

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE SUBDIVISION ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, BY ADDING NEW INFORMATION TO SECTIONS B(2)(c), B(2)(d) AND B(2)(l) OF ARTICLE III; BY DELETING CERTAIN INFORMATION FROM SECTION C(5) OF ARTICLE III AND ADDING NEW INFORMATION TO SECTION C(5) OF ARTICLE III; BY DELETING THE CURRENT SECTION C(13) OF ARTICLE III AND SECTIONS A(3)(a) AND B(3) OF ARTICLE V IN THEIR ENTIRETY AND ADDING A NEW SECTION C(13) OF ARTICLE III AND SECTIONS A(3)(a) AND B(3) OF ARTICLE V; THEREBY ADDING REQUIREMENTS TO PLATTING AND DESIGN STANDARDS; PROVIDING A REPEALER CLAUSE; 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, in order that the intended purposes of the Subdivision Ordinance are best served, it has been determined necessary to amend certain language of said ordinance; and

WHEREAS, the City Council did give public notice and did hold a public hearing regarding the proposed amendment.

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

SECTION 1. That the Mesquite Subdivision Ordinance, adopted on September 4, 1973, be and the same is hereby amended by adding new information to Sections B(2)(c), B(2)(d) and B(2)(l) of Article III, by deleting certain information from Section C(5) of Article III and adding new information to Section C(5) of Article III, by deleting the current Section C(13) of Article III and Sections A(3)(a) and B(3) of Article V in their entirety and adding a new Section C(13) of Article III and Sections A(3)(a) and B(3) of Article V to read as follows, in all other respects said Code and Chapter to remain in full force and effect.

- (1) Amend Section B(2)(c) of Article III by adding the following sentence to the end of the paragraph:

ARTICLE III. PLATTING PROCEDURE

B. Procedure for approval of preliminary plat.

- (2)(c) All drainage structures, public and private, must be placed in a drainage easement.

- (2) Amend Section B(2)(d) and B(2)(l) of Article III by adding a second paragraph to end of each section to read as follows:

ARTICLE III. PLATTING PROCEDURE

B. Procedure for approval of preliminary plat.

- (2)(d) The plat must show two property corners with grid coordinates. Grid coordinates must be referenced from a GPS point. Grid coordinates must be in North American Datum (NAD) 83, Texas State Plane, North Central FIPS Zone 4202. The plat must hold grid bearings. Bearings may not be from an assumed North. Distances on the plat will be surface distances.
- (2)(l) The ultimate and FEMA 100-year floodplain and FEMA floodway boundaries must be shown. Also, finished floor elevations for any structure, including garages (2 feet above the ultimate 100-year water surface elevation) must be shown for all lots within or adjacent to the 100-year floodplain.
- (3) Amend Section C(5) of Article III by deleting the second paragraph in the current Section C(5) in its entirety and adding a new second paragraph to Section C(5) to read as follows:

ARTICLE III. PLATTING PROCEDURE

C. Procedure for approval of final plat.

- (5) An electronic version of the final plat is required at the time the recorded plat is returned to the Planning and Zoning Division office. The electronic file will be a ".dwg" file composed in Auto Cad, any version. The electronic version must be submitted on CD-ROM. If any revisions are made to the final plat, an updated electronic copy of the final plat must be forwarded.
- (4) Amend Section C(13) of Article III by deleting the current Section C(13) in its entirety and adding a new Section C(13) to read as follows:

ARTICLE III. PLATTING PROCEDURE

C. Procedure for approval of final plat.

- (13) A certificate of ownership giving a metes and bounds description of the property, dedication of all streets, alleys, easements,

parkways and parks where dedicated to the City and dedication or reservation of all easements and drainage ways to the public use, signed and acknowledged before a Notary Public by the owner of the land, the Maintenance Agreement for Drainage Facilities, shall appear on the face of the plat or index sheet of the plats where two (2) or more sheets are required.

- (5) Amend Sections A(3)(a) and B(3) of Article V by deleting the current Sections A(3)(a) and B(3) in their entirety and inserting new Sections A(3)(a) and B(3) to read as follows:

ARTICLE V. GENERAL REQUIREMENTS AND DESIGN STANDARDS

A. Streets.

- (3)(a) *Residential.* Twenty-seven (27) feet pavement within fifty (50) feet of right-of-way with a minimum thickness of six (6) inches. The reinforcing steel will be number four (4) bars on eighteen (18) inch centers both ways.

B. Alleys.

- (3) Alleys in residential districts (including multi-family districts) shall be provided parallel, or approximately parallel, to the property frontage on the street. Alley right-of-way dedications in residential districts shall be a minimum of eighteen (18) feet in width and pavement shall be constructed a minimum of twelve (12) feet in width except where the alley connects to a residential street. The alley width will be sixteen (16) feet wide to the proposed street right-of-way. The alley width will transition from sixteen (16) feet at the street right-of-way to twelve (12) feet in a distance of twenty (20) feet. The alley right-of-way will transition from twenty-two (22) feet at the street right-of way to eighteen (18) feet in that same transition length.

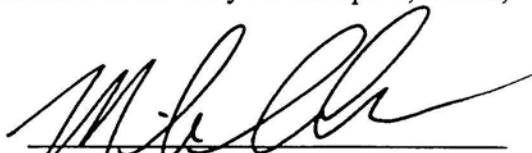
SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. 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 upon conviction in the Municipal Court shall be punished by a fine not to exceed two thousand dollars (\$2,000.00) for each offense.

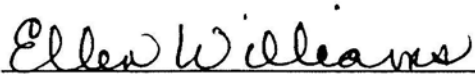
SECTION 5. That to insure the intended purposes of the Subdivision Ordinance are best served, it has been determined necessary to amend certain language of said ordinance, creating an urgency and an emergency for the preservation of the public health, safety and welfare, and requiring that this ordinance 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 16th day of April, 2001.



Mike Anderson
Mayor

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B. J. Smith
City Attorney