

ORDINANCE NO. 3396

File No. 2000-1

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, BY DELETING SECTION 3-302C IN ITS ENTIRETY; BY AMENDING SECTION 3-504A BY ADDING 3-504A.6; BY DELETING SECTION 3-504C IN ITS ENTIRETY AND ADDING A NEW SECTION 3-504C; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning 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 changes 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 all 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 Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by deleting Section 3-302C in its entirety; by amending Section 3-504A by adding 3-504A.6; by deleting Section 3-504C in its entirety and adding a new Section 3-504C to read as follows, said ordinance in all other respects to remain in full force and effect.

- (1) Amend by deleting Section 3-302C in its entirety.
- (2) Amend Section 3-504A by adding 3-504A.6 to read as follows:
 6. *Masonry Columns* Columns and/or other supports for the canopy shall provide a masonry exterior finish which matches the exterior masonry construction of the main structure.
- (3) Amend by deleting Section 3-504C in its entirety and inserting a new Section 3-504C to read as follows:

C. Limited Gasoline Sales

Limited gasoline sales are permitted in conjunction with the operation of a convenience store in all districts which permit convenience stores. Limited gasoline sales shall mean that only one gasoline service area, generally limited to servicing no more than eight cars at a time, shall be permitted. One pump island


with four pumps or two related pump islands with two pumps each shall be deemed to be limited service areas.

SECTION 2. That should any word, sentence, clause, paragraph, phrase or section of this ordinance be 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 Mesquite 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 deemed to 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 two thousand dollars (\$2,000.00) for each offense.

SECTION 4. That the need to regulate proper development of the City of Mesquite and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and 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 November, 2000.



David Paschall
Mayor Pro Tem

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B.J. Smith
City Attorney