

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

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 155, ZONING: FORM-BASED CODE DISTRICTS, BY CREATING A NEW SECTION 155.074 “T, TOLL ROAD 360 FORM-BASED DEVELOPMENT DISTRICT” RULES AND REGULATIONS AND THUS ADOPTED BY REFERENCE, CONTAINING ITS OWN USE CHART; ESTABLISHING A FEE FOR SITE PLAN OR BUILDING PLAN APPLICATIONS REQUIRED IN FORM-BASED DEVELOPMENT DISTRICTS EXCEPT SECTION 155.072, “D, DOWNTOWN DISTRICT”; 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; 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 recognizes a need to add clarity to the Comprehensive Zoning Ordinance through amendments that help define intent of administration.

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

**SECTION 1.**

That Section 155 of the Mansfield Code of Ordinances “Form-Based Code Districts”, is hereby amended to create Section 155.074 “T, Toll Road 360 Form-Based Development District”.

**SECTION 2.**

That Section 155.074 establish the use and development of the hereinabove described district in accordance with the T, Toll Road 360 Form-Based Development District in Exhibit “A” attached hereto and made part hereof for all purposes by reference.

**SECTION 3.**

That a fee in the amount of \$2,500.00 is hereby established on the Development Fee Schedule for applications for site plans or building plans required in the Form-Based Development Districts except Section 155.072, "D, Downtown District".

**SECTION 4.**

This ordinance shall be cumulative of all the other ordinances of the Code of Mansfield, Texas, as amended affecting zoning and shall not repeal any of the provisions of such ordinance, except those instances where provisions of such ordinance are in direct conflict with the provisions of this ordinance.

**SECTION 5.**

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 6.**

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 7.**

This ordinance shall take effect immediately from and after its passage upon 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 23<sup>RD</sup> DAY OF OCTOBER, 2023.**

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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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**Bradley Anderle**, City Attorney