

ORDINANCE NO. 4627
Zoning Text Amendment No. 2018-07

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 CHAPTER 2, SECTIONS 2-203 AND 2-603 THEREBY PROVIDING NEW AND REVISED REGULATIONS FOR ACCESSORY DWELLING UNITS; 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 2-203 and 2-603 in Chapter 2 to read as follows, said Ordinance in all other respects to remain in full force and effect:

- (1) *Chapter 2.* Amend Chapter 2 by deleting Section C(3) in Table 2-203 in its entirety and adding a new Section C(3) in Table 2-203 to read as follows:

	<i>AG</i>	<i>R</i>	<i>D</i>	<i>TNMR</i>	<i>A</i>	<i>SPECIAL CONDITIONS</i>
<i>C. Accessory uses.</i>						
3. Accessory dwelling unit	S	S				Requires minimum property area of 21,780 square feet. See Section 2-603.N and definitions.

- (2) *Chapter 2.* Amend Chapter 2 by adding a new Section 2-603.N to read as follows:

N. *Accessory dwelling units.* Accessory dwelling units may be approved by Special Exception and shall comply with all of the following:

1. Minimum lot size shall be 21,780-square feet (one-half acre).

2. The accessory dwelling unit must share utility meter/connections with the primary structure.
3. The property must have a minimum of four off-street parking spaces that are located behind the front and exterior side building lines. All four spaces must be arranged such that four parked vehicles can exit the property without having to move another parked vehicle.
4. The property owner must live on the property.
5. The accessory dwelling unit shall not be rented or sold separately.
6. The accessory dwelling unit must meet the same setback requirements as the primary structure, provided that the rear setback requirement shall be a minimum of 10 feet.
7. The accessory dwelling unit shall not exceed the height of the primary structure or 15 feet, whichever is less.
8. Maximum area of the accessory dwelling unit shall be 500-square feet, provided that on lots exceeding one acre and zoned Agriculture, the maximum area shall be 1,000-square feet.
9. The accessory dwelling unit must be located in the rear yard and behind the rear façade of the primary structure.
10. No property shall have more than one accessory dwelling unit.

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 3rd day of December 2018.




Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



David L. Paschall
City Attorney