

ORDINANCE NO. 5076  
Zoning Text Amendment No. 2023-03  
File No. Z0823-0324

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE (MZO) BY MAKING CERTAIN REVISIONS TO PART 4, 4-930 “SKYLINE LOGISTICS HUB OVERLAY DISTRICT” FOR THE PURPOSE OF AMENDING THE IDENTIFIED BOUNDARIES FOR THE OVERLAY, AMENDING PROHIBITED USES IN THE OVERLAY, AND OTHER RELATED REVISIONS AS NEEDED TO THE MZO; AND A CHANGE OF ZONING AND MAKING A ZONING MAP AMENDMENT THEREBY REMOVING THE SKYLINE LOGISTICS HUB OVERLAY FROM CERTAIN PROPERTIES LOCATED IN THE 5500 AND 5600 BLOCKS OF SOUTH BUCKNER BOULEVARD, THE 4200 AND 4300 BLOCKS OF INTERSTATE HIGHWAY 30, THE 2800 THROUGH 3000 BLOCKS OF EAST MEADOWS BOULEVARD, AND THE 4200 AND 4300 BLOCKS OF ACTION DRIVE; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the City of Mesquite, Texas (“City”), is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to the Texas Constitution, Article 11, Section 5, and the Texas Local Government Code, Chapter 9; and

**WHEREAS,** a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, Section 51.072(a); and

**WHEREAS,** the City may regulate the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes pursuant to Texas Local Government Code, Title 7, Subtitle A, Chapter 211, Section 211.003; and

Zoning | ZTA No. 2023-03 - Text Amendments 4-930 (Skyline Logistics Hub Overlay District |  
File # Z0823-0324 – Change of Zoning and Amending Zoning Map  
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**WHEREAS,** on September 25, 2023, the City of Mesquite Planning and Zoning Commission considered text amendments (**ZTA NO. 2023-03**) and a change of zoning and making a map amendment (**FILE NO. Z0823-0324**) to the Mesquite Zoning Ordinance (“**MZO**”), and after having given proper public notice and holding a public hearing, the Planning and Zoning Commission recommended the City Council adopt the text amendments and the map amendment regarding the Skyline Logistics Hub Overlay (“**Overlay**”); and

**WHEREAS,** the Mesquite City Council gave the required public notices and held a public hearing regarding the proposed ZONING TEXT AMENDMENT (**ZTA NO. 2023-03**) and the change of zoning and making a ZONING MAP AMENDMENT (**File No. Z0823-0324**) regarding the Overlay to the MZO on October 16, 2023; and

**WHEREAS,** the Mesquite City Council finds that it is in the best interests of the citizens of the City to amend the MZO as herein provided.

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

**SECTION 1. Recitals Incorporated.**

The City Council hereby finds and determines the recitals made in the preamble of this Ordinance are true and correct, and hereby incorporates such recitals here in the body of this Ordinance as if copied in their entirety.

**SECTION 2. Mesquite Zoning Ordinance Zoning Text Amendment. ZTA2023-03. Amending Part 4.**

The MZO is hereby amended by making certain revisions to Part 4, 4-930 (Skyline Logistics Hub Overlay District) as identified in **EXHIBIT A**, and said Exhibit is attached hereto and made a part hereof, and in all other respects, said MZO shall remain in full force and effect.

**SECTION 3. Mesquite Zoning Map Amendment. FILE NO. Z0823-0324.**

The City of Mesquite’s official Zoning Map is hereby amended to change zoning by removing the Overlay from certain properties located in the 5500 and 5600 blocks of South Buckner Boulevard, the 4200 and 4300 blocks of Interstate Highway 30, the 2800 through 3000 blocks of East Meadows Boulevard, and the 4200 and 4300 blocks of Action Drive as depicted in the maps identified in **EXHIBIT B**, attached hereto and made a part hereof.

Zoning | ZTA No. 2023-03 - Text Amendments 4-930 (Skyline Logistics Hub Overlay District |  
File # Z0823-0324 – Change of Zoning and Amending Zoning Map  
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**SECTION 4. Conflicts Resolution Clause.**

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 5. Severability Clause.**

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. Penalty Clause.**

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. Publication.**

This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

**SECTION 8. Effective Date.**

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 16th DAY OF OCTOBER 2023.**

DocuSigned by:

*Daniel Aleman Jr.*

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**Daniel Alemán, Jr.**  
**Mayor**

**ATTEST:**

DocuSigned by:

*Sonja Land*

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**Sonja Land**  
**City Secretary**

**APPROVED AS TO LEGAL FORM:**

DocuSigned by:

*David Paschall*

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**David L. Paschall**  
**City Attorney**

## **EXHIBIT A**

**To Ordinance No. 5076**

**ZTA 2023-03**

**MESQUITE ZONING ORDINANCE**  
Amending Part 4; 4-930 (Skyline Logistics Hub Overlay District)

## MESQUITE CITY CODE

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### Appendix C – Mesquite Zoning Ordinance

*[Editor's Note: Make the following revisions with additions identified in green font and underlined and deletions identified in ~~red font with strikethrough~~.]*

\* \* \*

#### PART 4. – PD AND OVERLAY DISTRICTS

\* \* \*

##### Section 4-930. SKYLINE LOGISTICS HUB OVERLAY DISTRICT

###### Sec. 4-931 Purpose and scope.

The diverse manufacturing and distribution uses that congregate around the Big Town and Town East Boulevards, and that stretch from Interstate Highway 30 to Skyline Boulevard, form the heart of Mesquite's industrial sector. Businesses within the area depend primarily upon long-haul carriers for shipping and delivery to a degree not found anywhere else in the City. The purpose of the Skyline Logistics Hub Overlay District is to enhance the economic stature of the sector and deal with some of the externalities of such intense activity. To this end, the District is intended to:

- Create identity for the concentration of industrial land uses within the area, and provide opportunities for transportation funding through programs that support industrial and economic development.
- Recognize the importance of the area to the City's economic well-being, and preserve and encourage the further development of available land within the area for industry, which creates jobs and improves the tax base.
- Protect through reasonable regulation the residential enclaves within and on the boundary of the area from the external impacts of heavy industry, trucking and land uses that support trucking activity.
- Adopt responsible environmental and aesthetic measures to bring visual order, cleanliness and appeal to the Big Town Gateway in keeping with the industrial character of the area.

(Ord. No. 4371(TA No. 2015-01), § 1(1), 7-20-15)

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**EXHIBIT A TO ORDINANCE NO. 5076, ZTA NO. 2023-03.**

Amendments to Appendix C – MZO; Part 4 (PD and Overlay Districts).

P&amp;Z Meeting Date: September 25, 2023 | City Council Meeting Date: October 16, 2023

**4-932 Skyline Logistics Hub Overlay District Prefix.**

The SLH prefix designation is a zoning overlay district. After the effective date of this ordinance, the addition or removal of the SLH prefix constitutes zoning action requiring due process under State law. No land within the City except the following described area shall be designated SLH without the requisite notice and public hearing provided by State law. The City shall have only one contiguous Skyline Logistics Hub District.

*Land Zoned SLH Skyline Logistics Hub.*

All land, regardless of zoning on the effective date of this ordinance, as depicted ~~in Exhibit "A,"~~ on the official zoning map of the City of Mesquite which is bounded:

- A. On the west by a line formed by the western city limits of Mesquite and the western lot line of Samuel Boulevard Business Park, Block 2, Lot 1;
- B. On the north by Interstate Highway 30;
- C. On the northeast by a line formed by the western lot lines of the East Meadows Addition, Block A, Lots 12R & 13 and East Meadows Mesquite K8 Addition, Block A, Lot 2R;
- ~~C.D.~~ On the east along a line formed by East Meadows Boulevard, U.S. Highway 80, Forney Avenue, South Town East Boulevard, Skyline Drive, Interstate Highway 635, the Union Pacific Rail Road and the easternmost boundary of Skyline Industrial Village Subdivision Sections 2 and 3; and
- ~~D.E.~~ On the south by Military Parkway.

**Section 4-933. Permitted Uses**

In this District no land shall be used except for one or more of the following uses to the extent that they are not prohibited by other regulations or ordinances.

- A. *Standard district.* All land in the overlay district shall retain its underlying zoning designation and all characteristics of such zoning, except as modified herein.
- B. *Restricted uses.*
  - 1. Except for the uses listed in paragraphs 2 and 4 of this subsection, all uses within the SLH District shall be governed by the requirements of the underlying zoning district and shall be permitted, prohibited or subject to a Conditional Use Permit in accordance with the Schedule of Permitted Uses (§ 3-203), § 5-300 and the supplemental criteria established herein.
  - 2. Within the underlying Commercial and Industrial zoning districts, the following uses may be permitted upon approval of a Conditional Use Permit in accordance with § 5-300, et seq., the criteria in paragraph 3 of this Section, and shall comply with the conditions set forth in Section 4-934 herein.

*Services:*

- (a) SIC 752c Parking of Heavy Load Vehicles as the principal use
- (b) SIC 753b Major Automobile Repair for heavy load vehicles, as a principal or accessory use

**EXHIBIT A TO ORDINANCE NO. 5076, ZTA NO. 2023-03.**

Amendments to Appendix C – MZO; Part 4 (PD and Overlay Districts).

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3. When reviewing an application for a Conditional Use Permit for the uses enumerated in paragraph 2 of this Section, the Planning & Zoning Commission and City Council may consider the following additional criteria:
- (a) *Conformance to planning principles.* That the proposed use conforms to the Comprehensive Plan and the purposes of the SLH Overlay District.
  - (b) *Support for industrial users.* That the proposed use will support the needs of the current or future industrial users of the overlay district. Support may be evidenced, among other ways, by adjacency to the industrial user or the special needs of the heavy load vehicles or drivers that service the industrial user.
  - (c) *Protection of residential areas.* That the proposed use will not adversely impact the quiet enjoyment of residential property and repose of residential users, within or outside the overlay district.
4. The following uses are expressly prohibited within the SLH Overlay District, provided that any such use that exists as of ~~July 20, 2015~~ October 16, 2023, and which is lawfully and actively operating as of said date, may continue to operate as a nonconforming use subject to the terms of [Section 1-300](#), et seq.

**Transportation, Utilities:**

(a)	SIC 42a	Miniwarehousing, self-storage
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**Retail Trade:**

(b)	SIC 527	Mobile home dealers
(c)	SIC 551	Motor vehicle dealers (new and used)
(d)	SIC 552	Motor vehicle dealers (used only)

**Services:**

(e)	SIC 836a—c	Residential Care
(f)	SIC 86	Membership Organizations as the principal use
(g)	<a href="#">SIC 70</a>	<a href="#">Hotels, Camps, Other Lodging Places</a>
(h)	<a href="#">SIC 783</a>	<a href="#">Motion Picture Theaters</a>
(i)	<a href="#">SIC 79</a>	<a href="#">Amusement and Recreational Services</a>
(j)	<a href="#">SIC 821</a>	<a href="#">Elementary, Secondary Schools</a>
(k)	<a href="#">SIC 823</a>	<a href="#">Libraries</a>
(l)	<a href="#">SIC 835</a>	<a href="#">Child Daycare</a>
(m)	<a href="#">SIC 84</a>	<a href="#">Museums, Art Galleries, Arboreta, Zoos</a>

**EXHIBIT A TO ORDINANCE NO. 5076, ZTA NO. 2023-03.**

Amendments to Appendix C – MZO; Part 4 (PD and Overlay Districts).

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**Public Administration:**

<u>(n)</u>	<u>SIC 92223</u>	<u>Correctional Institutions</u>
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**Other:**

<u>(o)</u>		<u>Community Centers</u>
<u>(p)</u>		<u>Cultural Facilities</u>

**4-934 Required conditions.**

All establishments in the SLH Overlay District shall meet the following conditions, in addition to any stipulations or conditions of approval under the Conditional Use Permit provisions of this ordinance.

- A. *Site/floor plan.* A site/floor plan of any proposed establishment shall be submitted and approved by the Director prior to the issuance of a building permit or certificate-of-occupancy. The site plan approval shall identify (a) the specific activities approved and (b) any added stipulations or conditions for development or operation. The premises shall be operated and maintained in compliance with the approved site plan and certificate-of-occupancy in perpetuity, until replaced by a new site plan or certificate-of-occupancy, and further, shall be maintained in compliance with applicable provisions of the International Property Maintenance Code, as amended, during and after the use and occupancy of the premises or any structure thereon.
- B. *Site design and maintenance.* The site of any proposed use or structure within the SLH Overlay District shall be designed and developed in accordance with this Section in addition to all other requirements of the City's ordinances. In the event of a conflict between this Section and other provisions of the City's ordinances, this Section shall prevail.
  1. Where internal circulation for heavy load vehicles is improved, the Director may allow the number of parking lot trees required in Section 1A-200(B) to be clustered or distributed in a manner that improves the aesthetics of the site.
  2. The minimum landscaping of a parcel with a District Gateway site shall be increased by an amount equal to five percent of the site area, and such area shall be distributed within the private frontage of the primary thoroughfare abutting the site that also serves as an entry to the Skyline LH Overlay District. In addition to all other requirements of Chapter 1A-200, not less than 50 percent of the total landscaped frontage (consisting of the minimum landscape requirements plus the increased landscape area) shall consist of defined planting beds with drought tolerant materials from Chapter 1A-500, et seq.
  3. When a use in a Commercial or Industrial district is across either a divided boulevard or an undivided street from a residential use or district, and the Commercial or Industrial use includes a hardscaped frontage, the use in the Commercial or Industrial district shall provide a minimum 25-foot wide visual or sound attenuation buffer within the private frontage as prescribed in Section 4-935.
  - ~~4. Within 1,000 feet of a District Gateway, all screening required for outdoor storage under Section 3-603 shall consist of a masonry wall. Wood or chain link screening is prohibited. For purposes of this Section, distance shall be measured from the center point of the District Gateway intersection along a straight line to the nearest lot line of the parcel with the outdoor storage.~~

**EXHIBIT A TO ORDINANCE NO. 5076, ZTA NO. 2023-03.**

Amendments to Appendix C – MZO; Part 4 (PD and Overlay Districts).

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- 54. The parking of heavy load vehicles on the premises of the restricted uses enumerated in Section 4-933(B)(2) shall constitute outdoor storage for purposes of Section 3-603, and such uses shall comply with the requirements for outdoor storage in said Section; provided that in addition to all other requirements, the screening shall consist of an eight-foot masonry wall. Wood or chain link screening is prohibited. ~~The masonry screening wall shall continue and wrap around the entire length of any exterior or interior side of the outdoor storage area if the restricted use is located on a parcel within one thousand (1,000) feet of a District Gateway, as measured in paragraph (4).~~
- 65. Private vehicular cross access, as evidenced by easement, covenant or the presence of an improved or unimproved vehicular connection between parcels, shall be prohibited between any of the restricted uses enumerated in Section 4-933(B)(2) and any other use.
- 76. No owner of a premises, or operator or manager-on-duty of any use with the district, shall allow any unmounted trailer to be parked or stored on the premises, or suffer or permit the owner or driver of a heavy load vehicle to park or store an unmounted trailer on the premises, unless the parking or storage of unmounted vehicles is expressly authorized on the certificate-of-occupancy and the parking or storage is in compliance with any conditions therein, or unless the parking or storage is incidental to a use authorized on the certificate-of-occupancy.
- 87. No plat or replat of a parcel shall be approved if the purpose of such plat or replat is to defeat the application of any provision of this Section.

(Ord. No. 4371(TA No. 2015-01), § 1(1), 7-20-15; Ord. No. 4528, § 1(4), 1(5), 12-18-17)

**4-935 Walls and buffering.**

When any buffer or masonry screening, retaining or sound attenuation wall is required by Section 4-934, or the approved Site Plan or engineering plans, or as a condition of a Planned Development district, or by incentive or development agreement with the City, such buffer or wall shall be installed in accordance with this Section.

- A. The visual or sound attenuation buffer required by Section 4-934(C)(3) shall be designed and constructed according to the following standards:
  - 1. If the hardscaped frontage is designed and intended exclusively for use by passenger vehicles and light trucks, the 25-foot buffer shall consist of a fully landscaped strip that includes an earthen berm with a minimum height of four feet. All other requirements of Chapter 1A-300 shall apply.
  - 2. If the hardscaped frontage is designed or intended for use, in whole or in part, by heavy load vehicles, the 25-foot buffer shall consist of a sound attenuation wall eight feet in height set at the innermost edge of the buffer and a fully landscaped strip with tree line between the wall and the property line. All other requirements of Chapter 1A-300 shall apply.
- B. A masonry screening wall required by Section 1A-300, et seq., or Sections 4-935(4)-(5) shall be designed and constructed in accordance with the City's ~~General Engineering Design Standards Manual, dated February 5, 2015,~~ as amended.
- C. A concrete or masonry retaining or sound attenuation wall shall be designed and constructed with approval of the City Engineer, and Building Official if applicable. Absent a written agreement with the City:
  - 1. The concrete retaining wall shall be textured by form-liner or rustication; and
  - 2. The concrete or masonry retaining or sound attenuation wall shall be of a natural earth-tone color ~~comply with Principle 9 (Color) of the Community Appearance Manual, as amended.~~
- D. The maximum height of a sound attenuation wall shall be 10 feet. If upon demonstrated need that an attenuating barrier higher than 10 feet is required to effectively protect a residential use or district from an adjacent industrial use or district, the 10-foot wall shall be constructed atop an earthen berm approved by the City Engineer and landscaped on the non-industrial side in accordance with the approved Site Plan.

(Ord. No. 4371(TA No. 2015-01), § 1(1), 7-20-15)

**~~Sec. 4-936 – District gateways.~~**

~~Key entrances into the SLH Overlay District as shown in Exhibit "A" are hereby designated as "District Gateways" as designed herein. From and after the effective date of this ordinance, any parcel within a District Gateway that is rezoned (including a conditional use permit), platted or replatted, developed or redeveloped, or that receives a variance or special exception, which allows the property to be occupied by a use or developed in a manner not previously allowed, shall be designed and modified to comply with applicable gateway provisions of the Community Appearance Manual and the standards of this Chapter. In conjunction with, and where authorized by the Sign Code, a permitted sign type on the premises of a parcel within a District Gateway may include a design and features that give prominence and greater visibility to the SLH Overlay District, including but not limited to, place recognition of the City or the SLH Overlay District, special materials, height bonuses or lighting.~~

(Ord. No. 4371(TA No. 2015-01), § 1(1), 7-20-15)

**Sec. 4-936~~4-937~~ – Definitions.**

~~*District Gateway:* The designated intersections of certain rights-of-way as shown in Exhibit "A," and more particularly described in Table 4-937.1, which serve as key entrances into the SLH Overlay District, including all parcels within the Skyline LH Overlay District that are situated within a radius of 300 feet from the center point of the intersection so designated.~~

Table 4-937.1	
District Gateway (Intersection of ROW/ROW)	Minor Name
Samuell Boulevard/Buckner Boulevard	Buckner Gateway
Big Town Boulevard/Paces Court	Big Town Gateway
Samuell Boulevard/S. Town East Boulevard	Town East Gateway
S. Town East Boulevard/Military Parkway	Military Gateway
N. Peachtree Road/Union Pacific Railroad	Peachtree Gateway

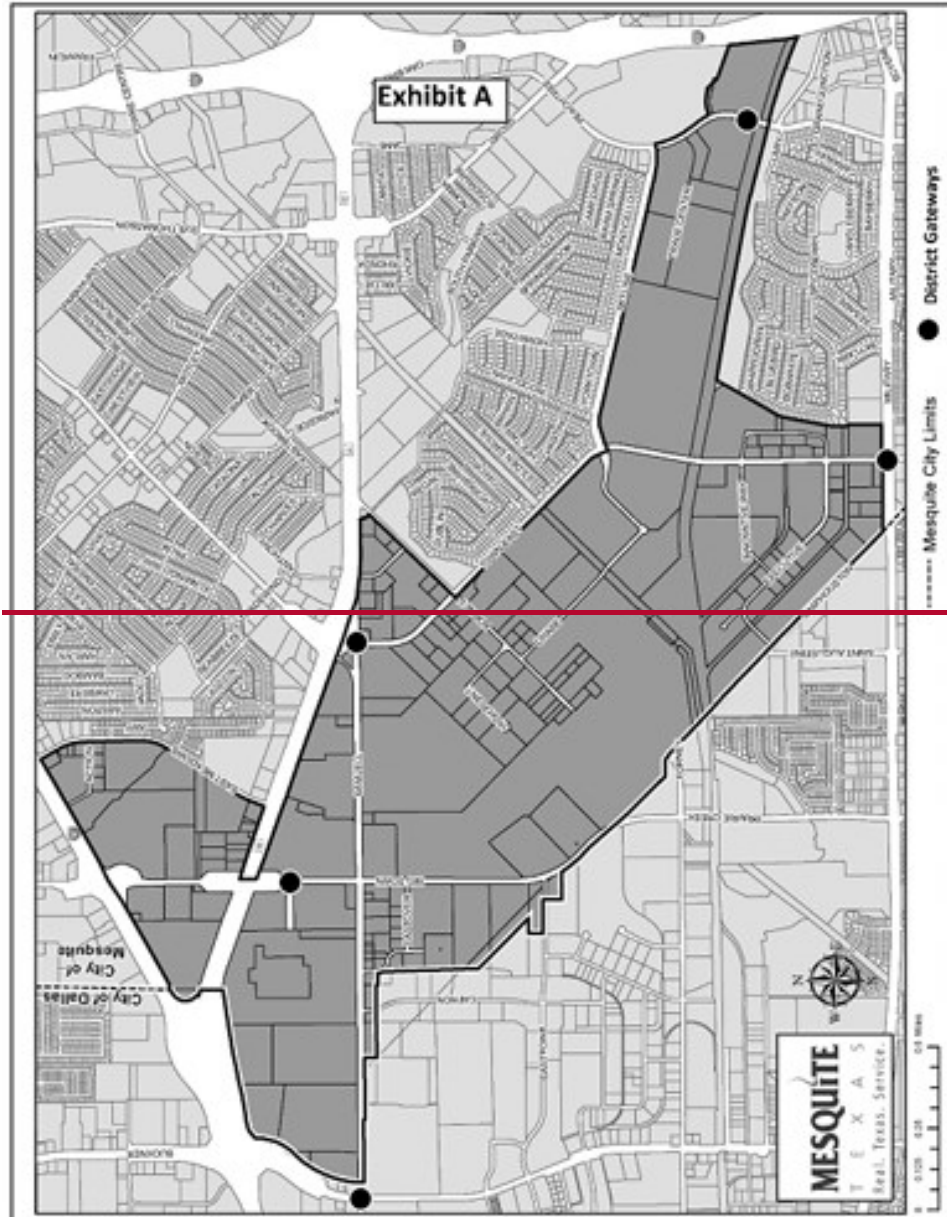
*Private frontage:* The area of a site situated between the street property line and a line coplanar with the façade of the primary structure. The private frontage is comprised of a mandatory landscaped frontage consisting of turf, planting beds, trees and other amenities adjoining the public sidewalk or parkway, and a hardscaped frontage, if any, consisting of parking areas, access drives, internal drive aisles and shopfront walkways.

(Ord. No. 4371(TA No. 2015-01), § 1(1), 7-20-15)

[SEE next page.]

EXHIBIT A TO ORDINANCE NO. 5076, ZTA NO. 2023-03.  
Amendments to Appendix C – MZO; Part 4 (PD and Overlay Districts).  
P&Z Meeting Date: September 25, 2023 | City Council Meeting Date: October 16, 2023

***[Editor's Note: Delete this Exhibit "A" Map. There is no replacement.]***



**Secs. 4-937 – 4-949. – Reserved.**

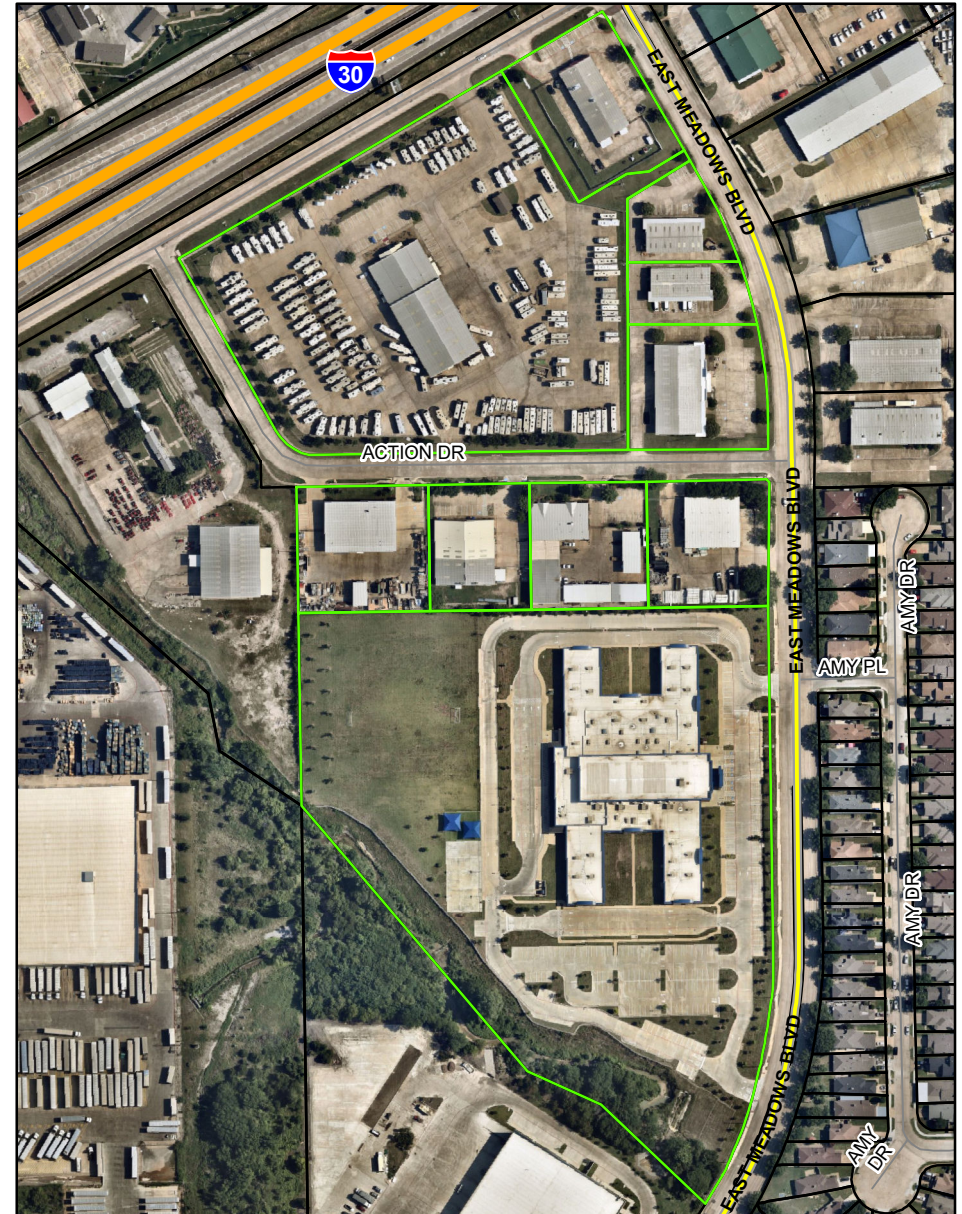
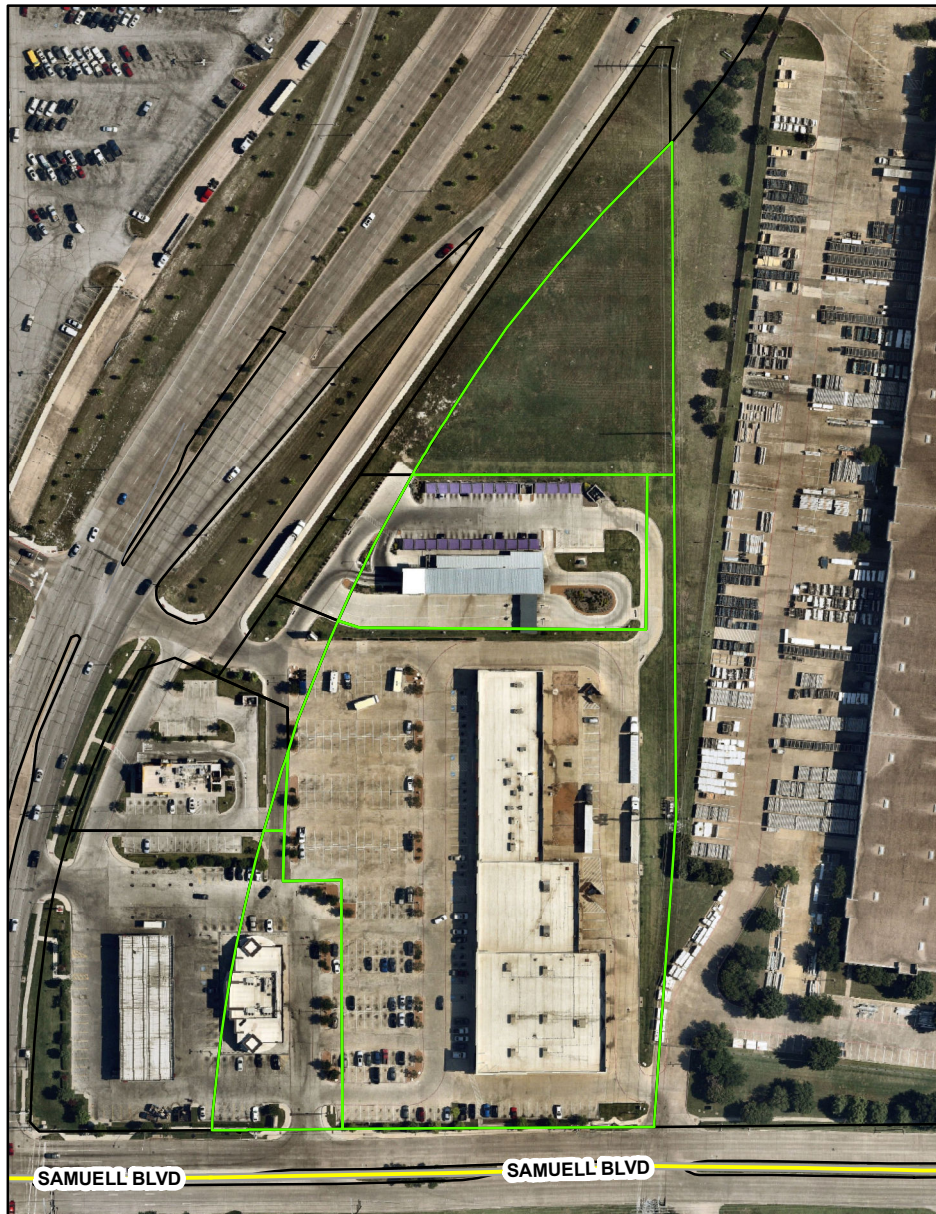
## **EXHIBIT B**

**To Ordinance No. 5076**

Aerial Map

# Aerial Map

Exhibit B



**Applicant:** City of Mesquite  
**Location:** 5500 and 5600 blocks of S. Buckner Boulevard;  
 the 4200 and 4300 blocks of Interstate Highway 30; the  
 2800 through 3000 blocks of East Meadows Boulevard;  
 and the 4200 and 4300 blocks of Action Drive.

## Legend

Subject Property

0 40 80 160 240 320  
 Feet

