

NOTICE OF TEMPORARY MORATORIUM

Effective Thursday, June 22, 2017, a temporary moratorium is in effect on the development of truck stops and other development that includes the parking of heavy load vehicles as a principal use or as an accessory use. During the temporary moratorium, no department of the City will accept applications or plans for development for permits, plats, verifications, rezonings, site plans or new or revised certificates of occupancy for truck stops or truck-related uses.

Land uses affected by the Temporary Moratorium

A **truck stop** means a building, business or premises consisting of one or more adjoining parcels, that includes the refueling of heavy load vehicles and which offers, provides directly or through on-site third parties, conducts or acquiesces in, with or without payment, fee, minimum fuel purchase or any other form of compensation, any of the following services or amenities for heavy load vehicles or the drivers of such vehicles:

- Major or minor repairs or maintenance
- Tire sales or repair
- A facility or designated space for self-repairs
- Truck parking in excess of four hours
- Overnight accommodations, showers, laundry or fitness facilities
- Truck washing

Truck parking as a **principal use** means such parking is a primary part of the total activity on a site and is more than incidental or insubstantial to other activities. Truck parking as an **accessory use** means such parking is conducted in conjunction with a principal use which constitutes only an incidental or subordinate part of the total activity on a site and which is commonly associated with the principal use.

Purpose of the Temporary Moratorium

Recent applications for new or expanded businesses, which attract or accommodate a large volume of interstate-class trucks, have demonstrated that current regulations may be inadequate to control the negative impacts of such businesses on the surrounding street network, on the ability of the City to attract more diverse employment centers in the same geographic sector of the community, and on the quality of life in nearby residential areas. This Temporary Moratorium is necessary to maintain the status quo and suspend the further development or expansion of truck stops and truck-related uses during a period while the City receives public input on whether a continuing Moratorium should be imposed. If the City Council enacts a continuing Moratorium, the City will have additional time to research and promulgate new or revised regulations to prevent truck stops and truck-related uses from being detrimental to the public health, safety or welfare of the residents of the municipality.

Exceptions to the Temporary Moratorium

This Temporary Moratorium does not affect rights acquired under Texas Local Government Code Chapter 245 or the common law, nor does it affect an application for a project in progress under

Chapter 245. The Temporary Moratorium shall neither prohibit nor delay the processing of an application for zoning filed on or before June 22, 2017. Other uses not subject to the Temporary Moratorium include quarries or a class of heavy industrial uses as determined by the Director of Planning and Development Services.

Duration of the Temporary Moratorium

This Temporary Moratorium shall remain in force until the date the City Council adopts an ordinance imposing a continuing Moratorium in accordance with law, or July 8, 2017, whichever is the earlier.

Opportunities to provide input on a continuing Moratorium

Municipal residents and affected parties are encouraged to provide input on whether a continuing Moratorium shall be imposed prior to the expiration of this Temporary Moratorium. Public hearings will be held on the following dates and times:

- Hearing 1: Planning and Zoning Commission, Monday, June 26, 2017, 7:00 PM
- Hearing 2: City Council, Thursday, June 29, 2017, 7:00 PM
- Hearing 3: City Council, Monday, July 3, 2017, 7:00 PM

All public hearings will be conducted in the Council Chambers of City Hall located at 757 N. Galloway, Mesquite, Texas. Parties wishing to speak during a public hearing are not required to notify the City in advance.

Notices of the public hearings were published in the Daily Commercial Record and the Forney Messenger on Thursday, June 15, 2017, in accordance with Texas Local Government Code Section 212.134.

Authority for the Temporary Moratorium

The City of Mesquite has imposed this Temporary Moratorium and is considering a continuing Moratorium under authority granted by Chapter 212, Subchapter E, of the Texas Local Government Code.

For questions, comments and concerns about the Temporary Moratorium

Persons with questions, comments and concerns about the Temporary Moratorium may contact the Mesquite Planning & Development Services Department at 972-216-6216 for more information or write to any of the following individuals:

- Garrett Langford, Planning Manager, at glangford@cityofmesquite.com
- Jeff Armstrong, Assistant Director, at jarmstro@cityofmesquite.com
- Richard Gertson, Director, at rgertson@cityofmesquite.com