



## Mesquite, TX Code of Ordinances

CODE OF THE CITY OF MESQUITE, TEXAS

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### PART 3. - NONRESIDENTIAL DISTRICTS



#### 3-100 - DISTRICTS ESTABLISHED



#### 3-101 - Districts established and purpose.



For the purpose of this ordinance, the following nonresidential districts are established.

- A. *Office.* The O district is established to accommodate professional, management, research, and other similar offices.
- B. *GR - General retail.* The GR district is established to accommodate the sale of convenience goods and personal services primarily for persons residing in the surrounding neighborhoods.
- C. *LC - Light commercial.* The LC district is established to accommodate business activities of moderate intensity in community business areas and to provide for restricted commercial development in proximity to the freeways.
- D. *MU - Mixed use.* The MU district is established to allow central area redevelopment which is orderly and responsive to adjacent land uses.
- E. *CB - Central business.* The CB district is established to accommodate the commercial, business, service and public activities and uses commonly found in a central business area. The community shall have only one contiguous CB district and any extension of the district should be bounded at least on one (1) side by an existing CB district boundary.
- F. *SS - Service station.* The SS district is established exclusively to provide for service stations, both full-service and self-service, for the convenience of persons nearby or travelling through the city.
- G. *C - Commercial.* The C district is established to accommodate a wide variety of commercial uses and to have general application as a highway service district.
- H. *I - Industrial.* The I district is established to accommodate manufacturing uses which are free of objectionable influences in operation and appearance or which can readily control any features which may otherwise be objectionable by the installation of appropriate abatement devices.

*CV - CIVIC.* The CV district is established to accommodate specific public, educational, institutional, cultural, recreational and similar uses of low to moderate intensity to serve the public needs of residents of the city by providing focal points in neighborhoods and/or the community for gathering, social interactions and select neighborhood and community services and amenities.

(Ord. No. 2650, 12-18-89; Ord. No. 3959, § 1(1), 5-19-08)

## 3-200 - NONRESIDENTIAL DISTRICTS: USE REGULATIONS



### 3-201 - General use regulations.



No land shall hereafter be used and no structure shall hereafter be erected, altered, or converted in a nonresidential district which is arranged, designed or used for any use other than a use specified in [3-203](#) as permitted in the district in which it is located, except as otherwise permitted herein.

- A. *P - Permitted uses.* Principal or accessory uses indicated as "P" (permitted use) in [3-203](#) are permitted in the districts specified, subject to compliance with all conditions and requirements of this ordinance and other applicable provisions of the city Code.
- B. *C - Conditional uses.* Principal or accessory uses indicated as "C" (conditional use) in [3-203](#) may be permitted in the districts specified if expressly authorized in accordance with the procedures set out in [5-300](#).
- C. *S - Special exceptions.* Principal or accessory uses indicated as "S" (Special Exception) in Section [3-203](#) may be permitted in the districts specified if expressly authorized by the Board of Adjustment in accordance with the procedures set out in Section [5-206](#), or as otherwise authorized by this Zoning Ordinance.
- D. *Prohibited uses.* Principal or accessory uses not indicated in a district as "P," "C" or "S" in [3-203](#) shall be prohibited in that district. Refer to [2-203](#) for uses permitted in the residential districts.
- E. *Special conditions.* Special requirements for specific uses are noted in [3-203](#) under "Special Conditions." The designated use is permitted only when in compliance with the special conditions listed. When a use is authorized as a conditional use or as a special exception, the authorizing body may approve modification of the special conditions by specifying the allowed modification in its approval, provided that proposed modifications must be identified in the required notices as part of the request. Modifications may be approved if it is determined that the use can be accommodated under modified conditions without creating adverse impact on adjacent properties and that it will be compatible with the neighborhood.
- F. *SIC classified uses.* Nonresidential uses listed in 3-203 include a SIC code number which references the use's classification as contained in the Standard Industrial Classification Manual (1987). The SIC Manual shall be incorporated herein as a reference for the description and

- G. *Parking standards.* Parking requirements for specific uses are indicated by the applicable parking standard group in the "PKNG STND" (parking standards) column on Table 3-203. The parking required for the respective parking standard groups are listed on Table 3-405.
- H. *Planned development district uses.* The PD district is not included on the schedule of permitted uses. Uses are permitted in a PD district if the specific PD ordinance references a standard district in which the use is permitted or if the ordinance specifically lists the use as permitted in the PD district. If a use is listed as "C" or "S" in a district referenced by a PD ordinance, it shall be permitted in the PD district only when specifically authorized in accordance with 3-201B or 3-201C, unless such use is specifically listed as permitted in the PD ordinance.
- I. *Additions and revisions.* The addition or removal of uses; the change of a "P," "C" or "S" designation; the revision of special conditions or parking standards; or any other revision of the schedule of permitted uses (3-203) are ordinance amendments requiring compliance with the procedures set out in [5-300](#).

(Ord. No. 2650, 12-18-89; Ord. No. 4821, § 2(Exh. A), 10-19-20)

**3-202 - General conditions.**



- A. *Site plan.* A site plan is required for all developments in non-residential zoning districts pursuant to Part 5, 5-100, Section [5-107](#) (Site Plan) except for the following:
  - a. Accessory structures/temporary structures.
- B. *Office uses.* Office activities for any use classification may be located in any nonresidential district, except SS and CV, regardless of the districts designated for the use on Table 3-203, provided that activities are limited to general office functions such as accounting, telephone, typing, filing and consultation and that no on-site storage or display of vehicles, equipment or goods for sale is permitted unless otherwise allowed in the district.
- C. *Service station district.* The Service Station district is an exclusive district permitting only service stations, i.e. the sale of gasoline, minor automotive repair, and other expressly stated uses. No building, structure, or land in the Service Station district shall be used for other than a service station use.
- D. *Business in enclosed building.* All business, activities, operations, services, processing, display and storage shall be conducted wholly within a totally enclosed building, unless otherwise specifically authorized in the district. See [3-600](#).
- E. *New merchandise.* Goods and merchandise offered for sale in all districts shall consist of new merchandise only. This provision shall not prohibit the incidental sale of used items, 1) if the items were originally sold, rented or serviced by the establishment, including such items as floor displays, demonstrator models, items previously rented by a rental establishment, or items reconditioned at a service establishment; and 2) if such sale/resale is clearly incidental

and secondary to the primary operation of the establishment with only a small number of items offered; in addition, this shall not prohibit the sale of the following types of merchandise when sold in an establishment predominantly offering similar new items: 1) used musical instruments at a music store; 2) sports, other trading cards, and comic books at a sport card store; and 3) reconditioned engine parts at an auto parts store. The sale of all other used merchandise, including resale or consignment sales, shall not be permitted unless the use is classified as and approved in accordance with the requirements under SIC 593:Used Merchandise Stores.

- F. *Limited industrial use.* Uses in Division D (SIC groups 20-39) and Division F (SIC Groups 50-51), which require a conditional use permit to locate in the C district, may locate in the C district without a conditional use permit, if the use complies with the following limitations:
  1. The activity involves only the assembly/processing of premanufactured parts into finished products and does not involve processing of raw materials;
  2. The activity is conducted entirely in an enclosed building with no outdoor storage or activity; and
  3. The maximum gross floor area occupied by the activity is five thousand (5,000) square feet or less.
- G. *Donation collection facilities.* A donation collection facility, whether conducted as a primary or accessory use, shall not be permitted on any property, public or private, within the city.

(Ord. No. 2650, 12-18-89; Ord. No. 2816, § 1(g), 6-1-92; Ord. No. 3100, § 1, 8-5-96; Ord. No. 3932, § 1(1), 2-18-08; Ord. No. 4054, § 1(2), 6-15-09; Ord. No. 5083, § 2(Exh. A), 11-20-23)

Cross reference— Subdivisions, App. B.

### 3-203 - Nonresidential Districts: Schedule of permitted uses



#### —Contents to SIC codes.

*Note:* Standard industrial classification (SIC)—The following description of the basic SIC structure outlines the order of the schedule of permitted uses (3-203) and may be helpful in locating specific types of uses. SIC codes are presented in 3-203 in numerical sequence.

[EXPAND](#)

SIC Code/Use Schedule Description			Page
Division	A:	Agriculture, forestry, and fishing	2186
		01 Crop production	
		02 Livestock production	
		07 Agricultural services	
Division	B:	Mining	2187
		10 Metal mining	
		12 Coal mining	

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		13	Oil and gas extraction	
		14	Mining and quarrying of nonmetallic minerals	
Division	C:	Construction		2187
		15	Building contractor	
		16	Heavy construction contractors	
		17	Special trade contractors	
Division	D:	Manufacturing		2188
		20	Food, kindred products	
		21	Tobacco products	
		22	Textile mill products	
		23	Apparel, other fabric products	
		24	Lumber, wood products, except furniture	
		25	Furniture, fixture	
		26	Paper and allied products	
		27	Printing, publishing and allied industries	
		28	Chemicals, allied products	
		29	Petroleum refining, related industries	
		30	Rubber, miscellaneous plastic products	
		31	Leather, leather products	
		32	Stone, clay products	
		33	Primary metal products	
		34	Prefabricated metal products	
		35	Industrial, commercial machinery	
		36	Electrical, electronic equipment, except computer	
		37	Transportation equipment	
		38	Instruments	
		39	Miscellaneous	
Division	E:	Transportation, communications, electric, gas, and sanitary services		2191
		40	Railroad transportation	
		41	Local transit, highway transportation	
		42	Motor freight transportation, warehousing	
		43	Postal service	
		44	Water transportation	
		45	Air transportation	
		46	Pipelines	
		47	Transportation services	
		48	Communications	

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Division F: Wholesale trade  
 Municipality Code Codification

		49	Electric, gas, sanitary services	
Division	F:		Wholesale trade	2192
		50	Durable goods	
		51	Nondurable goods	
Division	G:		Retail trade	2193
		52	Building materials, hardware, garden supply	
		53	General merchandise stores	
		54	Food stores	
		55	Automobile dealers/service stations	
		56	Apparel and accessory stores	
		57	Furniture/home furnishing stores	
		58	Eating and drinking places	
		59	Miscellaneous retail	
Division	H:		Finance, insurance, and real estate	2197
Division	I:		Services	2198
		70	Hotels, camps, other lodging places	
		72	Personal services	
		73	Business services	
		75	Automotive repair/services	
		76	Miscellaneous repair services	
		78	Motion pictures	
		79	Amusement and recreation services	
		80	Health services	
		81	Legal services	
		82	Educational service	
		83	Social services	
		84	Cultural services	
		86	Membership organizations	
		87	Consulting services	
		89	Miscellaneous services	
Division	J.		Public administration	2202.7
Division	K:		Residential	2202.8
Division	L:		Accessory uses and structures	2202.8
		1	Detached accessory structures	
		2	Parking	
		3	Outdoor display and storage	
		4	Production for retail sale	

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	5	Limited retail	
	6	Refuse containers	
	7	Coin-operated amusement devices	
	8	Landscape irrigations systems	
	9	Ponds (over one and one-half (½) feet deep)	

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## 3-203 Nonresidential Districts: Schedule of Permitted Uses

P = Permitted (3-201A)  
 C = Conditional use (3-201B)  
 S = Special exception (3-201C)  
 NEC = Not elsewhere classified

\* REFER TO 4-800 - TERRA OVERLAY DISTRICT:  
 AN ASTERISK (\*) INDICATES THAT THE USE  
 REQUIRES APPROVAL OF A CONDITIONAL USE  
 PERMIT IF LOCATED IN THE TERRA OVERLAY

		ZONING DISTRICTS												
SIC CODE	USE DESCRIPTION	O	GR	LC	THN	CV	MU	CB	SS	C	I	PKNG STND	SPEC CON	
<b>A. AGRICULTURE, FORESTRY, FISHING</b>														
01	CROP PRODUCTION	P	P	P			P	P	P	P	P	28	Req 2-aci	
02	LIVESTOCK PRODUCTION	S	S	S			S	S	S	S	S	28	The hors lives class acce acco the c out i and	
07	AGRICULTURAL SERVICE (Except)											28	See	

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Municipal Code



075	Veterinary Services/Animal Hospital/Other Animal Services (Ord. 2723/2-4-91; Ord. 3848/1-2-07)													
	a. Indoor Services to Household Pets, except where grooming is the primary use (Veterinary Services, Animal Hospitals, Training, Breeding, and Indoor Boarding)		C	P			P	P		P	P	3	Proh kenr builc least from prop resic distr Code requ	
	b. Grooming - Household Pets		P	P			P	P		P	P	3	Proh anim over	
	c. Outdoor Services to Household Pets (includes any service with outdoor kennels or activity)									C	C	3	Requ in a builc outd to be feet prop resic and	





	Installation of Equipment, NEC										P*	P*	4	
1799	Special Trade Contractors, NEC (Ord. 2816/6-1-92)										P*	P*	4	

D. MANUFACTURING.

20	FOOD, KINDRED PRODUCTS										C*			
201	Meat Products										C*	P*	5	Requ prim and activ emp park locat 100 resic distr any l outd area load of he vehi invo locat 200 resic distr com <a href="#">3-60</a> stor 104t high (Ord 92).







	PRINTING, PUBLISHING & ALLIED INDUSTRIES			C*			C*	P*		P*	P*	5	Requ prim and activ emp park locat 100' resic distr any l outd area load of he vehic invo locat 200' resic distr com <a href="#">3-60</a> stor 104ft high (Ord 92).
28	CHEMICALS, ALLIED PRODUCTS												
281	Industrial Inorganic Chemicals										C*	5	
282	Plastics, Synthetic, Fibers										C*	5	
283	Drugs										C*	5	



FABRICATED METAL PRODUCTS (except)



												P*	5	Requ prim and activ emp park park locat 100 resic distr any l outd area load of he vehic invo locat 200 resic distr com <a href="#">3-60</a> stor 104 high (Ord 92).
348	Ordnance, Accessories											C*	5	
35	INDUSTRIAL, COMMERCIAL MACHINERY (except)											P*	5	
357	Computer, Office Equipment										C*	P*	5	





Flammable, Explosive												C*	5	
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**E. TRANSPORTATION, UTILITIES.**

40	RAILROAD TRANSPORTATION (except)	S	S	S			S	S		S	S	28	
	a. Railroad Passenger Terminal	S	S	S		P	S	P		P	P	26	
41	LOCAL TRANSIT, HIGHWAY TRANSPORTATION (except)	S	S	S		C	S	S		S	S	28	
	a. Transit or Bus Terminal (Ord. 3220/5-5-98)	C	C	C		C	C	C		C	C	26	
	b. Bus Stop/Shelter	P	P	P		P	P	P	P	P	P	28	
42	MOTOR FREIGHT TRANSPORTATION, WAREHOUSING (except) (Ord. 3220/5-5-98)									C*	P*	5	See : Conc prev
	a. Miniwarehousing, Self- storage							C*		C*	C*		Requ com <a href="#">3-50</a> 2816
43	U.S. POSTAL SERVICE	P	P	P		P	P	P		P	P	28	
44	WATER TRANSPORTATION									C	C	28	
45	AIR TRANSPORTATION (except)									C	C	28	Requ com FAA
	a. Helicopter Landing Pad	C	C	C		C	C	C		C	C	28	

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	PIPELINES	S	S	S			S	S	S	S	S	28	Inclu gas t pipe
47	TRANSPORTATION SERVICES (except)										P	28	
472	Arrangement of Passenger Transportation (Travel Agents, Ticket Offices)	P	P	P		C	P	P		P	P	1	
4789	Transportation Services, NEC												
	a. Drone Delivery Service		C	C						C	P	28	Requ com Secti
48	COMMUNICATIONS (except)					C				P	P	28	
	a. Utility Facilities	P	P	P		P	P	P	P	P	P	28	
	b. Business Office	P	P	P		C	P	P		P	P	3	
	c. Telecommunications, Towers and Antennas (Ord. 3153/5-5-97)												Requ com <a href="#">1-70</a>
49	ELECTRIC, GAS, SANITARY SEWER (except)									P	P	28	
	a. Generating, Manufacturing, Treatment Plants										C	28	
	b. Sanitary Landfill										C	28	
	c. Utility Facilities	P	P	P		C	P	P	P	P	P	28	
	d. Business Office	P	P	P		C	P	P		P	P	3	

F. WHOLESALE TRADE.

50	WHOLESALE TRADE - DURABLE GOODS													Requ prim and activ emp park locat 100 resic distr
501	Motor Vehicles, Auto Parts (Ord. 3220/5-5-98)									C*	P*	5		
5015	Motor Vehicle Parts, Used									C*	C*	5	Requ load outd area load of he vehi invo locat 200 resic distr com <a href="#">3-60</a> stor: 104ft high (Ord 92).	



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	Furniture, Home Furnishings										C*	P*	5	
503	Lumber, Other Construction Materials										C*	P*	5	
504	Professional, Commercial Equipment										C*	P*	5	
505	Metals, Minerals, except Petroleum										C*	P*	5	
506	Electrical Goods										C*	P*	5	
507	Hardware, Plumbing, Heating Equipment										C*	P*	5	
508	Machinery, Equipment										C*	P*	5	
509	Miscellaneous Durable Goods 5091 Sporting, Recreation Goods										C*	P*	5	
5092	Toys, Hobby Goods										C*	P*	5	
5093	Scrap, Waste Material (except)											C*	5	
5094	Jewelry, Watches, Precious Stones										C*	P*	5	
5099	Durable Goods, NEC										C*	P*	5	
51	WHOLESALE TRADE - NONDURABLE GOODS													
511	Paper, Paper Products										C*	P*	5	
512	Drugs, Drug Proprietaries, Sundries										C*	P*	5	

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	Apparel, Piece Goods, Notions										C*	P*	5	
514	Groceries, Related Products										C*	P*	5	Requ load outd area load of he vehic invo locat 200 resic distr com <a href="#">3-60</a> stor 104F high (Ord 92).
515	Farm Product Raw Materials										C*		5	
516	Chemicals, Allied Products										C*		5	
517	Petroleum, Petroleum Products										C*		5	
518	Beer, Wine, Distilled Alcoholic Beverages										C*		5	
519	Miscellaneous Nondurable Goods													
5191	Farm Supplies										C*		5	



	Books, Periodicals, Newspapers										C*	P*	5	
5193	Flowers, Nursery Stock, Florist Supplies										C*	P*	5	
5194	Tobacco, Tobacco Products											P*	5	
5198	Paint, Varnishes and Supplies											P*	5	
5199	Nondurable Goods, NEC										C*	P*	5	

**G. RETAIL TRADE.**

52	BUILDING MATERIALS, HARDWARE, GARDEN SUPPLY														Requ com <a href="#">3-60</a> stor:
521	Lumber, Other Building Materials			P			P	P		P	P	1			
523	Paint, Glass, Wallpaper Stores		P	P			P	P		P	P	1			
525	Hardware Stores		P	P			P	P		P	P	1			
526	Retail Nurseries, Garden Supply			P			P	P		P	P	1			Requ com <a href="#">3-60</a>
527	Mobile Home Dealers									C*	C*	8			Requ com <a href="#">3-60</a>
53	GENERAL MERCHANDISE STORES														
531	Department Stores		P	P			P	P		P	P	1			



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	Variety Stores		*C	*C			*C	*C		*C	*C	1	*If l 3-51 by C
539	Miscellaneous General Merchandise Stores		P	P			P	P		P	P	1	
54	FOOD STORES												
541	Grocery Stores		P	P			P	P		P	P	1	
542	Meat, Fish Markets		P	P			P	P		P	P	1	
543	Fruit, Vegetable Markets		P	P			P	P		P	P	1	
544	Candy, Nut, Confectionery Stores		P	P			P	P		P	P	1	
545	Dairy Products Stores		P	P			P	P		P	P	1	
546	Retail Bakeries		P	P			P	P		P	P	1	
549	Miscellaneous Food Stores (except)		P	P		P	P	P		P	P	1	
	a. Convenience Stores		C	C			C	P^	P^	P^	P^	1	Pern distr conji self-: gaso ^Rec whe is wi of a distr or pi
	b. Outdoor Farmers Market							C*		C*	C*	7	Requ com <a href="#">3-60</a>



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	a. Limited Fuel Sales (other than heavy load vehicles)		C	C				C		P^	P^	P^	1	Requ com <a href="#">3-50</a> ^Rec whe conj Heav Vehi ^Rec whe is wi of a distr or pi
	b. Truck Stop													Prof corp of th
	c. Heavy load vehicle refueling									C	C			Requ com <a href="#">3-50</a>
555	Boat Dealers									C*	C*		8	Requ com <a href="#">3-60</a> with Conc Pern displ stor an e builc
556	Recreational Vehicles, Utility Trailers									C*	C*		8	

# Mesquite, TX

Motorcycle Dealers  
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	Motorcycle Dealers									C*	C*	8	Requ com <a href="#">3-60</a> with Conc Pern displ stor: an e builc
559	Automotive Dealers, NEC									C	C	8	
56	APPAREL, ACCESSORY STORES		P	P			P	P		P	P	1	
57	FURNITURE, HOME FURNISHINGS												
571	Furniture, Furnishings, except Appliances												
5712	Furniture Stores		P	P			P	P		P	P	2	
5713	Floor Covering Stores		P	P			P	P		P	P	1	
5714	Drapery, Upholstery Stores		P	P			P	P		P	P	1	
5719	Miscellaneous Home Furnishings		P	P			P	P		P	P	1	
572	Household Appliance Stores		P	P			P	P		P	P	2	
573	Radio, TV, Electronics, Music Stores		P	P			P	P	P	P	P	1	
58	EATING, DRINKING PLACES												
5812	Eating Places (except)		P	P			P	P	P	P	P	17	

# Mesquite, TX Drive-in Restaurants

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									P	P	17	
	b. Restaurant holding a Food & Beverage Certificate with Private Club (Ord. 3922/12-17-07)			C					C	C	18	Perm club frate vete orga certi Alco Beve with Conc Pern desiq SIC &
	c. Mobile Food Unit Park ("MFU-Park")		P	P				P	P	P	P	Requ com <a href="#">3-51</a>
5813	Drinking Place with Private Club (except)											
	a. Private Club in conjunction with full-service hotel (Ord. 3922/12-17-07)			C+						C+		Rest H-PC MP-9 distr indic pern right MP-9 4-70
59	MISCELLANEOUS RETAIL											
591	Drug, Proprietary Stores		P	P				P	P	P	P	1



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Catalog, Mail Order Houses

Unicode Codification

5962	Automatic Machine Operators			P			P	P		P	P	4	
5963	Direct Selling Establishments			P			P	P		P	P	3	Inclu sales See pern to-d sales or w Requ licen
598	Fuel, Ice Dealers												
5983	Fuel, Oil Dealers										C	1	
5984	Liquified Petroleum Gas										C	1	
5989	Fuel Dealers, NEC												
599	Retail Stores, NEC												
5992	Florists		P	P			P	P		P	P	1	
5993	Tobacco Stores		P	P			P	P		P	P	1	
5994	News Dealers/Newsstands		P	P			P	P	P	P	P	1	
5995	Optical Goods Stores		P	P			P	P		P	P	1	
5999	Miscellaneous Retail, NEC (except)		P	P			P	P		P	P	1	
	a. Auction Rooms			P*			P*	P*		P*	P*	11	
	b. Fireworks												Proh distr allov



# Mesquite, TX

Municode Codification

Gravestones,  
Monuments



										C*	C*	4	Requ com <a href="#">3-60</a> with Conc pern displ stor: an e builc uses work othe lette or sh cust: 3281	
	d. Pet Shops (Ord. 3848/1-2-07)		P	P				P	P		P	P	1	Pern boar anim unle as 0:
	e. Sales Barns, Flea Markets								C*		C*	C*	1	Proh activ spec appr Conc pern

# Mesquite, TX

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	Swimming Pool, Spa									C*	C*	8	Requ com <a href="#">3-60</a> with Conc pern displ stor: an e builc
	g. Paraphernalia Shop									C	C	1	Requ com <a href="#">3-51</a>
<b>H. FINANCE, INSURANCE, REAL ESTATE.</b>													
60	DEPOSITORY INSTITUTIONS (Banks, Savings, Credit Unions)	P	P	P			P	P		P	P	3	



# Mesquite, TX



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	Alternative financial establishments		C	C						C	C	1	Require compliance with Conc Pern busi local free-built suite prim pawl groc conv store
61	NONDEPOSITORY INSTITUTIONS	P	P	P			P	P		P	P	3	

# Mesquite, TX

Municode Codification

Alternative financial establishments



			C	C						C	C	1	Requ com <a href="#">3-50</a> Cash Mon busi pern with Conc Pern busi locat free- builc suite prim paw groc conv store
62	SECURITY, COMMODITY SERVICES	P	P	P			P	P		P	P	3	
63	INSURANCE CARRIERS	P	P	P			P	P		P	P	3	
64	INSURANCE AGENTS, BROKERS	P	P	P			P	P		P	P	3	
65	REAL ESTATE (except)	P	P	P			P	P		P	P	3	
6553	Cemetery Development/Operation	C	C	C		C	C	C		C	C	28	
67	HOLDING & OTHER INVESTMENT COMPANIES	P	P	P			P	P		P	P	3	

**I. SERVICES.**

HOTELS, CAMPS, OTHER  
LODGING PLACES



701	Hotels, Motels														General hote requ mini gues shall desig of Se
	a. General Service Hotel/Motel			P			P	P		P	C	27			
	b. Limited Service Hotel/Motel (Ord. 3137/2-3- 97)			C			C	C		C	C	27		Limit hote inclu facili does the c conc spec "gen hote	
702	Rooming, Boarding Houses											27		See	
703	Camps, Trailering Parks									C	C	28			
704	Hotel, Lodging (Membership)											27		See	
72	PERSONAL SERVICES													(Con Pern in TE facili than ft.)	

# Mesquite, TX

Municode Codification System



	Laundry, Cleaning, Garment Services												
7211	Power Laundries, Family									P*	P*	1	
7212	Garment Pressing & Laundry Agents									P	P	1	
7213	Linen Supply									P	P	4	
7215	Coin Operated Laundries/Dry Cleaning		P	P				P	P	P	P	1	
7216	Dry Cleaning Plants, except Rug Cleaning									P	P	4	
7217	Carpet, Upholstery Cleaning									P	P	4	
7218	Industrial Launderers									P	P	4	
7219	Laundry, Garment Services, NEC		P	P				P	P	P	P	1	Inclu pick-
722	Photographic, Portrait Studios	C	P	P				P	P	P	P	3	
724	Barber Shops		P	P				P	P	P	P	1	
723	Beauty Shops		P	P				P	P	P	P	1	
725	Shoe Shine & Repair, Hat Cleaning Shop		P	P				P	P	P	P	1	
726	Funeral Service, Crematories (except)	P	P	P				P	P	P	P	16	
	a. Crematories									C	C	28	
729	Miscellaneous Personal Services 7291 Tax Preparation Services	P	P	P				P	P	P	P	3	

# Mesquite, TX

Municode Codification

Miscellaneous Personal Services NEC (except)		P	P			P	P		P	P	1	
a. Massage Parlors, Turkish & Steam Baths									C	C	1	See additional Requirements



# Mesquite, TX

Municode Codification (Ord. 3309/7-19-99)



	Body Art/Decoration (Ord. 3309/7-19-99)		C	C			C	C		C	C	1	See Requ be l mini 1,00 the r prop the f uses resic distr curr resic any   priv day any l park or ot recre wher com publ prof chur othe wors own and body decc Requ licen
73	BUSINESS SERVICES												
731	Advertising												
7311	Advertising Agencies	P	P	P			P	P		P	P	3	

# Mesquite, TX

Municode Codification



	Outdoor Advertising Services							P		P	P	4		
7313	Media Advertising Representatives	P	P	P				P	P		P	P	3	
7319	Advertising, NEC			P				P	P		P	P	4	
732	Credit Reporting, Collection	P	P	P				P	P		P	P	3	
733	Reproduction, Stenographic Services													
7331	Direct Mail Advertising Services	P	P	P				P	P		P	P	3	
7334	Photocopying, Duplicating Services		P	P				P	P		P	P	1	
7335	Commercial Photography			P				P	P		P	P	3	
7336	Commercial Art, Graphics Design			P				P	P		P	P	3	
7338	Secretarial, Court Reporting Services	P	P	P				P	P		P	P	3	
734	Services to Buildings													
7342	Disinfecting, Exterminating			P*				P*	P*		P*	P*	4	
7349	Building Maintenance Services, NEC			P*				P*	P*		P*	P*	4	
735	Miscellaneous Equipment Rental, Leasing													
7352	Medical Equipment Rental			P				P	P		P	P	4	



	Heavy Construction Equipment Rental										C*	C*	4	Requ com <a href="#">3-60</a> with Conc pern displ stor: an e builc
7359	Equipment Rental, NEC													See hous equi
	a. Household Equipment Only		P	P				P	P		P	P	1	
	b. Equipment, other than household										C*	C*	4	Requ com <a href="#">3-60</a> with Conc pern displ stor: an e builc
736	Personnel Supply Services		P	P	P			P	P		P	P	3	Per pool temp emp on si tran: the l
737	Computer, Data Processing Services (except)		P	P	P			P	P		P	P	3	

# Mesquite, TX

Municode Codification



		a. Computer Equipment Repair		P	P			P	P		P	P	4	
		b. Computer Sales/Rental		P	P			P	P		P	P	1	
738	Miscellaneous Business Services													
7381	Detective, Guard, Armored Car Services				P			P	P		P	P	4	
7382	Security Systems Services				P			P	P		P	P	4	
7383	News Syndicates				P			P	P		P	P	4	
7384	Photofinishing Laboratories				P			P	P		P	P	4	
7389	Business Services NEC (except)				C			P	P		P	P	4	
		a. Trading Stamp Services		P	P			P	P		P	P	1	
		b. Post Office Contract Station	P	P	P		C	P	P		P	P	1	
		c. Bail Bond Services (licensed under Texas Occupations Code)			C						P	P		Not with distr be lc 200 anot busi Pren fully a pu No c phor



# Mesquite, TX

Municode Codification



	Trailer, RV Rental, Leasing								C*	C*	C*	C*	6	Requ park for r to be to sp requ <a href="#">400</a> ; with Conc Pern displ stora an e builc
752	Automobile Parking (Lots and Structures)													
		a. Automobiles, Trucks, and Vans not exceeding ¾ ton		P	P		P	P	P		P	P	28	See Refe as a
		b. Light Load Vehicles									P	P	28	See Refe as a
		c. Heavy Load Vehicles									C*	P*	28	
753	Automobile Repair Shops													See
		a. Minor Automobile Repair		P	P			P	P	P	P	P	6	



# Mesquite, TX

Unicode Codification

		Radio & Television Repair		P	P			P	P		P	P	4	
7623		Refrigeration, Air Conditioning Repair			P*			P*	P*		P*	P*	4	
7629		Electrical, Electronic Repair, NEC			P			P	P		P	P	4	
763		Watch, Clock, Jewelry Repair		P	P			P	P		P	P	4	
764		Reupholstery, Furniture Repair		C*	P*			P*	P*		P*	P*	4	
769		Miscellaneous Repair Shops												Require encl locat 100 resic distr
7692		Welding Shops							P*		P*	P*	4	
7694		Armature Rewinding Shops							P*		P*	P*	4	
7699		Repair Shops, Services, NEC (except)							P		P	P	4	
		a. Camera Repair		P	P			P	P		P	P	4	
		b. Key Duplicating, Locksmiths		P	P			P	P		P	P	1	
		c. Musical Instrument Repair		P	P			P	P		P	P	4	
		d. Office Equipment, Typewriter Repair		P	P			P	P		P	P	4	



# Mesquite, TX

Municode Codification



	a-1. Minor Reception Facility NOT within 500 feet of a Residential District		P	P			P	P		P	P	11	Requ com <a href="#">3-50</a>
	a-2. Minor Reception Facility within 500 feet of a Residential District		C	C			C	C		C	C	11	Requ wher is loc 500 resic distr Requ com <a href="#">3-50</a>
	b. Major Reception Facility							C		C	C	11	Facil requ locat 500 resic distr Requ com <a href="#">3-50</a>
792	Theatrical Producers, Banks, Entertainers												
7922	Theatrical Producers (except)			P		C	P	P		P	P	28	
	a. Ticket Agencies, Entertainment		P	P			P	P		P	P	3	
7929	Bands, Other Entertainment Groups			P		C	P	P		P	P	28	



# Mesquite, TX

Municode Codification



	Amusement Parks (Outdoor)										C	C	13	Proh activ 500 resic distr
7997	Membership Recreation Clubs (except)				C		C		C		C	C	28	
	a. Indoor Sports, Athletic Clubs			P	P		C	P	P		P	P	1	
	b. Country Clubs	C	P	P		C	P	P		P	P		14	
7999	Amusement, Recreation Service, NEC													Proh activ 200 resic distr
	a. Outdoor Facilities, Activities (Includes miniature golf, driving ranges, go-cart tracks, skateboard parks, etc.)										C	C	13	Proh activ 200 resic distr
	b. Indoor Facilities, Activities (Includes billiard and bingo parlors, slot car tracks, etc.) (except c-g)				C		C		C		C	C	12	Requ builc locat 100 resic distr

# Mesquite, TX

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		c. Commercial Art Galleries, Museums	P	P	P		P	P	P		P	P	15	
		d. Sports Instruction (Indoor)		P	P			P	P		P	P	1	
		e. Ticket Agencies, Sports/Recreation		P	P			P	P		P	P	1	
		f. Escape Rooms		P	P		P	P	P		P	P	12	(Ord 2016
		g. Recreational and Entertainment Facilities		P	P				P		P	P	28	
80	HEALTH SERVICES													Requ Stan prov eme outp servi com no a
801	Offices of Doctors of Medicine		P	P	P			P	P		P	P	3	
802	Offices of Dentists		P	P	P			P	P		P	P	3	
803	Offices of Doctors of Osteopathy		P	P	P			P	P		P	P	3	
804	Offices of Other Health Practitioners		P	P	P			P	P		P	P	3	

# Mesquite, TX

Municode Codification



	Nursing & Personal Care Facilities	P	P	P		P	P	P		P	P	24	
806	Hospitals												
8062	General Medical, Surgical Hospitals	C	P	P		P	P	P		P	P	25	
8063	Psychiatric Hospitals	C	P	P		C	P	P		P	P	25	Proh builc psyc patie 250 resic distr
8069	Specialty Hospitals, except Psychiatric	C	P	P		C	P	P		P	P	25	
807	Medical, Dental Laboratories	P	P	P			P	P		P	P	3	
808	Home Care Services	P	P	P			P	P		P	P	28	
809	Health, Allied Services, NEC												
8092	Kidney Dialysis Centers	P	P	P			P	P		P	P	3	
8093	Specialty Outpatient Facilities NEC	P	P	P			P	P		P	P	3	
8099	Health, Allied Services NEC	P	P	P			P	P		P	P	3	
81	LEGAL SERVICES	P	P	P			P	P		P	P	3	
82	EDUCATIONAL SERVICES												
821	Elementary, Secondary Schools	C	C	C		C	C	C		C	C	21	Requ com <a href="#">3-50</a>

# Mesquite, TX

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	Universities, Junior Colleges	P	P	P		P	P	P		P	P	22	
823	Libraries	P	P	P		P	P	P		P	P	15	
824	Vocational Schools (except)		P	P		C	P	P		P	P	23	
	a. Truck Driving and Equipment Operating Schools									P	P	23	
829	Schools, Educational Services, NEC		P	P		C	P	P		P	P	23	
83	SOCIAL SERVICES												Inclu citize and the e hanc
832	Individual, Family Social Services	P	P	P		C	P	P		P	P	3	
833	Job Training, Vocational Rehabilitation			P		C	P	P		P	P	3	





	Child Day Care Services (except)	C	C	P		P	P	P		P	P	20	Require circulation drive the k entr. load spac vehi 500 : of gr area requ in ca mult builc Requ licen 2816
	a. Home Day Care												See ; Defi
836	Residential Care												See ;
	a. Community Home (2 per bedroom with a maximum of 8 persons)												Com Hom Grou Clas hous corr
	b. Group Home (9-15 persons)												facili delir offer 9223
	c. Residential Care Institution (16 or more persons)	C	C	P			P	P		P	P	24	for p requ

				P			P	P		P	P	3		
84	MUSEUMS, ART GALLERIES, ARBORETA, ZOOS													
841	Museums, Art Galleries		P	P	P		P	P	P		P	P	15	
842	Arboreta, Botanical Gardens (except)		P	P	P		P	P	P		P	P	28	
		a. Zoological Gardens	C	C	C		P	C	C		C	C	28	
86	MEMBERSHIP ORGANIZATIONS													
861	Business Associations		P	P	P			P	P		P	P	3	
862	Professional Membership Organizations		P	P	P		C	P	P		P	P	3	
863	Labor Organizations		P	P	P			P	P		P	P	3	
864	Civic, Social, Fraternal Organizations (except)		P	P	P		P	P	P		P	P	12	Pern whic danc privæ (alco the I distr
		a. If including commercial amusement and recreation (SIC 79)			C				C		C	C	11	
865	Political Organizations		P	P	P			P	P		P	P	3	



	Religious Organizations (Churches)	P	P	P		P	P	P		P	P	9	Use Stan offic Pern pars
869	Membership organizations, NEC	P	P	P		C	P	P		P	P	3	
87	ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT SERVICES												
871	Engineering, Architectural, Surveying	P	P	P			P	P		P	P	3	
872	Accounting, Auditing, Bookkeeping	P	P	P			P	P		P	P	3	
873	Research, Development, Testing	P	P	P			P	P		P	P	3	
874	Management, Public Relations	P	P	P			P	P		P	P	3	Clas and facili
88	PRIVATE HOUSEHOLDS												See ; Acce
89	MISCELLANEOUS SERVICES, NEC	P	P	P			P	P		P	P	3	

**J. PUBLIC ADMINISTRATION**

# Mesquite, TX

Public Administration (except)  
Municode Codification



				P	P	P			P	P	P		P	P	28	Pern gove func non- func acco natu and distr simil
9223	Correctional Institutions (except)				C				C	C			C	C	28	Inclu oper man corre facili halfv
		a. Halfway Houses (Maximum 15 persons)		C	C	C			C	C	C		C	C	28	

## K. RESIDENTIAL USES.

ALL RESIDENTIAL USES									P	P						Pern type 3, D, distr com all re and hous set c Requ distr type
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## L. ACCESSORY USES AND STRUCTURES.

# Mesquite, TX

Municode Codification



	DETACHED ACCESSORY BUILDINGS (Buildings, canopies, fences, signs, swimming pools, antenna, satellite dishes, flagpoles).	P	P	P		P	P	P	P	P	P		Requ com <a href="#">3-70</a>
2	PARKING	P	P	P		P	P	P	P	P	P		All p shall the s out i <a href="#">3-60</a> unpa shall prof City regu heav vehic
3	OUTDOOR DISPLAY AND STORAGE	*	*	*			*	*	*	*	*		Requ com <a href="#">3-60</a>
4	PRODUCTION FOR RETAIL SALE		P	P			P	P		P	P		Requ proc proc pren sold prim pren proc pern the c

# Mesquite, TX LIMITED RETAIL

 Municode Codification



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# Mesquite, TX



Municipal Code

REFUSE CONTAINER (Ord.

349674-15-02)

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# Mesquite, TX

Municode Codification



		S	S	S		P	S	S	S	S	S		
10	DRIVE-THROUGH FACILITIES (Ord. 3019/3-6-95)	P	P	P			P	P	P	P	P		Requ setb 50 fe resic for a thro For f rem stati rem requ insta mas barr feet betw drive facili resic distr that shall cons a no Requ com 3-40 stacl
11.	Accessory Electric Vehicle Charging Station	P	P	P		P	P	P	P	P	P		See 6-10 Requ com Secti

Accessory Drone Delivery		P	P			P	C		P	P		Requ com Secti
--------------------------	--	---	---	--	--	---	---	--	---	---	--	----------------------

(Ord. No. 2650, 12-18-89; Ord. No. 2723, § 1, 2-4-91; Ord. No. 2799, § 1, 3-16-92; Ord. No. 2816, § 1(a), (b), (h), (i), 6-1-92; Ord. No. 2831, § 1, 9-21-92; Ord. No. 3019, § 1(c), 3-6-95; Ord. No. 3097, § 1, 6-17-96; Ord. No. 3137, § 1, 2-3-97; Ord. No. 3153, § 1(A), 5-5-97; Ord. No. 3220, § 1, 5-5-98; Ord. No. 3309, § 1.A., 7-19-99; Ord. No. 3496, § 1, 4-15-02; Ord. No. 3848, § 1, 1-2-07; Ord. No. 3922, § 1(1), 12-17-07; Ord. No. 3959, §§ 1(2), 1(3) 5-19-08; Ord. No. 3963, § 1(1), 6-16-08; Ord. No. 4035, § 1, 2-16-09; Ord. No. 4161, § 1, 7-5-11; Ord. No. 4201, § 1(1), 2-6-12; Ord. No. 4210, § 1(3), 4-16-12; Ord. No. 4269, § 1, 7-1-13; Ord. No. 4528, § 1(1), 12-18-17; Ord. No. 4541, § 1(1), 2-19-18; Ord. No. 4543, § 1(1), 3-5-18; Ord. No. 4562, § 1(3), 5-7-18; Ord. No. 4583, § 1(1), 7-16-18; Ord. No. 4585, § 1(1), 8-6-18; Ord. No. 4693, § 1, 7-1-19; Ord. No. 4771, § 1(Exh. A(A), (B)), 3-16-20; Ord. No. 4797, § 2(Exh. A), 8-3-20; Ord. No. 4820, §§ 2, 3, 10-19-20; Ord. No. 4839, § 2(1), 1-4-21; Ord. No. 4868, § 2(Exh. A), 6-7-21; Ord. No. 5050, § 2(Exh. A), 8-21-23; Ord. No. 5121, 2(Exh. A), 8-5-24; Ord. No. 5130, § 2(Exh. A), 8-19-24; Ord. No. 5152, § 2(Exh. A), 1-21-25)

### 3-300 - DEVELOPMENT STANDARDS



The standards set out in the following sections shall be required for the uses in the districts as indicated, except as otherwise provided.

#### 3-301 - Lot, setback, and height regulations.



[EXPAND](#)

<a href="#">3-301</a> . Lot, setback and height regulations										
			O/CV	GR	LC	MU	CB	SS	C	I
A.	MAXIMUM LOT COVERAGE (%)		30	30	50	—	50	30	50	75
B.	MINIMUM FRONT AND EXTERIOR SIDE YARDS (FEET)		25	25	25	5	See <a href="#">3-305</a>	40	25	25

# Mesquite, TX setback and height regulations

Municode Codification

			O/CV	GR	LC	MU	CB	SS	C	I
C.	MINIMUM INTERIOR SIDE AND REAR YARDS (FEET)									
	1.	Adjacent to Nonresidential District	0	0	0	0	0	0	0	0
	2.	Adjacent to A District	15	15	15	15	15	15	15	15
	3.	Adjacent to AG, R, or D District	25 feet or 2 times the height of the building above the grade at the nearest AG, R, or D district boundary, whichever is greater.							
D.	MAXIMUM HEIGHT (FEET OR STORY)									
	1.	With Setbacks Specified Above (Ft)	75	35	75	1 Story	75	35	75	75
	2.	Increase Height Permitted With Increased Setbacks (See <a href="#">3-305</a> )	Yes	No	Yes	Yes	Yes	No	Yes	Yes

(Ord. No. 2650, 12-18-89; Ord. No. 3959, § 1(4), 5-19-08)

## 3-302 - Exterior fire resistant construction requirements (non-residential).



All main building shall be one hundred (100) percent exterior fire resistant construction, except as otherwise permitted below for the districts and uses indicated. Exterior fire resistant construction shall mean exterior walls constructed of masonry, for all main building on lots in subdivisions for which a final plat was approved on or after July 1, 2004.

Exterior non-masonry materials shall be permitted for purposes of decor. The maximum surface where non-masonry decor is permissible shall not exceed twenty-five (25) percent of any one wall and shall be limited to thirty-five (35) feet in height.

Where buildings with metal exterior siding are permitted, the siding shall be of twenty-six (26) gauge and shall have a permanent baked-on finish or an alternative finish or comparable durability, which is defined as that finish which has a low incidence of chipping, peeling, blistering, chalking or fading.

- A. *Industrial district—Metal buildings with masonry front.* In the I district, buildings with metal exterior siding, such as Delta or Butler type steel buildings, are permitted, provided that a one hundred (100) percent masonry front is required on any side(s) of the building facing a public or private street.
- B. *Commercial, central business, and mixed use districts—Metal buildings with masonry fronts/conditional use permit required.* In the C, CB, and MU districts, buildings with metal exterior siding, such as Delta or Butler type steel buildings, may be permitted subject to approval of a conditional use permit in accordance with the procedures set out in [5-300](#), and provided that a one hundred (100) percent masonry front is required on any side(s) of the building facing a public or private street and that a masonry "wrap" is required to extend a minimum distance of twenty (20) percent of the building extending away from the public or private street. The conditional use permit approval may require a "wrap" to extend a greater distance along the side(s) of the building if considered necessary or desirable due to the location of the building relative to adjacent buildings, the proximity of residential areas, architectural consistency, or similar factors.
- C. *Central business district—Wood exterior buildings.* The commercial occupancy of existing wood exterior residences may be permitted in the CB district, subject to compliance with [3-503](#).

(Ord. No. 2650, 12-18-89; Ord. No. 3396, § 1, 11-6-00; Ord. No. 3656, § 1, 6-7-04)

Cross reference— Fire prevention and protection, [Ch. 6](#).

**3-303, 3-304 - Reserved.**



Editor's note— Ord. No. 3129, § 1, adopted Dec. 16, 1996, repealed §§ 3-303 and 3-304, which pertained to district screening and buffering requirements and landscaping requirements. Said ordinance added provisions pertaining to similar subject matter as a new Part 1A. See the Code Comparative Table.

**3-305 - Permitted modification of standards.**



A. *Minimum front yard setback—Central business district.* No front or exterior side yards are required in the CB district, provided that all structures shall be a minimum of eleven (11) feet behind the curb line of a public street and that no structure shall be erected so as to create a visibility obstruction.

B. *Buildings over 75 feet—O, CV, LC, C, CB and I Districts.* Buildings exceeding seventy-five (75) feet in height shall be permitted in the O, CV, LC, C, CB and I districts, provided that the setback from all street lines is increased one (1) foot for each two (2) feet in height above seventy-five (75) feet. (See required rear and interior side setbacks if adjacent to a residential district.)

C. *Buildings over one story—MU district.* Buildings exceeding one (1) story in height shall be permitted in the MU district, provided however that no building shall exceed three (3) stories in height and that the setbacks from all street lines are increased two (2) feet for each story over one (1) story.

D. *Office building height in GR [district].* In the GR district, the maximum height of office buildings shall be regulated by the height and setback regulations set out in the O district.

E. *Accessory structure regulations.* Accessory structures shall be regulated in accordance with [3-700](#).

(Ord. No. 2650, 12-18-89; Ord. No. 3959, § 1(5), 5-19-08)

### 3-400 - OFF-STREET PARKING AND LOADING REGULATIONS<sup>[7]</sup>



**Footnotes:**

--- (7) ---

**Cross reference—** *Stopping, standing and parking, § 9-166 et seq.*

#### 3-401 - General parking regulations.



A. *Off-street parking required.* Off-street parking spaces shall be provided in conformance with these regulations whenever a use is established or enlarged. Required spaces shall be on the building site of the use for which they are provided, unless otherwise permitted, and may be provided in either surface parking areas or garages. Whenever there is a change in use, in floor area, or on any other unit of measurement used to determine the requirements for off-street parking spaces, additional spaces shall be provided on the basis of the increased requirement.

B. *Use of required spaces.* Required off-street parking and loading spaces shall be used only for their respective purposes and shall not be used for storage or display of vehicles or trailers for sale or rent, the storage or display of other goods, materials or products, or the location of refuse storage containers. No required parking space may be placed on front of an overhead door or other point used for vehicular access.

C.

Submission of plans. Applications for building permits and certificates of occupancy shall include parking plans showing the design of off-street parking areas, including the layout of spaces, aisles, and the location of ingress and egress points. Parking plans shall be approved by the development review committee. Submission of a parking plan may be waived when it is not necessary to determine compliance with requirements.

D. *Calculations.* The following rules shall apply in computing the parking requirement.

1. *Combination uses:* When a building site is used for a combination of uses, the parking requirement shall be the sum of the requirements for each type of use.
2. *Floor area:* Floor areas shall mean gross square footage, except in the case of office and retail type uses where areas used for nonpublic purposes, such as storage, incidental repair, processing or packaging, show windows, offices incidental to management or maintenance, restrooms, or utility rooms, may be discounted, but shall require one (1) space per seven hundred fifty (750) square feet of such use.
3. *Continuous seating:* When seating is provided on benches or pews, each eighteen (18) inches of such seating shall be counted as one (1) seat for the purpose of calculating the parking requirement.
4. *Fractions:* When a calculation results in the requirement of a fractional space, a fraction of less than one-half shall be disregarded and a fraction of one-half or greater shall require one (1) parking space.

(Ord. No. 2650, 12-18-89)

### 3-402 - Parking layout and construction standards.



Every parcel of land hereafter used as a public or private parking area, including commercial parking lots and vehicular display/storage areas, shall be developed and maintained in accordance with the following requirements.

- A. *Minimum size and setbacks.* Each parking space shall be a minimum of nine (9) feet by eighteen (18) feet, exclusive of access drives and aisles. The eighteen-foot depth may include a two-foot overhang over a paved, stoned, mulched, or grassy area which is free of obstructions, or over a sidewalk, provided that at least three (3) feet of sidewalk remains unobstructed for pedestrian movement. No space shall overhang a property line, a right-of-way line, or a landscape area which is included as part of the minimum landscape requirement. Every space shall be at least eleven (11) feet from the curb line of a public or private street.
  1. *Wheel stops required:* In any parking space which faces toward a property line or a building, a wheel stop and/or curb shall be provided which prevents a vehicle from extending across the property line or hitting the building.
  2. *Parallel parking:* The minimum paved dimension for a parallel parking space shall be eight (8) feet by twenty-two (22) feet.

B. *Access.* There shall be adequate provision for safe, efficient ingress and egress to all off-street parking spaces. Except for single family and duplex residential uses, no parking space may require the use of a public right-of-way or a private street for the maneuvering of a vehicle in entering or leaving the space.

1. *Aisle width:* The standard parking aisle width shall be a minimum of twenty-four (24) feet, provided that a reduced width may be approved by the development review committee when the parking layout includes angled parking, one-way aisles, or other special features which comply with other applicable city standards and generally accepted practices of parking lot layout.
2. *Fire lanes:* When a parking aisle is also serving as a fire lane, then the aisle must meet the minimum width, radius, and construction standards for a fire lane, if these are greater than the requirements for a parking aisle.
3. *Residential alleys:* No access from a nonresidential use shall be permitted to an alley serving a residential district.

C. *Drive through facilities.* Any facility offering drive-through service shall provide stacking lanes which are a minimum eight (8) feet in width and which provide direct forward access to each service window, station, or other point of service. Such stacking lane shall be marked and shall be separate from any other driveway, parking space, or aisle. Stacking lanes shall be measured from the point of service and shall provide twenty (20) feet per vehicle. Common stacking lanes for several service points may be used for financial and restaurant uses, provided that separate stacking for at least three (3) vehicles is provided for each point of service before stacking is merged into a common lane.

1. *General:* Unless otherwise specified below, each service point shall be provided with a stacking lane for a minimum of three (3) vehicles.
2. *Financial:* Each teller station at a drive-through financial institution shall be provided with a stacking lane for a minimum of five (5) vehicles.
3. *Restaurant:* Each remote ordering station and each service window at a restaurant with drive-through service shall be provided with a stacking lane for a minimum of five (5) vehicles.

D. *Surfacing.* Except as provided herein, all parking spaces and access drives shall be surfaced with asphalt or concrete pavement. All pavement must be of sufficient strength to support the heaviest vehicular loads imposed on it and shall be so graded and drained to dispose of all surface water in accordance with requirements of the City of Mesquite, and shall be marked to provide for orderly and safe loading, unloading, parking and storage of vehicles. All surfaces shall be maintained in good condition, generally free of potholes, cracks or broken pavement and allowing uninhibited access to all parking and loading spaces or drives.

- 1.



2. *Industrial districts.* For industrial-zoned parcels that do not abut a residential district or use, the development review committee may approve recycled concrete pavement for private parking areas used to store or park oversized vehicles. Such parking areas shall be designed and maintained according to specifications approved by the city engineer and subject to demonstrated compliance with the particulate standards of section [1-400](#).

E. *Lighting.* All parking areas in a nonresidential district which are used after dark, shall be illuminated beginning one-half hour after sunset, continuing throughout the hours of use. If only a portion of the parking area is offered for use after dark and is clearly marked, then only that part is required to be illuminated in accordance with these standards. Lighting shall meet the following minimum standards.

1. *Intensity:* An average of at least one (1) foot candle, initial measurement, and at least one-half foot candle on a maintained basis on the parking lot surface. A minimum at any point of at least 0.3 foot candle initial, and at least 0.2 foot candle maintained one-third of the average, whichever is greater.

2. *Fixtures:* Light sources shall be indirect, diffused or shielded type fixtures installed to deflect the light from adjoining properties in residential districts and from boundary streets. Bare bulbs above fifteen (15) watts are prohibited. Fixtures shall be mounted to buildings or on poles. Strings of lights are prohibited.

(Ord. No. 3862, § 1, 4-16-07)

### 3-403 - Special exceptions.



The Board of Adjustment may authorize the following Special Exceptions in accordance with the approval standards contained in Section [5-206](#) (L); and where it finds that the peculiar nature of the use, the shape or size of the property, or other exceptional conditions would justify such action.

A. *Off-site parking.* A special exception may be granted by the Board to allow required parking spaces to be provided on a building site other than that of the use for which the spaces are required. In general, such exception may be considered for employee parking or for institutional type uses such as hospitals, churches, or other uses where longer term parking is common. A permanent and irrevocable easement of the parking facilities in favor of the premises to be benefited thereby shall be dedicated and recorded in Dallas County records as a condition of such use.

B.

*Joint use parking.* A special exception may be granted by the Board to allow joint use or collective parking.

Joint use parking shall mean that required spaces provided for one use may also be credited as required spaces for a complementary use. A permanent and irrevocable easement of the parking facilities in favor of the use to be benefited thereby shall be dedicated and recorded in Dallas county records as a condition of such use.

The following definitions and examples shall be used as guidelines in considering requests for special exceptions for joint use parking:

- 1. *Complementary uses:* Complementary uses are uses which generally operate at different time periods, so that one (1) use is inactive when the other is active.
- 2. *Joint use percentage:* The percentage or number of spaces which is allowed to be shared should be related to the proportion or number of spaces which will be available during the period or relative inactivity.
- 3. *Examples:* If an office parking lot is generally ninety (90) percent vacant in the evenings and on weekends, then ninety (90) percent of the spaces might be credited as also providing the parking for a church which operates primarily in the evenings and on weekends. Or, if a church parking lot is generally fifty (50) percent vacant on weekdays, then fifty (50) percent of the spaces might be credited as also providing the parking for an office which operated only on weekdays. Theaters and other evening/weekend entertainment uses may be another example of a use that might share parking with an office, bank, church, or other complementary use.

C. *Parking reduction.* The Board may approve a reduction in required parking if the use meets the approval criteria for a special exception, as contained in Section [5-206](#) (L), and the Board finds that the reduction in parking will not adversely impact parking on adjacent properties, the provision of public safety, or unreasonably impede the public right-of-way. As a guideline for evaluating a mixed-use development, the Board may consider the shared parking benefit identified in Section [4-954](#)(A)(8) and the availability of public parking within proximity of the site.

(Ord. No. 2650-12-18-89; Ord. No. 4400, § 1(1), 11-2-15; Ord. No. 4821, § 2(Exh. A), 10-19-20)

### 3-404 - Number of parking spaces required.



The following regulations shall apply in determining the number of parking spaces required for a specific use or combination of uses.

- A. *Parking requirements for residential uses are specified in [2-400](#).* For nonresidential uses, each category is assigned a "parking standard." The number of off-street parking spaces required for a specific nonresidential use shall be determined by reference to [3-203](#) and [3-405](#).
- B. *Uses not listed.* For any use not listed, or where the listed standard is not applicable in the judgment of the development review committee, the parking requirements shall be established using the requirement of a similar use which is listed or an applicable standard from another

C. *Handicapped parking.* Parking spaces for the handicapped and disabled shall be provided as part of the required parking in accordance with the requirements of the Americans with Disabilities Act.

(Ord. No. 2650, 12-18-89; Ord. No. 2816, § 1(e), 6-1-92)

3-405 - Table of parking standards—Nonresidential uses.



EXPAND

<i>Parking Standard Group</i>	<i>Type of Use</i>	<i>Parking Spaces Required</i>
1	Retail/personal services—General	1 space for each 250 square feet of floor area for buildings less than 10,000 square feet; 40 spaces plus 1 space for each 200 square feet of floor area in excess of 10,000 square feet for buildings over 10,000 square feet. Additional spaces per #7 are required for any use with an approved outdoor sales/display area.
2	Retail—Large items	1 space for each 400 square feet of floor area. (Furniture, major appliance, carpet or similar store which sells primarily items which are large and bulky.)
3	Offices/animal clinics	1 space for each 300 square feet of floor area.
4	Commercial/trades	1 space for each 300 square feet of office/display area plus 1 space for each 750 square feet of storage/plant area.
5	Manufacturing/warehousing	1 space for each 300 square feet of office/display area plus 1 space for each 1,000 square feet of storage/plant area.

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6	Vehicle services/ repairs	1 space for each 500 square feet of floor area, but not less than 5 spaces minimum.
7	Outdoor sales/display	1 space for each 2,000 square feet of site area used for sales/display.
8	Outdoor display lots/outdoor operations	1 space for each 10,000 square feet of site area. (Outdoor sales lot, mining, sand and gravel storage, tank farm, etc.) Spaces shall be in addition to display/storage areas.
9	Churches	1 space for each 5 seats in the sanctuary or auditorium.
10	Public assembly with fixed seating	1 space for each 4 seats. (Theater, sports arena, spectator activity, etc.)
11	Public assembly without fixed seating	1 space for each 50 square feet of assembly area. (Auction room, dance hall, indoor commercial recreation, etc.)
12	Indoor sports clubs/ billiard parlors, lodge halls	1 space for each 100 square feet of floor area.
13	Outdoor recreation	1 space for each 600 square feet of site used for recreation. (Miniature golf course, amusement park, etc.)
14	Golf courses/country clubs	1 space for each 150 square feet of floor area plus 5 spaces per green.
15	Cultural	1 space for each 250 square feet of floor area. (Museum, library, art gallery, etc.)
16	Funeral homes/mortuaries	1 space for each 300 square feet of floor area exclusive of chapter plus 1 space for each 4 seats in the chapel.
17	Restaurants without private clubs	1 space for each 3 seats or 1 space for each 100 square feet of floor area, whichever is greater.

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18	Restaurants with private clubs	1 space for each 2½ seats or 1 space for each 75 square feet of floor area, whichever is greater.
19	Bowling alleys	4 spaces for each lane.
20	Day care centers/service stations	1 space for each 500 square feet of floor area.
21	Schools	Elementary:2 spaces for each classroom Middle School:4 spaces for each classroom High School:10 spaces for each class classroom
22	Colleges/universities	1 space for each 2 students.
23	Trade/business/vocational schools	1 space for each fixed seat or 1 space for each 10 square feet of seating area.
24	Nursing homes/residential care	1 space for each 4 beds.
25	Hospitals	1 space for each bed, excluding bassinets.
26	Medical clinics/passenger terminals	1 space for each 150 square feet of floor area. (See #3 for medical office).
27	Hotels/motels/boarding houses	1 space for each sleeping unit, plus specified requirements for restaurants, meeting rooms, and related facilities.
28	Miscellaneous	The parking requirement shall be established by the development review committee using the standard of a similar use or an applicable standard from another source. The requirement established by the development review committee may be appealed to the board of adjustment.

## Mesquite, TX 3-406 - Off-street loading requirements.



**3-406 - Off-street loading requirements.**  
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In any district, in connection with any building or part thereof hereafter erected or altered which is to be occupied by uses requiring the receipt or distribution by truck of materials or merchandise, there shall be provided and maintained, on the same lot with such building, off-street loading space in accordance with the following schedule:

[EXPAND](#)

<i>Floor Area of Building in Square Feet</i>	<i>Total Number of Off-Street Loading Spaces</i>
Less than 10,000	1
Over 10,000 to 20,000	1
Over 20,000 to 40,000	2
Over 40,000 to 60,000	3
Over 60,000 to 80,000	4
Over 80,000 to 100,000	4

Where floor area of the building exceeds one hundred thousand (100,000) square feet, the number of off-street loading spaces shall, in addition to the above, provide one (1) space for each additional one hundred thousand (100,000) square feet of floor space.

- A. *Dimensions.* Each loading space shall be not less than ten (10) feet in width, twenty-five (25) feet in length, and fourteen (14) feet in height.
- B. *Location.* Such space may occupy all or any part of any required side or rear yard except the side yard along the side street in case of a corner lot. In no event shall any part of a required front yard be occupied by such loading space.
- C. *Distance.* No such space shall be closer than fifty (50) feet to any other lot located in any residential district, unless wholly within a completely enclosed building or unless enclosed on all sides by a masonry wall not less than six (6) feet in height.

(Ord. No. 2650, 12-18-89)

## 3-500 - SUPPLEMENTARY USE REGULATIONS



### 3-501 - [Reserved] (See 3-602).<sup>[8]</sup>



**Footnotes:**

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**Editor's note**— 3-501 Outdoor sales lots was deleted by Ord. No. 2650, 12-18-89.

## 3-502 - Miniwarehousing.



A. *Use provisions.*

1. *Dead storage.* Miniwarehousing shall be used for storage purposes only and not for any other use, processing, services, or activities. Outdoor storage is prohibited in conjunction with this use except as listed below.
2. *Recreational vehicle storage.* A miniwarehousing use may include recreational vehicle, boat (watercraft) and automobile storage, provided that the storage area is screened from view and paved. The site/concept plan must show the designated parking/storage area. No parking/storage of recreational vehicles or boats shall be allowed adjacent to a residential district. This accessory use is permitted in the industrial district and may be allowed only when specifically permitted by a conditional use permit in the commercial district or specifically requested and approved in a planned development district.
3. *Apartment.* One (1) apartment, located in the principal building, shall be permitted for use by an on-site manager/security guard.

B. *Parking and access.*

1. *Paving.* All drives, parking, loading and vehicular circulation areas shall be paved in accordance with section [3-400](#).
2. *Office parking.* One (1) parking space shall be provided in the office/apartment area for each ten thousand (10,000) square feet of floor area in the miniwarehousing development. These spaces are in addition to the required loading areas.
3. *Fire lanes.* Continuous marked fire lane access is required throughout the project. Fire lanes shall be a minimum twenty-two (22) feet in width with thirty-foot interior radius and fifty-foot exterior radius unless otherwise permitted by the Fire Code.
4. *Loading area.* A continuous loading area, minimum eight (8) feet in width, shall be provided for parking and loading in addition to the fire lane along any building where there is access to the storage units.

C. *Design criteria.* Miniwarehouse/self-storage projects shall be developed in the "fortress design" so that the rear of the buildings, face outward and have no doors, windows or other openings. Buildings shall be connected by masonry walls designed to match the building exterior except at the entrance area where wrought iron fencing may be utilized. The following standards shall also apply:

1. *Separation.* The minimum separation between buildings shall be twenty (20) feet, provided that additional separation will be necessary where loading and fire lanes are required.
- 2.

Screening. Projects shall be designed with solid exterior masonry walls with no openings, so that access doors to the storage units are not visible from the public sides of the project. Unless lined, buildings shall be connected by masonry walls, eight-feet in height, designed to match the building exterior except at the entrance area, where wrought iron fencing may be used.



3. *Liners.* The outermost wall of buildings with storage units and any connecting walls shall have liner buildings with leasable space for the first and second stories along collector, arterial and highway frontage streets. "Leasable space" shall mean an enclosed area designed and intended for any use permitted in the district, except self-storage or warehousing, which requires a valid certificate-of-occupancy and the physical presence of one or more persons to conduct the use.
4. *Office/Apartment.* The leasing office, manager's apartment shall be 100 percent masonry with a "residential-style" design, including materials, doors, windows, roofing, roof pitch, etc., typically used in residential design and construction and shall not exceed one-story in height if adjacent to a residential district. In areas adjacent to nonresidential districts, the zoning district height limit shall apply.
5. *Exterior Appearance.* All building exteriors shall be 100 percent masonry. Principal façades shall comply with the Community Appearance Manual; provided that on the façade of unlined buildings and connecting walls fronting a local street, the Transparency Principle shall not apply and shall include, in addition to other requirements of the Manual, articulated columns, pilasters or other design features with a minimum relief from the wall of 12 inches.
6. *Setbacks.* The minimum setback adjoining any residential district line shall be ten feet; provided that the rear of the buildings may be utilized as the required screening wall. All other district setback lines shall apply.
7. *Building Height.* Maximum building height adjacent to a residential district line shall be one story, generally limited to a maximum of 11 feet. In areas adjacent to nonresidential districts, the district height limit shall apply.
8. *Landscaping.* Professionally designed landscaping, full irrigated, shall be provided on all public sides of the property and shall include at a minimum, foundation plantings and a tree line. A buffer tree line shall be established within the ten-foot landscape strip adjoining a residential district in accordance with Section [1A-301](#).
9. *Mechanical Equipment.* No roof-mounted equipment shall be allowed.
10. *Signage.* Signage shall be limited to wall and monument signs, i.e., no pole signs shall be permitted.
11. *Lighting.* Lighting shall be installed with no fixtures extending above the rooflines and/or shining toward the residential district.

**Editor's note**— 3-501 Outdoor sales lots was deleted by Ord. No. 2650, 12-18-89.

**Cross reference**—Certificate of Occupancy, Mesquite Zoning Ordinance, Part 5, 5-100, Sec. [5-106](#).

### 3-503 - Commercial occupancy of frame buildings—CB district.



The conversion of existing frame residences for occupancy by office and retail uses shall be permitted in the Commercial Business district ("CB district"), subject to compliance with the following conditions.

A. *Permitted uses.*

1. *Retail uses:* Uses permitted in the GR district may be permitted to occupy frame residences.
2. *Accessory buildings:* One detached accessory building (new or existing) may be permitted on the same lot behind the principal structure.
3. *Outside storage:* No outside display, sales, or storage shall be permitted in conjunction with the occupancy of a frame residence.

B. *Standards.*

1. *Front yard:* The existing front yard setback shall be maintained as open space and permanently landscaped.
2. *Parking:* An off-street parking lot, located behind the front building line, is required and shall meet the standards set out in [3-400](#).
3. *Signage:* One (1) wall sign, not exceeding eighteen (18) square feet, and one (1) identification sign in the front yard, not exceeding four (4) square feet in area or thirty-six (36) inches in height, may be permitted. The Mesquite sign ordinance shall apply in all other respects.
4. *Minimum code compliance:* The building shall meet minimum fire and electrical requirements for commercial occupancy and shall be structurally sound. Paint must be maintained in good condition so as to protect the wood.
5. *Additions:* Additions to any main building shall be of one hundred (100) percent exterior masonry materials.

C. *Site Plan.* Site plans shall be required and enforced in accordance with Part 5, 5-100, Section [5-107](#) (Site Plan), or successor and as amended.

D. *Certificate of occupancy review.* The certificate of occupancy shall be subject to review annually. The failure to continue to comply with the provisions of this section and the site plan approval shall constitute a basis to revoke the certificate of occupancy. See 5-101C.4.

### 3-504 - Refueling stations.



Refueling stations, except the sale of aviation fuel at an airport, shall comply with the following regulations:

- A. *General requirements.* All refueling stations shall conform with the following requirements:
  1. *Lot Requirements.* A minimum of twelve thousand (12,000) square feet with a minimum one hundred twenty-foot width shall be required.
  2. *Drive Approaches.* Drive approaches shall comply with Section 15-150, Access Management and Driveway Standards of the City Code.
  3. *Pump Islands.* Pump islands shall be set back a minimum of 25 feet from any street right-of-way line.
  4. *Residential Separation.* Pump islands shall be located a minimum of 500 feet from any residential district.
  5. *Emergency Shut-off.* All self-service facilities shall provide an emergency shut-off switch, to completely eliminate the flow of fuels from all pumps in an emergency situation.
  6. *Masonry Columns.* Columns and/or other supports for the canopy shall provide a masonry exterior finish which matches the exterior masonry construction of the structure.
- B. *Service stations.* The following requirements shall apply to all properties where fuel sales are conducted:
  1. *Use Regulations.* Service station district zoning shall be required, except when limited fuel sales are permitted. A property used as a service station shall include the sale of fuel as a primary use and may include only the following activities in conjunction therewith: Minor automobile repair; sale of parts and accessories; car washing; sale of drinks, package foods, tobacco, maps and other similar convenience goods; wrecker service, not including the storage of vehicles on site; and truck and/or trailer rental when approved as a Conditional Use Permit in accordance with [3-600](#). Uses specifically prohibited include major automobile repair, collision service and the storage of vehicles on site.

*Note:* Uses permitted only in conjunction with fuel sales shall be indicated with an italicized P (*P*) in the schedule of permitted uses, Section [3-203](#).

2. *Convenience Stores.* The operation of a convenience store shall be permitted in conjunction with fuel sales in accordance with Section [3-203](#).

3. *Outdoor Storage.* No outdoor storage shall be permitted in conjunction with a service station.

4. *Removal of Site Improvements.* Associated service station site improvements, i.e., fuel pump islands, canopies, freestanding car washes, shall be removed from a site where the sale of fuels has been discontinued for a period of six (6) months. All signage relating to the sale of fuels shall be removed per [Section 13-71](#) of the City Code. Underground storage tanks shall be removed or abandoned in place as required by applicable provisions of [Chapter 6](#), Fire Prevention and Protection, as amended.

5. *Eating Places.* The operation of an Eating Place (SIC 5812) shall be permitted in conjunction with fuel sales.

C. *Limited fuel sales.* Limited fuel sales are permitted in conjunction with the operation of a convenience store in all districts which permit convenience stores. To qualify as limited fuel sales, only one (1) limited service refueling area, generally limited to servicing no more than eight (8) vehicles at a time, is permitted. One (1) pump island with four (4) pumps or two (2) related pump islands with two (2) pumps each shall be deemed to be limited service fueling areas. Heavy load vehicle refueling and limited fuel sales shall not be located on the same lot unless expressly authorized by a conditional use permit.

D. *Heavy load vehicle refueling.* A refueling station for heavy load vehicles may be permitted by Conditional Use Permit in the Commercial and Industrial zoning districts, subject to the following requirements and such other conditions as the City Council may establish:

1. *Access.* Refueling stations for heavy load vehicles shall be located on parcels with a principal frontage abutting a federal highway or a designated truck route.

2. *Spacing.* A refueling station for heavy load vehicles shall not be located on a parcel that is less than one thousand (1,000) feet from another refueling station for heavy load vehicles, or on a parcel that abuts any property zoned or used for residential, or elementary or secondary school purposes, or that is located less than five thousand (5,000) feet from any property zoned or used for residential purposes when measured in a straight line between the nearest points where the residential property and the refueling station touch the street right-of-way.

3. *Anti-Idling.* Drivers of heavy load vehicles shall comply with the City of Mesquite anti-idling ordinance, if applicable. The owner or operator of the refueling station shall erect and maintain anti-idling signs at locations approved by the Building Official, which provide reasonable notice to drivers of such ordinance.

4. *Unmounted Trailers.* Unmounted trailers shall be prohibited on the premises.

5.

Security. The refueling station shall provide security personnel during all business hours and operating security cameras at locations throughout the premises as required by the Building Official.

6. *Parking.* It shall be unlawful for the operator of any heavy load commercial vehicle to park, or for the owner or operator of the refueling station to allow, suffer or permit a heavy load commercial vehicle to park, on the premises of a refueling station in excess of four (4) hours.

7. *Fuel Sales.* Heavy load vehicle refueling and limited fuel sales shall not be located on the same lot unless expressly authorized by a conditional use permit.

(Ord. No. 2650, 12-18-89; Ord. No. 3396, § 1, 11-6-00; Ord. No. 3751, § 1, 7-18-05; Ord. No. 4201, § 1(2), 2-6-12; Ord. No. 4528, § 1(2), 12-18-17; Ord. No. 4543, § 1(2), 1(3), 3-5-18; Ord. No. 4771, § 1(Exh. A(C), (D)), 3-16-20)

### 3-505 - Alternative financial establishments.



In addition to requiring a conditional use permit, an alternative financial establishment, as defined in section 6-102, shall comply with the following regulations:

- A. A lot containing an alternative financial establishment shall be located at least one thousand (1,000) feet from any lot containing another alternative financial establishment, as measured in a straight line between the nearest points of one (1) lot to the other lot.
- B. A lot containing an alternative financial establishment shall be located at least two hundred (200) feet from any lot zoned or used for residential purposes, as measured in a straight line between the nearest points of one (1) lot to the other lot.
- C. No lot containing an alternative financial establishment shall be located within five hundred (500) feet of the rights-of-way of U.S. Highway 80, I-30, I-20 or I-635.
- D. No alternative financial establishment shall be permitted within the Town East Retail and Restaurant Overlay District (TERRA), the Mesquite Arena/Rodeo Entertainment District, the Military Parkway-Scyene Corridor Overlay District or the Sherwood Forest Overlay District.
- E. Alternative financial establishments shall be situated only within a free-standing building and shall not be co-located in the same structure as other uses, except check cashing and money transfer businesses that are co-located within a free-standing structure and/or suite where the primary use is a pawnshop, grocery store, or convenience store, the use is permitted by right.

(Ord. No. 3932, § 1(2), 2-18-08; Ord. No. 5050, § 2(Exh. A), 8-21-23)

### 3-506 - General service hotel/motel.



In addition to the minimum number of guest rooms specified in Section [3-203](#), a general service hotel/motel shall comply with the following design and amenity standards:

- A. *Internal hallways.* All guest rooms of the hotel shall have their primary access through internal hallways and all hallways shall be accessible from a central lobby.

B. *Meeting room and business center.* The hotel shall contain a meeting room and a separate business center. The space designated as the meeting room shall be at least four thousand (4,000) square feet and shall be clearly identified on the building plans. The room shall be used primarily for the purpose of holding meetings, banquets or events sponsored or conducted by organizations having one (1) or more representatives who are guests at the hotel or by outside entities for a fee. The room shall be equipped at a minimum with tables, chairs and a lectern. The business center shall be equipped with at least two (2) computers with Internet access, two (2) printers and a facsimile machine.

C. *Recreational facility.* The hotel shall include an indoor or outdoor swimming pool, an indoor fitness center or both. Separate dressing rooms shall be provided for men and women. If provided, the swimming pool shall have a minimum surface area of eight hundred (800) square feet. If provided, the fitness center shall be key-restricted to guests of the hotel, be supplied with cardio-equipment, free or static weights, video screens, a drinking fountain and towel service.

D. *Restaurant.* A restaurant shall be located within the hotel or attached by an enclosed hallway. The restaurant shall include seating for a minimum of fifty (50) customers and offer menu service with wait staff for two (2) of three (3) meal periods during the day (e.g., breakfast-lunch, lunch-dinner). The restaurant must be classified as a Class I restaurant by the City of Mesquite and a certified food manager shall be on duty whenever meals are being served. Hotel guests shall have the option to charge meals to their hotel accounts. Drive-through service is prohibited.

E. *Exterior appearance.* All elevations of the hotel shall be considered primary facades for purposes of the community appearance manual.

(Ord. No. 3963, § 1(2), 6-16-08)

**3-507 - Coin-operated amusement devices.**



In addition to the requirements of Section [3-203](#), an establishment that includes coin-operated amusement devices, either as a primary use with an approved conditional use permit or as an accessory use permitted by right, shall comply with the following regulations:

A. *Open gamerooms.* All gamerooms or other areas of an establishment where coin-operated amusement devices are located and offered for the use and enjoyment of patrons or invitees of the establishment shall be kept open and accessible during business hours.

B. *Primary use to be maintained.* An establishment that includes coin-operated amusement devices as an accessory use permitted-by-right shall at all times actively conduct and maintain the primary use of the establishment as declared on the approved certificate-of-occupancy. The failure to actively conduct and maintain the primary use shall create a rebuttable presumption that the coin-operated amusement devices no longer constitute an accessory use of the premises and the certificate-of-occupancy shall be subject to revocation. For purposes of this

Section, "actively conduct and maintain" means to occupy not less than 50 percent of the floor space of the establishment, exclusive of restrooms and storage areas, with displays, racks or shelves stocked with goods, wares, unexpired food or other merchandise for sale to customers or with equipment or furniture necessary for producing goods or providing services to clients in accordance with the approved certificate-of-occupancy. Coin-operated amusement devices shall only be permitted as an accessory use to the following principal uses:

EXPAND

SIC	Use
539	Miscellaneous General Merchandise Stores
541	Grocery Stores
5812	Restaurants
7215	Coin-Operated Laundries/Dry Cleaning
7832	Movie Theaters
793	Bowling Centers
7999b	Indoor Amusement and Recreation Facilities
864a	Civic, Social, Fraternal Organizations that include Indoor Amusement

- C. *Retrofitting required.* An establishment with coin-operated amusement devices in use on the effective date of the ordinance from which this section is derived shall modify or retrofit the premises to comply with the requirements of this Section no later than January 1, 2021.
- D. *Location near churches, schools or hospitals.* All coin-operated amusement devices are prohibited within 300 feet of a church, school or hospital, measured from the closest point of the structure where the coin-operated amusement device is located to the nearest property line of the church, school or hospital.
- E. Coin-Operated Amusement Device or Machine has the same meaning as "Coin-operated machine" in Texas Occupations Code, Section 2153.002(9), as may be amended.
- F. *Penalty and Enforcement.*
  1. It shall be unlawful and an offense for the proprietor, operator or any on-duty manager of the establishment to:

- a. Close, conceal or prevent, or attempt to close, conceal or prevent, any person from entering or looking with a direct line of sight into a gameroom or other area containing coin-operated amusement devices by the use of a human or electronic sentinel, or the use of doors, curtains, partitions, walls, counters or other physical or visual obstructions; or
  - b. Display or operate coin-operated amusement devices in conflict with the primary use of the establishment.
2. The failure to actively conduct and maintain the primary use to which two (2) or less coin-operated amusement devices are an accessory use shall create a rebuttable presumption that the coin-operated amusement devices no longer constitute an accessory use of the premises; and:
    - a. The certificate-of-occupancy shall be subject to revocation; and
    - b. The Building Official or others authorized to enforce this Code shall be authorized to seal all machines, either illegal or non-compliant with this section, in a manner consistent with Texas Occupations Code, Section 2153.352, as may be amended.
  3. Any person violating any provision of this Section shall be guilty of a misdemeanor and, upon conviction, shall be fined as prescribed in [Section 1-6](#) of the Mesquite City Code. Each and every day such violation continues shall constitute a separate offense.
  4. In addition to and cumulative of all other penalties and enforcement, the city shall have the right to seek injunctive relief for any and all violations of this article.

(Ord. No. 4215, § 1, 6-4-12; Ord. No. 4820, § 4, 10-19-20; Ord. No. 5061, § 8(Exh. G), 9-5-23)

**Cross references**—Certificate of Occupancy, Mesquite Zoning Ordinance, Part 5, 5-100, Sec. [5-106](#).

Appeals of Administrative Decisions to the Board of Adjustment, Mesquite Zoning Ordinance, Part 5, 5-200, Sec. [5-210](#).

Certificate of Occupancy fees; Appendix D - Comprehensive Fee Schedule, Article XII, [Sec. 12-110](#).

## 3-508 - Reception facilities.



- A. *Major and minor reception facilities.* In addition to the requirements of Section [3-203](#), all major reception facilities and minor reception facilities shall comply with the following regulations:
  1. *Defined.* "Reception Facility," "Minor Reception Facility," and "Major Reception Facility" are all defined terms in this Zoning Ordinance. See Section 6-102.
  2. *Hours of operation.* Unless authorized by a conditional use permit, hours of operation for a major or minor reception facility shall be limited to 8:00 a.m. to 10:00 p.m. Monday through Thursday and 8:00 a.m. to midnight Friday through Sunday.
  3. *Security.* The major or minor reception facility shall provide security at every event where alcoholic beverages are provided or consumed or where a D.J. or live music is provided for age groups 13-21. Security shall be provided by a qualified person(s) authorized to provide

private security pursuant to Chapter 1702 of the Texas Occupations Code or by a licensed peace officer. A minimum of one (1) security officer is required for up to twenty-five (25) individuals in attendance. One additional security officer shall be required for every additional one hundred (100) individuals in attendance, or fraction thereof, for said event where:

- a. Alcoholic beverages are provided or consumed; or
  - b. Where a D.J. or live music is provided for age groups 13-21.
4. *Outside activities.* Outside activities, if any, shall be confined within a legally fenced-in area with a solid fence or wall at least six feet in height and in compliance with [Chapter 5](#), Article V of the Mesquite City Code. All activities conducted within or outside the major or minor reception facility shall conform to the hours of operation in this section and comply with the noise restrictions of Mesquite City Code [Section 10-66](#), et seq.
  5. *Premises condition.* The owner or operator of the major or minor reception facility shall clean, or have cleaned, the premises of all litter, debris or rubbish immediately following an event. In addition to other applicable codes and ordinances of the City, the premises shall be maintained in compliance with the International Property Maintenance Code and operated to conform to maximum occupancy load limitations at all times.
  6. *Owner representative.* For all events at a major or minor reception facility, the owner or the owner's agent shall be present at the facility for the duration of the event.
  7. *Compliance with applicable laws and additional provisions.* Alcoholic beverages may not be sold on the premises without strict compliance with the Texas Alcoholic Beverage Code and the use regulations of the Mesquite Zoning Ordinance. A person or a person affiliated, related, associated with or acting in concert with the person, serving alcohol may not use the major or minor reception facility more than twice per month. The definition of the term "person" provided in [Section 1-2](#), "Rules of Construction," of this Code, applies. "Affiliate" means any entity owned or controlled, wholly or in part, by a person.
  8. *Surveillance Cameras.* The operator of the major or minor reception facility shall provide, maintain, and operate color digital high-resolution surveillance cameras at all entrances, exits, and parking areas in compliance with the following:
    - a. The cameras shall have a minimum of 1080 lines of resolution.
    - b. The entrance and exit area camera(s) shall be placed to provide a clear and identifiable full frame of the filmed individual's face entering and leaving the facility.
    - c. All cameras shall accurately display the correct date and time of the recording.
    - d. The cameras shall be functional, activated, and provide views, unobstructed by matter, 24-hours a day, including hours when the reception facility is not open for business.
    - e. The operator shall maintain on a digital storage device a library of the recorded digital images for not less than 10-days.

f. Any passwords, user identification, or other information necessary to access the digital storage device to recover recorded digital images shall be maintained and accessible at the location of the reception facility.

g. The reception facility shall have posted at all public exits and entrances signs or decals indicating the surveillance cameras are in use.

(Ord. No. 4541, § 1(2), 2-19-18; Ord. No. 4797, § 2(Exh. A), 8-3-20)

## 3-509 - Public and private schools.



- A. In connection with a Conditional Use Permit ("CUP") for an elementary or secondary school, as defined in Section 6-102 of the Mesquite Zoning Ordinance, the applicant shall comply with the regulations in this section. The purpose of the CUP requirement is to ensure that the traffic impacts from a school will not create traffic and safety hazards for the community.
- B. Prior to presentation of a CUP application for a public or private school to the Planning and Zoning Commission, the applicant shall submit a Traffic Impact Analysis ("TIA") to the Traffic Engineering Division for approval. The TIA must be prepared and sealed by a qualified, licensed engineer in accordance with the City's Requirements for Preparing a Traffic Impact Analysis, as amended. The TIA must identify potential problems, provide effective improvements to alleviate the problems and include a Traffic Management Plan ("TMP"). The TMP must alleviate all conflicts with through-traffic and traffic movements on public right-of-way abutting and in the vicinity of the application, and must include a design for picking-up and dropping-off students without queuing vehicles into public right-of-way. Compliance with the approved TIA and TMP shall be required by the CUP.

(Ord. No. 4562, § 1(4), 5-7-18)

## 3-510 - Variety stores.



- A. Variety stores are prohibited unless the proposed use is located more than five thousand (5,000) feet from another variety store.
- B. Incidental outdoor display is prohibited at all variety stores.
- C. If located at least five thousand (5,000) feet from another variety store, this use is permitted by conditional use permit ("CUP") only. In addition to the criteria for a CUP set forth in Section 5-303.B, when reviewing a request for CUP for a variety store use, the City Council shall consider:
  - 1. Whether the proposed variety store will likely have a detrimental impact on the development of grocery stores and other businesses that sell fresh and healthy food items in the area to be served by the proposed use.
  - 2.

The availability of healthy food options in the area of the proposed use including the proximity of full-service grocery stores within one-half (1/2) mile of the proposed use and effect of the use on the retail food environment index as defined by the Centers for Disease Control and Prevention.

3. Whether the proposed use is within a food desert, as defined by the United States Department of Agriculture at the time of application.

- D. A CUP approved under this section must stipulate that a minimum of ten (10) percent of the floor area of the variety store must be dedicated to fresh produce, meat and dairy products.
- E. A nonconforming variety store in existence on August 1, 2018, may relocate on the same parcel or within the same shopping center that it currently exists without obtaining a CUP provided the nonconforming variety store has not been terminated as provided in Section [1-304](#), Termination of Nonconforming Situations, of Part 1 of the zoning ordinance and the use complies with all other applicable regulations.

(Ord. No. 4583, § 1(2), 7-16-18)

### 3-511 - Paraphernalia shop.



- A. *Conditional use permit.* Paraphernalia shops require approval of a conditional use permit.
- B. *Primary use.* A paraphernalia shop shall only be a primary use requiring a certificate of occupancy. In no case shall a paraphernalia shop be an accessory use to any principal use.
- C. *Separation requirements.* A paraphernalia shop shall be located a minimum of 500 feet from any other paraphernalia shop, residential zoning districts, public and private schools, and places of worship measured from the closest point of the structure where the paraphernalia shop is located to the nearest property line of a residential zoning district, public and private school, or place of worship.
- D. *Outside storage and display.* Outside storage or display of products is prohibited.
- E. *Drive-through and walk-up windows.* A paraphernalia shop shall not have a drive-through or walk-up window.
- F. *Retrofitting required.* An establishment having smoking paraphernalia, as defined in Section 6-102, as of the effective date of the ordinance from which this section is derived, shall comply with this section by March 1, 2021.

(Ord. No. 4839, § 2(2), 1-4-21; Ord. No. 5061, § 8(Exh. G), 9-5-23)

**Cross references**—Certificate of Occupancy, Mesquite Zoning Ordinance, Part 5, 5-100, Sec. [5-106](#). Appeals of Administrative Decisions to the Board of Adjustment, Mesquite Zoning Ordinance, Part 5, 5-200, Sec. [5-210](#).

Certificate of Occupancy fees; Appendix D - Comprehensive Fee Schedule, Article XII, [Sec. 12-110](#).

### 3-512 - Mobile Food Unit Park ("MFU-Park").



A mobile food unit park ("MFU-Park"), as defined in Section 6-102, is a fixed commercial location and permanent development designed to accommodate three (3) or more mobile food units ("MFUs") offering food and/or beverages for sale to the public as the primary use of land.



A. GENERAL PROVISIONS.

- 1. *Abbreviations and definitions.* The following terms are defined in this Zoning Ordinance, see Section 6-102.
  - a. Base of Operation.
  - b. Central Preparation Facility (Commissary).
  - c. MFU. Mobile Food Unit
  - d. MFU-Park. Mobile Food Unit Park
  - e. MFU-Stall. Mobile Food Unit Stall
- 2. *Site plan.* A site plan for any mobile food unit park ("MFU-Park") shall be approved by the City of Mesquite showing compliance with this section, the City's development standards (Section [3-300](#)), the City's Engineering Design Manual (City Code, [Sec. 15-111](#)), and any other applicable standards or requirements.
- 3. *Drive-through facilities.* MFU-Parks shall not install permanent drive-through facilities or other drive-through designations. MFU-Parks may allow for temporary drive-through events as may be authorized by a Special Event Permit (City Code, [Chapter 8](#), Article XV), or other lawful authorization.
- 4. *Central preparation facility (Commissary).* The MFU-Park may be designated and permitted as an approved central preparation facility (commissary) in accordance with Mesquite City Code, [Chapter 8](#), Article VIII (Food and Food Establishments).

B. LOCATION.

- 1. A mobile food unit park is permitted to be located within any authorized zoning district as is identified in Section [3-203](#) Schedule of Permitted Uses.
- 2. A MFU-Park shall be located at a minimum of 200 feet from any inhabited or inhabitable residential dwelling.

**Cross reference**—Authorized zoning districts, Section [3-203](#) Chart—See, (G) Retail Trade, 5812 Eating Places (except), (c) Mobile Food Unit Park.

C. HOURS OF OPERATION.

- 1. MFU-Parks may be open to the public starting at 6:00 AM until 11:00 PM, unless otherwise authorized by a Special Event permit (City Code, [Chapter 8](#), Article XV), or other lawful authorization.
- 2. MFU-Parks shall be closed to the public between the hours of 11:00 PM and 6:00 AM, unless otherwise provided.

3. Work related to cleaning and maintenance of the MFU-Park may occur at any time.

D. *SEATING AND AMENITIES.*

1. The MFU-Park shall provide a minimum of four (4) indoor and/or outdoor seats, at an eating surface such as a table, per MFU-Stall.
2. The required seating may be located in one or more common areas within the MFU-Park.
3. A minimum of two (2) permanent restroom facilities, one facility each for males and females to both include flushable toilet(s) and hand sink(s), shall be located on the site and shall comply with all applicable building and construction codes (City Code, [Chapter 5](#)), and the Fire Code (City Code, [Chapter 6](#), Article II).
4. All amenities, buildings, and structures shall be shown on the site plan.

E. *PARKING.*

1. *Mobile food unit stall parking requirements.*
  - a. Mobile Food Unit stalls ("MFU-Stalls") shall be marked or otherwise designated on a concrete or asphalt surface.
  - b. Individual MFU-Stalls shall be separated from buildings, structures, and other MFU-Stalls as may be required by law and shall meet the requirements of the Mesquite Fire Code (City Code, [Chapter 6](#), Article II).
  - c. Buildings, structures, and MFU-Stalls shall be shown on the site plan.
2. *Vehicle parking requirements.*
  - a. An MFU-Park shall be required to provide a minimum of three (3) vehicle parking spaces for each marked or otherwise designated MFU-Stall.
  - b. Additional vehicle parking spaces may be required by the Director of Planning and Development Services depending on the details of the site plan submitted.
  - c. The vehicle parking spaces may be located in one or more common areas within the MFU-Park.
  - d. Vehicle parking spaces shall be shown on the site plan.

F. *SIGNS AND ADVERTISING.*

1. The MFU-Park may have one (1) freestanding sign per public street frontage in compliance with the Mesquite Sign Ordinance (City Code, [Chapter 13](#)).
2. A sign shall be posted in a prominent location, on-site for customers, clearly identifying the name, phone number, and e-mail address of at least one site manager. The dimensions of the sign shall be no more than two feet by two feet (2 ft x 2 ft).
3. Signs associated with individual mobile food units are permissible in accordance with subsection (K)(6) "Signs and advertising—Individual Mobile Food Units."
4. No other signs for the MFU-Park are permitted unless authorized by the Mesquite Sign Ordinance (City Code, [Chapter 13](#)).

1. MFU-Parks shall provide accessibility to a permanent potable water supply line for use by the Mobile Food Unit operators.
2. Each MFU-Stall located within the MFU-Park shall be provided hookups for electricity.
3. Use of generators at the MFU-Park is generally prohibited unless emergency circumstances necessitate the need for the use of generators on a temporary basis.

H. *WASTE RECEPTACLES.*

1. *Site dumpster.*
  - a. The MFU-Park is required to provide a minimum of one (1) garbage dumpster sufficient in size to accommodate the waste generated on the site and the garbage dumpster shall be accessible to all mobile food unit employees and/or workers.
  - b. The Director of Planning and Development Services may require additional garbage dumpsters depending on the details of the site plan submitted.
2. *Trash receptacles for customer use.*
  - a. The MFU-Park is required to provide one (1) individual trash receptacle, for use by customers, for every three (3) MFU-Stalls.
  - b. The Director of Planning and Development Services may require additional trash receptacles depending on the details of the site plan submitted.
  - c. The individual trash receptacles may be located in one or more common areas within the MFU-Park.
3. *Liquid waste.*
  - a. The MFU-Park may, but is not required, to install grease interceptors or traps in accordance with the Mesquite City Code, [Chapter 8](#), Article VIII (Food and Food Establishments) and [Chapter 16](#) (Water and Liquid Waste).
  - b. MFU operators shall dispose of liquid waste at an authorized liquid waste disposal site such as a base of operation.

I. *PROPERTY OWNER—DUTIES AND RESPONSIBILITIES.*

1. *In general.* The property owner of the MFU-Park, or his/her authorized agent, shall have the following duties and responsibilities as herein described.
2. *Certificate of occupancy.* Each MFU-Park shall be required to receive a Certificate of Occupancy ("CO") from the Building Official prior to operations.
3. *Designation of site manager(s).*
  - a. The property owner, or his/her authorized agent, shall be required to designate at a minimum, one (1) local site manager for the MFU-Park. The property owner, or his/her authorized agent, may be designated as the site manager.
  - b.

The property owner, or his/her authorized agent, shall notify the Building Official of the name(s), date of birth, driver's license number or other State identification number and the originating State for the identification, phone number, home (physical address) or business office (physical address), business mailing address, and e-mail address of the site manager(s) to be placed on-file with the City.

- c. The property owner, or his/her authorized agent, shall notify the Building Official within thirty (30) days of any changes to the required site manager information being kept on-file.
- d. A site-manager no longer employed at the MFU-Park, but whose information remains on-file with the City, may provide the details of their departure to the Building Official in an affidavit so as to be promptly removed as the designated site-manager on-file with the City.
- e. In accordance with sub-section (F) "Signs and Advertising," the property owner or his/her authorized agent, shall post a sign identifying at least one site manager and his/her contact information. If the information required to be provided to the public on the sign changes, the sign shall be updated within thirty (30) days of any change.

J. *SITE MANAGER—DUTIES AND RESPONSIBILITIES.*

- 1. *In general.* The site manager(s) of the MFU-Park shall have the following duties and responsibilities as herein described.
- 2. *Local site manager(s).* The site manager(s), or one or more designated employees/workers, shall be located locally, such that they should be able to be physically at the MFU-Park daily and/or weekly, and be able to respond with same-day-service in the event of a complaint regarding the requirements of the MFU-Park.
- 3. *Operations.* The site manager is responsible for the overall orderly operation of the MFU-Park. The site manager, or his/her designee(s), shall be responsible for keeping the MFU-Park site clean, neat, sanitary, and orderly at all times.
- 4. *Waste Collection.*
  - a. The site manager, or his/her designee, shall provide plastic bags or wet-strength paper bags to line the trash receptacles on-site.
  - b. The site manager, or his/her designee, shall be responsible for the daily placement of filled garbage and refuse bags into the site dumpster(s). The garbage and refuse bags shall be securely tied or closed and shall be in an unbroken condition prior to placement in the site dumpster(s).

K. *MOBILE FOOD UNIT OPERATOR(S)—REGULATIONS FOR OPERATION WITHIN A MOBILE FOOD UNIT PARK.*

- 1. *Mobile food unit compliance with Mesquite City Code required.*
  - a.



- b. *Persons required to comply.* Persons, persons in control, and persons in-charge, including, owners, operators, employees, and workers of the mobile food unit are all required by Mesquite City Code to be in compliance with City Code, [Chapter 8](#), Article VIII "Food and Food Establishments," except as may be modified herein.
- c. *Health permit.* All mobile food unit operators shall obtain a Health Permit from the City Health Official to operate within the City, in accordance with Mesquite City Code, [Chapter 8](#), Article VIII, Division 3 (Health Permits).
- d. *Base of operation.* Mobile food units shall have access to an authorized central preparation facility (commissary) or a fixed commercial location food establishment (collectively referred to as a "base of operation") as may be required by the City Health Official.

2. *Hours of operation.*

- a. Individual mobile food units may remain parked on-site within the MFU-Park at any time but may only be open to customers during the hours the MFU-Park is open to the public as herein authorized, or as may be authorized by a Special Event permit (City Code, [Chapter 8](#), Article XV), or other lawful authorization.
- b. Work related to cleaning, maintenance, food preparation, and any other business operation preparation of the individual mobile food units may occur at any time.

3. *Parking of mobile food units.*

- a. Mobile food units shall be parked in a marked or otherwise designated MFU-Stall on a concrete or asphalt surface.
- b. Mobile food units may remain parked on-site within the MFU-Park at any time.

4. *Use of generators limited to emergencies.* The use of generators at the MFU-Park is generally prohibited unless emergency circumstances necessitate the need for the use of generators on a temporary basis.

5. *Drive-through business prohibited.* Unless otherwise provided, mobile food units shall not conduct business where customers drive-through the MFU-Park in their vehicles and are served from an individual mobile food unit from a drive-through-type window.

6. *Signs and advertising—Individual Mobile Food Units.*

- a. Signs may be attached to the interior of a mobile food unit. For example, menus may be posted inside the mobile food unit.
- b. Signs may be attached to the exterior of a mobile food unit and shall be mounted flat against the mobile food unit.

c.

d. Signs associated with the MFU-Park are permissible in accordance with sub-section (F) "Signs and Advertising."

e. No other signs for the individual mobile food units shall be permitted unless authorized by the Mesquite Sign Ordinance (City Code, [Chapter 13](#)).

7. *Sales of non-food items.* In general, the retail sale of non-food items shall be prohibited, unless said non-food items are incidental to the mobile food unit's operations. For example: T-shirts, hats, can Koozies, souvenir cups, or other promotional items related to the mobile food unit and/or its affiliates.

8. *Mobile food units shall be attended.* Each mobile food unit shall be attended by an employee or worker at all times when the mobile food unit is open to the public.

(Ord. No. 4868, § 2(Exh. A), 6-7-21; Ord. No. 5061, § 8(Exh. G), 9-5-23)

**Cross references**—Certificate of Occupancy, Mesquite Zoning Ordinance, Part 5, 5-100, Sec. [5-106](#).

Appeals of Administrative Decisions to the Board of Adjustment, Mesquite Zoning Ordinance, Part 5, 5-200, Sec. [5-210](#).

Certificate of Occupancy fees; Appendix D - Comprehensive Fee Schedule, Article XII, [Sec. 12-110](#).

### 3-513 - Drone Delivery.



These regulations apply to both Drone Delivery Services, and Accessory Drone Delivery except where individually referenced.

A. *Definitions.* See Section 6-102 for definitions.

B. *Drone Delivery.*

1. *Drone delivery services.* Drone delivery services are allowed as a primary use. SEE Section [3-203](#) (Schedule of permitted uses), Sub-section E. Transportation/Utilities.

2. *Accessory drone delivery.* Accessory Drone Delivery is allowed as an accessory use to a permitted food store, restaurant, retail store, or warehouse/distribution facility. SEE Section 3-203 (Schedule of permitted uses), Sub-section L. Accessory Uses and Structures.

C. *Drone staging areas.*

1. Drone staging areas must be designated on an approved site plan.

2. Drone staging areas shall not be placed within any setback, required landscape area, fire lane, easement, maneuvering aisle, required loading zone, required parking space, or any location that obstructs visibility or interferes with pedestrian or vehicle circulation.

3. Drone staging areas as part of an accessory drone delivery use shall be limited to one thousand (1,000) square feet or ten (10) percent of the lot area, whichever is greater. A drone staging area located within or on the roof of the building containing the primary use

4. Drone staging areas shall be located a minimum of two hundred (200) feet from a residentially zoned property, any lot used for a residential care facility, nursing home, or public park. The measurement shall be from the edge of the drone staging area to the closest property line.

D. *Antennas.* Antennas and antenna support structures shall comply with Section [1-700](#) (Telecommunications Towers and Antennas).

E. *Fencing—optional.* Drone staging areas may be enclosed with a fence or wall consisting of masonry, decorative iron, or chain link that is coated with black vinyl.

(Ord. No. 5130, § 2(Exh. A), 8-19-24)

### 3-600 - OUTDOOR SALES, DISPLAY AND STORAGE REGULATIONS



No display, sales, or storage shall be conducted outside an enclosed building unless the use complies with the following provisions and limitations, except as may otherwise be permitted by this ordinance.

### 3-601 - Incidental outdoor display.



Incidental outdoor display shall be permitted in all nonresidential districts, except the O and CV districts, when the display is incidental to a principal use on the premises and is in compliance with the following limitations and conditions. Incidental outdoor display shall mean the limited exhibition, in an area not enclosed by the principal building, of goods, wares, merchandise or equipment for retail sale, lease or rental, for the purposes of attracting customers and/or allowing customers to view the goods.

A. *Location.* Incidental display shall be permitted adjacent to the principal building and shall extend no more than five (5) feet therefrom. Such display shall be located on a paved surface, with a walkway at least five (5) feet in width remaining unobstructed if located on a sidewalk. No such display shall obstruct or eliminate any designated parking or loading space, access drive or fire lane, or occupy any street right-of-way. The above criteria shall not apply to the following outdoor display which shall be permitted as follows:

*Plant Nurseries.* The display/storage of bedding plants and shrubs shall be permitted at plant nurseries, including garden centers associated with home improvement and general merchandise stores, provided that the storage/display area is designated and approved on the site plan for the use. Paving within a plant display area shall be required only for pedestrian walkways. Such display shall be prohibited in any part of a required front or exterior side yard and no such display shall obstruct or eliminate any designated parking or loading space, access drive or fire lane. The display of lawn and garden supplies, grass pallets and other bulk items shall be permitted in conjunction with the primary display of bedding plants and shrubs, but shall otherwise constitute outdoor storage requiring compliance with [3-603](#).

B. *Duration/type materials.* Such display shall be placed outdoors for no more than one (1) business day, provided that a display may again be placed on the next business day. Incidental display of seasonal items, such as plants and lawn/garden supplies, firewood, Christmas trees, and similar goods may be conducted for periods longer than one (1) business day during the season in which the product is used.

C. *Height.* Displays of stacked materials shall not exceed five (5) feet in height. Individual items of greater height may be displayed, but shall not exceed one-half the height of the principal building.

(Ord. No. 2650, 12-18-89; Ord. No. 3959, § 1(6), 5-19-08; Ord. No. 4036, § 1, 3-2-09)

### 3-602 - Outdoor display lot.



Outdoor display lot shall mean such display, whether for sale or rental, which constitutes a principal use of the premises, which primarily involves the display of any of the following items or vehicles, or which otherwise exceeds the limitations of incidental outdoor display as set out above. Outdoor display lots shall include, but not be limited to, any premises where the following are displayed outside an enclosed building: New and/or used cars, recreational vehicles, mobile homes, modular homes, camper tops, trailers, boats, trucks, farm implements and equipment, heavy machinery, portable buildings, swimming pools/spas, or similar items. Farmers markets shall be outdoor display lots for the purposes of this ordinance.

- A. *Conditional use permit required.* Outdoor display lots shall require approval as a conditional use permit and may be requested in the following districts only as specified:
  1. *LC district:* New car dealerships.
  2. *SS district:* Truck/trailer rental uses.
  3. *C, CB and I districts:* Any outdoor display lot. Each conditional use permit for an outdoor display lot shall specify which items may be displayed outdoors on the premises and approval shall be limited to the specified uses.
- B. *Concept Plan.* A concept plan showing the proposed display and storage area, including parking, dumpster location, existing and proposed buildings, ingress and egress points, landscape areas, and fence and barrier locations, shall be filed with the application for a conditional use permit.
- C. *Required conditions.*
  1. *Minimum area:* A minimum lot area of twelve thousand (12,000) square feet is required.
  2. *Permanent building:* A principal building of permanent construction is required.
  3. *Front yard:* Parking and display shall be permitted in the front yard setback for vehicles only and subject to parking layout standards set out in [3-400](#). For security of vehicle sales lots, a six-foot high fence which will not obstruct vision may be placed in the front yard setback to

protect and enclose the display/storage area. Display areas for buildings and nonvehicular items must maintain a minimum front yard setback of twenty-five (25) feet.

D. *Parking and access.*

1. *Paving:* Paving is required for all parking, display and storage areas in accordance with city standards, except that paving shall not be required for the display of residential buildings, e.g. mobile or modular homes, if the following conditions are met.
  - a. Units are anchored according to the manufacturer's specifications required for occupancy.
  - b. The space between the ground and the floor level is completely enclosed, i.e. skirted.
  - c. Access sidewalks are provided.
  - d. Unpaved areas are landscaped and regularly maintained in accordance with a landscape plan approved by the development review committee.
2. *Customer/employee parking:* Parking for customers/employees shall be provided in accordance with [3-405](#), and shall be in addition to the parking in the display/storage area.
3. *Fire lanes:* Minimum fire lanes must be marked and maintained throughout the display/storage area in accordance with the requirements of the fire code. Buildings in a display/sales area shall be separated by a minimum distance of ten (10) feet.

E. *Vehicle sales.*

1. *Minor repairs:* Vehicle sales lots may include minor repair and maintenance if conducted totally within an enclosed building. Major repairs and collision services are permitted only in conjunction with new car dealerships.
2. *Operational vehicles:* Outdoor display shall consist only of operational vehicles with current inspection stickers; with hoods, trunks, and doors closed when not open for inspection; and with tires properly inflated. The appearance of the lot shall be sightly and orderly.
3. *Barriers:* Barriers shall be provided on all vehicular sales lots to retain vehicles completely within the property and prohibit ingress and egress except at approved drive approaches.
4. *Arrangement:* Display areas shall be arranged in an orderly manner with items generally parallel to each other.

(Ord. No. 2650, 12-18-89; Ord. No. 5083, § 2(Exh. A), 11-20-23)

**3-603 - Outdoor storage.**



Outdoor storage shall mean the keeping of any goods, materials, merchandise, or equipment outside of an enclosed building for more than twenty-four (24) hours. Any such goods kept outside which are not within the definition and/or limitations for incidental outdoor display or outdoor display lots shall be regarded as outdoor storage. Outdoor storage shall include the parking/storage of vehicles to be serviced

at a collision service or towing/wrecker service use and all parking/storage of vehicular equipment, such as farm or construction machinery or equipment. The placement of storage vaults or shipping containers shall be regarded as outside storage, except as may be otherwise permitted herein.

A. *Permitted outdoor storage.*

1. *Accessory outdoor storage area:* Accessory outdoor storage shall be permitted in the MU, CB, C and I districts. Accessory outdoor storage shall mean storage which is accessory to a lawful business in a permanent building on the premises, which is conducted in accordance with the limitations and conditions set out below, and which covers a maximum of fifty (50) percent of a premises. All other outdoor storage shall be classified as a primary outdoor storage yard.
2. *Primary outdoor storage yard:* Primary outdoor storage yards shall be permitted in the I district and may be approved as a conditional use permit in the C district. A primary outdoor storage yard shall mean such storage which constitutes a principal use on the premises or is conducted without a permanent building on the premises, which utilizes more than fifty (50) percent of the premises, or which otherwise exceeds the limitation of an accessory storage area. Modification of the conditions set out below may be specified as part of the approval of a conditional use permit, if noted on the application and required notification, when it is determined that the storage can be accommodated in a modified manner without adverse impacts on adjacent properties and that such storage will still meet the general intent of the limitations.

B. *Required conditions.* All outdoor storage shall comply with the following conditions.

1. *Type materials:* Storage shall be limited to goods and materials customarily stored outside and resistant to damage and deterioration from exposure to the elements.
2. *Location:* Outdoor storage shall not be located in any required front or exterior side yard; shall not obstruct or eliminate any required parking or loading space, access drive, or fire lane; or occupy any street right-of-way.
3. *Height:* Storage of stacked materials shall not exceed the height of the screening fence or eight (8) feet, whichever is less. Individual items of greater height may be stored, but may not exceed one-half the height of the principal building.
4. *Screening:* All outdoor storage shall be screened by a permanently maintained solid wood fence or solid masonry wall at least six feet in height along any side facing a front or exterior side property line, any side facing a rear or interior side property line adjacent to a district that does not allow outdoor storage as a permitted use, or any other side generally open to public view.
5. *Surfacing:* Storage areas shall be surfaced as follows:
  - a.

Storage of goods and materials shall be conducted only on a paved surface or an approved all-weather surface of crushed rock which is maintained in a dust-free condition.

- b. The storage of vehicles, trailers, and equipment which is normally intended to be mobile, whether self-propelled or towed, shall be conducted only on an approved asphalt or concrete surface which is provided in accordance with the requirements for parking areas.

(Ord. No. 2650, 12-18-89; Ord. No. 4398, § 1(13), 11-2-15; Ord. No. 5061, § 8(Exh. G), 9-5-23)

Cross reference—Certificate of Occupancy, Mesquite Zoning Ordinance, Part 5, 5-100, Sec. [5-106](#).

### 3-700 - ACCESSORY STRUCTURE REGULATIONS



### 3-701 - General provisions.



Accessory structures, used only for permitted accessory uses, shall be permitted in the nonresidential districts in compliance with the following requirements.

- A. *Main building required.* No accessory structure, except fences, shall be permitted on any tract where no principal building has been established.
- B. *Permitted use.* An accessory structure shall be used for permitted accessory uses only, such as storage and security, and shall not be used as an integral part of the conduct of the principal use. Kiosks on a shopping center site shall not be classified as accessory structures.
- C. *Exterior construction.* Accessory buildings shall not require exterior masonry construction when in compliance with the regulations set out herein. Any structures which comply with the requirements for exterior fire resistant construction may be classified as principal buildings.
- D. *Maximum size and height.* the maximum size for an accessory structure in a nonresidential district shall be five hundred (500) square feet with a maximum height of fifteen (15) feet, one (1) story, or the height of the principal building, whichever is greater. In no case may an accessory structure exceed the height which would be permitted for a principal structure at the same location on the site. (See 3-301C)
- E. *Setbacks.* Accessory structures shall require the following minimum setbacks from property lines. No separation from other structures shall be required, except as may be required by the building code.
  - 1. *Front and exterior side yard setbacks:* Same as setback required for the principal structure, provided however, that in no case may an accessory structure be placed nearer to a street right-of-way line than the principal building.
  - 2. *Interior side and rear yard setbacks:* Same as setbacks required for the principal structure.

(Ord. No. 2650, 12-18-89)

- A. *Canopies.* An unenclosed, drive-through canopy for a service station, day care center, hospital, or business with similar operating characteristics may be placed with a minimum twelve-foot setback from any street right-of-way line and may exceed the maximum height limits set out above.
- B. *Guard houses.* A guard house with a maximum size of one hundred twenty (120) square feet and located at a controlled access drive for security purposes, may be placed nearer the street than the principal structure, but shall maintain a minimum twenty-five-foot setback from any street right-of-way line.
- C. *Fences, signs, swimming pools.* Fences, signs, and swimming pools shall comply with the respective requirements and regulations set out in the city Code.
- D. *Antenna, Aerials, Flagpoles.* Antenna, aerials and associated masts shall comply with the requirements of Section [1-700](#). Flagpoles shall comply with the requirements of [3-701](#), except as otherwise permitted herein, provided however, that a total maximum height of 75 feet shall be permitted. When flagpole is taller than 30 feet, the required setbacks from the side and rear property lines shall be increased by one foot for each foot in height over 30 feet. Flagpoles over 75 feet in height shall require approval as a Special Exception in accordance with the approval standards contained in Section [5-206](#) (L).
- E. *Satellite dishes.* Satellite dishes shall comply with all height and setback requirements set out in [3-701](#), provided however, that the height limits set out above shall not apply to dishes, mounted on a roof.
- F. *Parking pads and drives.* All parking pads and drives, whether required or excess parking, shall comply with the requirements set out in [3-400](#).
- G. *Accessory Electric Vehicle Charging Station ("EVCS").* The following regulations apply to both the Electric Vehicle Charging Station as an accessory use, and to the individual Electric Vehicle Charging Station(s) ("EVCS"):
  - 1. *Definitions.* See Section 6-102 for definitions.
  - 2. *Permits required.* Electrical permits and building permits are required for Electric Vehicle Charging Stations.
  - 3. *Parking - Accessible Parking Spaces.* A portion of Electric Vehicle Charging Stations being installed shall comply, as may be required, with the Texas Accessibility Standards (TAS). Electricity is considered an "alternative fuel" under the federal Energy Policy Act of 1992. (See Title 42 U.S.C. Ch. 134, §13211 (Definitions), as amended or successor.) For purposes of compliance with the Texas Accessibility Standards, an EVCS is considered a "fuel dispenser."
  - 4. *Anti-glare and reflection.* Electric Vehicle Charging Stations must be designed and located to avoid glare or reflection onto neighboring properties, inclusive of properties across an alley, easement, or street, and adjacent roadways.

5. *Safety hazards prohibited.* Electric Vehicle Charging Stations shall not interfere with traffic or create a safety hazard.
6. *Setback.* An Electric Vehicle Charging Station may be placed in the required setbacks except when adjacent to a property occupied by a single-family home or when the station includes an Electric Vehicle Charging Station sign.
7. *Charging cords.* A charging cord may not cross over a sidewalk or pedestrian walkway.
8. *EVCS orientation to parking stall.* An Electric Vehicle Charging Station shall be located at the head or side of each parking stall. The charging station shall not encroach into the required parking stall dimensions.
9. *Landscaping.* If an Electric Vehicle Charging Station is located within a landscaped area, any required landscaping shall be replaced.
10. *Operational working condition required.* Electric Vehicle Charging Stations shall be in operational working condition at all times and, at a minimum, available for use during regular business hours. When an Electric Vehicle Charging Station is not operational for fourteen (14) consecutive days, it shall be considered to have been removed from service. If removed from service, the charging station shall be removed from the site and the parking spaces shall be returned to their original condition within thirty (30) days.
11. *Public Right-of-Way.* Electric vehicle charging station equipment may not block the public right-of-way and may not result in charging a vehicle in the public right-of-way.

(Ord. No. 2650, 12-18-89; Ord. No. 3153, § 1(A), 5-5-97; Ord. No. 4821, § 2(Exh. A), 10-19-20; Ord. No. 5152, § 2(Exh. A), 1-21-25)

### 3-703 - Special exceptions.



The Board of Adjustment may authorize the following Special Exceptions in accordance with the approval standards contained in Section [5-206](#) (L), and any additional criteria set forth in this section for any Special Exception.

- A. *Oversize Accessory Buildings.* The Board may grant a special exception to allow an oversize accessory building, which shall be an accessory structure which exceeds the height and/or size limits set out in Section [3-701](#). This provision shall apply only to structures which are clearly accessory and shall not be used to exclude a principal structure from the requirements for exterior fire-resistant construction.
- B. *Oversize Flagpoles.* The Board may grant a special exception to allow a flagpole which exceeds 75 feet in height.
- C. *Reverse Vending Machines.* The Board may grant a special exception to allow placement of reverse vending machines which are totally enclosed and self-contained when operated for recycling purposes.

(Ord. No. 2650, 12-18-89; Ord. No. 3153, § 1(A), 5-5-97; Ord. No. 4821, § 2(Exh. A), 10-19-20)

 Municode Codification

