

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XV OF THE MANSFIELD, TEXAS CODE OF ORDINANCES, ENTITLED “LAND USAGE”, BY AMENDING SECTION 155.012, “DEFINITIONS”, BY ADDING A DEFINITION FOR MEMORY CARE FACILITY; BY AMENDING PARAGRAPH (B) OF SECTION 155.054, “PERMITTED USE TABLE”, TO REVISE TABLE E, “EDUCATIONAL, INSTITUTIONAL, AND SPECIAL USES” TO ESTABLISH MEMORY CARE FACILITY AS A PERMITTED USE IN THE C-2, COMMUNITY BUSINESS, C-3, COMMERCIAL-MANUFACTURING, AND PD, PLANNED DEVELOPMENT ZONING DISTRICTS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of Chapter 155 of the Mansfield Code of Ordinances, “Zoning”, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to all interested citizens, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended; and,

**WHEREAS**, the City of Mansfield, Texas is a home-rule municipality located in Tarrant County, created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to its Charter; and,

**WHEREAS**, the City Council of the City of Mansfield, Texas recognizes the need to add clarity to the Code of Ordinances through amendments and revisions to define intent and to assist with administration and enforcement.

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

**SECTION 1.**

That Section 155.012, “Definitions”, is hereby amended by adding the following definition of Memory Care Facility in alphabetical order:

**“MEMORY CARE FACILITY.** A facility meeting all applicable Federal, State, and local certificate, licensure, and regulatory requirements and that provides long-term specialized residential care for people living with Alzheimer’s disease and other forms of progressive-degenerative dementia. Resident staff necessary for operation of the facility are allowed to live on-site.”

**SECTION 2.**

That Section 155.054(B), “Permitted Use Table”, is hereby amended by revising Table E, “Educational, Institutional and Special Uses”, by inserting a new Line 17 for “Memory Care Facility”, all other impacted uses under Section 155.054(B), Table E, are to be renumbered accordingly, to read as follows:

A	SF-5AC/24	SF-12/22	SF-9.6/20	SF-8.4/18	SF-8.4/16	SF-7.5/18	SF-7.5/16	SF-7.5/12	SF-6/12	2F	MF-1	MF-2	<b>E. Educational, Institutional and Special Uses</b>	OP	C-1	C-2	C-3	I-1	I-2	PD	Parking Group Table, Sec. 155.091	Special Condit- ions, Sec. 155.0999
													...									
													17. Memory Care Facility			P	P			P	2n	

**SECTION 3.**

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.**

That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance as a whole.

**SECTION 5.**

That any person, firm or corporation violating any of the provisions of this ordinance or the Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 6.**

This ordinance shall take effect immediately from and after its passage on the first and final reading and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED ON THE FIRST AND FINAL READING BY THE CITY COUNCIL  
OF THE CITY OF MANSFIELD, TEXAS, THIS 26<sup>TH</sup> DAY OF AUGUST, 2024.**

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**Michael Evans, Mayor**

**ATTEST:**

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**Susana Marin, City Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Ashley Dierker, City Attorney**