was submitted 90 days before the date of expiration. Notice of the public hearing shall be provided as would be required for a new application of a conditional use permit. The Zoning Commission shall make a recommendation to the City Council regarding the proposed renewal based on staff reports, field inspections and evidence presented at its hearing of the following:

1. Documentation of any health and safety concerns including but not limited to:
  - a) Police records, and municipal or other court records as applicable, for time period since Council approval;
  - b) Code Compliance records for time period since City Council approval;
  - c) Any state license required for operation of the use.

**(h) DISCONTINUATION OF USE.** In the event the use under the conditional use permit is discontinued for six months, the use of the same shall thereafter conform to the regulations of the base zoning district of such property unless a new and separate conditional use permit is granted by the City Council for continuation of the use.

**(i) EXPIRATION.** A conditional use permit shall expire and be considered invalid if any of the below apply:

1. A building permit, if any, *a plat for unplatted property* or a certificate of occupancy is not issued within 180 days of the date of approval or the building permit subsequently expires, provided however, the Zoning Administrator may authorize an extension the conditional use permit for an additional 180 days for the issuance of a building permit, *to plat the unplatted property* or to obtain a certificate of occupancy.
2. The termination date in the ordinance approving the conditional use permit has passed. Continued operation of the conditional use permit shall require re-approval through the public hearing process.

**(j) REVOCATION.** If the Zoning Administrator determines based on inspection or reasonable investigation by the City, that there are reasonable grounds for revocation of a conditional use permit, a public hearing shall be set before the Zoning Commission and the City Council.

a. Circumstances that warrant revocation of an approved conditional use permit include but shall not be limited to the following:

- a) There is a conviction of a violation of any of the provisions of the zoning ordinance, the ordinance approving the conditional use or any ordinance of the City that occurs on the property for which the conditional use permit is granted;
  - b) The building, premise, or land uses under the conditional use permit is enlarged, modified, structurally altered, or otherwise significantly changed without the approval a of a separate conditional use permit for such enlargement, modification, structural alteration or change;
  - c) Violation of any provision of the site plan encompassing the property for which the conditional use permit was issue for, terms or conditions of a conditional use permit;
  - d) The conditional use permit was obtained by fraud or with deception.
- b. *Revocation process.* The revocation process shall be conducted as for a zoning district change including notice to holder of the conditional use permit and property owners within 300 feet, a public hearing and recommendation by the Zoning Commission, and a public hearing and ordinance amendment consideration by the City Council. The City Council may revoke the conditional use permit, deny the revocation and allow the use to continue, deny the revocation and amend the conditional use permit to attach conditions to assure that the terms, conditions and requirements of the conditional use permit be met.
- c. *Effect of revocation.* Upon the effective date of the revocation, it shall be unlawful to undertake or perform any activity that was previously authorized by the conditional use permit. The property subject to the conditional use permit may be used for any permitted use within the base zoning district.

**(k) Effect on Existing Special Exceptions.** Special exceptions for certain land uses in existence upon the effective date of the adoption of the conditional use permit, shall continue for the term granted by the Board of Adjustment. Upon the expiration of the term for the special exception, a request to continue the use shall conform to the requirements for a conditional use permit.



## SECTION 2.

Chapter 4, "District Regulations", Article 6, "Residential District Use Table", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.601, "Key to Table Designations" subsections (c) and (d) to add language to provide for conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.603, "Residential District Use Table" to remove certain uses that are obsolete and to revise the table to certain uses from "SE" to "CUP" as provided in Exhibit A, attached:

### **Sec. 4.601 KEY TO TABLE DESIGNATIONS.**

(a) *Permitted uses (P)*. A "P" in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A "P\*" in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column titled "Supplemental Standards."

(b) *Special exception uses (SE)*. An "SE" in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3. An "SE\*" in any cell means that supplemental use standards apply.

(c) *Conditional use permit (CUP)*. A "CUP" in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP\* in any cell means that supplemental use standards apply.

(d) *Uses not allowed*. An empty cell indicates that a use is not allowed in the respective zoning district.

(e) *Supplemental use standards (\*)*. The numbers contained in the right-hand column of the table are references to additional standards and requirements (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses) that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a "\*."

(f) *Use also included in nonresidential district use table ()*. The "" symbol in the second column from the right (titled "refer to Nonresidential District Use Table") indicates this use can also be found in the Nonresidential District Use Table in Article 8.

## SECTION 3.

Chapter 4, "District Regulations", Article 8, "Non-Residential District Use Table", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.801, "Key to Table Designations" subsections (c) and (d) to add language to provide for

conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.803, "Non-Residential District Use Table" to remove certain uses that are obsolete and to revise the table to certain uses from "SE" to "CUP" as provided in Exhibit B, attached.

#### **Sec. 4.801 KEY TO TABLE DESIGNATIONS.**

(a) *Permitted uses (P)*. A "P" in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A "P\*" in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled "Supplemental Standards."

(b) *Special exception uses (SE)*. An "SE" in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3. An "SE\*" in any cell means that supplemental use standards apply. (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled "Supplemental Standards."

(c) *Conditional use permit (CUP)*. A "CUP" in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP\* in any cell means that supplemental use standards apply.

(d) *Uses not allowed*. An empty cell indicates that a use is not allowed in the respective zoning district. Provided however, an application for a conditional use permit may be made for any land use not permitted in any district in accordance with the review procedures in Chapter 4, Article 4.

(e) *Supplemental use standards (\*)*. The numbers contained in the right-hand column of the table are references to additional standards and requirements (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses) that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a "\*."

(f) *Use also included on residential district use table (<<)*. The "<<" symbol in the second column from the right indicates this use can also be found in the Residential District Use Table in Article 6.

#### **SECTION 4.**

Chapter 4, "District Regulations", Article 12, "Form-Based Code District Table", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise section 4.1201, "Key to Table Designations" subsections (c) and (d) to add language to provide for conditional use permits and to re-letter the remaining sections, to read as follows and to amend Section 4.1203, "Form-Based Code District Use Table" to remove certain uses that are obsolete and to revise the table to certain uses from "SE" to "CUP" as provided in Exhibit C, attached.



#### **Sec. 4.1201 KEY TO TABLE DESIGNATIONS.**

(a) *Permitted uses (P)*. A “P” in a cell indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this zoning ordinance. A “P\*” in any cell means that supplemental use standards apply. (See Chapter 5, Supplemental Use Standards, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(b) *Special exception uses (SE)*. An “SE” in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3. An “SE\*” in any cell means that supplemental use standards apply. (See Chapter 5, Supplemental Use Standards, Article 1, Standards for Selected Uses.) The specific section number of the standard is noted in the right-hand column, titled “Supplemental Standards.”

(c) *Conditional use permit (CUP)*. A “CUP” in a cell indicates that the use is allowed only if reviewed and approved as a conditional use permit, in accordance with the review procedures in Chapter 4, Article 4. A CUP\* in any cell means that supplemental use standards apply.

(d) *Uses not allowed*. An empty cell indicates that a use is not allowed in the respective zoning district. Provided however, an application for a conditional use permit may be made for any land use not permitted in any district in accordance with the review procedures in Chapter 4, Article 4.

(e) *Supplemental use standards (\*)*. The numbers contained in the right-hand column of the table are references to additional standards and requirements (Refer to Supplemental Use Standards, Chapter 5, Article 1, Standards for Selected Uses) that may apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a “\*.”

(f) *Use also included on residential district use table (<<)*. The “<<” symbol in the second column from the right indicates this use can also be found in the Residential District Use Table in Article 6.

#### **SECTION 4.**

Chapter 4, Article 1, “General”, of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, Section 4.100 “District Established,” is hereby amended to add the Conditional Use Permits (“CUP”) district to subsection (c) “Overlay districts,” to read as follows:

#### **Sec. 4.100 DISTRICTS ESTABLISHED.**

In order to regulate and restrict the location of trades and industries and the location of buildings erected, reconstructed, altered or enlarged for specified uses, to regulate and restrict the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged, to protect and preserve places and areas of historical and cultural importance and significance, to regulate and determine the area of yards and other open spaces and to regulate and limit the density of population, the City

of Fort Worth is hereby divided into districts that are grouped in classes for convenience of reference as follows.

...

(c) *Overlay districts.*

- (1) Conservation ("CD") overlay district;
- (2) Historic preservation ("HSE," "HC," "DD") overlay district;
- (3) Urban design ("DUDD") overlay district-downtown;
- (4) Trinity uptown peripheral zones ("TUP") overlay district;
- (5) I-35W north corridor ("I-35W") overlay district; and
- (6) Airport/airfield overlay district.
- (7) Conditional Use Permit

...

## SECTION 5.

Chapter 4, "District Regulations", Article 3, "Planned Development Districts", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to amend Section 4.300 to restate the purpose and intent for planned development districts and provide for the creation of planned development districts and shall read as follows:

### **Sec. 4.300 PURPOSE AND INTENT.**

The purpose of a planned development ("PD") district is to encourage the unified design of residential, commercial, industrial and institutional uses, including combinations of uses that are not otherwise attainable under conventional base zoning districts. A planned development district may be created in any base zoning district for the purposes of:

1. Allowing for different types of residential uses in residential districts where the use is not allowed.
2. Providing for two or more uses or mix of residential uses not otherwise allowed or conditional in the zoning district in which the property is located, subject to certain development regulations and a site plan;
3. Where required in accordance with the use tables in Chapter 4, Articles 6, 8 and 12; or
4. Where restricting a minority of uses in a base zoning district.

A planned development district is not intended to circumvent decisions of the Board of Adjustment and an application for a planned development district shall not be accepted within two years of a decision by the Board of Adjustment where the development standard proposed for the planned development district is substantially similar to the request made where there was a final decision by the Board of Adjustment.



## SECTION 6.

Chapter 4, "District Regulations", Article 3, "Planned Development Districts", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise subsection (c) of section 4.301 to provide that an application for a planned development district may not be amended to a conditional use permit overlay during the public hearing process but shall require a new application and shall read as follows:

### ***Sec. 4.301 DESIGNATION OF "PD" DISTRICT.***

...

(c) Application. An application for site plan approval shall be filed with the planning and development department on a form prepared by that department and accompanied by a site plan. No site plan shall be accepted for filing until the appropriate filing fee has been paid. An application for a planned development district may not be amended to a conditional use permit overlay during the public hearing process but rather shall require a new application and public hearing.

## SECTION 7.

Chapter 4, "District Regulations", Article 3, "Planned Development Districts", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise subsections (b), (c) and (d) of section 4.305 to delete the development standards language for certain land uses that will, upon adoption of this ordinance, be designated as conditional use permits and relocate the applicable development standards to Chapter 5, Article 1 and reserve those subsection letters and numbers where applicable with game room regulations to remain unaffected, to read as follows:

### **Sec. 4.305 USES.**

....

(b) *Reserved*

(c) *Specific commercial uses permitted in "PD" district only.* The following uses are permitted only through approval of a planned development in accordance with the procedures in this article.

(1 through 5) reserved

(6) Game rooms. Game rooms shall only be considered in existing Light Industrial ("I"), Medium Industrial ("J") or Heavy Industrial ("K") districts and the use must then be approved as a Planned Development ("PD") District. A person, including the manager, operator or owner of a game room, commits an offense if he or she operates or permits the operation, or establishment of a game room in any other zoning district. Additional development controls shall be required, as follows:

a. No game room shall be located within 1,000 feet of a residential use or residential district, church, school or hospital. The distance shall be measured in a straight line without regard to interfering objects or structures from property line to property line or property line to district boundary, whichever is more restrictive.

b. No game room shall be located within 1,000 feet of any other game room from property line to property line.

c. Each entrance to a game room shall be marked with a sign that:

1. Bears the word "GAME ROOM" in six inch or larger black block letters; and
2. is legible from a distance of 25 feet.

d. Every game room shall provide transparent glass in at least one exterior game room window with a dimension of at least four feet in width and four feet in height and shall not cover or otherwise block or obscure the view through a game room window by the use of drawn shades, blinds, partitions, tinting or other structures or obstructions. The window shall allow a clear, unobstructed view of the manager station and all amusement redemption machines in the game room.

e. The sale, purchase, possession or consumption of any alcoholic beverages as defined by the Texas Alcoholic Beverage Code shall not be permitted unless the premises is licensed under the provisions of said code for the sale, purchase or possession of alcoholic beverages.

f. Every game room shall be limited to a maximum of 30 amusement redemption machines.

g. Only one game room shall be allowed on any lot or in any single building, structure or tenant space in a strip center.

h. Only one game room shall be permitted on any platted lot or in any building, structure or strip center.

i. Game rooms are limited to the operation of amusement redemption machines; gambling devices shall not be allowed.

j. A site plan, landscape plan and floor plan of the game room interior shall be submitted in addition to any other plans that may be required by the city's ordinances, drawn to scale and sealed by a professional engineer or professional architect licensed by the state depicting the layout of the game room interior specifically including, but not limited to, the location of all amusement redemption machines, the manager's station(s), restroom facilities, kitchen and bar facilities, if any, and all areas to which patrons will not be permitted.

k. Existing game rooms shall comply with the requirements of this section within 90 days of the effective date of these regulations.



l. One designated parking space shall be provided for each two amusement redemption machines within the game room, plus one additional parking space for each employee per shift.

m. The Board of Adjustment shall not grant any variances to the requirements of this section.

## **SECTION 8.**

Chapter 5, "Supplemental Use Standards", Article 1, "Standards for Selected Use", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise Article 1 to add sections 5.147 through 5.150 to add development standards for the following uses: halfway houses, horse, dog or automotive racing, landfill, recycling center, household hazardous waste or waste tire facility, mining, and quarrying, dredging or excavation and shall read as follows:

### **Sec. 5.147 HALFWAY HOUSES.**

a. The applicant shall submit the following information to the Planning and Development Department:

1. Area plan showing zoning classifications and land uses of all property within one-quarter mile of the site of the proposed halfway house. The area plan must specifically identify all uses related to children, such as schools, places of worship, parks, playgrounds, day care centers, public and private youth centers, public swimming pools and video arcade facilities. The applicant is expected to make a good faith effort to locate all such uses;

2. Site plan for the property, in compliance with this article. The site plan shall include a floor plan detailing room sizes, sleeping areas, number of beds, training rooms, kitchen and food service areas, bathrooms, recreational areas and all other uses. The site plan requirement cannot be waived by the Zoning Commission;

3. Copy of the contract governing the operation of the facility;

4. Security plan identifying security features of facility; and

5. Copy of policies and rules for operation of the facility.

b. The Zoning Commission shall consider comments from the Police Department and Planning and Development Department concerning the documentation described above prior to recommending approval of any zoning change request for a halfway house.

c. Notification of the requested zoning change shall be sent to the owners of all property within 1,000 feet of the property on which the change in zoning is proposed, in accordance with the procedure set out in state law and local ordinances, and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. Notice of the time and place of the hearing before the City Council shall be published

in an official newspaper or a newspaper of general circulation at least 15 days before the hearing as required by state law and shall be at least five inches by eight inches.

d. If the owner or operator of a nonconforming halfway house wishes to expand the facility or make structural alterations which require the approval of the City Council, notification of the request shall be sent to the owners of all property within 1,000 feet of the property on which the expansion is proposed and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. In addition, notice of the time and place of the hearing before the City Council shall be published in an official newspaper or a newspaper of general circulation at least 15 days before the hearing and shall be at least five inches by eight inches.

#### **Sec. 5.148 HORSE, DOG OR AUTOMOTIVE RACING.**

a. Additional development controls shall be required, as follows:

1. Holding areas for horses or dogs shall be provided in case of fire;
2. An approved emergency plan and an approved evacuation plan shall be provided;
3. Security plans shall be provided and reviewed by the police department;
4. Spectator parking lots shall be 500 feet from any one- or two-family districts;
5. Other facilities, including accessory uses and facilities such as the race track and the bleachers, shall be 1,000 feet from any one- or two-family district and from any multifamily district not a part of race track as a mixed use;

6. The parking required shall be one space for every two spectator seats and one space for every ten square feet of spectator standing area;

7. When located within or adjacent to any city, state or national historic district, the racetrack building and structures shall be designed to be compatible with said district;

8. An approved solid waste disposal plan shall be provided and set into operation upon occupancy of the racetrack and its buildings and structures; and

9. All support activities and other proposed uses, which the site may include, shall be specifically identified.

b. In addition to site plan requirements and development controls above, the following design considerations shall be incorporated where feasible:

1. Impact studies (such as traffic impact) on the effects of the track operations on adjacent lands. Such studies shall include setbacks; street, arterial and highway access; and buffering of properties surrounding the racetrack site;

2. Compartmentalization of parking areas for traffic circulation and emergency vehicle circulation;

3. Emergency vehicle access around site located at the bleachers area with connection through the spectator parking lots to the user area;

4. Height of buildings and structures not to exceed 12 stories or 120 feet, whichever is the most restrictive; and

5. User parking and storage area for trailers and similar vehicles with separate access than from spectator parking area.



**Sec. 5.149 LANDFILL, WASTE TRANSFER STATION, GOVERNMENT RECYCLING DROP OFF CENTER, RECYCLING CENTER WITH OUTDOOR PROCESSING AND STOCKPILING, HOUSEHOLD HAZARDOUS WASTE OR WASTE TIRE FACILITY.**

a. Facilities handling, processing and loading of municipal solid waste and recyclable materials for transportation at transfer stations; storage, processing, bailing or reclamation of paper, glass, wood, metals, plastics, rags, junk, concrete, asphalt and other materials at materials recovery facilities and recycling centers; disposal, dumping or reducing of offal or dead animals; composting for yard and wood wastes, municipal solid waste and/or sludge at composting facilities; collection and storage of household hazardous wastes; and processing and storage of scrap tires at waste tire facilities, subject to the requirements set out below. Provided however, a conditional use permit is required when a recycling center with outdoor processing and stockpiling, household hazardous waste or waste tire facility is within 1,000 feet of a residential district or mixed use/form-based district that includes a residential use, a "CF" Community Facilities district, or a public or private park as measured property line to property line of the protected zoning district or park. If an application to create a planned development district to allow one of the uses described in this section is on file with the City prior to the adoption of this section, the City may approved the planned development district, and any use permitted by that planned development district shall be a legal conforming use. For purposes of this subsection (d), such facilities are further defined by Tex. Administrative Code Title 30, Chapter 330, Municipal Solid Waste, § 330.3, and Tex. Administrative Code Title 30, Chapter 335, Industrial Solid Waste and Municipal Hazardous Waste, § 335.1. The operator shall comply with the following requirements:

1. Submit a site development plan for review that provides detailed information about the design and development of the facility and that addresses:

- a) Zoning and land use within one-quarter mile of the site;
- b) Proximity to residences, businesses and other uses;
- c) Availability and characteristics of access roads including current traffic volumes and impact of proposed facility on roads and traffic;
- d) Locations of all existing and proposed buildings, equipment and machinery;
- e) Fire prevention and control;
- f) Groundwater, drinking water and surface water protection including wash areas, stream or water course diversions, holding ponds and tanks;
- g) Screening fences, berms, buffers and landscaping;
- h) Provisions for all activities including loading, unloading, handling, processing of materials and maintenance and storage of containers, vehicles and other equipment and machinery to be done within the confines of the facility and behind required screening fences; and
- i) Erection and maintenance of signage at the entrance to the facility that is clearly visible to the public and identifies the owner, operator, business address, telephone number and hours of operation of the facility.

2. Obtain, maintain and have available on-site all required permits and comply with all federal, state and local regulations that relate to the collection, transportation, handling, processing and disposal of all materials for which the facility is approved.

3. Submit and maintain on-site an operations plan that addresses:

- a) Provisions for preventing unauthorized wastes and materials from being brought to the facility;
- b) Procedures for identifying, handling, removing, transporting and disposing of unauthorized wastes and materials that may have been brought to the facility;
- c) Procedures for controlling water runoff, erosion, dust, odors, vectors and rodents;
- d) Procedures and employee training for fire prevention and control;
- e) Litter control and cleanup; and
- f) Procedures for reporting and handling fuel and chemical spills.

b. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and local regulations, codes and ordinances. The operator and/or owner shall provide in writing for access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety.

c. The Planning and Development Department may not issue a certificate of occupancy until the operator of such facility submits proof that the operation of the facility has been approved by all applicable federal and state regulatory agencies as required by law.

#### **Sec. 5.150 MINING, QUARRYING, DREDGING OR EXCAVATION.**

Mining, quarrying, dredging or excavation of dirt, gravel, sand or stone, for the purpose of removing, screening, crushing, washing or storage of ore, clay, stone, gravel or similar materials, subject to the following requirements:

- a. Provision of a site plan of all existing conditions, including topography at five-foot intervals, streams, lakes and other bodies of water, roadways, utility lines, structures and major vegetation, including canopy cover;
- b. Identification of any known protected species of plant, fish or animal life, or the presence of areas of historic, cultural or archeological significance. Such property that is found to be protected or of significant public interest shall not be included in any area approved for mining;
- c. Delineation of all permits and licenses (including NPDES and Texas air control board) required for the operation of such a facility, name of contact person, agency address and telephone number of all permitting agencies and verification of approval of same prior to operation;
- d. Submission of a plan of operation, including scheduling of activities, phasing, traffic generation, employees and use of explosives or other hazardous or caustic materials or chemicals;
- e. Analysis of potential impacts to adjacent properties (especially residential) due to dust, noise, water runoff and diversion, ground water alteration, silting, sedimentation, erosion, traffic and mitigation measures to control such impacts. Submittal of drainage study if deemed necessary by the department of transportation and public works. When deemed appropriate, as a mitigation measure of the site perimeter, City Council may require appropriate buffering, berming, screening and landscaping greater than that required under this zoning ordinance, which shall be maintained in a proper manner at the expense of the property owner. All mitigation measures must be installed and completed prior to any physical mining of the site;



f. Submission of plan for protection of adjacent rights-of-way and streets if mining operations are planned within 50 feet of such rights-of-way and streets, and approval of plans required from the transportation and public works director;

g. Approvals from all utility service providers, transmission, electric and pipeline companies for work around, near or across such utility facility, including approvals for relocation of such utility facility if required;

h. Site plan identifying all proposed structures, operating facilities, loading and wash areas, roadways, stream or water course diversions, holding ponds/tanks, temporary power lines and other site improvements;

i. A reclamation plan, including final topography contours, at five-foot intervals, relocated stream beds, lakes, ponds and other physical features, type and depth of surface material, seeding and replanting plan for restoration of the original canopy cover of the site, including any required cross-section and engineering/construction plans as approved by the city forester or a soil conservation scientist. It is recommended that plant materials native to the site be used;

j. Submission of a performance bond or cash payment for each phase as required under the standard contract for community facilities agreement of the city to ensure that all restoration costs in accordance with the reclamation plan of the site are met;

k. Provision of a clearly visible sign at the entrance to the mining operation identifying the name, business address and phone number of the facility owner and operator in compliance with the requirements for on-premises signs; and

l. City Council may appoint an oversight committee of city staff, public representatives and others, as required, to provide assurance of compliance with all federal, state and city regulations, codes and ordinances. The operator and/or owner of a mining operation shall provide in writing for the limited access to the property by said members subject to all safety and operational restrictions required by law to protect on-site public welfare and safety. Such access approval shall be a prerequisite and part of the conditions of approval of the use.

## SECTION 9.

Chapter 5, "Supplemental Use Standards", Article 1, "Standards for Selected Use", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise Section 5.100 "General" to add a reference to "conditional use permit" and shall read as follows:

### **Sec. 5.100 GENERAL.**

(a) *Relationship to use tables.* The supplemental use standards of this article shall apply only to uses that are so designated in the use tables in Chapter 4, Articles 6 and 8. Where the use tables do not indicate that supplemental use standards apply, the conditions set forth in this article shall not apply.

(b) *Additional conditions.* Nothing in this article shall prevent the City from imposing additional conditions during either the special exception, conditional use permit or planned unit development review process.

(c) *Distance measurements.* Unless otherwise noted, all measurements are in a straight line (ignoring intervening structures) from the property line of the specified use to the boundary of the designated district.

#### **SECTION 10.**

Chapter 5, "Supplemental Use Standards", Article 1, "Standards for Selected Use", of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise the sections listed below to add a reference to Article 12 when there is a reference to Articles 6 and 8 in sections 5.101 through 5.150 and change the references included therein from "special exception" to "conditional use permit" and "Board of Adjustment" to "City Council" to the following sections:

- Sec. 5.101 Ambulance Dispatch Station
- Sec. 5.106 Bed and Breakfast Home
- Sec. 5.107 Bed and Breakfast Inn
- Sec. 5.111 Day Care Center
- Sec. 5.133 Storage, Non-accessory outside –also change reference from "Chapter 3, Article 3" to "Chapter 4, Article 4"
- Sec. 5.141 Vehicle Junkyard

#### **SECTION 11.**

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 12.**

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 13.

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 Nos. 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 14.

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 15.

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

### SECTION 16.

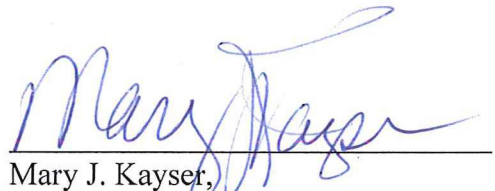
This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By:



Melinda Ramos  
Assistant City Attorney



Mary J. Kayser,  
City Secretary

ADOPTED: March 19, 2019

EFFECTIVE: April 5, 2019

# EXHIBIT A

## § 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use	A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP				
		P	P	P	P	P	P	P	P	P	P	P	P	P	P			>>		
Household Living	One-family detached dwelling							P	P	P	P	P	P	P				>>	* Not > 10,000 sq. ft. 6.507	
	One-family zero lot line detached						P	P	P*	P*	P	P	P	P				>>	6.101(c)	
	One-family zero lot line attached (twin home)							P	P	P	P	P	P	P				>>		
	Two-family detached							P	P	P	P	P	P	P				>>		
	Duplex/two-family attached dwelling							P	P	P	P	P	P	P				>>		
	One-family attached (townhouse, rowhouse)									P*	P	P	P	P				>>	6.101(c)	
	Cluster housing									P	P	P	P	P				>>		
	HUD-code manufactured housing														P					
	Industrialized housing	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.116.B
	Manufactured home park															P			>>	4.202(b)
	Manufactured home subdivision														P					
	Mobile home														P					
	Multifamily dwelling apartment										P*	P*	P*	P*				>>	6.506	
	Boarding or lodging house											P*	P*	P*				>>	5.107A	
	Community home	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				>>	5.110	

Household Living



# EXHIBIT A

## § 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards	
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP				
Group Living	Fraternity or sorority house														P	P			>>		
	Group home I												P*	P*	P*				>>	5.115	
	Group home II														P*	P*				5.115	
	Halfway house																CUP		>>	5.147	
	Shelter																CUP		>>		
Education	Day care center (child or adult)																	CUP		>>	5.111
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		>>		
Government	Government office facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		>>		
	Museum, library or fine arts center, government operated or controlled	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			>>		
Religious	Place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			>>		
	Center, community recreation or welfare, private or non-profit																CUP		>>		
Recreation	Country club (private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			>>		
	Golf course	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			>>		
	Golf driving range																		>>		
	Neighborhood recreation center	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			>>		
	Park or playground (public)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			>>		
	Park (private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			>>		
	Electric power substation																PD		>>		

# EXHIBIT A

[illegible]



# EXHIBIT A

## § 4.603 RESIDENTIAL DISTRICT USE TABLE.

4.603 Residential District Use Table		One/Two-Family Districts										Multifamily				Special Districts		In NR Table		Supplemental Standards
Residential Use		A 2.5A	A 43	A 21	A 10	A 7-5	A5	AR	B	R1	R2	CR	C	D	UR	MH	PD/ CUP			
Accessory	Private carport/private porte cochere (reduced rear and side yard setbacks)				P*	P*													>	5.301(b)(1)
	Private carport/private porte cochere (front yard)	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*								>	5.301(b)(1)
	Recreation area (private), indoor or outdoor											P	P	P	P				>	
	Satellite antenna (dish)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			>	
	Terrace garage (in required yard setbacks)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			>	
Temporary	Amusement, outdoor (temporary)																	CUP*	>	5.400
	Batch plant, concrete or asphalt (temporary)																	CUP*	>	5.401
	Garage or other occasional sale	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			>	5.402
	Mobile vendor, fresh market	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			5.406
	Model home	P	P	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			5.403
	Trailer, portable; sales, construction or storage	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			>	5.405
	Vendor, transient	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			>	9.101
Agricultural	Community Garden	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				5.146

# EXHIBIT B

## PUBLIC AND CIVIC USES



# EXHIBIT B

## Recreation

# EXHIBIT B

## NONRESIDENTIAL DISTRICT USE TABLE

### § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial				Special Districts				In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
	Park or playground (public or private)		P	P	P	P	P	P	P	P	CUP	P	P	P*		<<	4.204(d)
Religious	Place of worship	P	P	P	P	P	P	P	P	P	P	P				<<	
	Electric power substation	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	CUP	CUP	CUP	PD	<<	
Utilities	Gas lift compressor stations	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					Ch. 15, Gas city code, 5.140
	Gas line compressor stations							P*	P*						PD		Ch. 15, Gas city code, 5.140
	Power plant or central station light								P	P		SE					
	Stealth telecommunications towers	SE*	P*	P*	P*	P*	P*	P*	P*	P*	SE*	SE*	SE*	SE*		<<	5.137
Utilities	Telecommunications antenna (on structure)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	SE*	SE*		<<	5.136
	Telecommunications tower	SE*	SE*	SE*	SE*	P*		P*	P*	SE*	SE*	SE*	SE*		<<	5.137	
	Utility transmission or distribution line	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		<<	5.140
	Wastewater (sewage) treatment facility							P	P			CUP					
	Water supply, treatment or storage facility	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	P	P			PD	<<	
	Amusement, indoor		P	P	P	P	P	P	P								
	Amusement, outdoor			P	P	P	P	P	P					CUP			
	Baseball/softball facility; other ball fields (commercial)							P	P								
	Bowling alley			P	P	P	P	P	P								



# EXHIBIT B

## NONRESIDENTIAL DISTRICT USE TABLE

### § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table																
Nonresidential Uses		Commercial						Industrial				Special Districts					In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP			
Entertainment and Eating	Bar, tavern, cocktail lounge, club, private or teen, dance hall				P	P	P	P	P									
	Circus								P	P				CUP				
	Club, commercial or business			P	P	P	P	P	P	P								
	Drive-in restaurant or business	CUP	P*	P*	P*	P*	P*	P*	P*	P*							5.112	
	Event center or rental hall		P	P	P	P	P	P	P	P								
	Gambling facility (including bingo)														CUP*			
	Game rooms							PD	PD	PD							4.305(c)	
	Health or recreation club	P	P	P	P	P	P	P	P	P								
	Indoor recreation			P	P	P	P	P	P	P								
	Lodge or civic club		P	P	P	P	P	P	P	P		CUP						
	Massage parlor				P	P	P	P	P	P								
	Museum/cultural facility	P	P	P	P	P	P	P	P	P		P						
	Racing, horse, dog or automotive														CUP*		5.148	
	Restaurant, café, cafeteria	CUP	P	P	P	P	P	P	P	P				CUP			Chap 9, Rest	
	Sexually oriented business								P*	P*	P*						Art. 2	
	Shooting or weapons firing range														CUP*			
	Stable, commercial, riding, boarding or rodeo arena								P*	P*	P*				CUP*		5.132	
Swimming pool, commercial		P*	P*	P*	P*	P*	P*	P*	P*	P*				CUP*		5.135		
Theater, drive-in		CUP	CUP	CUP	CUP	CUP	CUP	P	P	P				SE				
Theater, movie theater or auditorium		P*	P	P	P	P	P	P	P	P						5.138		

# EXHIBIT B

## Retail Sales



# EXHIBIT B

## NONRESIDENTIAL DISTRICT USE TABLE

### § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table																
Nonresidential Uses		Commercial								Industrial			Special Districts				In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP			
and Service	Dance studio		P	P	P	P	P	P	P			P						
	Dressmaking, custom; millinery shop	P	P	P	P	P	P	P	P	P								
	Duplicating services	P	P	P*	P*	P*	P*	P	P	P							5.126	
	Farmers' market		P*	P	P	P	P										5.145	
	Feed store, no processing/milling		P	P	P	P	P	P	P	P								
	Firewood sales		P*	P*	P*	P*	P*	P	P	P							5.113	
	Furniture sales, new and used (office and residential) in a building		P*	P*	P*	P*	P*	P*	P*	P*							5.134	
	Furniture upholstery, refinishing or resale			P	P	P	P	P	P	P								
	General merchandise store		P*	P*	P*	P*	P*	P*	P*	P*							5.134	
	Greenhouse or plant nursery	CUP*	P*	P*	P*	P*	P*	P*	P*	P*	CUP		P	P		<<	5.114, 5.134	
	Grocery store, meat market		P*	P*	P*	P*	P*	P*	P*	P*							5.134	
	Gunsmithing, repairs or sales			P	P	P	P	P	P	P								
Home improvement store	P	P*	P*	P*	P*	P*	P*	P*	P*							5.134		
Interior decorating	P	P	P	P	P	P	P	P	P									
Kennel								P*	P*							5.117		
Large retail store		P*	P*	P*	P*	P*	P*	P*	P*							5.134		
Laundry or dry cleaning collection office	P	P	P	P	P	P	P	P	P									
Laundry, dry cleaning or washeteria		P	P	P	P	P	P	P	P									
Leather goods shop	P	P	P	P	P	P	P	P	P									
Liquor or package store		P		P	P	P	P	P	P									
Locksmith	P	P	P	P	P	P	P	P	P									

# EXHIBIT B

[illegible]



# EXHIBIT B

**Light  
Industrial**

# EXHIBIT B

## NONRESIDENTIAL DISTRICT USE TABLE

### § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table														
Nonresidential Uses		Commercial						Industrial			Special Districts				In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2		
Services	Coal, coke or wood yard							P	P	P						
	Crematorium							P	P	P						
	Data center							P	P	P						
	Electroplating							P	P	P						
	Fabricating or manufactured housing, temporary or office building							P	P	P						
	Food processing (no slaughtering)							P	P	P						
	Furniture or cabinet repair or construction							P	P	P						
	Furniture sales, with outside storage/display (new/used)							P	P	P						
	Galvanizing, small utensils							P	P	P						
	Machine shops							P*	P	P						
Light	Manufacture of artificial flowers, ornaments, awnings, tents, bags, cleaning/polishing preparations, boats under 28 ft. in length, brooms or brushes, buttons and novelties, canvas products, clothing, suits, coats or dresses for wholesale trade							P*	P	P						
	Manufacture of aluminum, brass or other metals or from bone, paper, rubber, leather and plastics							P*	P	P						
	Manufactured home/RV repair							P	P	P						



# EXHIBIT B

## NONRESIDENTIAL DISTRICT USE TABLE

### § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial				Special Districts				In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/CUP		
Industrial Services	Monument/marble works, finishing and carving only							P	P	P							
	Monument works, stone							P	P	P							
	Outdoor sales and storage including yards, contractors, lumber or storage, automobiles, storage yards, building materials							P*	P*	P*				CUP*			5.133 CUP if no primary use
	Paint mixing or spraying							P	P	P							
	Paper box manufacture							P	P	P							
	Pattern shop							P	P	P							
	Printing, lithographing, book-binding, newspapers or publishing						P	P	P	P							
	Rubber stamping, shearing/punching							P	P	P							
	Rubber stamp manufacture					P		P	P	P							5.131
	Sheet metal shop							P*	P*	P							5.143
Warehouse or bulk storage							P*	P*	P*								
Welding shop, custom work (not structural)							P	P	P								
MEDIUM AND HEAVY INDUSTRIAL																	
Animal by-products processing									P	P							
Batch plant, concrete or asphalt (permanent)										P							

# EXHIBIT B

## NONRESIDENTIAL DISTRICT USE TABLE

### § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts				In Res. Table	Supplemental Standards	
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2			PD/ CUP
Brewery, distillery or winery									P	P							
Brick, clay, glass, shale, tile or terra cotta products manufacture									P	P							
Cement products plant									P	P							
Cement, lime, gypsum or plaster of Paris manufacture																	
Cotton gin, cotton oil mill, bailing or compress										P							
Creosote, treatment/manufacture																	
Egg cracking or processing										P							
Furnace, blast, forge plant, boiler works manufacture										P							
Galvanizing, sheet or structural shapes										P							
Gas (natural or artificial) manufacture processing/storage										P							
Glue manufacture										P							
Grain elevator									P	P							
Magnesium casting, machining or fabricating										P							



# EXHIBIT B

# Heavy Industrial Manufacturing

# EXHIBIT B

## NONRESIDENTIAL DISTRICT USE TABLE

### § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts				In Res. Table	Supplemental Standards	
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2			PD/ CUP
	Mining, quarry, dredging or excavation of rock, dirt, gravel, sand, stone including rock and cement crushers														CUP*		5.150
	Packing plant														CUP		
	Paper or pulp manufacture														CUP		
	Petroleum, refining or wholesale storage														CUP		
	Planing mill or woodworking shop								P	P							
	Poultry killing or dressing								P	P							
	Rolling mill														CUP		
	Soap manufacture									P							
	Soda or compound manufacture									P							
	Stoneyard, building stone, cutting, sawing or storage									P							
	Tar distillation/manufacturing									P							
	Tobacco (chewing) manufacture or treatment									P							
	Welding shop, production									P							
	Airport, aviation field, helistop or landing area															PD	
	Passenger station			P	P	P	P		P	P	P						
	Transportation	Railroad freight or classification yard								P	P						
Railroad roundhouse or RR car repair shop								P	P	P							
Railroad tracks; team, spur, loading or storage								P	P	P							

Transportation



# EXHIBIT B

## NONRESIDENTIAL DISTRICT USE TABLE

### § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial			Special Districts				In Res. Table	Supplemental Standards	
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2			PD/ CUP
Waste Related	Terminal, truck, freight, rail or water							P*	P	P							5.139
	Landfill, waste transfer station, government recycling drop off center														PD*		5.149
	Pet cemetery														CUP		
	Recycling collection facility/box		SE*	SE*	SE*	SE*	SE*	P*	P*	P*							5.130
	Recycling center with outdoor processing and stockpiling, household hazardous waste or waste tire facility																5.149
	Recycling center, indoor only with no outdoor sorting or storage activity								P	P	P						
	Salvage yard (other than automotive)														CUP		
	Wholesale: bakery, produce market or wholesale house							P	P	P							
Wholesale office or sample room						P	P	P	P								
OTHER USES																	
Agriculture	Agricultural uses										P*		P*	P*			5.307
	Stockyards or feeding pens (commercial)									P*							5.307
	Fresh water fracture ponds and production							P*	P*	P*	P*						Ch. 15 Gas city code
	Gas drilling and production	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				<<	Ch. 15, Gas city code

# EXHIBIT B NONRESIDENTIAL DISTRICT USE TABLE § 4.803 NON-RESIDENTIAL DISTRICT USE TABLE.

4.803 Uses		4.803 Nonresidential District Use Table															
Nonresidential Uses		Commercial						Industrial				Special Districts				In Res. Table	Supplemental Standards
		ER	E	FR	F	G	H	I	J	K	AG	CF	O-1	O-2	PD/ CUP		
Accessory Uses	Oil drilling and production														PD*		Ch. 15, Gas city code
	Urban agriculture		P*	P*	P*	P*	P*	P*	P*	P*							5.146
	Community garden		P*	P*	P*	P*	P*	P*	P*	P*							5.146
	Accessory use or building										P*						5.302
	Satellite antenna (dish)	P*	P*	P*	P*	P*	P*	P	P	P	P	P*			CUP*	<<	
	Stable, stockyards or feeding pens (noncommercial)										P*						5.307
	Storage or display outside		P*	P*	P*	P*	P*	P	P	P							5.306
	Amusement, outdoor (temporary)	CUP*	CUP*	CUP*	CUP*	CUP*	CUP*	P	P	P	P	CUP*	CUP*	CUP*	CUP*	<<	5.400
	Batch plant, concrete or asphalt (temporary)	CUP*	CUP*	CUP*	CUP*	CUP*	CUP*	P	P	P	CUP*	CUP*			CUP*	<<	5.401
	Mobile vendor, fresh market		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			5.406
Temporary Uses	Trailer, portable; sales, construction or storage	P	P	P	P	P	P	P	P	P	P	P				<<	
	Vendor, food, non-potentially hazardous food	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, food, potentially hazardous food			P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, merchandise																5.406
	Vendor, transient															<<	9.101
	Vendor, transient, non-potentially hazardous food	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406
	Vendor, transient, potentially hazardous food			P*	P*	P*	P*	P*	P*	P*	P*	P*					5.406





# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

4.1203 USES		4.1200 FORM BASED CODE DISTRICTS USE TABLE																											
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
ALL developments within a form-based code district MUST refer to the development guidelines of that district before proceeding.																													
NS = Near Southside, PI = Panther Island, CB = Camp Bowie, TL = Trinity Lakes, BU = Berry/University																													
(** = permitted accessory use; *** = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))																													
	Shelter																												
PUBLIC AND CIVIC USES																													
Education	College or university	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P							P			
	Day care center (child or adult)	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P		CUP*	CUP*	P	P	P	P		
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
	School, elementary or secondary (public)																					P	P	P		P	P		
	School, elementary or secondary (private)																							P		P	P		
	Business college or commercial school	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P					P	P	P		
Government	Animal shelter																												
	Correctional facility																												
	Government maintenance facility								P	P	P	P	P	P	P														
	Government office facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P			P	P	P	P	P		
	Governmental vehicle storage/junkyard																												
	Museum, library or fine art center	P	P	P	P	P	P	P	P	P	P	P	P	P*	P				P	P					P	P	P	P	
	Probation or parole office		p*	p*			p*	p*																	p*	p*			5.127





# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

#### 4.1203 USES

#### 4.1200 FORM BASED CODE DISTRICTS USE TABLE

#### NONRESIDENTIAL USES

MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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ALL developments within a form-based code district MUST refer to the development guidelines of that district before proceeding.

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(\*\* = permitted accessory use; \*\*\* = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))

	Park or playground (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Religious	Place of worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Place of worship auxiliary use	CUP	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P			P	P	P	P	P			
Utilities	Electric power substation	CUP	P	CUP	CUP	CUP	P	P															CUP	P	P	P	P		
	Gas lift compressor stations	P*	P*	P*	P*	P*	P*	P*																				Ch. 15, Gas city code; 5.140	
	Gas line compressor stations	CUP*	CUP*	CUP*	CUP*	CUP*	CUP*	CUP*																			CUP*	Ch. 15, Gas city code; 5.140	
	Power plant or central station light																									CUP*			
	Stealth telecommunications towers	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P							SE*	SE*	SE*	SE*	SE*		5.137
	Telecommunications antenna (on structure)	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P*		P*	P*				P*	P*	P*	P*	P*	5.136; See Table 5.2 TLDC
	Telecommunications tower	SE*	SE*	SE*	SE*	SE*	SE*	P*								P*		P*	P*					SE*	SE*	SE*	SE*	SE*	5.137; See Table 5.2 TLDC
	Utility transmission or distribution line	P*	P*	P*	P*	P*	P*	P*															P*	P*	P*	P*	P*	P*	5.140
	Wastewater (sewage) treatment facility																												
	Water supply, treatment or storage facility	CUP	CUP	CUP	CUP	CUP	CUP																	CUP	CUP	CUP	CUP	CUP	



# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

#### 4.1203 USES

#### 4.1200 FORM BASED CODE DISTRICTS USE TABLE

#### NONRESIDENTIAL USES

MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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ALL developments within a form-based code district MUST refer to the development guidelines of that district before proceeding.

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(\*\* = permitted accessory use; \*\*\* = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))

#### Entertainment and Eating

Amusement, indoor	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P					P	P	P			
Amusement, outdoor		P					P	CUP				CUP	CUP	CUP		P	P	P	P										
Baseball/softball facility (commercial)		P	P	P	P	P	P																						
Bowling alley		P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P										
Bar, tavern, cocktail lounge; club, private or teen, dance hall		P		P	P	P	P	P								P	P	P	P					P	P	P			
Circus																													
Club, commercial or business		P	P	P	P	P	P	P								P	P	P	P	P				P	P	P			
Drive-in restaurant or business	P*	P*	P*	P*	P*	P*		P	P	P	P	P	P	P	P	P*			P*	P*				P*				5.112; See Table 5.2 TLDC	
Event center or rental hall	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P		
Bingo parlor								P	P	P	P	P	P	P		P	P	P	P										
Gambling facility (including bingo)																													
Health or recreation club	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P				P	P	P			
Indoor recreation		P	P	P	P	P		P	P	P	P	P	P	P		P	P	P	P	P				P	P	P			
Lodge or civic club	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P			
Massage parlor		P														P	P	P	P	P			P	P	P	P			
Mobile vendor food court	CUP*	P*		P*		P*/**		CUP*	CUP*	CUP*	CUP*	P*	P*	P*	CUP*	P	P	P	P					P*	P*			5.406	

# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

#### 4.1203 USES

#### 4.1200 FORM BASED CODE DISTRICTS USE TABLE

#### NONRESIDENTIAL USES

MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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(\*\* = permitted accessory use; \*\*\* = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))

	Museum/ cultural facility	P	P	P	P	P	P	P	P	P	P	P	P	P										P	P	P			
	Racing; horse, dog or automotive																												
	Restaurant, café, cafeteria	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Sexually oriented business																												
	Shooting or weapons firing range																												
	Stable, commercial, riding, boarding or rodeo arena																												
	Swimming pool, commercial	P*	P*	P*	P*	P*	P*		P	P	P	P	P	P		P		P	P										5.135
	Theater, drive- in	CUP			CUP	CUP	CUP											P											
Lodging	Theater, movie theater or auditorium	P*	P	P*	P*	P*	P*	P	P	P	P	P	P	P		P	P	P	P					P*	P*	P*			5.138
	Bed and breakfast home																					CUP*	CUP*	P*	P*	P*			5.106
	Bed and breakfast inn	P	P	P	P	P	P												P	P				P	P	P			
	Hotel, motel or inn		P				P	P	P	P	P	P	P	P	P	P	P	P	P					P	P	P			5.116
	Recreational vehicle park																												
Office	Short term home rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P		
	Bank, financial institution	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P				
	Offices	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P			
	Antique shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P			





# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

4.1203 USES		4.1200 FORM BASED CODE DISTRICTS USE TABLE																											
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
ALL developments within a form-based code district MUST refer to the development guidelines of that district before proceeding.																													
NS = Near Southside, PI = Panther Island, CB = Camp Bowie, TL = Trinity Lakes, BU = Berry/University																													
(** = permitted accessory use; *** = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))																													
Retail Sales and Service	Feed store, no processing/mill ing			P	P	P	P																P	P	P	P			
	Firewood sales	P*	P*	P*	P*	P*	P*																	P*	P*	P*			5.113
	Furniture sales, new and used (office and residential) in a building	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134
	Furniture upholstery, refinishing or resale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	General merchandise store	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			5.134
	Greenhouse or plant nursery	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P		P	P	P				P	P	P			5.114, 5.134
	Grocery store, meat market	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P			P				P	P	P	P			5.134
	Gunsmithing, repairs or sales		P				P	P																P	P	P			
	Home improvement store	P*	P*	P*	P*	P*	P*	P								P			P				P	P	P	P			5.134
	Interior decorating	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Kennel																												
	Large retail store	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P		P	P					P	P	P			5.134
	Laundry or dry cleaning collection office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P			
	Laundry, dry cleaning or washeteria	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P	P	P			



# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

#### 4.1203 USES

#### 4.1200 FORM BASED CODE DISTRICTS USE TABLE

#### NONRESIDENTIAL USES

MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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(\*\* = permitted accessory use; \*\*\* = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))

Leather goods shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Liquor or package store	P	P	P	P	P	P	P	P	P	P	P	P	P	P										P	P	P		
Locksmith	P	P	P	P	P	P	P								P	P	P	P	P				P	P	P	P		
Medical supplies/equipment sales or rental	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Mini-warehouses							P																P	P	P	P		
Mortuary or funeral home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
Newspaper distribution center		P				P	P								P	P	P	P	P									
Optician	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Pawn shop		P*				P*	P*								P	P	P	P	P				P*	P*			5.125, 5.134	
Pharmacy (drug store)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Photograph, portrait/camera shop or photo finishing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Recording studio	P	P	P*	P*	P*	P*	P	P	P	P	P	P	P	P		P	P	P	P	P			P*	P*	P*	P*		
Retail sales, general	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		5.134
Saddle or harness, repair or sales	P	P	P	P	P	P	P								P	P	P	P	P				P	P	P	P		
Shoe shine shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Studio, art or photography	P	P	P	P	P	P	P	P	P	P	P	P	P	P									P	P	P	P		
Tailor, clothing or apparel shop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P		
Tattoo parlor		P				P	P																P	P	P			
Taxidermist shop	P	P	P	P	P	P	P																P	P	P			

## EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

#### § 4.1203 DISTRICT USE TABLE

[illegible]



## EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE

[illegible]

## EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

#### § 4.1203 DISTRICT USE TABLE

## 4.1203 USE

#### 4.1200 FORM BASED CODE DISTRICTS USE TABLE

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# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

4.1203 USES			4.1200 FORM BASED CODE DISTRICTS USE TABLE																										
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
ALL developments within a form-based code district MUST refer to the development guidelines of that district before proceeding.																													
NS = Near Southside, PI = Panther Island, CB = Camp Bowie, TL = Trinity Lakes, BU = Berry/University																													
(** = permitted accessory use; *** = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))																													
	Mini-warehouse											P	P																Uses restricted within 100 feet of Camp Bowie Boulevard in the CB/GC- MU district
	Monument/marble works, finishing and carving only		P				P	P											P*						P	P			See Table 5.2 TLDC
	Monument works, stone		P				P	P											P*						P	P			See Table 5.2 TLDC
	Outdoor sales and storage				P	P	P																						
	Paint mixing or spraying						P												P*										See Table 5.2 TLDC
	Paper box manufacture		P				P	P											P*										See Table 5.2 TLDC
	Pattern shop		P				P	P											P*										See Table 5.2 TLDC
	Printing, lithographing, book-binding, newspapers or publishing		P				P	P	P	P	P	P	P	P	P				P*						P	P	P		See Table 5.2 TLDC
	Rubber stamping, shearing/punching		P				P	P											P*										See Table 5.2 TLDC
	Rubber stamp manufacture		P				P	P																					
	Sheet metal shop		P*				P*	P*												P*									
	Welding shop, custom work (not structural)		P		P	P	P	P											P*						P	P			See Table 5.2 TLDC

# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

#### 4.1203 USES

#### 4.1200 FORM BASED CODE DISTRICTS USE TABLE

#### NONRESIDENTIAL USES

MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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(\*\* = permitted accessory use; \*\*\* = permitted accessory use with criteria in Table 5.2, Trinity Lakes Development Code (TLDC))

Yards,  
contractors,  
lumber or  
storage,  
automobiles,  
storage yards,  
building  
materials

#### HEAVY INDUSTRIAL

Animal by-  
products  
processing  
Batch plant,  
concrete or  
asphalt  
(permanent)  
Brewery,  
distillery or  
winery  
Brick, clay,  
glass, shale, tile  
or terra cotta  
products  
manufacture  
Cement  
products plant  
Cement, lime,  
gypsum or  
plaster of Paris  
manufacture  
Cotton gin,  
cotton oil mill,  
baling or  
compress  
Creosote,  
treatment/manu-  
facture  
Egg cracking or  
processing

P

p\*

See Table 5.2  
TLDC



# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

### § 4.1203 DISTRICT USE TABLE.

4.1203 USES			4.1200 FORM BASED CODE DISTRICTS USE TABLE																										
NONRESIDENTIAL USES	MU-1	MU-2	NS/T 4R	NS- T4	NS- T4N	NS/T 5	PI	CB/HC	CB/RG	CB/RUV C-North	CB/RUV C-South	CB/GC- MU	CB/IA	CB/WB	CB/T	TL-BM	TL-HM	TL-VM	TL-CC	TL-TR	TL-NB	BU-RA	BU-RX	BU- CX	BU- SH	BU- IX	BU- CIV	PD/ CUP Special Districts	Supplemental Standards
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	Furnace, blast; forge plant, boiler works manufacture																												
	Galvanizing, sheet or structural shapes																												
	Gas (natural or artificial) manufacture processing/stor age																												
	Glue manufacture																												
	Grain elevator																												
	Magnesium casting, machining or fabricating																												

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## EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

#### § 4.1203 DISTRICT USE TABLE

## 4.1203 USE

## 4.1200 FORM BASED CODE DISTRICTS USE TABL

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# EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

**§ 4.1203 DISTRICT USE TABLE.**

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## EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

#### § 4.1203 DISTRICT USE TABLE

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EXHIBIT C																														
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§ 4.1203 DISTRICT USE TABLE.																														
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Waste Related	Landfill, recycling center, household hazardous waste or waste tire facility																													
	Pet cemetery																													
	Recycling collection facility	SE*	P*	SE	SE*	SE*	P*																		SE*					5.13
	Salvage yard (other than automotive)																													
Wholesale Trade	Wholesale bakery, produce market or wholesale house		P				P	P					P	P	P					p*										See Table 5.2 TLDC
	Wholesale office or sample room		P		P	P	P	P					P	P	P					p*										See Table 5.2 TLDC
OTHER USES																														
Agricultures	Agricultural uses																													
	Community garden	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	P	P	P	P	P	P		5.146
	Stockyards or feeding pens (commercial)																													
	Fresh water fracture ponds and production																													
	Gas drilling and production	p*	p*	p*	p*	p*	p*	p*									P	P	P	P	P	P	p*	p*	p*	p*	p*	p*		Ch. 15, Gas city code
	Oil drilling and production																													
	Urban agriculture	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	P	P	P	P	P	P		5.146

EXHIBIT C																													
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Accessory Uses	Accessory use or building			P	P	P	P													P	P	P	P	P	P	P	P		
	Home occupation																					P*	P*	P*	P*	P*			5.116A
	Incidental outdoor display							P	P	P	P	P	P	P	P	P**	P**	P**	P**	P**			P*	P*	P*	P*			
	Satellite antenna (dish)	P*	P*	P*	P*	P*	P*	P								P	P	P	P	P	P	P	P	P	P	P			
	Stable, stockyards or feeding pens (noncommercial)																												
	Storage or display outside	P*	P	P*	P*	P*	P*																						5.306
	Solar energy equipment							P	P	P	P	P	P	P	P	P***	P***	P***	P***	P***	P***	P	P	P	P	P	P		
	Wind energy equipment							P	P	P	P	P	P	P	P	P	P***	P***	P***	P***	P***	P***	P	P	P	P	P	P	
	Rain water harvesting equipment																P***	P***	P***	P***	P***	P***	P	P	P	P	P	P	
	Utility equipment (includes electrical transformers, gas meters, etc.)																P***	P***	P***	P***	P***	P***	P	P	P	P	P	P	
Temporary Uses	Amusement, outdoor (temporary)	CUP	P	SE*	SE*	SE*	SE*									P	P	P	P				SE*	SE*	SE*	SE*	SE*		
	Batch plant, concrete or asphalt (temporary)	SE*	SE*													P	P	P	P										
	Garage or other occasional sale																					P*	P*	P	P	P			



## EXHIBIT C

## FORM-BASED CODE DISTRICT USE TABLE

#### § 4.1203 DISTRICT USE TABLE.

4.1203 USES				4.1200 FORM BASED CODE DISTRICTS USE TABLE																										
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	Mobile vendor, fresh market	p*	p*	p*	p*	p*	p*		p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*	p*									5.406
	Special event (subject to city's special events ordinance)								P	P	P	P	P	P	P	P	P	P	P											
	Trailer, portable, sales, construction or storage	P	P	P	P	P	P									P	P	P	P											
	Vendor, food, non-potentially hazardous food	p*	p*	p*	p*	p*	p*									P	P	P	P											5.406
	Vendor, food, potentially hazardous food		p*	p*	p*	p*	p*									P	P	P	P											5.406
	Vendor, merchandise		p*	p*	p*	p*	p*																		p*	p*				5.406
	Vendor, transient			p*	p*	p*	p*																		p*	p*				9.101
	Vendor, transient, non-potentially hazardous food	p*	p*	p*	p*	p*	p*																							5.406
	Vendor, transient, potentially hazardous food	p*	p*	p*	p*	p*	p*																							5.406
	Sales from kiosks								P	P	P	P	P	P	P															(for food vendors other city ordinances apply, not within public ROW)

**AN ORDINANCE AMENDING THE COMPREHENSIVE 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 (2015), TO AMEND CHAPTER 4, “DISTRICT REGULATIONS” TO AMEND ARTICLE 1, “GENERAL” TO ADD CONDITIONAL USE PERMIT TO THE LIST OF DISTRICTS ESTABLISHED, AMEND ARTICLE 4 “OVERLAY DISTRICTS” TO ADD SECTION 4.407 “CONDITIONAL USE PERMIT” TO PROVIDE FOR REGULATIONS AND PROCESSES APPLICABLE TO CONDITIONAL USE PERMITS; AMEND ARTICLE 3, “PLANNED DEVELOPMENT “PD” DISTRICT” TO REVISE LANGUAGE IN CONFORMANCE WITH THE CREATION OF CONDITIONAL USE PERMITS; AMEND ARTICLES 6, 8, AND 12, “RESIDENTIAL USE TABLE,” “NONRESIDENTIAL DISTRICT USE TABLE” AND “FORM-BASED DISTRICTS” RESPECTIVELY TO REMOVE SPECIAL EXCEPTION DESIGNATIONS AND REPLACE WITH CONDITIONAL USE PERMIT DESIGNATIONS; AND TO AMEND CHAPTER 5, “SUPPLEMENTAL USE STANDARDS” TO ADD CERTAIN USES AND STANDARDS IN CONFORMANCE WITH THE CREATION**



**OF THE CONDITIONAL USE PERMIT", 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.**

**SECTION 12.**

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 16.**

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

APPROVED AS TO FORM AND LEGALITY:

/s/ Melinda Ramos  
Senior Assistant City Attorney

Adopted: March 19, 2019

A copy of this ordinance may be reviewed in the City Secretary's Office, Fort Worth Municipal Building/City Hall, 200 Texas Street, Fort Worth, Texas.

/s/ Mary J. Kayser  
City Secretary