

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE RESERVE PLANNED DEVELOPMENT DISTRICT STANDARDS TO PERMIT DRIVE-IN BANKING FACILITIES AS A PERMITTED USES IN THE CENTRAL SUB-DISTRICT OF THE RESERVE PLANNED DEVELOPMENT; 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 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 THAT:

SECTION 1.

Section 6.2 Permitted Use Table of The Reserve Planned Development District Standards is hereby amended to permit “Drive-In Banking Facilities” in the Central Sub-District of The Reserve Planned Development as shown in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.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 3.

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 4.

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 5.

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 _____, 2014.

Second reading approved on the _____ day of _____, 2014.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2014.

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

**MANSFIELD PLANNING DEPARTMENT
ACCOUNT #MANCIT04**

December 3, 2013

Public hearings will be held by Mansfield Planning & Zoning Commission on December 16, 2013 at 6:30 pm in the Council Chamber of City Hall, 1200 E Broad St, Mansfield TX and by Mansfield City Council on January 13, 2014 and January 27, 2014 at 7 pm at the same location to consider amendment of Section 6.2, Permitted Use Table of The Reserve Planned Development District Standards to allow Drive-In Banking Facilities in Central Sub-District of The Reserve Planned Development.

To be published in the 12/4/2013 edition of the Star-Telegram

PLANNING AND ZONING COMMUNICATION

Agenda: December 16, 2013

Subject: Public hearing to consider proposed amendment of Section 6.2, Permitted Use Table of The Reserve Planned Development District Standards to allow Drive-In Banking Facilities in the Central Sub-District of The Reserve Planned Development

The proposed amendment is intended to promote consistency and allow flexibility within The Reserve Planned Development regulations.

Currently, land uses such as pharmacy, restaurant and cleaner, which may have drive-through windows, are permitted in the Central Sub-District of The Reserve. However, the Permitted Use Table of The Reserve PD does not show “Drive-In Banking Facilities” as a permitted use in The Central Sub-District (see attachment).

Besides Permitted Use Regulations, the development format in The Reserve is also governed by other requirements like building and parking placement, setback, building and block length, landscaping, building height and articulation. In addition, the Central Sub-District prohibits drive-through facilities along the front of the building.

Attachment: Proposed amendment

STAFF REPORT

Agenda Date: 1/13/14

Subject: Public hearing and first reading on an ordinance approving amendment of the Permitted Use Table of The Reserve Planned Development District Standards to allow Drive-In Banking Facilities in the Central Sub-District of The Reserve Planned Development

Requested Action:

To consider the subject amendment.

Recommendation:

The Planning and Zoning Commission held a public hearing on December 16, 2013, and voted by 5-0 to recommend approval. Commissioner Neuman and Smithee were absent.

Description/History:

The proposed amendment is intended to promote consistency and allow flexibility within The Reserve Planned Development regulations.

Currently, land uses such as pharmacy, restaurant and cleaner, which may have drive-through windows, are permitted in the Central Sub-District of The Reserve. However, the Permitted Use Table of The Reserve PD does not show "Drive-In Banking Facilities" as a permitted use in The Central Sub-District (see attachment to ordinance).

The Central Sub-District regulations will continue to prohibit drive-through facilities along the front of the building. Besides the Permitted Use Regulations, the development format in The Reserve is also governed by other requirements like building and parking placement, setback, building and block length, landscaping, building height and articulation.

Attachments

Ordinance for proposed amendment

Prepared by:

Felix Wong, Director of Planning

