

ORDINANCE NO. 3862
Zoning Text Amendment No. 2007-3

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 3-402(D) IN ITS ENTIRETY AND ADDING A NEW SECTION 3-402(D) THEREBY ALLOWING THE USE OF RECYCLED CONCRETE FOR PARKING AREAS IN CERTAIN INDUSTRIAL APPLICATIONS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, in order that the intended purposes of the Mesquite Zoning Ordinance are best served, it has been determined necessary to amend certain language of said ordinance; and

WHEREAS, the Planning and 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 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 Zoning ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by deleting Section 3-402(D) in its entirety and adding a new Section 3-402(D), to read as follows, said Ordinance in all other respects to remain in full force and effect:

D. SURFACING.

Except as provided herein, all parking spaces and access drives shall be surfaced with asphalt or concrete pavement. All pavement must be of sufficient strength to support the heaviest vehicular loads imposed on it and shall be so graded and drained to dispose of all surface water in accordance with requirements of the City of Mesquite, and shall be marked to provide for orderly and safe loading, unloading, parking and storage of vehicles. All surfaces shall be maintained in good condition, generally free of potholes, cracks or broken pavement and allowing uninhibited access to all parking and loading spaces or drives.

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| 1. Single-Family and Duplex Residential Uses | Single-family and duplex residential drives and parking shall be surfaced with concrete. |
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2. Industrial Districts

For industrial-zoned parcels that do not abut a residential district or use, the Development Review Committee may approve recycled concrete pavement for private parking areas used to store or park oversized vehicles. Such parking areas shall be designed and maintained according to specifications approved by the City Engineer and subject to demonstrated compliance with the particulate standards of Section 1-400.


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 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 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 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 (\$2,000.00) Dollars for each offense.

SECTION 5. That this ordinance shall be effective immediately from and after its passage.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of April, 2007.




Mike Anderson
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary



B.J. Smith
City Attorney