

ORDINANCE NO. _____
File No. Z1018-0069

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM AGRICULTURE TO PLANNED DEVELOPMENT – SINGLE FAMILY RESIDENTIAL ON PROPERTY DESCRIBED AS BEING APPROXIMATELY 110.971 ACRES LOCATED SOUTH OF IH-20, EAST OF FM 741 AND NORTH OF HEARTLAND PARKWAY IN THE MARTHA MUSICK SURVEY, ABSTRACT NO. 312, CITY OF MESQUITE, KAUFMAN COUNTY, TEXAS, THEREBY ALLOWING A SINGLE FAMILY SUBDIVISION SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, the Planning and Zoning Commission of the City of Mesquite and the governing body of the City of Mesquite, in compliance with the Charter of the City of Mesquite and State laws with reference to granting of zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein.

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

SECTION 1. That the Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite so as to approve a change of zoning from Agriculture to Planned Development – Single Family Residential with the stipulation that compliance with the Concept Plan and the Development Standards, attached hereto as Exhibits “B” and “C,” respectively, is required.

SECTION 2. That the subject property is approximately 110.971 acres generally located south of IH-20, east of FM-741 and north of Heartland Parkway in the Martha Musick Survey, Abstract No. 312, City of Mesquite, Kaufman County, Texas, and is more fully described in the Boundary Survey attached hereto as Exhibit “A.”

SECTION 3. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 4. That the property described in Section 2 of this ordinance shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 6. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 7. That this ordinance shall take effect and be in force from and after five days after publication.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 19th day of November 2018.

Stan Pickett
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED:



David L. Paschall
City Attorney

Exhibit B
Z1018-0069



TRAILWIND PLANNED DEVELOPMENT
Development Standards

1.0 General Regulations

1.1 A property owners association shall be established and shall be the owner and responsible for the maintenance of all open space areas.

1.2 All single-family detached and attached residences may be front-entry, shall have garage access from a dedicated public street, and shall be subject to setbacks outlined in Section 3.0, "Area Regulations," of these Development Standards.

1.3 Unless otherwise stated, the definitions and interpretations in the Mesquite Zoning Ordinance ("Zoning Ordinance") apply.

1.4 These regulations must be read together with the regulations in the Zoning Ordinance. In the event of a conflict between these regulations and the Zoning Ordinance requirements, these regulations control. If these Development Standards do not specify development requirements and standards that are regulated by the Zoning Ordinance, the requirements and standards applicable in the R-3 zoning district shall apply.

For purposes of this Ordinance, references to the Zoning Ordinance and other provisions of the Mesquite City Code mean those ordinances as they may be amended after the date of passage of this planned development ordinance, except when (1) application is made by the owner for a permit, as defined by Chapter 245 of the Texas Local Government Code; (2) Chapter 245 applies; and (3) no exemption, dormancy or other provision applies to make Chapter 245 inapplicable.

2.0 Use Regulations

2.1 Permitted Uses. Except as otherwise provided herein, the permitted uses within the Property shall be those uses permitted in the R-3 Single-Family Residential district, as established by the Zoning Ordinance. The following, additional uses shall be permitted:

- Agricultural Uses. Agricultural uses whose products are grown primarily for home consumption or enhancement, such as domestic gardening, berry or bush crops, tree crops, flowers, and gardening.
- Community Facility Uses. The following community facility/civic uses shall be permitted:
 - Amenity centers
 - Public and private parks
 - Recreational and open space including but not limited to playgrounds, parkways, greenbelts, ponds and lakes, botanical gardens, pedestrian paths, bicycle paths, equestrian bridle trails, bird and wildlife sanctuaries
 - Schools, pre-k through 12 (public or private)

2.2 Prohibited Uses. The following uses shall be prohibited on the Property:

- Manufactured homes.
- Accessory dwelling units.

3.0 Area Regulations

3.1 General Area Regulations. Single-family residential lots must comply with the following area standards:

(a) Lot Type A:

Minimum Lot Area: The minimum lot area shall be five-thousand five-hundred (5,500) square feet.

Minimum Lot Width: The minimum lot width shall be fifty (50) feet.

Minimum Lot Depth: The minimum lot depth shall be one-hundred ten (110) feet.

Minimum Front Yard: The minimum front yard setback shall be twenty (20) feet. Covered front porches may extend over the front building setback line up to five (5) feet, but the garage door must remain at or behind the front facade in all instances.

Minimum Rear Yard: The minimum rear setback shall be twenty (20) feet.

Minimum Side Yard: The minimum side yard setback shall be five (5) feet and the minimum exterior side yard setback shall be fifteen (15) feet.

Building Coverage: Coverage shall not exceed a maximum of sixty percent (60%) of the total lot area. The calculation of coverage shall include the main house and accessory structures.

Garage Orientation: Garages may face the street.

(b) Lot Type B:

Minimum Lot Area: The minimum lot area shall be four-thousand four-hundred (4,400) square feet.

Minimum Lot Width: The minimum lot width shall be forty (40) feet.

Minimum Lot Depth: The minimum lot depth shall be one-hundred ten (110) feet.

Minimum Front Yard: The minimum front yard setback shall be twenty (20) feet. Covered front porches may extend over the front building setback line up to five (5) feet, but the garage door must remain at or behind the front facade in all instances.

Minimum Rear Yard: The minimum rear yard setback shall be twenty (20) feet.

Minimum Side Yard: The minimum side yard setback shall be five (5) feet and the minimum exterior side yard setback shall be fifteen (15) feet.

Building Coverage: Coverage shall not exceed a maximum of sixty percent (60%) of the total lot area. The calculation of coverage shall include the main house and accessory structures.

Garage Orientation: Garages may face the street.

3.2 Special Area Regulations. Lot widths shall be measured along the arc of the primary structure setback line. For cul-de-sacs and eye-brows/elbows, the minimum lot width measured at the building line may be reduced by a maximum of five (5) feet; the minimum lot width measured at the right-of-way line shall be thirty-five (35) feet.

3.3 Lot Mix. Development on the Property shall comply with the relative lot mix shown on the Concept Plan.

4.0 Parking Regulations

4.1 Residential. For residential uses, a minimum of two (2) enclosed off-street parking spaces located behind the front building line shall be provided for each dwelling unit.

4.2 Other Uses. Required off-street parking for all other permitted uses shall be provided in accordance with the Zoning Ordinance.

5.0 Landscape & Irrigation Regulations

5.1 Except as otherwise provided herein, landscaping and irrigation shall be provided in compliance with the landscaping regulations described in Section 1A-200, Landscape Requirements, of the Zoning Ordinance.

5.2 For single-family lots, and prior to any occupancy of the dwelling, a minimum of two (2) trees with a minimum caliper of three inches (3"), measured at a point six inches (6") above ground level, shall be required for all lots and shall be located in the front yard on all lots.

5.3 Tree species shall comply with Section 1A-500, Tree Schedule, of the Zoning Ordinance except that the following are also permitted:

- Tree
 - Caddo Maple
 - Golden Raintree
- Other Shrubs
 - Knockout Rose
 - Purple Pixie Loropetalum
 - Golden Dot Euonymus
 - Red Yucca
 - Smoke Tree
 - Butterfly Bush
 - Coral Drift Rose
 - Pink Skull Cap
- Ground Cover
 - Little Bluestem
 - Weeping Love Grass
 - Mexican Feather Grass

6.0 Open Space Regulations

6.1 Generally. Open Space may consist of any pervious areas, including but not limited to landscape reserves; publically accessible detention/ drainage facilities and easements; and natural open space areas including floodplain, and public or private parks and plazas. Any detention areas counted towards the open space requirement shall be landscaped and amenitized on a minimum of three (3) sides. All proposed lakes shall be equipped with a water fountain or aerator devices. Open space shall be maintained by the property owners association required by Section 1.0, "General Regulations."

6.2 Open Space Requirements. No less than five percent (5%) of the Property must be set aside as dedicated open space, as generally depicted on the Concept Plan.

7.0 Screening and Fencing Regulations

7.1 Residential Screening. For any portion of a single-family subdivision adjacent to an arterial street, a minimum three-foot (3') wide landscape strip and a minimum six-foot (6') high solid masonry wall shall be provided to screen the residential lots from the arterial street. A minimum

eight-foot (8') high solid masonry wall shall be provided to screen the residential lots from Interstate Highway 20. All required landscaping shall be irrigated, installed on the street side of the wall and located to cover fifty (50) percent of the landscaped area when matured.

7.2 Residential Fencing. Fencing for all other residential lots shall be a minimum of six feet (6') high and maximum of eight feet (8') high, board-on-board, pre-stained spruce or comparable fence material, with steel posts mounted on the inside so as not to be visible from street. All lots backing to any greenbelt area, open space, or park shall require ornamental metal fencing of no less than five feet (5') in height across the back of the lot only. Gates in residential fencing to public spaces shall be prohibited.

8.0 Building Regulations

8.1 Building Materials. At least two (2) types of masonry and/or masonry accents, such as quoins, rowlocks, or keystones, shall be required for single-family dwellings.

8.2 Roofs. Roof pitch for single family dwellings shall have a minimum slope of 8/12. Shingles shall have a minimum 30-year rating.

8.3 Elevations. Single-family dwelling units with the same elevation on the same side of the street shall be separated by a minimum of three (3) lots. Dwelling units with the same floor plan and same elevation located on the opposite side of the street shall not be constructed directly or diagonally across from each other.

8.4 Front facades. All single-family dwellings shall contain at least three (3) of the following:

- (a) Gables
- (b) Divided-light windows
- (c) Minimum three-foot (3') deep recessed entry
- (d) Shutters
- (e) Covered front porch
- (f) Decorative hardware on garage doors
- (g) Two types of masonry and/or masonry accents, such as: Quoins, Rowlocks, or Keystones

9.0 Entry Monuments

9.1 The Main Entrance to the Property from Heartland Parkway may include a Neighborhood Designation monument sign or equivalent and appropriately scaled monuments. Secondary entrances may add Neighborhood Designation monuments.

10.0 Streets

10.1 All streets within the development shall comply with the requirements of the Mesquite subdivision regulations except that a minimum right-of-way width of fifty feet (50') is required and a minimum pavement width of thirty-one feet (31') back to back is required. There shall be no alleys within this planned development.

11.0 Trails

11.1 Major, complementary and secondary trails shall be provided as shown on the Concept Plan. All major trails shall in be a minimum of eight feet (8') wide and complimentary or secondary trails shall in be a minimum of six feet (6') wide. On single loaded streets where a trail is provided on the side of the street that doesn't have houses, the side of the street with houses does not require sidewalks.