

**ORDINANCE NO. \_\_\_\_\_**

**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), BY AMENDING CHAPTER 4, “DISTRICT REGULATIONS” ARTICLE 13, “FORM BASED DISTRICTS”, SECTION 4.1305, “NEAR SOUTHSIDE (“NS”) DISTRICT TO AMEND SECTION 4.1305(D)(1) “OTHER DEVELOPMENT STANDARDS” BY AMENDING THE “NEAR SOUTHSIDE DEVELOPMENT STANDARDS AND GUIDELINES” TO DEFINE GENERAL HOSPITAL, ALLOW GREATER BUILDING HEIGHT AND SETBACK FOR GENERAL HOSPITALS, ADOPT A GENERAL HOSPITAL RESIDENTIAL BUFFER REQUIREMENT, ADOPT DEVELOPMENT STANDARDS FOR SKYBRIDGES FOR GENERAL HOSPITALS; TO ALLOW ADMINISTRATIVE APPROVAL FOR GENERAL HOSPITALS CONCERNING SKYBRIDGES, PLACEMENT OF PEDESTRIAN ENTRANCES, FENCING, FENESTRATION, TRANSPARENCY, AND ARCHITECTURAL REQUIREMENTS; TO AMEND GUIDELINES AND STANDARDS FOR PARKING STRUCTURES AND GARAGES, AND ESTABLISH DESIGN STANDARDS AND GUIDELINES FOR HELIPADS; TO AMEND SECTION 4.1305(B) BY MOVING THE “NEAR SOUTHSIDE (“NS”) DISTRICT TABLE FROM 4.1305(B) TO 4.1305(C), AND AMEND THE “NEAR SOUTHSIDE (“NS”) DISTRICT TABLE TO ILLUSTRATE THE CHANGES IN THE MINIMUM AND MAXIMUM HEIGHT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in November 2007, the City Council created the Near Southside Zoning Districts to encourage high quality, pedestrian-oriented development in the near Southside; adopted the Near Southside Development Standards and Guidelines as part of the Zoning Ordinance; and established the Urban Design Commission and staff to administer those design standards; and

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**WHEREAS**, since the creation of the Near Southside Districts and the implementation of the Near Southside Development Standards and Guidelines Fort Worth South Inc. has provided input and worked with staff on amendments to the Near Southside Development Standards and Guidelines to add flexibility to the current code, maintain high standards of design, and to update exhibits and references to further promote desirable development that is consistent with the urban design and economic development goals for the Near Southside District; and

**WHEREAS**, various hospital campuses located within the Near Southside District are seeking to upgrade and expand their hospital campuses within the district; and

**WHEREAS**, Development Services staff has reviewed the design standards of the Near Southside District and wish to help facilitate the unique operation of hospital campuses, facilitate hospital growth and hospital improvements, and ensure a more predictable design review process for these hospital campuses; and

**WHEREAS**, these Development Services staff recommends that design standards and guidelines for hospital campuses be amended to provide greater flexibility for building height, hospital garages fronting public streets, and skybridges; and

**WHEREAS**, Development Services recommends that the Near Southside Standards and Guidelines be amended to define general hospital, to establish setback and buffer requirements for general hospitals, allow skybridges by right for general hospitals, increase the maximum height allowed for general hospitals, establish design standards and guidelines for parking garages, establish helipad design standards, and allow administrative approval authority for staff for minor modifications for hospital uses within the Near Southside District.

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

**SECTION 1.**

“The Near Southside Development Standards and Guidelines”, as adopted and incorporated into Ordinance No. 21653, the Zoning Ordinance in Chapter 4, “District Regulations”, Article 13 “Form Based Districts”, Section 4.1305, “Near Southside (NS) District”, Subsection 4.1305.(d)(1) “Other development standards” is hereby amended as set out in Exhibit “A”, attached and hereby incorporated into the Zoning Ordinance by reference, to amend the development standards and guidelines contained in the “Near Southside Development Standards and Guidelines” to define General Hospitals, allow greater building height and setback for General Hospitals, adopt a General Hospital residential buffer requirement, to adopt development standards for skybridges for General Hospitals, to allow skybridges for General Hospitals to be administratively approved, to allow administrative approval for general hospitals concerning skybridges, placement of pedestrian entrances, fencing, fenestration, transparency, and architectural requirements, to amend guidelines and standards for parking structures and garages, and establish design standards and guidelines for helipads.

**SECTION 2.**

Chapter 4, “District Regulations”, Article 13 “Form Based Districts,” of Ordinance No. 21653, the Zoning Ordinance of the City of Fort Worth, is hereby amended to revise Section 4.1305, “Near Southside (NS) District”, Subsection 4.1305(b) “Uses” to amend the “Near Southside (“NS”) District” table to amend the minimum and maximum heights allowed within the

Near Southside District and move such table under Subsection 4.1305(c) “Property Development Standards) which shall appear as follows:

- (a) *Purpose and intent.* It is the purpose of the near southside (“NS”) district to provide a specific mixed-use development zone that encourages pedestrian-oriented, urban development on the near southside, and to provide development standards and administrative procedures that encourage high-quality, sustainable development and creative design.
- (b) *Uses.* In the near southside (“NS”) district, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a certificate of occupancy be issued, except in accordance with the use tables and supplemental standards contained in § 6 of the document *Near Southside Development Standards and Guidelines*, an adopted supplement to the city’s zoning ordinance.

(c) *Property development standards.*

(1) The minimum dimension of lots and yards and the height of buildings in the near southside (“NS”) district, shall be as shown in the accompanying table and the document *Near Southside Development Standards and Guidelines*.

(2) The development standards may only be applied to that area known as the near southside district of Fort Worth boundary as described in Exhibits “A” through “C,” attached hereto and incorporated by reference. (Refer to *Near Southside Development Standards and Guidelines*.)

Near Southside (“NS”) District	
Front setback*	0 feet minimum, 20 feet maximum
Rear yard*	3 feet minimum
Side yard*	0 feet minimum
Units per acre	No restriction
Units per building	No restriction

Minimum heights	For buildings located on primary streets (see map in section 4.C.1.), a <u>two-story minimum height applies.</u>	
	For other new facades along public streets and public spaces:	
	• Buildings < 4,000 sq. ft.: 15 feet	
	• Buildings > 4,000 sq. ft.: 18 feet for at least 50% of the facade	
	<u>Ground floors of multi-story non-residential buildings: minimum 10 feet, floor to ceiling</u>	
	<del>New facades along public streets and public places:</del>	
	<del>15 feet for buildings &lt; 4,000 square feet</del>	
Maximum heights**	T4 and T4-N:	3 stories
	T4-I:	6 stories
	T5, T5-N	5 stories
	T5-I	10 stories
	<u>T5-I (General Hospital uses only)</u>	<u>20 stories (subject to General Hospital Residential Buffer in 5.D.6)</u>
Maximum heights with mix of use and/or public spaces bonuses**	TN4-N: mix or public space	4 stories
	T4: mix or public space	5 stories
	T4: mix and public space	6 stories
	T5: mix or public space	8 stories
	T5: mix and public space	10 stories
Notes:		
* Additional setback standards and guidelines contained in <i>Near Southside Development Standards and Guidelines</i> .		
** See zone boundary map in Exhibit “C.” Height bonus and Fairmount transitional height <u>plane and General Hospital Residential Buffer</u> provisions contained in <i>Near Southside Development Standards and Guidelines</i> .		

### SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

### SECTION 4.

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 5**

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 6.**

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of Ordinances No. 3011, 13896, 21653 and any other ordinances affecting zoning which have accrued at the time of the effective date of this ordinance, and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

#### **SECTION 7.**

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 8.**

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

**SECTION 9.**

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

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Christopher Austria, Jannette S. Goodall,  
Senior Assistant City Attorney City Secretary

ADOPTED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_