

ORDINANCE NO. 5224
File No. Z1125-0429

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL TO COMMERCIAL WITH A CONDITIONAL USE PERMIT (“CUP”) TO ALLOW THE SALE OF USED CLOTHING, FURNITURE, HOME DÉCOR AND ACCESSORIES ON PROPERTY LOCATED AT 3129 INTERSTATE HIGHWAY 30, UNIT H, SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; 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 property; 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. The subject property is Unit H of the approximately 1.8890 acres, platted as Commercial Parks, Block A, Part of Lot 2, and located at 3129 Interstate Highway 30, Unit H (the “**Property**”).

SECTION 2. The Mesquite Zoning Ordinance (“**MZO**”) is amended by approving a change of zoning from Commercial to Commercial with a Conditional Use Permit (“**CUP**”) for the Property to allow the sale of used clothing, furniture, home decor and accessories as a permitted use with the following findings and stipulations:

1. The used merchandise shall be limited to gently used clothing, furniture, home décor, and accessories. No repair or refinishing of merchandise shall occur on site as part of this use.
2. Merchandise display shall be orderly and similar in style to typical displays at general merchandise and department stores.
3. No display of used merchandise shall be permitted outside the establishment.

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4. All merchandise offered for display or sale shall be clean and in good, usable condition. The display or sale of severely damaged or nonfunctional items is prohibited.
5. Handwritten labels or price tags shall not be used or permitted on merchandise, displays, or signage visible to the public.
6. Previously-owned merchandise shall be marked as such.
7. A violation of the City's Code of Ordinances or this ordinance is a ground for revocation of the Certificate of Occupancy for the Property and revocation of the CUP.
8. The City Council finds that said use(s) defined and permitted under this Conditional Use Permit are sufficiently unusual in character or operation as to create the potential for variations in function or operation with possible negative impacts upon adjacent properties or on the citizenry as a whole.
9. The CUP for used merchandise sales is approved solely for Hot Trash Junk Removal, LLC, dba Haute Trash Thrift and the CUP is not transferable or assignable to a different owner or business. A different business applicant desiring to continue this use must submit a new application requesting to continue the CUP and any such application shall require the procedures outlined in the MZO for initial approval of a CUP.

SECTION 3. 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. The Property described in Section 1 of this ordinance shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

SECTION 5. 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. Any violation of the provisions or terms of this Ordinance by any "person," as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite Zoning Ordinance, Part 5, 5-100, [Section 5-103](#) (General Penalties), or successor and as amended.

SECTION 7. This Ordinance shall be published in the City's official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

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SECTION 8. 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 5th day of January 2026.

Signed by:

Daniel Alemán, Jr.

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Daniel Alemán, Jr.
Mayor

ATTEST:

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Sonja Land

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Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

Signed by:

David L. Paschall

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David L. Paschall
City Attorney