

ORDINANCE NO. _____
Zoning Text Amendment No. 2018-05

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 MAKING CERTAIN DELETIONS
AND ADDITIONS IN SECTIONS FOUND UNDER CHAPTERS
3-200 AND 6-100 THEREBY PROVIDING NEW AND REVISED
REGULATIONS FOR AMUSEMENT AND RECREATION
SERVICES; PROVIDING A REPEALER CLAUSE; PROVIDING
A SEVERABILITY CLAUSE; 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 in sections found under Chapters 3-200 and 6-100 to read as follows, said Ordinance in all other respects to remain in full force and effect:

- (1) *Chapter 3-200.* Amend Table 3-203 in Chapter 3-200 by deleting the current schedule of permitted uses under SIC CODE 7999(b) in its entirety and adding a new schedule of permitted uses under SIC CODES 7999(b) and 7999(g) to read as follows:

Table 3-203 Schedule of Permitted Uses

SIC CODE	USE DESCRIPTION	O	GR	LC	C V	MU	CB	S S	C	I	P K N G S T N D	SPECIAL CONDITIONS
7999 Amusement, Recreation Service, NEC												
a.	Outdoor Facilities, Activities (Includes miniature golf, driving ranges, go-cart tracks, skateboard parks, etc.)								C	C	13	Prohibits outdoor activities within 200 feet of any residential district.

SIC CODE	USE DESCRIPTION	O	GR	LC	C V	MU	CB	S S	C	I	P K N G S T N D	SPECIAL CONDITIONS
b.	Indoor Facilities, Activities (Includes billiard and bingo parlors, slot car tracks, etc.) (except c-g)			C		C	C		C	C	12	Requires buildings to be located at least 100 feet from any residential district.
c.	Commercial Art Galleries, Museums	P	P	P		P	P		P	P	15	
d.	Sports Instruction (Indoor)		P	P			P		P	P	1	
e.	Ticket Agencies, Sports/Recreation		P	P			P		P	P	1	
f.	Escape Rooms		P	P		P	P		P	P	12	(Ord. 4419/3-21- 2016)
g.	Recreational and Entertainment Facilities		P	P			P		P	P	28	

- (2) *Chapter 6-100.* Amend Chapter 6-100 by adding a new definition for “Recreational and entertainment facilities” in Section 6-102 to read as follows:

Recreational and entertainment facilities: A facility whose principal purpose is to provide space and equipment for nonprofessional athletic activities within a fully enclosed building. A recreational and entertainment facility includes, but is not limited to, the following: batting cages, ice or roller skating rink, indoor rides, miniature golf course, laser tag, whirlyball, children play center, trampoline park, climbing center or similar facility or any combination of the above. This use does not include indoor shooting ranges.

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 the need to regulate proper development of the City of Mesquite and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,
on the 6th day of August, 2018.

Stan Pickett
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED:



Paula Anderson
Interim City Attorney