

ORDINANCE NO. 4269  
Zoning Text Amendment No. 2013-02

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 3-200 AND 3-500 THEREBY REGULATING SIC 42 AND THE PERMITTED LOCATION, USE, OCCUPANCY AND DESIGN CRITERIA FOR SELF-STORAGE MINIWAREHOUSING; 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, 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 providing additions and deletions under Sections 3-200 and 3-500 to read as follows, said Ordinance in all other respects to remain in full force and effect:

- (1) *Section 3-203.* Amending the permitted use chart in Section 3-203 by regulating SIC 42 as follows:

SIC CODE	USE DESCRIPTION	O	GR	LC	THN K20 NGTC 1	CV	MU	CB	SS	C	I	PKNG STND	SPECIAL CONDITIONS
42	MOTOR FREIGHT TRANSPORTATION, WAREHOUSING (except) (Ord. 3220/5-5-98)									C*	P*	5	See Special Conditions on previous page.
	a. Miniwarehousing Self-Storage							C*		C*	C*		Requires compliance with 3-502 (Ord. 2816/6-1-92).

- (2) *Section 3-502.* Amend by deleting Sections 3-502(C)(2) through 3-502(C)(10) in their entirety and adding new Sections 3-502(C)(2) through 3-502(C)(11) to read as follows:

2. *Screening* Projects shall be designed with solid exterior masonry walls with no openings, so that access doors to the storage units are not visible from the public sides of the project. Unless lined, buildings shall be connected by masonry walls, eight-feet in height, designed to match the building exterior except at the entrance area, where wrought iron fencing may be used.
3. *Liners* The outermost wall of buildings with storage units and any connecting walls shall have liner buildings with leasable space for the first and second stories along collector, arterial and highway frontage streets. "Leasable space" shall mean an enclosed area designed and intended for any use permitted in the district, except self-storage or warehousing, which requires a valid certificate-of-occupancy and the physical presence of one or more persons to conduct the use.
4. *Office/Apartment* The leasing office, manager's apartment shall be 100 percent masonry with a "residential-style" design, including materials, doors, windows, roofing, roof pitch, etc., typically used in residential design and construction and shall not exceed one-story in height if adjacent to a residential district. In areas adjacent to nonresidential districts, the zoning district height limit shall apply.
5. *Exterior Appearance* All building exteriors shall be 100 percent masonry. Principal façades shall comply with the Community Appearance Manual; provided that on the façade of unlined buildings and connecting walls fronting a local street, the Transparency Principle shall not apply and shall include, in addition to other requirements of the Manual, articulated columns, pilasters or other design features with a minimum relief from the wall of 12 inches.
6. *Setbacks* The minimum setback adjoining any residential district line shall be 10 feet; provided that the rear of the buildings may be utilized as the required screening wall. All other district setback lines shall apply.
7. *Building Height* Maximum building height adjacent to a residential district line shall be one-story, generally limited to a maximum of 11 feet. In areas adjacent to nonresidential districts, the district height limit shall apply.
8. *Landscaping* Professionally designed landscaping, full irrigated, shall be provided on all public sides of the property and shall include at a minimum, foundation plantings and a tree line. A buffer tree line shall be established within the 10-

foot landscape strip adjoining a residential district in accordance with Section 1A-301.

9. *Mechanical Equipment*

No roof-mounted equipment shall be allowed.

10. *Signage*

Signage shall be limited to wall and monument signs, i.e., no pole signs shall be permitted.

11. *Lighting*

Lighting shall be installed with no fixtures extending above the rooflines and/or shining toward the residential district.

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.

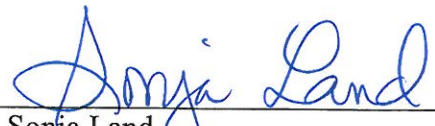
SECTION 3. That should any word, sentence, clause, paragraph, phrase or section of this ordinance be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal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

SECTION 4. 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.

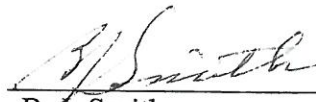
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st of July, 2013.

  
\_\_\_\_\_  
John Monaco  
Mayor

ATTEST:

  
\_\_\_\_\_  
Sonja Land  
City Secretary

APPROVED:

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

