

ORDINANCE NO. 4424

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 11 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY DELETING SECTION 11-502 IN ITS ENTIRETY AND ADDING A NEW SECTION 11-502 THEREBY AMENDING THE ADMINISTRATION SECTION OF THE COMMUNITY APPEARANCE MANUAL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A REPEALER CLAUSE.

WHEREAS, the Community Appearance Manual (“the CAM”) was adopted by the City Council on December 17, 2007; amended by Ordinance No. 4005 on November 17, 2008; and incorporated in the Code Book of the City of Mesquite, Texas, as amended, in Section 11-500; and

WHEREAS, it is important to the process of development review in the City to provide an avenue for appeal from the provisions of the CAM and to clarify the steps for filing an appeal; and

WHEREAS, the Council deems it appropriate to establish as the first step in the process that appeals shall be filed with the City Manager, who may review and render a decision on the appeal before it proceeds to Planning and Zoning Commission or City Council for action.

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, Texas, as amended, is hereby amended by deleting Section 11-502 in its entirety and adding a new Section 11-502 to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

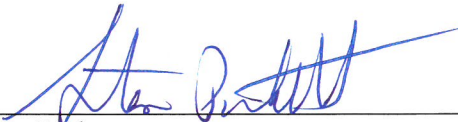
Sec. 11-502. Administration.

The Director of Planning and Development Services 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 may petition the City Manager in writing for relief from the provisions of the Manual. Within 10 days from receipt of the City Manager’s decision, the applicant 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 Planning and Development Services 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.

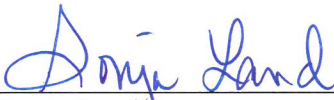
SECTION 3. That all ordinance or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinance or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of May, 2016.



Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney