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ORDINANCE NO. 5281
Zoning Text Amendment No. 2026 – 04

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REVISING THE MESQUITE CITY CODE BY MAKING A MESQUITE ZONING ORDINANCE TEXT AMENDMENT, ZTA NO. 2026-04, THEREBY REVISING APPENDIX C – ZONING ORDINANCE, BY MAKING ADDITIONS AND DELETIONS TO CERTAIN SECTIONS IN PARTS 2, 4, 5, 6; AND AMENDING APPENDIX B – MESQUITE SUBDIVISION ORDINANCE, BY MAKING ADDITIONS AND DELETIONS TO CERTAIN SECTIONS IN ARTICLES III, V, AND VI FOR THE PURPOSE OF ADDING AND/OR REVISING REGULATIONS FOR SMALL LOT AND SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS, INCLUDES RELATED DEFINITIONS; AND OTHER GENERAL UPDATES RELATED THERETO IN RESPONSE TO THE TEXAS LEGISLATURE'S PASSAGE OF SENATE BILL 15 ("S.B. 15"), AND SENATE BILL 1567 ("S.B. 1567") DURING ITS 89TH REGULAR SESSION (2025); PROVIDING CONFLICTS RESOLUTION, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING A PENALTY CLAUSE WITH A FINE NOT TO EXCEED $2,000; PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council of the City of Mesquite, Texas ("**City Council**") to protect the public health, safety, and welfare; and

WHEREAS, in the year 2025, the Texas Legislature passed two different Senate Bills on similar topics that enacted *two different* Subchapter D provisions (containing the same section numbers) in Texas Local Government Code ("**TLGC**"), Chapter 211 (Municipal Zoning Authority); and

WHEREAS, these two Senate Bills require that revisions be made to the City of Mesquite, Texas ("**City**"), Mesquite Zoning Ordinance ("**MZO**"), and Mesquite Subdivision Ordinance to bring the City's regulations into conformity with State law; and

WHEREAS, specifically, this Zoning Text Amendment (**No. ZTA 2026-04**) updates the City's regulations for ***Small Lot and Single-Family Residential Developments*** in response to Senate Bill 15, 89th Legislature, Regular Session (2025)("S.B. 15 – 89(R) (2025)"), and codified at TLGC Chapter 211 (Municipal Zoning Authority), in a *second* Subchapter D ("**D-2**")(Residential Zoning Limitations In Certain Municipalities); and

WHEREAS, the new law limits the City's authority to regulate certain residential development on qualifying tracts and establishes specific limitations for residential lots containing 4,000 square feet or less; and

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WHEREAS, the amendments primarily establish a new MZO Section 2.505 for Small Lot single-family residential development. The new section applies to qualifying tracts that will be platted, are located in an area zoned for single-family homes, contain at least five (5) acres, and have no recorded plat; and

WHEREAS, for qualifying development, the amendments establish minimum lot dimensions of 3,000 square feet in area, 30 feet in width, and 75 feet in depth. They also incorporate the State limitations affecting setbacks, building height, parking, open space and permeable surface, building bulk, and wall articulation. The new section also addresses shared driveways, environmental setbacks, aquifer recharge zones, and the continued application of other development requirements authorized by State law; and

WHEREAS, related amendments update existing residential and subdivision provisions that could otherwise conflict with S.B. 15 – 89(R) (2025). Additional amendments clarify that planned development districts, overlay districts, site plan review, and related administrative processes cannot impose or enforce requirements prohibited by TLGC, Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities); and

WHEREAS, although this ZTA 2026-04 also contains an update to the City's regulations for ***residential occupancy requirements*** in response to Senate Bill 1567, 89th Legislature, Regular Session (2025) ("S.B. No. 1567 – 89(R) (2025)"), and codified at Texas Local Government Code ("**TLGC**"), Chapter 211 (Municipal Zoning Authority), in the *first* Subchapter D ("**D-1**")(Residential Zoning Limitations Related To Occupancy In Certain Municipalities); however, additional amendments will need to be adopted to complete updates to the City's Code in response to this Senate Bill 1567; and

WHEREAS, this is a zoning text amendment only—no property is being rezoned, no zoning district boundary is being changed, and no specific project is being approved; and

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

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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 shall have the power to enact and enforce ordinances necessary to protect health, life, and property and to prevent and summarily abate and remove all nuisances, and to preserve and enforce good government and order and security of the City and its inhabitants, pursuant to Mesquite City Charter, Article III, Section 2; and

WHEREAS, a home-rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, Subchapter A, § 54.004, as amended; and

WHEREAS, the City derives its municipal zoning authority for zoning regulations and districts from Texas Local Government Code, Title 7, Subtitle A, Chapter 211, (Municipal Zoning Authority); 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

WHEREAS, zoning regulations must be adopted in accordance with a comprehensive plan pursuant to Texas Local Government Code, Title 7, Subtitle A, Chapter 211, Section 211.004 (Compliance with Comprehensive Plan); and

WHEREAS, on **September 28, 2026**, the City of Mesquite **PLANNING & ZONING COMMISSION** considered the herein described text amendments to the *Mesquite Zoning Ordinance* and *Mesquite Subdivision Ordinance* and after having given proper public notice and holding a public hearing for the receipt of public comments, the Planning and Zoning Commission *recommended* by majority vote the City Council adopt the text amendments, attached as **EXHIBIT A** and **EXHIBIT B**; and

WHEREAS, after having given proper public notice and holding a public hearing, the City Council finds that it is in the best interests of the citizens of the City to amend the *Mesquite Zoning Ordinance* and *Mesquite Subdivision Ordinance* as herein provided.

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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 Text Amendment.**
Amending Parts 2, 4, 5, and 6.
The *Mesquite Zoning Ordinance* is hereby amended by making certain additions and deletions as identified in **EXHIBIT A** and said Exhibit is attached hereto and made a part hereof, and in all other respects said Zoning Ordinance, and its parts, and sections shall remain in full force and effect.

SECTION 3. **Mesquite Subdivision Ordinance Text Amendment.**
Amending Articles III, V, and VI.
The *Mesquite Subdivision Ordinance* is hereby amended by making certain additions and deletions as identified in **EXHIBIT B** and said Exhibit is attached hereto and made a part hereof, and in all other respects said Subdivision Ordinance, and its parts, and sections shall remain in full force and effect.

SECTION 4. **Conflicts Resolution Clause.**
In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Mesquite and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 5. **Severability Clause.**
Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance and the Mesquite City Code, as hereby or previously amended, which shall remain in full force and effect.

SECTION 6. **Savings Clause.**
An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Mesquite City Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

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SECTION 7. **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 8. **Publication.**
This Ordinance shall be published in the City's official newspaper in accordance with Mesquite City Charter, Article IV, Section 24.

SECTION 9. **Effective Date.**
This Ordinance after its passage and publication shall take effect on, and be in force from and after, five (5) days after publication thereof, in accordance with Mesquite City Charter, Article IV, Section 24, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ON THE 19th DAY OF OCTOBER 2026.

Signed by:
Daniel Alemán, Jr.
D999585317D142B...

Daniel Alemán, Jr.
Mayor

ATTEST:

DocuSigned by:
Sonja Land
C2518095973F46A...

Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

Signed by:
David L. Paschall
666E18891208434...

David L. Paschall
City Attorney

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EXHIBIT A

To Ordinance No. 5281
ZTA2026-04

City of Mesquite, Texas
Mesquite City Code
Appendix C – Mesquite Zoning Ordinance

Amending various Parts and Sections
Regarding Small Lot and Single-Family Residential Developments

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MESQUITE CITY CODE

APPENDIX C – MESQUITE ZONING ORDINANCE

* * *

PART 2. RESIDENTIAL DISTRICTS

* * *

2.200 RESIDENTIAL DISTRICTS: USE REGULATIONS

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

* * *

2.202 General conditions.

* * *

E. *Garage conversions*.

* * *

(1) *General rule.* Garage conversions shall require relocation of the garage parking space(s) such that the total off-street parking spaces on the lot is not reduced from what existed prior to the garage conversion, except where such requirement is prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-1 (Residential Zoning Limitations Related To Occupancy In Certain Municipalities)..

(2) *Exception to general rule for lots platted BEFORE October 1, 1984*. A Special Exception may be granted by the Board of Adjustment to authorize a garage conversion, with no requirement to relocate the converted garage parking spaces, on lots platted BEFORE October 1, 1984 (i.e. lots not required to have a garage). See below Section 2.202.E.4. (Special Exception.

* * *

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2.300 DEVELOPMENT STANDARDS

* * *

2.301 General requirements.

* * *

C. *Platted building lines.* Whenever a lot has previously been platted with a greater front building line than required in 2.302, structures shall comply with the platted building line, except where such requirement is prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

D. *Key lot setbacks.* Key lots are those corner lots where the rear of the lot abuts, or is across from an alley from, the side lot line of a lot fronting the side street which the corner lot adjoins. The exterior side yard on a key lot shall be the same depth as the required front yard on the adjoining side street, except where such requirement is prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

* * *

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2.302 Lot, setback, height, and unit size requirements.

A reference in this Table to TLGC, Chapter 211, Subchapter D-2, refers to Texas Local Government Code, Chapter 211, the second Subchapter D titled (Residential Zoning Limitations In Certain Municipalities) in Chapter 211.

				AG	R-1	R-1A	R-2	R-2A	R-3	D
A.	Permitted residential uses.									
1.	Minimum lot dimensions									
	a.	Lot size (sq. ft.)		43560	11000	8250	8250	7200	7200	12500
	b.	Lot width (feet)		150	85	70	70	60	60	75
	c.	Lot depth (feet)		150	120	110	110	110	110	110
Qualifying Subdivision exception. For a residential lot located within a Qualifying Subdivision, the minimum lot dimensions shall be three thousand (3,000) square feet in area, thirty (30) feet in width, and seventy-five (75) feet in depth.										
2.	Minimum yard dimensions									
	a.	Front yard (feet)		50	30	25	25	25	25	25
	b.	Exterior side yard (feet)								
		(1)	On key lot	Same setback as the front yard required on the adjoining side street.						
		(2)	Not on key lot	15	10	10	10	10	10	10
	c.	Interior side yard (feet)		15	5	5	5	5	5	5
	d.	Rear yard (feet)		50	25	25	25	25	25	25
Small Lot exception. For a Small Lot subject to TLGC, Chapter 211, Subchapter D-2, the minimum required yards shall not exceed 15 feet for the front yard, 5 feet for a side yard, and 10 feet for the rear yard.										
3.	Maximum height (whichever is less)									
	a.	Feet		35	35	35	35	35	35	35
	b.	Stories		2.5	2.5	2.5	2.5	2.5	2.5	2.5
Small Lot exception. For a Small Lot subject to TLGC, Chapter 211, Subchapter D-2, the maximum building height shall be as provided in MZO, Part 2, 2.500, Section 2.505 (Small Lot single-family residential development), Subsection D (Height).										
4.	Minimum living area (sq. ft.)									
	a.	Single family residence		2500	2000	2000	1700	1700	1500	
	b.	Duplex residence								
		(1)	Total:2 units							2200
		(2)	Smallest unit							1000
B.	Permitted nonresidential uses.									
1.	Minimum lot dimensions									
	a.	Lot size (sq. ft.)		87120	43560	43560	43560	43560	43560	43560
	b.	Lot width (feet)		200	200	200	200	200	200	200
	c.	Lot depth (feet)		150	120	110	110	110	110	110
2.	Minimum yard dimensions									
	a.	Front and exterior side yard (feet)		50	30	30	25	25	25	25
	b.	Interior side and rear yard (feet)								
		(1)	Adjacent to AG, R, or D district	25 feet or two times the height of the building above the grade at the nearest AG, R, or D boundary, whichever is greater.						
		(2)	Adjacent to A or nonresidential district	20	20	20	20	20	20	20
3.	Maximum height (whichever is less):									
	a.	Feet		35	35	35	35	35	35	35
	b.	Stories		25	25	25	25	25	25	25

* * *

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2.303 - ~~Exterior fire resistant construction requirements (residential)~~ Reserved.

~~All main buildings in the AG, R and D districts shall be of fire resistant construction having at least 90 percent of the total exterior walls, excluding doors and windows, constructed of masonry for all dwellings on lots in subdivisions for which a final plat was approved on or after July 1, 2004. For all dwellings on lots in subdivisions for which a final plat was approved before July 1, 2004, the minimum ratio of required masonry material for the total exterior walls, excluding windows and doors, shall fall within range.~~

~~The non-masonry areas of the main building shall be cementitious fiberboard, natural wood or vinyl siding.~~

* * *

2.400 OFF-STREET PARKING

* * *

2.401 Parking—Single family uses.

A. *Number and location of spaces.* Two (2) off-street parking spaces shall be provided on the lot behind the front building line for each dwelling unit and shall be served by either a double driveway or a single driveway with a flared approach which allows each vehicle to be maneuvered without moving the other. No accessory structure or other obstruction shall be located so as to eliminate a required parking space or access to such space. For a Small Lot subject to Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities), no more than one (1) parking space per dwelling unit shall be required.

B. *Paving.* All parking areas and drives for single family residences shall be accessed from a paved street or a paved alley and shall be paved with concrete according to the City of Mesquite paving specifications. In the AG district, on tracts of two (2) acres or more, drives may be constructed of an all-weather base and surface adequate to support emergency equipment.

C. *Garages.* Covered parking shall be provided for two (2) automobiles within an enclosed garage (minimum eighteen (18) feet by twenty (20) feet) for all dwellings on lots in subdivisions for which a final plat was approved on or after October 1, 1984. Except that covered parking shall not be required for a residential lot subject to Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

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2.500 SUPPLEMENTARY DEVELOPMENT STANDARDS

* * *

2.505 Small Lot Single-Family Residential Development.

A. *In general*. The standards of this section shall apply to residential lots subject to Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

B. *Applicability.*

1. *In General*. A Qualified Subdivision, as defined in Sec. 6-102 (Definitions), may be subdivided in accordance with this section when the tract on which the lot is located:

   a. Will be platted and is located in an area zoned for single-family homes; and
   b. Contains five (5) acres or more; and
   c. Has no recorded plat.

2. *Exception*. This section does not apply to an area located within, as provided by TLGC, Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities):
   a. 3,000 feet of an airport or military base; or
   b. 15,000 feet of the boundary of a military base if the area is designated as a military airport overlay zone with a clear zone and accident potential zone designation, as described by the military base's air installation compatible use zone report; or
   c. one (1) mile of the perimeter of a campus that includes a law enforcement training center in a county with a population of 2,600,000 or more.

C. *Lot dimensions.* Lots located within a Qualifying Subdivision shall comply with the following minimum lot dimensions:

1. *Lot area:* Three thousand (3,000) square feet.

2. *Lot width:* Thirty (30) feet.

3. *Lot depth*: Seventy-five (75) feet.

D. *Yard requirements*. Small Lots located within a Qualifying Subdivision shall comply with the following minimum setbacks:

1. Front yard setback: Fifteen (15) feet

2. Side yard setback (including an exterior side yard, whether or not the lot is a key lot): Five (5) feet

3. Rear yard setback: Ten (10) feet

E. *Height*. For a Small Lot within a Qualifying Subdivision, the maximum building height is three (3) stories, with each full story not exceeding ten (10) feet in height measured from the interior floor to ceiling.

F. *Parking.* No more than one (1) off-street parking space per dwelling unit shall be required for a Small Lot. Covered parking and off-site parking shall not be required.

G. *Open space and permeable surface.* For a Small Lot, the City shall not require more than thirty (30) percent open space or permeable surface.

H. *Shared driveways.* A Small Lot may be required to share a driveway with another residential lot.

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I. *Environmental setbacks*. Notwithstanding Subsection D (Yard requirements), setbacks related to environmental features, erosion, or waterways may be required to the extent authorized by federal or other State law.

J. *Aquifer recharge zones*. Notwithstanding Subsection G (Open space and permeable surface), open space or permeable surface requirements may be imposed on a Small Lot located in an aquifer recharge zone to the extent necessary for aquifer protection.

K. *Other development requirements*. Except as otherwise provided by this section or TLGC, Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities), development requirements applicable to similarly situated residential lots or subdivisions shall apply, including requirements for the mitigation of stormwater runoff.

2.600 ACCESSORY STRUCTURE REGULATIONS

* * *

2.602 Requirements—All structures.

The requirements set out below shall apply to all accessory structures in the residential districts, unless otherwise modified herein.

A. Maximum size and lot coverage. The maximum permitted size for an accessory structure in the R and D districts shall be five hundred (500) square feet; provided, however, that in no case, shall the total of all accessory structures occupy more than thirty-five (35) percent of the yard area in which the structures are located. The maximum permitted size for an accessory structure in the AG district shall be one thousand (1,000) square feet. The requirements of this subsection shall not apply to a Small Lot to the extent prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

* * *

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PART 4. PD AND OVERLAYS

4.100 DISTRICTS ESTABLISHED

For the purpose of this ordinance, the following Planned Development District, Overlay Districts and Form-Based Districts are established.

4.101 PD - Planned Development District.

A. *In general*. A Planned Development (PD) District is essentially a customized zoning district that provides some flexibility to traditional zoning requirements. The purpose of a PD District is to encourage the unified design of residential, commercial, industrial, and institutional uses, including combinations of uses that are not otherwise attainable under conventional base zoning districts. PDs are also intended to encourage flexible and creative planning, to ensure compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community. PDs may include uses, regulations, and other requirements that vary from the base zoning districts contained within the Mesquite Zoning Ordinance (MZO), or from other ordinances, rules, or regulations of the City. A PD District shall not impose or enforce a requirement prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

B. *Process and procedures*. Planned Development (PD) Districts are approved and amended in accordance with Part 5, 5.300, Sec. 5.311 (Planned Development (PD) Districts).

C. *PD ordinances not codified*. Planned Development (PD) Districts are approved, and may also be amended, by the City Council in uncodified ordinances. Said ordinances shall remain on-file with the City Secretary's Office and shall be made available on the City's Internet web-site.

D. *Official zoning map*. The location and boundaries of any PD Districts, established by this Zoning Ordinance, are set forth in the official Zoning Map of the City of Mesquite, Texas, as periodically amended.

4.102 Overlay zoning districts.

An overlay zoning district is zoning, applied over one or more other districts, creating an additional, mapped zone that is superimposed over the conventional zoning districts. The regulations for properties included in the overlay district are in addition to those of the underlying base zoning district or any other applicable underlying districts. Development within any overlay zoning district must conform to the requirements of all zones, or the more restrictive of the zones, unless otherwise provided. An overlay zoning district shall not impose or enforce a requirement prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

* * *

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PART 5. ADMINISTRATION

5.100 REVIEW AND ENFORCEMENT PROCEDURES

5.107 Site Plan.

A. *Purpose.* The purpose of the site plan review process is to ensure compliance with the development and design standards and provisions of this Ordinance. It is designed to encourage quality development reflective of the goals, policies, and objectives of the Mesquite Comprehensive Plan and adopted planning and policy documents. Site plan review shall not impose or enforce a requirement prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

* * *

I. *Review Criteria.* Recommendations and decisions on site plan approval shall be based on consideration of the following criteria:

* * *

4. Compliance with all applicable development and design standards set forth in the Mesquite Zoning Ordinance, Mesquite Subdivision Ordinance, Mesquite Engineering Design Manual, and City adopted Building and Fire Codes with amendments, provided that no development or design standard prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities) shall be applied.

* * *

5.300. AMENDMENTS TO THE COMPREHENSIVE PLAN, ZONING TEXT, AND ZONING MAPS; AND PROCEDURES FOR CUP, PD, OVERLAY, AND OTHER DISTRICTS

* * *

5.311 Planned Development (PD) Districts.

A. *In General*. Approval or amendment of a Planned Development ("PD") District constitutes a Zoning Map Amendment ("change of zoning classification") and requires compliance with the following procedures in this section and applicable State law.

B. *Purpose.* The process for approving or amending a Planned Development (PD) District is intended to provide flexibility to traditional zoning requirements. Approval of a PD District may include a combination of uses that are not otherwise attainable under conventional base zoning districts. PDs are intended to implement the goals and objectives of the City's Comprehensive Plan, but may be accompanied by specific amendments to the provisions of the Comprehensive Plan. PDs may include uses, regulations, and other requirements that vary from the base zoning districts contained within the Mesquite Zoning Ordinance (MZO), or from other ordinances, rules, or regulations of the City. A PD District shall not impose or enforce a requirement prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

* * *

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G. *Additional Application Requirements for PD Districts.*

* * *

2. *Development requirements*. An application for a PD district shall specify and the PD ordinance shall incorporate the development requirements and standards which are to be required in the PD district. Development requirements and standards may include, but are not limited to, density, lot size, unit size, setbacks, building heights, lot coverage, parking ratios, screening and other requirements or standards as the council may deem appropriate. Development requirements and standards may be specified by reference to a specific zoning district, in which case all requirements and standards in the referenced district shall be applicable. The applicant or the city may propose varied or different standards that improve development design or enable a unique development type not otherwise accommodated in the Zoning Ordinance. Development requirements and standards shall not impose a requirement prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

* * *

O. *Conditions and Other Limitations on a PD District*. The City Council may stipulate conditions and other limitations on the approval or amendment of a PD District in the interest of public welfare and to assure that the intent of this ordinance is carried out. No condition or limitation prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities) shall be imposed or enforced.

* * *

Q. *PD Site Plan - Compliance with Approvals.*

* * *

2. *Requirements and standards not specified.* If a PD ordinance does not specify development requirements and standards, the PD site plan shall propose and specify such requirements and standards based on the requirements and standards set out in the most similar zoning district, i.e., the most similar or comparable density, lot size and/or use type. If more than one district appears to be similar, the following district requirements and standards shall be utilized:

    a. Single family residential uses shall utilize the R-2A district provided, however, that a residential lot subject to Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities) shall comply with the applicable requirements and standards of Section 2.505;

* * *

5.312 Overlay Districts and Other Types of Districts.

* * *

B. *Purpose.* Zoning map amendments are intended to implement the goals and objectives of the City's Comprehensive Plan, but may be accompanied by specific amendments to the provisions of the Comprehensive Plan. Approval or amendment of an overlay district or other district may include uses, regulations, and other requirements that vary from the base zoning districts contained within the Mesquite Zoning Ordinance (MZO), or from other ordinances, rules, or regulations of the City. An overlay district or other district shall not impose or enforce a requirement prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities).

* * *

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PART 6. DEFINITIONS

6.100 DEFINITIONS AND INTERPRETATION OF TERMS

* * *

6.102 Definitions.

* * *

Qualifying subdivision: A tract of land that will be platted and is located in an area zoned for single-family homes, contains five (5) acres or more, and has no recorded plat, as described by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities), Section 211.052 (Applicability).

* * *

Small Lot: A residential lot that is four thousand (4,000) square feet or less, as defined by Texas Local Government Code (TLGC), Chapter 211, Subchapter D-2 (Residential Zoning Limitations In Certain Municipalities), Section 211.051 (Definitions), and is located within a Qualifying Subdivision.

* * *

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EXHIBIT B

To Ordinance No. 5281
ZTA2026-04

City of Mesquite, Texas
Mesquite City Code
Appendix B – Mesquite Subdivision Ordinance

Amending various Articles and Sections
Regarding Small Lot and Single-Family Residential Developments

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MESQUITE CITY CODE

APPENDIX B SUBDIVISIONS

* * *

ARTICLE III. PLATTING REVIEW PROCEDURES

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

* * *

L. Subdivision: vacating a plat.

* * *

(4) *Effect of vacation.* A plat that has been vacated remains a recorded plat for purposes of determining the applicability of Texas Local Government Code Chapter (TLGC), Chapter 211, Subchapter D (Residential Zoning Limitations In Certain Municipalities).

* * *

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ARTICLE V. GENERAL REQUIREMENTS AND DESIGN STANDARDS

* * *

F. Lots.

(1) The area of each platted lot must comply with the minimum regulations for the zoning district in which the lot is located. In residential zoning districts, lots must conform in width, depth and area to the pattern already established in the adjacent areas, having due regard to the character of the area, its particular suitability for development and taking into consideration the natural topography of the ground, drainage, wastewater facilities and the proposed layout of streets. The requirements of this Subsection shall not apply to a residential lot to the extent prohibited by Texas Local Government Code (TLGC), Chapter 211, Subchapter D (Residential Zoning Limitations In Certain Municipalities).

(2) Every lot shall abut a dedicated public street or a private street.

(3) Where corner lots are key lots, that is where the lots face the frontage street and other lots face the side street, the corner lot shall have a building setback line on both streets as required by the zoning ordinance and subsequent revisions, except where such requirement is prohibited by TLGC Chapter 211, Subchapter D (Residential Zoning Limitations In Certain Municipalities).

(4) Key lots or irregular shaped lots shall have sufficient width at the building line to meet frontage requirements of the appropriate zoning classification district in which they are located. For a residential lot subject to TLGC Chapter 211, Subchapter D (Residential Zoning Limitations In Certain Municipalities), the required width at the building line shall be a minimum of thirty (30) feet, and the requirements of this Subsection shall not apply to the extent prohibited by TLGC, Subchapter D. ~~The rear width shall be sufficient to provide access for all utilities including sanitation services, but not less than 10 feet.~~

(5) No lot shall be platted less than one hundred (100) feet in depth unless specifically approved in the applicable zoning, except that the commission may waive the depth requirement to prevent a hardship to the developer in cases where an irregular shaped tract is platted into lots and a remnant piece of property is sufficient to plat one or more lots. For a residential lot subject to TLGC Chapter 211, Subchapter D (Residential Zoning Limitations In Certain Municipalities), the minimum lot depth shall be seventy-five (75) feet.

G. Building lines.

Building lines shall be shown on the final plat on all lots intended for business or residential use and shall provide the minimum setback as required by the zoning ordinance and subsequent revisions. For a residential lot subject to Texas Local Government Code (TLGC), Chapter 211, Subchapter D (Residential Zoning Limitations In Certain Municipalities), building lines shall comply with the applicable setback limitations established by said TLGC Chapter 211, Subchapter D.

* * *

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ARTICLE VI. CONVEYANCE OF LAND FOR PARKS

* * *

D. General requirements.

* * *

(7). *Development subject to TLGC Chapter 218, or TLGC Chapter 211 Subchapter D.* Notwithstanding subsection (3)(a) of this Part and Part F of this Article, for a multifamily or mixed-use residential development subject to Texas Local Government Code (TLGC), Chapter 218 (Regulation of Mixed-Use and Multifamily Residential Use and Development In Certain Municipalities), and for the platting of a tract of five (5) acres or more subject to TLGC Chapter 211, Subchapter D (Residential Zoning Limitations In Certain Municipalities), the applicant may elect to satisfy the requirements of this Article by payment of a fee in lieu of land dedication calculated under Part F(1)(Amount required to be paid). A fee elected under this Subsection shall be accepted administratively by the Director and shall not require a determination or other action by the City Council. Neither a conveyance of land nor a fee under this Article shall be imposed or applied in a manner that reduces the developable area or density of the development site below the maximum the City is required to permit under TLGC Chapter 218, or TLGC Chapter 211, Subchapter D.

* * *

F. Fee in lieu of land.

Where the City Council determines that a payment of money in lieu of land dedication, in whole or in part, shall be made, or where an applicant elects to pay a fee in lieu of land under Subsection D(7) (Development subject to Texas Local Government Code (TLGC), Chapter 218 (Regulation of Mixed-Use and Multifamily Residential Use and Development In Certain Municipalities), or TLGC Chapter 211, Subchapter D (Residential Zoning Limitations In Certain Municipalities)), the following provisions shall apply:

* * *