

ORDINANCE NO. 4187  
Zoning Text Amendment No. 2011-03

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 PROVIDING CERTAIN ADDITIONS AND DELETIONS UNDER SECTIONS 4-1000 AND 4-1020 PERTAINING TO THE APPLICATION OF THE TRUMAN HEIGHTS REVITALIZATION CODE AND THE NORTH GUS THOMASSON CORRIDOR REVITALIZATION CODE TO PRE-EXISTING CONDITIONS OF BUILDINGS, FUNCTIONS AND PREMISES THEREBY REQUIRING THE RETRO-FITTING OF EXISTING BUILDINGS, FUNCTIONS AND PREMISES TO CONFORM TO THE STANDARDS OF THE SAID CODES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE.

WHEREAS, the Mesquite Comprehensive Plan identifies neighborhood sustainability zones as the planning framework for the revitalization of certain neighborhoods and their adjacent distressed commercial corridors; and

WHEREAS, the Comprehensive Plan establishes key policies for neighborhood sustainability zones to include pedestrian-orientation with a complete streets approach, the use of form-based regulations to promote business corridor renewal and compatibility between building functions, and recreation of the public realm through extensive use of building enclosure, landscaping, sidewalks and civic spaces; and

WHEREAS, on November 5, 2007, and December 15, 2008, the City Council adopted the Truman Heights Revitalization Code (the "THRC") and the North Gus Thomasson Corridor Revitalization Code (the "NGTCRC"), respectively, to transform the Truman Heights Neighborhood District and the North Gus Thomasson Corridor District (collectively "the Districts") and achieve the policies and strategies of the Comprehensive Plan and Project Renewal; and

WHEREAS, the THRC and the NGTCRC require nonconforming pre-existing buildings, functions and premises to comply with the terms of the revitalization codes upon the occurrence of certain events that serve as triggers for retrofitting; however, the City Council finds that to date, such triggers have proven to be inadequate in achieving progress towards comprehensive revitalization of the City's neighborhood sustainability zones; and

WHEREAS, pending public and private investments in the Districts can serve as catalysts for further investment and revitalization, provided that the City demonstrates its intent to protect future investment and support higher property values by enforcing the revitalization codes and taking steps to ensure that nonconforming buildings, functions and premises on surrounding properties are retrofit at a pace that contributes to the momentum of revitalization; and

WHEREAS, to accomplish the above purposes and set in motion the conditions for achieving substantial progress toward revitalization, the City Council deems it necessary to redefine and expand the scope of events that will trigger the retrofitting of nonconforming pre-existing buildings, functions and premises within the Districts.

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 certain additions and deletions under Sections 4-1000 and 4-1020 to read as follows, said Ordinance in all other respects to remain in full force and effect:

- (1) *Section 4-1003.* Amend by deleting the section in its entirety and adding a new Section 4-1003 to read as follows:

From and after November 5, 2007, the uses and buildings on all land rezoned to THN shall conform exclusively to the Truman Heights Revitalization Code, adopted concurrent with the creation of the THN district and as subsequently amended, and which is incorporated herein as if set forth in full.

- (2) *Section 2.9 of the THRC.* Amend by deleting the section in its entirety and adding a new Section 2.9 of the THRC as provided in Exhibit "A" attached hereto.
- (3) *Article 4 of the THRC.* Amend by deleting the article in its entirety and adding a new Article 4 of the THRC as provided in Exhibit "B" attached hereto.
- (4) *Section 4-1023.* Amend by deleting the section in its entirety and adding a new Section 4-1023 to read as follows:

From and after December 15, 2008, the uses and buildings on all land rezoned to NGTC shall conform exclusively to the North Gus Thomasson Corridor Revitalization Code, adopted concurrent with the creation of the NGTC district and as subsequently amended, and which is incorporated herein as if set forth in full.

- (5) *Section 2.10 of the NGTCRC.* Amend by deleting the section in its entirety and adding a new Section 2.10 of the NGTCRC as provided in Exhibit "C" attached hereto.
- (6) *Article 4 of the NGTCRC.* Amend by deleting the article in its entirety and adding a new Article 4 of the NGTCRC as provided in Exhibit "D" attached hereto.

**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.

**ARTICLE 2. INFILL COMMUNITY SCALE PLANS**  
**TRUMAN HEIGHTS REVITALIZATION CODE: *City of Mesquite***

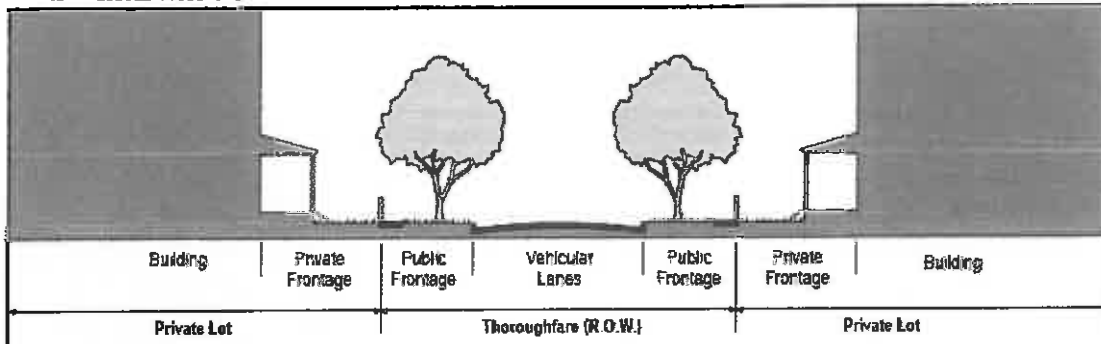
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- 2.9 PRE-EXISTING CONDITIONS; RETROFITTING REQUIRED**
- 2.9.1 Existing buildings, Functions and Premises that do not conform to the provisions of this Code may continue only as provided in this Section.
- 2.9.2 At such time as any approval for a permit application as defined in City Code Section 1-17 is sought for the Expansion of or Substantial Modification to a nonconforming building:
- a. The expanded portion of the building shall comply with the provisions of this Code.
  - b. The building being substantially modified shall be retrofitted.
- 2.9.3 A nonconforming Function shall terminate when the Function is abandoned or ceases to actively operate on the Premises for six months or more, after which time the Function shall not continue or recommence operations.
- 2.9.4 Except as provided in Section 2.9.5, the Premises shall be retrofitted to comply with the provisions of this Code when:
- a. Any approval for a permit application as defined in City Code Section 1-17 is sought for the Expansion of or Substantial Modification to a nonconforming building;
  - b. Any nonconforming Function ceases to actively operate and a new or revised certificate-of-occupancy is sought for the Premises; or
  - c. No Function actively operates on the Premises for more than three (3) months.
- 2.9.5 The Director may by Warrant approve a transition plan for the retrofitting of the Premises pursuant to Section 2.9.4(b) and (c) that allows the property owner a period of time to achieve compliance with Sections 3.3.1, 3.3.2 and 3.5. A transition plan shall not exceed five (5) years. A transition plan may also be appended to and made a condition for the approval of any other Warrant authorized by this Code.
- 2.9.6 Any Expansion or modification of a Building of Value that has been designated as such by Historic Mesquite, Inc. or to a building actually or potentially eligible for inclusion on a state, local or national historic register, shall be subject to approval by Historic Mesquite, Inc.
- 2.9.7 The restoration or rehabilitation of an existing building shall not require the provision of:
- a. Parking in addition to that existing, or
  - b. On-site stormwater retention/detention in addition to that existing.
- 2.9.8 Existing parking requirements that exceed those for this Code may be reduced as provided by Tables 3-1 and 3-4.

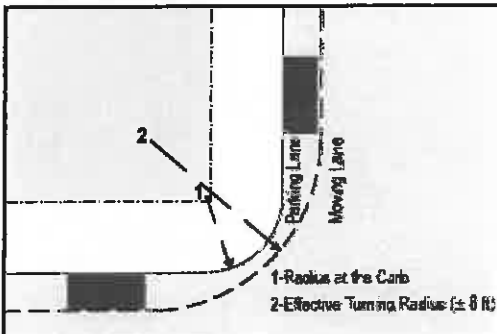
ARTICLE 4. DEFINITIONS OF TERMS  
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Illustrated Definitions

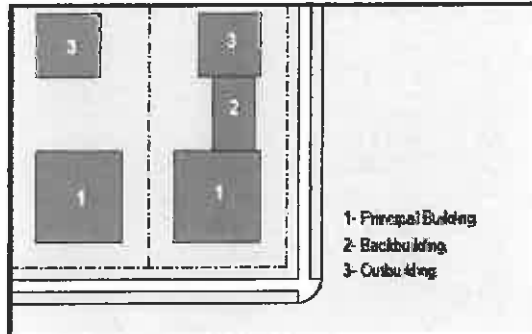
a. ROADWAY & FRONTAGES



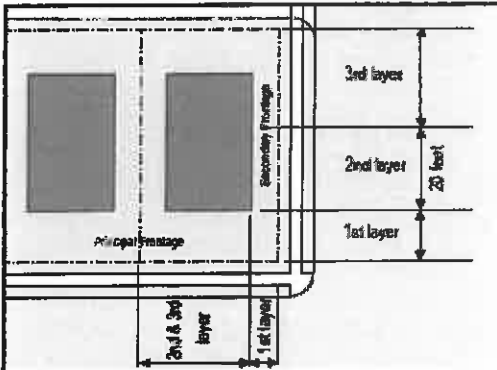
b. TURNING RADIUS



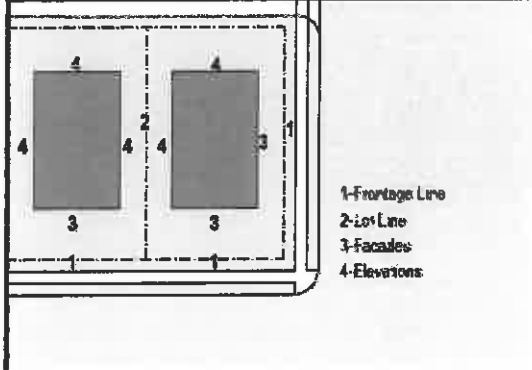
c. BUILDING DISPOSITION



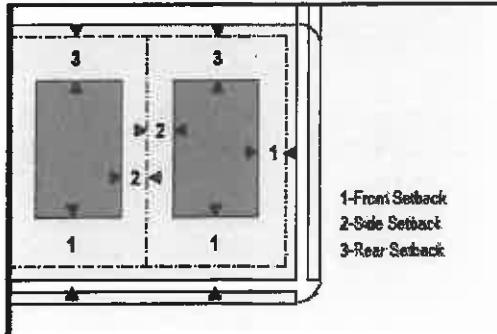
d. LOT LAYERS



e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS



ARTICLE 4. DEFINITIONS OF TERMS  
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**DEFINITIONS**

The remainder of Article 4 provides definitions for terms in this Code that are technical in nature or that otherwise may not reflect a common usage of the term. If a term is not defined in this Article, then the Planning Division shall determine the correct definition of the term based on industry planning standards.

**Accessory Building:** an Outbuilding with an Accessory Function or Accessory Unit.

**Accessory Function:** a use conducted in conjunction with, incidental to, and commonly associated with, the principal function of the lot.

**Accessory Unit:** an Apartment sharing ownership and utility connections with a Principal Building (see Illustrated Definitions).

**Actively Operate:** to openly conduct on a Premises the actions, processes or affairs attendant to a Function as evidenced by (1) a valid certificate-of-occupancy for the Function and the physical presence on the Premises of persons or automated machinery conducting the Function during established hours of business, or (2) the possession of an unexpired building permit to construct, Retrofit, remodel, rehabilitate or renovate a building necessary to conduct a future Function.

**Allee:** a regularly spaced and aligned row of trees usually planted along a Roadway or Path.

**Apartment:** a Residential unit sharing a building and a Lot with other units and/or uses.

**Arcade:** a Private Frontage conventional for Retail use wherein the Façade is a colonnade that overlaps the Sidewalk, while the Façade at Sidewalk level remains at the Frontage Line.

**Arterial:** According to AASHTO, the Arterial system carries most of the trips entering and leaving the urban area, as well as most of the through movements bypassing the central city. In addition, significant intra-area travel, such as between urban centers, is served by this class of facility. The Arterial system may carry intra-urban as well as intercity bus routes. Lastly, this system provides continuity for all rural arterials that intercept the urban boundary.

**Attic:** the interior part of a building contained within its roof structure.

**Avenue (AV):** a Roadway of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median.

**Backbuilding:** a single-Story structure connecting a Principal Building to an Outbuilding (see Illustrated Definitions).

**Base Density:** the number of dwelling units per acre before adjustment for other Functions. See Density.

**Bed and Breakfast:** an owner-occupied Lodging type offering 1 to 5 bedrooms, providing, for a fee, sleeping accommodations and customary lodging services, permitted to serve breakfast in the mornings to guests.

**Bicycle Lane (BL):** a dedicated bicycle lane running within a moderate-speed vehicular Roadway, demarcated by striping.

**Bicycle Route (BR):** a Roadway suitable for the shared use of bicycles and automobiles moving at low speeds.

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**Bicycle Trail (BT):** a bicycle way running independently of a high-speed vehicular Roadway.

**Block:** the aggregate of private Lots, Passages and Rear Drives, circumscribed by Roadways.

**Block Face:** the aggregate of all the building Facades on one side of a block.

**Building of Value:** a structure designated for protection by Historic Mesquite, Inc.

**By Right:** characterizing a proposal or component of a proposal for a Infill Regulating Plan that complies with the Code and is permitted and processed administratively, without public hearing. See Warrant.

**Civic:** the term defining not-for-profit organizations dedicated to arts, culture, recreation, government, transit, and municipal parking.

**Civic Building:** a building operated by not-for-profit organizations dedicated to arts, culture, recreation, government, transit, and municipal parking, or for use approved by the legislative body.

**Civic Parking Reserve:** Parking Structure or lot within a quarter-mile of the site that it serves.

**Civic Space:** an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationship between their intended use, their size, their landscaping and their Enfronting buildings.

**Civic Zone:** designation for public sites dedicated for Civic Buildings and Civic Space.

**Code:** the Truman Heights Revitalization Code adopted in Section 4-1000 of the Mesquite Zoning Ordinance.

**Collector:** According to AASHTO, the Collector system provides both land access service and traffic circulation within Residential neighborhoods and Commercial and Industrial areas. Facilities on the Collector system may penetrate residential neighborhoods, distributing trips from arterials through the area to their ultimate destinations. The Collector system also collects traffic from Local streets in residential neighborhoods and channels it into the Arterial system. The Collector system may carry local bus routes.

**Commercial:** the term collectively defining workplace, Office, Retail, and Lodging functions.

**Common Destination:** an area of focused Community activity, usually defining the approximate center of a Neighborhood Sustainability Zone. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.

**Common Lawn:** a planted Private Frontage wherein the Façade is set back from the Frontage Line. It is visually continuous with adjacent yards.

**Community:** a regulatory category defining the physical form, Density, and extent of a settlement. The Community type addressed in this Code is an Infill TND.

**Community Appearance Manual:** regulations set forth by the City of Mesquite to control external architectural design, materials and quality. Reference to any version of the Community Appearance Manual shall include all subsequent versions.

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**Configuration:** the form of a building, based on its massing, Private Frontage, and height.

**Corridor:** a lineal geographic system incorporating transportation and/or greenway trajectories. A transportation corridor may be a lineal urban Transect Zone.

**Cottage:** an Edgeyard building type. A single-family dwelling, on a regular lot, often shared with an Accessory Building in the back yard.

**Courtyard:** a building that occupies the boundaries of its Lot while internally defining one or more private patios.

**Curb:** the edge of the vehicular pavement detailed as a raised curb or flush to a swale. The Curb usually incorporates the drainage system.

**Curb Radius:** the measurement of the inside Turning Radius (see Illustrated Definitions).

**Density:** the number of dwelling units within a standard measure of land area.

**Design Speed:** is the velocity at which a Roadway tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed.

**Development Review Committee (DRC):** Usually part of the Planning Office, a DRC is comprised of a representative from each of the various regulatory agencies that have jurisdiction over the permitting of a project.

**Director:** the Director of Community Development for the City of Mesquite.

**Display Gallery:** an establishment engaged in the sale, loan, or exhibition of original works of art or limited editions of original art.

**Disposition:** the placement of a building on its Lot (see Illustrated Definitions).

**District:** area on the Zoning Map where the Code is the exclusive and mandatory zoning regulation (Syn. Truman Heights Neighborhood District).

**Dooryard:** see Terrace.

**Driveway:** a vehicular lane within a Lot, often leading to a garage.

**Duplex:** two dwelling units connected by common wall. A duplex may be located on one lot or on separate lots.

**Edgeyard Building:** a building that occupies the center of its lot with setbacks on all sides.

**Effective Parking:** the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor.

**Effective Turning Radius:** the measurement of the inside Turning Radius taking parked cars into account (see Illustrated Definitions).

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**Elevation:** an exterior wall of a building not along a Frontage Line (see: Facade; Illustrated Definitions).

**Encroachment:** any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit.

**Enfront:** to place an element along a Frontage, as in “porches Enfront the street.”

**Estate House:** an Edgeward building type. A single-family dwelling on a very large lot of rural character, often shared by one or more Accessory Buildings.

**Expansion:** to enlarge the footprint of a building or intensify a Function taking place on the premises.

**Facade:** the exterior wall of a building that is set along a Frontage Line (see Elevation; Frontage Line).

**Flex Building:** see Live-Work.

**Frontage:** the area between a building Facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage.

**Frontage Line:** a Lot line bordering a Public Frontage. Facades facing Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines (see Illustrated Definitions).

**Function:** the use or uses accommodated by a building and its Lot, categorized as Restricted, Limited, or Open, according to the intensity of the use.

**Gallery:** a Private Frontage conventional for Retail use wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk.

**General Urban Zone:** (T-4) consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, Sideyard, and Rowhouses. Setbacks and landscaping are variable. Streets with Curbs and Sidewalks define medium-sized Blocks.

**Green:** an Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be ¼ acre and the maximum shall be 8 acres.

**Greenfield:** an area that consists of open or wooded land or farmland that has not been previously developed.

**Greenway:** an open space corridor in largely natural conditions which may include Trails for bicycles and pedestrians.

**Growth Sector:** one of four Sectors where development is permitted By Right in the SmartCode, three for New Communities and one for Infill. The Truman Heights Neighborhood District falls within the Infill Growth Sector (G4).

**Highway:** a rural and suburban Roadway of high vehicular speed and capacity. This type is allocated to the more rural Transect Zones (T-1, T-2 and T-3)



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**House (Syn.: Single):** an Edgeyard building type, usually a single-family dwelling on a large lot, often shared with an Accessory Building in the back yard.

**Hotel:** a Lodging type, owner-occupied, offering at least 12 rooms with no room limit; providing, for a fee, sleeping accommodations and customary lodging services. Related ancillary uses may include conference and meeting rooms, restaurants, bars, and recreational facilities.

**Infill:** *noun* - new development on land that had been previously developed, including most Greyfield and Brownfield sites and cleared land within urbanized areas. *verb* - to develop such areas.

**Infill Traditional Neighborhood Development (TND):** a Community type within an urbanized, Greyfield, or Brownfield area based on the General Urban Zone and a Neighborhood Sustainability Zone. An Infill TND is permitted By Right in the G-4 Infill Growth Sector and is regulated by Article 2. For further information on TND see Traditional Neighborhood Development.

**Inn:** a Lodging type, owner-occupied, offering 6 to 12 bedrooms, providing, for a fee, sleeping accommodations and customary lodging services, permitted to serve breakfast in the mornings to guests.

**Kiosk:** a structure that may be constructed somewhere other than the lot on which it is placed or which is comprised of parts that are constructed elsewhere and assembled on a lot, and which is designed and intended to be used primarily for retail sale, display, and accessory advertising of food or merchandise.

**Layer:** a range of depth of a Lot within which certain elements are permitted (see Illustrated Definitions).

**Lightwell:** a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements.

**Liner Building:** a building specifically designed to mask a parking lot or a Parking Structure from a frontage.

**Live-Work:** a Mixed Use unit consisting of a Commercial and Residential Function. The Commercial Function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the Commercial activity or industry (see Work-Live). (Syn.: flexhouse.)

**Local:** According to AASHTO, a local street is mainly for residential facilities. It primarily permits direct access to abutting lands and connections to Collectors and Arterials. It offers the lowest level of mobility and usually contains no bus routes. Service to through-traffic movement usually is deliberately discouraged.

**Lodging:** premises available for daily and weekly renting of bedrooms.

**Lot:** a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain or coarse grain) of the urban fabric.

**Lot Coverage:** the ratio of all impermeable surfaces, including surface parking and drives, to the total area of the Lot.

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**Lot Line:** the boundary that legally and geometrically demarcates a Lot.

**Lot Width:** the length of the Principal Frontage Line of a Lot.

**Metrics:** the variables that define the form-based elements of the Truman Heights Revitalization Code.

**Minor Reconstruction:** to undertake repairs to a building as a direct result of damage caused by accidental fire or natural disaster, the cost of which is less than 50% of the unadjusted taxable value of the entire building according to records of the Dallas County Appraisal District.

**Mixed Use:** multiple Functions within the same building through superimposition or adjacency, or in multiple buildings within the same area by adjacency. Mixed use is one of the principles of TND development from which many of its benefits are derived, including compactness, pedestrian activity, and parking space reduction.

**Natural Zone:** (T-1) consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.

**Neighborhood:** the smallest subarea in planning, defined as a Residential area whose residents have public facilities, social institutions, and Commercial buildings within walking distance of their homes. See Traditional Neighborhood Development.

**Neighborhood Sustainability Zone:** an area, approximately circular, that is centered on a Common Destination. A Neighborhood Sustainability Zone is applied to determine the approximate size of a Neighborhood. A Neighborhood Sustainability Zone is 1/4 mile radius or 1320 feet, about the distance of a five-minute walk at a leisurely pace. It has been shown that provided with a pedestrian environment, most people will walk this distance rather than drive. The outline of the shed must be refined according to actual site conditions, particularly along Roadways. The Common Destination should have the present or future capacity to accommodate a T5 Transect Zone for TND.

**Office:** premises available for the transaction of general business but excluding Retail, artisanal and manufacturing uses.

**Open Space:** land intended to remain undeveloped; it may be reserved for Civic Space.

**Open-Market Building:** the sale or display of retail merchandise or services outside of a permanent structure, including but not limited to the sale of fruits, vegetables, shrubbery, plants, seeds and other home garden supplies.

**Outbuilding:** an Accessory Building, usually located towards the rear of the same Lot as a Principal Building. It is sometimes connected to the Principal Building by a Backbuilding (see Illustrated Definitions).

**Park:** a Civic Space type that is a natural preserve available for unstructured recreation.

**Parking Structure:** a building containing two or more Stories of parking.

**Passage (PS):** a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

**Path (PT):** a pedestrian way traversing a Park or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.

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**Planter:** the element of the Public Frontage which accommodates street trees, whether continuous or individual.

**Porch:** a covered area projecting from and structurally connected to a building.

**Premises:** a parcel or tract of land that is subject to the provisions of this Code.

**Primary-Secondary-Tertiary Grid:** designations appearing on the Infill Regulating Plan: Special Requirements, which vary according to the degree of support for pedestrian activity, architectural and signage standards, and procedural requirements.

**Principal Building:** the main building on a Lot, usually located toward the Frontage (see Illustrated Definitions).

**Principal Entrance:** the main point of access for pedestrians into a building.

**Principal Frontage:** on corner Lots, the Private Frontage along a Primary or Secondary Grid.

**Private Frontage:** the privately held Layer between the Frontage Line and the Principal Building Façade (see Illustrated Definitions).

**Public Frontage:** the area between the Curb of the vehicular lanes and the Frontage Line.

**Range (e.g., setback):** the variation, if any, in the actual referenced dimension or specification of existing buildings on two or more adjacent lots.

**Rear Drive (RD):** a vehicular driveway located to the rear of lots providing access to service areas and parking. Drives should be paved from building face to building face, with drainage by inverted crown at the center or with roll curbs at the edges.

**Rearyard Building:** a building that occupies the full frontage line, leaving the rear of the lot as the sole yard. This is a more urban type, as the continuous façade spatially defines the public Roadway. For its residential function, this type yields a Rowhouse. For its Commercial function, the rear yard can accommodate substantial parking.

**Regulating Plan:** a Zoning Map or set of maps that shows the Transect Zones, Civic Zones, and Special Requirements, of areas subject to, or potentially subject to, regulation by the Code.

**Residential:** premises available for long-term human dwelling.

**Restaurant:** a Retail establishment where food and beverages are prepared, served, and consumed primarily within the principal building.

**Retail:** premises available for the sale of merchandise and food service.

**Retail Frontage:** Frontage designated on a Regulating Plan that requires or recommends the provision of a Shopfront, encouraging the ground level to be available for Retail use (see Special Requirements).

**Retrofit:** to remove, modify or improve the nonconforming elements of a building or Premises so as to achieve substantial compliance with the provisions of this Code. A building is Retrofitted by complete or partial demolition, modification, incorporation within or joining to new construction so

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that the resultant new or composite building complies with the Code. A Premises is Retrofitted when the entirety of the property, including any building, is brought into compliance with the Code.

**Roadway:** a way for use by vehicular and pedestrian traffic and to provide access to Lots and Open Spaces, consisting of Vehicular Lanes and the Public Frontage. According to the Thoroughfare Plan, Roadways fall into a hierarchy from Local, to Collector, to Arterial.

**Rowhouse:** a single-family dwelling that shares a party wall with another of the same type and occupies the full Frontage Line (Syn: Townhouse; see **Rearyard Building**).

**School Dormitory:** a building intended or used principally for sleeping accommodations where such building is related to an educational institution.

**Secondary Frontage:** on corner lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its first Layer is regulated.

**Secondary Grid:** see Primary-Secondary-Tertiary Grid.

**Sector:** a neutral term for a geographic area. In the SmartCode template there are six specific Sectors that establish the legal boundaries for several kinds of development. The Truman Heights Neighborhood District falls within an Infill Growth Sector. Sectors address the legal status of place at the regional scale while Transect Zones address the physical character of communities. Sectors contain Community Types (the District is an Infill TND Community Type), which contain Transect Zones. Each Transect Zone contains design standards appropriate to those T-Zones (the District has two Transect Zones: T-4 General Urban and T-1 Natural).

**Sexually Oriented Business:** commercial activities regulated by Chapter 12 of the City Code of the City of Mesquite.

**Setback:** the area of a lot measured from the lot line to a building facade or elevation. This area must be maintained clear of permanent structures with the exception of: galleries, fences, garden walls, arcades, porches, stoops, balconies, bay windows, terraces and decks (that align with the first story level) which are permitted to encroach into the Setback.

**Shared Parking Factor:** an accounting for parking spaces that are available to more than one Function and which is calculated by adding the total number of spaces required by each separate function and dividing the total by the appropriate factor from the Sharing Factor matrix.

**Shopfront:** a Private Frontage conventional for Retail use, with substantial glazing and an awning, wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade.

**Sidewalk:** the paved section of the Public Frontage dedicated exclusively to pedestrian activity.

**Sideyard Building:** a building that occupies one side of the lot with a setback to the other side.

**Smart Code:** the model *Smart Code Version 9.2* and all subsequent versions.

**Specialized Building:** a building that is not subject to Residential, Commercial, or Lodging classification. Most specialized buildings are dedicated to manufacturing and transportation, and are distorted by the trajectories of machinery.

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**Special Requirements:** provisions of Section 2.8 of this Code and/or the associated designations on a Regulating Plan or other map for those provisions.

**Square:** a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by building Frontages and consisting of Paths, lawns and trees, formally disposed.

**Stoop:** a Private Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance.

**Story:** a habitable level within a building of no more than 14 feet in height from finished floor to finished ceiling. Attics and raised basements are not considered stories for the purposes of determining building height.

**Street (ST):** a local urban Roadway of low speed and capacity. Its public frontage consists of raised curbs drained by inlets and sidewalks separated from the vehicular lanes by a planter and parking on both sides. The landscaping consists of regularly placed street trees.

**Streetscape:** the urban element that establishes the major part of the public realm. The streetscape is composed of Roadways (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

**Street Screen:** sometimes called Street Wall. A freestanding wall built along the frontage line, or coplanar with the facade, often for the purpose of masking a parking lot from the Roadway.

**Substantial Modification:** any improvement to, Expansion or alteration of a building the cost of which is greater than 25% of the unadjusted taxable value of the entire building according to records of the Dallas County Appraisal District, except Minor Reconstruction.

**T-Zone:** Transect Zone.

**Terminated Vista:** a location at the axial conclusion of a Roadway.

**Terrace:** a Private Frontage type with a shallow Setback and front garden or patio, usually with a low wall at the Frontage Line. (Variant: Lightwell) (Syn. Dooryard)

**Tertiary Grid:** see Primary-Secondary-Tertiary Grid.

**Tier:** synonym for Sector.

**Traditional Neighborhood Development (TND):** a Community type structured by a Standard Neighborhood Sustainability Zone oriented toward a Common Destination consisting of a Mixed Use center or Corridor, and in the form of a medium-sized settlement near a transportation route. A TND is designed to include a range of housing types, a network of well-connected streets and blocks, civic spaces, civic buildings, and have amenities such as stores, schools, and places of worship within walking distance of residences. (Variant: Infill TND, Neighborhood.)

**Transition Plan:** a written memorandum appended to a Warrant or incorporated into a binding agreement that sets forth the scope and sequencing of a process to Retrofit a Premises.

**Townhouse:** Syn. Rowhouse. (See Rearyard Building.)

## ARTICLE 4. DEFINITIONS OF TERMS

### TRUMAN HEIGHTS REVITALIZATION CODE: *City of Mesquite*

**Transect:** a cross-section of the environment showing a range of different habitats. The rural-urban Transect of the human environment used in the SmartCode template is divided into six Transect Zones. These zones describe the physical form and character of a place, according to the Density and intensity of its land use and urbanism.

**Transect Zone (T-Zone):** one of several areas on a Zoning Map regulated by the Code. Transect Zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, Density, height, and Setback requirements, other elements of the intended habitat are integrated, including those of the private Lot and building and Public Frontage.

**Transit Route:** an existing or planned route for public service in the local or regional transportation plan.

**Truman Heights Neighborhood District:** area on the Zoning Map where the Code is the exclusive and mandatory zoning regulation. (Syn. District)

**Truman Heights Neighborhood Plan:** a document adopted by the City Council on March 19, 2007, as a part of the comprehensive plan for the city containing public policies relating to the Truman Heights Neighborhood.

**Turning Radius:** the curved edge of a Roadway at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning Radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn (see Illustrated Definitions).

**Warrant:** a ruling that would permit a practice that is not consistent with a specific provision of this Code, but that is justified by its Intent (Section 1.3).

**Work-Live:** a Mixed Use unit consisting of a Commercial and Residential Function. It typically has a substantial Commercial component that may accommodate employees and walk-in trade. The unit is intended to function predominantly as work space with incidental Residential accommodations that meet basic habitability requirements (see Live-Work).

**Yield:** characterizing a Roadway that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation.

**Zoning Map:** the official map or maps that are part of the zoning ordinance and delineate the boundaries of individual zones and districts (see Regulating Plan).

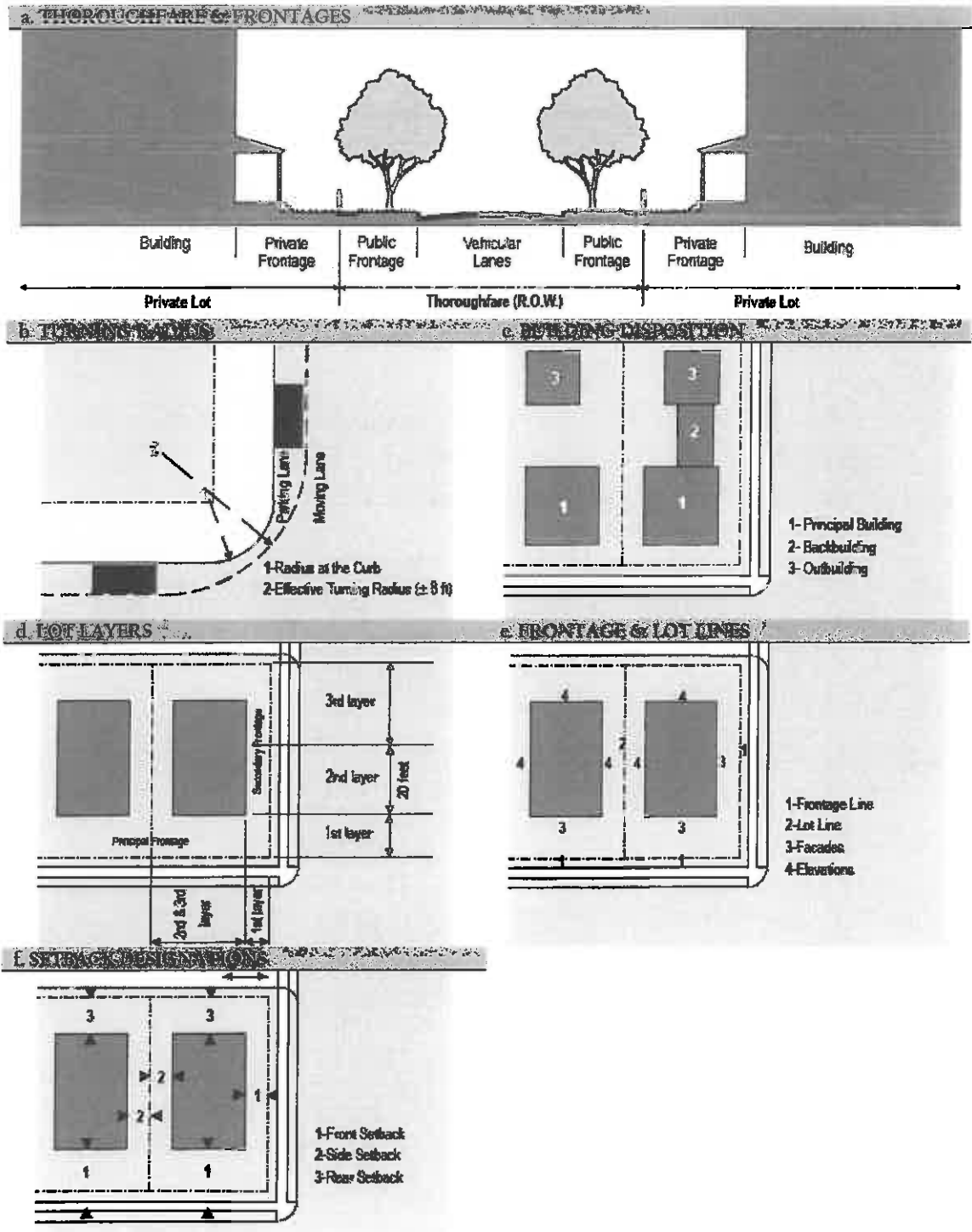
**ARTICLE 2. INFILL COMMUNITY SCALE PLANS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**2.10 PRE-EXISTING CONDITIONS; RETROFITTING REQUIRED**

- 2.10.1 Existing buildings, Functions and Premises that do not conform to the provisions of this Code may continue only as provided in this Section.
- 2.10.2 At such time as any approval for a permit application as defined in City Code Section 1-17 is sought for the Expansion of or Substantial Modification to a nonconforming building:
- a. The expanded portion of the building shall comply with the provisions of this Code.
  - b. The building being substantially modified shall be retrofitted.
- 2.10.3 A nonconforming Function shall terminate when the Function is abandoned or ceases to actively operate on the Premises for six months or more, after which time the Function shall not continue or recommence operations.
- 2.10.4 Except as provided in Section 2.10.5, the Premises shall be retrofitted to comply with the provisions of this Code when:
- a. Any approval for a permit application as defined in City Code Section 1-17 is sought for the Expansion of or Substantial Modification to a nonconforming building;
  - b. Any nonconforming Function ceases to actively operate and a new or revised certificate-of-occupancy is sought for the Premises; or
  - c. No Function actively operates on the Premises for more than three (3) months.
- 2.10.5 The Director may by Warrant approve a transition plan for the retrofitting of the Premises pursuant to Section 2.10.4(b) and (c) that allows the property owner a period of time to achieve compliance with Sections 3.5, 3.6 and 3.9. A transition plan shall not exceed five (5) years. A transition plan may also be appended to and made a condition for the approval of any other Warrant authorized by this Code.
- 2.10.6 Any Expansion or modification of a Building of Value that has been designated as such by Historic Mesquite, Inc. or to a building actually or potentially eligible for inclusion on a state, local or national historic register, shall be subject to approval by Historic Mesquite, Inc.
- 2.10.7 The restoration or rehabilitation of an existing building shall not require the provision of:
- a. Parking in addition to that existing, or
  - b. On-site stormwater retention/detention in addition to that existing.
- 2.10.8 Existing parking requirements that exceed those for this Code may be reduced as provided by Tables 3-4 and 3-7.

**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: City of Mesquite**

TABLE 4-1: Illustrated Definitions





**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**DEFINITIONS**

The remainder of Article 4 provides definitions for terms in this Code that are technical in nature or that otherwise may not reflect a common usage of the term. If a term is not defined in this Article, then the Planning Division shall determine the correct definition of the term based on industry planning standards.

**A-Grid:** cumulatively, those Thoroughfares that by virtue of their pre-existing pedestrian-supportive qualities, or their future importance to pedestrian connectivity, are held to the highest standards prescribed by this Code (see B-Grid).

**Accessory Building:** an Outbuilding with an Accessory Function or Accessory Unit.

**Accessory Function:** a use conducted in conjunction with, incidental to, and commonly associated with, the principal function of the lot.

**Accessory Unit:** an Apartment sharing ownership and utility connections with a Principal Building (Table 4-1).

**Actively Operate:** to openly conduct on a Premises the actions, processes or affairs attendant to a Function as evidenced by (1) a valid certificate-of-occupancy for the Function and the physical presence on the Premises of persons or automated machinery conducting the Function during established hours of business, or (2) the possession of an unexpired building permit to construct, Retrofit, remodel, rehabilitate or renovate a building necessary to conduct a future Function.

**Allee:** a regularly spaced and aligned row of trees usually planted along a Thoroughfare or Path.

**Apartment:** a Residential unit sharing a building and a Lot with other units and/or uses.

**Applicant:** the person, firm or corporation that proposes to develop land that is subject to the application of the K20 District.

**Arcade:** a Private Frontage conventional for Retail use wherein the Façade is a colonnade supporting habitable space that overlaps the Sidewalk, while the Façade at Sidewalk level remains at the Frontage Line.

**Attic:** the interior part of a building contained within its roof structure.

**Avenue (AV):** a Thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median.

**B-Grid:** cumulatively, those Thoroughfares that by virtue of their use, location, or absence of pre-existing pedestrian-supportive qualities, may meet a standard lower than that of the A-Grid (see A-Grid).

**BRT:** see Bus Rapid Transit.

**Backbuilding:** a single-Story structure connecting a Principal Building to an Outbuilding.

**Base Density:** the number of dwelling units per acre before adjustment for other Functions (see Density).

**Bed and Breakfast:** an owner-occupied Lodging type offering 1 to 5 bedrooms, providing, for a fee, sleeping accommodations and customary lodging services, permitted to serve breakfast in the mornings to guests.

**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**Bicycle Lane (BL):** a dedicated bicycle lane running within a moderate-speed vehicular Thoroughfare, demarcated by striping.

**Bicycle Route (BR):** a Thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds.

**Bicycle Trail (BT):** a bicycle way running independently of a vehicular Thoroughfare.

**Bioswale:** an extended Rain Garden that sometimes runs the length of the block.

**Block:** the aggregate of private Lots, Passages, and Rear Alleys, circumscribed by Thoroughfares.

**Block Face:** the aggregate of all the building Façades on one side of a Block.

**Building of Value:** a structure designated for protection by Historic Mesquite, Inc.

**Bus Rapid Transit:** a rubber tire system with its own right-of-way or dedicated lane along at least 70% of its route, providing transit service that is faster than a regular bus.

**By Right:** characterizing a proposal or component of a proposal for a Community Plan or Building Scale Plan that complies with the Code and is permitted and processed administratively, without public hearing (see Warrant and Variance).

**Civic:** the term defining not-for-profit organizations dedicated to arts, culture, government, transit, and municipal parking.

**Civic Building:** a building operated by not-for-profit organizations dedicated to arts, culture, government, transit, and municipal parking, or for use approved by the legislative body.

**Civic Parking Reserve:** Parking Structure or parking lot within a quarter-mile of the site that it serves.

**Civic Space:** an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationship among their intended use, their size, their landscaping and their Enfronting buildings.

**Civic Zone:** designation for public sites dedicated for Civic Buildings and Civic Space.

**Code:** the North Gus Thomasson Revitalization Code adopted in Section 4-1020 of the Mesquite Zoning Ordinance.

**Commercial:** the term collectively defining workplace, Office, Retail, and Lodging Functions.

**Common Destination:** an area of focused Community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.

**Community:** a regulatory category defining the physical form, Density, and extent of a settlement. The Community type addressed in this Code is a NCD. Communities are designed to include a range of housing types, a network of well-connected streets and blocks, civic spaces, civic buildings, and have amenities such as stores, schools, and places of worship within walking distance of residences.

**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**Community Appearance Manual:** regulations set forth by the City of Mesquite to control external architectural design, materials and quality. Reference to any version of the Community Appearance Manual shall include all subsequent versions.

**Configuration:** the form of a building, based on its massing, Private Frontage, and height.

**Corridor:** a lineal geographic system incorporating transportation and/or Greenway trajectories. A transportation Corridor may be a lineal Transect Zone.

**Curb:** the edge of the vehicular pavement that may be raised or flush to a Swale. The Curb usually incorporates the drainage system.

**Curb Radius:** the measurement of the inside Turning Radius (Table 4-1).

**Density:** the number of dwelling units within a standard measure of land area.

**Design Speed:** is the velocity at which a Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed.

**Director:** the Director of Community Development for the City of Mesquite.

**Dooryard:** a Private Frontage type with a shallow Setback and front garden or patio, usually with a low wall at the Frontage Line.

**Driveway:** a vehicular lane within a Lot, often leading to a garage.

**Effective Parking:** the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor.

**Effective Turning Radius:** the measurement of the inside Turning Radius taking parked cars into account (Table 4-1).

**Elevation:** an exterior wall of a building not along a Frontage Line.

**Encroach:** to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, into the Public Frontage, or above a height limit.

**Encroachment:** any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit.

**Enfront:** to place an element along a Frontage, as in "porches Enfront the street."

**Expansion:** to enlarge the footprint of a building or intensify a Function taking place on the Premises.

**Expression Line:** a line prescribed at a certain level of a building for the major part of the width of a Façade, expressed by a variation in material or by a limited projection such as a molding or balcony.

**Extension Line:** a line prescribed at a certain level of a building for the major part of the width of a Façade, regulating the maximum height for an Encroachment by an Arcade Frontage.

**Façade:** the exterior wall of a building that is set along a Frontage Line.

**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**Flex Building:** see Live-Work.

**Forecourt:** a Private Frontage wherein a portion of the Façade is close to the Frontage Line and the central portion is set back.

**Frontage:** the area between a building Façade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage.

**Frontage Line:** a Lot line bordering a Public Frontage. Façades facing Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines (Table 4-1).

**Function:** the use or uses accommodated by a building and its Lot, categorized as Restricted, Limited, or Open, according to the intensity of the use.

**Gallery:** a Private Frontage conventional for Retail use wherein the Façade is aligned close to the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk.

**Green:** a Civic Space type for unstructured recreation, spatially defined by landscaping rather than building Frontages.

**Greenfield:** an area that consists of open or wooded land or farmland that has not been previously developed.

**Green Roof:** a building roof partially or completely covered with vegetation and soil, or a growing medium, over a waterproofing membrane. Green roofs may be categorized as Extensive, Semi-Intensive, or Intensive, depending on the depth of the planting medium and the amount of maintenance required.

**Hotel:** a Lodging type, owner-occupied, offering at least 12 rooms with no room limit; providing, for a fee, sleeping accommodations and customary lodging services. Related ancillary uses may include conference and meeting rooms, restaurants, bars, and recreational facilities.

**Infill:** noun - new development on land that had been previously developed, including most Greyfield and Brownfield sites and cleared land within Urbanized areas. verb- to develop such areas.

**Inn:** a Lodging type, owner-occupied, offering 6 to 12 bedrooms, providing, for a fee, sleeping accommodations and customary lodging services, permitted to serve breakfast in the mornings to guests.

**Intensive Green Roof:** a building roof with a planting medium between 8 inches and 4 feet. It can sustain elaborate plantings that include shrubs and trees. Intensive Green Roofs are heavy and are usually installed over concrete roof decks. They require considerable maintenance. In addition to their role in carbon mitigation, they are used for recreation or aesthetics, being park or garden-like.

**Layer:** a range of depth of a Lot within which certain elements are permitted (Table 4-1).

**Lightwell:** a Private Frontage type that is a below-grade entrance or recess designed to allow light into basements.

**Live-Work:** a Mixed Use unit consisting of a Commercial and Residential Function. The Commercial Function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the Commercial activity or industry.

**Lodging:** premises available for daily and weekly renting of bedrooms.

**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**Lot:** a parcel of land accommodating a building or buildings of unified design. The size of a Lot is controlled by its width in order to determine the grain (i.e., fine grain or coarse grain) of the urban fabric.

**Lot Coverage:** the ratio of all impermeable surfaces, including surface parking and drives, to the total area of the Lot.

**Lot Line:** the boundary that legally and geometrically demarcates a Lot.

**Lot Width:** the length of the Principal Frontage Line of a Lot.

**Manufacturing:** premises available for the creation, assemblage and/or repair of artifacts, using table-mounted electrical machinery or artisanal equipment, and including their Retail sale.

**Metrics:** the variables that define the form-based elements of the Code.

**Minor Reconstruction:** to undertake repairs to a building as a direct result of damage caused by accidental fire or natural disaster, the cost of which is less than 50% of the unadjusted taxable value of the entire building according to records of the Dallas County Appraisal District.

**Mixed Use:** multiple Functions within the same building through superimposition or adjacency, or in multiple buildings within the same area by adjacency. Mixed Use is one of the principles of NCD development from which many of its benefits are derived, including compactness, pedestrian activity, and parking reduction.

**Net Site Area:** all developable land within a site including Thoroughfares but excluding land allocated as Civic Zones.

**Office:** premises available for the transaction of general business but excluding Retail, artisanal and manufacturing uses.

**Open Space:** land intended to remain undeveloped; it may be reserved for Civic Space.

**Open Market Building:** the sale or display of retail merchandise or services outside of permanent structure, including but not limited to the sale of fruits, vegetables, shrubbery, plants, seeds and other home garden supplies.

**Outbuilding:** an Accessory Building, usually located toward the rear of the same Lot as a Principal Building. It is sometimes connected to the Principal Building by a Backbuilding (Table 4-1).

**Park:** a Civic Space type that is a natural preserve available for unstructured recreation.

**Parking Structure:** a building containing one or more Stories of parking above grade.

**Passage (PS):** a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

**Path (PT):** a pedestrian way traversing a Park or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.

**Planter:** the element of the Public Frontage which accommodates street trees, whether continuous or individual.

**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**Plaza:** a Civic Space type designed for Civic purposes and Commercial activities in the more urban Transect Zones, generally paved and spatially defined by building Frontages.

**Porch:** a covered area projecting from and structurally connected to a building.

**Premises:** a parcel or tract of land that is subject to the provisions of this Code.

**Principal Building:** the main building on a Lot, usually located toward the Frontage (Table 4-1).

**Principal Entrance:** the main point of access for pedestrians into a building.

**Principal Frontage:** On corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the building, and the measure of minimum Lot width. Prescriptions for the parking Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages of a corner Lot.

**Private Frontage:** the privately held Layer between the Frontage Line and the Principal Building Façade (Table 4-1).

**Public Frontage:** the area between the Curb of the vehicular lanes and the Frontage Line.

**Rain Garden:** sunken garden using native plants and sometimes trees.

**Rear Alley (RA):** a vehicular way located to the rear of Lots providing access to service areas, parking, and Outbuildings and containing utility easements. Rear Alleys should be paved, with drainage by inverted crown at the center or with roll Curbs at the edges.

**Rearyard Building:** a building that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. This is a more urban type, as the continuous Façade spatially defines the public Thoroughfare. For its Residential Function, this type yields a Rowhouse. For its Commercial Function, the rear yard can accommodate substantial parking.

**Regulating Plan:** a Zoning Map or set of maps that shows the Transect Zones, Civic Zones, Thoroughfares, Special Districts if any, and Special Requirements if any, of areas subject to, or potentially subject to, regulation by the Code.

**Residential:** characterizing premises available for long-term human dwelling.

**Restaurant:** a Retail establishment where food and beverages are prepared, served, and consumed primarily within the Principal Building.

**Retail:** characterizing premises available for the sale of merchandise and food service.

**Retrofit:** to remove, modify or improve the nonconforming elements of a building or Premises so as to achieve substantial compliance with the provisions of this Code. A building is Retrofitted by complete or partial demolition, modification, incorporation within or joining to new construction so that the resultant new or composite building complies with the Code. A Premises is Retrofitted when the entirety of the property, including any building, is brought into compliance with the Code.

**Rowhouse:** a single-family dwelling that shares a party wall with another of the same type and occupies the full Frontage Line.

**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**Secondary Frontage:** on corner Lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its First Layer is regulated.

**Sexually Oriented Business:** commercial activities regulated by Chapter 12 of the City Code of the City of Mesquite.

**Setback:** the area of a Lot measured from the Lot line to a building Façade or Elevation that is maintained clear of permanent structures, with the exception of Encroachments.

**Shared Parking Factor:** an accounting for parking spaces that are available to more than one Function and which is calculated by adding the total number of spaces required by each separate Function and dividing the total by the appropriate factor from the Sharing Factor matrix.

**Shopfront:** a Private Frontage conventional for Commercial use, with substantial glazing and an awning, wherein the Façade is aligned close to the Frontage Line with the building entrance at Sidewalk grade.

**Shopfront Frontage:** Frontage designated on a Regulating Plan that requires or recommends the provision of a Shopfront, encouraging the ground level to be available for Commercial use.

**Shopping Mall:** a common design mode for regional and superregional commercial centers with an enclosed, climate-controlled walkway, promenade, or concourse between two facing banks of stores and surrounded by a large parking field.

**Sidewalk:** the paved section of the Public Frontage dedicated exclusively to pedestrian activity.

**Sideyard Building:** a building that occupies one side of the Lot with a Setback on the other side. This type can be a Single or Twin depending on whether it abuts the neighboring house.

**Special District (SD):** an area that, by its intrinsic Function, Disposition, or Configuration, cannot or should not conform to one or more of the normative Community types or Transect Zones specified by the Code. Special Districts may be mapped and regulated at the community scale.

**Special Requirements:** provisions of Section 3.11 and Section 4.3 of this Code and/or the associated designations on a Regulating Plan or other map for those provisions.

**Square:** a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by building Frontages and consisting of Paths, lawns and trees, formally disposed.

**Stoop:** a Private Frontage wherein the Façade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance.

**Story:** a habitable level within a building, excluding an Attic or raised basement.

**Street (ST):** a local urban Thoroughfare of low speed and capacity. Its Public Frontage consists of raised curbs drained by inlets and sidewalks separated from vehicular lanes by a planter and parking on both sides. The landscaping consists of regularly placed street trees.

**Street Screen:** a freestanding wall built along the Frontage Line, or coplanar with the Façade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**Strip Shopping Center:** a pattern of auto-dominated, commercial development located along one or both sides of a street which is generally one lot in depth and is characterized by multiple and relatively closely spaced driveways. It includes power centers that consist of several freestanding anchors or big boxes occupied by "category killers" and only a minimum number of small tenants.

**Substantial Modification:** any improvement to, Expansion or alteration of a building the cost of which is greater than 25% of the unadjusted taxable value of the entire building according to records of the Dallas County Appraisal District, except Minor Reconstruction.

**Swale:** a low or slightly depressed natural area for drainage.

**T-Zone:** Transect Zone.

**Terminated Vista:** a location at the axial conclusion of a Thoroughfare. A building located at a Terminated Vista designated on a Regulating Plan is required or recommended to be designed in response to the axis.

**Third Place:** see Public Hall

**Thoroughfare:** a way for use by vehicular and pedestrian traffic and to provide access to Lots and Open Spaces, consisting of Vehicular Lanes and the Public Frontage.

**Transect:** a cross-section of the environment showing a range of different habitats. The rural-urban Transect of the human environment used in the Code is divided into six Transect Zones. These zones describe the physical form and character of a place, according to the Density and intensity of its land use and Urbanism.

**Transect Zone (T-Zone):** one of several areas on a Zoning Map regulated by the Code. Transect Zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, Density, height, and Setback requirements, other elements of the intended habitat are integrated, including those of the private Lot and building and Public Frontage.

**Transition Plan:** a written memorandum appended to a Warrant or incorporated into a binding agreement that sets forth the scope and sequencing of a process to Retrofit a Premises.

**Transit Route:** an existing or planned route for public service in the local or regional transportation plan.

**Turning Radius:** the curved edge of a Thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning Radius, the smaller the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn (Table 4-1).

**Urbanism:** collective term for the condition of a compact, Mixed Use settlement, including the physical form of its development and its environmental, functional, economic, and sociocultural aspects.

**Urbanized:** generally, developed. Specific to the Code, developed at T-3 (Sub-Urban) Density or higher.

**Variance:** a ruling that would permit a practice that is not consistent with either a specific provision or the Intent of this Code. Variances are usually granted by the Board of Adjustment in a public hearing.

**Warrant:** a ruling that would permit a practice that is not consistent with a specific provision of this Code, but that is justified by its Intent. Warrants are usually granted administratively by the Director.



**ARTICLE 4. DEFINITIONS OF TERMS**  
**GUS THOMASSON CORRIDOR REVITALIZATION CODE: *City of Mesquite***

**Work-Live:** a Mixed Use unit consisting of a Commercial and Residential Function. It typically has a substantial Commercial component that may accommodate employees and walk-in trade. The unit is intended to function predominantly as work space with incidental Residential accommodations that meet basic habitability requirements (see Live Work).

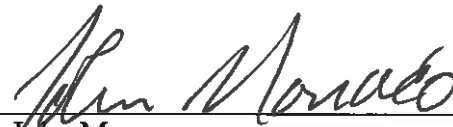
**Yield:** characterizing a Thoroughfare that has two-way traffic but only one effective travel lane because of parked cars, necessitating slow movement and driver negotiation. Also, characterizing parking on such a Thoroughfare.

**Zoning Map:** the official map or maps that are part of the zoning ordinance and delineate the boundaries of individual zones and districts (see Regulating Plan).

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.

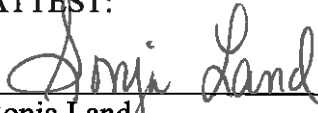
SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Mesquite Zoning Ordinance, as amended, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 7th day of November, 2011.



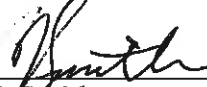
John Monaco  
Mayor

ATTEST:



Sonja Land  
City Secretary

APPROVED:



B. J. Smith  
City Attorney