

ORDINANCE NO. 1658

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MESQUITE BY DELETING THE EXISTING COMMERCIAL DISTRICT, ARTICLE 43, AND ADOPTING IN LIEU THEREOF ARTICLES 43 AND 43A, ENTITLED LIGHT COMMERCIAL AND COMMERCIAL DISTRICTS; BY PROVIDING THE USES ALLOWED THEREIN AND THE RESTRICTIONS APPLICABLE THERETO; BY DELETING THE EXISTING ARTICLE 30.02 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MESQUITE REQUIREMENTS OF DEVELOPMENT PLAN AND ADOPTING A NEW ARTICLE 30.02 ESTABLISHING THE REQUIREMENTS; BY REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE AND RETAINING IN FULL FORCE AND EFFECT ALL REGULATIONS OF THE 1973 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING THAT THE FOREGOING CHANGES ARE GRANTED SUBJECT TO ANY DEVELOPMENT OF THE LAND BEING DEVELOPED IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR FUTURE DRAINAGE IMPROVEMENT ORDINANCES; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Mesquite is hereby amended as follows, in all other respects to remain in full force and effect:

1. Article 43 of the Comprehensive Zoning Ordinance of the City of Mesquite is hereby deleted in its entirety and in lieu thereof there is hereby adopted Articles 43 and 43A, designated Light Commercial and Commercial, said articles to read as follows:

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ARTICLE 43

LC - LIGHT COMMERCIAL

PURPOSE AND SCOPE: It is the purpose of the LC District to permit Commercial activities which require only light truck traffic and which provide moderately intensive high-way service activities.

- 43.00 PRINCIPAL PERMITTED USES: Any use permitted as regulated in the General Retail District, except as hereinafter modified and the following:
- 43.001 TRADE AND BUSINESS SCHOOL: Provided that machinery used for instructional purposes is not objectionable due to noise, fumes, odor or vibration and further subject to the provisions of Article 60 of the Comprehensive Zoning Ordinance.
- 43.002 COMMERCIAL ART STUDIO: Including photographic studios, dancing studios, motion picture, radio and television production studios.
- 43.003 HOTEL, MOTEL AND MOTOR HOTEL
- 43.004 AUTOMOTIVE SALES AND SERVICE: Sales of new or pre-owned (but only if pre-owned vehicles are sold in conjunction with new vehicles) motorcycles, automobiles and/or recreational vehicles. Major automobile repair, body and fender work and body painting is allowed but only in conjunction with a sales lot and no more than 40% of the lot may be used for repair and related activities. Additionally, such activities shall not be within fifty (50) feet of any residential district and the premises shall be enclosed by a solid wall or fence at least six (6) feet high where it adjoins any residential district, public park, school or church.
- 43.005 ANIMAL HOSPITALS AND VETERINARY CLINICS: Animal hospitals and veterinary clinics allowing boarding only of animals for treatment and excluding kennels or any outside boarding of animals.
- 43.006 BUILDING MATERIALS: Retail sales of materials for building or home improvement use, including but not limited to small power tools, paints, bathroom, plumbing and electrical fixtures, hardware items and hand tools, but excluding concrete mixing operations, lumber yards and contractor yards. Outside storage shall be permitted under this use.
- 43.01 CONDITIONAL USES: The following uses shall be permitted only if specifically authorized by the City Council.
- 43.011 GENERAL: Any conditionally permitted use as regulated in the General Retail District, except as herein provided:

- 43.002 INDOOR AND OUTDOOR COMMERCIAL RECREATION: Any type of commercial recreation or amusement, including but not limited to baseball fields, swimming pools, skating rinks, golf driving ranges, drive-in theaters, miniature golf, carnivals and similar open-air facilities and all indoor facilities provided such establishments shall be a distance of at least one hundred (100) feet from any residential district and that any lighting used to illuminate any commercial recreation shall be so arranged as not to deflect onto any adjacent residential district.
- 43.003 PRIVATE CLUBS AND DANCING: Private clubs, not including fraternal organizations and lodges organized for charitable purposes, with or without dancing. If dancing is to be considered, the application and the ordinance effecting the zoning change must expressly provide for dancing, otherwise the zoning shall be deemed for private clubs without dancing. Private clubs where dancing is allowed or alcoholic beverages are consumed shall be allowed only in conjunction with food establishments and/or hotel/motel establishments and primarily along interstate highways unless it is clearly demonstrated that other areas are suitable for such purposes. (Reference Ordinance 1221 for more details).
- 43.02 ACCESSORY USES: Accessory uses and structures customarily accessory and incidental to any of the foregoing permitted uses.
- 43.03 REQUIRED CONDITIONS: Processes and equipment employed and goods processed and sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste and must comply with the Performance Standards in Article 60.
- 43.031 OUTSIDE STORAGE OF MATERIALS: No outside storage is permitted except for new merchandise for display such as automobiles.
- 43.04 SEPARATION FROM RESIDENTIAL DISTRICT: Any building or outside storage, except for display of new merchandise, must be located a minimum of 100 feet from any residential district.
- 43.05 HEIGHT REGULATIONS: No building shall exceed three (3) standard stories in height, unless all stories above three standard stories are set back from all street lines an additional one (1) foot for each two (2) feet of height above such three (3) story limit.
- 43.06 LOT AREA, FRONTAGE AND YARD REQUIREMENTS: The following minimum requirements shall apply:

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- 43.061 LOT AREA: No minimum
- 43.062 LOT WIDTH: The minimum lot width shall be sixty-five (65) feet.
- 43.063 MAXIMUM LOT COVERAGE: The total area of the main buildings and all accessory buildings erected on a lot as computed between the outside walls of each structure, shall not exceed fifty (50) percent of the total area of the lot.
- 43.064 FRONT YARD: The front yard shall have a minimum depth of twenty-five (25) feet.
- 44.065 SIDE YARD: No side yard is required for an interior side lot. If the lot in this district is an exterior lot or adjoins a residential district, the side yard shall be not less than fifteen (15) feet.
- 43.066 REAR YARD: No rear yard is required, except when adjoining a residential district, then the rear yard shall be fifteen (15) feet.
- 43.07 SITE PLAN: A site plan showing the proposed development including all easements, property lines, physical features, fire lanes and fire hydrants, buildings, parking facilities, and locations of refuse collection points shall be filed with the City Planner and reviewed by the Development Review Committee.
- 43.08 EXTERIOR FIRE RESISTANT CONSTRUCTION: All buildings shall be of fire resistant construction. See below.
- 43.081 PROTECTED STRUCTURES: Buildings protected by a sprinkler system approved by the City of Mesquite Fire Department shall have exterior walls, with the exception of doors and windows, constructed of brick, stone, concrete block, or other masonry, or materials of equal fire resistant characteristics in accordance with the City of Mesquite Building Code and Fire Prevention Code.

Wood shall be permitted without limitation to surface area for the purpose of decor over a noncombustible surface which has a four(4) hour fire resistance rating. Exterior wood siding used for decor shall not exceed one (1) inch nominal dimension. Heavy timbers as prescribed by the National Building Code may be used but shall be limited to post and awning supports. No post shall be constructed as to connect to the front wall of any building and any such projection shall meet those requirements as set forth in the following paragraph.

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UNPROTECTED STRUCTURES: Structures not protected by an approved sprinkler system shall be of the same exterior fire resistant construction as above and wood shall be permitted as follows:

Exterior wood shall be permitted for the purpose of decor over a noncombustible surface which has a four (4) hour fire resistance rating. Exterior wood siding used for decor shall not exceed one (1) inch nominal dimension, except heavy timber classification as prescribed by the National Building Code. Heavy timbers shall be limited to post and awning supports. No post shall be constructed as to connect to the front wall of any building and any such projection shall meet those requirements as set forth in the following paragraph:

The maximum surface area where wood decor is permissible shall not exceed ten (10) percent of any one wall and shall be limited to thirty-five (35) feet in height. The wood decor shall be separated with a two (2) hour rated noncombustible material. Said separation may be a minimum of four (4) inch projection from the face wall of the building. A space separation may be used in lieu of the four (4) inch projection and shall be located no more than at intervals of seventy-five (75) feet in a single occupancy and at each side of every part wall. Space separations shall be thirty (30) inches in width and each party wall space separation shall be twelve (12) inches from the exterior side of each party wall.

43.09

PARKING REGULATIONS:

- a. Refer to Parking Regulations for the O-District and Paragraph 40.09 of the Mesquite Zoning Ordinance,
- b. Hotels and motels shall provide off-street parking spaces at the ratio of one (1) space for each guest room,
- c. Motor vehicle sales rooms and used car lots shall provide off-street parking spaces at a ratio of one (1) space for each six hundred (600) square feet of sales floor lot area and
- d. For additional information, refer to Article 61.

43.10

SCREENING: Screening shall be provided according to the following:

- a. In the event that a LC District backs or sides upon a

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residential district, a solid masonry screening fence not less than six (6) feet in height shall be erected and maintained along the property line dividing the two districts,

- b. A masonry screening fence shall consist of materials of equal composition and characteristics as the main building in the district and
- c. No such screening fence shall be erected so as to obstruct the vision of motorists at alley, street, or drive intersections.

ARTICLE 43--A
C - COMMERCIAL

PURPOSE AND SCOPE: The C-District is intended to accommodate a wide variety of commercial uses and have a general application as a highway service district.

- 43.00A PRINCIPAL PERMITTED USES: Any use permitted and regulated in the LC-Light Commercial District, except as hereinafter modified and the following:
- 43.001A EATING ESTABLISHMENTS: Drive-in restaurants; provided that the premises shall be enclosed by a solid masonry wall at least six (6) feet high where it adjoins in the rear or on the sides any residential district, public park, school or church.
- 43.002A AUTOMOTIVE SERVICES, FARM IMPLEMENTS: Motorcycle sales and repair; car washes; automobiles, trucks, trailers, farm implements for sale, display, hire, or repair, including sales lots, used car lots, trailer lots; repair garages, body and fender shops, paint shops, but not within fifty (50) feet of any residential district; provided that the premises shall be enclosed by a solid wall or fence at least six (6) feet high where it adjoins in the rear or on the sides any residential district, public park, school or church.
- 43.003A ANIMAL HOSPITALS, VETERINARY CLINICS, ETC.: Small animal hospitals, kennels, display and housing or boarding of pets provided that any enclosures or buildings in which the animals are kept shall be at least two hundred (200) feet from any residential district and at least one hundred (100) feet from any non-residential district. Exercise runs shall be enclosed on four (4) sides by a sight-obscuring, unpierced fence or wall at least five (5) feet high.
- 43.004A PARKING STRUCTURES AND LOTS: Parking structures and lots for passenger vehicles only, provided that the premises shall be enclosed by a solid wall or fence at least six (6) feet high where it adjoins any residential district.
- 43.005A WAREHOUSING: Any type of warehousing, distribution centers provided that:
- (1) All yard activities and loading be distant at least 200 feet from any residential district.
 - (2) No building shall exceed one standard story, unless distant 100 feet from any residential district.
- 43.006A MISCELLANEOUS: Large full service department stores, commercial laundry plant.

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43.007A BOTTLING WORKS: Bottling of soft drinks and milk or distribution stations, milk dairy, ice cream plants provided that:

- (1) All yard activities and loading be distant at least 200 feet from any residential district.
- (2) The building used for such processing and distribution is at least 200 feet from a residential district.

43.008A BUILDING AND RELATED TRADES: Carpenter shops, paint shops, furniture upholstering and similar enterprises, sheet metal shops, sign painting shops, monument service shops provided that:

- (1) All buildings and related activities are required to be distant at least 100 feet from any residential district.

43.009A CONTRACTORS YARD AND RELATED ESTABLISHMENTS: Building material yards (retail sales only) (excluding concrete mixing, contractors' equipment storage yard or plant, or storage yard for rental of equipment commonly used by contractors); trucking or motor freight stations or terminals; retail lumber yards, including incidental millwork; storage and sale of grain, or livestock feed; heavy machinery sales and storage; provided such uses are conducted (a) wholly within a completely enclosed building or buildings, except for storage of vehicles which building shall be distant at least one hundred (100) feet from any residential district, unless such building has no openings other than stationary windows and required fire exits within such distance, but not within fifty (50) feet of any residential district in any case; or (b) when conducted within an area completely enclosed on all sides with a solid wall or uniformly painted solid board fence not less than six (6) feet high but within two hundred (200) feet of any residential district; provided further that all storage yards related to the uses in this paragraph shall be screened and all yard activities and loading be distant at least 200 feet from any residential district.

43.0010A SELF-SERVICE GASOLINE SALES: Self-service gasoline sales may be conducted in conjunction with the operation of a convenience store as such terms are herein defined and subject to the conditions herein prescribed, to wit:

1. A minimum lot area of 12,000 square feet is required.
2. A minimum street frontage of 120 feet is required.
3. Drive approaches shall be a minimum of 40 feet in width.
4. Drive approaches shall be a minimum of 20 feet from a street intersection.

5. Pump islands, compressed air connections, etc. shall be a minimum of 25 feet from the front property line.
6. Canopies shall be a minimum of 22 feet from front property lines.
7. All illumination shall be installed so as to reflect away from surrounding residential properties.
8. All self-service dispensing facilities shall also provide an emergency shut-off switch which will completely eliminate the flow of gasoline from all of the self-service pumps in any emergency situation. The emergency shut-off switch shall be located in the vicinity where the station attendant will be located the majority of the time.
9. All pump islands shall be located a minimum of 100 feet from any residential district.
10. The maximum number of gasoline pumps located on the site shall be limited to three (3).
11. The maximum number of gasoline pump islands located on the site shall be limited to one (1).
12. All other automobile services, except for self-service gasoline sales, shall be prohibited.

43.01A CONDITIONAL USES: The following uses shall be permitted only if specifically authorized by the City Council.

43.011A PROCESSING AND FABRICATION: Processing and fabrication of premanufactured parts or materials into finished or semi-finished products for resale and/or distribution, such as packing or foodstuffs, mixing of paint, preparation of certain products provided that:

- (1) No building openings or yard activity within 100 feet of any residential district.
- (2) No loading docks within 200 feet of any residential district.
- (3) No building shall exceed 1 standard story in height, unless distant at least 100 feet from any residential district.

43.012A MOBILE HOME PARKS: Subject to site plan approval in accordance with Article 62.

43.013A HEALTH STUDIOS, MASSAGE PARLORS, HEALTH SPAS

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43.014A MISCELLANEOUS: Secondhand stores, used furniture or rummage sales, roadside stands (in permanent structure only), airport, heliport landing field or pad, poultry hatchery, wholesale meat processing, electrical generating plant.

43.015A HEAVY MILLWORK, CARTING, EXPRESS AND HAULING ESTABLISHMENTS INCLUDING STORAGE OF VEHICLES provided that:

- (1) Buildings required to be distant at least 100 feet from any residential district.
- (2) All yard activities and loading be distant at least 200 feet from any residential district.

NON-PERMITTED USES: For clarity, the following heavy commercial uses are specifically noted as non-permitted. All other non-permitted uses are regulated as per other sections of this ordinance. Petroleum storage, sand and gravel sales and storage, are not allowed under permitted or conditional uses in the Commercial District.

43.02A ACCESSORY USES: Accessory uses and structures customarily accessory and incidental to any of the foregoing permitted uses.

43.021A METAL BUILDINGS: Masonry front will not be required on accessory building provided accessory building does not directly front or abut any public street and provided the accessory building is fifty (50) feet from the front property line.

43.03A REQUIRED CONDITIONS: Processes and equipment employed and goods processed and sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water carried waste, and must comply with the Performance Standards in Article 60.

43.031A OUTSIDE STORAGE OF MATERIALS: Articles, goods, or materials (not wholly within a completely enclosed building) except for incidental outdoor display of retail merchandise, shall be screened from public view with a permanently maintained solid fence constructed with wood or masonry or landscaped berm or other alternatives as approved by the Development Review Committee.

43.04A HEIGHT REGULATIONS: No building shall exceed six (6) standard stories in height, unless all stories above six standard stories are set back from all street lines one (1) foot for each two (2) feet of height above such six (6) story limit.

43.05A LOT AREA, FRONTAGE, AND YARD REQUIREMENTS: The following minimum requirements shall apply:

43.051A LOT AREA: No minimum.

43.052A MAXIMUM LOT COVERAGE: The total area of the main building and all accessory buildings erected on a lot as computed between the outside walls of each structure, shall not exceed fifty (50) percent of the total area of the lot.

43.053A FRONT YARD: The front yard shall have a minimum depth of twenty-five (25) feet. Provided, however, the front yard setback required by this ordinance shall not prohibit parking under the following conditions.

A curb or barrier is provided to prevent parking in the area extending thirty (30) feet from the outer edge of the egress drive counter to the flow of traffic.

Where a lot fronts on a street having two-way traffic without a median or other physical divider the egress drive shall be located so as to provide at least thirty (30) feet on either side of the egress drive.

43.054A SIDE YARD: No side yard is required for interior side lot. If the lot in this district is an exterior lot or adjoins a residential district, the side yard shall be not less than fifteen (15) feet.

43.055A REAR YARD: No rear yard is required, except when adjoining a residential district, then the rear yard shall be fifteen (15) feet.

43.06A SITE PLAN: A site plan showing the proposed development including all easements, property lines, physical features, fire lanes and fire hydrants, buildings, parking facilities, and locations of refuse collection points shall be filed with the City Planner and reviewed by the Development Review Committee.

43.07A EXTERIOR FIRE RESISTANT CONSTRUCTION: All buildings shall be of fire resistant construction. See below. Butler or Delta-type steel buildings are allowed in the Commercial district with masonry fronts after obtaining a Conditional Use.

43.071A PROTECTED STRUCTURES: Buildings protected by a sprinkler system approved by the City of Mesquite Fire Department shall have exterior walls, with the exception of doors and windows, constructed of brick, stone, concrete block, or other masonry, or materials of equal fire resistant characteristics in accordance with the City of Mesquite Building Code and Fire Prevention Code.

Wood shall be permitted without limitation to surface area for the purpose of decor over a non-combustible surface which has a four (4) hour fire resistance rating. Exterior wood siding used for decor shall not exceed one (1) inch nominal dimension. Heavy timbers as prescribed by the National Building Code may be used but shall be limited to post and awning supports. No post shall be constructed as to connect to the front wall of any building and any such projection

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shall meet those requirements as set forth in the following paragraph.

43.072A UNPROTECTED STRUCTURES: Structures not protected by an approved sprinkler system shall be of the same exterior fire resistant construction as above and wood shall be permitted as follows:

Exterior wood shall be permitted for the purpose of decor over a non-combustible surface which has a four (4) hour fire resistance rating. Exterior wood siding used for decor shall not exceed one (1) inch nominal dimension, except heavy timber classification as prescribed by the National Building Code. Heavy timbers shall be limited to post and awning supports. No post shall be constructed as to connect to the front wall of any building and any such projection shall meet those requirements as set forth in the following paragraph:

The maximum surface area where wood decor is permissible shall not exceed ten (10) percent of any one wall and shall be limited to thirty-five (35) feet in height. The wood decor shall be separated with a two (2) hour rated non-combustible material. Said separation may be a minimum of four (4) inch projection from the face wall of the building. A space separation may be used in lieu of the four (4) inch projection and shall be located no more than at intervals of seventy-five (75) feet in a single occupancy and at each side of every party wall. Space separations shall be thirty (30) inches in width and each party wall space separation shall be twelve (12) inches from the exterior side of each party wall.

43.08A SIGN REGULATIONS: The sign regulations in the O-District shall apply. Refer to Paragraph 40.09.

43.09A PARKING REGULATIONS:

- (a) Refer to Parking Regulations for the O-District. Refer to Paragraph 40.09.
- (b) Hotels and motels shall provide off-street parking spaces at the ratio of one (1) space for each guest room.
- (c) Motor vehicle sales rooms and used car lots shall provide off-street parking spaces at a ratio of one (1) space for each six hundred (600) square feet of sales floor or lot area.
- (d) For additional information, refer to Article 61.

43.10A

SCREENING: Screening shall be provided according to the following:

- (a) In the event that a C-District backs or sides upon a residential district, a solid masonry screening fence not less than six (6) feet in height shall be erected and maintained along the property line dividing the two districts.
- (b) A masonry screening fence shall consist of materials of equal composition and characteristics as the main building in the district.
- (c) No such screening fence shall be erected so as to obstruct the vision of motorists at alley, street, or drive intersections.

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2. Article 30.02 of the Comprehensive Zoning Ordinance of the City of Mesquite entitled Requirements of Development is hereby deleted and a new Article 30.02 is hereby adopted to read as follows:

30.02 Requirements of Development Plan: A Development plan shall include, but not necessarily be limited to the following information:

- a. Land area included in the site and proposed boundaries thereof,
- b. Identification of ownership and zoning of adjacent property, and if the adjacent property is platted, the identification of all streets and alleys that dead-end into the subject property,
- c. Existing topography with contours at 5 foot intervals and for sites with unusual topographic characteristics, contours at 2 foot intervals or spot elevations may be required,
- d. Location and width of all existing and proposed streets, private drives, rights-of-way and easements either abutting, intersecting or crossing the site and an indication of any proposal to relocate or abandon same,
- e. North point, scale at not less than 1" - 100' and date,
- f. Except for conventional single family (defined as houses on lots with 60' minimum widths), location of each existing and proposed structure on the site showing the approximate outlines of perimeter walls of the structures with their distances from the property lines and other buildings, proposed building materials to be used, the number of stories, gross floor area and location of all entrances and exits to the building,
- g. For apartments, townhouses, condominiums and high-density detached single family, a table showing unit size, number of bedrooms and number of each unit type. Floor plans and building elevations may also be required,
- h. Number and dimensions of parking spaces, width of driveways and driveway aisles; location of illumination facilities may also be required,
- i. For apartments, townhouses, condominiums and high-density detached single family, a landscaping plan showing existing wooded areas to remain, types and locations of plantings, pedestrian walkways, location and height of all fences, walls and screen plantings, location and dimensions of recreational facilities, and proposed equipment for play areas. Approval of the landscaping plan may be postponed until after the PD site plan approval or delegated to the Staff.

- j. Location, size, height and orientation of all signs particularly those which are non-conforming to the City of Mesquite Sign Ordinance.
- k. Location of all on-site facilities for solid waste disposal.
- l. Location of all existing water, sanitary and storm sewer facilities within or abutting the site.
- m. Approximate location of fire hydrants and designation of fire lanes.

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance, shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1973.

SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.


SECTION 5. That 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 hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

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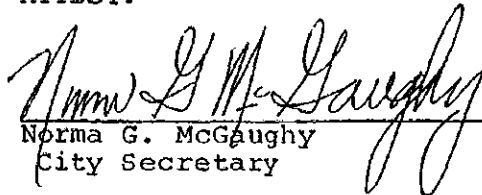
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of December, A.D., 1980.



B. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughy
City Secretary

Elland Archer
City Attorney