

ORDINANCE NO. 3031

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE DULY ADOPTED ON SEPTEMBER 4, 1973 AND RECODIFIED ON NOVEMBER 21, 1988 SO AS TO ADOPT SECTION 4-202H EXPIRATION, REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY AND DECLARING AN EMERGENCY.

WHEREAS, through administration and experience, the Planning and Zoning Commission has determined that it is necessary to revise certain regulations so that the intended purposes of the Zoning Ordinance are best served; and

WHEREAS, the Planning & Zoning Commission did give public notice and did hold public hearings regarding proposed revisions and has recommended amendment of the ordinance; and

WHEREAS, the City Council did give public notice and did hold public hearings regarding the proposed amendments;

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

SECTION 1. That the Mesquite Zoning Ordinance, duly adopted on September 4, 1973, and recodified on November 21, 1988, be amended by adopting Section 4-202H EXPIRATION as set out below.

Section 4-202H. EXPIRATION.

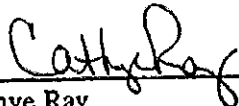
Approval of any development site plan on file on the date of passage of this section and any site plan approved after the date of passage shall automatically expire after five years from the date of approval unless a building permit has been issued and development activity on the tract has begun. When an initial or partial phase of a project is constructed, the approval of the development site plan for any additional phases shall automatically expire after five years from the date of initial approval unless a building permit has been issued for the additional phases and development activity on the additional phases has begun. Extension of the approval period may be requested at any time prior to expiration or within 60 days after expiration. When it is determined that no significant changes affecting the site plan have occurred, the City Council may, after recommendation by the Planning & Zoning Commission, extend the approval. All approvals and extensions shall be valid for five years from the date of action, unless the City Council specifies a greater or a lesser period.

SECTION 2. 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 of the provisions hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 3. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Mesquite Zoning Ordinance, as amended, and upon conviction in the Municipal Court shall be punished by a fine not to exceed (\$2,000.00) Dollars for each offense.

SECTION 4. The fact that the present ordinances of the City of Mesquite are inadequate 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 1st day of May, 1995.



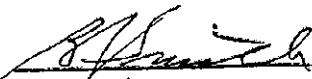
Cathye Ray
Mayor

APPROVED:

ATTEST:



Lynn Prugel
City Secretary



B.J. Smith
City Attorney