

ORDINANCE NO. 4928
File No. Z1121-0230

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM LIGHT COMMERCIAL TO PLANNED DEVELOPMENT – LIGHT COMMERCIAL TO ALLOW AN ANIMAL SHELTER WITH OUTDOOR FACILITIES ON PROPERTY LOCATED AT 1650 GROSS ROAD SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the City Council, in compliance with the Charter of the City of Mesquite, state laws and the zoning ordinance, have given the required notices and held the required public hearings regarding the rezoning of the subject properties; and

WHEREAS, the City Council finds that it is in the public interest to grant this change in zoning.

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

SECTION 1. That the subject property is approximately 2.0136 acres with a legal description of being in the Mesquite Animal Shelter, Block 1, Lot 1, and located at 1650 Gross Road in Mesquite, Dallas County, Texas (the **“Property”**).

SECTION 2. That the Mesquite Zoning Ordinance (**“MZO”**) is amended by approving a change of zoning from Light Commercial to Planned Development – Light Commercial to allow an animal shelter with outdoor facilities subject to the following stipulations:

1. PERMITTED USES. The permitted uses on the Property include the permitted uses in the Light Commercial District classification (**“LC”**) as set out in the MZO, and those permitted uses on the Property are subject to the same requirements as set out in the MZO. Additional uses permitted on the Property are identified in the subsection below:
 - a. The permitted uses requiring a conditional use permit (**“CUP”**) as set out in the MZO also require a CUP for the use to be permitted on the Property.
 - b. Animal Shelter and Pet Adoption with outdoor kennels or activities are permitted on the Property.
2. A six-foot tall fence may be permitted in the front yard setback.

SECTION 3. 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

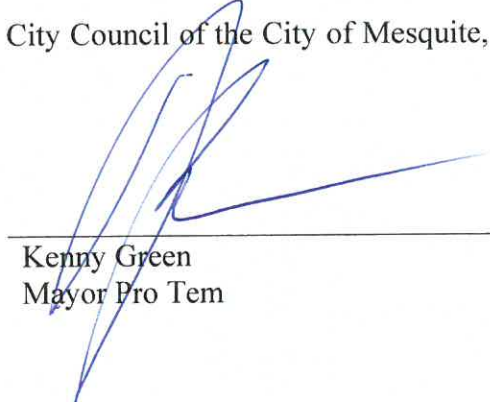
SECTION 4. That the Property shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 6. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

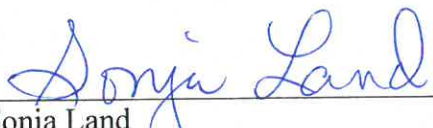
SECTION 7. That this ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd day of January 2022.



Kenny Green
Mayor Pro Tem

ATTEST:



Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney