CITY OF MANSFIELD

Legislation Details (With Text)

File #:	22-5110	**Version:** 2	**Name:** Ordinance - Public Hearing Continuation and First and Final Reading on an Ordinance Amending Chapter 155, "Zoning" of the Mansfield Code of Ordinances to revise the Permitted Use Table in Section 155.054(B) and the Special Conditions in Section 155.099(B)
Type:	Ordinance	**Status:**	Passed
File created:	12/15/2022	**In control:**	City Council
On agenda:	1/23/2023	**Final action:**	1/23/2023

Title: Ordinance - Public Hearing Continuation and First and Final Reading on an Ordinance Amending Chapter 155, "Zoning" of the Mansfield Code of Ordinances to revise the Permitted Use Table in Section 155.054(B) and the Special Conditions in Section 155.099(B)(40) related to Donation Boxes (OA#23-001)

Sponsors: Jason Alexander

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Draft Ordinance (redlined)

Date	Ver.	Action By	Action	Result
1/23/2023	2	City Council	Approved on First and Final Reading	Pass
1/9/2023	1	City Council	Postponed	Pass

Ordinance - Public Hearing Continuation and First and Final Reading on an Ordinance Amending Chapter 155, "Zoning" of the Mansfield Code of Ordinances to revise the Permitted Use Table in Section 155.054(B) and the Special Conditions in Section 155.099(B)(40) related to Donation Boxes (OA#23-001)

To consider the proposed ordinance amendment

The Planning and Zoning Commission held a public hearing on January 3, 2023, and voted 4 to 0 to recommend approval.

Ayes: 4 - Axen, Mainer, Shaw and Thompson
Nays: 0
Absent: 3 - Gilmore, Goodwin, and Groll

Staff recommends approval.

City Council Action
The City Council held a public hearing on January 9, 2023, and voted to table their decision on the proposed amendments until the January 23, 2023, City Council meeting.

In recognition of donation boxes that are not appropriately located and maintained having an adverse impact on the visual quality and aesthetic value of disparate properties within Mansfield, the City

Council adopted amended provisions for the same on May 9, 2022. Since these provisions were adopted, additional revisions to the donation box regulations are proposed to allow for better enforcement of the ordinance.

Proposed Amendments
The additional amendments, as presented, intend to require the City Council approval of a Specific Use Permit for donation boxes in the following zoning districts:

- OP, Office Park District.
- C-1, Neighborhood Business District.
- C-2, Community Business District.
- C-3, Commercial-Manufacturing District.
- I-1, Light Industrial District.

Donation boxes are permitted as a matter of right in the I-2, Heavy Industrial District.

The additional additional amendments, as presented, intend to permit donation boxes as an accessory use to a place of worship, a nonprofit organization, and a school, provided that the operator of the donation box provide evidence of written consent from the property owner in the following zoning districts:

- 2F, Two Family Residential District.
- MF-1, Multi-family Residential District.
- MF-2, Multi-family Residential District.
- OP, Office Park District.
- C-1, Neighborhood Business District.
- C-2, Community Business District.
- C-3, Commercial-Manufacturing District.
- I-1, Light Industrial District.
- I-2, Heavy Industrial District.

Other additional amendments include the following:

- Reducing the distance requirements between two (2) donation boxes from 500 feet to 250 feet.
- Reducing the distance requirement between a donation box and any residential use or hospital, daycare, school, or college from 500 feet to 250 feet.
- Restricting the ability to locate any donation box on any paved surface or within any parking space, aisle, or loading dock and service area.
- Requiring that donation boxes have subtle, neutral, or earthen color schemes.
- Requiring that donation boxes be safely designed in a manner that will prevent any such structure from tipping over or permitting people to enter.

Jason Alexander, AICP, CEcD, Director of Planning