

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 ARTICLE 8 "NONRESIDENTIAL DISTRICT USE TABLE", OF CHAPTER 4, "DISTRICT REGULATIONS"; AMENDING SECTION 4.803, "THE NONRESIDENTIAL DISTRICT USE TABLE" TO ADD GOVERNMENTAL VEHICLE STORAGE YARD/JUNKYARD AS A PERMITTED USE IN "J" MEDIUM AND "K" HEAVY INDUSTRIAL DISTRICTS; TO ADD TOWING YARD WITH OFFICE AS A PERMITTED USE IN "I" LIGHT, "J" MEDIUM AND "K" HEAVY INDUSTRIAL; AND TO ADD OUTSIDE STORAGE OR DISPLAY AS A PERMITTED ACCESSORY USE IN "J" MEDIUM AND "K" HEAVY INDUSTRIAL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, governmental entities perform a variety of functions which require the use and maintenance of numerous vehicles as well as the storage of vehicles when acting in its official capacity; and

WHEREAS, the use of government property to store and conduct maintenance of such vehicles in industrially zoned districts would serve a public purpose providing zoning where such use is allowed by right; and

WHEREAS, tow yards with an office along with the storage of vehicles associated with such use are allowed by right in all industrial zoning districts but the use is not clearly identified in the Nonresidential Use Table in the Zoning Ordinance; and

WHEREAS, outside storage and display as an accessory use is allowed by right in most commercial zoning districts and in all industrial zoning districts but the use is not explicitly permitted in the medium and heavy industrial zoning districts; and

WHEREAS, it is advisable to amend the Nonresidential Use Table in the Zoning Ordinance to permit the use of a government vehicle/storage yard in medium and heavy industrial zoning districts; and

WHEREAS, it is advisable to amend the Nonresidential Use Table in the Zoning Ordinance to clarify that the use of a tow yard with office is a permitted use in all industrial districts; and

WHEREAS, it is advisable to amend the Nonresidential Use Table in the Zoning Ordinance to clarify that outside storage and display as an accessory use is permitted in medium and heavy industrial zoning districts.

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

SECTION 1.

Section 4.803, “The Nonresidential District Use Table”, under ”Public and Civic Uses, in the column entitled “Government” of Chapter 4 “District Regulations”, of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, is hereby amended to allow governmental storage of vehicles and junkyard as a permitted use in “J” Medium and “K” Heavy Industrial Districts, by inserting “Governmental vehicle storage/junkyard” after “Government office facility” and inserting a “P” in the “J” and “K” columns.

SECTION 2.

Section 4.803, “The Nonresidential District Use Table”, under “Commercial Uses”, in the column entitled “Vehicle Sales and Service” of Chapter 4 “District Regulations”, of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, is hereby amended to allow towing yard and office as a permitted use in “I” Light, “J” Medium and “K” Heavy Industrial Districts, by inserting “Towing yard with office” after “Service station” and inserting a “P” in the “I”, “J” and “K” columns.

SECTION 3.

Section 4.803, “The Nonresidential District Use Table”, under “Industrial Uses”, in the column entitled “Accessory Uses” of Chapter 4 “District Regulations”, of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, is hereby amended to allow outside storage or display as a permitted use in “J” Medium and “K” Heavy Industrial Districts, by inserting a “P” in the “J” and “K” columns.

SECTION 4.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (1986), 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 5.

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 6.

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 7.

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 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 8.

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 9.

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

SECTION 10.

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

APPROVED AS TO FORM AND LEGALITY:

By: _____
Assistant City Attorney

ADOPTED: _____

EFFECTIVE: _____