

Article 11. Inactive Districts**4.1100 Multifamily Highrise ("D-HR1") District****A. Purpose**

It is the purpose of the "D-HR1" Multifamily High-Rise District to provide a specific zone for high density high-rise multifamily development, the construction and maintenance thereof as required by this Ordinance, approved under given guidelines to assure compatibility with surrounding properties, and those uses accessory thereto, but excluding home occupations and individual tenant accessory buildings unless clustered as a group and approved under the given guidelines of this Ordinance.

B. Use Regulation

In the "D-HR1" Multifamily High-Rise District no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged except for the following uses:
Any use permitted in the "D" Multifamily District.

Special exception uses which may be authorized by the Board of Adjustment under the provisions of Chapter 3, Article 3. Accessory uses and buildings.

C. Special Exception Uses

1. Bed and Breakfast Home.
2. Bed and Breakfast Inn.

D. Height and Area Regulations

1. Except for residential uses, all construction of buildings or structures for those uses specified in Paragraph A. above shall conform to the following regulations:
 - a. Height: Maximum of 144 feet, except in accordance with the provisions of Section 6.100.
 - b. Front Yard: A minimum of 20 feet.
 - c. Rear Yard: A minimum of five feet.
 - d. Side Yard:
 - i. Interior Lot: Minimum of five feet.
 - ii. Corner Lot - A minimum of ten feet adjacent to side street unless front yard setback is required.
 - e. Notwithstanding anything contained herein to the contrary, no portion of a building over 35 feet in height shall be located closer than one-half of its height from the nearest property line of any property zoned "A" One-Family, "AR" Residential, "B" Two-Family or "R1" Residential; further, all buildings over 35 feet in height shall be set back a minimum of 25 feet from all property lines.
 - f. Width of Lot: A minimum of 50 feet.
 - g. Lot Area: Minimum of 5,000 square feet.
 - h. Lot Coverage: Maximum of 0.50 or 50 percent.
2. Multifamily Residential Development shall conform to the provisions outlined in Section 6.506 and those for the "D" District.
3. One- and two-family dwelling units must meet the regulations of the "A", "AR", "B", "R1" or "R2" Districts or the Unified Residential Development provisions in Section 6.506.

4.1101 Multifamily Highrise ("D-HR2") District**A. Purpose**

It is the purpose of the "D-HR2" Multifamily High-Rise District to provide a specific zone for high density high-rise multifamily development, the construction and maintenance thereof as required by this Ordinance, approved under given guidelines to assure compatibility with surrounding properties, and those uses accessory thereto, but excluding home occupations and individual tenant accessory buildings unless clustered as a group and approved under the given guidelines of this Ordinance.

B. Use Regulations

In the "D-HR2" Multifamily High-Rise District no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged except for one or more of the following uses:

1. Any uses permitted in the "D-HR1" Multifamily High-Rise District.
2. Special exception uses when authorized by the Board of Adjustment under the provisions of Chapter 3, Article 3.
3. Accessory uses and buildings.

C. Special Exception Uses

1. Bed and Breakfast Home.
2. Bed and Breakfast Inn.

D. Height and Area Regulations

1. Except for residential uses, all construction of buildings or structures for those uses specified in Paragraph A. above shall conform to the following regulations:
 - a. Height: Maximum of 240 feet, except in accordance with the provisions of Section 6.100.
 - b. Front Yard: A minimum of 20 feet.
 - c. Rear Yard: A minimum of five feet.
 - d. Side Yard:
 - i. Interior Lot: Minimum of five feet.
 - ii. Corner Lot - Minimum of ten feet adjacent to side street unless front yard setback is required.
 - e. Notwithstanding anything contained herein to the contrary, no portion of a building over 35 feet in height shall be located closer than one-half of its height from the nearest property line of any property zoned "A" One-Family, "AR" Residential, "B" Two-Family or "R1" Residential; further, all buildings over 35 feet in height shall be set back a minimum of 25 feet from all property lines.
 - f. Width of Lot: Minimum of 50 feet.
 - g. Lot Area: Minimum of 5,000 square feet.
 - h. Lot Coverage: Maximum of 0.50 or 50 percent.
2. Multifamily Residential Development shall conform to the provisions outlined in Section 6.506 and those for the "D" District.
3. One- and two-family dwelling units must meet the regulations of the "A", "AR", "B", "R1" or "R2" Districts or the Unified Residential Development provisions in Section 6.506.

4.1102 Office Midrise ("O-M") District**A. Purpose**

It is the purpose of the "O-M" Office-Midrise District to provide a specific zone for the development of offices as the primary use and other limited commercial uses as ancillary uses, allowing for greater height of such structures, subject to specific development controls.

B. Use Regulations

In the "O-M" Office-Midrise District, the primary use of any building or land shall be for office purposes, provided that any of the following may be located in the "O-M" District as accessory uses to an office building:

1. Any uses permitted in the "ER" Restricted Commercial District.
2. Bakeries, provided that the floor area does not exceed 3000 square feet.
3. Banks.
4. Blueprinting or Photostatting.
5. Business colleges, or private schools operated as a commercial enterprise.
6. Caterer or wedding service.
7. Cigar or tobacco stores.
8. Confectionery stores.
9. Delicatessen shops.
10. Department stores.
11. Drug stores.
12. Dry goods and notions stores.
13. Duplicating service, by mimeographing, multigraphing, and offset printing, provided that the floor area does not exceed 2000 square feet.
14. Florist or gift shops.
15. Jewelry stores, optical goods.
16. Liquor or package stores.
17. Offices.
18. Restaurants, cafes, cafeterias: including restaurants and cafes legally authorized (by duly issued permits from the city and State) to sell alcoholic beverages for consumption on the premises. The terms restaurants, cafes, used herein, refers to places which are regularly open in a bona fide manner; which are used and kept open for the service of food to customers for compensation; which have suitable seating for guests; which have suitable facilities for preparation and service of an assortment of foods commonly ordered at various hours of the day or night and the serving of food is the primary business of such places, and which may, as an ancillary use, provide patrons with space for dancing or permit patrons to dance.
19. Shoeshine parlors.
20. Tailor, clothing or wearing apparel shops.
21. Variety stores.
22. Special exception uses when authorized by the Board of Adjustment under the provisions of Chapter 3, Article 3.

C. Height and Area Regulations

In the "O-M" Office-Midrise District the height of buildings and structures and the minimum dimensions of yards shall be as follows:

1. Height: Maximum of 6 stories, not to exceed 80 feet.
2. Front Yard: Minimum of 20 feet
3. Rear Yard: Minimum of 5 feet
4. Side yard
 - a. Interior Lot, Minimum of 5 feet
 - b. Corner Lot, Minimum of 10 feet adjacent to the side street unless front yard setback is required.
5. Notwithstanding anything contained herein to the contrary, all buildings shall be set back from the nearest property line of any property zoned "A" One-Family, "AR" Residential,

“B” Two-Family, “R1” Residential or “R2” Residential, a distance of one foot for each foot in height of the building.

4.1103 Planned Commercial ("E-P") District

A. Use Regulations

In the "E-P" Planned Commercial District, no building or land shall be used and no buildings shall be hereafter erected, reconstructed, altered or enlarged unless otherwise provided in this Ordinance except for one or more of the following uses:

1. Any uses permitted in the "ER" Restricted Commercial District.
2. Banks.
3. Bird stores and pet shops.
4. Cigar or tobacco stores.
5. Confectionery stores.
6. Delicatessen shops.
7. Department stores.
8. Drug stores.
9. Dry goods and notions stores.
10. Filling stations.
11. Florist or gift shops.
12. Hardware, paint and wallpaper stores.
13. Household furniture stores limited to the sale of new merchandise.
14. Jewelry stores.
15. Liquor or package stores.
16. Offices.
17. Piano stores, musical instruments and supplies.
18. Radio and television sales and servicing.
19. Restaurants, tearooms, cafeterias or cafes.
20. Tailor, clothing or wearing apparel shops.
21. Variety stores.

B. Height and Area Regulations

In "E-P" Planned Commercial District, the height of buildings and structures, the minimum dimensions of yards, the lot area, off-street parking, and plan approvals shall be as follows:

1. Height: The maximum permitted height in the "E-P" Planned Commercial District shall be 4 stories but not to exceed 45 feet.
2. Yards: There shall be a yard of not less than 25 feet between any street or alley or property line of adjacent property in separate ownership, and the main wall of the building.
3. Lot Area: An "E-P" Planned Commercial District shall have a minimum land area of not less than 120,000 square feet, which shall be under unified control.
4. Off-Street Parking: Paved parking and maneuvering areas for motor passenger vehicles shall be furnished on the site in a ratio of not less than four square feet of parking and maneuvering area for each one square foot of gross floor area.
5. Approval of Plans: A permit for construction, reconstruction, additions to, change of size or layout, or change of height of buildings on an "E-P" District, under unified control, shall not be issued unless and until a complete site plan, showing that the layout shall conform to the above requirements, has been submitted to the City Traffic Engineer, the Plan Commission, recommended to the Zoning Commission, and further recommended by the Zoning Commission to the City Council.

In the event of failure to construct the installation in accordance with plans submitted, within a period not to exceed three years from the date of final approval by the City Council, the Zoning Commission shall set a public hearing and after such public hearing may recommend to the City Council that the said District "E-P" be reclassified to a more restricted district to be specified by the Zoning Commission.

4.1104 Industrial Park ("IP") District**A. Purpose**

It is declared that the public policy of the City of Fort Worth and the regulations set forth in the "IP" District are intended to encourage orderly development of a high character in attractive landscaped surroundings by the use of development standards so controlled as to make the permitted uses more compatible with other uses in the vicinity or within the district and to preserve property values and protect the health and welfare of the inhabitants of the City of Fort Worth.

It is the intent of the City Council in adopting these regulations to: promote well planned industrial development which is more nearly compatible with non-industrial uses; establish high standards of development; encourage a better environment for the population working in industry; encourage high quality development of property which has limited value for residential or commercial use; establish a buffer district to separate non-compatible industrial uses from commercial and residential uses.

B. Use Regulations

All uses permitted in this district shall be carried on entirely within the building (except outside storage lot). No use shall be permitted which will be injurious or offensive to the occupants of the adjacent premises or area by reason of fire; radioactivity or electrical disturbance; noise; vibration; smoke; odor; fly ash; dust; fumes; vapors; gases; and other forms of air pollution; glare; liquid or solid waste; standards or limitations on such nuisances are as provided in the performance standards Section of this Ordinance. In the "IP" Industrial Park District, no building or land shall be used, and no building shall be hereafter erected, constructed, altered, or enlarged, nor shall a Certificate of Occupancy be issued, except for one or more of the following uses:

1. Any use permitted in the "H" Business District, provided however that residential structures shall not be permitted in the "IP" District and further provided that no special exception use shall be permitted except for those uses listed in Paragraph 20. below.
2. Assaying (other than gold and silver).
3. Carpet and rug cleaning.
4. Cleaning, dyeing, pressing works, laundry and washeteria.
5. Dog and cat hospitals and kennels, provided that no outside pens or stables are constructed or animals are otherwise detained outside an enclosed building.
6. Electroplating.
7. Enterprise dealing with the assembly or fabrication of pre-manufactured parts or materials into a finished or semi-finished product for resale or distribution, provided that the assembly of vehicles, trailers, airplanes, manufactured homes, and similar items are prohibited.
8. Furniture and cabinet repair and construction.
9. Galvanizing small utensils.
10. Ice plants and storage houses.
11. Lumber yards. (Retail only)
12. Manufacture of: Products from aluminum, brass, bronze, copper, steel, bone, leather, paper, shell, wire, or wood, of any kind other than those permitted in Districts "J" or "K".
13. Manufacture of: Artificial flowers; ornaments; awnings; tents; bags; blacking, cleaning or polishing preparations; brooms or brushes; buttons and novelties; canvas products; clothing; suits, coats, or dresses for wholesale trade; food products, syrups, fruit juices, extracts, drugs or medicine, except products permitted in Districts "J" or "K"; furniture, gas or electric fixtures; ice cream; mattresses; peanut and pecan products; potato chips; radio and television sets; and signs not exceeding 4 feet by 8 feet.
14. Outside storage yard: Outside storage of any new product, merchandise, machinery or objects provided that junk or used products, merchandise, machinery or objects shall be prohibited; provided further that a solid fence or wall shall be constructed and maintained permanently around such storage, and shall comply with the following:

- a. Every portion of such fence or wall shall have a height of one foot above the height of those items stored, provided however, a minimum height of six feet shall be required in all instances.
- b. A fence or wall shall not be permitted in any portion of the front, rear and side yards.
- c. Openings in the fence shall be provided with a gate which will block the view of those items stored in the area contained within the fence or wall, provided that such openings shall not be located so as to be viewed from any residential land use or residential district.
- 15. Paper box manufacture.
- 16. Pattern shop.
- 17. Warehouse.
- 18. Wholesale establishment.
- 19. Accessory buildings and uses customarily incidental to the above.
- 20. The following special exception uses may be established only when authorized by the
 - a. Board of Adjustment under the provision of Chapter 3, Article 3:
 - b. Temporary construction, sales, storage, fabrication and office buildings.
 - c. Water supply, treatment and storage facilities.
 - d. Towers, as defined in Section 5.136.
 - e. Riding stable, riding hall, horse track.
 - f. Electric Power substation.

C. Height and Area Regulations

In the "IP" District the height of buildings and structures and minimum dimension of yards shall be as follows, provided that the yard areas shall be used only for landscaping, except that driveways permitting access to parking and loading facilities, and side walks leading to the buildings are permitted in yard areas:

- 1. **Height:** No building or structure shall exceed 35 feet in height.
- 2. **Front Yard:** There shall be a front yard of not less than 15 feet.
- 3. **Rear Yard:** There shall be a rear yard which shall be determined as follows:
 - a. When adjacent to the "I", "J", or "K" District, no rear yard shall be required.
 - b. When adjacent to the "ER", "E-P", "E", "FR", "F", "G" or "H" District, there shall be a rear yard of not less than ten feet.
 - c. When adjacent to the "AG", "CF", "MH", "A", "AR", "B", "CR", "C", "D", "D-HR1", or "D-HR2" District, there shall be a rear yard of 20 feet.
 - d. When adjacent to more than one district the more restrictive requirement shall apply.
- 4. **Side Yard:** There shall be a side yard which shall be determined as follows:
 - a. When adjacent to the "I", "J", or "K" District, no side yard shall be required.
 - b. When adjacent to the "ER", "E-P", "E", "FR", "F", "G", or "H" District, there shall be a side yard of not less than 10 feet.
 - c. When adjacent to the "AG", "CF", "MH", "A", "AR", "B", "CR", "C", "D", "D-HR1" or "D-HR2" District, there shall be a side yard of not less than 20 feet.
 - d. When adjacent to more than one district the more restrictive requirement shall apply.

D. Landscaping

Landscaping is required in the front, side and rear yards and shall conform to the following:

- 1. The physical elements composing the landscape shall be permanent in form and nature, and perpetually maintained.
- 2. The form and nature of the physical elements shall consist primarily of trees, shrubs, ground covers and ornamental annuals, biennials and perennials; (rocks, gravel and similar elements shall be secondary).
- 3. The physical elements composing the landscape shall be located and maintained so as not to obstruct the vision of motorists or pedestrians at alley, street or drive intersections.

E. Screening Fence

- 1. Screening fences shall be provided, adjacent and parallel to the interior rear and side yard lines except as provided in 2(c) below, and when adjacent to any zoning district except "I", or "J", or "K".
- 2. When a solid fence or wall is required it shall be constructed and maintained permanently, and shall comply with the following:

- a. Every portion of such fence or wall shall have a minimum height of six feet.
- b. A fence or wall shall not be permitted in any portion of the front, rear, or side yard.
- c. A building wall may take the place of a screening fence, provided however that no openings shall be permitted in said building wall.
- d. No such screening fence shall be erected so as to obstruct the vision of motorists or pedestrians at alley, street, or drive intersections.

F. Signs

Advertising signs or symbols may be constructed or placed in this District, provided however that every sign or signs shall pertain only to the use of the property on which located, shall face the principal or fronting street, shall be attached flat against the wall of the building and shall not project above the roof line; where lighted, signs shall not be flashing or animated, nor have any exposed neon.

G. Parking and Loading Space

The off-street parking and loading regulations of Chapter 6, Article 2 shall apply to all uses established in the "IP" District except as follows:

1. Parking and loading areas are not permitted in the front, side and rear yards.
2. All loading spaces and associated loading docks shall be screened from the public right-of-way provided further that driveways providing access to loading spaces shall not be parallel and in the same plane to any loading space or spaces; no loading dock shall take direct access to a public street.
3. Permanent off-street parking of motor passenger vehicles shall be provided for all uses permitted in this District. The number of spaces shall be determined by the requirements contained in Chapter 6, Article 2 except as follows:
 - a. For outside storage yards: one space for each 2,000 square feet contained in the storage yard shall be provided.
 - b. For warehousing uses: one space for each 1,000 square feet of floor area contained in the warehousing area of the building; additionally, one space for each 200 square feet of office, sales, and/or display space contained in the warehouse building or on the site shall be provided.
 - c. Industrial uses shall provide one space for each 500 square feet of floor area contained in the industrial operating area of the building; additionally, one space for each 200 square feet of office, sales and/or display space contained in the industrial building or on the site shall be provided.

H. Performance Standards

1. Compliance Required: No land or building in the "IP" District shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard, noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical or other substance, condition or element (referred to herein as "dangerous or objectionable elements") in such a manner or in such amount as to adversely affect the surrounding area or adjacent premises; provided that any use permitted by this Section may be undertaken and maintained if it conforms to the regulations of this Section limiting dangerous and objectionable elements at the point of determination of their existence.
2. Enforcement Provisions: Even though compliance with performance standards procedure in obtaining a Certificate of Occupancy is not required for a particular use, initial and continued compliance with performance standards shall be enforced by the Building Inspector against any use if there are reasonable grounds to believe that performance standards are being violated by such use.
3. Locations Where Determinations Are To Be Made For Enforcement Of Performance Standards: The determination of the existence of any dangerous and objectionable elements shall be made at the location of the use creating the same and at any point or points where the existence of such elements may be more apparent (herein referred to as "at any point").

I. Performance Standard Regulations

The following provisions, standards and specifications shall apply:

1. **Fire and Explosion Hazards:** All activities involving and all storage of inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires shall be prohibited at any point. The relevant provisions of State and local laws and regulations shall also apply.
2. **Radioactivity or Electric Disturbance:** No activities shall be permitted which emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such a disturbance.
3. **Noise:** At the points of measurement which shall be at the property line, the sound pressure level of noise radiated from a facility at nighttime shall not exceed 40 decibels or the average sound level of the street traffic noise nearest the noise generator, whichever is the higher, in any octave band of frequency above 300 cycles per second. The sound pressure level shall be measured with a Sound Level Meter, and an Octave Band Analyzer that conforms to the specifications published by the American Standards Association. Noise shall be so muffled or otherwise controlled, as not to become objectionable, due to intermittence, beat frequency, impulsive character (hammering, etc.), periodic character (humming, screeching, etc.), or shrillness. For facilities which radiate noise only during a normal daytime working shift, the allowable decibel sound pressure level maximum given above may be increased 25 decibels, or 10 decibels above the average sound level of the street traffic noise nearest the noise generator, whichever is the higher. Sirens, whistles, bells, etc., which are maintained and utilized solely to serve a public purpose (such as fire and air raid warning sirens) are excluded from the above regulations.
4. **Vibration:** No vibration shall be permitted which is discernible without instruments at the property line.
5. **Smoke:** No emissions shall be permitted, at the point of discharge from any chimney or otherwise, of visible gray smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc. and copyrighted 1954 (being a direct facsimile reduction of the standard Ringlemann Chart as issued by the United States Bureau of Mines), except that visible gray smoke of a shade equal to No. 2 on said Chart may be emitted for 4 minutes in any 30 minutes. These provisions applicable to visible gray smoke shall also apply to visible smoke of a different color but with an apparently equivalent capacity.
6. **Odor:** No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be offensive at the property line. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained should the primary safeguard system fail. There is hereby established as a guide in determining such quantities of offensive odors, Table III, "Odor Thresholds", in Chapter 5, "Air Pollution Abatement Manual", copyright 1951 by Manufacturing Chemists' Assn., Inc., Washington, D.C.
7. **Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution:** No emission shall be permitted which can cause any damage to health, to animals, vegetation, other forms of property, or which can cause any excessive soiling, at any point; and in no event shall any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas at any point, be permitted. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and 50 percent excess air.
8. **Glare:** No direct or sky-reflected glare from high-temperature processes, such as combustion or welding or otherwise, so as to be visible at the property line, shall be permitted. This restriction shall not apply to signs otherwise permitted by the provisions of this Section.

9. **Liquid or Solid Waste:** No discharge shall be permitted at any point into any public sewer, private sewage disposal system, or stream, or into the ground, except in accordance with standards approved by the Department of Health of the State of Texas or standards equivalent to those approved by such department for similar uses; nor shall the discharge of any materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements be permitted.

(Ord. No. 13896, Eff. 10/12/99; 16085, 08/07/04; 20159, 05/15/12)