

ORDINANCE NO. 4188
Zoning Text Amendment No. 2011-04

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 DELETIONS AND ADDITIONS UNDER SECTION 5-302 THEREBY ALLOWING NOTIFICATION PROCEDURES FOR REZONINGS AND TEXT AMENDMENTS TO INCLUDE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF MESQUITE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS, in order that the intended purposes of the Mesquite Zoning Ordinance are best served, it has been determined necessary to amend certain language of said ordinance; and

WHEREAS, the Planning and Zoning Commission did give public notice and did hold a public hearing 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 deleting Sections 5-302(A)(2) and 5-302(D) in their entirety and adding new Sections 5-302(A)(2) and 5-302(D) to read as follows, said Ordinance in all other respects to remain in full force and effect:

- (1) *Section 5-302(A)(2).* Amend by deleting the section in its entirety and adding a new Section 5-302(A)(2) to read as follows:

Proposed Changes in Text

Before the 15th day before the date of the hearing, notice of the time and place of the hearing on proposed changes in regulations and/or the text of the Zoning Ordinance shall be published in the official newspaper of the City or a newspaper of general circulation in the City.

- (2) *Section 5-302(D).* Amend by deleting the section in its entirety and adding a new Section 5-302(D) to read as follows:

COUNCIL PUBLIC HEARING AND NOTIFICATION

The City Council shall hold at least one public hearing on each application. Before the 15th day before the date of the hearing, notice of the time and place of such hearing shall be published in the official newspaper of the City or a newspaper of general circulation in the City.

SECTION 2. 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

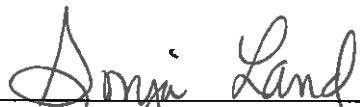
SECTION 3. That should any word, sentence, clause, paragraph, phrase or section of this ordinance be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional and shall not affect the validity of the Mesquite Zoning Ordinance as a whole.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 7th of November, 2011.




John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney