

ORDINANCE NO. 5003  
File No. Z1022-0259

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM INDUSTRIAL WITHIN THE SKYLINE LOGISTICS HUB OVERLAY DISTRICT TO INDUSTRIAL WITHIN THE SKYLINE LOGISTIC HUB OVERLAY DISTRICT WITH A CONDITIONAL USE PERMIT TO ALLOW A 195-FOOT TALL TELE-COMMUNICATION TOWER ON PROPERTY LOCATED AT 1545 HIGH POINT DRIVE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING FOR PUBLICATION; 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 (“**Property**”) is described as being approximately 9.90 acres, platted as High Point Industrial Park, Block 1, Lot 3, and located at 1545 High Point Drive, Mesquite, Dallas County, Texas.

SECTION 2. The Mesquite Zoning Ordinance is amended by approving a change of zoning for the Property from Industrial within the Skyline Logistics Hub Overlay District to Industrial within the Skyline Logistics Hub Overlay District with a Conditional Use Permit to allow a Communications Tower in the rear yard with modifications to allow a height of 195 feet and to allow the proposed Communication Tower to be located within the required separation distance from the closest Communication Tower.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.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

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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](#).

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 6th day of February 2023.

DocuSigned by:  
*Daniel Aleman Jr.*  
D999585317D142B  
Daniel Alemán, Jr.  
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

DocuSigned by:  
*Sonja Land*  
C2518095973F46A  
Sonja Land  
City Secretary

DocuSigned by:  
*David L. Paschall*  
666F18891208434  
David L. Paschall  
City Attorney