

ORDINANCE NO. 2669

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE DULY ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, BY DELETING EXISTING SECTIONS 2-100 THROUGH 2-500, EXCEPT SECTION 2-203B.1, HOME OCCUPATION REGULATIONS, SHALL REMAIN IN EFFECT, AND ADOPTING REVISED PART 2: RESIDENTIAL DISTRICT REGULATIONS, SECTIONS 2-100 THROUGH 2-500; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

WHEREAS, through administration and experience, the Planning and Zoning Commission has determined that it is necessary to revise certain regulations so that the intended purposes of the Zoning Ordinance are best served; and

WHEREAS, the Planning and Zoning Commission did give public notice and did hold public hearings regarding proposed revisions and has recommended amendment of the ordinance, and

WHEREAS, the City Council did give public notice and did hold public hearings regarding the proposed amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Mesquite Zoning Ordinance, duly adopted on September 4, 1973 and recodified on November 21, 1988, be and the same is hereby amended by deleting, except as noted in Section 2 below, the following existing sections and adopting revised sections as set out in the attached Exhibit "A": Section 2-100 DISTRICTS ESTABLISHED, 2-200 USE REGULATIONS, 2-300 DEVELOPMENT STANDARDS, 2-400 OFF-STREET PARKING REGULATIONS, and 2-500 SUPPLEMENTARY DEVELOPMENT STANDARDS.

SECTION 2. That the provisions of existing Section 2-203B.1 HOME OCCUPATIONS remain in effect until such time as new regulations regarding home occupations are adopted. Due to the duplication of section numbers with the newly adopted sections, these provisions shall be cited as the "Home Occupation Regulations".

SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or 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, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Mesquite Zoning Ordinance of 1973, as amended, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2000.00) Dollars for each offense.

SECTION 5. The fact that the present ordinances of the City of Mesquite are inadequate to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an 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 and publication of said ordinance, as the law in such cases provides.

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DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of April, 1990.

  
George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED:

  
Lynn Prugel  
City Secretary

  
B.J. Smith  
City Attorney

## 2-100 DISTRICTS ESTABLISHED

### 2-101 AG - AGRICULTURAL

The AG district is established primarily to accommodate and protect residential estate development at a semi-rural density; and secondarily to provide for agricultural uses which are to be retained. This district also accommodates parks, schools, churches and other public and semi-public facilities to serve and complement the residential development. The district shall be used as the classification for newly annexed territory. This district will generally be applied in areas of existing estate homes and in areas to be reserved for estate home development; in areas where agricultural uses are to be retained; and in newly annexed territory.

### 2-102 R - SINGLE FAMILY RESIDENTIAL

The R - districts are established to accommodate and protect single family detached residential development, providing a variety of housing densities and sizes throughout the City. These districts also accommodate parks, schools, churches, and other public and semi-public facilities to serve and complement the residential development.

#### A. R-1, R-1A AND R-2 SINGLE FAMILY

To establish and maintain areas at a lower than average density under full service conditions, thereby providing greater privacy and areas for larger homes. These districts will generally be applied throughout the City in areas of existing large lot/large home development, in areas adjacent to existing large lot/large home development, and in areas to be

reserved for large lot/large home development.

#### B. R-2A AND R-3 SINGLE FAMILY

To establish and maintain areas at an average density for average size homes. These districts will be applied throughout the City in areas of existing conventional development and in larger areas appropriate for conventional residential development.

### 2-103 D - DUPLEX RESIDENTIAL

The D - district is established to accommodate housing at a higher than average density, thereby providing small lot single family attached/duplex housing opportunities. The district also accommodates parks, schools, churches, and other public and semi-public facilities to serve and complement the residential development. This district will generally be applied throughout the City on small, infill tracts adjacent to conventional neighborhoods where conventional development is impractical due to the size, shape, or location of the tract. This district will generally not be applied as the classification for larger residential areas.

2-104 A - MULTIFAMILY RESIDENTIAL

The A - districts are established to accommodate multifamily housing, thereby providing for apartment and condominium housing opportunities. The districts also accommodate parks, schools, churches, and other public and semi-public facilities to serve and complement the residential development.

**A. A-1 MULTIFAMILY**

To accommodate multifamily developments which are low in density and located in park-like settings with extensive open space. This district generally applies to existing multifamily zones which are not located in areas where greater density is appropriate.

**B. A-2 MULTIFAMILY**

To accommodate multifamily developments in locations where special relationships warrant a limitation of overall density. This district will generally be applied where multifamily

development is appropriate, but where location is adjacent to a single family neighborhood, does not have direct freeway access, or includes flood plain/greenbelt areas in the gross acreage, thereby reducing the developable portion of the tract.

**C. A-3 MULTIFAMILY**

To accommodate multifamily development at average densities. This district will generally be applied where multifamily development is appropriate along the freeway corridors and not directly adjacent to single family development.

## 2-200 USE REGULATIONS

### 2-201 GENERAL USE REGULATIONS

No land shall hereafter be used and no structure shall hereafter be erected, altered, or converted in a residential district which is arranged, designed or used for any use other than a use specified in 2-203 as permitted in the district in which it is located, except as otherwise permitted herein.

#### A. P - PERMITTED USES

Principal or accessory uses indicated as "P" (Permitted Use) in 2-203 are permitted in the districts specified, subject to compliance with all conditions and requirements of this ordinance and other applicable provisions of the City Code.

#### B. C - CONDITIONAL USES

Principal or accessory uses indicated as "C" (Conditional Use) in 2-203 may be permitted in the districts specified if expressly authorized by the City Council in accordance with the procedures set out in 5-300.

#### C. S - SPECIAL EXCEPTIONS

Principal or accessory uses indicated as "S" (Special Exception) in 2-203 may be permitted in the districts specified if expressly authorized by the Board of Adjustment in accordance with the procedures set out in 5-200.

#### D. PROHIBITED USES

Principal or accessory uses which are not designated in a district as "P", "C" or "S" in 2-203 shall be prohibited in that district. Refer to 3-203 for uses permitted in the non-residential districts.

#### E. SPECIAL CONDITIONS

Special requirements for specific uses are noted in 2-203 under "Special Conditions". The designated use is permitted only when in compliance with the special conditions listed. When a use is authorized as a Conditional Use or as a Special Exception, the authorizing body may approve modification of the special conditions by specifying the allowed modification in its approval, provided that proposed modifications must be identified in the required notices as part of the requested approval. Such modification may be approved if it is determined that the use can be accommodated under modified conditions without creating adverse impact on adjacent properties and that it will be compatible with the neighborhood.

#### F. SIC CLASSIFIED USES

Nonresidential uses listed in 2-203 include a SIC code number which references the use's classification as contained in the Standard Industrial Classification Manual (1987). The SIC Manual shall be incorporated herein as a reference for the description and definition of those uses referenced by a SIC code number, except as otherwise modified herein.

**G. PLANNED DEVELOPMENT DISTRICT USES**

The PD district is not included on the Schedule of Permitted Uses. Uses are permitted in a PD district if the specific PD ordinance references a standard district in which the use is permitted or if the ordinance specifically lists the use as permitted in the PD district. If a use is listed as "C" or "S" in a district referenced by a PD ordinance, it shall be permitted in the PD district only when specifically authorized in accordance with 2-201B

or 2-201C, unless such use is specifically listed as permitted in the PD ordinance.

**H. ADDITIONS AND REVISIONS**

The addition or removal of uses; the change of a "P", "C" or "S" designation; the revision of Special Conditions; or any other revisions of the Schedule of Permitted Uses (2-203) are ordinance amendments requiring compliance with the procedures set out in 5-300.

**2-202 GENERAL CONDITIONS****A. SITE PLAN**

A site plan, showing the proposed development including all easements, property lines, physical features, fire lanes and hydrants, buildings, utilities, parking and drives, adjacent streets with medians and drives, and locations of refuse collection, and landscaping shall be required for all uses and construction except single family residences, duplexes, and accessory buildings related thereto.

1. AG District - Permitted Nonresidential Uses: A site plan for permitted nonresidential uses in the AG district shall be processed in the same manner as specified for a development site plan in a PD district, requiring courtesy notice to adjacent property owners, review and recommendation by the Planning and Zoning Commission and approval by the City Council. (See 4-202)

2. R and D Districts - Permitted Nonresidential Uses: A site plan for permitted nonresidential uses in R and D districts shall be processed in the same manner as a site plan in a nonresidential district, requiring

approval of the Development Review Committee. (See 3-202A).

3. A District: A site plan for multifamily or permitted nonresidential uses in the A district shall be processed in accordance with 2-501A.

**B. FAMILIES PER UNIT**

No more than one family shall occupy a dwelling unit. (See definitions)

**C. DWELLINGS PER LOT**

No more than one dwelling unit shall occupy a lot in an AG or R district. No building shall be converted to create additional units unless located in a district which allows multiple units and unless the structure complies with all requirements for new structures in such district.

**D. MOBILE HOMES**

No person shall place or occupy a mobile home outside an approved mobile home park, unless such mobile home complies with all required development standards for the district in which it is located.

PART 2: RESIDENTIAL DISTRICTS  
2-200 USE REGULATIONS

E. GARAGE CONVERSION

The use of a required garage for living space shall be permitted, provided that

2 off-street parking spaces remain available on the lot behind the front building line.

**2-203 SCHEDULE OF PERMITTED USES**

	ZONING DISTRICTS				SPECIAL CONDITIONS
	AG	R	D	A	
<b>A. RESIDENTIAL USES</b>					
<b>1. SINGLE FAMILY DETACHED DWELLINGS</b>					
a. Conventional Dwellings	P	P	P	P	Requires PD district; See 2-504.
b. Zero Lot Line Dwellings					
<b>2. SINGLE FAMILY ATTACHED DWELLINGS</b>					
a. Duplex Two-family Dwellings			P	P	Requires PD district; See 2-502. Requires PD district.
b. Townhouse Dwellings					
c. Other Attached Dwellings (3-plex, 4-plex)					
<b>3. MULTIFAMILY DWELLINGS</b>					
				P	Requires compliance with 2-501.
<b>4. MOBILE HOME PARKS</b>					
					Requires PD district; See 2-503.
<b>B. NONRESIDENTIAL USES</b>					
<b>1. CROP PRODUCTION</b>					
	P	S			SIC 01. Requires minimum 2 acre tract; Permits no retail or wholesale activity; Regulate barns and agricultural structures as accessory structures.
<b>2. LIVESTOCK PRODUCTION</b>					
		C			SIC 02. Requires minimum 5 acre tract; Specify maximum number and type of animals permitted on Conditional Use permit approval; Regulate barns and agricultural structures as accessory structures. All keeping of horse or livestock may be classified as an accessory use if conducted in accordance with the conditions set out in 2-203C.9 and 2-203C.10.
<b>3. AGRICULTURAL SERVICES (except)</b>					
a. Boarding, Breeding, or Training Facilities		C		C	SIC 07. Permit only in conjunction with approved crop or livestock production uses; Prohibit all other 07 uses in the residential districts.

P = Permitted Use (2-201A)  
 C = Conditional Use (2-201B)  
 S = Special Exception (2-201C)  
 NEC = Not Elsewhere Classified



PART 2: RESIDENTIAL DISTRICTS  
2-200 USE REGULATIONS

2-203 SCHEDULE OF PERMITTED USES

	ZONING DISTRICTS				SPECIAL CONDITIONS
	AG	R	D	A	
4. FORESTRY	C				SIC 08.
5. FISHING, HUNTING, TRAPPING	C				SIC 09.
6. MINING - EXTRACTION OF MINERALS	C				SIC - Division B. See 1-500.
7. UTILITY FACILITIES (except)					See definitions; SIC 48 and 49; a.
Neighborhood Facilities	P	P	P	P	Permits service and distribution
b. Community/Regional Facilities (except)	C	C	C	C	facilities only, not including
					business offices, warehouses, service
					centers, storage yards, or
					generation/manufacturing plants. See
					3-203.
(1) Wastewater Treatment	C				SIC 4952.
(2) Sanitary Landfill	C				SIC 4953.
8. CEMETERY DEVELOPMENT AND OPERATION	C	C	C	C	SIC 6553.
9. LODGING SERVICES					
a. Rooming/Boarding House				S	SIC 702; Permit use of existing
(4 or less persons)					house only if home and lot provide
b. Rooming/Boarding House				C	adequate space for persons and
(5 or more persons)					parking and if no exterior alteration
					or additional entrances will be
					necessary.
c. Lodging Houses on Membership Basis				C	SIC 704; Requires no Conditional Use
					permit in conjunction with an
					approved college or university.
10. RECREATIONAL FACILITIES					
a. Public Golf Courses, Playgrounds and Parks	P	P	P	P	SIC 7992 and 7999; Prohibits
					nonpublic and/or commercial
					facilities; Requires principal
					building or any swimming pool to be
					located at least 100 feet from any
					other lot in any residential
					district.
b. Membership Sports and Recreation Clubs	C	C	C	C	SIC 7997. Requires minimum 5 acre
					tract; Requires principal building or
					any swimming pool to be located at
					least 100 feet from any other lot in
					any residential district.

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PART 2: RESIDENTIAL DISTRICTS  
2-200 USE REGULATIONS

2-203 SCHEDULE OF PERMITTED USES

ZONING DISTRICTS

	AG	R	D	A	SPECIAL CONDITIONS
<b>11. HEALTH CARE FACILITIES</b>					
a. Nursing and Personal Care Facilities				P	SIC 805.
b. Hospitals				C	SIC 806; Prohibits buildings housing psychiatric patients within 250 feet of any other tract in a residential district.
<b>12. EDUCATIONAL FACILITIES</b>					
a. Elementary and Secondary Schools	P	P	P	P	SIC 821.
b. Colleges, Universities	C	C	C	C	SIC 822; Requires minimum 5 acre tract.
c. Libraries	P	P	P	P	SIC 823.
<b>13. DAY CARE CENTERS</b>					
				C	SIC 835; Requires State licensing; See permitted accessory uses for Home Day Care; Includes centers for children, elderly or handicapped.
<b>14. RESIDENTIAL CARE FACILITIES</b>					
a. Family Home (6 or less persons)	P	P	P	P	SIC 836; Requires State licensing; Permits only homes complying with the Community Homes for Disabled Persons Act; Classify all others as Group Homes.
b. Group Home (7 to 15 persons)	C	C	C	C	SIC 836; Requires State licensing; Classify facilities for delinquents and offenders as SIC 9223; See 3-203.
c. Residential Care Institution (16 or more persons)				C	SIC 836; Prohibits buildings housing psychiatric patients within 250 feet of any other tract in a residential district.
<b>15. CULTURAL FACILITIES</b>					
a. Museums, Art Galleries (Public)	P	P	P	P	SIC 841.
b. Arboreta, Botanical Gardens (Public)	P	P	P	P	SIC 842; Requires minimum 5 acre tract.
c. Zoological Gardens (Public)	C				SIC 842. Requires minimum 10 acre tract.
<b>16. CHURCHES</b>					
	P	P	P	P	SIC 866. Permits churches and other places of worship, parsonages, and associated educational buildings, including day care use within such buildings, but not religious offices or activities not associated with a place of worship.

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PART 2: RESIDENTIAL DISTRICTS  
2-200 USE REGULATIONS

2-203 SCHEDULE OF PERMITTED USES

	ZONING DISTRICTS				SPECIAL CONDITIONS
	AG	R	D	A	
<b>17. PUBLIC ADMINISTRATION</b>					
a. Public Safety	P	P	P	P	SIC - Division J. Permits fire stations and police substations.
b. Other Governmental Facilities	C	C	C	C	Permit only when service and/or operating characteristics necessitate location in a residential district; Prohibits warehouses, storage yards, or similar facilities.
<b>C. ACCESSORY USES</b>					
<b>1. ACCESSORY STRUCTURES (PRIVATE)</b> (Buildings, garages, patio covers, decks, carports, fences, signs, swimming pools, spas, antenna, satellite dishes, game courts, flagpoles)	P	P	P	P	Requires compliance with 2-600.
<b>2. PARKING (PRIVATE)</b>	P	P	P	P	Requires compliance with 2-400; See City Code for recreational vehicle parking requirements; Prohibits parking of heavy load vehicles.
<b>3. ACCESSORY DWELLING UNIT</b>	S	S			Permits only accessory dwelling units to be occupied by household members or persons employed on the premises; Prohibits units designed, rented, or utilized as a totally separate dwelling unit. See definitions.
<b>4. GARDENING (PRIVATE)</b>	P	P	P	P	
<b>5. HOME OCCUPATIONS</b>	P	P	P	P	Requires compliance with 2-700.
<b>6. HOME DAY CARE</b>					
a. Registered Family Home	P	P	P	P	Requires facility to be registered/licensed by the State and conducted in accordance with State regulations; Prohibits play apparatus in the front yard; Prohibits signs.
b. Adult Day Care	P	P	P	P	Requires facility to be registered/licensed by the State and conducted in accordance with State regulations; Prohibits signs; Maximum 6 persons permitted; See also 3-2031.832.

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PART 2: RESIDENTIAL DISTRICTS  
2-200 USE REGULATIONS

2-203 SCHEDULE OF PERMITTED USES

	ZONING DISTRICTS				SPECIAL CONDITIONS
	AG	R	D	A	
7. YARD/GARAGE SALES	P	P	P	P	Permits maximum of 2 sales at a location during a calendar year with a maximum of 3 days per sale; Permits the sale of miscellaneous used household items and home crafts by the occupants of a residence.
8. KEEPING OF PETS (PRIVATE)	P	P	P	P	Permits only household pets kept in accordance with the Animal Control Ordinance; Prohibits keeping of animals for commercial and/or breeding purposes.
9. KEEPING OF HORSES AND PONIES (PRIVATE)	S	S	S	S	Requires no Special Exception approval if the following conditions are met: a. Minimum lot size of one acre. b. Maximum of 2 horses on first acre; one horse per acre on additional acreage. c. Fencing to retain grazing animals is required. d. No barns, corrals, or similar enclosures within 100 feet of any property line. Not required in the AG district.
10. KEEPING OF LIVESTOCK (PRIVATE)	S				Requires no Special Exception approval if the (Includes Poultry/Fowl) following conditions are met: a. Minimum lot size of 2 acres. b. Maximum of one animal per acre. c. Fencing to retain grazing animals is required.
11. LEASING OFFICE				P	
12. COIN-OPERATED LAUNDRY (PRIVATE)				P	

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PART 2: RESIDENTIAL DISTRICTS  
2-200 USE REGULATIONS

2-203 SCHEDULE OF PERMITTED USES

	ZONING DISTRICTS				SPECIAL CONDITIONS
	AG	R	D	A	
13. COMMUNITY/RECREATION ROOM (PRIVATE)					P
14. REFUSE CONTAINERS	P	P	P	P	Permits containers in conjunction with multifamily and permitted nonresidential uses which are allowed in the residential districts; Requires compliance with the Special Conditions set out for refuse containers in 3-203L.6.
15. LANDSCAPE IRRIGATION SYSTEMS	P	P	P	P	
16. PONDS (Over 1 1/2 feet deep)	S	S	S	S	

P = Permitted Use (2-201A)  
 C = Conditional Use (2-201B)  
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## 2-300 DEVELOPMENT STANDARDS

The development standards set out in 2-300 shall apply to all uses in the AG, R, and D districts. Standards for uses in the A districts are set out in 2-501. Additional standards for multifamily, townhouse, mobile home park, small lot single family, and zero lot line residential development are set out in the applicable part of 2-500.

### 2-301 GENERAL REQUIREMENTS

#### A. SINGLE FAMILY DWELLINGS

Single family dwellings constructed in a D or A district shall comply with all requirements of the R-3 district.

#### B. DUPLEX DWELLINGS

Duplex dwellings constructed in an A district shall comply with all requirements of the D district.

#### C. PLATTED BUILDING LINES

Whenever a lot has previously been platted with a greater front building line than required in 2-302, structures shall comply with the platted building line.

#### D. KEY LOT SETBACKS

Key lots are those corner lots where the rear of the lot abuts, or is

across an alley from, the side lot line of a lot fronting the side street which the corner lot adjoins. The exterior side yard on a key lot shall be the same depth as the required front yard on the adjoining side street.

#### F. PERMITTED NONRESIDENTIAL USES

1. Adjacent Districts: If 2-302 imposes a requirement for a use when it is adjacent to a specified type of lot or district, adjacent shall mean that the building site of the use abuts or is across an alley from the specified type of lot or district.

2. Landscaping: All uses in the residential districts, except single family and duplex residences and agricultural uses, shall provide landscaping in accordance with the requirements set out in 3-304.

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PART 2: RESIDENTIAL DISTRICTS  
2-300 DEVELOPMENT STANDARDS

2-302 LOT, SETBACK, HEIGHT, AND UNIT SIZE REQUIREMENTS

	AG	R-1	R-1A	R-2	R-2A	R-3	D
<b>A. PERMITTED RESIDENTIAL USES</b>							
1. Minimum Lot Dimensions							
a. Lot Size (Sq.Ft.)	43560	11000	8250	8250	7200	7200	9000
b. Lot Width (Feet)	150	85	70	70	60	60	75
c. Lot Depth (Feet)	150	120	110	110	110	110	110
2. Minimum Yard Dimensions							
a. Front Yard (Feet)	50	30	25	25	25	25	25
b. Exterior Side Yard (Feet)	Same setback as the front yard setback required on the adjoining side street.						
(1) On Key Lot	15	10	10	10	10	10	10
(2) Not On Key Lot	15	5	5	5	5	5	5
c. Interior Side Yard	50	25	25	25	25	25	25
d. Rear Yard (Feet)							
3. Maximum Height (Whichever is less):							
a. Feet	35	35	35	35	35	35	35
b. Stories	2.5	2.5	2.5	2.5	2.5	2.5	2.5
4. Minimum Living Area (Sq.Ft.)							
a. Single Family Residence	1300	1800	1800	1500	1500	1300	
b. Duplex Residence							
(1) Total: 2 Units							2000
(2) Smallest Unit							800
<b>B. PERMITTED NONRESIDENTIAL USES</b>							
1. Minimum Lot Dimensions							
a. Lot Size (Sq.Ft.)	87120	43560	43560	43560	43560	43560	43560
b. Lot Width (Feet)	200	200	200	200	200	200	200
c. Lot Depth (Feet)	150	120	110	110	110	110	100
2. Minimum Yard Dimensions							
a. Front and Exterior Side Yard (Feet)	50	30	30	25	25	25	25
b. Interior Side and Rear Yard (Feet)	25 feet or two times the height of the building above the grade at the nearest AG, R, or D boundary, whichever is greater.						
(1) Adjacent to AG, R, or D District	20	20	20	20	20	20	20
(2) Adjacent to A or Nonresidential District							
3. Maximum Height (Whichever is Less):							
a. Feet	35	35	35	35	35	35	35
b. Stories	2.5	2.5	2.5	2.5	2.5	2.5	2.5

2-303 EXTERIOR FIRE RESISTANT CONSTRUCTION REQUIREMENTS

All main buildings in the AG, R, and D districts shall be of fire resistant construction having at least 75% of the total exterior walls below the first floor plate line, excluding doors and windows, constructed of brick, stone, concrete block, stucco, or other masonry, or materials of equal characteristics.

2-304 PERMITTED MODIFICATION OF STANDARDS**A. LOT DIMENSIONS**

The Planning and Zoning Commission, in reviewing a subdivision plat, may authorize the following modifications from the required lot minimums:

1. Reduction of Minimum Lot Width or Depth: The required minimum lot width or depth of 10% of the total lots in a single family subdivision may be reduced, provided that the required minimum lot size is provided on any lot with a reduced width or depth.

2. Reduction of Minimum Lot Size: The required minimum lot size of 10% of the total lots in a single family subdivision may be reduced, provided that the required minimum lot width and depth are provided on any lot with a reduced size. This reduction shall not be permitted in the AG district.

3. Lot Width on Curved Streets: The required minimum lot width may be reduced when a lot fronts on a curvilinear street and cul-de-sac, provided that the average width of the lot is equal to or greater than the required minimum lot width and that a functional lot is provided.

**B. LOTS OF RECORD**

In districts where allowed, a single family dwelling may be permitted on any lot of official record at the effective date of this ordinance, irrespective of area or width.

**C. DUPLEX - INDIVIDUAL LOTS**

Duplex development may be platted so that 2 units are placed on one lot in accordance with the requirements of 2-302 or so that the units are placed on pairs of lots with the lot line through the common wall between the units. If

lots are platted so that each unit is on an individual lot, the plat shall indicate which lots are paired. Paired lots shall each provide 1/2 the required minimum size and width, but may together meet other requirements of 2-302.

**D. PROJECTIONS OF ARCHITECTURAL FEATURES**

Architectural features may project into a required yard as set out below.

1. All Yards: Cornices and eaves may project a maximum of 30 inches into any required yard.

2. All Yards, Except Interior Side Yards: Chimneys, bay windows, balconies, canopies and fire escapes may project 3 feet into any yard, except an interior side yard, provided that such feature does not occupy more than 1/3 of the length of the building wall on which it is located.

3. Interior Side Yards: The architectural features listed above may project into an interior side yard, provided the projection is no more than 1/5 the width of the required yard.

**E. ARCHITECTURAL FEATURE HEIGHT**

Steeple, spires, cupolas, domes, turrets and similar architectural features may exceed the maximum permitted height by 10 feet, provided they are an integral part of the design of the permitted structure and they are limited in size to no more than 10% of the area of the structure.

**F. ACCESSORY STRUCTURE**

Accessory structures shall be regulated in accordance with the requirements set out in 2-600.



**2-305 SPECIAL EXCEPTIONS**

The Board of Adjustment may authorize the following Special Exceptions where it determines that the exception will allow greater use and enjoyment of property without creating adverse impacts on adjacent properties and that it will be compatible with the neighborhood.

**A. MINIMUM UNIT SIZE**

To allow construction of a single family residence which does not comply with the required minimum unit size. This Special Exception may be considered in neighborhoods where existing residences were predominantly constructed smaller than the currently required minimum size.

**B. EXTERIOR MASONRY PERCENTAGE**

To allow construction of a single family residence which does not comply with the required percentage of exterior masonry. Nonmasonry structures may be considered compatible in the following situations.

**1. Existing Nonmasonry Areas:** In neighborhoods and/or on blocks where the predominant existing construction is of nonmasonry materials.

**2. Estate Lot Areas:** In areas of estate lots where the following circumstances exist.

a. Subject lot is not in a standard subdivision and has a minimum size of one acre.

b. Structure is located with minimum 20 foot interior side yards to assure adequate building separation to minimize fire spread risk.

c. Existing residences in the area exhibit a variety of architectural styles, i.e. no specific architectural style dependent on exterior masonry construction has been established.

d. Proposed construction is of an architectural styles which is traditionally constructed of nonmasonry materials. In considering requests regarding reduction of the masonry requirement, the Board may consider other unique circumstances. The support or opposition of other property owners in the area will be used as a measure of whether the construction will be compatible.

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PART 2: RESIDENTIAL DISTRICTS  
2-400 OFF-STREET PARKING

## 2-400 OFF-STREET PARKING

### 2-401 PARKING - SINGLE FAMILY USES

#### A. NUMBER AND LOCATION OF SPACES

Two off-street parking spaces shall be provided on the lot behind the front building line for each dwelling unit and shall be served by either a double driveway or a single driveway with a flared approach which allows each vehicle to be maneuvered without moving the other. No accessory structure or other obstruction shall be located so as to eliminate a required parking space or access to such space.

#### B. PAVING

All parking areas and drives for single family residences shall be accessed

from a paved street or a paved alley and shall be paved with concrete according to City of Mesquite paving specifications. In the AG district, on tracts of two acres or more, drives may be constructed of an all-weather base and surface adequate to support emergency equipment.

#### C. GARAGES

Covered parking shall be provided for two automobiles within an enclosed garage (minimum 18 feet by 20 feet) for all dwellings on lots in subdivisions for which a final plat was approved on or after October 1, 1984.

### 2-402 PARKING - DUPLEX USES

#### A. NUMBER AND LOCATION OF SPACES

Four off-street parking spaces shall be provided on the lot behind the front building line (2 for each dwelling unit). Each pair of spaces shall be served by either a double driveway or a single driveway with a flared approach which allows each vehicle to be maneuvered without moving the other. No accessory structure or other obstruction shall be located so as to eliminate a required parking space or access to such space.

#### B. PAVING

All parking areas and drives for duplex uses shall be accessed from a paved

street or a paved alley and shall be paved with concrete according to the City of Mesquite paving specifications.

#### C. GARAGES, CARPORTS

Covered parking shall be provided either for one automobile within an enclosed garage (minimum 10 feet by 20 feet) or for two automobiles plus an enclosed storage area within a carport (minimum 18 feet by 20 feet plus an enclosed storage area of not less than 120 cubic feet with a minimum base of three feet by five feet) for all dwellings on lots in a subdivision for which a final plat was approved on or after October 1, 1984.

2-403 PARKING - MULTIFAMILY USES

**A. NUMBER AND LOCATION OF SPACES**

Two off-street parking spaces shall be provided on the lot for each dwelling unit. No parking shall be permitted in the required front or exterior side yard.

**B. DESIGN, LAYOUT AND CONSTRUCTION**

All parking areas for multifamily uses shall comply with the requirements for nonresidential parking lots as set out in 3-400.

2-404 PARKING - PERMITTED NONRESIDENTIAL USES

**A. NUMBER OF SPACES**

Parking spaces shall be provided for permitted nonresidential uses in accordance with the parking group standards set out for the specific use in 3-203 and 3-405.

**B. DESIGN, LAYOUT AND CONSTRUCTION**

All parking areas for permitted nonresidential uses shall comply with the requirements for nonresidential parking lots as set out in 3-400.

**C. PARKING SCREENS**

Where a parking lot for a permitted nonresidential use abuts or is across

an alley or easement and is within 100 feet of any single family or duplex lot, existing or future, a 3 foot high solid screen shall be provided along the perimeter of the parking area within 100 feet of such lots to screen the view of the parking and to shield the lots from headlight glare. No such parking screen is required where a 6 foot masonry screening wall is provided on the property line abutting such residential lots. A solid screen shall mean a solid masonry wall, landscape hedgerow, berm, or other alternative approved by the Development Review Committee. Wood and metal fences shall not be used to satisfy this requirement.

## 2-500 SUPPLEMENTARY DEVELOPMENT STANDARDS

### 2-501 MULTIFAMILY RESIDENTIAL/PERMITTED NONRESIDENTIAL USES IN A DISTRICTS

The standards set out below shall be required for all uses in an A district, except for single family and duplex dwellings in accordance with 2-301, and shall serve as guidelines for review of multifamily developments in PD districts.

#### A. SITE PLAN

A site plan showing the proposed development including all easements, property lines, physical features, fire lanes and hydrants, buildings, parking facilities, landscaping, and locations of refuse containers shall be submitted with the application for building permits and approved by the Development Review Committee.

#### B. LOT AND SETBACK REQUIREMENTS

All multifamily and other permitted uses in the A districts shall comply with the following lot and setback requirements.

1. Minimum Lot Size: 10,000 sq.ft.
2. Minimum Lot Width: 80 feet
3. Minimum Front and Exterior Side Yards: 25 feet
4. Minimum Interior and Rear Yards:  
Adjacent shall mean that the building site in the A district abuts or is across an alley from a lot or tract in the specified district.

- a. Adjacent to AG, R, or D district: 25 feet or two times the height of the building above the grade at the nearest AG, R, or D boundary, whichever is greater.
- b. Adjacent to A or nonresidential

district: 15 feet

#### C. HEIGHT REGULATIONS

The maximum permitted height shall be 3 stories or 35 feet, measured from the lowest level of Fire Department vehicle access to the top plate of the uppermost story. Three story multifamily buildings shall comply with special exiting and access requirements specified in local building code amendments.

#### D. EXTERIOR FIRE RESISTANT CONSTRUCTION REQUIREMENTS

All main structures shall be of fire resistant construction having at least 75% of the total exterior walls, excluding doors and windows, constructed of brick, stone, concrete block, stucco, or other masonry, or materials of equal characteristics.

#### E. MINIMUM UNIT SIZE REQUIREMENTS

The minimum living area required for a multifamily dwelling units shall as follows:

1. Efficiency/One Bedroom Units: 725 square feet
2. Two Bedroom Units: 875 square feet
3. Three Bedroom Units: 1100 square feet

PART 2: RESIDENTIAL DISTRICTS  
2-500 SUPPLEMENTARY DEVELOPMENT STANDARDS

F. DENSITY AND OPEN SPACE REQUIREMENTS

In the district specified, multifamily development shall not exceed the density specified below and multifamily development, as well as other permitted uses, shall provide the specified percentage of open space. Open space shall be that portion of the land area which is not covered by buildings, parking, or drives.

District	Maximum Density (Units per Acre)	Minimum Open Space (%)
A-1	12	40%
A-2	18	35%
A-3	25	30%

G. SCREENING

In the event that a multifamily district backs or sides upon an AG, R, or D district, a solid masonry screening wall not less than six feet in height shall be erected and maintained along the property line abutting such district. Provided however, that such wall shall not be required to extend into a required front or exterior side yard and shall not be erected so as to obstruct traffic visibility at alley, street, or drive intersections. Waiver, deferment, or substitution may be permitted in accordance with the procedures specified in 3-303.

H. RECREATIONAL FACILITIES

Recreational facilities shall be provided as follows for the use and enjoyment of the residents.

1. Minimum Requirement: Any multifamily site of 50 or more dwelling units shall provide at a minimum one swimming pool and one playground area with a minimum 5 pieces of equipment.

which is of heavy-duty construction similar to the type normally used in public parks and school playgrounds.

2. Number of Facilities: Sites of less than 150 units shall comply with the requirements stated above. Sites with more than 150 units shall provide one recreational facility for each 75 units or portion thereof. The required pool and playground shall be counted as two facilities. Additional facilities may include additional pools or playgrounds; tennis, handball, basketball, or volleyball courts; spas and hot tubs; open play fields (minimum 150 feet by 200 feet); recreation rooms; jogging tracks; or similar areas for sports, exercise or leisure activities.

I. LANDSCAPE REQUIREMENTS

Landscaping shall be provided for all multifamily and all permitted nonresidential uses in the A district in accordance with the requirements set out in 3-304; provided however, that the minimum area required to be landscaped in multifamily developments shall be all open space areas with the exception of recreational areas.

J. OFF-STREET PARKING REQUIREMENTS

Off-street parking shall be provided in accordance with the requirements set out in 2-403 and 2-404.

K. PROJECTIONS OF ARCHITECTURAL FEATURES

Cornices, eaves, chimneys, bay windows, balconies, canopies, and fire escapes may project 3 feet into any required yard, provided that such feature does not occupy more than 1/3 of the length of the building wall on which it is located.

PART 2: RESIDENTIAL DISTRICTS  
2-500 SUPPLEMENTARY DEVELOPMENT STANDARDS

## L. AGCESSORY STRUCTURES

Accessory structures shall be

regulated in accordance with the requirements with set out in 2-600.

2-502 TOWNHOUSE RESIDENTIAL

The standards set out below shall serve as guidelines for review of townhouse developments in a PD district. Modification of these guidelines may be approved with the development plan required under the PD district, in order to provide design flexibility which allows innovative and creative development concepts.

## A. LOT, SETBACK AND BUILDING STANDARDS

1. Minimum Lot Area: 3,000 sq.ft.
2. Minimum Lot Depth: 100 feet
3. Minimum Lot Width: 26 feet
4. Minimum Front Yard: 20 feet
5. Minimum Exterior Side Yard: 15 feet (from any public or private street, drive or alley)
6. Maximum Density: 8 units per acre
7. Minimum Living Area:
  - a. 1 Bedroom: 1050 sq.ft.
  - b. 2 or more Bedroom: 1200 sq.ft.
8. Maximum Height: 35 feet, 2 1/2 stories
9. Minimum Exterior Fire Resistant Construction (Masonry): 75% of the total exterior wall
10. Minimum Separation Between Buildings: 26 feet
11. Maximum Building Length: 225 feet
12. Maximum Number of Units per Building: 7 units

13. Minimum Open Space: 40 percent

## B. RECREATIONAL FACILITIES

Recreational and community facilities, including community buildings, swimming pools, and playground areas, shall be considered in the review of the development plan.

## C. SCREENING

In the event that a townhouse development backs up or sides upon an AG, R, or D district, a solid masonry screening wall of not less than six feet in height shall be erected and maintained along the property line abutting such district. Provided however, that such wall shall not be required to extend into a required front or exterior side yard and shall not be erected so as to obstruct traffic visibility at alley, street, or drive intersections.

## D. PARKING REGULATIONS

1. Automobiles: Two covered, off-street parking spaces in a garage shall be provided on the lot for each townhouse unit. In addition, one parking space for each 2 units shall be provided in groups scattered throughout the development to accommodate visitor parking. See 2-400.

PART 2: RESIDENTIAL DISTRICTS  
2-500 SUPPLEMENTARY DEVELOPMENT STANDARDS

2. Recreational Vehicles and Boats: Storage of recreational vehicles and equipment shall be considered in the review of the development plan. Solid screening at least 6 feet in height may be required for such storage areas.

necessary to assure the City that provisions have been made for adequate upkeep and maintenance of such area and facilities through the creation of a homeowners or maintenance association established to maintain and manage all such common area and community facilities. Documents creating such association shall grant the City the right to collect maintenance fees and provide maintenance in the event that the association fails to do so.

E. HOMEOWNERS' ASSOCIATION

Before issuance of building permits for a project containing any common areas or community facilities, it shall be

2-503 MOBILE HOME PARK

The standards set out below shall serve as guidelines for review of mobile home parks in a PD district. Modification of these guidelines may be approved with the development plan required under the PD district, in order to provide flexibility in design which allows the use of innovative and creative development concepts.

A. LOT AND SETBACK REQUIREMENTS

- 1. Minimum Tract Size: 10 acres
- 2. Minimum Lot Size: 4000 sq.ft.
- 3. Minimum Lot Width: 40 feet
- 4. Minimum Lot Depth: 100 feet
- 5. Minimum Front Yard: 20 feet
- 6. Minimum Rear Yard: 10 feet
- 7. Minimum Exterior Side Yard: 10 feet
- 8. Minimum Interior Side Yard: 5 feet; if less than 10 feet the site plan must indicate unit placement to assure the required 20 foot separation between units
- 9. Minimum Separation Between Structures: 20 feet

site shall be equipped with a concrete slab which is as large or larger than the exterior dimensions of the units and its supports. The slab shall include anchors for tie down.

2. Permanent Mounting: Each mobile home shall be permanently installed, including tie-downs, skirting, and removal of the tongues and wheels.

C. OPEN SPACE REQUIREMENTS

A recreational site or sites, having a minimum area of at least 30% of the total land area of the mobile home park, shall be provided. All areas not used for access, parking, circulation, buildings, and service shall be permanently landscaped and maintained in good condition, including a landscaped strip 20 feet in width along the exterior boundaries of the park, except where other screening may be required.

B. BUILDING REQUIREMENTS

- 1. Concrete Slabs: Each mobile home

**D. SCREENING**

In the event that a mobile home park backs or sides upon any other residential district, a solid masonry screening wall not less than six feet in height shall be erected and maintained along the property line abutting such district. Provided however, that such wall shall not be required to extend into a required front or exterior side yard and shall not be erected so as to obstruct traffic visibility at alley, street, or drive intersections.

for each 3 lots shall be provided in groups throughout the development to accommodate visitor parking. See 2-400.

**2. Recreational Vehicles and Boats:**

A storage area must be provided for the parking and storage of recreational vehicles and equipment. This storage area shall have a minimum area of 100 square feet for each mobile home lot and shall be screened with a solid wood or masonry fence at least 6 feet in height.

**E. PARKING REQUIREMENTS**

**1. Automobiles:** Two off-street parking spaces shall be provided on each lot behind the front building line. In addition, one parking space for each 3 lots shall be provided in groups throughout the development to accommodate visitor parking. See 2-400.

**F. SUBDIVISION STANDARDS**

Water and sewer service, fire hydrant requirements, street and paving standards, and other requirements for residential subdivisions shall apply to mobile home parks, regardless of whether lots are individually platted or not.

**2-504 ZERO LOT LINE RESIDENTIAL**

The standards set out below shall be required for zero lot line residential development. The zero lot line concept may be applied in any single family detached residential subdivision which is zoned PD, provided that the use of the concept is specifically noted in the Pd ordinance or the development plan approval.

**A. DEFINITIONS**

Zero lot line construction shall mean residential construction where the main building is located less than 5 feet from a side property line.

the zero lot line. The zero lot line shall not be an exterior side yard adjacent to a public street or alley.

**B. PLATTING REQUIREMENTS**

The following platting requirements shall apply to zero lot line construction.

**2. Easement:** The plat shall dedicate, on the lot adjacent to the zero lot line, a 3 foot wide Ingress, Egress, Overhang and Drainage Easement for the purpose of maintenance, repair, and/or replacement of the wall, overhang, roof, and/or eaves, and drainage onto the adjacent property. If no such easement is dedicated, the structure must be set back at least 3 feet from the side lot line.

**1. Zero Line Designation:** The plat shall designate which side yard will be



PART 2: RESIDENTIAL DISTRICTS  
2-500 SUPPLEMENTARY DEVELOPMENT STANDARDSC. BUILDING REQUIREMENTS

The following building requirements shall apply to zero lot line construction.

1. Building Separation: A minimum 10 foot separation between all principal structures in the zero lot line subdivision shall be required.

2. Exterior Wall: Any exterior wall built less than 5 feet from the property line shall be of solid masonry exterior construction for its full height.

3. Wall Openings/Insets: A 1 1 exterior walls which are less than 5 feet from a property line shall be continuous and without openings or insets for the full length of the structure.

D. DRAINAGE

A detailed lot grading/drainage plan shall be required to be submitted prior to the issuance of any permits in any zero lot line subdivision without alleys to assure that run-off can be handled without adverse impacts across adjoining lots.

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