

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 11 OF THE CODE OF THE CITY OF MESQUITE BY ADDING A NEW ARTICLE X; THEREBY ADOPTING THE COMMUNITY APPEARANCE MANUAL; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

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

SECTION 1. That Chapter 11 of the Code of the City of Mesquite is hereby amended by adding a new Article X to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

ARTICLE X. COMMUNITY APPEARANCE

Sec. 11-500. Community appearance — declaration of policy.

The City Council hereby finds and declares as a matter of public policy that the design and appearance of buildings impact the image of the community, and as a result, the ability of the City to attract the development of executive housing and new commercial construction. Achieving these goals is critical if the City is to build and maintain a tax base that is capable of supporting a high level of essential public services. Accordingly, the regulation of architectural appearance is a public necessity that has the following purposes:

- (a) Strengthen the economy of the City;
- (b) Increase the level of investment in the development of land;
- (c) Encourage reinvestment in, and the revitalization of, distressed commercial property in the vicinity of new construction;
- (d) Stabilize and improve residential and non-residential property values;
- (e) Foster civic pride and enhance the image of the City;
- (f) Attract new employers who place a high value on a community's quality of life;
- (g) Create, over time, a community that has a cognizable sense of place; and
- (h) Build a market for higher-end residential development.

Sec. 11-501. Community Appearance Manual adopted.

There is hereby adopted a Community Appearance Manual v1.0, dated December 2007, which is incorporated herein as though set forth in full. The principles and

requirements of the Manual shall supersede any conflicting design standards and building materials specified in the Mesquite Zoning Ordinance, unless otherwise stated within the Manual. The Board of Adjustment is not authorized to grant relief from the provisions of the Manual.

Sec. 11-502. Administration.

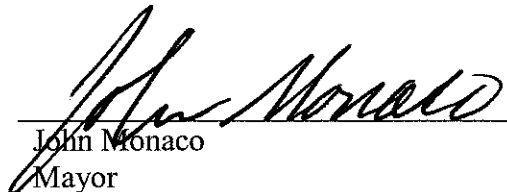
The Director of Community Development or his designee shall review all non-exempt development activity for compliance with the provisions of the Manual. Review shall take place concurrent with all other permit reviews affecting the project. Any applicant aggrieved by a decision of the Director may appeal the same to the Planning and Zoning Commission. The applicant may appeal the determination of the Planning and Zoning Commission to the City Council by filing the appeal in writing with the Director of Community Development no later than 10 days following the Commission's action.

SECTION 2. 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 3. That all ordinance 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 ordinance or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

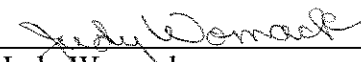
SECTION 4. That this ordinance shall be effective immediately from and after its passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 17th day of December, 2007.



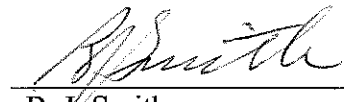
John Monaco
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B. J. Smith
City Attorney