

ORDINANCE NO. 2345  
File No. 2086-4

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,  
AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973 DULY PASSED BY THE CITY COUNCIL ON SEPTEMBER 4, 1973, BY ADOPTING ARTICLES 43A.0191, 44.0113 AND AMENDING 43A.005; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY:

WHEREAS, the City Planning Commission of the City of Mesquite and the governing body of the City of Mesquite in compliance with the Charter of the City of Mesquite and State laws with reference to granting of zoning change under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein:

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

SECTION 1. That the Comprehensive Zoning Ordinance of 1973, duly passed by the City Council of the City of Mesquite, Texas, on the 4th day of September, 1973, be and the same is hereby amended as follows, in all other respects to remain in full force and effect:

A. The following article is hereby amended as follows:

1. Article 43A.005 is amended to read:

43A.005. WAREHOUSING. Warehousing, distribution centers (excluding miniwarehousing) provided that:

1) All yard activities and loading be a distance of at least 200 feet from any residential district.

2) No building shall exceed one-story, unless being the distance of 200 feet from any residential district.

B. New Articles 43A.0191 and 44.0113 are hereby adopted, each to read as follows:

43A.0191 and 44.0113. MINIWAREHOUSING. Warehousing designed specifically to provide "dead storage" for patrons in individual, compartmentalized or controlled-access stalls or lockers and subject to

the following conditions:

- 1) No outside storage is allowed.
- 2) All drives, parking, loading and vehicle circulation area except for landscaping areas shall be paved in accordance with Article 61.
- 3) Continuous marked fire lane access is required around all buildings in compliance with Fire Code requirements. Fire lanes shall be a minimum 20 feet in width with 30 foot interior radius and 50 foot exterior radius.
- 4) A minimum 28 foot separation between buildings is required to provide 8 feet for the loading area and a 20 foot fire lane.
- 5) An apartment may be provided for an on-site manager/security guard.
- 6) Recreational vehicle storage may be provided with a minimum 24 foot fire lane between rows of parking spaces and a minimum 10x30 parking spaces for each recreational vehicle. These storage areas should be oriented to the rear of the project and specifically shown on the site plan for the project.
- 7) Parking shall be provided for the office/apartment at the following ration:
  - a) 2 spaces for the manager's apartment, and
  - b) 1 space for each 50 units
- 8) Buildings shall be limited to one-story within 200 feet of any residential district

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

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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 (\$200.00) Dollars for each offense.

SECTION 7. Whereas, the fact that the present ordinances of the City of Mesquite are not adequate to permit 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.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 6th day of October A.D., 1986.

  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Lynn Prugel  
City Secretary

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Elland Archer  
City Attorney

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