



**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
April 7, 2015

Council District ALL

Zoning Commission Recommendation:
Approved by a vote of 9-0

Opposition: Two letters submitted
Support: None submitted

Continued Yes X No ___
Case Manager Jocelyn Murphy
Surplus Yes ___ No X
Council Initiated Yes ___ No X

Owner / Applicant: **City of Fort Worth Planning and Development Department**

Proposed Change: 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" to amend Article 3 "Planned Development ("PD") District":

- Section 4.305. "Uses," Subsection C.5. related to mini-warehouses;
- Article 8, Section 4.800 "Nonresidential District Use Table" to clarify that mini-warehouses are permitted by right in Intensive Commercial ("G") and Light Industrial ("I") Districts and by Planned Development District in other zoning districts; and
- Chapter 5 "Supplemental Use Standards", to amend Section 5.143 "Warehouse Or Bulk Storage, Warehouse, Mini" to add Supplemental Development Standards for mini-warehouses

To review the proposed amendments: <http://fortworthtexas.gov/planninganddevelopment/zoningcommission.aspx>

Request: **TEXT AMENDMENT: MINI-WAREHOUSE STANDARDS**

Background:

In 2006, the Zoning Ordinance was amended to allow mini-warehouses by right only in the "J" Medium Industrial and "K" Heavy Industrial districts and by "PD" Planned Development in all other districts. This has resulted in numerous PDs to make existing warehouses legal and for new warehouses. The proposal will allow mini-warehouses by right in the "G" and "I" zoning districts where more intense commercial and industrial uses are allowed.

Changes to the mini-warehouse regulations would include requiring development standards at all sites in the "G" Intensive Commercial district and at sites in the "I" Light Industrial district when in proximity to "A" or "B" One or Two Family districts.

1. No portion visible from the street of any building shall include the use of flat cinderblock and no tilt wall without a masonry facade;
2. All exterior portions and/or facades, including the roof, shall use colors consisting of a neutral earth tone; the trim and building may be a different neutral earth tone color;
3. Sheet metal shall not be visible for any use other than roofing when facing an adjoining "A" One-Family or "B" Two-Family zoned district;

4. Facades, parapets, and externally visible walls are to be of masonry or EIFS exterior finishes only;
5. Signage colors shall be limited to those provided on the primary building;
6. An 8 foot masonry wall with columns shall be provided adjacent to all "A" One-Family and "B" Two-Family districts;
7. Building height shall be limited to 4 stories;
8. Outdoor lighting shall be shielded from adjacent residential uses and shall not be a brightness that causes an ambient glow that extends into a residential property. No pole lights taller than 15 feet shall be permitted.
9. On site security residence shall be limited to a maximum of 1,200 square feet and shall only be inhabited by persons employed by the mini warehouse business.

Attachments: Proposed Ordinance
Minutes from the City Council meeting
Minutes from the Zoning Commission meeting

MINI-WAREHOUSE STANDARDS

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 AMEND SECTION 4.305. “USES,” SUBSECTION C.5. RELATED TO MINI WAREHOUSES; TO AMEND ARTICLE 8, SECTION 4.800 “NONRESIDENTIAL DISTRICT USE TABLE” TO CLARIFY THAT MINI-WAREHOUSES ARE PERMITTED BY RIGHT IN INTENSIVE COMMERCIAL (“G”) AND LIGHT INDUSTRIAL (“I”) DISTRICTS AND BY PLANNED DEVELOPMENT DISTRICT IN OTHER ZONING DISTRICTS; AND BY AMENDING CHAPTER 5 “SUPPLEMENTAL USE STANDARDS”, TO AMEND SECTION 5.143 “WAREHOUSE OR BULK STORAGE, WAREHOUSE, MINP” TO ADD SUPPLEMENTAL DEVELOPMENT STANDARDS FOR MINI-WAREHOUSES”; 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, in August 2006, the City Council adopted Ordinance No. 17093-08-2006 which allowed mini warehouses as a permitted use Medium Industrial (“J”) and Heavy Industrial (“K”) districts where they are allowed by right and as an allowed use in other zoning districts through a Planned Development(“PD”) district and

WHEREAS, since the adoption of the PD requirement there have been numerous requests for mini warehouses located in intensive commercial and light industrial districts which have been approved by the City Council; and

WHEREAS, mini warehouses generally serve neighborhoods surrounding the business and residential areas which are not typically near Medium Industrial (“J”) and Heavy Industrial (“K”) zoning districts; and

WHEREAS, mini warehouses provide minimal negative effects to a surrounding area, including minimal traffic and noise while other permitted uses in Intensive Commercial (“G”) and Light Industrial (“I”) Districts can cause negative effects to a surrounding area, especially a residential development; and

WHEREAS, certain possible negative effects of a mini warehouse may be minimized through the use of supplemental development standards to place limitations on building height, regulate the appearance of the buildings, control lighting, and signage; and

WHEREAS, the Zoning Commission recommends adding “G” Intensive Commercial and “I” Light Industrial Districts to the zoning districts where mini warehouses are allowed by right and amending Section 5.143 to add supplemental development standards to add supplemental development standards for mini warehouses;

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.C. “Specific Commercial Uses Permitted in PD District Only” of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, hereby amends subsection 5 “Mini-Warehouses” to read as follows:

5. Mini Warehouses in “E” and “F” districts.

SECTION 2.

Chapter 4, Article 8, “Non-Residential District Use Table” of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, Section 4.800, “Allowed Uses” is hereby amended to revise section “Retail Sales and Service”, to amend the use “Mini-warehouse to add a “P*” under “G” Intensive Commercial and “I” Light Industrial columns for the use and add a reference to 5.143 under the Supplemental Standards column.

SECTION 3.

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 5.143, “Warehouse or Bulk Storage, Warehouse Mini” is hereby amended to add certain development standards to read as follows:

5.143 Warehouse or Bulk Storage, Warehouse Mini

- A. Storage in bulk of, or warehouse for, commodities and materials associated with uses allowed in the “ER through “I” districts is permitted in the “I” district provided the storage complies with the City Of Fort Worth Fire Code. No more than 50% of commercial building square footage in commercial districts shall be used for storage of items to be sold or utilized during the operation of a business.
- B. Regulations applicable to all mini warehouses in Intensive Commercial “G” and to mini warehouses in Light Industrial “I” districts within 250 feet of an “A” One-Family or “B” Two-Family district:
 1. No visible portion of any building shall include the use of flat cinderblock and no tilt wall without a masonry facade;

2. All exterior portions and/or facades, including the roof, shall use colors consisting of a neutral earth tone; the trim and building may be a different neutral earth tone color;
3. Sheet metal shall not be visible for any use other than roofing when facing an adjoining “A” One-Family or “B” Two-Family zoned district;
4. Facades, parapets, and externally visible walls are to be of masonry or EIFS exterior finishes only;
5. Signage colors shall be limited to those provided on the primary building;
6. An 8 foot masonry wall with columns shall be provided adjacent to all “A” One-Family and “B” Two-Family districts;
7. Building height shall be limited to 4 stories;
8. Outdoor lighting shall be shielded from adjacent residential uses and shall not be a brightness that causes an ambient glow that extends into a residential property. No pole lights taller than 15 feet shall be permitted.
9. On site security residence shall be limited to a maximum of 1,200 square feet and shall only be inhabited by persons employed by the mini warehouse business.

SECTION 4.

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 5.

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 6.

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 7.

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 8.

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 9.

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

APPROVED AS TO FORM AND LEGALITY:

By: _____

Melinda Ramos, Assistant City Attorney

Mary Kayser, City Secretary

Adopted: _____

Effective: _____

Mr. Brad Lonberger, 500 Main Street, Suite 1100, completed a speaker card in support of Zoning Docket ZC-15-017 and was recognized by Mayor Price but did not wish to address Council.

Motion: Mayor Pro tem Espino made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-15-017 be approved and Ordinance No. 21671-03-2015 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Council Member Scarth absent.

22. ZC-15-018 - (CD-ALL) - City of Fort Worth Planning & Development: Text Amendment, Amend R1 Zero Lotline/Cluster and R2 Townhouse/Cluster Standards; 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), by Amending Chapter 4 'District Regulations', Article 7 'Residential Districts: to amend: Section 4.708. 'Zero LotLine/Cluster ("R1") District to revise development standards for "R1" District, and Section 4.709. 'Townhouse/Cluster ("R2") to increase maximum density and size of building row for "R2" District; and to move the Supplemental Residential Development Standards for both the "R1" and "R2" Districts from Chapter 6, 'Development Standards' into their respective subsections in Chapter 4 (Recommended for Approval by the Zoning Commission)

Motion: Council Member Zadeh made a motion, seconded by Council Member Shingleton, that Zoning Docket ZC-15-018 be approved and Ordinance No. 21672-03-2015 be adopted. The motion carried unanimously 8 ayes to 0 nays, with Council Member Scarth absent.

23. ZC-15-019 - (CD-ALL) - City of Fort Worth Planning & Development: Text Amendment: Mini-Warehouse Standards; 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' to amend Article 3 'Planned Development ("PD") District', by amending: Section 4.305. 'Uses,' Subsection C.5. related to mini-warehouses; Article 8, Section 4.800 'Nonresidential District Use Table' to clarify that mini-warehouses are permitted by right in Intensive Commercial ("G") and Light Industrial ("I") Districts and by Planned Development District in other zoning districts; and Chapter 5 'Supplemental Use Standards', to amend Section 5.143 'Warehouse or Bulk Storage, Warehouse, Mini' to add Supplemental Development Standards for mini-warehouses (Recommended for Approval by the Zoning Commission)

Motion: Council Member Jordan made a motion, seconded by Council Member Bivens, that Zoning Docket ZC-15-019 be continued to the April 7, 2015, Council meeting. The motion carried unanimously 8 ayes to 0 nays, with Council Member Scarth absent.

20. ZC-15-017 City of Fort Worth Planning & Development: Text Amendment (CD ALL) Trinity Lakes Form Based Code: 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 Various Sections Of The Trinity Lakes Development Code As Provided By Section 4.1307.D., “Other Development Standards” of Section 4.1307, “Trinity Lakes (“TL”) District of Article 13, “Form-Based Districts” of Chapter 4, “District Regulations” to:

- Provide clarification regarding placement of accessory structures,
- Provide separate development standards based on lot size,
- Amend the landscaping requirements,
- Modify parking and architectural standards, and
- Amend driveway and garage standards, define j-swing garages, and establish a permeable surface requirement

Laura Voltman explained the text amendment.

Motion: Following brief discussion, Ms. McDougall recommended Approval of the request, seconded by Mr. Reeves. The motion carried unanimously 9-0.

21. ZC-15-018 City of Fort Worth Planning & Development: Text Amendment (CD ALL) Amend Standards for R1 Zero Lotline/Cluster District and R2 Townhouse/Cluster District: 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), by Amending Chapter 4 “District Regulations”, Article 7 “Residential Districts: to amend:

- Section 4.708. “Zero Lot Line/Cluster (“R1”) District to revise development standards for “R1” District, and
- Section 4.709. “Townhouse/Cluster (“R2”) to increase maximum density and size of building row for “R2” District; and
- To move the Supplemental Residential Development Standards for both the “R1” and “R2” Districts from Chapter 6, “Development Standards” into their respective subsections in Chapter 4

Ms. Murphy explained the text amendment and that the intent is to allow a more urbanized product.

Motion: Following brief discussion, Mr. Northern recommended Approval of the request, seconded by Ms. Reed. The motion carried unanimously 9-0.

22. ZC-15-019 City of Fort Worth Planning & Development: Text Amendment (CD ALL) Mini-Warehouse Standards: 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” to amend Article 3 “Planned Development (“PD”) District”: Section 4.305. “Uses,” Subsection C.5. related to mini-warehouses; Article 8, Section 4.800 “Nonresidential District Use Table” to clarify that mini-warehouses are permitted by right in Intensive Commercial (“G”) and Light Industrial (“I”) Districts and by Planned Development District in other zoning districts; and**
- **Chapter 5 “Supplemental Use Standards”, to amend Section 5.143 “Warehouse Or Bulk Storage, Warehouse, Mini” to add Supplemental Development Standards for mini-warehouses**

Ms. Murphy explained the text amendment and that it was requested by the Zoning Commission to address the numerous requests for PD Planned Development for mini storage.

Motion: Following brief discussion, Mr. Edmonds recommended Approval of the request, seconded by Ms. Conlin. The motion carried unanimously 9-0.

23. ZC-15-020 City of Fort Worth Water Department (CD 7) 4237 Wells Drive (Lake Worth Leases, Block 9, Lot 10, 0.47 Acres): from “A-5” One-Family to “PD/A-5” Planned Development for all uses in “A-5” One-Family plus cooking facilities in an accessory dwelling unit; site plan waiver requested

Michael Barnard, 4237 Wells Drive, Fort Worth, Texas property owner explained to the Commissioners the request to PD/A-5 to allow for a kitchen in the accessory structure so his father can cook his own meals.

Motion: Following brief discussion, Ms. Moore recommended Approval of the request, seconded by Mr. Northern. The motion carried unanimously 9-0.

**Meeting adjourned: 3:37 p.m.
2/11/15**

Dana Burghdoff, Executive Secretary and Deputy Director, Planning and Development Department

Nick Genua, Chair