

ORDINANCE NO. 2351

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING ORDINANCE NO. 1136, THE MESQUITE SUBDIVISION REGULATIONS; BY DELETING CERTAIN PRESENT LANGUAGE AND ADDING CERTAIN NEW LANGUAGE; 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.

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

SECTION 1. That Ordinance No. 1136 is hereby amended read as follows, in all other respects to remain in full force and effect:

- III. E.(3)a Delete "858", so section refers only to "Comprehensive Drainage Ordinance".
- III. E.(4)a Delete references to Resolutions 40-71 and 2-62; revise section to read "...constructed in accordance with the City's water distribution plan and "Water and Sewer Specifications...."
- III. E.(5)a Delete references to Resolutions 40-71 and 2-62; revise section to read "...constructed in accordance with the City's Sewer Plan and the "Water and Sewer Specifications...."

IV. Filing Fees Replace Article as follows:

The following schedules of fees and charges shall be collected by the City when any preliminary or final plat is tendered to the Commission by each of the fees and charges provided for herein shall be paid in advance, and no action of the Commission or any other board agency shall be valid until the fee shall have been paid.

Short Form Plat	
Preliminary	\$ 50.00
Final	50.00
SINGLE FAMILY/DUPLEX SUBDIVISION PLAT	
Preliminary	\$150 + \$3.50 per lot
Final	\$150 + \$3.50 per lot

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TOWNHOUSE/MULTIFAMILY
SUBDIVISION PLAT

Preliminary	\$150 + \$3.50 per lot
Final	\$150 + \$3.50 per lot

NON-RESIDENTIAL PLAT

Preliminary	\$150 + \$5.00 per acre
Final	\$150 + \$5.00 per acre

These fees shall be charged on all plats, regardless of the action taken by the Commission, whether the plat is approved or denied. The money collected shall help defray the costs of administrative, clerical, and inspection services necessary to properly investigate the plats, replats, and subdivisions.

- V. A.(1) Delete "a part of the Comprehensive Plan, adopted by Resolution 40-71".
- V. A.(12) Delete "adopted by Resolution 11-62".
- V. B.(3) Delete "for both front and rear property access".
- V. B.(4) Revise to "a minimum paved width of twenty-two feet"
- V. B.(7) Replace with: "Access to residential property for required off-street parking shall be from the alley wherever paved alley access is available. Access from the alley shall not exclude another means of access from the front or side. No side lot or rear lot access to residential property shall be allowed from any arterial street as defined herein."
- V. B.(8) Revise to "a radius of five (5) feet".
- V. C.(1) Delete "adopted by Resolution 11-62".
- V. C.(2) Replace with "Pedestrian sidewalks not less than four (4) feet wide shall be provided around the perimeter of all blocks adjacent to the right of way/property line. Sidewalks not less than five (5) feet in width adjacent to the curb may be approved by the DRC if connecting walks are adjacent to the curb, if placement on the right of way line will cover utilities, or if the required landscape/screening option along a major street

specifies a sidewalk adjacent to the curb. The DRC shall deny requests to place sidewalks adjacent to a curb where such sidewalk will cover utilities lines unless the above conditions are met".

- V. C.(3) Add Section: "When a lot is platted and developed adjacent to a drainage, utility or other right of way or easement, the extension of the sidewalk across such right of way or easement shall be required to provide a continuous sidewalk connection. If no connecting sidewalk exists on the opposite side of the easement or right of way, extension of the sidewalk to the midpoint of the easement or right of way shall be required".
- V. D.(2) Delete "858"
- V. D.(4) Delete "858"
- V. E.(4) Delete
- V. F.(5) Replace with "No lot shall be platted less than one hundred (100) feet in depth unless specifically approved in the applicable zoning, except that the Commission may waive the depth requirement to prevent a hardship to the developer in cases where an irregular shaped tract is platted into lots and a remnant piece of property is sufficient to plat one or more lots."
- V. F.(10) Replace with "No lot shall be replatted to reduce the size of lots ordinally platted by a common dedicator without public hearings and procedures as set out in State law. No lot may be reduced below the minimum size and width required in its zoning classification".
- V. H.(1) Replace with "Access driveways to multi-family and non-residential uses shall comply with adopted standards of the City of Mesquite."
- V. H.(3) Add section: "Access drives shall be a minimum fifty (50) feet in distance from any street intersection and a minimum one hundred (100) feet from any intersection which is signalized or which in the opinion of the Traffic Engineer will require future signalization, unless approved by the Traffic Engineer."
- V. J.(1) Replace with "Off street parking shall be provided in accordance with the requirements of the Zoning Ordinance and shall be paved in

accordance with the standard specifications and requirements of the City of Mesquite."

- V. J.(2) Replace with "The design and layout of all off-street parking facilities shall conform with the parking layout and design standards set forth by the City of Mesquite.
- V. K. Delete "858" and "adopted by Resolution 11-62".
- VII. A.(1) Delete "adopted by Resolution 2-62".
- VII. B.(1) Delete "adopted by Resolution 2-62".
- VII. C.(2) Revise first sentence with "...every five hundred (500) feet in residential areas...." Add after first sentence "In any case, a fire hydrant shall be placed no more than one hundred (100) feet from the curb line at the intersection of two arterial streets as defined herein.

VIII. ENFORCEMENT

Add before existing paragraph:

"Every building hereafter erected, altered, expanded, or otherwise located shall be on a platted lot of record, which creates a building site, except when situated on a bona fide farm or ranch. No building permit shall be issued until such platted building site is created".

APPENDIX

Delete.

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 (\$200.00) Dollars 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.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 20th day of October A.D., 1986.



Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:



Lynn Prugel
City Secretary

Elland Archer
City Attorney

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