

ORDINANCE NO. 5188
File No. Z0725-0405

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTIES DESCRIBED BELOW TO DOWNTOWN SPECIAL PLANNING AREA; AND AMENDING THE MESQUITE ZONING ORDINANCE BY CHANGING THE ZONING FOR THE PROPERTIES DESCRIBED BELOW FROM THEIR CURRENT ZONING CLASSIFICATIONS AND ZONING OVERLAY TO THE DOWNTOWN MESQUITE “DM” SPECIAL PURPOSE ZONING DISTRICT (DM-DISTRICT) CLASSIFICATION, INCLUDING THE CORE (DM-C), MIXED-USE (DM-MU), AND EDGE (DM-E) SUBDISTRICTS; THE OVERALL DM-DISTRICT AREA INCLUDES ALL PROPERTIES WITH FRONTAGE ON MILITARY PARKWAY AND WEST SCYENE ROAD BETWEEN THE EAST RIGHT-OF-WAY LINE OF IH-635 AND SOUTH CARMACK STREET; AND THE AREA GENERALLY REFERRED TO AS THE MESQUITE DOWNTOWN AND THE SURROUNDING AREA TO GENERALLY INCLUDE ALL PROPERTIES BOUNDED BY MCKINNEY AVENUE TO THE NORTH, SOUTH FLORENCE STREET TO THE EAST, HOLLEY PARK DRIVE TO THE SOUTH, AND SOUTH CARMACK STREET TO THE WEST, ALL AS MORE PARTICULARLY SHOWN ON THE ACCOMPANYING MAP; REPEALING ALL 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 (“**City**”) is taking bold steps to transform its downtown into a vibrant hub for residents and visitors alike. Through three carefully planned initiatives, the City is modernizing its zoning framework to create a more walkable, business-friendly, and attractive downtown area while respecting our community's unique history and character; and

WHEREAS, the City undertook an extensive community engagement process beginning approximately two years ago when the first Open House was held on December 7, 2023. Since then, the City has hosted informational tables at the Farmers Market located at Front Street Station on June 21, 2025, and again on June 28, 2025. The City hosted an in-person Open House at the Corner Theatre on June 24, 2025, and conducted a Virtual On-Line Open House on July 10, 2025; and

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WHEREAS, the cornerstone of this effort is the establishment of the Downtown Mesquite (“DM”) Special Purpose Zoning District (**DM-District**) in Ordinance No. 5187 (ZTA 2025-02). This modern zoning approach divides downtown into three (3) distinct subdistricts, each with tailored regulations. The **DM-Core** subdistrict will serve as the lively center with shops and restaurants, while the **DM-Mixed-Use** area will blend mixed-use residential and commercial spaces. The **DM-Edge** subdistrict provides a thoughtful transition between downtown and surrounding neighborhoods. These changes will make our downtown more pedestrian-friendly while supporting both existing businesses and new investment; and

WHEREAS, to complement the new zoning district, the City is removing obsolete zoning classifications in Ordinance No. 5189 (ZTA 2025-03). The outdated Central Business (“CB”) District, and Military Parkway-Scyene Corridor Overlay District will be eliminated since they no longer serve the community's needs. This cleanup simplifies the Mesquite Zoning Ordinance (“MZO”) while maintaining important development standards, making it easier for property owners and businesses to navigate the regulations; and

WHEREAS, this Ordinance No.5188 (File No. Z0725-0405) which applies the new DM-District zoning to approximately 268 acres in our downtown area. This includes updating the Mesquite Comprehensive Plan’s Future Land Use Map to designate these properties as part of the Downtown Special Planning Area. The rezoning to the DM-District ensures our regulations match our vision for a thriving downtown that balances economic growth with community character; and

WHEREAS, the final piece of this initiative is Ordinance No. 5190, amending Mesquite City Code, Chapter 13 (Signs) for the purpose of incorporating sign regulations into the City Code for the DM-District and its sub-districts; and

WHEREAS, the City recognizes the importance of protecting current businesses during this transition. All legally established businesses that do not conform to the new zoning standards are allowed to continue operating. However, under the MZO, *in general*, legal nonconforming uses may continue as long as they are not expanded, intensified, or changed to a different nonconforming use. In addition, under the MZO, *in general*, if a nonconforming use is intentionally discontinued for six consecutive months or more, the right to operate that use is considered abandoned and cannot be resumed; and

WHEREAS, in addition to local regulation, Section 211.019 of the Texas Local Government Code offers further protections to property owners and lessees impacted by zoning changes. *In general*, if a municipality requires the cessation of a legal nonconforming use, it must either (1) compensate the owner or lessee for direct costs and loss in market value, or (2) allow continued operation of the use until those losses are recovered; and

WHEREAS, the City is currently **not** proposing to stop any legal nonconforming uses; and

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WHEREAS, in summary, all the coordinated changes will create numerous benefits for the City, including safer pedestrian environments, increased economic opportunities, and clearer development guidelines. The plan maintains the City’s historic charm while positioning downtown for smart growth. Developed through extensive community engagement, these improvements reflect what residents and business owners told the City they wanted for downtown's future; and

WHEREAS, the Planning and Zoning Commission held a public hearing on these initiatives and the Commission, by majority vote, recommends approval; and

WHEREAS, both the Planning and Zoning Commission and the City Council, in compliance with the City Charter, State laws, and the zoning ordinance, have given the required notices and held the required public hearings regarding the rezoning of the subject property; and

WHEREAS, the City Council finds that it is in the public interest to grant this change in zoning.

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

SECTION 1. The subject properties are all properties with frontage on Military Parkway and West Scyene Road between the east right-of-way line of IH-635 and South Carmack Street; and the area generally referred to as the Mesquite Downtown and the surrounding area to generally include all properties bounded by McKinney Avenue to the north, South Florence Street to the east, Holley Park Drive to the south, and South Carmack Street to the west, all as more particularly shown in **EXHIBIT A**, attached hereto and incorporated herein by reference, and located in Mesquite, Dallas County, Texas (the “**Property**”).

SECTION 2. The Mesquite Comprehensive Plan, dated October 7, 2019, as amended, is amended by changing the Future Land Use Map designation to Downtown Special Planning Area for the Property.

SECTION 3. The Mesquite Zoning Ordinance is amended by changing the zoning for the Property from its current zoning classifications and zoning overlay to the Downtown Mesquite “**DM**” Special Purpose Zoning District (**DM-District**) Classification, including the Core (**DM-C**), Mixed-Use (**DM-MU**), and Edge (**DM-E**) subdistricts as more particularly shown in **EXHIBIT A**.

SECTION 4. All other 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. The Property shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

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SECTION 6. 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 7. 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 8. This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 9. 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 18th day of August 2025.

Signed by:

Jeff Casper

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Jeff Casper
Mayor Pro Tem

ATTEST:

DocuSigned by:

Sonja Land

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Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

Signed by:

David L. Paschall

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David L. Paschall
City Attorney

This map shows a city area with several distinct regions highlighted in color. A large purple region is located in the upper left, adjacent to a yellow region. A large blue region occupies the center and lower right. A green region is situated in the lower center. The map is bounded by IH 635 on the left and IH 635 on the right. Major roads include RODEO CENTER BLVD, RODEO DR, NEAL GAY DR, SANDY LN, GROSS RD, CHAPPELL DR, W GRUBB DR, MATADOR LN, BROCKDEN DR, W KEARNEY ST, DALWORTH DR, W SCYENE RD, MILITARY PKWY, W KIMBROUGH ST, W TEXAS ST, W COLLEGE ST, W GROSS ST, W MAIN ST, W DAVIS ST, W KIMBROUGH ST, W TEXAS ST, W COLLEGE ST, W GROSS ST, W MAIN ST, W DAVIS ST, W KIMBROUGH ST, W TEXAS ST, W COLLEGE ST, W GROSS ST, W MAIN ST, W DAVIS ST. Other streets include LEE ST, BINBROOK DR, ROYAL CREST DR, GREENLEAF LN, HARVARD DR, DESCO DR, MUNICIPAL WAY, N GALLOWAY AVE, N BRYAN BELT LINE RD, E KEARNEY ST, JASANDA WAY, E KIMBROUGH ST, E TEXAS ST, E DAVIS ST, E COLLEGE ST, E GROSS ST, E HOLLEY ST, NEWSOM RD, CARVER ST, NORWOOD DR, LAKESIDE DR, S GALLOWAY AVE, S BRYAN BELT LINE RD, S WALKER ST, S LOCUST ST, S EBRITE ST, S CARMACK ST, S LINDSEY, S WOOD DR, BOIS D ARC CIR, WALNUT DR, OAK DR, PECAN DR, CEDAR DR, PARKHAVEN DR, NORTON DR, BORCHARDT DR, PUTRELLE DR, MICHELLE WAY, DEBRA DR, and FUTURE DR. The map also shows a network of smaller residential streets and a few commercial buildings.

