

INFORMATION & PROCEDURES

Modification of the screening and buffering requirements may be requested to waive, defer, or substitute any required screening and/or buffering requirements if a development or land use does not meet the minimum requirements. The process to request a modification includes:

1. Prepare a Letter of Request from the applicant.
2. Provide a Site Plan with dimensions prepared on a maximum sheet size of 11" x 17" and which includes the following:
 - All property lines of the subject property;
 - All existing and/or proposed structures;
 - Proposed category of use(s) for all structures (retail, commercial, office, medical, etc);
 - All paved surfaces including, but not limited to, parking/loading areas, driveways, and sidewalks;
 - All front, side, and rear setback lines;
 - Location of loading dock(s) (if applicable);
 - Location of all outdoor storage and ancillary structures (if applicable);
 - Location, height, and materials of all existing and/or proposed fence(s), screening wall(s) or landscape buffer(s); and
 - Adjacent properties with zoning and existing uses identified.
3. Complete the Property Owner Authorization for the subject property.
4. Bring all completed documents, applications, and fees to the City of Mesquite Planning & Zoning Division office at 1515 N. Galloway Avenue.
5. The City of Mesquite will take your information and review it. The review process will take a minimum of four (4) weeks.
6. City staff will mail property owner notifications to all property owners of property abutting the required screening.
7. Following the review of the application, the request will be presented to the Mesquite City Council at a public hearing a minimum of 10 days after City staff mailed the property owner notifications. The applicant will need to attend the public hearing.
8. Following the public hearing, City Council may approve the request as submitted, approve with conditions, or deny the request.

SUBMITTAL PROCESS

An application will not be accepted for review by the City of Mesquite unless it is “complete”. A “complete” application will consist of all the following:

- Letter of Request
- Site Plan (identify area requested for screening modification)
- Property Owner Authorization
- All Applicable Fee(s)

FEES

Fees are due at the time of application submittal to the City. All fees shall be paid at one time and are non-refundable.

Commercial Variance: \$500

*If the variance request is approved, all other applicable development fees will apply.

Application Checklist

- Letter of Request Screening & Buffering Modification Application Site Plan
 Application Fee Owner Authorization

Property Information

Business Name: _____
Physical Address: _____ City, State: Mesquite, Texas
Zip Code: _____

Applicant Information – The person filling out the application

First Name: _____ Last Name: _____
Phone Number: _____ Email Address: _____

Property Owner(s) Information – The owner of the property listed as physical address

Same as Applicant: Yes No (If no, fill in information below)
First Name: _____ Last Name: _____
Phone Number: _____ Email Address: _____
Mailing Address: _____ City, State: _____
(If different from physical address)
Zip Code: _____

Office Use Only

Zoning of Property: _____ Modification Request: Waiver Deferment Substitution
Date Received: _____ Project Intake: _____ Case #: _____

OWNER AUTHORIZATION

- 1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
- 2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
- 3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of taking photographs, documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in taking of said photographs.
- 4. I have read and understand the information contained in the City of Mesquite Screening and Buffering Modification Application.

Property Owner: _____ Phone Number: _____

Address: _____

_____ Email Address: _____

Signature: _____

SCREENING AND BUFFERING REQUIREMENTS

CITY OF MESQUITE ORDINANCE REGARDING SCREENING AND BUFFERING

Sec. 1A-301 – General Screening and Buffering Requirements

- (A) *Applicability:* Screening to provide partial visual protection and to serve as a barrier between uses shall be required in the following circumstances in accordance with the following requirements.
- (B) *Plans Required:* Elements required to satisfy screening and buffering regulations shall be shown on the related site plan, landscape plan and/or building plan required for a project, as appropriate. The location, height, and construction materials of required screening walls, fences, berms, etc. shall be shown on the site plan, landscape plan and/or building plan. The name, quantity, spacing, and size of shrubs and trees proposed for required screens and/or buffer tree lines shall be shown on the landscape plan.
- (C) *Screening and buffering installation:*
1. *General:* If no other standard of installation is specified, the requirements of [1A-500](#) shall apply.
 2. *Shrubs:* Shrubs installed to establish a required screening or buffering element shall be evergreen and shall be a minimum 5-gallon in size, approximately 3-feet in height at the time of planting, and planted at a maximum 3-feet on center, unless otherwise approved by the Municipal Arborist. Shrubs shall be selected from Section 1A-500-2 Shrub Schedule.
 3. *Parking screen:* Where a parking screen is required, a four (4) foot high solid screen shall be provided along the perimeter of the parking area to screen the view of the parking and to shield from headlight glare. A solid screen shall mean a long-span precast concrete decorative screening wall, landscaped hedgerow, berm or other alternative approved by the Director. Metal and/or wood fences shall not be used to satisfy this requirement.

Where a landscaped hedgerow is used to establish the parking screen, shrubs shall be installed in a planting strip adjacent to the parking area. The planting strip must be at least thirty-six (36) inches wide and protected from vehicle damage. Plants shall be a minimum size of five (5) gallons with a minimum height at planting of twenty-four (24) inches and shall create a minimum three (3) foot tall screen within two (2) years of planting. Drought and freeze-resistant shrubs shall be used, including but not limited to Dwarf Burford Holly, Nellie R. Stevens Holly, Eleagnus, Wax Leaf Ligustrum, or other plants approved by the Municipal Arborist.
 4. *Buffer tree lines:* When a required buffer tree line is being established, pervious area shall be provided and trees shall be spaced in compliance with 1A-500-1 Tree Schedule. Trees used to establish a buffer tree line shall be limited to those species indicated with an asterisk (*) in the Tree Schedule. If overhead power lines are located above the planting area, trees marked with an asterisk (*) from the list of small ornamental trees must be used.
 5. *Screening walls:* The Building Official may require screening walls greater than three (3) feet in height to be designed by a Professional Engineer, Architect or Landscape Architect registered in the State of Texas, and shall be designed and constructed to accommodate natural and/or proposed drainage in the area.
 6. *Irrigation:* All required screening and buffers which include landscape materials shall be irrigated by an automatic underground irrigation system designed in compliance with the City of Mesquite Irrigation Specifications.

7. *Traffic visibility:* Screening and buffering shall not be planted or erected so as to obstruct traffic visibility at alleys, streets, or intersections. When it is determined by the Traffic Engineer that an obstruction of traffic visibility is likely to occur, screening that extends into a required front or exterior side yard shall be modified to address the Traffic Engineer's determination.
8. *Completion:* All required screening and buffering must be in place prior to the issuance of a Certificate of Occupancy; provided however, that deferments may be approved as allowed for in Section 1A-220.C.5.

(D) *Modifications:* Modifications of the screening and buffering requirements may be requested. Requests for modification will be considered by the City Council at a public hearing. At least ten (10) days prior to the public hearing, written notification shall be sent to each owner of real property abutting the required screening. The notice shall inform the owner(s) of the request for waiver, deferment, or substitution, and of the time and place of the hearing.

1. *Waiver:* Where the City Council finds the requirement of screening and/or buffering is impractical or unnecessary, it may grant a permanent waiver of the requirement.
2. *Deferment:* Where the City Council finds the requirement of screening and/or buffering is impractical or unnecessary for immediate construction, it may grant a temporary deferment of the requirement.
3. *Substitution:* Where the City Council finds that the intent of the screening and/or buffering requirement is better served by a modified application or by substitution of an alternate method of screening and buffering, a substitution of such method may be approved.

NOTE: The following standards shall apply when alternate screening of wood or wrought iron is approved. (Approved by City Council, 7-17-2000)

Wrought iron and wood fencing approved as alternate screening shall require masonry columns installed as follows: columns shall be placed on thirty (30) foot centers; provided however, that the following variation may be permitted. Where the fencing is directly on a residential lot line, so that the fencing is also the residential privacy fence, columns may be placed on the lot corners and at the lot center. When a lot is wider than sixty (60) feet, the spacing may be increased to a maximum of thirty-five (35) feet. If the distance between lot corners is greater than seventy (70) feet, more than one (1) intervening column will be required and such columns should be spaced evenly across the lot, with a spacing of no more than thirty-five (35) feet.

(Ord. No. 3129, § 1, 12-16-96; Ord. No. 3343, § 1(1), 11-15-99; Ord. No. 4341, § 1, 10-20-14; Ord. No. 4398, §§ 1(1), (2), 11-2-15)