

ORDINANCE NO. -522

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING STANDARDS FOR DEVELOPMENT OF APARTMENT, LOCAL RETAIL, LOCAL BUSINESS, CENTRAL BUSINESS DISTRICT, COMMERCIAL, LIGHT MANUFACTURING, HEAVY MANUFACTURING, OR INDUSTRIAL ZONED AREAS; FIXING STANDARDS FOR PAVEMENT, ACCESS, DRAINAGE, OFF-STREET PARKING, SCREENING, OPEN SPACE AND UTILITIES, SITE PLAN, OUTSIDE STORAGE, CONVERSION OF EXISTING BUILDINGS, DEDICATIONS FOR ALL NECESSARY RIGHT-OF-WAY, REQUIRING COMPLIANCE WITH SUCH STANDARDS; PROHIBITING THE APPROVAL OF PLATS OR THE ISSUANCE OF BUILDING PERMITS FOR DEVELOPMENT WHICH DO NOT COMPLY WITH SUCH STANDARDS; AND DECLARING AN EMERGENCY.

WHEREAS, the governing body of the City of Mesquite after holding public hearing and after giving interested persons an opportunity to be heard has concluded that the following standards for development of Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, or Industrial areas should be adopted.

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

SECTION 1. That the following standards be and the same are hereby adopted to serve as a guide for the development of areas zoned Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, or Industrial under the zoning ordinance of the City of Mesquite. That these standards shall control the issuance of building permits for construction of buildings within the limits of the City.

SECTION 2. That the use of the words "Apartment," "Local Retail," "Local Business," "Central Business District," "Commercial," "Light Manufacturing," "Heavy Manufacturing" and "Industrial" as used in this ordinance shall refer to such areas as are zoned Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, and Industrial under the zoning ordinance of the City of Mesquite.

SECTION 3. That the following standards shall control the future development of Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, and Industrial areas in the City of Mesquite, to-wit:

1. ACCESS

(a) Street and alley rights-of-way shall be provided in accordance with the Major Thoroughfare Plan and the city's subdivision regulations.

- (b) Easements shall be provided in accordance with the city's subdivision regulations.
- (c) Driveways for Ingress and Egress
- (1) The standards as set forth in the current "Regulations for Access Driveways to the State Highways" shall be attached hereto and made a part hereof and shall serve as a guide to the City of Mesquite in approving access driveways to Apartments, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, and Industrial sites.
 - (2) Insofar as possible major driveway entrances into Apartment, Local Retail, Local Business, Central Business District, Commercial Light Manufacturing, Heavy Manufacturing, or Industrial sites on the opposite side of a street shall be aligned with each other.
- (d) Median Designs Affecting Driveway Entrances into Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, or Industrial sites.
- (1) Entrance into sites requiring left turn movements from a thoroughfare can be expected to occur no closer than 300 feet from a major thoroughfare intersection.
 - (2) At locations other than a major intersection, the median will normally be continuous for a minimum distance of 220 feet. This provides a storage of five cars in a left-turn pocket on either end of the median.
 - (3) Left-turn pockets will normally be provided at breaks in a fourteen foot or wider median and shall conform to the City of Mesquite Major Thoroughfare Plan. Normally, these breaks will be located only at major driveway entrances into the site.
- (e) Dead Ends - Routes, whether in a dedicated right of-way or in an easement, will not dead end. A means of traffic circulation shall be provided. This does not eliminate properly designed cul-de-sacs.

II. PAVEMENT

(a) Streets in Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing and Industrial districts shall be paved and the pavement shall have a minimum width requirements in conformance to a city's subdivision regulations and the thoroughfare plan and shall be paved in accordance with the City of Mesquite standard specifications.

(b) Alleys provided in Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing and Industrial districts shall be provided in accordance with existing subdivision regulations.

(c) Sidewalks and approaches in Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, and Industrial districts shall be provided in accordance with the City of Mesquite subdivision regulations.

(d) Parking areas in Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, or Industrial districts not a part of the dedicated right-of-way shall have a minimum surface grade of 4%. The surfacing material on such parking areas having less than a 3% grade shall be a minimum of six inches compacted gravel and two coats of penetration asphalt. On such parking areas having a grade greater than 3%, the minimum surfacing shall be five inches compacted gravel and two inches of hot mix asphaltic concrete.

(e) In all of the above conditions the "City of Mesquite, Texas, Paving and Drainage Specifications" shall apply and the developer shall bear the total cost of all such improvements.

III. Drainage

Storm drainage facilities shall be constructed in accordance with the City of Mesquite Paving and Drainage Specifications.

IV. OFF-STREET PARKING

The standards in the attached booklet "Parking" shall govern the design and layout of off-street parking facilities.

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V. SCREENING AND OPEN SPACE

(a) In the event an Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, or Industrial area backs or sides upon a residential or duplex district, a solid screening fence not less than six feet in height, equal to or better than a redwood fence, shall be erected and maintained along the rear or side lot property line separating the two districts so as to create a visual barrier between the two districts.

(b) In the event a building in an Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, or Industrial area backs upon a dedicated street, said building shall be separated from the street line by a minimum distance of twenty feet and said building shall be screened by a masonry fence at least eight feet in height.

(c) No such screening wall or fence shall be erected however, so as to obstruct the vision of motorists at alley, street, or drive intersections.

VI. Utilities

(a) In an Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, or Industrial District the water system shall:

(1) Comply with the requirements of the master water distribution system plan in effect at the time;

(2) Meet the requirements of the standards of construction set forth in the subdivision regulations;

(3) Be designed and constructed so as to meet the fire protection requirements pertaining to fire hydrant locations, main sizes, and fire flows as set forth in the Key Rate Schedule for a Standard City in the Texas G.B.S; and

(4) Be designed and constructed according to the "City of Mesquite Water and Sewer Specifications."

(b) In an Apartment, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, or Industrial district the sanitary sewer system shall:

- (1) Comply with the requirements of the Master Sewer Collection System Plan in effect at the time;
- (2) Meet the requirements of the standards of construction set forth in the subdivision regulations;
- (3) Be designed so as to handle the anticipated flow from the drainage area involved;
- (4) Be designed along the general lines outlined in the "City of Mesquite Water and Sewer Specifications"; and
- (5) Have no sewer main smaller than 8" in diameter except where the line to be tied into is a 6" line. In such case, the main can be a 6" line.

VII. CONVERSION OF BUILDING

That no conversion or expansion of use of existing buildings or structures for multiple family occupancy or commercial use be allowed except on the basis of remodeling plans approved by the Planning and Inspection Department showing the use which is intended, the relationship of yards, off-street parking, and other open spaces to surrounding properties.

VIII. SITE PLAN

- (a) Prior to any construction or change in use a site plan shall be submitted and shall be approved by the Planning and Inspection Department and development shall be in conformance therewith. Such approved site plan may be revised or amended if such revision or amendment thereof is first approved by the Planning and Inspection Department.
- (b) All on-site improvements shall be specified on approved site plan.
- (c) All adjacent uses of property shall be indicated on approved site plan.
- (d) All means of ingress and egress shall be as indicated on the approved site plan.
- (e) All storage facilities, whether inside or outside, shall be designated on approved site plan.
- (f) Off-street parking facilities shall be provided as indicated on the approved site plan and shall not be less than the requirement of the Zoning Ordinance for each use and occupancy.

SECTION 4. That no plats or site plans shall be approved nor building permits issued for development within the limits of the City of Mesquite where such proposed plat or development does not conform to the standards prescribed herein. Further, that no Certificate of Occupancy be issued or final inspection made until the requirements set forth in this ordinance have been met.

SECTION 5. That if any word, phrase, paragraph, section, sub-section or portion of this ordinance shall be deemed to be invalid or unconstitutional, the remaining portions of said ordinance shall remain in full force and effect the same as if such portion had not been held to be void or unconstitutional.

SECTION 6. The fact that the present ordinances and regulations of the City of Mesquite do not provide adequate standards for the development of Apartments, Local Retail, Local Business, Central Business District, Commercial, Light Manufacturing, Heavy Manufacturing, and Industrial areas, and do not provide adequate standards to be followed in the approval of plats of subdivisions or in the issuance of building permits, creates an urgency and an emergency in the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage as the Charter in such cases provides.

DULY PASSED by the City Council of the City of Mesquite, Texas, on this 3 day of February, 1964.

B. W. Cline, Jr.
MAYOR

DULY RECORDED:
Norm H. McLaughly
CITY SECRETARY

APPROVED AS TO FORM:

161 N. Louis Nichols
Attorney