

## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager   **DATE:** November 13, 2023  
**SUBJECT:** TR23-01, Ordinance No. 3824, Public hearing to consider amendments to Chapter 118, Article IV, Division 7, of the North Richland Hills Code of Ordinances regarding building height and fencing standards in the OC (Outdoor Commercial) zoning district.  
**PRESENTER:** Clayton Comstock, Planning Director

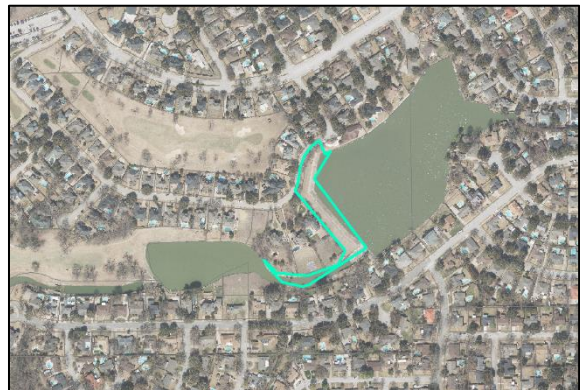
### **SUMMARY:**

Revisions are proposed to the zoning ordinance related to Article IV, Division 7 - Districts, regarding the building height and fencing standards in the OC (Outdoor Commercial) zoning district.

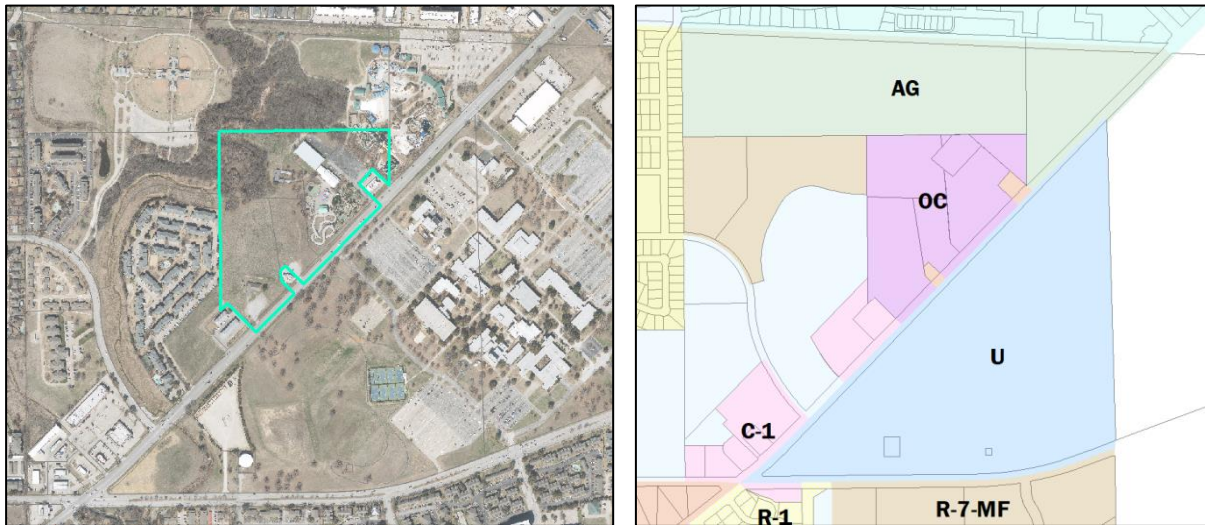
### **GENERAL DESCRIPTION:**

The OC (Outdoor Commercial) district was added to the zoning ordinance as part of a major update in 1984 (Ordinance 1080). The district is intended to permit a limited variety of commercial businesses that typically require an extensive amount of outdoor use. Most of these uses are recreational in nature, such as golf courses, parks, fitness centers, and skating rinks; however, uses such as schools, churches, and public buildings are permitted.

While specific information is not available, it appears the district was created for use where Iron Horse Golf Course was ultimately developed. The OC (Outdoor Commercial) appears on zoning maps from 1984 in that area, but over time much of that area was rezoned and developed as single-family residential property. Currently, only a 1.69-acre portion of the district exists in that area and covers the dam and spillway of a lake in the Meadow Lakes subdivision. That particular property is owned by the Meadow Lakes HOA, is encumbered by floodplain, is unplatted, and could therefore not be developed with any other improvements.



The only other area in the city where the district exists is along Boulevard 26. In 1992 properties were rezoned to OC (Outdoor Commercial) to accommodate the development of Mountasia and a golf driving range. While these businesses have closed, a portion of the site is being redeveloped for the Peppa Pig Theme Park. A small portion of NRH2O Family Water Park is located within the district, but most of the water park property is zoned AG (Agricultural).



As part of the review of development projects in this area of Boulevard 26, the Development Review Committee noted that minor adjustments to the OC (Outdoor Commercial) district would be beneficial. These issues were discussed during a work session by the Planning and Zoning Commission on August 3, 2023. The input from this work session was used to develop the proposed revisions to the zoning ordinance. The proposed revisions are discussed in detail below.

**Building height**

The LR (Local Retail) and OC (Outdoor Commercial) district currently sets the maximum height of structures at 38 feet. The other commercial districts have a maximum height that varies depending on residential adjacency. While the LR (Local Retail) district is intended to be compatible in scale with residential property, the OC (Outdoor Commercial) district is not.

In order to align the OC (Outdoor Commercial) district with the other commercial districts, the proposed revision would modify the building height to match those districts. This would establish a ratio of 1.5 feet of building height for each one foot measured from a property line that abuts a residential district.

DESCRIPTION		O-1	LR	C-1	C-2	OC
10.	Max. Height of structures	1.5 ft./1 ft. <sup>4</sup>	38 ft.	1.5 ft./1 ft. <sup>4</sup>	1.5 ft./1 ft. <sup>4</sup>	1.5 ft./1 ft. <sup>4</sup>

<sup>4</sup> Buildings shall be constructed by using a ratio of one foot measured from property line that abuts a residential district to nearest exterior wall of building for every 1½ feet of building height.



### ***Fencing***

In all commercial districts, the general screening and fencing standards in the zoning ordinance apply. Since the OC (Outdoor Commercial) district allows for amusement and theme parks, it was noted that allowances for perimeter fencing could be appropriate for this specific use. The fencing standards are proposed to read as follows.

#### **ORIGINAL**

(1) Fences. For fencing requirements in the O-1, LR, C-1, C-2 and OC districts see article VIII, screening and fencing regulations.

#### **PROPOSED**

(1) Fences.

a. In the O-1, LR, C-1, and C-2 districts, see article VIII, screening and fencing regulations for fencing requirements.

b. In the OC district, the requirements of article VIII, screening and fencing regulations apply. In addition, an amusement park or theme park may construct perimeter fencing around the park. The perimeter fencing may be located on the property line and may be located within the front yard. If a landscape setback is required along a street, the perimeter fencing may be located within the required landscape setback, but must be behind the required landscaping.

At the October 19, 2023, meeting, the Planning and Zoning Commission also considered an option that would allow the perimeter fencing to include decorative artwork panels associated with the amusement or theme park. Following that discussion, the Commission recommended that the option for artwork panels not be included in the revision.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission conducted a public hearing and considered this item at the October 19, 2023, meeting and voted 6-0 to recommend approval subject to removing the fencing standards from the revision.

#### **RECOMMENDATION:**

Approve Ordinance No. 3824.