

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION 4400B, PERMITTED USE TABLE TO REQUIRE A SPECIFIC USE PERMIT FOR CERTAIN USES, DELETE AND ADD CERTAIN USES, AND AMENDING SECTION 2200, DEFINITIONS, SECTION 5300, MANUFACTURED HOME DISTRICT REGULATIONS, SECTION 7200B, PARKING GROUP TABLE, SECTION 7301, SUPPLEMENTAL REQUIREMENTS FOR SCREENING OF MECHANICAL EQUIPMENT AND SERVICE AREAS, AND SECTION 7800, SPECIAL CONDITIONS TO COINCIDE WITH THE CHANGES IN SECTION 4400B; 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 Comprehensive Zoning Ordinance of the City of Mansfield, Texas (hereinafter “the Zoning Ordinance”), 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;

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

SECTION 1.

That Section 4400B “Permitted Use Table” of the Zoning Ordinance is hereby amended to read as shown in Exhibit A attached hereto and made a part hereof for all purposes.

SECTION 2.

That the term “Campground” shall be replaced with a new term “Campground or Recreational Vehicle Park” in Section 2200C.1, 5300N.2 and 7800B.3 of the Zoning Ordinance.

SECTION 3.

That the term “Nursing or Personal Care Facility” shall be replaced with a new term “Nursing or Assisted Living Facility” in Section 2200N.2 and Section 7200B.2.n of the Zoning Ordinance.

SECTION 4.

That the term “Home for the Aged” shall be replaced with a new term “Aged Restricted Senior Living Facility” in Section 7200B.2.j of the Zoning Ordinance.

SECTION 5.

That Section 2200R of the Zoning Ordinance is hereby amended by deleting paragraph 2. “Railroad Team Track” and renumbering subsequent paragraphs.

SECTION 6.

That Section 7301 “Supplemental Requirements for Screening of Mechanical Equipment and Service Areas” of the Zoning Ordinance is hereby amended by deleting Subsection C “Wrecking and Salvage Yard Screening” and renumbering subsequent Subsections.

SECTION 7.

That paragraph 19 of Section 7800B of the Zoning Ordinance is hereby amended to read as follows:

“19. Reserved for future use.”

SECTION 8.

That paragraphs 22, 27, 28 and 29 of Section 7800B of the Zoning Ordinance are hereby amended to read as follows:

- “22. Retail and Service Establishments Not Elsewhere Listed: Any retail sales or service establishment which is not listed in Section 4400B may be permitted in the designated Districts, except in the OP, C-1 and C-2 Districts, all inventory, equipment and items for sale are displayed entirely within an enclosed building; and further provided that such use is not noxious or offensive by reason of the emission of odor, dust, gas fumes, noise or vibration and that no type of manufacturing or treatment shall be permitted on any premises in the OP, C-1 and C-2 Districts other than the manufacture of products clearly incidental to the conduct of a retail business on the premises.
- 27. Warehouses: All mini-warehouses located in the C-3 District shall setback a minimum of one hundred (100) feet from the front lot line. No outside storage or display of merchandise, vehicles, equipment or objects are permitted in the C-2 District except as provided in Section 7500C of the Ordinance.
- 28 Building Material and Lumber Sales, Nursery, Garden Center - Notwithstanding the restrictions of Section 7500 C, outside storage

of materials, supplies, products and containers customarily associated with building materials, lumber sales and plant nurseries are permitted in the C-2 and C-3 Districts provided such storage area is visually screened from the street by a six (6) foot high solid fence, and provided that all building materials and lumber shall be placed on pallets or neatly packaged and consist of no used items; and provided that all plant or landscaping materials be balled or burlaped or neatly contained in pots and/or buckets.

- 29 In the C-3 Commercial-Manufacturing District, no trailer, truck or recreational vehicle available for rent shall exceed the size of a single rear axle vehicle. Trailers available for rent in said Districts shall be limited to a single wheel, dual axle, bumper pull type maximum.”

SECTION 9.

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 10.

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 11.

Any person, firm, corporation or entity that violates or assists in the violation of any of the provisions of this Ordinance or fails to comply with any of the requirements thereof, or that builds or alters any building or use in violation of any plan or permit submitted and approve hereunder, shall be guilty of a misdemeanor and upon conviction shall be punished as provided in Section 10.99 of the Code of Ordinances of Mansfield, Texas. Each day such violation exists shall constitute a separate offense.

SECTION 12.

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 _____, 2015.

Second reading approved on the _____ day of _____, 2015.

Ordinance No. _____

Page 4

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2015.

David L. Cook, Mayor

ATTEST:

Susana Marin, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney