

ORDINANCE NO. 4022  
Zoning Text Amendment No. 2008-8

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 PROVIDING CERTAIN ADDITIONS AND DELETIONS UNDER SECTIONS 4-100 AND 4-1020 THEREBY CREATING A NEW ZONING CLASSIFICATION TO BE KNOWN AS THE NORTH GUS THOMASSON CORRIDOR FORM-BASED DISTRICT; ADOPTING THE NORTH GUS THOMASSON CORRIDOR REVITALIZATION CODE THEREBY CONTROLLING THE USES, SITE DEVELOPMENT AND FORM OF BUILDINGS FOR ALL LAND, PUBLIC AND PRIVATE, WITHIN THE NORTH GUS THOMASSON DISTRICT; PROVIDING 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, the Mesquite Comprehensive Plan identifies neighborhood sustainability zones as the planning framework for the revitalization of certain neighborhoods and their adjacent distressed commercial corridors; and

WHEREAS, the Comprehensive Plan establishes key policies for neighborhood sustainability zones to include pedestrian-orientation with a complete streets approach, the use of form-based regulations to promote business corridor renewal and compatibility between building functions, and recreation of the public realm through extensive use of building enclosure, landscaping, sidewalks and civic spaces; and

WHEREAS, the Community Development Department has prepared a new form-based district for the North Gus Thomasson Corridor to fulfill the policies and strategies of the Comprehensive Plan; and

WHEREAS, in order that the intended purposes of the Comprehensive Plan are best served, it has been determined necessary to amend certain language of the Mesquite Zoning Ordinance to enact the North Gus Thomasson Corridor District; and

WHEREAS, the Planning and Zoning Commission did give public notice and did hold two 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 providing certain additions and deletions under Sections 4-100 and 4-1020 to read as follows, said Ordinance in all other respects to remain in full force and effect:

- (1) *Section 4-103(C).* Amend by adding a new Section 4-103(C) to read as follows:

C. NORTH GUS THOMASSON CORRIDOR

There shall be a district known as the NGTC – North Gus Thomasson Corridor District, which constitutes one of the instruments for implementing the public purposes and objectives of the Casa View Heights Neighborhood Plan adopted by the City Council on April 2, 2007. The form-based elements of the NGTC district are designed exclusively for the commercial corridor that is embedded within the Casa View Heights Neighborhood Sustainability Zone as amended. There shall be only one contiguous NGTC district within the City. Any expansion of the district shall be bounded at least on one side by an existing NGTC district boundary.

- (2) *Sections 4-1020 through 4-1023.* Amend by adding new Sections 4-1020 through 4-1023 to read as follows:

4-1020 NORTH GUS THOMASSON CORRIDOR  
FORM-BASED DISTRICT

4-1021 PURPOSE AND SCOPE

The North Gus Thomasson Corridor is a commercial corridor adjacent to the Casa View Heights neighborhood, which is situated generally northwest of the intersection of Gus Thomasson Road and Oates Drive. In April 2007, the City Council adopted the Casa View Heights Neighborhood Plan that included strategies for reconnecting the residential core of the neighborhood with the Gus Thomasson commercial area and revitalizing the corridor. Both the commercial corridor and the Casa View Heights neighborhood are part of a walkable neighborhood sustainability zone that encompasses properties fronting Gus Thomasson Road north from Interstate Highway 30 to the Mesquite city limits.

The purpose of the North Gus Thomasson Corridor zoning district is to integrate residential and neighborhood-scaled commercial functions in a form that increases buildable densities in a pedestrian-oriented, visually attractive environment. With an emphasis on form, rather than the separation of land uses, the district not only encourages, but also mandates building disposition and configuration in a manner that is unique in the City of Mesquite. In doing so, the district is designed to provide a straightforward, visual prescription for revitalization of the North Gus Thomasson corridor over time.

4-1022 NORTH GUS THOMASSON CORRIDOR DISTRICT

The NGTC zoning classification is a mixed-use district that stands separate and apart from all other zoning districts in the City. It is not an overlay district. The City shall have only one contiguous North Gus Thomasson Corridor District.

4-1023 NORTH GUS THOMASSON REVITALIZATION CODE

After the effective date of this ordinance, the uses and buildings on all land rezoned to NGTC shall conform exclusively to the North Gus Thomasson Corridor Revitalization Code, adopted concurrent with the creation of the NGTC district, and which is incorporated herein as if set forth in full.

SECTION 2. That the North Gus Thomasson Corridor Revitalization Code (the "Code") is hereby adopted as the set of regulations controlling the uses, site development and form of buildings for all land, public and private, within the North Gus Thomasson Corridor District, and that the Code shall be amended hereafter in the same manner prescribed for text changes to the Mesquite Zoning Ordinance.

SECTION 3. That a copy of the North Gus Thomasson Corridor Revitalization Code shall be maintained in the office of the City Secretary as an original document and ordinance of the City.


SECTION 4. 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 5. 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 6. 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.

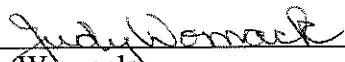
SECTION 7. That this ordinance shall be effective immediately from and after its passage.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,  
on the 15th day of December, 2008.

  
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John Monaco  
Mayor

ATTEST:

APPROVED:

  
\_\_\_\_\_  
Judy Womack  
City Secretary

  
\_\_\_\_\_  
B. J. Smith  
City Attorney