



**GAS LINE COMPRESSORS**

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

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING CHAPTER 4, "DISTRICT REGULATIONS", ARTICLE 3 "PLANNED DEVELOPMENT ("PD") DISTRICT TO ADD LINE COMPRESSORS IN SECTION 4.305, "USES"; TO AMEND CHAPTER 5 "SUPPLEMENTAL USE STANDARDS", SECTION 5.140 "NATURAL GAS COMPRESSOR STATIONS" TO REMOVE SUBSECTION 2.C. "LINE COMPRESSORS"; TO AMEND SECTIONS 4.800 "NONRESIDENTIAL DISTRICT USE TABLE" AND 4.1200 "FORM BASED DISTRICTS USE TABLE" TO CLARIFY THAT LINE COMPRESSORS ARE PERMITTED BY RIGHT IN INDUSTRIAL DISTRICTS AND BY PLANNED DEVELOPMENT DISTRICT; 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**, on \_\_\_\_\_, 2013, the City Council amended Chapter 15 "Gas" to remove "AG" Agricultural zoning district as a district where a line compressor would be allowed by right, remove the allowance in all other zoning districts by special exception, and allow only in industrial zoning districts by right and by a planned development district; and

**WHEREAS**, it is advisable to adopt revisions to the zoning ordinance to reflect the revisions of the newly adopted gas drilling ordinance;

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

**SECTION 1.**

Chapter 4, "District Regulations", Article 3, "Planned Development ("PD") District, Subsection 4.305.D. "Specified Industrial Uses Permitted in "PD" District only" of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, is hereby amended to add number 15 "Line Compressors" as a use to read as follows:

**4.305 Uses**

**D. Specified Industrial Uses Permitted in "PD" District Only**

15. Line Compressors

- a. Line Compressors shall also be permitted in "I" Light Industrial, "J" Medium Industrial, and "K" Heavy Industrial districts.
- b. A site plan is required and shall not be waived.

**SECTION 2.**

Chapter 5, Article 1, "Supplemental Use Standards, Standards for Selected Uses" of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, Section 5.140, "Utility Transmission Line or Distribution Line; Natural Gas Compressor Stations" is hereby amended to delete the language in Subsection 2. "Natural Gas Compressor Stations" C. "Line Compressors" to read as follows:

**5.140 Utility Transmission Line or Distribution Line; Natural Gas Compressor Stations**

2. Natural Gas Compressor Stations

~~C. Line Compressors~~

- ~~1. Line Compressors shall be permitted only in "AG" Agricultural District, "I" Light Industrial, "J" Medium Industrial and "K" Heavy Industrial zoning districts.~~
- ~~2. Line Compressors shall be permitted in all other zoning districts only by a special exception granted by the Zoning Board of Adjustment. In order for the Zoning Board of Adjustment to grant a special exception, the Line Compressor must meet the minimum standards of "I" Light Industrial District as provided in Article II of Chapter 15 "Gas" of the Gas Code and a site plan must be submitted and approved by the Board. The Zoning Board of Adjustment shall grant the application only when the Board determines that: the location of the compressor is clearly defined on the site plan by the applicant; and~~
  - ~~a. the exception will be compatible with the existing uses and the development of adjacent properties either as filed; or~~
  - ~~b. subject to such requirements as the Board finds necessary to protect and maintain the stability of adjacent properties.~~
- ~~3. One three-inch caliper tree shall be planted every 40 linear feet along the property line abutting a public right-of-way. No heavy equipment but not~~

~~limited to truck, tractors, trailers, bulldozers, bobcat tractors, trenchers, compressors and hoists shall be allowed inside the critical root zone of any protected tree on any compressor site without the specific approval of the city forester. This requirement shall supersede other landscaping requirements.~~

### **SECTION 3.**

Chapter 4, Article 8, of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, Section 4602, "Non-Residential District Use Table" is hereby amended to revise section "Utilities", use "Gas Line Compressor Stations" to delete "P" under "AG" non-residential districts; delete "SE" under zoning districts "ER", "E", "F", "FR", "G", "H" commercial districts; delete "SE" under "CF" special district and add "PD" under "Planned Development" special district.

### **SECTION 4.**

Chapter 4, Article 12, of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, Section 4.1202, "Form-Based District Use Table" is hereby amended to add a column to the land use table labeled "PD" special districts; amend section "Utilities", use "Gas Line Compressor Stations" to delete "P" under "MU-1", "MU-1G", "MU-2", "MU-2G", "NS-T4", "NS/T4R", "NS/T4N", "NS/T5", "NS/T5I", "TU" and add a "PD" under "Planned Development" special district.

### **SECTION 5.**

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

### **SECTION 6.**

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

**SECTION 7.**

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

**SECTION 8.**

That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 9.**

That the City Secretary of the City of Fort Worth, Texas is hereby directed to publish this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

**SECTION 10.**

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

**APPROVED AS TO FORM AND LEGALITY:**

By: \_\_\_\_\_  
Assistant City Attorney  
Adopted: \_\_\_\_\_  
Effective: \_\_\_\_\_

\_\_\_\_\_  
Mary Kayser  
City Secretary

Ray Oujesky, 201 Main Street, Suite 2500, Fort Worth, Texas representing STMNNM Land Ventures No. 1 LLC on behalf of Chesapeake Land Development explained to the Commissioners they are proposing 62 single-family lots as shown on the conceptual layout. Mr. Oujesky said because of the steep elevation the land is only 64% developable. He said they are requesting to have a minimum 15 ft. front yard with 60% lot coverage in order to maximize the lot for a larger home. Mr. Oujesky said they did meet with the River Bend Trinity Trails NA and were in support.

Mr. Genua asked if there were two access points. Mr. Oujesky said yes there are. Mr. Genua asked staff if two points of access were enough. Ms. Burghdoff said yes platting would require two points of access above 30 lots.

Ms. Burghdoff mentioned on the conceptual layout shown said there are two lots that would project and need to be 15 ft. side yards.

Mr. Genua asked if this was a gated community. Mr. Oujesky said it is and the primary access would be off of White Settlement Road with access from Nursery Lane being emergency access only. Mr. Genua is concerned about traffic turning onto White Settlement Road.

Motion: Following brief discussion, Mr. Genua recommended approval of the request, seconded by Mr. Hollis. The motion carried 7-0-1 with Mr. West recussing.

**6. ZC-13-122 City of Fort Worth Planning & Development Text Amendment: Residential Front Yard Setbacks (CD All) An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend:**

- **Chapter 6 "Development Standards", Article 1, "General", Section 6.101 "Yards", Subsections D. "Front Yard Setbacks" and E. "Established Front Yard Setbacks" to revise the Front Yard Setback Regulations; and Renumber**

Jocelyn Murphy, Planning Manager, City of Fort Worth explained to the Commissioners the change to the text.

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

**7. ZC-13-123 City of Fort Worth Planning & Development Text Amendment: Gas Line Compressors (CD All) An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth (1986), to amend:**

- **Chapter 4, "District Regulations", Article 3 "Planned Development ("PD") District to add line compressors in Section 4.305, "Uses";**
- **Chapter 5 "Supplemental Use Standards", Section 5.140 "Natural Gas Compressor Stations" to remove Subsection 2.C. "Line Compressors";**

- **Sections 4.800 “Nonresidential District Use Table” and 4.1200 “Form Based Districts Use Table” to clarify that line compressors are permitted by right in Industrial Districts and by Planned Development District**

Jocelyn Murphy, Planning Manager, City of Fort Worth explained to the Commissioners the change to the text.

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

**8. ZC-13-125 Raul Guitierrez Mendez (CD 9)- 3441 Stuart Drive (Ryan & Pruitt Addition, Block 58, Lot 11, 0.14 Acres): from “IP” Industrial Park to “A-5” One-Family**

Deynanara Mendez, 3312 St. Louis Avenue, Fort Worth, Texas property owner explained to the Commissioners they want to build a single-family house.

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

**9. ZC-13-126 Garland All Storage Assoc. LTD (CD 5)- 2941-2969 Precinct Line Road (River Trails All Storage Addition, Block A, Lot 3, 1.44 Acres): from “PD-627” Planned Development for all uses in “E” Neighborhood Commercial plus mini-warehouse with open and covered parking, and excluding the following uses: liquor or package store, tattoo parlor, pawn shop, massage parlor; site plan required to Amend “PD-627” Planned Development to allow for a liquor or package store; site plan included**

Coy Quine, 301 S. Sherman Street, Richardson, Texas representing Garland All Storage explained to the Commissioners they are requesting a postponement on this in order to meet with the neighborhood and get on their September 25 meeting agenda.

Jim Roland, 8832 San Joaquin Trail, Fort Worth, Texas representing River Trails Homeowners Association spoke in opposition. Mr. Roland mentioned the existing strip center is almost full with neighborhood uses. He said he did talk with Mr. Quine and said they would not support the use but would put them on the agenda to discuss. This type of use would not be desirable and there are several stores within in a two mile range.

Ms. Reed asked if a 30 day continuance would be ok. Mr. Roland said the indication he is getting from the neighborhood is they are not attune to it, but in all fairness he is going to find a spot on their agenda. He mentioned they are confined to space and limited time where they meet.

Mr. Ferrell wanted to clarify they are willing to meet with the applicant. Mr. Roland said if they are willing to hold an open house he would inform the neighborhood.

Motion: Following brief discussion, Mr. Ferrell recommended a 30 day continuance of the request, seconded by Mr. Hollis. The motion carried unanimously 8-0.