

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING SECTION 4400B “PERMITTED USE TABLE” OF THE ZONING ORDINANCE TO RELABEL “HOSPITAL/HOME/CENTER FOR ALCOHOLIC OR PSYCHIATRIC PATIENTS” AND TO ALLOW “AMUSEMENT, COMMERCIAL (INDOOR)” IN I-2 HEAVY INDUSTRIAL ZONING UPON APPROVAL OF AN INDUSTRIAL USE PERMIT AND AMENDING SECTION 6.2, “PERMITTED USE TABLE” OF THE RESERVE PLANNED DEVELOPMENT DISTRICT STANDARDS TO RELABEL THE SAME AFOREMENTIONED LAND USE, REQUIRE SPECIFIC USE PERMIT FOR CERTAIN LAND USES, DELETE CERTAIN LAND USES AND ADD SPECIAL CONDITIONS TO CERTAIN LAND USES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING 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 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 the Zoning Ordinance of the City of Mansfield, Texas (hereinafter “the Zoning Ordinance”) and The Reserve Planned Development District Standards, 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 Zoning Ordinance and The Reserve Planned Development District Standards should be amended;

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

SECTION 1.

That Subsection E “Education, Institution and Special Uses” in Section 4400B “Permitted Use Table,” of the Zoning Ordinance is amended as shown in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2.

That Subsection M “Recreation and Entertainment Uses” in Section 4400B “Permitted Use Table,” of the Zoning Ordinance is amended as shown in Exhibit “B” attached hereto and made a part hereof for all purposes.

SECTION 3.

That Section 6.2, “Permitted Use Table” of The Reserve Planned Development District Standards is amended as shown in Exhibit “C” attached hereto and made a part hereof for all purposes.

SECTION 4.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.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 5.

The requirements contained in this Ordinance shall be effective for all “hospital/home/center for substance addiction or psychiatric patients” for which zoning, subdivision or building permit applications are made after the effective date of this Ordinance. Any such facility lawfully existing prior to the effective date of this Ordinance shall be treated as a legal conforming use. Any legal conforming use that should seek to expand or physically alter the size or building foot print of its existing facility, shall be required to comply with the provisions of this Ordinance in order to retain its legal conforming use status.

SECTION 6.

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 or The Reserve Planned Development District Standards as a whole.

SECTION 7.

Any person, firm or corporation violating any of the provisions of this ordinance, the Zoning Ordinance or The Reserve Planned Development District Standards, 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 8.

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

First reading approved on the _____ day of _____, 2016.

Second reading approved on the _____ day of _____, 2016.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2016.

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David L. Cook, Mayor

ATTEST:

Jeanne Heard, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

