

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE EXISTING ARTICLE 30 OF THE CITY OF MESQUITE COMPREHENSIVE ZONING ORDINANCE AND ADOPTING A NEW ARTICLE 30 IN LIEU THEREOF AND ESTABLISHING CERTAIN PROCEDURES FOR APPLICATION, APPROVAL AND IMPLEMENTATION OF PLANNED DEVELOPMENT ZONING; 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 Article 30 of the City of Mesquite Comprehensive Zoning Ordinance is hereby deleted in its entirety and a new Article 30 is hereby adopted to read as follows; in all other respects said Comprehensive Zoning Ordinance to remain in full force and effect:

1. Article 30 of the Comprehensive Zoning Ordinance of the City of Mesquite is hereby deleted in its entirety and in lieu thereof there is hereby adopted Article 30, designated PD-Planned Development, said article to read as follows:

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ARTICLE 30  
PD - PLANNED DEVELOPMENT

PURPOSE AND SCOPE: The PD - Planned Development District is designed to provide flexibility in development planning and the opportunity for the application of planning concepts. Planned Development zoning shall require the submission and approval of a development site plan.

\*30.00 APPLICATION PROCEDURES: Application for a PD District shall be made in the same manner as an application for any amendment to the Zoning Ordinance and shall include the following additional information:

\*30.001 PROPOSED USES: An application for a PD District shall specify and describe the category or type of use or the combination of uses proposed. Permitted uses under PD zoning shall be specified in each PD ordinance. If such ordinance specifies permitted uses by references to a zoning district, the permitted uses shall include those uses permitted in the referenced district, including those permitted through the cumulative provision of the zoning ordinance.

\*30.002 DEVELOPMENT REQUIREMENTS: An application for a PD District shall include a list of development requirements, which may be incorporated into the PD ordinance. Development requirements may include, but not be limited to, density, lot size, unit sizes, setbacks, building heights, lot coverage, parking ratios, screening and other requirements the Council may deem appropriate.

Standards set forth in specific zoning districts will be used as guidelines for planned developments. Modifications of standards may be considered if the modification substantially meets the intent of the ordinance and improves the overall development design or if a unique project design is proposed which cannot readily be accommodated through other districts - pecuniary reasons shall not be the sole reason for modifying standards.

\*30.003 CONCEPT PLAN: An application for a PD District shall include a concept plan showing a preliminary layout of proposed uses, access, buildings, parking, open space and the relationship to existing natural features and adjacent properties and uses.

The Concept Plan shall be construed as an illustration of the development concepts and not as an exact representation of all specific development details.

- 30.01 DEVELOPMENT SITE PLAN: Approval of a development site plan shall be a prerequisite to the issuance of building permits for any property in a PD District. The approval of a development site plan may also serve as preliminary plat approval provided that all requirements of the Subdivision Ordinance and its subsequent amendments are satisfied.
- \*30.011 COMPLIANCE WITH APPROVALS: The development site plan must comply with all provisions of the PD ordinance specifying development standards and substantially reflect the precepts and layout set forth in the Concept Plan. If in the judgement of the Development Review Committee, a development site plan does not comply with the provisions of the PD ordinance and the Concept Plan incorporated therein, the Development Review Committee may reject such plan, in which case a new site plan may be submitted or application must be made to amend the PD ordinance, including all requirements for notices and public hearings. If a PD ordinance does not specify development standards or has not incorporated a Concept Plan, the development plan approval shall specify such standards. Development requirements on such development plans may be revised under the same review, notice and approval procedures as applied to the original approval of the Plan and application to amend the PD ordinance shall not be required.
- 30.012 REVIEW PROCESS: The development plan review process shall include review by the Planning and Zoning Commission and referral to the City Council with a recommendation and review and final approval of the development plan by the City Council. The City Council may delegate the authority for final approval of the Development Plan to the Development Review Committee or Planning and Zoning Commission if it is satisfied that adequate information has been reviewed on the Concept Plan.
- 30.013 COURTESY NOTICE: A courtesy notice issued at least 10 days prior to official action by the Planning and Zoning Commission, shall be provided to all property owners within 200 feet of a proposed project for which a Planned Development Site Plan has been submitted.
- 30.014 MODIFICATIONS: The Planning and Zoning Commission may recommend and the Council may require such modifications of a development site plan that will insure the proposed project will be in harmony with the existing and anticipated development of surrounding areas.

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\*30.015 REQUIREMENTS:

- a. General Information: Twenty (20) copies of development site plan; vicinity map or adequate reference to intersecting streets to locate specific property; north arrow, date, scale (not less than 1" = 100').
- b. Site/adjacent property information: Site indicating boundaries and project phase lines, if any; public or private rights of way and easements on site or abutting or intersecting the site; adjacent properties with zoning and existing uses identified.
- c. Building Layout: Existing and proposed structures showing approximate outline of perimeter walls and including distances to property lines and other structures; front, side and rear building setback lines; proposed category of use or uses of structures; Elevation views or renderings indicating architectural design, building materials proposed and window orientations (one copy required); number of stories in height and feet; gross floor area; location of entrances and exists.
- d. Circulation and Parking: Location, dimensions and proposed construction of all streets, private drives, alleys, parking areas and drive approaches; streets drives and alleys which are adjacent to or dead-end into the site, including the location of existing and proposed median openings and left-turn lanes in boulevard streets; number and dimensions of parking spaces and width of drive approaches and aisles; sidewalks and other facilities for pedestrian circulation; location, width and curve radii for required fire lanes.
- e. Drainage/Utilities/Services: Existing and proposed topography reflecting proposed handling of on-site surface drainage; limits of the 100 year flood plain and floodway as shown on current FIA mapping including location and acreage; proposed improvements and method of maintenance for any drainage channels; existing and proposed water and sanitary sewer layout; existing and proposed fire hydrant locations; proposed locations for solid waste container pads.

- f. Screening/Open Space/Recreational Facilities: Location, height and building materials for any proposed or required walls or fences; height, location and type of any proposed berms or living screens; location and size (if applicable) of proposed recreation facilities (swimming pools, tennis courts, etc.); location of open play areas and playgrounds with play equipment; landscape plan.
- g. Living Units: Table showing type of units by size, number of bedrooms, and number of each type; floor plans for all units.

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ADMINISTRATIVE ACTION: Upon approval of a Development Site Plan by the City Council and approval of the preliminary plat, application may be made for the permits and certificates necessary for construction. Subsequent to such approval, minor changes may be authorized by the Director of Community Development when such changes will not cause any of the following circumstances to occur:

- a. A change in the character of the development,
- b. An increase in the ratio of the gross floor area in structures to the area of any lot,
- c. An increase in the intensity of use,
- d. A reduction in the originally approved separations between buildings,
- e. An increase in the problems of circulation, safety, and utilities,
- f. An increase in the external effects on adjacent property,
- g. A reduction in the originally approved setbacks from property lines,
- h. An increase in ground coverage by structures,
- i. Reduction in the ratio of off-street parking and loading space to the gross floor area in structures, and
- j. Change in the locations, lightings, or orientation of originally approved signs.