

TITLE 11 - ZONING ORDINANCE

Footnotes:

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Editor's note— Previously, Title 11 derived from Ord. No. 5051, 7-7-11; Ord. No. 5099, 6-14-12; Ord. No. 5201, 2-10-14; Ord. No. 5206, 3-3-14.

ARTICLE 1 - INTRODUCTORY PROVISIONS

CHAPTER 1 - INTRODUCTORY PROVISIONS

Footnotes:

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Editor's note— Previously, Chapter 1 derived from Ord. No. 4842, 5-19-08; Ord. No. 4843, 5-19-08; Ord. No. 4913, 2-17-09; Ord. No. 5025, 2-7-11.

11-1-1: - TITLE AND AUTHORITY

Title 11 of the City Code shall be known and cited as the "City of Mesa Zoning Ordinance," "Zoning Ordinance of the City of Mesa," "Zoning Ordinance", or "this Ordinance". Whenever reference is made to any portion of the ordinance set out in this Title 11, or of any other law or ordinance, the reference applies to all amendments and additions to this Title made hereafter.

(Ord. No. 3746, 2-22-00)

11-1-2: - PURPOSE

The purpose of this Ordinance is to implement the City's General Plan and to protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, this Ordinance is intended to:

- A. Provide a guide for the physical development of the City in a manner that progressively achieves the arrangement of land uses depicted in the General Plan, consistent with the goals and policies of the General Plan.
- B. Promote combinations and mixtures of harmonious land uses, limit the effects of incompatible land uses, and do so in a manner that reduces transportation requirements, promotes livability, and raises the quality of life for residents, guests, students, workers, business owners, tourists and other visitors.
- C. Foster a harmonious, convenient and workable relationship among land uses and ensure compatible infill development, consistent with the General Plan.
- D. Support economic development and job creation.
- E. Provide for the diverse housing needs of all economic segments of the community.
- F. Promote high quality architecture and design.
- G. Promote the stability of existing land uses that conform to the General Plan, protecting them from inharmonious influences and harmful intrusions.
- H. Promote a safe and efficient traffic circulation system; foster the provision of adequate off-street parking and off-street loading facilities, bicycle facilities and pedestrian amenities, and support a multi-modal transportation system. Encourage improved connectivity between residential, commercial, educational, employment and recreational uses.
- I. Facilitate the appropriate location of community facilities, institutions and parks and recreational areas.
- J. Protect and enhance real property values.
- K. Promote environmental quality and encourage development patterns that meet the following sustainability goals: improve air quality; improve energy conservation and renewable energy production; integrate land use and mobility; allow housing diversity; improve community health and safety; increase water conservation; and mitigate stormwater pollution.
- L. Provide diverse settings, with a wide-range of employment, housing and commercial options and a variety of intensities of land uses.
- M. Provide development options that are designed in an aesthetically pleasing manner, incorporate public spaces in manners that are integral to projects, and provide effective transitions between abutting parcels appropriate to the context of the circumstance.
- N. Safeguard and enhance the appearance of the City.
- O. Define duties and powers of administrative bodies and officers responsible for implementation of this Ordinance.

11-1-3: - STRUCTURE OF ZONING REGULATIONS

A. **Organization of Regulations.** This Ordinance consists of eight articles:

Article 1: Introductory Provisions

Article 2: Base Zones

Article 3: Overlay Zones

Article 4: Development Regulations

Article 5: Sign Regulations

Article 6: Form-Based Development Regulations

Article 7: Administration and Permits

Article 8: General Terms

B. **Types of Regulations.** Four types of zoning regulations control the use and development of property in the City:

1. **Land Use Regulations.** These regulations specify land uses permitted, conditionally permitted or specifically prohibited in each zone, and include special requirements, if any, applicable to specific uses. Land use regulations for base zones are in Article 2 of this Ordinance and in Article 3 for overlay zone regulations. Certain regulations, applicable in some or all of the districts, and performance standards that govern special uses, are in Article 4. When used in conjunction with an adopted regulating plan, use standards related to specific building forms located within specified transects are found in Article 6.
2. **Development Regulations.** These regulations control the height, bulk, density, intensity, location and appearance of structures on development sites. Development regulations for base zones are in Article 2 of this Ordinance. The regulations for overlay zones are in Article 3. Certain development regulations, applicable to some or all zones are in Article 4. These include regulations for specific uses, development and site regulations, performance standards, parking, sign, antennas and wireless telecommunications and nonconforming uses. Sign regulations are found in Article 5. Certain other development regulations principally oriented on building form and building placement (also known as Form-Based Code) are found in Article 6.
3. **Administrative Regulations.** These regulations contain detailed procedures for the administration of this Ordinance, and include responsibilities of the planning agency, common procedures, processes and standards for discretionary entitlement applications and other permits. Administrative regulations are found in Article 7.
4. **General Terms and Use Classifications.** Article 8 provides a list of use classifications and a list of terms and definitions used in this Ordinance.

(Ord. No. 4006, 8-5-02)

11-1-4: - GENERAL RULES FOR APPLICABILITY OF ZONING REGULATIONS

- A. **Applicability to Property.** This Ordinance shall apply, to the extent permitted by law, to all property within the City of Mesa, including all uses, structures and land owned by any private person, firm, corporation or organization, or local, state or federal agencies. Any governmental agency shall be exempt from the provisions of this Ordinance only to the extent that such property may not be lawfully regulated by the City of Mesa.
- B. **Compliance with Regulations.** No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished or moved in any zoning district, except in accordance with the provisions of this Ordinance.
- C. **Provisions Interpreted as Minimum Requirements.** In interpreting and applying the provisions of Title 11, the applicant shall meet or exceed the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare.
- D. **Relation to Other Regulations.** The regulations of this Ordinance and requirements or conditions imposed pursuant to this Ordinance shall not supersede any other regulations or requirements adopted or imposed by the State of Arizona, or any federal agency that has jurisdiction by law over uses and development authorized by this Ordinance. All uses and development authorized by this Ordinance shall comply with all other such regulations and requirements. Where conflict occurs between the provisions of the Ordinance and any other City Ordinance, chapter, resolution, guideline or regulation, the more restrictive provisions shall control, unless otherwise specified.
- E. **Relation to Private Agreements.** The provisions of this Ordinance shall apply regardless of any private agreements in the event that the provisions of this Ordinance are more restrictive. Otherwise, this Ordinance shall not interfere with, affect or annul any recorded easement, covenant, or other private agreement now in effect, unless a Development Agreement has been authorized by the City Council and executed

by recording the Development Agreement with the County Recorder's Office, pursuant to ARS 9-500.05.

11-1-5: - CONSISTENCY WITH THE GENERAL PLAN

Each application for Special Use Permits, Council Use Permits, site plan review, site plan modification or request to modify the zoning classification of a parcel of land shall be reviewed and evaluated for consistency with the City of Mesa General Plan. With regard to requests to modify the zoning classification of specific parcels of land, where there is a conflict between this Ordinance and the General Plan, the General Plan shall prevail.

(Ord. No. 3943, 11-5-01)

11-1-6: - EFFECT ON PREVIOUSLY APPROVED PROJECTS AND PROJECTS IN PROGRESS

Upon the effective date of this Ordinance, the following requirements shall apply to all properties:

- A. **Violations Continue.** Any violation of the Zoning Ordinance previously in effect will continue to be a violation under this Ordinance and shall be subject to penalties and enforcement under Title 11, Chapter 79 unless the use, development, construction or other activity complies with the provisions of this Ordinance.
- B. **Projects with Approvals or Permits.**
1. ***Design Review Approved Prior to Effective Date of this Ordinance.*** A project which has received Design Review approval prior to the effective date of the this Ordinance may file an application for a building permit in compliance with the approved Design Review plan and conditions of approval, even if the project does not comply with the provisions of the this Ordinance. Upon approval of the construction plans, a building permit may be issued. The Design Review approval for projects approved prior to the effective date of this Ordinance shall be valid for 3 years from the effective date of approval of this Ordinance. No time extensions shall be permitted.
 2. ***Preliminary Subdivision Plat Approved Prior to Effective Date of the This Ordinance.*** A project which has a preliminary plat approved prior to the effective date of the this Ordinance may file an application for a final subdivision plat and improvement plan approval, even if the subdivision does not fully comply with the provisions of the this Ordinance. If a final plat application is not filed within 1 year, unless extended as provided by the Subdivision Regulations, of the date of preliminary plat approval, the preliminary plat shall expire. No time extensions shall be permitted. Subsequent preliminary plat applications shall comply with this Ordinance.
 3. ***Conditional Use Permit Approved Prior to Effective Date of this Ordinance, No Design Review Required.*** A project which has received a conditional use permit (including Special Use Permits or Council Use Permits prior to the effective date of this Ordinance may file an application for a building permit, even if the project does not fully comply with the provisions of the this Ordinance. If a building permit application is not filed within 1 year of the date of the conditional use permit approval, the use permit shall expire. No time extensions shall be permitted.
 4. ***Conditional Use Permit Approved Prior to Effective Date of this Ordinance, Design Review Required.*** A project which has an approved conditional use permit (including Special Use Permits or Council Use Permits may file an application for Design Review even if the use does not fully comply with the provisions of the this Ordinance. If a Design Review application is not filed within 1 year of the date of the conditional use permit approval, the conditional use permit shall expire. If an application is made for design review approval within 1 year and that approval is received, the conditional use permit shall remain valid for a period of 1 more year provided a building permit is applied for and construction commences within that year. No time extensions shall be permitted. Subsequent applications for design review shall comply with this Ordinance.
 5. ***Building Permit Application Filed Prior to Effective Date of this Ordinance.*** Any building, structure, or sign for which a completed building permit application is filed prior to the effective date of the this Ordinance may be issued a building permit and may be constructed in compliance with the building permit and other applicable approvals, permits and conditions, even if such building, structure or sign does not fully comply with the this Ordinance. If construction has not commenced in compliance with the applicable permit terms, the Building Official may grant an extension pursuant to the provisions of the building code. If the building, structure, or sign has not been completed before the building permit or any extension of the permit expires, then the building, structure, or sign shall be constructed, completed or occupied only in compliance with the this Ordinance.

6.

Building Permit Issued Prior to Effective Date of this Ordinance. Any building, structure, or sign for which a lawful building permit is issued prior to the effective date of this Ordinance may be completed in conformance with the permit and other applicable permits and conditions, even if such building, structure or sign does not fully comply with this Ordinance. If construction has not commenced in compliance with the applicable permit terms, the Building Official may grant an extension pursuant to the provisions of the building code. If the building, structure, or sign has not been completed in conformance with the building permit and any extension thereof, then the building, structure, or sign shall be constructed, completed or occupied only in compliance with this Ordinance.

C. Planning Applications Filed Prior to the Effective Date of this Ordinance.

1. **Applications for Design Review, Site Plan Review and Preliminary Plats, or Modifications to Previously Approved Applications, Submitted Prior to the Effective Date of this Ordinance.** Complete applications filed prior to the effective date of this Ordinance may be approved under the provisions of the Zoning Ordinance in place prior to the effective date of this Ordinance. Applicants may elect to develop under the provisions of this Ordinance, but in that case shall comply with all provisions of this Ordinance. If a building permit application is not filed within 3 years of the date of approval of the Design Review, or 1-year after the approval of the preliminary plat, the approval shall expire. No time extensions shall be permitted, unless approval of the preliminary plat is extended, based on the requirements of the Subdivision Regulations (Title 9, Chapter 6 of the Mesa City Code).
2. **Applications for Conditional Use Permit Submitted Prior to the Effective Date of this Ordinance.** Complete applications filed prior to the effective date of this Ordinance may be approved under the provisions of the Zoning Ordinance in place prior to the effective date of this Ordinance. Applicants may elect to develop under the provisions of this Ordinance, but in that case shall comply with all provisions of this Ordinance. If a building permit application is not filed within 1 year of the date of approval of the use permit, the approval shall expire. If the building permit application expires, or once issued, the building permit expires, the conditional use permit approval shall also expire. No time extensions shall be permitted.
3. **Applications for Rezoning Filed Prior to the Effective Date of this Ordinance.** Rezoning applications filed prior to the effective date of this Ordinance shall be governed by the provisions of the Zoning Ordinance in place prior to the effective date of this Ordinance. The applicant may elect to comply with this Ordinance by submitting a written preference when filing the application for rezoning with the Planning Division office, but in that case shall comply with all provisions of this Ordinance. If a building permit application is not filed within 3 years of the date of the effective date of this Ordinance, the approval to use the provisions of the previous Zoning Ordinance shall expire. If the building permit application expires, or once issued, the building permit expires, then any plans adopted as part of the approved rezoning shall be modified to comply with the provisions of this Ordinance. No time extensions shall be permitted.

D. Partially Constructed Project. If a project has begun construction or has been issued a building permit based on conditions described in Paragraphs B or C of this Section (above), but has started and stopped construction midway through the development of the site without receiving a completed certificate of occupancy, or has not completed all requirements associated with the project, such as installation of perimeter landscaping or completion of paving requirements, then such projects shall be allowed 3 years from the effective date of this Ordinance to restart and complete the remainder of the project based on the approved plan and construction permit(s). In the event the project is not restarted, or actively under construction before the 3 year period specified expires, the project shall have the option to be brought entirely into compliance with requirements of this Ordinance, or to apply for and be subject to all conditions and requirements of an approved Substantial Compliance Improvement Permit (SCIP), as specified in Title 11, Chapter 73 of this ordinance.

E. Development of Projects Located within an Existing PC District, or within a PAD, DMP or BIZ Overlay Zoning Districts. A lot or parcel located within the Planned Community (PC) District, or within overlay districts such as Planned Area Development (PAD), Development Master Plan (DMP), under the zoning ordinance in effect prior to September 3, 2011, or Bonus Intensity Zone (BIZ), subject to a preliminary development plan, standards and/or with conditions of approval, and adopted prior to the effective date of the Zoning Code, shall be developed in accordance with the approved preliminary development plan, standards, and/or conditions of approval. The development standards and requirements of this Ordinance shall apply if not specifically modified by the adopted plan submitted, associated or conditioned with the ordinance adopting the PAD/BIZ/DMP overlay zoning district or the PC District. This provision is not intended to limit minor modifications to approved plans approved by the Planning Director.

F. Planning Applications Filed After the Effective Date of This Ordinance. All applications for rezoning, design review, use permits, and preliminary subdivision plats filed after the effective date of this Ordinance, including modifications and amendments, shall conform to the provisions of this Ordinance.

(Ord. No. 3430, 1-20-98; Ord. No. 3817, 2-22-00; Ord. No. 3943, 11-5-01; Ord. No. 4005, 8-5-02; Ord. No. 4006, 8-5-02; Ord. No. 4084, 6-30-03; Ord. No. 4101, 9-22-03; Ord. No. 4262, 8-16-04; Ord. No. 4467, 10-24-05; Ord. No. 4681, 4-2-07; Ord. No. 4770, 10-15-07)

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Mesa hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof, regardless of the fact that any or one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

CHAPTER 2 - RULES FOR THE CONSTRUCTION OF LANGUAGE AND INTERPRETATION

Footnotes:

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Editor's note— Previously, Chapter 2 derived from Ord. No. 5032, 3-21-11; Ord. No. 5123, 9-24-12; Ord. No. 5447, 7-9-18.

11-2-1: - PURPOSE

The purpose of this Chapter is to provide precision in the interpretation of the planning and zoning regulations. The meaning and construction of words and phrases defined in this Chapter apply throughout the Ordinance, except where the context indicates a different meaning. Rules for measurement of height, floor area, sign area, setbacks and other development standards also are established. Finally, this Chapter prescribes rules and procedures for interpretation of regulations, where there may be uncertainty in deciding on a particular application of a provision of the Ordinance.

(Ord. No. 4770, 10-15-07)

11-2-2: - RULES FOR CONSTRUCTION OF LANGUAGE

In interpreting the various provisions of the Ordinance, the following rules of construction shall apply:

- A. The particular controls the general.
- B. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - 1. "And" indicates that all connected words or provisions shall apply.
 - 2. "And/or" indicates that the connected words or provisions may apply singly or in any combination.
 - 3. "Or" indicates that the connected words or provisions may apply singly or in any combination.
 - 4. "Either ... or" indicates that the connected words or provisions shall apply singly but not in combination.
- C. In case of conflict between the text and a diagram or graphic, the text controls.
- D. All references to departments, committees, commissions, boards, or other public agencies are to those of the City of Mesa, unless otherwise indicated.
- E. All references to public officials are to those of the City of Mesa, and include designated deputies of such officials, unless otherwise indicated.
- F. All references to days are to calendar days, unless otherwise indicated. If a deadline falls on a weekend or holiday, or a day when the city offices are closed, it shall be extended to the next working day. The end of a time period shall be the close of business on the last day of the period.
- G. All references to "section," "chapter," or "article" shall refer to this zoning ordinance unless another meaning is clear from the context of the reference.
- H. The words "shall," "will," "must," and "is to" are always mandatory and not discretionary. The words "should" and "may" are permissive.
- I. The present tense includes the past and future tenses, and the future tense includes the past.
- J. The singular number includes the plural, and the plural, the singular.
- K. Sections and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section.

11-2-3: - RULES FOR MEASUREMENT

The purpose of this Section is to explain how various measurements referred to in this Ordinance are to be calculated.

- A.

Applicant's Responsibility. For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Planning Director or designee.

B. **Fractions.** Whenever the result of a required arithmetical calculation, using a stated mathematical formula or ratio, contains a fraction of a whole number, fractions of $\frac{1}{2}$ or greater shall be rounded up to the nearest whole number and fractions of less than $\frac{1}{2}$ shall be rounded down to the nearest whole number. This rule shall be superseded when an alternate rule for rounding is specified by the same chapter of this Ordinance that describes the requirement.

C. **Measuring Distances.**

1. **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
2. **Distances are Measured Horizontally.** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
3. **Measurements Involving a Structure.** Measurements involving a structure, such as required yards, separations between buildings, or distances between structures, are made to the closest support wall, post or column of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.
4. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.
5. **Measurement from an Intersection.** Measurements involving a distance from an intersection are measured in a straight line from all points along the lot line of the subject property to the nearest edge of right-of-way.

FIGURE 11-2-3.C: MEASURING DISTANCES

D. **Measuring Radius.** When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project. In the event the lot line is curved, the separation radius shall also curve in a similar manner to maintain the specified minimum radius distance. The starting point for the measurement shall be the closest point on the outermost property line for the lot or development site of the protected use, including multiple parcel development sites acting as a campus, or sharing parking, access aisles and other appurtenant shared facilities, such as group development sites. The distance shall be measured to the outside nearest wall of the building intended to house the proposed use.

E. **Measuring Height.**

1. **Measuring Building Height.** Building Height is measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the mean point between the plate line (where the vertical wall attaches to the roof) and the highest point of the roof ridge, or to the top of a parapet wall or flat roof.

FIGURE 11-2-3.E.1: MEASURING HEIGHT GABLE OR HIP ROOF

FIGURE 11-2-3.E.2: MEASURING HEIGHT FLAT ROOF WITH PARAPET

FIGURE 11-2-3.E.3: MEASURING HEIGHT MANSARD or GAMBREL ROOF

2. ***Measuring Height of Other Structures.*** The height of other structures such as fences is the vertical distance from the ground level immediately under the structure to the top of the structure. Special measurement provisions are also provided below:
 - a. *Measuring the Height of Fences on Retaining Walls.* The height of a fence that is on top of a retaining wall is measured from the ground level on the highest side of the fence and wall.
 - b. *Measuring the Height of Decks.* Deck height is determined by measuring from the ground to the top of the floor of the deck.

FIGURE 11-2-3.E.4: MEASURING HEIGHT DECKS AND FENCES ON RETAINING WALLS

F. **Measuring Lot Width and Depth.**

1. ***Lot Width.*** Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth. Minimum Lot Width is measured perpendicular to the lot depth at both the front and rear setbacks, based on the applicable zoning district applied to the property.
2. ***Lot Depth.*** Lot depth is measured along an imaginary straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.

FIGURE 11-2-3.F: MEASURING LOT WIDTH AND DEPTH

G. **Determining Average Slope.** The average slope of a parcel is calculated using the following formula: $S = 100(I) (L)/A$, where:

1. S = Average slope (in percent).
2. I = Contour interval (in feet).
3. L = Total length of all contour lines on the parcel (in feet).
4. A = Area of subject parcel (in square feet).

H. **Determining Floor Area.**

1. **Gross Floor Area** - as defined in [Chapter 87](#), includes the floor area of garages, carports, ventilation shafts, shafts, elevators, stairways, corridors, bathrooms, mechanical rooms, closets, storage and equipment storage rooms, open porches, balconies, courts, atriums, lobby areas, basements, and attics.
 2. **Floor Area (Net Floor Area)** - as defined in [Chapter 87](#), excludes the floor area of garages, carports, ventilation shafts, shafts, elevators, stairways, corridors, bathrooms, mechanical rooms, closets, storage and equipment storage rooms, open porches, balconies, courts, atriums, lobby areas, basements, and attics.
- I. **Determining Floor Area Ratio.** The floor area ratio (FAR) is the ratio of the floor area of all principal and accessory buildings on a lot to the lot area. To calculate FAR, floor area is divided by lot area, and typically expressed as a decimal. For example, if the floor area of all buildings on a lot totals 20,000 square feet, and the lot area is 10,000 square feet, the FAR is expressed as 2.0.

Figure 11-2-3.1: Determining Floor Area Ratio

- J. **Determining Building Coverage.** Building coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The total footprint of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, is used to calculate building coverage; except the calculation excludes the following areas:
1. Decks, patio slabs, landings, balconies and stairways (less than 6-feet in height), when unenclosed, unroofed, and/or uncovered;
 2. Eaves and roof overhangs projecting up to two-and-a-half feet from a building wall;
 3. Trellises and similar structures that do not have solid roofs;
 4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks; and
 5. One small, non-habitable accessory structure under 120 square feet and under seven feet high. All other accessory structures are included in building coverage.

FIGURE 11-2-3.J: DETERMINING BUILDING COVERAGE

K. Determining Lot Frontage.

1. **Corner Lot.** The front of a lot is the narrowest dimension of the lot with street frontage.
2. **Through Lot (Double Frontage Lot).** The front yard borders the street primarily used as frontage by neighboring lots. If both street fronts of the Through Lot are adjacent to lots that also front onto the same street, both street fronts of the through lot shall be considered as required front yards for the purpose of determining building setbacks and fence height requirements.

L. Determining Setbacks for Yards. A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. The following special regulations for determining yards apply when a lot abuts a proposed street or alley:

1. **Yards Abutting Planned Street Expansions.** If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street as determined by the City Council through the latest adopted transportation and/or street plan, the required setback shall be established from the future right-of-way rather than the property line. In the event that the street is not listed under the latest adopted transportation plan, the street width shall be determined based on the street classification and right-of-way width requirements specified in [Title 9](#), Chapter 6 of the Mesa City Code.

FIGURE 11-2-3.L: DETERMINING SETBACKS

2. Yards on Alleys.

- a. If a side lot line abuts an alley, the yard shall be considered an interior side yard rather than a corner side yard.
- b. In computing the minimum yard for any lot where such yard abuts an alley, no part of the width of the alley may be considered as part of the required yard except rear yards in RS districts, as specified by Section 11-5-3(D).

M. Measuring Signs. The height of signs is measured in the same method as the height of other structures. Calculation of sign area is described in [Article 5](#), Signs.

(Ord. No. 5592, § 1, 12-1-20; Ord. No. 5593, § 1, 12-1-20; Ord. No. 5883, § 3, 10-7-24 Res. No. 12269, § 1, 9-23-24)

11-2-4: - RULES OF INTERPRETATION

The Zoning Administrator shall interpret any provision or any method of measurement not expressly identified in this Chapter, and provide clarification and determination of these rules and their application to a specific site. The Zoning Administrator shall maintain a record of these interpretations.

The Particular Controls the General

Whenever a general provision in a rule shall be in conflict with a particular provision in the same or another rule, the two shall be construed, if possible, so that effect may be given to both. If the conflict between the two provisions is irreconcilable, the particular provisions shall prevail and shall be construed as an exception to the general provision, unless the general provision shall be promulgated later and it shall be the manifest intention of the Supreme Court that such general provision shall prevail.

CHAPTER 3 - DESIGNATION OF ZONING DISTRICTS, ZONING MAP, AND BOUNDARIES

Footnotes:
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Editor's note— Previously, Chapter 3 derived from Ord. No. 4262, 8-16-04; Ord. No. 3746, 2-22-00.

11-3-1: - DISTRICTS ESTABLISHED

The City shall be classified into districts or zones. The designation and regulation of which are set forth in this Ordinance.

A. **Base Zones.** Base zones into which the City is divided are established as follows:

Short Name/ Map Symbol	Full Name
AG	Agricultural
RS-6, 7, 9, 15, 35, 43, and 90	Residential Single Dwelling Districts 6, 7, 9, 15, 35, 43, and 90
RSL-2.5, 3, and 4	Residential Small Lot Single Dwelling Districts 2.5, 3, and 4
RM-2, 3, 4, and 5	Residential Multiple Dwelling Districts 2, 3, 4, and 5
NC	Neighborhood Commercial
LC	Limited Commercial
GC	General Commercial
OC	Office Commercial
MX	Mixed Use
LI	Light Industrial
GI	General Industrial
HI	Heavy Industrial
PEP	Planned Employment Park
DR 1, 2, and 3	Downtown Residence Districts 1, 2, and 3
DB 1 and 2	Downtown Business Districts 1 and 2

DC	Downtown Core
LR	Leisure and Recreation
PS	Public and Semi-Public
PC	Planned Community
ID 1 and 2	Infill Development Districts 1 and 2
T3N	Transect 3: Neighborhood
T4N, T4NF, T4MS	Transect 4: Neighborhood, Neighborhood Flex, and Main Street
T5N, T5MSF, T5MS	Transect 5: Neighborhood, Main Street Flex and Main Street
T6MS	Transect 6: Main Street

B. **Overlay Zones.** Overlay zones, one or more of which may be combined with one or more base districts, are established as follows:

Short Name/Map Symbol	Full Name
AF	Airfield
AS	Age-Specific
BIZ	Bonus Intensity Zone
PAD	Planned Area Development
HD	Historic District
HL	Historic Landmark
DE	Downtown Event

C. **Community Character Designators.** Recognizing that not all areas of the City are the same, two community character designators have been established to enhance some multi-residence, commercial and mixed-use districts. These designators are combined with the base district abbreviations in order to establish area-specific development standards according to the intended development character.

1. **Urban (-U).** This designation is intended for areas with an urban character, where buildings are built close to the street and sidewalk to provide a close relationship between pedestrians and shops. Site and building design standards will reinforce this character and require treatments that provide an interesting, safe and comfortable pedestrian environment. This designation may apply to some areas where a few auto-oriented uses exist, but where creating, restoring, or maintaining a pedestrian character is called for in the General Plan, a Sub-Area Plan or other City policy.

2.

Auto-Oriented (-A). This designation is intended for areas that provide for easy automobile access. Examples include Large Commercial Development buildings that may be located at the back or side of a site with parking in front. Standards are intended to mitigate the impact of the parking lots and buffer adjacent residential areas.

3. **Associated Districts.** The districts that may utilize the character designators are as follows:

Short Name/Map Symbol	Full Name	Associated Zoning Districts
U	Urban	RM - Residential Multiple Dwelling
		NC - Neighborhood Commercial
		LC - Limited Commercial
		OC - Office Commercial
		MX - Mixed Use
A	Auto	LC - Limited Commercial
		GC - General Commercial
		OC - Office Commercial

D. **References to Classes of Base Districts.** Throughout the Ordinance, base zoning districts may be referred to as a group or in a singular manner through the use of the associated words listed as "Synonymous Terms" in the table below, based on the context of how the phrase is used.

Base Zoning District Groups	Associated Synonymous Terms
Residential Groups	
RS, Residential Single-Dwelling; RM, Residential Multiple-Dwelling; RSL, Residential Small Lot Single-Dwelling; DR, Downtown Residential	R-Zone; R-District; Residential Zone; or Residential District
Commercial Groups	
NC, Neighborhood Commercial; LC, Limited Commercial; GC, General Commercial; OC, Office Commercial	C-Zone; C-District; Commercial Zone; or Commercial District

Mixed Use Groups	
MX, Mixed Use; DB, Downtown Business; DC, Downtown Core	Mixed-District; Mixed-Zone
Industrial or Employment Groups	
LI, Light Industrial; GI, General Industrial; HI, Heavy Industrial; and PEP, Planned Employment Park; EO, Employment Opportunity	I-Zone; I-District; Industrial Zone; Industrial District; Employment District; or Employment Zone
Downtown Groups	
DR, Downtown Residential; DB, Downtown Business; DC, Downtown Core	Downtown District; Downtown Zone
Form-Based Code or Transect Groups	
T3N, T4N, T4NF, T4MS, T5N, T5MSF, T5MS, T6MS	Transects

(Ord. No. 5544, § 1, 12-9-19; Ord. No. 5554, § 2, 2-10-20)

11-3-2: - OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES

The boundaries of the zones established by this Ordinance are not included in this Ordinance but are shown on the Official Zoning Map maintained by the City. The Official Zoning Map, together with all legends, symbols, notations, references, zoning district boundaries, map symbols, and other information on the maps, has been adopted by the City Council and are hereby incorporated into this Ordinance by reference, together with any amendments previously or hereafter adopted, as though they were fully included here.

A. **Uncertainty of Boundaries.** Where uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following property or land parcel lines, street or alley rights-of-way, city limits, or extraterritorial boundary lines shall be construed as following such lines, limits or boundaries.
2. In the case of un-subdivided property or where a district boundary divides a lot and no dimensions are indicated, the following shall apply:
 - a. *Lots Greater than One Acre.* The location of such boundary shall be determined by the use of the scale appearing on the Official Zoning Map.
 - b. *Lots Less than One Acre.* The lot shall be deemed to be included within the zone which is the more restrictive.
3. In the case of any remaining uncertainty, the Zoning Administrator shall determine the location of boundaries.
- 4.

Where any public street or alley is officially vacated or abandoned, the land underlying the street or alley will be added to abutting lots as required by state law. The regulations that applied to the abutting parcel or parcels before the vacation or abandonment shall apply to the entire new larger parcel or parcels that result from such vacation or abandonment.

5. Where any private right-of-way or easement of any railroad, railway, transportation or public utility company is vacated or abandoned the land underlying the right-of-way or easement shall be added to abutting lots as required by state law. If the abandoned or vacated property is unclassified, the property shall be automatically classified as being in the same zone of the abutting land to which it is added.

B. **Conditions.** Conditions imposed by special ordinance in conjunction with amendments to the Zoning Map are referenced by separate files maintained in the Planning Division and are made a part of the Zoning Map.

(Ord. No. 4467, 10-24-05)

ARTICLE 2 - BASE ZONES

CHAPTER 4 - AGRICULTURAL DISTRICT

Footnotes:
--- (1) ---
Editor's note— Previously, Chapter 4 derived from Ord. No. 4262, 8-16-04; Ord. No. 4913, 2-17-09; Ord. No. 5025, 2-7-11.

11-4-1: - PURPOSE

The purpose of the Agricultural (AG) District is to protect and preserve agricultural lands and related activities in their present character. The intent of this district is to protect agricultural lands from incompatible land uses and urban encroachment. This district encourages the use of land for local food production. This district may also be used as a means to limit premature development, or to assure development of property takes place when suitable infrastructure and adopted plans are in place to support development of the area in a manner consistent with the applicable General Plan designation.

11-4-2: - LAND USE REGULATIONS

In Table 11-4-2, the land use regulations for each Agricultural zoning district are established by letter designations as follows:

- "P" designates use classifications permitted in the Agriculture District.
- "SUP" designates use classifications permitted on approval of a Special Use Permits.
- "CUP" designates use classifications permitted on approval of a Council Use Permits.
- "(x)" a number in parentheses refers to a limitation following the table.
- "TUP" designates use classifications permitted on approval of a Temporary Use Permit.

Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-4-2: Agricultural District		
Proposed Use	AG	Additional Use Regulations
Residential Use Classifications		
Single Residence	P (2, 3)	
Day Care Group Home		

Small Day Care Group Home (up to 4)	P (2, 3)	
Large Day Care Group Home (5—10)	P (2, 3)	Section 11-31-13, Large Day Care Group Homes
Community Residence		
Family Community Residence	P (2, 3)	Section 11-31-14, Community Residences
Transitional Community Residence	SUP (2, 3)	
Public and Semi-Public Use Classifications		
Cemeteries	SUP	
Community Gardens	P	Section 11-31-10, Community Gardens
Cultural Institutions	P (2, 4)	
Parks and Recreation Facilities, Public	P	
Places of Worship	P (2, 4)	Section 11-31-22, Places of Worship
Athletic Facilities When Accessory to a Church	SUP(2, 4)	
Day Care When Accessory to a Church	SUP (2, 4)	
Public Safety Facilities	P (23)	P (23)
Schools, Colleges, and Trade Schools		
Colleges or Universities, Private	CUP (2, 3)	Section 11-31-24, Schools
Colleges or Universities, Public	P	

Commercial Trade Schools, Private	CUP (2, 3)	Section 11-31-24, Schools
Commercial Trade Schools, Public	P	
Industrial Trade Schools, Private	CUP (2, 3)	Section 11-31-24, Schools
Industrial Trade Schools, Public	P	
K-12, Private	CUP(2, 3)	Section 11-31-24, Schools
K-12, Public	P	
Commercial Use Classifications		
Animal Sales and Services		
Boarding Stables	SUP	
Kennels	SUP	
Veterinary Services	SUP	
Plant Nurseries and Garden Centers	SUP	Section 11-4-4(C)
Transportation, Communication and Utilities Use Classification		
Utilities, Major	CUP	
Utilities, Minor	P	
Agricultural and Extractive Use Classifications		
Agriculture	P/SUP (1)	
Crop and Animal Raising	P/SUP (1)	
Mining and Quarrying	SUP	
Specific Accessory Uses		
Animal Keeping	P	Sections 11-4-4(B) and 11-31-4, Animal Keeping

Accessory Dwelling Unit	P (13, 14)	P (13, 14)	P (13, 14)	Section 11-31-3, Accessory Dwelling Unit
Agriculture-based Entertainment	SUP (2)	Section 11-4-5, Agriculture-based Entertainment		
Farm Stands	SUP (2)			
Home Occupations	P/SUP (2)	Section 11-31-33, Home Occupations		
Portable Storage Containers	P	Section 11-30-16, Portable Storage Containers		
Temporary Outdoor Entertainment	TUP(2)	Section 11-31-30, Temporary uses		
Temporary Outdoor Sales	TUP (2)			
1. The following agricultural uses are permitted by right (subject to the standards of this chapter): aviaries and apiaries; plant nurseries and greenhouses; poultry, bird, and egg farms; commercial breeding, training, and grazing of horses, cattle, sheep, goats, ostriches and other livestock. Dairies and feedlots require a Special Use Permit.				
2. Use not permitted when the property is subject to the AOA 1 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.				
3. Use not permitted when the property is subject to the AOA 2 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overlay Areas.				
4. Use permitted with the approval of a (CUP) Council Use Permits when the property is subject to the AOA 2 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.				
5. Reserved.				

(Ord. No. 5249, 10-6-14; Ord. No. 5632, § 1, 7-8-21; Ord. No. 5759, § 1, 12-8-22; Ord. No. 5814, § 1(Exh. 1), 10-16-23)

11-4-3: - DEVELOPMENT STANDARDS

Table 11-4-3 prescribes the Development Standards for the AG district.

Table 11-4-3: Development Standards - Agricultural District

Standard	AG
Lot and Density Standards	
Minimum Lot Area	10 acres
Minimum Lot Width (ft.)	400
Maximum Density (dwelling units/acre)	0.1
Building Form and Location	
Maximum Height (ft.)	30
Maximum Number of Stories	2
Minimum Yards (ft.)	
Front	30
Interior Side: Minimum each side	60
Interior Side: Minimum aggregate of 2 sides	120
Street Side	30
Rear	60
Maximum Building Coverage	15%
Supplemental Standards	
Accessory Buildings (Barns, Sheds, Ramadas)	Section 11-30-17: Detached Accessory Buildings
Fences and Walls	Sections 11-4-4(A), 11-5-7 (D), and 11-30-4, Fences and Freestanding Walls
Landscaping	Chapter 33, Landscaping
Lot Splits and Subdivisions	Section 11-30-6, Lots and Subdivisions; and Title 9, Chapter 6, Subdivision Regulations

Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits
Projections into Required Yards	Section 11-4-4(D) Building Projections into Required Yards
Screening	Section 11-30-9, Screening
Solar Panels	Section 11-30-15, Solar Panels and Other Energy Production Facilities
Visibility at Intersections	Section 11-30-14, Visibility at Intersections

(Ord. No. 4754, 9-4-07)

11-4-4: - SUPPLEMENTAL REGULATIONS

A. Fences and Freestanding Walls.

1. "Corral fences" for the keeping of livestock are permitted consistent with the standards provided in Section 11-30-4(A)(2), Corral Fences.
2. In addition, all fences, freestanding walls, and corral fences shall meet the standards of Section 11-30-4, Fences and Freestanding Walls and Section 11-30-14, Visibility of Intersections.

B. Animal Keeping. Animal-keeping is subject to the following standards in the AG District:

1. **Aviaries and Apiaries.**
 - a. Buildings or hives for apiaries may not be closer than 75 feet to any neighboring residence.
 - b. Pens and structures for aviaries may not be closer than 40 feet to any neighboring residence.
2. **Poultry, Bird, and Egg Farms.** Poultry, bird, and egg farms are subject to the following standards:
 - a. Pens, buildings, and enclosures other than open pasture may not be located closer than 200 feet to any residential, commercial, or employment district.
3. **Livestock.** Commercial breeding, raising, training, and grazing of horses, cattle, sheep, goats, ostriches, and other livestock is subject to the following standards:
 - a. Sites must be at least 10 acres in area.
 - b. Notwithstanding any other provision of this Ordinance, the number of livestock shall be limited to no more than the maximum number permitted by Title 8, Chapter 6, Article 4(IV) of the Mesa City Code, unless a Special Use Permit is approved by the Zoning Administrator acting as a Hearing Officer, or by the Board of Adjustment.
 - c. Pens, corrals, and similar structures may not be closer than 40 feet to any neighboring residence.
 - d. Barns, stables and similar buildings used to house animals, not including shade structures open at minimum on 3 sides, may not be closer than 75 feet to any neighboring residence.
4. With regard to items 1 through 3 of this subsection B, in the event that an animal pen, corral or other structure is located outside of the required separation distance when constructed, and subsequent construction is placed closer than the required separation specified, the item constructed first does not have to move its location unless it is expanded, enlarged, or moved.

C. Plant Nurseries and Garden Centers. Plant Nurseries and Garden Centers oriented principally towards retail trade require approval of a Special Use Permit and are subject to the following standards:

1. With or without a garden center, plant nurseries that cater principally towards retail trade shall be located on sites with direct frontage on a street designated by the Mesa General Plan as an arterial or as a mid-section collector.
2. Total floor area for all buildings, except greenhouses used to raise or display plants, shall not exceed 10,000 square feet.

3. Items displayed outdoors are limited to plants, soils, gravel, soil amendments and fertilizer.
4. Development standards shall comply with requirements of the GC-A district, see Table 11-6-3 B.

D. **Building Projections into Required Yards.** Building projections of a single residence may extend into required yards, subject to the following standards:

1. No projection may extend into a public utility easement or closer than 2 feet to an interior lot line.
2. Awnings, eaves, overhangs, or basement window wells may encroach up to 3 feet into any required yard.
3. Vestibules, bay windows, nooks, chimneys, or similar wall projections with or without footings may encroach not more than 3 feet into any required front or rear yard and not more than 2 feet into any required side yard, provided the aggregate width of all such projections adjacent to any yard does not exceed 1/3 of the length of the building wall.
4. Staircases may encroach:
 - a. Up to 3 feet into any required front yard,
 - b. Up to 10 feet into any required rear yard; and
 - c. Up to 2 feet into any side.
5. Attached open porches, open patios, open carports or open balconies may encroach up to 10 feet into a required rear yard. Such open structures may include window screens, knee walls, and other partial enclosures as specified in the Building Code for patio covers.

(Ord. No. 5544, § 2, 12-9-19)

11-4-5: - AGRICULTURE-BASED ENTERTAINMENT

Agriculture-based entertainment and educational related activities, such as corn mazes, facility tours, petting zoos and farm animal exhibits, are permitted as an accessory use in the AG district subject to review and approval of a Special Use Permits in accordance with Chapter 70, Conditional Use Permits. Evaluation of the Special Use Permit shall be based on a review of the following items to assure the entertainment and educational related activities remain compatible with and not detrimental to surrounding land uses:

- A. **Site Plan.** A finding that an acceptable site plan has been submitted for review and consideration. Such site plan shall adequately addresses issues relating to vehicle access, traffic circulation, and pedestrian safety.
- B. **Parking.** Parking, which shall be dustproof, and provided at a minimum ratio of 1 space per 1,000 square feet of designated entertainment area.
- C. **Accessory Use.** The entertainment and educational activities shall remain as an accessory activity, and the primary uses for the site shall remain agricultural related activities as permitted under Section 11-4-2.
- D. **Applicable Policies.** The use is found to be in compliance with the General Plan, and with applicable Sub Area Plans, Neighborhood Plans and other recognized development plans or policies, and will be compatible with surrounding uses; and
- E. **Operational Plan.** A finding that an acceptable operational plan in narrative form has been submitted for review and consideration, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to measures that control: dust, vectors, litter, noise and light. The Operational Plan shall also include the name and telephone number of the manager or person responsible for the operation of the facility; and complaint response procedures, including investigation, remedial action, and follow-up.

(Ord. No. 4262, 8-16-04)

11-4-6: - REVIEW OF PLANS

Administrative Use Permits, Special Use Permits, and Council Use Permits shall follow the standards established in Chapter 70 of this Ordinance. All other uses and development shall comply with the review procedures, standards and criteria established in Article 7, Administration.

(Ord. No. 4262, 8-16-04)

CHAPTER 5 - RESIDENTIAL DISTRICTS

11-5-1: - PURPOSE

- A. **General Purpose of Residential Districts.** The purposes of the residential districts are to:

1. Provide for the orderly, well-planned, and balanced growth of residential neighborhoods.
2. Provide for a variety of housing types in a range of densities.
3. Promote the development of residential neighborhoods with well-designed transportation links to educational, employment, commercial and recreational destinations, and which encourage multiple methods of transportation, including walking, biking, and the use of public transit.
4. Establish design standards to help create distinct and attractive residential neighborhoods, upgrade the quality of multi-family housing, and ensure that new residential development is well integrated with surrounding neighborhoods.
5. Provide for appropriate public and quasi-public uses such as parks, playgrounds, religious facilities, and day care centers where they are compatible with and preserve and/or improve the quality of life in residential neighborhoods.
6. Provide development patterns that encourage energy conservation and provide opportunities for renewable energy production.

B. Specific Purposes of Each District.

1. **RS Single Residence.** To provide areas for detached single residence housing at densities of up to 7 units per net acre. Designators (-90, -43, -35, -15, -9, -7 and -6) are used to denote the minimum lot size in thousands of square feet. This district also provides for community residences, assisted living homes, day care group homes, park and recreation facilities, and civic and institutional uses such as churches and places for religious assemblies that are appropriate in a residential environment. Non-residential uses of a strictly limited scale under the specific conditions listed may also be allowed.
2. **RSL Small Lot Single Residence.** To provide areas for small-lot single dwelling development at densities of up to 17 units per net acre, subject to development standards to ensure land use compatibility. Designators (-4.5, -4.0, -3.0 and -2.5) are used to denote the minimum average lot size in thousands of square feet. This district also allows for community residences, assisted living homes, family day care, park and recreation facilities, and civic and institutional uses.
3. **RM Multiple Residence.** To provide areas for a variety of housing types at densities of up to 43 units per gross acre. Designators (-2, -3, -4, and -5) are used to denote variations in the maximum allowed

development intensity (See Table 11-5-5). Appropriate types of dwelling units include small-lot single residences, townhouses, cluster housing, and multiple residence housing. This district also provides for community residences, assisted living facilities, residential home-based day care, boarding house manufactured home parks and subdivisions, recreational vehicle parks and subdivisions, park and recreation facilities, limited and small-scale residential support (including limited scale mixed-use commercial) activities, and civic and institutional uses such as churches and places for religious assembly that are appropriate in a residential environment.

(Ord. No. 5541, § 2, 12-9-19; Ord. No. 5632, § 2, 7-8-21)

11-5-2: - LAND USE REGULATIONS

In Table 11-5-2, the land use regulations for each Residential Zoning District are established by letter designations as follows:

- "P" designates use classifications permitted in the Residential District.
- "SUP" designates use classifications permitted on approval of a Special Use Permits.
- "CUP" designates use classifications permitted on approval of a Council Use Permits.
- "TUP" designates use classifications permitted on approval of a Temporary Use Permits.
- "(x)" a number in parentheses refers to a limitation following the table.

Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-5-2: Residential Districts				
Proposed Use	RS	RSL	RM	Additional Use Regulations
Residential Use Classifications				

Single Residence	P (13, 14)	P (13, 14)	P (12, 13, 14)	
Multiple Residence	—	—	P (13, 16)	
Assisted Living Facility				
Assisted Living Home (5 to 10 residents)	P (13, 14)	P (13, 14)	P (12, 13, 14)	Section 11-31-14, Community Residences
Assisted Living Center (greater than 10 residents)	—	—	CUP (13, 16)	Section 11-31-28, Assisted Living Centers, Nursing and Convalescent Homes
Boarding House	—	—	SUP (13, 16)	
Community Residence				
Family Community Residence	P (13, 14)	P (13, 14)	P (12, 13, 14)	Section 11-31-14, Community Residences
Transitional Community Residence	SUP (13, 14)	SUP (13, 14)	P (12, 13, 14)	
Comprehensive Youth Residence	SUP (4, 13, 14)	—	—	Section 11-5-8, Comprehensive Youth Residence
Day Care Group Home				
Small Day Care Group Home (up to 4)	P (13, 14)	P (13, 14)	P (13, 14)	
Large Day Care Group Home (5 to 10)	P (13, 14)	P (13, 14)	P (13, 14)	Section 11-31-13, Large Day Care Group Homes

Manufactured Home Parks	—	P (13, 14)	P (1, 13, 14)	Table 11-34-3, Development Standards for RV and Manufactured Home Parks and Subdivisions
Manufactured Home Subdivisions	P (13, 14)	—	—	
Recreational Vehicle Parks	—	—	P (1, 13, 14)	
Recreational Vehicle Subdivisions	—	—	P (1, 13, 14)	
Public and Semi-Public Use Classifications				
Clubs and Lodges	—	—	SUP (9, 13, 14)	
Community Center	SUP (13, 16)	SUP (13, 16)	SUP (9, 13, 16)	
Community Gardens	P	P	P	Section 11-31-10, Community Gardens
Cultural Institutions	P (13, 16)	P (13, 16)	P (9, 13, 16)	
Day Care Centers	SUP/P (10, 13, 14)	P (8, 13, 14)	P (13, 14)	Section 11-31-9, Commercial Uses in Residential Districts
Public Safety Facilities	P (23)	P (23)	P (23)	
Hospitals and Clinics				
Clinics	—	—	SUP (2, 9, 13, 14)	Section 11-31-15, Hospitals and Clinics
Hospitals	—	—	SUP (2, 9, 13, 14)	
Nursing and Convalescent Homes	—	—	CUP (9, 13, 14)	Section 11-31-28, Assisted Living Centers, Nursing and Convalescent Homes

Parks and Recreation Facilities, Public	P	P	P (9)	
Places of Worship	P (13, 16)	P (13, 16)	P (9, 13, 16)	Section 11-31-22, Places of Worship
Athletic Facilities When Accessory to a Church	SUP (13, 16)	—	SUP (9, 13, 16)	
Day Care When Accessory to a Church	SUP (13, 16)	—	SUP (9, 16)	
Schools, Colleges, and Trade Schools				
Colleges or Universities, Private	CUP (13, 14)	CUP (13, 14)	CUP (13, 14)	Section 11-31-24, Schools
Colleges or Universities, Public	P	P	P	
Commercial Trade Schools, Private	CUP (13, 14)	CUP (13, 14)	CUP (13, 14)	Section 11-31-24, Schools
Commercial Trade Schools, Public	P	P	P	
Industrial Trade Schools, Private	CUP (13, 14)	CUP (13, 14)	CUP (13, 14)	Section 11-31-24, Schools
Industrial Trade Schools, Public	P	P	P	
K-12, Private	CUP (13, 14)	CUP (13, 14)	CUP (13, 14)	Section 11-31-24, Schools
K-12, Public	P	P	P	
Skilled Nursing Facility			CUP (9, 13, 14)	
Social Services Facility	—	—	CUP (9, 13, 16)	Section 11-31-26, Social Service Facilities

Commercial Use Classifications				
Animal Sales Services				
Boarding Stables	SUP (3, 13, 16)	—	—	RS-90 and RS-43 only
Bed and Breakfast Inns	SUP (15, 16)	—	P (9, 15, 16)	Section 11-31-8, Bed and Breakfast Inns
Eating and Drinking Establishments				
Restaurants, Full Service	SUP (11)	SUP (11)	SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts
Restaurants, Limited Service	SUP (11)	SUP (11)	SUP (11)	
Offices				
Business and Professional	SUP (10)	SUP (10)	SUP (10)	Section 11-31-9, Commercial Uses in Residential Districts
Medical and Dental	SUP (10)	SUP (10)	SUP (10)	
Personal Services	SUP (11)	—	SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts
Plant Nurseries and Garden Centers	SUP (7)	—	—	SUP option available only in RS-43 and RS-90 districts
Retail Sales				
General	SUP (11)	SUP (11)	SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts
Recreational Vehicle Storage Yard	SUP (20)	—	—	Section 11-31-35 Storage Yards in Residential Districts
Transportation, Communications, and Utilities Use Classifications				
Utilities, Minor	P	P	P	

Specific Accessory Uses				
Animal Keeping	P (3)	—	—	Section 11-31-4, Animal Keeping
Accessory Dwelling Unit	P (13, 14)	P (13, 14)	P (13, 14)	Section 11-31-3, Accessory Dwelling Unit
Farm Stands	SUP (5)	—	—	RS-43 and RS-35 Only
Home Occupations	P/SUP (17)	P	P	Section 11-31-33, Home Occupations
Outdoor Display	P	P	P	Section 11-31-20, Outdoor Display
Portable Storage Containers	P (21, 22)	P (21)	P (21)	Section 11-30-16, Portable Storage Containers (PSC)
Temporary Outdoor Entertainments	—	—	TUP (2, 6)	Section 11-31-30, Temporary Uses
Temporary Outdoor Sales	—	—	TUP (2, 6)	
1. Permitted in the RM-4 District.				
2. Only permitted or conditionally permitted in the RM-4 district; prohibited in the other RM sub-designations.				
3. Boarding stables are permitted in the RS-43 and RS-90 districts with approval of a SUP on sites of 10 acres or more. Other Large-Scale Commercial Recreation uses are not permitted.				
4. Comprehensive Youth Residence permitted in RS-90 district with approval of a SUP.				
5. Stands are permitted for the sale of agricultural or horticultural products produced on the premises in the RS-35, RS-43 and RS-90 zoning districts with approval of a Special Use Permit. Farm stands are prohibited in the remaining RS sub-designations.				
6. Reserved.				
7. Plant Nurseries may be located in the RS-43 and RS-90 districts with approval of a Special Use Permits. Criteria include that specified for the AG district, Sec Section 11-4-4(C). Plant Nurseries are prohibited in the remaining RS sub-designations.				

8. Day Care Centers permitted only as an accessory activity when provided as an amenity by homeowner's association (HOA) for the principal benefit of residents of that same HOA.
9. Not permitted in RM-5 district.
10. Permitted only with approval of a Special Use Permits, and if the location is coterminous to an intersection of an arterial street with a local or collector street, and the aggregate maximum gross floor area is less than 2,000 square feet in floor area, exclusive of any residential uses.
11. Permitted only with approval of a Special Use Permits, and if the location is coterminous to an intersection of an arterial street with a local or collector street, and the aggregate maximum gross floor area is less than 1,500 square feet in floor area, exclusive of any residential uses. No drive-thru facilities or pick-up window facilities permitted.
12. Detached Single Residence is not permitted in RM-5 district.
13. Use not permitted when the property is subject to the AOA 1 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
14. Use not permitted when the property is subject to the AOA 2 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
15. Use permitted with approval of a (CUP) Council Use Permits when the property is subject to the AOA 1 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
16. Use permitted with the approval of a (CUP) Council Use Permits when the property is subject to the AOA 2 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
17. Special Use Permit options for expanded Home Occupations are allowed only in the RS-90 and RS-43 districts.
18. Reserved.
19. Reserved.
20. Also requires previous establishment of a PAD Overlay District.
21. Temporary use of portable storage containers during construction and for loading and unloading is permitted in accordance with Section 11-30-16.
22. Permanent use of portable storage containers is limited to RS-43 and RS-90 zoning districts in accordance with Section 11-30-16.

23. Use only permitted when owned and operated by the City of Mesa.

(Ord. No. 5541, § 2, 12-9-19; [Ord. No. 5592](#), § 2, 12-1-20; [Ord. No. 5593](#), § 2, 12-1-20; [Ord. No. 5632](#), § 1, 7-8-21; [Ord. No. 5759](#), § 1, 12-8-22; [Ord. No. 5813](#), § 1(Exh. 1), 10-16-23; [Ord. No. 5814](#), § 1(Exh. 1), 10-16-23; [Res. No. 12269](#), § 2, 9-23-24; [Ord. No. 5883](#), § 3, 10-7-24)

11-5-3: - DEVELOPMENT STANDARDS FOR THE RS AND RSL DISTRICT

A. **Zoning District Standards.** Tables 11-5-3.A and 11-5-3.B prescribes the development standards for the RS and RSL Districts. The "Additional Standards" column lists additional standards that apply in some or all districts. Section numbers in this column refer to other sections of the Zoning Ordinance, while individual letters refer to subsections that directly follow the table.

Table 11-5-3.A.1: Development Standards - RS Residential Single Dwelling Districts

Standard	RS-90 (R1-90)	RS-43 (R1-43)	RS-35 (R1-35)	RS-15 (R1-15)	RS-9 (R1-9)	RS-7 (R1-7)	RS-6 (R1-6)	Additional Standards
Lot and Density Standards								
Minimum Lot Area (sq. ft.)	90,000	43,560	35,000	15,000	9,000	7,000	6,000	
Minimum Lot Width - Interior Lot (ft.)	150	130	130	110	75	65	55	11-5-3(A)
Minimum Lot Depth (ft.)	150	150-	150	120	100	94	90	11-5-3(A)
Minimum Lot Depth abutting Arterial Street (ft.)	150	150	150	120	110	104	100	11-5-3(A)
Maximum Density								
Conventional Subdivisions (units/gross acre)	Based on compliance with minimum lot size requirements, and with off-site improvement and right-of-way requirements specified in MCC Title 9 .							
Planned Area Development (PAD) Overlay District (units/net acre)	0.48	1.0	1.24	2.9	4.84	6.22	7.26	
Maximum Lot Coverage (% of lot)	40%	40%	50%	50%	60%	60%	60%	

Building Form and Location								
Maximum Height (ft.)	30	30	30	30	30	30	30	
Minimum Yards (ft.)								
Front (Enclosed Livable Areas, Porches and Porte Cocheres)	22	22	22	22	15	10	10	
Garages and Carports - front and side yards	30	30	30	30	25	20	20	
Interior Side: Minimum either side	20	10	10	7	7	5	5	
Interior Side: Minimum aggregate of 2 sides	40	30	30	20	17	15	15	
Street Side	20	30	10	10	10	10	10	
Rear	30	30	30	30	25	20	20	
Rear Yard Abutting Arterial Street	30	30	30	30	30	30	30	11-5-3(A)(2)
Maximum Building Coverage (% of lot)	25	25	35	40	45	45	50	
Additional Standards								
Accessory Structures	Section 11-30-17							
Community Gardens	Section 11-31-10							
Driveways	Section 11-5-3(B)(5)							
Fences and Walls	Section 11-30-4							
Landscaping	Chapter 33, Landscaping							

Limitation on Paving of Front and Street-Facing Side Yards	Section 11-5-3(B)(5)
Lots Splits and Subdivisions	Section 11-30-6 and <u>Title 9</u> , Chapter 6, Subdivision Regulations
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation (including Tandem Parking)
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits
Projections into Required Yards	Section 11-5-3(A)
Screening	Section 11-30-9, Screening
Signs	<u>Article 5</u> , Signs
Solar Panels	Section 11-30-15, Solar Panels and Other Energy Production Facilities
Swimming Pools	Section 11-30-11
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas
Visibility at Intersections	Section 11-30-14, Setbacks at Intersections

Table 11-5-3.A.2: Development Standards - RSL Residential Small Lot Single Dwelling Districts					
Standard	RSL-4.5	RSL-4.0	RSL-3.0	RSL-2.5	Additional Standards
Lot Standards					
Minimum Average Lot Area of Subdivision (sq. ft.)	4,500	4,000	3,250	2,500	
Minimum Individual Lot Area (sq. ft.)	4,000	3,500	2,750	2,000	

Minimum Lot Width -Interior Lot (ft.)	40	35	30	25	
Minimum Lot Width - Corner Lot (ft.)	45	40	35	30	
Minimum Lot Depth (ft.)	90	85	80	75	
Maximum Lot Coverage (% of lot)	70%	75%	80%	80%	
Building Form and Location					
Maximum Height (ft.)	30	30	30	30	
Maximum Number of Stories	2	2	2	2	A third story may be permitted if meets specific standards. See 11-5-3(A)(4)
Minimum Yards (ft.)					
Front - Building Wall	15	15	15	12	
Front - Garage	20	20	20	20	
Front - Porch	10	10	10	7	
Street Side	10	10	10	10	
Interior Side: Minimum each side	4.5	4	4	3	
Interior Side: Minimum aggregate of 2 sides	10	10	9	8	
Rear	20	20	20	15	
Rear or Side - Garage, Accessed by Alley or Common Drive Shared by 3 or More Lots; Measured to Construction Centerline of Alley or Drive	13	13	13	13	

Minimum Useable Open Space (sq. ft.) per unit	400	400	400	400	See 11-5-3(A)(5)
Additional Standards					
Accessory Structures	Section 11-30-17				
Driveways	Section 11-5-3(B)(5)				
Fences and Walls	Section 11-30-4				
Landscaping	Chapter 33, Landscaping				
Limitation on Paving of Front and Street-Facing Side Yards	Section 11-5-3(B)(5)				
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation				
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits				
Projections into Required Yards	Sections 11-5-3(B)(2)(A)(III) & 11-30-2				
Screening	Section 11-30-9, Screening				
Signs	<u>Article 5</u> , Signs				
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas				

1. ***Reductions to Lot Area.*** Creation of a new lot that is less than the required minimum lot area, as specified below, requires approval of a Planned Area Development (PAD) or Bonus Intensity Zone (BIZ) Overlay. It must be demonstrated that the resulting development will further the goals and objectives of the General Plan, specific plans, and Council policies and will provide significant social or economic benefit to the City.
 - a. The minimum lot area by right in the RS district is 6,000 square feet, indicated by the designator RS-6.
 - b. The minimum lot area in the RSL District is 4,500 square feet, indicated by the designator RSL-4.5.
2. ***Additional Lot Width for Corner Lots.***
 - a. *At Local or Local-Collector Street Intersections.* Additional lot width equivalent to ten percent (10%) of the standard lot width for the zoning district shall be provided on the recorded document for corner lots located at the intersection of:
 - i. Two (2) local streets, or
 - ii. A local street and collector street.
 - b. *At Arterial and Collector or Arterial and Local Street Intersections.* Additional lot width equivalent to 15 percent (15%) of the standard lot width for the zoning district shall be provided on the recorded document for corner lots located at the intersection of:
 - i. Two (2) collector streets,
 - ii. Two (2) arterial streets, or
 - iii. A collector and arterial street.
 - c.

Lots With 2 or More Intersection Corners. For lots that have more than one (1) corner, the percent of lot increase required will be based on the highest classified intersection.

- d. *Lot Depth Adjacent to Arterial Street.* Where the rear lot line of a lot in the RS-7 or RS-6 District directly abuts the right-of-way of an arterial street, the minimum lot depth shall be increased by an additional ten (10) feet. Rear lot lines separated from arterial street right-of-way by a separate tract of land with a depth of ten (10) or more feet are excluded from this requirement.

3. ***Yards.***

- a. *Rear Yard Adjacent to Arterial Street.* A rear yard adjacent to an arterial street shall be at least 30 feet in depth. If a landscape tract, stormwater retention basin or privately owned and maintained recreation open space separate, any of which is a minimum of ten (10) feet deep from the street, separates the residential lot from the arterial street, this requirement shall not apply.
- b. *Rear Yard Adjacent to Alley or Canal.* Rear yard setbacks adjacent to a 16-foot or wider alley or canal right-of-way may be measured from the centerline of the alley, up to a maximum of ten (10) feet.
- c. *Zero-Lot-Line Developments.* Zero-lot-line developments are permitted in the RS-6, RS-7, and RSL Districts.
 - i. In a zero-lot-line development, no interior side yard need be provided on one (1) side of a lot if the minimum aggregate setback stated in Table 11-5-3, or ten (10) feet, whichever is greater, is provided on the opposite side of the same lot.
 - ii. Where a zero-side yard is used, the abutting property must be held under the same ownership at the time of initial construction, or the owner of the property abutting the zero-side yard must sign an agreement that permanently grants consent in writing to such zero setback. Additionally, owners of zero-lot-line developments must provide a permanent access and maintenance easement providing the owner of the zero-lot-line structure with access to the adjacent lot with the side yard to maintain the structure. A copy of the easement shall be provided to the City prior to recording the document in the Maricopa County Recorder's Office.
- d. *Setback Adjacent to RS District.* Where a lot in the RSL District is adjacent to a lot in the RS District, the minimum interior side yard (for a single side) that is required on the RS-zoned lot shall also be provided on the lot in the RSL District.
- e. *Limitation on Paving of Street-Facing Yards.* No more than 50 percent (50%) of any required front or street-facing side yard may be covered with a paved surface.

4. ***Third-Story Structures.*** A single-residence dwelling unit may have a third story subject to the following:

- a. The third story is located inside a roof that is pitched at a vertical to horizontal ratio of least 1 to 3 (1:3). The third story may include dormers that are not more than 15 feet in depth or width and located wholly below the ridge of the roof. The roofs of dormers shall have a minimum slope of 1 to 6 (1:6); or
- b. The horizontal area of the third story (measured from exterior walls) does not exceed sixty percent of the footprint of the building, and the third story is set back a minimum of eight (8) feet from the front exterior wall(s) of lower stories, or set back at least five (5) feet from the front exterior wall and five (5) feet on at least one (1) side exterior wall of lower stories.

5. ***RSL Open Space Requirements.*** The open space requirement in the RSL Districts may be satisfied in one of two ways:

- a. A minimum of 400 square feet of open space shall be provided on each lot. The following criteria apply to the provision of this open space:
 - i. The open space may be contained in one (1) large area, or multiple areas. No single space shall be smaller than 80 square feet.
 - ii. To count toward the required open space, the open space must have a minimum depth of at least six (6) feet as an upper story balcony, eight (8) feet as a porch or patio and ten (10) feet as a courtyard or lawn area.
 - iii. Items such as covered porches or patios, open on two sides; or designated courtyards with two (2) sides defined by a knee wall of not more than three (3) feet in height may be considered as open space when located in front and street-side facing yards, provided the minimum dimension of the open space in any direction is:
 - (1) Ten (10) feet in the RSL-4.5, 4.0. and 3.0 districts; and
 - (2) Eight (8) feet in the RSL-2.5 district.
- b. A combination of open space provided on the lot and in a common open space areas:
 - i. For properties zoned RSL 4.5 or 4.0, the open space requirement may be met by providing at least 350 square feet of private open space on each lot, and providing common open space areas to serve the development at the rate of 100 square feet per lot.
 - ii. For properties zoned RSL-3.0 or 2.5, the open space requirement may be met by providing at least 280 square feet of private open space on each lot and providing common open space areas to serve the development at a rate of 120 square feet per lot.
 - iii. Minimum open space dimension standards provided above, apply to the size and location of the on-lot open space.

- iv. To qualify as common open space, all of the following standards must be met:
 - (1) The area shall be readily accessible and open to the community intended to benefit from the open space;
 - (2) The common area must be at least 0.25 acres in size with a minimum usable width of at least 75 feet in any direction;
 - (3) The open space must be at least 50 percent (50%) open to the sky. At least 75 percent (75%) of open space areas that are open to the sky and not otherwise used as active recreation facilities shall be landscaped and maintained with live plant materials;
 - (4) Open space areas shall be improved with facilities that provide for active and/or passive recreation, such as benches, paths, playground equipment, ball courts, picnic tables, and barbeque facilities; and
 - (5) Open space areas shall be centrally located.

B. Site Planning and Design Standards.

1. ***Neighborhood Character and Image.*** In accordance with the City of Mesa's Design Guidelines, residential subdivisions of five (5) acres or more should be designed so that they are resilient communities that stand the test of time. New developments should be built using a diverse set of materials, access options, colors, architectural styles, and scales. Additionally, streetscapes, parks, parking, and community access should accent the neighborhood through both function and design.
 - a. ***Connectivity.*** Residential subdivisions shall provide vehicular, pedestrian and bicycle connectivity to adjacent schools, places of work or services, and abutting residential developments.
 - i. All development applications must accommodate the street standards and transportation facilities identified by the City's Transportation Plan.
 - ii. The street or roadway pattern shall be designed in regards to topography and existing natural features.
 - iii. Streets stubbed or platted to the boundary of previously approved development plans shall be incorporated and continued, to provide for logical, orderly, and convenient movement from one neighborhood to the next.
 - iv. Sidewalks, trails, and greenbelts shall be utilized to provide pedestrian/bicycle connections between neighboring subdivisions and major activity areas.
 - b. ***Neighborhood Identity and Amenity Features.*** Open space, recreational amenities, and subdivision features shall be thoughtfully designed and sited as to create a sense of place and foster a sense of community.
 - i. ***Community Character/Monumentation.*** Provide enhanced entryway design where entry streets intersect arterials or major collectors. Such gateway features provide a sense of arrival through the use of monument signage, special landscaping, specialty pavement, enhanced wall details, architectural tower or arch features and/or water features.
 - ii. ***Perimeter Walls and Fences.***
 - (1) Perimeter walls along arterial or collector roads in excess of 40 linear feet shall provide articulation through the use of columns, varied heights, and protrusions and recesses in the horizontal plane. Posts or columns must protrude a minimum of six (6) inches from the adjacent plane.
 - (2) Perimeter walls along or adjacent to arterial or collector roads shall be constructed of high-quality, durable materials such as stucco finish, textured block, brick, decorative cap block, wrought iron, or other similar high-quality material.
 - c. ***Architectural Variation.*** Developments shall provide visual interest by providing architectural variety through the use of distinct building elevations, exterior materials, roof lines, garage placement, and building placement. Such variation in buildings shall not consist solely of combinations of the same building features.
 - i. For developments consisting of three (3) to nine (9) lots, there shall be at least two (2) different types of building elevations.
 - ii. For projects of ten (10) to 39 lots, there shall be at least three (3) different building elevations.
 - iii. An additional building elevation shall be provided for each additional 40 lots.
 - iv. No two (2) of the same building elevation shall be located next to each other or across the street from one another.
2. ***Massing and Scale.*** Buildings should contain varied massing and scale elements to ensure an interesting streetscape, provide shading, and define different uses and activities in the house.
 - a. ***Façade Articulation.***
 - i. The front façade of buildings must have at least one (1) change in building plane, exclusive of the garage.
 - ii. ***Two-story Dwellings on Corner Lots.*** No second-story street-facing wall shall run in a continuous plane of more than twenty feet without a window, or without a projection, offset, or recess of the building wall at least one (1) foot in depth.

FIGURE 11-5-3.B(1): TWO-STORY DWELLINGS ON CORNER LOT

iii. *Encroachments.* Building projections may extend into required yards, subject to the following standards:

- (1) No projection may extend into a public utility easement or closer than two (2) feet to an interior lot line.
- (2) Awnings, eaves, overhangs, or basement window wells may encroach up to three (3) feet into any required yard.
- (3) Vestibules, bay windows, nooks, chimneys, or similar wall projections with or without footings may encroach not more than three (3) feet into any required front or rear yard and not more than two (2) feet into any required side yard, provided the aggregate width of all such projections adjacent to any yard does not exceed one-third ($\frac{1}{3}$) of the length of the building wall.
- (4) Staircases may encroach up to three (3) feet into any required front yard, and up to ten (10) feet into any required rear yard.
- (5) Attached open porches, open patios, open carports or open balconies may encroach into a required rear yard, but shall be no closer than 15 feet to a rear property line, except in the RS-6 and RS-7 Districts, where these structures may encroach to within ten (10) feet of the rear property line. Such open structures may include window screens, knee walls, and other partial enclosures as specified in the Mesa Building Code for patio covers.
- (6) In RS districts only, enclosed livable rooms may encroach up to ten (10) feet into a required rear yard for up to one-half ($\frac{1}{2}$) the width of the building, provided a minimum of ten (10) feet remains between the building face and the rear property line.

FIGURE 11-5-3.B(2): BUILDING PROJECTION

3. ***Primary Entrances.*** The front entrance should facilitate the transition between public and private spaces and be clearly defined to help orient visitors. Entryways shall consist of:
 - a. A front porch with a minimum depth of six (6) feet, as measured from the building façade to the posts, and a minimum length of eight (8) feet; or
 - b. A portico, awning, recess, or stoop measuring at least four (4) by four (4) feet which is well defined by a gabled entry, distinct change in roof line or columns, or has some other significant architectural distinction.
4. ***Garage Frontage and Location.*** To prevent residential streetscapes from being dominated by protruding garage doors, and to allow the active, visually interesting features of a house to be dominant, the following standards shall apply:
 - a. *Front Loaded Garages.* Where garage doors face the front property line of the lot, the aggregate width of garage doors shall not exceed 50 percent (50%) of the aggregate width of the front building elevation forward facing garages shall be located at least three (3) feet behind the primary wall facing the street, and never less than the required garage setback. A covered front porch, patio, side

loaded carport, or porte-cochere with sufficient size and substantial massing, as determined by the Planning Director, may be considered a wall of the home for the purposes of this requirement. This requirement shall apply to all new homes with plans or product approved after October 2011.

FIGURE 11-5-3.B(3): GARAGE FRONTAGE AND LOCATION

- b. Garages with three (3) or more doors, or designed to accommodate three (3) or more non-tandem parked cars, are permitted only on lots 75 feet wide or greater, and at least one (1) garage front must be separated from the remaining garage fronts by at least two (2) feet. Exceptions:
 - i. Garages entries oriented parallel or within ten (10) degrees of parallel to side or rear property lines and that do not directly face a street, or
 - ii. Garages set a distance of 1.5 times the minimum front yard for garages and carports, based on the requirement for each zoning district, from the front property line, as specified by Table 11-5-3.
 - c. Alternative garage door treatments may be accepted by the Planning Director if:
 - i. The configuration of the lot or other physical existing conditions make the application of these standards impractical; and
 - ii. The proposed design meets the intent of the Chapter to line streets with active living space, create pedestrian-oriented streetscapes, and provide variety in visual interest in the exterior design of residential dwellings.
5. ***Driveways—Maximum Number and Width.***
- a. *For lots less than 75 feet wide:*
 - i. A maximum of one (1) driveway up to 19 feet wide is permitted for required parking;
 - ii. One (1) additional driveway up to ten (10) feet wide is permitted, if it leads to an interior side yard at least 12 feet wide.
 - iii. The combined paved areas do not exceed 50 percent (50%) of the area of the front yard.
 - b. *For lots greater than or equal to 75 feet wide:*
 - i. A maximum of one (1) driveway up to 29 feet wide is permitted for required parking; or
 - ii. One (1) 19-foot driveway and one (1) additional ten (10) foot driveway which leads to in interior side yard, at least 12 feet in width; and
 - iii. The combined paved areas do not exceed 50 percent (50%) of the front yard.

FIGURE 11-5-3.B(4): DRIVEWAYS

6. **Windows.**
 - a. **Window Trim or Recess.** On all street-facing facades, trim at least two (2) inches in depth must be provided on at minimum two (2) sides of all windows, or windows must be recessed at least four (4) inches from the outside plane of the surrounding exterior wall. This includes rear facing facades for lots with rear property lines abutting open space, parks, streets or alleys.
 - b. **Corner Lots.** Dwellings located on corner lots shall include windows on the façade facing each street. such window area should constitute at least ten percent (10%) of the façade's area.
7. **Materials.** Buildings must contain at least two (2) kinds of primary exterior materials distinctively different in texture or masonry pattern, such as brick, stone, integrally tinted and textured masonry block, precast concrete, wood, natural and synthetic stone, stucco and synthetic stucco.
 - a. Any one (1) material must be used on at least 15 percent (15%) of the front façade.
 - b. Where brick or stone veneer is used as wainscoting, it shall be wrapped a minimum of two (2) feet around side walls.
8. **Factory-Built Buildings.** Factory-built buildings designed, manufactured and approved for residential purposes as dwelling units and attached to permanent foundations are permitted in all residential districts, if such buildings are installed in conformance with all applicable provisions of the Mesa City Code including applicable development standards.
9. **Alternative Compliance.** Site Planning and Design Standards are not intended to limit creative solutions. Conditions may exist where strict compliance to Site Planning and Design Standards of this Chapter are impractical or impossible, or where maximum achievement can only be obtained through alternative compliance. Alternative compliance does not modify or reduce requirements of the Building Code or any other chapters or sections of the Zoning Code. Alternative compliance allows development to satisfy the Site Planning and Design Standards in this Chapter by providing comparable standards in a creative way.
 - a. Requests for alternative compliance may be accepted for any application to which Site Planning and Design Standards apply. A written request must be provided in conjunction with the applicable land use application describing how the proposed alternative meets the criteria below.
 - b. The approving body shall find that the request meets one (1) or more of the following criteria:
 - i. Topography, soil, vegetation or other site conditions are such that full compliance is impossible or impractical; or improved environmental quality would result from alternative compliance.
 - ii. Space limitations, unusually shaped lots and prevailing practices in the surrounding neighborhood, may justify alternative compliance for bypassed parcels and for improvements and redevelopment in older neighborhoods.
 - iii. Safety considerations make alternative compliance necessary.
 - iv. The proposed alternative is aesthetically more complementary to the site, better fits into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the design objectives as described in the City's General Plan.

(Ord. No. 5593, §§ 3, 4, 12-1-20; Ord. No. 5858, § 1, 7-1-24)

11-5-4: - RESERVED

11-5-5: - DEVELOPMENT STANDARDS FOR THE RM DISTRICT

- A. **Zoning District Standards.** Table 11-5-5 prescribes the development standards for the RM Districts including those districts that may utilize the "U" character designator. Section numbers in this column refer to other sections of the Zoning Ordinance, while individual letters refer to subsections that directly follow the table.

Table 11-5-5: Development Standards - RM Residential Multiple Dwelling Districts							
Standard	RM-2 (R-2)	RM-3 (R-3)	RM-4 (R-4)	RM-3U	RM-4U	RM-5	Additional Standards

Minimum Lot Area (sq. ft.)	7,200	6,000	6,000	6,000	6,000	6,000	Reduced lot sizes may be approved with a PAD overlay.
Minimum Lot Width (ft.)							
Single-Residence Detached	36	30	25	25	25	25	
Single-Residence Attached	36	25	25	60	25	—	
Multiple-Residence	60	60	60	60	60	60	
Minimum Lot Depth (ft.)							
Single-Residence or Multiple-Residence	94	94	94	75	65	65	
Single-Residence Attached	94	94	75	20	75	75	
Maximum Density (dwelling units/net acre)	15	20	30	20	30	43	
Minimum Density (dwelling units/net acre)	-	-	-	12	15	20	
Minimum Lot Area per Dwelling Unit (sq. ft.)	2,904	2,183	1,452	2,183	1,452	1,000	
Maximum Height (ft.)	30	40	40	50	50	50	
Maximum Lot Coverage (% of lot)	70%	70%	70%	70%	70%	70%	
Minimum Yards (ft.)							

Front and Street-Facing Side	Varies by street classification identified in the Mesa Transportation Plan: 6-lane arterial: 30 ft. 4-lane arterial: 20 ft. Collector: 25 ft. Local Street: 20 ft. Freeways: 30 ft.			See NC-U standards in Table 11-6-3(B)	Street-facing setbacks shall be landscaped according to standards in Chapter 33, Landscaping.
Interior Side and Rear: 3 or more units on lot	Single Story: 20 ft. Multiple Story: 15 ft. per story				Additional setback required if adjacent to an RS district. See 11-5-5(A).
Interior Side: 2 units on lot	10	10	10		Zero-lot-line development permitted as alternative. See 11-5-5(A)(3).
Interior Side: Single-Residence Detached (ft.)	5	5	5		
Interior Side: Single-Residence Attached (ft.)	0	0	0		
Rear: 1 or 2 units on lot	15	15	15		
Minimum Separation Between Buildings on Same Lot					See 11-5-5(A)
One-story building	25	25	25	None required	
Two-story building	30	30	30		
Three-story building	N/A	35	35		
Detached covered parking canopies	20	20	20		
Maximum Building Coverage (% of lot)	45	50	55	65	

Minimum Open Space (sq. ft./unit)	200	175	150	150	120	120	See 11-5-5(A); in RM-4U and RM-5, roof areas used for common benefit of development residents may be counted towards up to 50% of min. open space requirement.
Additional Standards							
Fences and Walls	Section 11-30-4						
Landscaping	Chapter 33, Landscaping						
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation						
Pedestrian Connections	Section 11-30-8						
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits						
Projections into Required Yards	Section 11-5-5(B)(2)(v)						
Screening	Section 11-30-9						
Signs	<u>Article 5</u> , Signs						
Trash Storage and Screening	Section 11-30-12						
Visibility at Intersections	Section 11-30-14						

1. *Yards.*

- a. *Setback Adjacent to RS District.* Where a lot located in an RM District is adjacent to the RS District, a single-story building on the RM-zoned lot shall be set back from the RS District property line at least 25 feet. Multiple story buildings shall be setback a minimum of 15 feet of setback for each story (i.e., two story buildings must be set back at least 30 feet; three stories, 45 feet), except RM-5, in which

the minimum setback is limited to 25 feet from a RS district, with no additional setback per story. At least 20 feet of the depth of such setbacks must be landscaped consistent with the standards of Chapter 33, Landscaping, and shall remain free from parking, driveways, and encroachment by any structures that are not part of the landscaping design. On lots of five (5) acres or more, at least 25 feet of the depth of such setbacks must be landscaped and free from parking or encroachments.

- b. *Setback Adjacent to Canal.* A building setback of at least 15 feet shall be maintained along property lines that abut a canal.
- c. *Zero Setback for Attached Single Residences.* Attached single-residence structures may have zero-setback on both sides of the structure.
 - i. The minimum interior side yard shall be ten (10) feet on the end units.
 - ii. Any portion of the building not placed on a zero-setback line shall maintain a minimum of ten (10) foot building setback.
 - iii. Where a zero-side yard is used, the abutting property must be held under the same ownership at the time of initial construction, or the owners of the abutting property must sign an agreement that grants consent in writing to such zero setback. Additionally, owners of zero-lot-line developments must provide a maintenance easement providing the owner of the zero-lot-line structure with access to the zero side to maintain the structure. A copy of the easement shall be provided to the City and recorded in the Maricopa County Recorder's Office prior to recording the subdivision plat.
- d. *Limitation on Paving of Street-Facing Yards.* No more than 50 percent (50%) of any required front or street-facing side yard may be covered with a paved surface.

FIGURE 11-5-5.A(1): SETBACK ADJACENT TO RS DISTRICT

- 2. ***Building Separation.*** Design Objective: Arrange buildings with residential units in a manner that addresses privacy issues for individual units and allows sufficient separation so that daylight and air is available for each residential unit. If building projections encroach into the required building separation space, ensure that remaining open space is attractive, useable and complies with CPTED design principals.
 - a. *Non-Parallel Buildings.* For non-parallel buildings, the minimum building separation requirement shall be calculated by determining the open area that would be required between any two (2) buildings if they were parallel and met the minimum requirement; then assuring that the same or greater total open area is available between the two (2) buildings. At no time shall any points of the buildings be closer than ten (10) feet.
 - b. *Ground Floor Separation.* Ground floor building separation distance may be reduced up to 20 percent if the upper floor steps back an equal distance. For example, if the required building separation between two (2), three (3) story buildings is 35 feet, the ground floor units may be separated by 28 feet provided the upper stories are stepped back so that the building separation for upper stories is no less than 42 feet.
 - c. *Maximum Encroachment.* A maximum encroachment of three (3) feet is allowed for individual building projections, including but not limited to balconies, patios, bay windows, fireplaces, and stairs.
- 3. ***Standards for Required Open Space.*** Provide residents with both private and public outdoor space that may be used for social, recreational, aesthetic, and economic purposes.
 - a. *Proportion of Private and Common Open Space.* Open space may be provided in any combination of private and common open space, as long as studio and one (1) bedroom units have at least 60 square feet of private open space, two (2) bedroom units have at least 100 square feet of private open space and three (3) bedroom or more have at least 120 square feet of private open space.
 - b. *Surfacing.* Surfaces provided for outdoor activities shall allow convenient use for outdoor activities. Such surface may be any combination of lawn, garden, brick, flagstone, wood planking, concrete, or other serviceable, dust-free surface.
 - c. *Slope.* The slope of required open space areas shall not exceed ten percent (10%).
 - d. *Exclusive Dedication.* Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space.
 - e. *Additional Standards for Private Open Space.*

- i. *Accessibility and Location.* Private open space shall be accessible to only one (1) living unit by a doorway to a habitable room or hallway. Multiple spaces may be provided for individual living units to meet the aggregate open space requirement, provided at least one (1) private open space meets the minimum dimensions below:
 - (1) Private open space located at the ground level (e.g., yards, decks, patios) shall have no dimension less than ten (10) feet.
 - (2) Above-ground private open space (e.g., balconies) shall be a minimum of 60 square feet and shall not be less than eight (8) feet wide or less than six (6) feet deep.
- ii. *Openness.* Open space shall be at least 50 percent (50%) covered and shall have at least one (1) exterior side that is open and unobstructed between three (3) and eight (8) feet above its floor level.
- f. *Additional Standards for Common Open Space.*
 - i. *Accessibility.* Common open space shall be easily accessible to all dwelling units that it is intended to serve and centrally located.
 - ii. *Location.* Common open space shall be located within the same development as the units served. It may not be located within the required front or street-facing side setback. Up to 20 percent (20%) of common open space may be located on the roof of a building. In districts with a U-designator, up to 67 percent (67%) common open space may be on a roof.
 - iii. *Minimum Dimensions.* Common open space shall have no dimension less than 15 feet.
 - iv. *Openness.* Common open space shall be unroofed and unobstructed, except for facilities that enhance its usability, such as armadas or playground shade structures, and except that up to 25 percent (25%) of ground-level common open space may be covered by a balcony projecting from a higher story.
 - v. *Amenities.* Common open space must be designed and provide sufficient amenities (e.g. seating, recreation facilities, armadas, shade, etc.) to encourage or invite one or more uses by the residents of the development.

B. Site Planning and Design Standards.

1. *Character and Image.*

- a. *Monumentation.* Provide enhanced entryway design where entry streets intersect arterials or major collectors. Such gateway features provide a sense of arrival through the use of monument signage, special landscaping, specialty pavement, enhanced wall details, architectural tower or arch features and/or water features.
- b. *Identity and Amenity Features.* Open space, recreational amenities, and community features shall be thoughtfully designed and sited as to create a sense of place and foster a sense of community.
- c. *Architectural Variation.* Where adjacent to existing multiple residence dwellings, unique massing and architectural design shall be provided to avoid the appearance of large contiguous developments.

2. *Massing and Scale.*

- a. *Architectural Articulation.* Long facades shall be broken up into smaller modules. This requirement shall be met by using two (2) or more of the following methods:
 - i. *Façade Articulation.* All street-facing facades have at least one (1) horizontal or vertical projection or recess of at least four (4) feet in depth, or two (2) projections or recesses of at least 2.5 feet in depth, for every 25 horizontal feet of wall. If located on a building with two (2) or more stories, the articulated elements must be greater than one (1) story in height and may be grouped rather than evenly spaced in 25-foot modules so long as the total amount of articulation meets or exceeds that which would be required if no grouping occurred. Building entrances and front porches and projections into required yards such as stoops, bays, overhangs, fireplaces, and trellises count towards this requirement.
 - ii. *Variable Roof Form.* Variable roof forms are incorporated into the building design, and no more than two (2) side-by-side units may be covered by one (1) unarticulated roof. Articulations may be accomplished by changing roof height, offsets, and direction of slope, and by introducing elements such as dormers, towers, or parapets.
 - iii. *Façade Detailing and Materials.* All visible building façades incorporate details, such as window trim, window recesses, cornices, changes in materials or other design elements, in an integrated composition. Each side of a building that is visible from a public right-of-way, parking lot, or common open space shall be designed with a complementary level of detailing and quality of materials.
 - iv. *Use of Balconies, Bay Windows, and Other Such Projections or Recesses.* The building incorporates balconies, bay windows, entry porches or other projections and recesses in a pattern that creates architectural interest across approximately 30 percent (30%) of the length per floor of the façade or an alternative approved by the Planning Director. In approving such an alternative design, the Planning Director shall find the alternative to consist of a superior design that those required by the zoning ordinance.

v.

Encroachments. To facilitate the use of architectural features, building projections may extend into required yards, subject to the following standards:

- (1) Entry porches, balconies and patios may encroach no more than an additional ten (10) feet into required street side setbacks of 20 feet or greater in depth (measured from property line to building).
- (2) No projection may extend into a public utility easement or closer than two (2) feet to an interior lot line.
- (3) Awnings, eaves, overhangs, or basement window wells may encroach up to three (3) feet into any required yard.
- (4) Vestibules, bay windows, nooks, chimneys, or similar wall projections with or without footings may encroach not more than three (3) feet into any required front or rear yard and not more than two (2) feet into any required side yard, provided the aggregate width of all such projections adjacent to any yard does not exceed one-third ($\frac{1}{3}$) of the length of the building wall.
- (5) Staircases may encroach up to three (3) feet into any required front yard, and up to ten (10) feet into any required rear yard.

3. Building Entrances.

- a. *Dwelling Unit Access.* Exterior entrances to units shall be in the form of individual or shared entrances at the ground floor of the building. Unit entrances located above the ground floor are also permitted; however, access corridor located above the ground floor are discouraged from providing access to more than four (4) units per floor.
- b. *Orientation.* All units located along public rights-of-way must have the primary entrance to the building, or individual unit entrances, facing this right-of-way. Exceptions to this requirement may be approved for projects where multiple-residence housing is located on four (4) or six (6) lane streets carrying high traffic volumes. In such cases, the project may be oriented around courtyards or civic spaces.
- c. *Projection or Recess.* Building entrances and individual exterior unit entrances must have a roofed projection (such as a porch) or recess with a minimum depth of at least five (5) feet and minimum horizontal area of 50 square feet. Alternative designs that create a welcoming entry feature facing the street, such as a trellis or landscaped courtyard entry, may be reviewed and approved through the Design Review process.

**FIGURE 11-5-5.B(1): BUILDING
ENTRANCE PROJECTION OR RECESS**

- d. *Rental Office Location.* The rental office location and orientation shall be accessible by a defined pedestrian path from the public street.
- 4. Access, Circulation and Parking.** The parking and circulation system within each development shall accommodate the movement of vehicles, bicycles, pedestrians and transit, throughout the proposed development and to and from surrounding areas, safely and conveniently, and shall contribute to the attractiveness of the development.
- a. *Directness and Continuity.* Walkways within the site shall be located and aligned to provide continuous connection between buildings, and various site amenities such as play areas, club houses, pools, mailboxes, etc. Walkways shall not be located and aligned solely based on the outline of a parking lot configuration that does not provide such direct pedestrian access.
 - b. *Off-site access.* Pedestrian and bicycle circulation system must be designed to provide, or allow for, direct connections to trails, parks, schools, transit stops or other public amenities adjacent to the development. Drive aisles leading to main entrances shall have walkways on both sides of the drive aisle.
 - c. *Location of parking areas.* Parking areas shall primarily be located to the side or rear of buildings with the exception of visitor parking, which may be located between a building and the adjacent street. The total frontage of parking areas visible from the street, including open parking, carports, and garages, but excluding underground parking and parking located behind buildings, shall not exceed 30 percent (30%) of the lot frontage.

**FIGURE 11-5-5.B(2): PARKING AND
GARAGE FRONTAGE LIMITATION**

- d. *Parking area Scale.* Large surface parking lots shall be visually and functionally segmented into several smaller lots providing residents with short and direct access to dwelling units. Parking lot clusters can be separated by elements such as, landscaping, pedestrian connections, building placement, cross aisles, and common open space.
 - e. *Guest Parking.* Guest parking spaces shall be distributed proportionally to the dwelling unit locations that they are intended to serve.
 - f. *Attached Garages.*
 - i. In one (1) story buildings that include livable floor area, walls containing garage doors shall be set back a minimum of three (3) feet from the front façade of the building.
 - ii. In multi-story buildings that include livable floor area, garage doors located below upper-story living space shall be recessed at least three (3) feet from the upper story facade.
 - iii. When multiple garage doors are located within one (1) building, the maximum number of garage doors adjacent to one another shall be limited to three (3), unless there is a break in the building façade between garage doors. The break shall contain a major architectural feature, such as a building entrance or equivalent feature.
 - g. *Detached Garages.* Perimeter garages that face public right-of-way or private property shall be designed to provide interest and avoid long blank walls through articulation in horizontal wall plane and roof line, detailing around doors, mix of materials, windows or other fenestration.
5. **Materials.**
- a. Required primary exterior building materials shall be brick, stone, integrally tinted and textured masonry block, precast concrete, wood, natural and synthetic stone, stucco and synthetic stucco, and glazing. A minimum of seventy-five percent (75%) of all exterior building walls shall be covered with required primary building materials or other materials approved by the Planning Director or designee. Metal shall not be used as a primary exterior building material.
 - b. Buildings must contain at least two (2) kinds of primary exterior materials distinctively different in texture or masonry pattern, with each of the required materials covering at least twenty-five percent (25%) of the exterior walls of the building.
 - c. Architectural metals, such as bronze, brass, copper and wrought iron, may be used on the primary facade of any building but may not exceed twenty-five percent (25%) of the area of the primary facade. Other materials may be evaluated for use as primary or accent materials by the Planning Director or designee to determine whether the proposed materials are equal or superior to the required primary building materials and permissible for use.
6. **Alternative Compliance.** Site Planning and Design Standards are not intended to limit creative solutions. Conditions may exist where strict compliance to Site Planning and Design Standards of this Chapter are impractical or impossible, or where maximum achievement can only be obtained through alternative compliance. Alternative compliance does not modify or reduce requirements of the Building Code or any other chapters or sections of the Zoning Code. Alternative compliance allows development to satisfy the Site Planning and Design Standards in this chapter by providing comparable standards in a creative way.
- a. Requests for alternative compliance may be accepted for any application to which Site Planning and Design Standards apply. A written request must be provided in conjunction with the applicable land use application describing how the proposed alternative meets the criteria below.
 - b. The approving body shall find that the request meets one (1) or more of the following criteria:
 - i. Topography, soil, vegetation or other site conditions are such that full compliance is impossible or impractical; or improved environmental quality would result from alternative compliance.
 - ii. Space limitations, unusually shaped lots and prevailing practices in the surrounding neighborhood, may justify alternative compliance for bypassed parcels and for improvements and redevelopment in older neighborhoods.
 - iii. Safety considerations make alternative compliance necessary.

- iv. The proposed alternative is aesthetically more complementary to the site, better fits into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the urban design characteristics as described in the City's General Plan.

(Ord. No. 5541, § 2, 12-9-19; Ord. No. 5593, § 5, 12-1-20; Ord. No. 5883, § 3, 10-7-24; Ord. No. 5928, §§ 1, 2, 2-3-25; Res. No. 12269, § 3, 9-23-24)

11-5-6: - ADDITIONAL STANDARDS FOR RM DISTRICTS WITH URBAN COMMUNITY CHARACTER DESIGNATOR (-U)

The regulations of this section apply to the RM-3U, RM-4U, and RM-5 districts in order to support pedestrian-oriented development. Design Objective: Create an attractive, comfortable, safe urban environment defined by building fronts, streets and the community space in between.

- A. **Building Entrance.** Design Objective: The main access into the development should be readily visible from the street and engage the street to help create an active street life.

The main entry into a multiple residence building shall be designed with a direct connection with the adjacent public street either by being immediately adjacent to the street or through a courtyard that directly connects to the street. The entry into individual units not in a multi-residence structure shall be through small individual courtyards, or by the first floor of the structure being raised a half story above street level.

- B. **Location of Parking Areas.** Design Objective: Minimize the distance from the entrance features to the street and provide convenient access for alternative transportation modes.

Parking areas shall only be located to the side or rear of buildings and shall not be located between a building and the adjacent street. On corner lots, the requirements of this subsection apply to the frontage on the street with the highest functional classification. If a site fronts two (2) public streets of equal classification identified in the Mesa Transportation Plan, the applicant shall meet the requirement on both streets.

- C. **Maximum Building Setbacks.** Design Objective: To align buildings in a predictable manner that creates a street wall, minimizes the walking distance to the building from the street, and yet provides opportunities for environmentally comfortable public interactive spaces, such as plazas and courtyards, to be designed and placed between the building and the right-of-way in a manner considered to be traditional for urban contexts.

The street-facing facades of buildings must be located no farther from street-facing property lines than the maximum setback distance specified in Table 11-5-5. The following additional provisions apply:

1. **Corner Properties.** Where a property fronts on two (2) or more streets, the building shall be placed no farther than the maximum setback on two (2) sides for at least 30 feet on each side. This standard shall be met along the frontage of the streets with the highest functional classification identified in the Mesa Transportation Plan. If streets adjacent to the property have the same functional classification, the developer shall choose which frontages for which the standard applies.
2. **Sites with More than One Building.** Where multiple buildings are placed on one (1) site, the ground level of a building or buildings shall be placed no further back than the maximum setback for a minimum of 65 percent (65%) of the width of the lot.
3. **Building Additions.** For any addition to a building that increases the width of a street-facing façade, 100 percent (100%) of the addition must be located on or within the maximum setback until the requirement of C.2, above, is met for the entire building.
4. **Exceptions to Maximum Setback Requirements.** The following exceptions to the maximum setback requirement are permitted:
 - a. *Articulated Building Street Face.* Where a portion of the building is placed back from the maximum setback to provide an entry or other feature creating variation in the facade, the total area of the space created by the setback must be less than the area of one (1) square foot per linear foot of building frontage.
 - b. *Outdoor Eating Areas.* Where an outdoor eating area will be installed on the street frontage, that portion of the building adjacent to the eating area may be set back up to 12 feet farther than the maximum setback line, if at least 40 percent (40%) of the building facade is no farther than the maximum setback.
 - c. *Residential Uses.* For buildings or portions of buildings that are in residential use, open porches located at or within the maximum setback shall count toward meeting the build-to requirement if such porches are at least ten (10) feet wide and six (6) feet deep.

- D. **Fences, Walls, and Screening.** Design Objective: When using the -U designator, the goal is to create lively, pedestrian oriented, mixed-use environments. Therefore, fences, walls, and screening should only be used when required to provide a separation from a less intense use or to screen service areas or parking.

Fences, walls, and screening as required by this Ordinance shall be provided to screen service areas, trash receptacles, and similar uses. Fences and walls may be required to provide a separation from less intense uses, but shall be discouraged in other situations.

(Ord. No. 5541, § 2, 12-9-19; Ord. No. 5928, §§ 3, 4, 2-3-25)

11-5-7: - RESERVED

11-5-8: - COMPREHENSIVE YOUTH RESIDENCE

- A. Comprehensive youth residences are allowed in the RS-90 District upon approval of a Special Use Permit, provided all of the following items are present:
1. The site contains at least 20 contiguous acres; and
 2. The facility is licensed by the State of Arizona; and
 3. The number of beds provided by the facility exceeds 25; and
 4. The facility provides on-site counseling, education and recreation catering specifically to the resident population; and
 5. All applicable setbacks and building height requirements for the R1-90 District are maintained.
- B. In addition to the mandatory items listed above, such facilities may include, but are not required to have, such uses as on-site retail stores, offices, indoor or outdoor recreation (including equestrian) facilities, and detached staff residences, all of which directly relate both to the support and to the operation of the facility, and are clearly considered as an accessory use to the primary activity. If provided, accessory retail and accessory office uses, in aggregate for both uses, shall not exceed 10 percent (10%) of the aggregate gross floor area as shown on an approved Comprehensive Site Plan of the entire facility. On-site detached staff residences may consist of manufactured housing.
- C. Spaces with utility connections may be provided for Recreational Vehicles (RVs) for use by temporary or seasonal volunteers as temporary quarters, provided:
1. No park model RV units are used,
 2. No space is used for longer than six (6) months out of a 12-month calendar year by an individual or family, and
 3. No RV accessory structures, as defined in Chapter 87, are constructed.

(Ord. No. 5541, § 2, 12-9-19)

11-5-9: - REVIEW OF PLANS

Permit and review procedures shall follow the standards established in Article 7, Administration.

(Ord. No. 5541, § 2, 12-9-19)

CHAPTER 6 - COMMERCIAL AND MIXED-USE DISTRICTS

11-6-1: - PURPOSE

- A. **General Purposes of Commercial and Mixed-Use Districts.** The purposes of the commercial and mixed-use districts are to:
1. Provide for the orderly, well-planned, and balanced growth of commercial areas.
 2. Plan for and allow office and commercial development to expand the variety of goods and services to meet the needs of Mesa residents and those living within Mesa's market area.
 3. Allow mixed-use commercial/residential development, where consistent with the General Plan, to promote less reliance on automobiles for mobility and result in a reduction in vehicle miles traveled.
 4. Establish development standards that improve the visual quality of commercial and mixed-use development and create a unified, distinctive, and attractive character along commercial streets.
 5. Contribute to the pedestrian environment with standards that promote ground-floor visibility, orientation of buildings to the street, shaded connectivity, opportunities for community interaction, and pedestrian access across parking lots and between commercial centers and adjacent land uses.
 6. Integrate new development into existing or planned context, as appropriate, address transitions, and provide appropriate buffers between commercial and residential uses.
 7. Encourage improvements, such as architectural features and landscaping to mitigate air and storm water pollution and reduce the effects of the urban heat island.
 - 8.

Encourage commercial and mixed-use developments to include improvements, such as landscaping, to mitigate air and storm water pollution, to provide shade to reduce the effects of the urban heat island, and to consider solar orientation to take full advantage of sun angles and reduce potential energy consumption.

B. Specific Purposes of Each District.

1. **NC Neighborhood Commercial.** To provide areas for locally oriented retail and service uses that serve the surrounding residential trade area within a ½ to two (2) mile radius. Typical uses include, but are not limited to retail stores, grocery-store-anchored shopping centers, drug stores, restaurants and cafes, gas stations, and convenience stores. Other compatible uses include small-scale medical and professional offices, personal services, as well as public and semi-public uses. Large commercial development buildings are not appropriate in the Neighborhood Commercial District.
2. **LC Limited Commercial.** To provide areas for indoor retail, entertainment and service-oriented businesses that serve the surrounding residential trade area within a one (1) to ten-mile radius. Typical uses include, but are not limited to, grocery store and additional large commercial developments, anchored tenant shopping centers with additional drug stores, fast-food restaurants, hardware and building supply stores, gas stations with convenience stores, and restaurants and cafes. Other typical uses include, but are not limited to, those anchors and large commercial developments that are typically located within a regional mall, retail outlet, or power center. Other compatible uses include medical and professional offices, as well as public and semi-public uses.
3. **GC General Commercial.** To provide indoor retail, limited outdoor display and related service-oriented businesses that serve a large surrounding residential trade area within a 4- to 5-mile radius. This district includes several automobile-oriented uses and similar support services related to automobiles, welding, and light assembly and fabrication related to an on-site commercial use. Other supportive uses may include, but are not limited to commercial lodging, automotive, restaurant, and movie uses, as well as office uses and public- and semi-public uses.
4. **OC Office Commercial.** To provide areas for small-scale medical and professional offices intended to serve the community and remain compatible with adjacent residential areas.
5. **MX Mixed Use.** To provide areas for a variety of purposes including employment centers, retail and service commercial uses, medical and professional offices, and residential uses at densities of 15 to 25 units per acre. Residential densities in excess of 25 dwelling units per acre may be appropriate in selected locations.

(Ord. No. 5541, § 2, 12-9-19; Ord. No. 5928, § 5, 2-3-25)

11-6-2: - LAND USE REGULATIONS

In Table 11-6-2, which follows, the land use regulations for each Commercial and Mixed-Use zoning district are established by letter designations as follows:

- "P" designates use classifications permitted in commercial districts.
- "SUP" designates use classifications permitted on approval of a Special Use Permit.
- "CUP" designates use classifications permitted on approval of a Council Use Permit.
- "TUP" designates use classifications permitted on approval of a Temporary Use Permit.
- "(x)" a number in parentheses refers to limitation following the table.
- "—" designates a prohibited use.

All activities shall be conducted entirely within an enclosed building with no outside storage or display, unless otherwise specified. Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-6-2: Commercial Districts						
Proposed Use	NC (C-1)	LC (C-2)	GC (C-3)	OC (O-S)	MX	Additional Use Regulations
Residential Use Classifications						

Single Residence - Attached	CUP/P (19, 20)	CUP/P (19, 20)	CUP/P (19, 20)	—	CUP/P (16, 19, 20)	Section 11-31-31, Residential Uses in Commercial Districts and <u>Chapter 81</u> , Adaptive Reuse Permit
Multiple Residence	CUP/P (17, 19, 22)	CUP/P (17, 19, 22)	CUP/P (17, 19, 22)	P (17)	P (21, 22)	
Assisted Living Facility						
Assisted Living Home (5 to 10 residents)	CUP/P (19, 20)	CUP/P (19, 20)	CUP/P (19, 20)	—	CUP/P (16, 19, 20)	Section 11-31-31, Residential Uses in Commercial Districts and Section 11-31-14, Community Residences
Assisted Living Center (greater than 10 residents)	CUP/P (19, 20)	CUP/P (19, 20)	CUP/P	—	CUP/P (22)	Section 11-31-31, Residential Uses in Commercial Districts and Section 11-31-28, Assisted Living Centers, Nursing and Convalescent Homes
Boarding House	SUP (19, 20)	SUP(19, 20)	SUP (19, 20)	—	SUP (19, 20)	Section 11-31-31, Residential Uses in Commercial Districts
Community Residence						

Family Community Residence	CUP/P (19, 20)	CUP/P (19, 20)	CUP/P (19, 20)	—	CUP/P (19, 20)	Section 11-31-31 Residential Uses in Commercial Districts and Section 11-31-14, Community Residences
Transitional Community Residence	CUP/P (19, 20)	CUP/P (19, 20)	CUP/P (19/20)	—	CUP/P (19, 20)	
Home Occupation	P (23)	P (23)	P (23)	P (23)	P (23)	Section 11-31-33, Home Occupations
Public and Semi-Public Use Classifications						
Clubs and Lodges	P (19, 22)	P (19, 22)	P (19, 22)	—	P (19, 22)	
Community Center	P (19, 22)	P (19, 22)	P (19, 22)	—	P (19, 22)	
Community Gardens	P	P	P	P	P	Section 11-31-10, Community Gardens
Cultural Institutions	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	
Day Care Centers	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	
Government Offices	P (2)	P	P	P	P (2)	
Hospitals and Clinics						
Clinics	P (3, 19, 20)	P (3, 19, 20)	P (3, 19, 20)	—	P (19, 20)	Section 11-31-15, Hospitals and Clinics
Hospitals	P (19, 20)	P (19, 20)	P (19, 20)	—	—	

Nursing and Convalescent Homes	CUP/P (19, 20)	CUP/P (19, 20)	CUP/P (19, 20)		CUP/P (22)	Section 11-31-31, Residential Uses in Commercial Districts and Section 11-31-28, Assisted Living Centers, Nursing and Convalescent Homes
Parks and Recreation Facilities, Public	P	P	P	P	P	
Places of Worship	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	Section 11-31-22, Places of Worship
Public Safety Facilities	P	P	P	P	P	
Schools, Colleges, and Trade Schools						
Colleges or Universities, Private	—	P (21, 22)	P (21, 22)	—	P (21, 22)	Section 11-31-24, Schools
Colleges or Universities, Public	P	P	P	P	P	
Commercial Trade Schools, Private	—	P (21, 22)	P (21, 22)	—	P (21, 22)	Section 11-31-24, Schools
Commercial Trade Schools, Public	P	P	P	P	P	
Industrial Trade Schools, Private	—	—	P (21, 22)	—	—	Section 11-31-24, Schools
Industrial Trade Schools, Public	P	P	P	P	P	
K-12, Private	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	Section 11-31-24, Schools

K-12, Public	P	P	P	P	P	
Skilled Nursing Facility	CUP/P (19, 22)	CUP/P (19, 22)	CUP/P (19, 22)	—	CUP/P (19, 22)	
Social Service Facilities	CUP (19, 22)	CUP (19, 22)	CUP (19, 22)	—	—	Section 11-31-26, Social Service Facilities
Commercial Use Classifications						
Animal Sales and Services						
Small Animal Day Care	SUP (4)	SUP (4)	P (4)	—	SUP (4, 7)	
Kennels	SUP (4)	SUP (4)	P (4)	—	—	
Pet Stores	P (4)	P (4)	P (4)	—	SUP (4, 7)	
Veterinary Services	P (4)	P (4)	P (4)	P (4)	P (4, 7)	
Artists' Studios	P	P	P	P	P	
Automobile/Vehicle Sales and Services						
Accessory Automobile Rentals	—	SUP	P	—	SUP	
Automobile Rentals	—	SUP	P	—	—	Section 11-31-5, Automobile Rentals; Automobile/Vehicle Sales and Leasing
Automobile/Vehicle Sales and Leasing	—	—	P	—	—	
Automobile/Vehicle Repair, Major	—	—	P	—	—	Section 11-31-6, Automobile/ Vehicle Repair; Major and Minor
Automobile/Vehicle Service and Repair, Minor	—	P	P	—	—	

Automobile/Vehicle Washing	SUP	SUP	SUP	—	—	Section 11-31-7, Automobile/Vehicle Washing
Large Vehicle and Equipment Sales, Services, and Rental	—	—	P	—	—	Section 11-31-5, Automobile Rentals; Automobile/Vehicle Sales and Leasing
Service Station	SUP	SUP	SUP	—	—	Section 11-31-25, Service Stations
With Drive-Thru Facilities	CUP	P	P	—	—	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
With Pick-Up Window Facilities	P	P	P	—	—	
Banks and Financial Institutions	P	P	P	P	P	
With Drive-Up ATM/Teller Window	P	P	P	SUP	SUP	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
Banquet and Conference Center	P	P	P	P	P	
Building Materials and Services	—	P (11)	P	—	—	Section 11-31-16 if GFA exceeds 25,000 sq. ft.
Business Services	P	P	P	P	P	
Commercial Entertainment	—	P (19, 22)	P (19, 22)	—	P (19, 22)	
Commercial Recreation						

Small-Scale	—	P	P	—	SUP	
Large-Scale	—	SUP	P	—	—	
Eating and Drinking Establishments						
Bars/Clubs/Lounges	—	P	P	—	P	
Coffee Shops/Cafes	P	P	P	P (5)	P	
Restaurants, Bar and Grill	—	P	P	—	P	
Restaurants, Full Service	P	P	P	—	P	
Restaurants, Limited Service	P	P	P	P (5)	P	
With Drive-Thru Facilities	CUP	P	P	—	SUP	Section 11-31-18, Drive-thru and Pick-Up Window Facilities
With Outdoor Eating Areas	P	P	P	P	P	Section 11-31-19, Outdoor Eating Areas
With Pick-Up Window Facilities	P	P	P	—	P	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
With Off-track Betting	—	P (25)	P (25)	—	P (25)	
With Live Entertainment	—	P (4, 26)	P (26)	—	P (4, 26)	
Food and Beverage Sales						
Convenience Market	P/SUP (12)	P/SUP (12)	P/SUP (12)	P (5, 13)	P (13)	Section 11-31-11, Convenience Markets

With Drive-Thru Facilities	CUP	P	P	—	SUP	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
With Pick-Up Window Facilities	P	P	P	—	P	
General Market	P (14)	P	P	—	P	Section 11-31-16 applies if GFA exceeds 25,000 sq. ft.
With Drive-Thru Facilities	CUP	P	P	—	SUP	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
With Pick-Up Window Facilities	P	P	P	—	P	
Funeral Parlors and Mortuaries	—	P (18)	P	—	P (18)	
Accessory Crematorium	—	SUP	P	—	—	
Hotels and Motels	—	P (21, 22)	P (21, 22)	—	P (21, 22)	
Large Commercial Development	—	P	P	—	CUP (7)	Section 11-31-16, Large Commercial Development
Light Fleet-Based Services	—	—	P	—	—	
Live-Work Unit	SUP (19, 20)	SUP (19, 20)	SUP (19, 20)	—	P (7, 19, 20)	Section 11-31-17, Live Work Units
Maintenance and Repair Services	P	P	P	—	—	
Non-chartered Financial Institutions (Payday Lenders)	—	CUP (10)	CUP (10)	—	—	
Offices						
Business and Professional	P	P	P	P (9)	P	

Medical and Dental	P	P	P	P (9)	P	
Parking, Commercial	—	—	P	—	CUP	
Personal Services	P	P	P	P (9, 5)	P	
With Pick-Up Window Facilities	P	P	P	—	P	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
Plant Nurseries and Garden Centers	—	SUP	P	—	P/SUP (6, 7)	
Retail Sales						
General	P (8)	P	P	—	P	
With Pick-Up Window Facilities	P	P	P	—	P	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
Pawn Shops	CUP (10)	CUP (10)	CUP (10)	—	—	Section 11-31-21, Pawn Shops
Tattoo and Body Piercing Parlors	—	P	P	—	P	
Employment Use Classifications						
Handicraft/Custom Manufacturing	—	—	P	—	—	
Light Assembly/Cabinetry	—	—	P	—	—	
Research and Development	—	—	P	—	P	
Recycling Facilities						

Reverse Vending Machine	P	P	P	—	P (7)	Section 11-31-23, Recycling and Processing Facilities
Small Indoor Collection Facility	—	SUP	P	—	SUP (7)	
Warehousing and Storage						
Boat and Recreational Vehicle Storage	—	—	CUP	—	—	
Mini-Storage	—	CUP	CUP	—	CUP (7)	
Wholesale	—	—	CUP	—	—	
Transportation, Communication, and Utilities Use Classifications						
Communication Facilities						
Antenna and Transmission Towers	See <u>Chapter 35</u>					
Facilities within Buildings	See <u>Chapter 35</u>					
Transportation Passenger Terminals	P	P	P	P	P	
Utilities, Minor	P	P	P	P	P	
Heliports	—	CUP (24)	CUP (24)	—	CUP (24)	
Specific Accessory Uses						
Accessory Dwelling Unit	P (30)	P (30)	P (30)	P (30)	P (30)	Section 11-31-3, Accessory Dwelling Unit
Caretakers' Residences	SUP	SUP	SUP	SUP	P	
Garden Center	—	SUP	P		SUP (6, 7)	
Outdoor Display	P	P	P	—	P	Section 11-31-20, Outdoor Display

Outdoor Storage	—	—	P	—	—	Section 11-30-7, Outdoor Storage
Portable Storage Containers	P (28)	P/SUP (28, 29)	P/SUP (28, 29)	P (28)	P (28)	Section 11-30-16, Portable Storage Containers (PSC)
Temporary Outdoor Entertainment	TUP	TUP	TUP	—	TUP	Section 11-31-30, Temporary uses
Temporary Outdoor Sales	TUP	TUP	TUP	—	TUP	

Notes:

1. Reserved.

2. Permitted if occupying less than 5,000 square feet; greater floor area requires approval of an SUP.

3. A CUP is required for plasma centers and substance abuse detoxification and treatment centers; other Clinics are permitted by right.

4. Must be confined to completely enclosed, sound-attenuated facilities.

5. Permitted if located within an office building or other commercial building and occupying no more than 1,500 square feet.

6. Permitted if floor area is no more than 5,000 square feet. Special Use Permit required if floor area is greater than 5,000 square feet.

7. All activities must be conducted entirely within an enclosed building, with no outside storage or display.

8. No individual retail store may exceed an area of 10,000 square feet. No group commercial development shall exceed an aggregate area of 50,000 square feet.

9. May not include drive-thru facilities or pick-up window facilities.

10. Must be at least 1,200 feet from any use in the same classification, and at least 1,200 feet from any school.

11. Accessory Outdoor Retail Display, limited to display of landscape and building materials only, requires approval of a SUP.

12. SUP is required only if accessory fuel sales are present, otherwise use permitted by right.

13. Accessory fuel sales are not permitted in OC or MX districts.
14. Maximum size for one store is 10,000 square feet.
15. Reserved.
16. Attached single residences shall have a minimum density of 15 dwelling units per acre in MX zones.
17. Use permitted with approval of an adaptive reuse permit.
18. Accessory crematories allowed in the LC District with approval of a SUP; accessory crematories not permitted in the MX District.
19. Use not permitted when the property is subject to the AOA 1 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
20. Use not permitted when the property is subject to the AOA 2 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
21. Use permitted with approval of a CUP when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
22. Use permitted with the approval of a CUP when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
23. Home Occupations permitted as ancillary activity where and when a residence use is authorized.
24. Heliports in Commercial Districts shall be set a minimum of 2 full stories above the natural grade, unless associated with a hospital.
25. Subject to approval by the City Council and the State Racing Commission of a Tele-track Betting Establishment Permit per AAC R19-2-401 and following.
26. Permitted only when accessory to an Eating or Drinking Establishment.
27. Reserved.
28. Temporary use of portable storage containers during construction is permitted in accordance with Section 11-30-16.
29. Temporary or periodic commercial storage is permitted with a SUP in accordance with Section 11-30-16.

30. Permitted if an existing non-conforming residential use is located on the lot.

(Ord. No. 5541, § 2, 12-9-19; Ord. No. 5592, § 3, 12-1-20; Ord. No. 5593, § 6, 12-1-20; Ord. No. 5632, § 1, 7-8-21; Ord. No. 5758, § 1, 12-8-22; Ord. No. 5759, § 1, 12-8-22; Ord. No. 5813, § 1(Exh. 1), 10-16-23; Ord. No. 5814, § 1(Exh. 1), 10-16-23; Ord. No. 5858, § 2, 7-1-24; Ord. No. 5883, § 3, 10-7-24; Ord. No. 5904, § 1, 12-9-24; Res. No. 12269, § 4, 9-23-24)

11-6-3: - DEVELOPMENT STANDARDS

- A. **Zoning District Standards.** Table 11-6-3(A) prescribes the development standards for the commercial districts without the additional character designators. Table 11-6-3(B) prescribes the development standards for the commercial and mixed-use districts with the character designators. The "Additional Standards" column lists additional standards that apply in some or all commercial districts. Section numbers in this column refer to other sections of the Zoning Ordinance, while individual letters refer to subsections that directly follow the table.

Table 11-6-3.A: Development Standards - Commercial Districts					
Standard	NC (C-1)	LC (C-2)	GC (C-3)	OC (O-S)	Additional Standards
Lot and Density Standards					
Minimum Lot Area (sq. ft.)	5,000	10,000	5,000	10,000	
Minimum Lot Width (ft.)	50	100	50	100	
Minimum Lot Depth (ft.)	100	100	100	100	
Maximum Lot Coverge (% of lot)	80%	80%	80%	80%	
Building Form and Location					
Maximum Height (ft.)	30	30	30	30	
Minimum Setback along Property Lines or Building and Parking Areas (ft.)					
Front and Street-Facing Side:	Varies by street classification identified in the Mesa Transportation Plan: 6-lane arterial: 15 ft. 4-lane arterial: 15 ft. Major/Midsection Collector: 15 ft. Industrial/Commercial Collector: 20 ft. Local Street: 20 ft. Freeways: 30 ft. for buildings; 15 ft. for parking structures				Setbacks shall be landscaped according to Ch. 33, Landscaping.

Interior Side and Rear: Adjacent to RS District:					Setbacks shall be landscaped according to Ch. 33, Landscaping.
1-story building	25	25	25	25	
2-story building	50	50	50	50	
3-story building	75	75	75	75	
Interior Side and Rear: Adjacent to RM District:					Setbacks shall be landscaped according to Ch. 33, Landscaping.
1st story	20	20	20	20	
Each additional story	15	15	15	15	
Interior Side and Rear: Adjacent to Non-residential District: Each story	15	15	15	15	Setbacks shall be landscaped according to Ch. 33, Landscaping.
Setback at Street Intersections for Buildings and Patios (covered or uncovered) - Minimum radius (ft.)	Arterial with Arterial: 25 ft. Arterial with Major/Midsection Collector: 25 ft. Arterial with Collector/Commercial/Industrial: 25 ft. Major/Midsection Collector with Major/Midsection Collector: 15 ft. Major/Midsection Collector with Collector/Industrial/Commercial: 15 ft. Collector/Industrial/Commercial with Collector/Industrial/Commercial: 15 ft.				
Minimum Separation between Buildings on Same Lot (ft.)					
Building height up to 20 ft.	25	25	25	25	
Building height between 20 and 40 ft.	30	30	30	30	
Building height over 40 ft.	35	35	35	35	

Ground-Floor Transparency Requirement Applies	Yes	Yes	Yes	Yes	
Main Building Entrance Orientation Requirement Applies	Yes	Yes	Yes	Yes	
Additional Standards for Residential Development					
Minimum Residential Density (dwelling units/net acre)	NA	NA	NA	NA	CUP per Table 11-6-2
Maximum Residential Density (dwelling units/net acre)	15	25	25	25	
Minimum Outdoor Living Area (sq. ft./unit)	100	100	150	100	Section 11-5-5(A)(3), Standards for Required Open Space.
Supplemental Standards					
Corner Setbacks and Landscape Areas		Section 11-30-10, Setbacks at Intersections			
Fences and Walls		Section 11-30-4, Fences and Freestanding Walls			
Landscaping		Chapter 33, Landscaping			
Lighting and Illumination		Section 11-30-5, Lighting and Illumination			
Lots and Subdivisions		Mesa City Code, <u>Title 9</u> , Chapter 6, and Section 11-30-6			
Off-Street Parking and Loading		Chapter 32, On-Site Parking, Loading, and Circulation			
Outdoor Storage		Section 11-30-7, Outdoor Storage			
Pedestrian Connections		Section 11-30-8, Pedestrian Connections			
Projections above Height Limits		Section 11-30-3, Exceptions to Height Limits			
Supplemental Standards					
Projections into Required Yards		Section 11-30-2			

Solar Panels and Alternative Energy	Section 11-30-15, Solar Panels and Other Energy Production Facilities
Screening	Section 11-30-9, Screening
Signs	<u>Article 5</u> , Signs
Swimming Pools and Contained Bodies of Water	Section 11-30-11, Swimming Pools
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas
Truck Docks, Loading, and Service Areas	Section 11-30-13, Truck Docks, Loading, and Service Areas
Visibility at Intersections	Section 11-30-14, Visibility at Intersections

Table 11-6-3.B: Development Standards - Commercial and Mixed-Use Districts - with Character Designators								
Standard	NC-U	LC-U	OC-U	MX-U	LC-A	GC-A	OC-A	Additional Standards
Lot and Density Standards								
Minimum Lot Area (sq. ft.)	5,000	5,000	5,000	5,000	10,000	10,000	10,000	
Minimum Lot Width (ft.)	25	50	50	50	100	100	100	
Minimum Lot Depth (ft.)	100	100	100	100	100	100	100	
Maximum Lot Coverage (% of lot)	80%	80%	80%	80%	80%	80%	80%	
Building Form and Location								
Maximum Height (ft.)	35	35	30	45	30	30	30	

Minimum Setback along Property Lines or Building and Parking Areas (ft.)								
Front and Street-Facing Side:	0	0	5	5	Varies by street classification identified in the Mesa Transportation Plan: 6-lane arterial: 30 ft. 4-lane arterial: 20 ft. Major or Midsection Collector: 25 ft. Industrial/Commercial Collector: 20 ft. Local Street: 20 ft. Freeways: 30 ft. for buildings; 15 ft. for parking structures			Setbacks shall be landscaped according to Ch. 33, Landscaping.
Interior Side and Rear Adjacent to RS District:								Setbacks shall be landscaped according to Ch. 33, Landscaping.
1-story bldg.	15	15	15	15	25	25	25	
2-story bldg.	25	25	25	25	50	50	50	
3-story bldg.	35	35	35	35	75	75	75	
Interior Side and Rear Adjacent to RM District:								
1st story	15	15	15	15	20	20	20	
Each additional story	10	10	10	10	15	15	15	

Setback at Street Intersections for Buildings and Parking Areas - Minimum radius (ft.)	0	0	10	10	Arterial with Arterial: 100 ft. Arterial with Major/Midsection Collector: 75 ft. Arterial with Collector/Commercial/Industrial: 50 ft. Major/Midsection Collector with Major/Midsection Collector: 75 ft. Major/Midsection Collector with Collector/Industrial/Commercial: 50 ft. Collector/Industrial/Commercial with Collector/Industrial/Commercial: 50 ft.			
Maximum Yard - Front and Street-Facing Side	10	10	25	25	-	-	-	
Minimum Separation between Buildings on Same Lot (ft.)								
Building Height up to 20 ft.	15	15	15	15	25	25	25	
Building Height between 20 and 40 ft.	15	15	15	15	30	30	30	
Building height over 40 ft.	15	15	15	15	35	35	35	

Ground-Floor Transparency Req. Applies	Yes	Yes	Yes	Yes	No	No	No	
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Additional Standards for Residential Development

Minimum Residential Density (dwelling units/net acre)	NA	NA	NA	15	-	-	NA	Mandatory CUP
Maximum Residential Density (dwelling units/net acre)	15	15	NA	25	25	25	NA	In MX-U, additional density possible with a use permit
Minimum Outdoor Living Area (sq. ft./unit)	150	150	NA	100	100	100	NA	Section 11-5-5(C) Standards for Required Open Space.

Supplemental Standards

Building and Roofing Materials	Section 11-6-3(B)(5)
Corner Setbacks and Landscape Areas	Section 11-30-10, Setbacks at Intersections
Drive-thru Facilities	Section 11-31-18, Drive-thru Facilities
Fences and Walls	Section 11-30-4, Fences and Freestanding Walls
Landscaping	Chapter 33, Landscaping
Lighting and Illumination	Section 11-30-5, Lighting and Illumination
Lots and Subdivisions	Mesa City Code, <u>Title 9</u> , Chapter 6, and Section 11-30-6
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation

Outdoor Storage	Section 11-30-7, Outdoor Storage
Pedestrian Connections	Section 11-30-8, Pedestrian Connections
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits
Projections into Required Yards	Section 11-6-3(B)(2)(iii)
Solar Panels and Alternative Energy	Section 11-30-15, Solar Panels and Other Energy Production Facilities
Screening	Section 11-30-9, Screening
Signs	<u>Article 5</u> , Signs
Swimming Pools and Contained Bodies of Water	Section 11-30-11, Swimming Pools
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas
Truck Docks, Loading, and Service Areas	Section 11-30-13, Truck Docks, Loading, and Service Areas
Visibility at Intersections	Section 11-30-14, Visibility at Intersections

B. Site Planning and Design Standards.

1. ***Character and Image.*** Development shall contribute to the uniqueness of the zone district in which it is located, and/or the Mesa community with predominant materials, elements, features, color range, and activity areas tailored specifically to the site and its context. This character and image shall conform to the following standards:
 - a. ***Group Commercial.*** In multiple building developments, each individual building shall include predominant characteristics shared by each building so that the buildings within the development appear to be part of a cohesive, planned area, yet are not monotonous in design. Compatibility shall be achieved through techniques such as, the replication of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, or the use of building materials that have color shades and textures that are similar to or complimentary to those existing on, or in the immediate area of, the subject property.
 - i. Developments located within a planning sub-area, such as Desert Uplands, Mesa Gateway, Citrus Sub-Area, Downtown, or any other designated sub-area, shall be consistent with any City design policy adopted for such sub-area.
 - b. ***No Established Theme or Stand-alone Development.*** Where there is no established or consistent neighborhood or area character or unifying theme, or where the existing character is not desirable to continue, because it does not reflect a design theme consistent with the development standards as described in this Chapter, the proposed development shall be designed to establish character and a sense of place through the strategic use of architectural elements, building form, materials, landscaping, lighting, etc. which creates a cohesive theme or style for future developments and buildings within the area to follow.
 - c. ***Corporate Architecture.*** Where the proposed architecture of a building or structure is the result of a franchise style, prototypical or franchise architectural design, including materials and color, shall be modified if necessary to meet these development standards and set a standard, or contribute to a high-level of quality for future developments and buildings within the area.
 - d.

Large Commercial Development. Each large commercial development (over 25,000 square feet or commercial centers with four (4) or more buildings whose combined gross floor area exceeds 25,000 square feet shall contribute to the establishment or enhancement of the community and public spaces.

- i. *Open Space.* Public space shall be provided at a rate of five (5) square feet per 1,000 square feet of building floor area but shall not exceed 15,000 square feet of open space. Required sidewalks shall not be included in the open space calculation.
 - ii. *Location.* Such public space shall be visible from a public street, or from on-site areas normally frequented by customers, and shall be accessible during business hours. Areas within required setbacks may count toward the public space requirement. Areas designated for customers to wait for rideshare services may be combined with required public space.
 - iii. *Amenities.* On-site public space shall include amenities and a ground surface that is landscaped or surfaced with distinguishable and durable paving materials. Amenities shall enhance the comfort, aesthetics, or usability of the space, and may consist of but are not limited to, patio/seating areas, pedestrian plazas with benches, transportation centers, paseos, outdoor playground areas, kiosk areas, water features, amphitheaters, clock towers or other such deliberately shaped area and/or a focal feature or amenity.
 - e. *Pad Developments.* Freestanding pad development site design shall be complementary to the surrounding center in terms of building scale, materials, colors, and other architectural details.
2. **Massing and Scale.** The design of buildings shall avoid the appearance of a single, large, dominant building mass by using design techniques that include stepping back portions of the building facade, breaking up the mass into smaller elements and/or using material changes.
- a. *Wall Articulation.* Exterior building walls shall be subdivided and proportioned to human scale, using projections, overhangs and recesses in order to add architectural interest and variety and to avoid the effect of a single, massive wall with no relation to human size.
 - i. Publicly visible facades (viewed from rights-of-way or private property), may not have blank, uninterrupted wall lengths exceeding 50 feet without including at least two (2) of the following: change in plane, change in texture or masonry pattern, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions.
 - ii. Side or rear walls, not publicly visible from rights-of-way or private property, may include false windows and door openings when actual doors and windows are not feasible because of the use of the building. Such fenestration, (false windows and door openings) shall be defined by frames, sills and lintels, or similarly proportioned modulations of the wall.
 - iii. *Encroachments.* Awnings, eaves, overhangs, and light shelves may encroach up to three (3) feet into any required yard but shall not be closer than two (2) feet to any property line. Exception, the zoning administrator may approve minor building projections that extend into the required setback upon finding that the encroachment responds to functional requirements of the project, does not adversely affect the adjacent property, and complies with all requirements of the building code.
 - b. *Roof Articulation.* Provide architectural interest at the skyline and accentuate appropriate building elements.
 - i. Vary building height, providing at least two (2) changes in height or roof forms that are varied over different portions of the building through changes in pitch, plane, and orientation.
 - ii. Flat roofs or facades with a horizontal eave, fascia, or parapet, in excess of one hundred feet in length, must provide vertical modulation. The minimum vertical modulation is two (2) feet or one-tenth ($1/10$) multiplied by the wall height, not to exceed one-third ($1/3$) of the height of the supporting wall.
 - iii. All parapets must have detailing such as cornices, moldings, trim, or variations in brick coursing.
 - iv. Multi-building developments shall be configured to locate the tallest and largest structures within the core of the site and provide a gradual decrease in building height and mass towards adjacent residential land uses.

FIGURE 11-6-3.B(1): MASSING & SCALE

Building Entrances. Primary public building entrances shall be clearly defined, shaded, and inviting. The architectural details of building entrances shall be integrated with the overall building design in terms of materials, scale, proportion, and design elements and are appropriately scaled for people.

- a. Entries shall be recessed, projected or framed by elements such as awnings, arcades or porticos.
- b. *Orientation.* Primary entries shall face the street or primary pedestrian areas.
4. **Access, Circulation, and Parking.** The parking and circulation system within each development shall accommodate the movement of vehicles, bicycles, pedestrians and transit, throughout the proposed development and to and from surrounding areas, safely and conveniently, and shall contribute to the attractiveness of the development.
 - a. *Pedestrian Facilities and Amenities.* Pedestrian facilities shall integrate landscaping, shading, lighting, surface treatment, and other amenities to create an attractive, quality environment.
 - i. *Pedestrian Walkways.* A continuous system of hard-surfaced, safe, and convenient pedestrian walkways at least five (5) feet wide shall be provided pedestrian walkways shall connect on-site buildings to one another, to automobile and bicycle parking areas, to any on-site open space areas or pedestrian amenities, and to the adjacent public right-of-way. A minimum of 50 percent (50%) of pedestrian walkways shall be shaded either by structures or with landscaping.
 - ii. *Safety Considerations.* Where pedestrian walkways cross-vehicular traffic aisles and driveways, potential hazards shall be minimized by the use of techniques such as special paving, raised surfaces, pavement marking, signs or striping, bollards, median refuge areas, traffic calming features, landscaping, lighting or other means to clearly delineate pedestrian areas, for both day and night use.
 - b. *Bicycle Parking.* Adequate, safe, and convenient bicycle parking facilities shall be provided short-term bicycle parking spaces for the use of customers and visitors shall be located close to building entrances, easily identifiable, visible to those passing by, and separate from pedestrian circulation areas. Long-term bicycle parking for the use of employees, such as bicycle lockers, designated areas within buildings, or outside areas with visual monitoring is strongly encouraged.
 - c. *Transit Facilities.* When transit facilities are located directly adjacent to development; the development shall provide efficient and comfortable pedestrian routes to the transit facilities. Pedestrian routes shall include design features such as, shading structures, seating, landscaping, decorative paving, or public art features.
 - d. *Parking spaces shall be located behind buildings.* If there are physical attributes of the property that prevents the parking spaces from being located behind the buildings, the property owner may seek alternative compliance.
 - e. *Large Commercial Development.* Large commercial development shall:
 - i. Provide one (1) major driveway entrance feature such as a landscaped entry corridor, landscape median, round-about, or similar entryway feature that provides an organizing element to the site design.
 - ii. *Entry Plazas/Passenger Loading Areas.* A plaza shall be provided at the entry to each anchor tenant building, that provides for pedestrian circulation and vehicle passenger loading and unloading. Entry plazas and passenger loading areas shall provide decorative paving materials, adequate seating areas, adequate shade, and attractive landscaping including trees and/or raised planters.
 - iii. No more than fifty percent (50%) of required parking spaces shall be located between the front facade and the abutting street (the "front parking area"). The front parking area shall be determined by drawing a line from the front corners of the building to the nearest property corners. Supermarkets are exempt from this requirement.

FIGURE 11-6-3.B(2): FRONT PARKING AREA

5. **Materials and Colors.** Buildings and structures shall be constructed of durable, high-quality materials appropriate for Mesa's climate such as, brick, stone, integrally tinted and textured masonry block, precast concrete, wood, natural and synthetic stone, stucco and synthetic stucco, and glazing.
 - a.

Pre-engineered metal buildings are not allowed in the commercial and mixed-use districts.

- b. All visible pitched roofs shall consist of metal seam, clay tile, concrete tile, or a similar grade of roofing material.
 - c. To reduce the apparent massing and scale of buildings, facades shall incorporate at least three (3) different and distinct materials.
 - d. No more than fifty percent (50%) of the total facade may be covered with one (1) single material.
 - e. Buildings larger than 10,000 square feet shall be finished with more than one (1) color on all elevations that are visible from the street.
 - f. Predominant facades colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors as the predominant building color, such as black or fluorescent colors, are prohibited. Building trim and accent areas may feature brighter colors. Accent colors shall cover no more than five percent (5%) of street-facing facades.
 - g. *Base and Top Treatments.* All facades shall have:
 - i. A recognizable "base" consisting of (but not limited to):
 - (1) Thicker walls, ledges or sills;
 - (2) Integrally textured materials such as stone or other masonry;
 - (3) Integrally colored and patterned materials such as smooth finished stone or tile; or
 - (4) Lighter or darker colored materials, mullions or panels; or planters.
 - ii. A recognizable "top" consisting of (but not limited to):
 - (1) Cornice treatments, other than just colored "stripes" or "bands," with integrally textured materials such as stone or other masonry or differently colored materials;
 - (2) Sloping roof with overhangs and brackets; or
 - (3) Stepped parapets.
 - h. *All Side Architecture.* Architectural detailing on facades may vary depending on visibility and orientation; however, all publicly visible facades shall provide equivalent architectural detailing commensurate with the main façade.
6. **Loading and Service Areas.** Loading and service areas must be located on the side or the rear of buildings and away from public view. Loading and servicing area may not face public streets.
7. **Alternative Compliance.** Site Planning and Design Standards are not intended to limit creative solutions. Conditions may exist where strict compliance to Site Planning and Design Standards of this Chapter are impractical or impossible, or where maximum achievement can only be obtained through alternative compliance. Alternative compliance does not modify or reduce requirements of the Building Code or any other chapters or sections of the Zoning Code. Alternative compliance allows development to satisfy the Site Planning and Design Standards in this Chapter by providing comparable standards in a creative way.
- a. Requests for alternative compliance may be accepted for any application to which Site Planning and Design Standards apply. A written request must be provided in conjunction with the applicable land use application describing how the proposed alternative meets the criteria below.
 - b. The approving body shall find that the request meets one (1) or more of the following criteria:
 - i. Topography, soil, vegetation or other site conditions are such that full compliance is impossible or impractical; or improved environmental quality would result from alternative compliance.
 - ii. Space limitations, unusually shaped lots and prevailing practices in the surrounding neighborhood, may justify alternative compliance for bypassed parcels and for improvements and redevelopment in older neighborhoods.
 - iii. Safety considerations make alternative compliance necessary.
 - iv. The proposed alternative is aesthetically more complementary to the site, better fits into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the urban design characteristics as described in the City's General Plan.

(Ord. No. 5541, § 2, 12-9-19; Ord. No. 5593, § 7, 12-1-20; Ord. No. 5928, §§ 7, 8, 2-3-25)

11-6-4: - SPECIAL STANDARDS FOR DISTRICTS WITH -U COMMUNITY CHARACTER DESIGNATOR

The regulations of this section apply to the NC-U, LC-U, OC-U, and MX-U Districts in order to support pedestrian-oriented development. Design Objective: Create an attractive, comfortable, safe urban environment defined by building fronts, streets and the community space in between.

- A. **Building Main Entry Orientation.** Design Objective: Focus activity on the urban streets and walkways by providing direct connections from sidewalks to building entrances.

The primary entrance(s) of a building shall face or be oriented to within 45 degrees of parallel to the street frontage. This entrance(s) must allow pedestrians to both enter and exit the building. Where a site is located on two public streets, a primary entrance shall be oriented toward the street with the higher functional classification identified in the Mesa Transportation Plan. If a site fronts two public streets of equal classification, the applicant may choose which frontage on which to meet the requirement.

B. Ground-Floor Transparency. Design Objective: Create vibrant, safe environments along urban streets and walkways.

Exterior walls facing any front or street-facing lot line shall include windows, doors, or other openings for at least 50 percent (50%) of the building wall area located between 2.5 and seven feet above the elevation of the sidewalk. No wall may run in a continuous plane for more than 20 feet without an opening. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three (3) feet deep.

1. **Exception for Structured Parking Facilities.** Multi-level parking garages, where permitted, must meet the standards of Chapter 32, On-site Parking, Loading, and Circulation.
2. **Sites with Multiple Buildings.** On sites that contain multiple buildings, the building ground-floor transparency requirement does not need to be met along street-facing facades of buildings if the façade is located behind other buildings and not visible from the adjacent public street.
3. **Reduction through Site Plan Review.** The building transparency requirement may be reduced or waived, if it is found that:
 - a. The proposed use has unique operational characteristics with which providing the required windows and openings is incompatible, such as in the case of a cinema or theater; and
 - b. Street-facing building walls shall exhibit architectural relief and detail, or the building shall be enhanced with landscaping in such a way as to create visual interest at the pedestrian level and soften or mitigate the scale of the building form. Architectural relief and detail may be provided by exhibiting variety in the color, building massing, wall plane, and materials used. Building detailing shall be consistent with the proportions, rhythm, style and form of architecture presented.

C. Location of Parking Areas.

1. **NC-U, LC-U, OC-U.** Parking shall be located to the rear or side of buildings and shall not be located between a building and adjacent street. This requirement does not apply to structured parking garages.
2. **MX-U.** Parking spaces shall be located to the rear or side of buildings, or between two (2) or more buildings on a lot. No parking space shall be located between a building and adjacent street. Any parking space located to the side of a building must meet the screening standard of Section 11-30-9(H), Parking Areas.
3. **Corner Lots.** On corner lots, the requirements of this subsection apply to the street front with the highest functional classification identified in the Mesa Transportation Plan. If a site fronts two (2) public streets of equal classification, the applicant shall meet the requirement on both streets.

D. Maximum Building Setbacks. The street-facing facades of buildings must be located no farther from street-facing property lines than the maximum setback distance specified in Table 11-6-3. The following additional provisions apply:

FIGURE 11-6-4.D(1): MAXIMUM BUILDING SETBACKS

1. **Corner Properties.** Where a property fronts on two (2) or more streets, the building shall be placed at the maximum setback, or closer to the street right-of-way, on two (2) sides for at least 30 feet on each side. This standard shall be met along the frontage of the two (2) streets with the highest functional classification identified in the Mesa Transportation Plan. If all streets adjacent to the property have the same functional classification, the developer shall choose which frontages with which to meet the standard.
2. **Sites with More than One Building.** Where multiple buildings are placed on one (1) site, the ground level of a building or buildings shall be placed no further back than the maximum setback for a minimum of 65 percent (65%) of the width of the lot.
3. **Building Additions.** For any addition to a building that increases the width of a street-facing façade, 100 percent (100%) of the addition must be located on or within the maximum setback until the requirement of (D)2, above, is met for the entire building.

4. **Retention Basins.** Retention basins shall be designed as an integral part of the site design theme and should be a usable element of the project, capable of serving multiple purposes.
5. **Exceptions to Maximum Setback Requirements.** The following exceptions to the maximum setback requirement are permitted:
 - a. **Articulated Building Street Face.** Where a portion of the building is placed back from the maximum setback to provide an entry or other feature creating variation in the facade, the total area of the space created by the setback must be less than the area of one (1) square foot per linear foot of building frontage.
 - b. **Outdoor Eating Areas and Plazas.** Where an outdoor eating area or plaza will be installed on the street frontage, a portion of the building may be set back up to 12 feet farther than the maximum setback line, if at least 40 percent (40%) of the building facade is no farther than the maximum setback.
 - c. **Residential Uses.** For buildings or portions of buildings that are in residential use, open porches or stoops located at or within the maximum setback shall count toward meeting the build-to requirement if such porches are at least ten (10) feet wide and six (6) feet deep.

(Ord. No. 5541, § 2, 12-9-19; Ord. No. 5928, §§ 9—11, 2-3-25)

11-6-5: - RESERVED

11-6-6: - REVIEW OF PLANS

Permit and review procedures shall follow the standards established in Article 7, Administration.

(Ord. No. 5541, § 2, 12-9-19)

CHAPTER 7 - EMPLOYMENT DISTRICTS

11-7-1: - PURPOSE

A. General Purpose of Employment Districts. The purposes of the employment districts are to:

1. Designate land for industrial, office, and research and development uses to provide a range of employment opportunities in Mesa.
2. Provide for the appropriate location of businesses that may have the potential to generate off-site impacts, while providing compatibility in use and form.
3. Provide appropriate buffers between employment and residential uses to preserve both employment feasibility and residential quality.
4. Provide diverse options for types of employment-oriented areas, ranging from landscaped sites in campus-like settings, to mixed-use commercial and industrial areas, to industrial-only areas, to sites that are still well designed, but convey a minimalist or utilitarian approach, the entire range of which may contribute to providing the appropriate context for a successful business environment.

B. Specific Purposes of Each District.

1. **PEP Planned Employment Park.** To provide areas where professional and medical office parks, research and development facilities, light manufacturing, and data and information processing centers are integrated in a campus setting with ancillary restaurants, retail and other supportive establishments.
2. **LI Light Industrial.** To provide areas for limited manufacturing and processing, wholesaling, research, warehousing, and distribution activities take place within enclosed buildings, with restricted accessory outdoor storage as needed to support the primary uses. Light Industrial areas can be used to buffer General Industrial uses from other less intense uses. This district also provides for a full range of commercial activities, generally on a limited scale, including high-impact commercial uses, outdoor display and outdoor sale. Individual developments include well-designed buildings on sites that may or may not have campus-like settings, and areas visible to the general public include well-designed landscape areas.
3. **GI General Industrial.** To provide areas for manufacturing, processing, assembly, research, wholesale, and storage, and similar activities that require separation from residential uses due to noise, vibration, use of hazardous materials, or other characteristics. These activities principally take place indoors, but may also include some outdoor activities. This district also permits a full range of commercial activities.
4. **HI Heavy Industrial.** To provide areas that are set aside principally for manufacturing, assembly, wholesaling, distribution and storage activities, with limited amounts of moderately scaled commercial activities provided only to the extent necessary to support industrial related activities. HI activities may take place indoors or outdoors. Land uses in this district include those activities that may adversely affect surrounding uses because of the after effects of the manufacturing, assembly and/or production process.

11-7-2: - LAND USE REGULATIONS

In Table 11-7-2, which follows, the land use regulations for each Employment Zoning District are established by letter designations as follows:

- "P" designates use classifications permitted.
- "TUP" designates use classifications permitted on approval of a Temporary Use Permit.
- "SUP" designates use classifications permitted on approval of a Special Use Permit.
- "CUP" designates use classifications permitted on approval of a Council Use Permit.
- "(x)" a number in parentheses refers to limitation following the table.
- "—" designates a prohibited use.

Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-7-2: Employment Districts					
Proposed Use	PEP	LI (M-1)	GI (M-2)	HI	Additional Use Regulations
Residential Use Classifications					
Correctional Transitional Housing Facility (CTHF)	—	CUP (10, 11)	CUP (10, 11)	—	Section 11-31-12, Correctional Transitional Housing Facilities
Multiple Residence	P (3)	P (3)	P (3)	P (3)	<u>Chapter 81</u> , Adaptive Reuse Permit
Public and Semi-Public Use Classifications					
Clubs and Lodges	P (10, 13)	P (10, 13)	—	—	
Cultural Institutions	CUP (10, 13)	SUP (10, 13)	SUP (10, 13)	—	
Day Care Centers	SUP (10, 11)	P (10, 11)	SUP (10, 11)	SUP (10, 11)	
Government Offices	P	P	P	P	
Hospitals and Clinics					

Clinics	SUP (10, 11)	SUP (10, 11)	SUP (10, 11)	—	Section 11-31-15, Hospitals and Clinics
Hospitals	P (10, 11)	P (10, 11)	—	—	
Places of Worship	P (10, 13)	P (10, 13)	—	—	Section 11-31-22, Places of Worship
Public Safety Facilities	P	P	P	P	
Public Maintenance Facilities	P	P	P	P	
Schools, Colleges, and Trade Schools					
Colleges or Universities, Private	P (12, 13)	P (12, 13)	—	—	Section 11-31-24, Schools
Colleges or Universities, Public	P	P	P	P	
Commercial Trade Schools, Private	P (12, 13)	P (12, 13)	P (12, 13)	—	Section 11-31-24, Schools
Commercial Trade Schools, Public	P	P	P	P	
Industrial Trade Schools, Private	P (12, 13)	P (12, 13)	P (12, 13)	—	Section 11-31-24, Schools
Industrial Trade Schools, Public	P	P	P	P	
K-12, Private	CUP (10, 11)	CUP (10, 11)	CUP (10, 11)	—	Section 11-31-24, Schools
K-12, Public	P	P	P	P	
Commercial Use Classifications					
Animal Sales and Services					
Kennels	—	P	P	—	
Pet Stores	—	P	P	—	
Veterinary Services	P	P	P	—	

Artists' Studios	P	P	P	P/SUP (6)	
Automobile/Vehicle Sales and Services					
Automobile Rentals	SUP	P	P	—	Section 11-31-5, Automobile Rentals; Automobile/Vehicle Sales and Leasing
Automobile/Vehicle Sales and Leasing	—	P	P	—	
Automobile/Vehicle Repair, Major	—	P	P	—	Section 11-31-6, Automobile/Vehicle Repair; Major and Minor
Automobile/Vehicle Service and Repair, Minor	—	P	P	—	
Automobile/Vehicle Washing	SUP	P	P	—	Section 11-31-7, Automobile/Vehicle Washing
Large Vehicle and Equipment Sales, Services, and Rental	—	P	P	—	Section 11-31-5, Automobile Rentals; Automobile/Vehicle Sales and Leasing
Service Station	SUP	SUP	SUP	—	Section 11-31-25, Service Stations
With Drive-Thru Facilities	CUP	CUP	CUP	—	Section 11-31-18, Drive-Thru and Pick- Up Window Facilities
With Pick-Up Window Facilities	P	P	P	—	
Towing and Impound	—	SUP	SUP	CUP	
Banks and Financial Institutions	P	P	P	—	
With Drive-Up ATM/Teller Window	P	P	P	—	Section 11-31-18, Drive-Thru and Pick- Up Window Facilities

Banquet and conference centers	SUP	SUP	—	—	
Building Materials and Services	—	P	P	—	
Business Services	P	P	P	P/SUP (6)	
Commercial Recreation					
Small-Scale	P	P	—	—	
Large-Scale	SUP	P	—	—	
Eating and Drinking Establishments					
Bars/Clubs/Lounges	P	P	P	—	
Coffee Shops/Cafes	P	P	P	P/SUP (6)	
Restaurants, Bar and Grill	P	P	P	P/SUP (6)	
Restaurants, Full-Service	P	P	P	P/SUP (6)	
Restaurants, Limited Service	P	P	P	P/SUP (6)	
With Drive-Thru Facilities	CUP	CUP	CUP	CUP	Section 11-31-18, Drive-Thru and Pick- Up Window Facilities
With Live Entertainment	P	P	—	—	
With Off-track Betting	P (15, 16)	P (15, 16)	—	—	
With Outdoor Eating Areas	P	P	P	P	Section 11-31-19, Outdoor Eating Areas
With Pick-Up Window Facilities	P	P	P	P	Section 11-31-18, Drive-Thru and Pick- Up Window Facilities
Food and Beverage Sales					
Convenience Market	P/SUP (1)	P (1, 7)	P (1, 7)	P/SUP (6)	Section 11-31-11, Convenience Markets

With Drive-Thru Facilities	CUP	CUP	CUP	CUP	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
With Pick-Up Window Facilities	P	P	P	P	
Funeral Parlors and Mortuaries	SUP	P	P	P	
Hotels and Motels	P (12, 13)	P (12, 13)	P (12, 13)	—	
Laboratories	P	P	P	P	
Large Commercial Development	P (8)	CUP	—	—	Section 11-31-16, Large Commercial Development
Light Fleet-Based Services	—	P	P	P	
Live-Work Units	SUP (10, 11)	SUP (10, 11)	SUP (10, 11)	—	Section 11-31-17, Live Work Units
Maintenance and Repair Services	—	P	P	—	
Marijuana Facilities					
Dual Licensee Facilities	—	P	P	—	Section 11-31-34, Marijuana Facilities
Medical Marijuana Dispensaries	—	P	P	—	
Marijuana Cultivation Facilities and Marijuana Infusion Facilities (Accessory to Medical Marijuana Dispensaries or Dual Licensee Facilities)	—	P	P	—	
Marijuana Cultivation Facilities	—	P	P	—	
Marijuana Infusion Facilities	—	P	P	—	
Offices					
Business and Professional	P	P	P	—	
Medical and Dental	P	P	P	—	

Parking, Commercial	—	P	P	P	
Personal Services	P (2)	P	P	P/SUP (6)	
With Pick-Up Window Facilities	P (2)	P	P	P (6)	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
Plant Nurseries and Garden Centers	SUP	P	P	SUP	
Retail Sales					
General	P	P	P	—	
With Pick-Up Window Facilities	P	P	P	—	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
Tattoo and Body Piercing Parlors	—	P	P	—	
Employment and Industrial Use Classifications					
Cement Plants	—	—	—	P	
Handicraft/Custom Manufacturing	P (4)	P (5)	P	P	
Hazardous Waste Facility	—	—	—	CUP	
Hazardous Waste Disposal Facility	—	—	—	—	
Incineration of Garbage or Organic Matter	—	—	—	CUP	
Light Assembly/Cabinetry	P (4)	P (5)	P	P	
Manufacturing, General	—	P (5)	P	P	
Manufacturing, Limited	P (4)	P (5)	P	P	
Meat Slaughterhouse or Packing Plant	—	—	—	P	

Metal Refining, Casting or Extrusion	—	—	CUP	P	
Metal Smelting, Industrial	—	—	—	P	
Oil Refinery/Petroleum Distillation	—	—	—	CUP	
Research and Development	P (4)	P (5)	P	P	
Recycling Facilities					
Reverse Vending Machines	SUP	P	P	—	Section 11-31-23, Recycling and Processing Facilities
Small Indoor Collection Facilities	SUP	P	P	—	
Large Collection Facilities	—	CUP	SUP	P	
Processing Facilities	—	—	CUP	P	
Salvage and Wrecking	—	—	CUP	SUP	
Tanneries	—	—	—	P	
Warehousing and Storage					
Boat and Recreational Vehicle Storage	—	CUP	CUP	CUP	
Contractors' Yards	—	P (9)	P (9)	P (9)	
Indoor Warehousing and Storage	P	P	P	P	
Outdoor Storage	—	—	—	P	Section 11-30-7, Outdoor Storage
Mini-Storage	CUP	CUP	CUP	—	
Wholesale	P	P	P	P	
Airport Land Use Classifications					
Aircraft Refueling Stations	—	P	—	—	

Aircraft Light Maintenance	—	P	—	—	
Airport Transit Station	—	P	—	—	
Airport Related Long-term Parking Lots	—	P	—	—	
Heliports	SUP (14)	SUP (14)	SUP (14)	SUP (14)	
Transportation, Communication, and Utilities Use Classifications					
Communication Facilities					
Antenna and Transmission Towers	See Chapter 35				
Facilities within Buildings					
Transportation Facilities					
Freight/Truck Terminals and Warehouses	—	P	P	P	
Transportation Passenger Terminals	P	P	P	P	
Utility Classifications					
Solar Farms	SUP	SUP	P	P	Section 11-30-15, Solar Panels and Other Energy Production Facilities
Utilities, Major	—	CUP	CUP	CUP	
Utilities, Minor	P	P	P	P	
Agricultural and Extractive Use Classification					
Mining and Quarrying	—	—	—	P	
Specific Accessory Uses and Facilities					

Accessory Dwelling Unit	P (18)	P (18)	P (18)	P (18)	Section 11-31-3, Accessory Dwelling Unit
Caretakers' Residences	—	P (10, 11)	P (10, 11)	P (10, 11)	
Outdoor Display	—	P	P	P	Section 11-31-20, Outdoor Display
Outdoor Storage	—	P (5)	P (5)	P	Section 11-30-7, Outdoor Storage
Portable Storage Containers	SUP (17)	P/SUP (17)	P	P	Section 11-30-16, Portable Storage Containers (PSC)
Temporary Outdoor Entertainment	TUP	TUP	TUP	TUP	Section 11-31-30, Temporary uses
Temporary Outdoor Sales	TUP	TUP	TUP	—	

1. Permitted if located within an office building or other commercial building and occupying no more than 1,500 square feet, and Accessory Fuel Sales are not present.
2. Permitted if floor area is no more than 10,000 square feet.
3. Use permitted with approval of an adaptive reuse permit.
4. Permitted if all activities pertaining to the manufacturing or processing of the products are conducted entirely within an enclosed building, with no outside storage or display.
5. Permitted only if all activities pertaining to the manufacturing or processing of the products are conducted entirely within an enclosed building. Accessory outdoor storage permitted only if confined to the rear one-half of the lot.
6. Permitted if floor area is no more than 1,500 square feet. SUP required if greater than 1,500 square feet.
7. Granting of a SUP is required if Accessory Fuel Sales are present.
8. Permitted only if floor area is no more than 50,000 square feet.

9. Permitted only in the rear half of a lot and if fully screened by a minimum 8-foot high masonry screen wall composed of masonry blocks utilizing varying colors and textures arranged in an attractive design.
10. Use not permitted when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Area.
11. Use not permitted when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
12. Use permitted with the approval of a CUP when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
13. Use permitted with the approval of a CUP when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.
14. Heliports in Employment Districts shall be set a minimum of 2 full stories above the natural grade, unless associated with a hospital.
15. Subject to approval by the City Council and the State Racing Commission of a Tele-track Betting Establishment Permit per AAC R19-2-401 and following.
16. Permitted only when accessory to an Eating or Drinking Establishment.
17. Temporary or periodic use of portable storage containers is permitted with a SUP in accordance with Section 11-30-16.
18. Permitted if an existing non-conforming residential use is located on the lot.

(Ord. No. 5541, § 2, 12-9-19; [Ord. No. 5593](#), § 8, 12-1-20; [Ord. No. 5633](#), § 2, 7-8-21; Ord. No. [5758](#), § 1, 12-8-22; [Ord. No. 5759](#), § 1, 12-8-22; [Ord. No. 5813](#), § 1(Exh. 1), 10-16-23; [Ord. No. 5814](#), § 1(Exh. 1), 10-16-23; [Ord. No. 5861](#), § 1, 7-8-24; [Ord. No. 5833](#), § 3, 11-7-24; [Ord. No. 5904](#), § 2, 12-9-24; [Res. No. 12269](#), § 5, 9-23-24)

11-7-3: - DEVELOPMENT STANDARDS

A. **Zoning District Standards.** Table 11-7-3 prescribes the development standards for the employment districts. The "Additional Standards" column lists additional standards that apply in some or all employment districts. Section numbers in this column refer to other sections of the Zoning Ordinance, while individual letters refer to subsections that directly follow the table.

Table 11-7-3: Development Standards - Employment Districts					
Standard	PEP	LI	GI	HI	Additional Standards
Lot and Density Standards					

Minimum Site Area (acre)	2.5	1.0	1.0	1.0	Smaller lots may be approved for master planned development with shared parking
Minimum Lot Width (ft.)	100	100	100	100	
Minimum Lot Depth (ft.)	100	100	100	100	
Maximum Lot Coverage (% of lot)	90%	90%	90%	90%	
Building Form and Location					
Maximum Height (ft.)	Plan Specific	40	50	50	
Minimum Setback along Property Lines or Building and Parking Areas (ft.)					
Front and Street-Facing Side	Varies by street classification identified in the Mesa Transportation Plan: Arterial Street: 15 ft. Major or Midsection Collector: 20 ft. Industrial/Commercial Collector: 20 ft. Local Street: 20 ft. Freeways: 30 ft. for buildings; 15 ft. for parking structures.				Street-facing setbacks shall be landscaped in accordance with Section 11-33-3(A)
Interior Side and Rear: Adjacent to AG, RS, RSL or RM Districts	1 ft. of setback for each foot of building height with minimum 20 ft. setback.				Setbacks shall be landscaped according to Ch. 33, Landscaping
Interior Side and Rear: Adjacent to Commercial and PEP Districts	1 ft. of setback for each foot of building height with minimum 20 ft. setback.				
Interior Side and Rear: Adjacent to LI, GI, or HI Districts	Plan Specific	0 (none) for a building setback			
Minimum Separation between Buildings on Same Lot (ft.)	Plan Specific	0 (none)			
Supplemental Standards					

Building Form	Section 11-7-3(B)(2)
Drive-thru Facilities	Section 11-31-18, Drive-thru Facilities
Exceptions to Height Limits	Section 11-30-3, Exceptions to Height Limits
Fences and Walls	Section 11-30-4, Section 11-30-9
Landscaping	Chapter 33, Landscaping
Lighting and Illumination	Section 11-30-5
Lots and Subdivisions	Section 11-30-6 and <u>Title 9</u> , Chapter 6
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation
Outdoor Storage	Section 11-30-7, Outdoor Storage
Pedestrian Connections	Section 11-30-8, Pedestrian Connections
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits
Projections into Required Yards	Section 11-7-3(B)(2)(b)
Screening	Section 11-30-9, Screening
Solar Panels	Section 11-30-15, Solar Panels and Other Energy Production Facilities
Signs	<u>Article 5</u> , Signs
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas
Truck Docks, Loading, and Service Areas	Section 11-30-13, Truck Docks, Loading, and Service Areas
Visibility at Intersections	Section 11-30-14, Visibility at Intersections

B. Site Planning and Design Standards.

1. ***Character and Image.*** Development shall contribute to the uniqueness of the zone district in which it is located, and/or the Mesa community with predominant materials, elements, features, color range, and activity areas tailored specifically to the site and its context. This character and image shall conform to the following standards:
 - a. In multiple building developments, each individual building shall include predominant characteristics shared by each building so that the buildings within the development appear to be part of a cohesive, planned area, yet are not monotonous in design. Compatibility shall be achieved through techniques such as, the replication of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, or the use of building materials that have color shades and textures that are similar to or complimentary to those existing on, or in the immediate area of, the subject property.

- i. Developments located within a planning sub-area, such as Desert Uplands, Mesa Gateway, Citrus Sub-area, Downtown, or any other designated sub-area, shall be consistent with any city design policy adopted for such sub-area.
 - b. *No Established Theme or Stand-alone Development.* Where there is no established or consistent neighborhood or area character or unifying theme, or where the existing character is not desirable to continue, because it does not reflect a design theme consistent with the development standards as described in this Chapter, the proposed development shall be designed to establish character and a sense of place through the strategic use of architectural elements, building form, materials, landscaping, lighting etc. which creates a cohesive theme or style for future developments and buildings within the area to follow.
 - c. *Corporate Architecture.* Where the proposed architecture of a building or structure is the result of a franchise style, prototypical or franchise architectural design, including materials and color, shall be modified if necessary to meet these development standards and set a standard, or contribute to a high-level of quality for future developments and buildings within the area.
 - d. *Employee and Visitor Amenities.* Development within the Employment District shall provide common open space and amenities for the useful enjoyment of employees and visitors to the site. Common open space should be arranged for functionality and shall be furnished with eating areas, site furniture (such as benches, tables, waste receptacles, planters) or other amenities.
 - i. Buildings 30,000 square feet or larger, shall be provided common open space at a rate of one percent (1%) per building gross floor area (GFA). A collection of smaller buildings linked by common walls is considered one building.
 - ii. Multiple areas of common open space are encouraged; however, the minimum size of any one (1) common open space shall be 300 square feet with a minimum dimension of 15 feet in any direction.
 - iii. At least 50 percent (50%) of common open space must be open to the sky. At least 75 percent (75%) of the open space area must be landscaped and maintain live plant material if the area is not otherwise used as active recreation facilities.
2. **Massing and Scale.** Architectural elements and techniques shall be utilized to reduce the apparent massing and scale of buildings.
- a. *Wall Articulation.* Exterior building walls shall be subdivided and proportioned to human scale, using projections, overhangs and recesses in order to add architectural interest and variety and to avoid the effect of a single, massive wall with no relation to human size.
 - i. Publicly visible facades (viewed from rights-of-way or private property), may not have blank, uninterrupted wall lengths exceeding 50 feet without including at least two (2) of the following: change in plane, change in texture or masonry pattern, windows, trellis with vines, or an equivalent element that subdivides the wall into human scale proportions.
 - ii. Side or rear walls, not publicly visible from rights-of-way or private property, may include false windows and door openings when actual doors and windows are not feasible because of the use of the building. Such fenestration, (false windows and door openings) shall be defined by frames, sills and lintels, or similarly proportioned modulations of the wall.
 - b. *Building Projections into Setbacks.* Maintain appropriate separations between buildings on adjacent properties to allow for light, air, and circulation while recognizing the need to allow minor projections that improve the effectiveness of environmental or aesthetic features.
 - i. Awnings, eaves, overhangs, light shelves and basement window wells may encroach up to three (3) feet into any required setback, but shall not be closer than two (2) feet to any property line. Building projections shall be no closer than 15 feet to any property line adjacent to sites located in the RS and RSL Districts.
 - c. *Roof Articulation.* Provide architectural interest at the skyline and accentuate appropriate building elements.
 - i. Vary building height, providing at least two (2) changes in height or roof forms that are varied over different portions of the building through changes in pitch, plane, and orientation.
 - ii. Flat roofs or facades with a horizontal eave, fascia, or parapet, in excess of 100 feet in length, must provide vertical modulation. The minimum vertical modulation is two (2) feet or one-tenth (1/10) multiplied by the wall height, not to exceed one-third (1/3) of the height of the supporting wall.
 - iii. All parapets must have detailing such as cornices, moldings, trim, or variations in brick coursing.
 - iv. Multi-building developments shall be configured to locate the tallest and largest structures within the core of the site and provide a gradual decrease in building height and mass towards adjacent residential land uses.
3. **Building Entrances.** Primary entrances along major facades shall be clearly defined with facade variations, porticos, roof variations, recesses or projections, or other integral building forms.
4. **Access, Circulation, and Parking.**
- a.

Screening and Separation of Parking Areas. Parking areas located between a building and street shall be screened with a screening wall or berms at least 2.5 feet high and no more than 3.5 feet high. In addition, parking areas shall be separated from on-site buildings by a distance of at least ten (10) feet. This separation shall be landscaped and may include a pedestrian walkway.

FIGURE 11-7-3.B(1): SCREENING AND SEPARATION OF PARKING AREA

5. **Materials and Colors.** Buildings and structures shall be constructed of durable, high-quality materials appropriate for the climate, such as brick, stone, integrally tinted and textured masonry block, precast concrete, wood, architectural metals, natural and synthetic stone, stucco and synthetic stucco, and glazing.
 - a. To reduce the apparent massing and scale of buildings, facades shall incorporate at least three (3) different and distinct materials.
 - b. No more than fifty percent (50%) of the total façade may be covered with one (1) single material.
 - c. Buildings larger than 10,000 square feet shall be finished with more than one (1) color on all elevations that are visible from public streets.
6. **Alternative Compliance.** Site Planning and Design Standards are not intended to limit creative solutions. Conditions may exist where strict compliance to Site Planning and Design Standards of this Chapter are impractical or impossible, or where maximum achievement can only be obtained through alternative compliance. Alternative compliance does not modify or reduce requirements of the Building Code or any other chapters or sections of the Zoning Code. Alternative compliance allows development to satisfy the Site Planning and Design Standards in this chapter by providing comparable standards in a creative way.
 - a. Requests for alternative compliance may be accepted for any application to which Site Planning and Design Standards apply. A written request must be provided in conjunction with the applicable land use application describing how the proposed alternative meets the criteria below.
 - b. The approving body shall find that the request meets one (1) or more of the following criteria:
 - i. Topography, soil, vegetation or other site conditions are such that full compliance is impossible or impractical; or improved environmental quality would result from alternative compliance.
 - ii. Space limitations, unusually shaped lots and prevailing practices in the surrounding neighborhood, may justify alternative compliance for bypassed parcels and for improvements and redevelopment in older neighborhoods.
 - iii. Safety considerations make alternative compliance necessary.
 - iv. The proposed alternative is aesthetically more complementary to the site, better fits into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the urban design characteristics as described in the City's General Plan.

(Ord. No. 5541, § 2, 12-9-19; Ord. No. 5928, §§ 12, 13, 2-3-25)

11-7-4: - REVIEW OF PLANS

Permit and review procedures shall follow the standards established in Article 7, Administration.

(Ord. No. 5541, § 2, 12-9-19)

CHAPTER 8 - DOWNTOWN DISTRICTS

11-8-1: - PURPOSE

A. **General Purposes.** The Downtown districts are intended to promote the development and redevelopment of land within the Downtown Area to insure the future growth and vitality of the original square mile and adjacent areas (See Map 11-8-2). The regulations of this chapter are also intended to promote sustainable development patterns and encourage the development of high-intensity land uses where appropriate and where such uses add to the visual image and sense of place of Mesa's Downtown.

B. **Specific Purposes of Each District.**

1. **Downtown Residence Districts (DR-1, DR-2, DR-3).** In order to maintain a viable downtown area, stable residential neighborhoods must be protected and enhanced. The purpose of the DR Districts is to protect existing residential uses and to encourage the redevelopment of blighted or under-utilized sites for new residential usage. It is also the purpose of these districts to encourage pedestrian linkages between residential neighborhoods and the business, cultural and entertainment core of Downtown. It is the intent of the DR Districts to retain a real and perceived sense of neighborhood in urban-oriented residential areas by excluding most non-residential uses. It is also the intent of these districts to enhance the quality of residential neighborhoods through establishing compatible architectural and site design elements and regulating residential densities. The numerical designators -1, -2, and -3 are applied to the DR Districts to represent different development intensities.
2. **Downtown Business District 1 (DB-1).** The purpose of the DB-1 District is to provide for general retailing, services, and medium-density residential uses. It is the intent of this district to allow multiple residences, professional office, and commercial uses as a major component of the Downtown Area.
3. **Downtown Business District 2 (DB-2).** The purpose of the DB-2 District is to provide for a combination of intensive commercial, light manufacturing, and related uses. The intent of the district is to provide a suitable location for those commercial and manufacturing uses which may require arterial street or railway access.
4. **Downtown Core District (DC).** The purpose of the Downtown Core District is to encourage the highest intensity of land uses to be developed, redeveloped and maintained within the Downtown. It is also the purpose of the DC District to provide incentives for the development or redevelopment of under-utilized and bypassed properties within Downtown and to promote the development of a vital, vibrant activity area. The regulations for the DC District are intended to ensure that higher-intensity land uses are appropriate for the fulfillment of the purpose of the Downtown Core District as a vibrant focal point for the city. At the same time, the Downtown Core District is created to serve residents, businesses, employees and visitors and to ensure that the visual image of the core of the Mesa Downtown will be maintained and enhanced.

(Ord. No. 3746, 2-22-00)

11-8-2: - APPLICABILITY

The Downtown Area is established within the area bounded by University Drive, Broadway, Country Club Drive, Mesa Drive, Second Street, Second Avenue, and LeSueur and on property adjoining or within 300 feet of the rights-of-way bounding this area in the furtherance of the stated purpose and intent of this Section. If this 300-foot distance puts at least ½ of a property within the Downtown Area, the entire property shall be within the Downtown Area; if less than ½ of the property is within the area then the entire property will be outside the Downtown Area.

11-8-3: - LAND USE REGULATIONS

In Table 11-8-3, which follows, the land use regulations for each Downtown zoning district are established by letter designations as follows:

- "P" designates use classifications permitted in downtown districts.
- "TUP" designates use classifications permitted on approval of a Temporary Use Permit.
- "SUP" designates use classifications permitted on approval of a Special Use Permit.
- "CUP" designates use classifications permitted on approval of a Council Use Permit.
- "(x)" a number in parentheses refers to limitation following the table.
- "—" designates a prohibited use.

Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-8-3: Downtown Districts							
Proposed Use	DR-1	DR-2	DR-3	DB-1	DB-2	DC	Additional Use Regulations
Residential Use Classifications							
Single Residence							
Detached	P	P	P	—	—	—	
Attached	—	P	P	P	CUP	—	
Multiple Residence	P (16)	P (16)	P (16)	P (16)	P/CUP (16)	P (1, 16)	<u>Chapter 81</u> , Adaptive Reuse Permit
Assisted Living Facility							

Assisted Living Home (up to 10 residents)	P	P	P	P	CUP	P	Section 11-31-14, Community Residences
Assisted Living Center (greater than 10 residents)	—	—	CUP	CUP	CUP	CUP	Section 11-31-28, Assisted Living Centers, Nursing and Convalescent Homes
Boarding House	—	—	SUP	SUP	—	—	
Community Residence							
Family Community Residence	P	P	P	P	CUP	P	Section 11-31-14, Community Residences
Transitional Community Residence	P	P	P	P	CUP	P	
Day Care Group Home							
Small Home Day Care (up to 5)	P	P	P	P	—	—	Section 11-31-13, Day Care Group Homes
Large Home Day Care (6 to 10)	—	SUP	SUP	P	—	—	
Home Occupations	P	P	P	P (9)	—	P (9)	Section 11-31-33, Home Occupations
Public and Semi-Public Use Classifications							
Clubs and Lodges	—	—	—	P	P	P	
Colleges or Universities, Private	—	—	—	P	P	P	Section 11-31-24, Schools
Colleges or Universities, Public	P	P	P	P	P	P	

Commercial Trade Schools, Private	—	—	—	P	P	P	Section 11-31-24, Schools
Commercial Trade Schools, Public	P	P	P	P	P	P	
Industrial Trade Schools, Private	—	—	—	—	SUP	—	Section 11-31-24, Schools
Industrial Trade Schools, Public	P	P	P	P	P	P	
K-12, Private	CUP	CUP	CUP	CUP	CUP	CUP	Section 11-31-24, Schools
K-12, Public	P	P	P	P	P	P	
Community Center	—	SUP	SUP	P	P	P	
Community Gardens	P	P	P	P	P	P	Section 11-31-10, Community Gardens
Cultural Institutions	—	—	—	—	—	P	
Day Care Centers	—	SUP	SUP	P	P	P	
Government Offices	—	—	—	P (2)	P	P	
Hospitals and Clinics							
Clinics	—	—	—	P (3)	P (3)	—	Section 11-31-15, Hospitals and Clinics
Hospitals	—	—	—	P	P	—	
Nursing and Convalescent Homes	—	—	—	CUP	CUP	—	Section 11-31-28, Assisted Living Centers, Nursing and Convalescent Homes

Parks and Recreation Facilities, Public	P	P	P	P	P	P	
Places of Worship	P	P	P	P	P	P	Section 11-31-22, Places of Worship
Public Safety Facilities	—	—	—	P	P	P	
Skilled Nursing Facility	—	—	—	CUP	CUP	—	
Social Service Facilities	—	—	—	CUP	CUP	—	Section 11-31-26, Social Service Facilities
Commercial Use Classifications							
Animal Sales and Services							
Kennels	—	—	—	—	P (4)	—	
Pet Stores	—	—	—	—	P	P (4, 6)	
Veterinary Services	—	—	—	P (4)	P	—	
Artists' Studios	—	—	—	P	P	P	
Automobile/Vehicle Sales and Services							
Accessory Automobile Rentals	—	—	—	SUP	—	SUP (12)	Section 11-31-5, Automobile Rentals; Automobile/Vehicle Sales and Leasing
Automobile Rentals	—	—	—	—	SUP	CUP	
Automobile/Vehicle Sales and Leasing	—	—	—	—	SUP	—	
Automobile/Vehicle Repair, Major	—	—	—	—	SUP	—	Section 11-31-6, Automobile/ Vehicle Repair; Major and Minor
Automobile/Vehicle Service and Repair. Minor	—	—	—	—	SUP	CUP	

[illegible]

Bars/Clubs/Lounges	—	—	—	P	P	P	
Coffee Shops/Cafes	—	—	—	P	P	P	
Restaurants, Bar and Grill	—	—	—	P	P	P	
Restaurants, Full Service	—	—	—	P	P	P	
Restaurants, Limited Service	—	—	—	P	P	P	
With Drive-Thru Facilities	—	—	—	CUP	SUP	—	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
With Outdoor Eating Areas	—	—	—	P	P	P	Section 11-31-19, Outdoor Eating Areas
With Pick-Up Window Facilities	—	—	—	SUP	SUP	—	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
Food and Beverage Sales							
Convenience Market	—	—	—	SUP (15)	SUP (15)	P (15)	Section 11-31-11, Convenience Markets
General Market	—	—	—	P (15)	P (15)	P (15)	
Funeral Parlors and Mortuaries	—	—	—	—	P	CUP	
Hotels and Motels	—	—	—	P	—	P	
Laboratories	—	—	—	—	P	—	

Large Commercial Development	—	—	—	—	CUP	CUP	Section 11-31-16, Large Commercial Development
Light Fleet-Based Services	—	—	—	—	P	CUP	
Live-Work Unit	—	P	P	P	P	SUP	Section 11-31-17, Live Work Units
Maintenance and Repair Services	—	—	—	—	P	—	
Offices							
Business and Professional	SUP (10, 15)	SUP (10, 15)	SUP (10, 11, 15)	P (15)	P (15)	P (15)	
Medical and Dental	—	—	—	P (15)	P (15)	P (15)	
Parking, Commercial	—	—	—	—	SUP	P (7)	
Personal Services	—	—	—	P (15)	P (15)	P (15)	
Plant Nurseries and Garden Centers	—	—	—	—	SUP	—	
Retail Sales							
General	—	—	—	P (15)	P (15)	P (15)	
Pawn Shops	—	—	—	CUP (8)	CUP (8)	—	Section 11-31-21, Pawn Shops
Tattoo and Body Piercing Parlors	—	—	—	P	P	P	
Employment and Industrial Use Classifications							
Handicraft/Custom Manufacturing	—	—	—	—	P	—	

[illegible]

Accessory Dwelling Unit	P	P	P	P (16)	P (16)	P (16)	Section 11-31-3, Accessory Dwelling Unit
Caretakers' Residences	—	—	—	—	SUP	—	
Drive-thru facilities	—	—	—	CUP	SUP	CUP	
Outdoor Display	—	—	—	P	P	P	Section 11-31-20, Outdoor Display
Outdoor Storage	—	—	—	—	SUP (13)	—	Section 11-30-7, Outdoor Storage
Temporary Outdoor Entertainment	—	TUP (15)	—	TUP (15)	TUP (15)	TUP (15)	Section 11-31-30, Temporary uses
Temporary Outdoor Sales	—	TUP (15)	—	TUP (15)	TUP (15)	TUP (15)	

- Multiple-Family Residential permitted at a minimum density of 20 units/acre in an exclusive multiple residence project. No minimum density when part of a mixed-use project.
- Permitted if occupying less than 5,000 square feet; greater floor area requires approval of an SUP.
- A CUP is required for plasma centers and substance abuse detoxification and treatment centers; other Clinics are permitted by right.
- Must be confined to completely enclosed, sound-attenuated facilities.
- Permitted if all activities pertaining to commercial recreation are conducted entirely within an enclosed building.
- Permitted if floor area is no more than 1,500 square feet.
- Structured parking garages are permitted. A CUP is required for surface (open) parking lots.
- Must be at least 1,200 feet from any use in the same classification, and at least 1,200 feet from any school.
- Home Occupations permitted where and when a residence is authorized.

10. Eligible sites are limited to locations designated as Class 1 Historic Buildings based on the City of Mesa Historical Survey, 1984.
11. Eligible sites limited to lots with frontage on an arterial street identified in the Mesa Transportation Plan.
12. Eligible Sites limited to ancillary use to hotel or motel.
13. Permitted only in the rear half of a lot and if fully screened by a minimum 8-foot-high masonry screen wall composed of masonry blocks utilizing varying colors and textures arranged in an attractive design.
14. Facility may be as large as 6,000 square feet in the DB-2 district, subject to approval of a Special Use Permit.
15. Only permitted in conjunction with non-residential uses.
16. Permitted if an existing non-conforming residential use is located on the lot.

(Ord. No. 3817, 2-22-00; Ord. No. 4280, 10-4-04; Ord. No. 5096, 6-4-12; Ord. No. 5544, § 3, 12-9-19; Ord. No. 5592, § 4, 12-1-20; Ord. No. 5632, § 1, 7-8-21; Ord. No. 5758, § 1, 12-8-22; Ord. No. 5759, § 1, 12-8-22; Ord. No. 5813, § 1(Exh. 1), 10-16-23; Ord. No. 5814, § 1(Exh. 1), 10-16-23; Res. No. 12269, § 5, 9-23-24; Ord. No. 5883, § 3, 10-7-24; Ord. No. 5904, § 9, 12-2-24; Ord. No. 5928, § 14, 2-3-25)

11-8-4: - DEVELOPMENT STANDARDS—DOWNTOWN RESIDENCE DISTRICTS

Table 11-8-4 prescribes the development standards for the DR districts. The "Additional Standards" column lists additional standards that apply. Section numbers in this column refer to other sections of the Zoning Ordinance, while individual letters refer to subsections that directly follow the table.

Table 11-8-4: Development Standards - DR Downtown Residence Districts				
Standard	DR-1	DR-2	DR-3	Additional Standards
Lot and Density Standards				
Minimum Lot Area (sq. ft.)				
1 dwelling unit	6,000	6,000	6,000	
2 dwelling units	NA	11,000	7,000	
3 dwelling units	NA	15,000	11,000	
4 or more units in DR-2	NA	18,000	NA	
4 dwelling units in DR-3	NA	NA	15,000	

5 or more dwelling units	NA	NA	18,000	
Maximum Density (dwelling units/net acre)	NA	12	40	
Building Form and Location				
Maximum Height (ft.)	30	30	40	P&Z Board may approve additional height through site plan review.
Minimum Setback (ft.)				
Front	15	15	10	Section 11-8-4(A)
Interior Side: 1-story building	5	1-2 units: 5 ft. 3+ units: 15 ft.	10	
Interior side: 2-story building	5	1 unit: 5 ft. 2 units: 10 ft. 3+ units: 15 ft.	15	
Interior side: 3-story building	NA	NA	20	
Street Side	10	10	10	
Rear: 1-story building	15	15	10	
Rear: 2-story building	20	20	20	
Rear: 3-story building	NA	NA	20	
Parking Spaces	20	20	20	
Minimum Open Space (sq. ft./dwelling unit)	400	400/200	400/200	Section 11-8-4(B)
Supplemental Standards				

Detached Accessory Structures	Section 11-30-17
Exceptions to Height Limits	Section 11-30-3
Fences and Walls	Section 11-30-4, Fences and Freestanding Walls
Landscaping	Section 11-8-4(C); Chapter 33, Landscaping
Lighting and Illumination	Section 11-30-5
Off-Street Parking and Loading	Section 11-8-7(A) and (B); Chapter 32, On-Site Parking, Loading, and Circulation
Pedestrian Connections	Section 11-30-8, Pedestrian Connections
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits
Projections into Required Yards	Section 11-8-7(D)
Screening between multiple and single residences	Section 11-8-5(C)
Screening (other screening standards)	Section 11-30-9, Screening
Setbacks at Intersections	Section 11-30-10, Setbacks at Intersections
Swimming Pools	Section 11-30-11
Signs	<u>Article 5</u> , Signs
Solar Panels	Section 11-30-15, Solar Panels
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas
Visibility at Intersections	Section 11-30-14, Visibility at Intersections

A. **Transitional Standards.** For a residential structure in the DR-3 District that is adjacent to the DR-1 District or the DR-2 District, the following shall apply:

1. **Front Yard Setback.** The required front-yard setback shall be the same as that in the DR-1 and DR-2 Districts, i.e. 15 feet from the street right-of-way. This 15-foot front yard setback shall be required for the first 40 feet of lot street frontage adjacent to the DR-1 or DR-2 District.

FIGURE 11-8-4.A.1: TRANSITION TO RESIDENTIAL STRUCTURE IN DR-3 DISTRICT

2. **Roof Profile.** The relative height and roof profile of new residential structures in the DR-3 District shall complement and be compatible with the roof profiles of residential structures in the adjacent DR-1 or DR-2 Districts.

FIGURE 11-8-4.A.2: TRANSITION TO RESIDENTIAL STRUCTURE ROOF PROFILE

Roof Profile, in this context, refers to the relative height of a roof or roofs of a building, together with the shape or form of the roof structure that are placed above residential dwelling units, such as gable, gambrel, hip, mansard, parapet, pitched and shed.

B. Minimum Open Space.

1. **Single Residence Detached and Attached.** Single residence detached and attached developments in the DR-1, DR-2, and DR-3 Districts, shall have a minimum of 400 square feet of individual, private outdoor space for each dwelling unit provided adjacent to the dwelling unit.
2. **Multiple Residence Developments.** Multiple residence developments in the DR-2 and DR-3 Districts, shall have a minimum of 200 square feet of open space for each dwelling unit. This open space shall not include any required front or side yard. The open space requirement shall be provided by one of the following options.
 - a. At least 200 square feet of private open space or patio area attached to the individual unit,
 - b. A private balcony or deck of at least 60 square feet in area adjacent to the individual dwelling unit and the remainder of the open space (140 square feet per unit) provided in a usable common open-space, or
 - c. Where no individual private open space is provided adjacent to a dwelling unit, 300 square feet per dwelling unit shall be required to be provided in a usable common open space.

C. Landscaping.

1. Landscaping materials and quantities shall be installed and maintained in compliance with Chapter 33, Landscaping, unless specified by a landscape design plan or specific redevelopment plan adopted by the City Council. The following landscaping regulations shall also apply:
 - a. Existing lawns and/or vegetated ground cover shall be maintained in the street right-of-way area between the curb and the property line.
 - b. The required front yard area shall be maintained in lawn and/or vegetative ground cover. In the DR-1 and DR-2 Districts not more than 20 percent of the front-yard ground cover shall be inorganic materials.
 - c. The required quantity of trees, shrubs and vegetation, as specified in Chapter 33, shall be located in the street right-of-way and in the required front-yard setbacks. Where conflict occurs between the requirements of Chapter 33 and the minimum yards listed in this Chapter (in Table 11-8-4), the minimum yards listed in this chapter shall prevail.
 - d. All required yard areas shall be landscaped, as specified in Chapter 33, Landscaping, and maintained free from encroachments.
 - e. Where a parcel is used for multiple residences, or office, the required side and rear yards shall also be landscaped.

- D. **Screening.** Whenever a new multiple residence is constructed, or floor area is added to an existing single residence to convert it to a multiple residence use, a privacy wall shall be constructed along the property lines separating the multiple residence use, its parking areas and driveways from any adjacent existing single residence. Conversion of existing single residence without increasing floor area does not invoke the screening requirement. The privacy wall shall be of masonry construction with stucco, mortar wash or other finish to match that of the

main building and shall be 6 feet in height. The privacy wall shall extend along interior side lot lines to the front-yard setback of the main building or to the front-yard setback of the existing adjacent residence, whichever is closer to the street right-of-way, but shall not extend past the setback into the front yard without being reduced in height to a maximum of 3 feet. All other screening standards of Section 11-30-9 shall apply.

(Ord. No. 3423, 1-20-98; Ord. No. 3430, 1-20-98; Ord. No. 3817, 2-22-00; Res. No. 12269, § 7, 9-23-24; Ord. No. 5883, § 3, 10-7-24)

11-8-5: - DEVELOPMENT STANDARDS—DOWNTOWN BUSINESS DISTRICTS

Table 11-8-5 prescribes the development standards for the DB districts. The "Additional Standards" column lists additional standards that apply. Section numbers in this column refer to other sections of the Zoning Ordinance, while individual letters refer to subsections that directly follow the table.

Table 11-8-5: Development Regulations - DB Downtown Business Districts

Standard	DB-1	DB-2	Additional Standards
Building Form and Location for Non-Residential Development			
Maximum Height (ft.)	50	40	P&Z Board may approve additional height through site plan review.
Minimum Setback (ft.) - Non-residential buildings			
Front	15	15	May be reduced to 10 feet when located on an arterial street and not adjacent to residential.
Interior side: not adjacent to residential development	0	0	
Interior side: adjacent to residential development	10	10	Section 11-8-5(A)
Street Side	15	15	May be reduced to 10 feet when located on an arterial street and not adjacent to residential.
Rear: not adjacent to residential	0	0	
Rear: adjacent to residential	10	10	Section 11-8-5(A)
Building Form and Location for Residential Development			

Maximum Density (dwelling units/net acre)	40	Plan Specific	In DB-2 maximum density is determined through review by council use permit.
Minimum Yards (ft)			
Front: if located on arterial street	15	Plan Specific	
Front: if located on non-arterial street	10	Plan Specific	
Interior Side	10	Plan Specific	
Street side: if located on arterial street	15	Plan Specific	
Street side: if located on non-arterial street	10	Plan Specific	
Rear	20	Plan Specific	
Minimum Open Space (sq. ft./dwelling unit)	200	Plan Specific	Section 11-8-4(B)2
Supplemental Standards			
Fences and Walls	Section 11-30-4, Fences and Freestanding Walls		
Landscaping	Section 11-8-5(B); Chapter 33, Landscaping		
Off-Street Parking and Loading	Section 11-8-7(A) and (B); Chapter 32, On-Site Parking, Loading, and Circulation		
Pedestrian Connections	Section 11-30-8, Pedestrian Connections		
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits		
Screening	Section 11-8-5(C), Section 11-30-9, Screening		
Signs	<u>Article 5</u> , Signs		

- A. **Intrusion on Adjacent Residential.** Multi-storied structures with windows on sides adjacent to residential districts or uses shall utilize methods such as increased setbacks, window screens, and/or window placement, as determined by the Planning Director, to limit intrusion on the adjacent residential district or use.
- B. **Landscaping.** Landscape materials and quantities shall be installed and maintained in compliance with Chapter 33, Landscaping, unless specified by a landscape design plan or specific redevelopment plan adopted by the City Council. The following landscape requirements shall also apply:
1. The required front-yard setback and street right-of-way area shall have low-water usage, vegetative ground cover and plants; no more than 20 percent may be covered with inorganic materials. Street rights-of-way shall be landscaped in accordance with any landscape design plan or specific redevelopment plan adopted by the decision making authority.
 2. The required quantity of trees, shrubs and vegetation specified in Chapter 33, Landscaping, shall be located in the required front-yard setback and street right-of-way area. Front yards shall be as noted in Table 11-8-5 of this section. Where conflict occurs between the landscaped setbacks specified in Chapter 33, and the yard requirements of this section (in Table 11-8-5), the yard requirements of this section shall prevail.
 3. Landscaping also shall be installed and maintained free from encroachments such as parking spaces, driveways, mechanical equipment or buildings in side and rear yards as specified in Chapter 33, Landscaping.
- C. **Screening.** In addition to the screening standards of Section 11-30-9, Screening, the following standards shall apply:
1. A 6-foot masonry wall with mortar wash finish, stucco or other finish, designed to match the main building on the site, shall be installed with the first phase of commercial development along all interior property lines adjacent to residential districts or uses.
 2. All refuse and ground mounted mechanical equipment areas shall be:
 - a. Screened on at least 3 sides by 6-foot high masonry walls,
 - b. Located at least 10 feet away from adjacent residential property lines and
 - c. Shall not be located within required street-yard setbacks.
- D. **Additional Height to Buildings.** For sites located within DB-1 or DB-2 districts, additional height may be granted, up to a 20-percent increase over the district maximum, through a site plan review hearing by the Planning & Zoning Board.

(Ord. No. 3423, 1-20-98; Ord. No. 3817, 2-22-00)

11-8-6: - DEVELOPMENT STANDARDS—DOWNTOWN CORE DISTRICT

This section establishes standards for the Downtown Core District.

- A. **Density, Area, Buildings and Yards.** Minimum lot area and yard setbacks will vary according to the type of development, the proposed use, and the size, scope and density of the project. The decision making authority or designee may determine that certain projects shall be reviewed by the Planning & Zoning Board who shall determine the specific density, area, building, and yard regulations for such projects. Maximum residential densities and building heights are through approval by the Planning & Zoning Board.
- B. **Landscaping.**
1. **Conformance with U Designator Standards.** All landscape designs, materials and quantities and maintenance shall conform to "-U" designator standards as specified in Chapter 33, Landscaping, unless specified by a landscape design plan or specific redevelopment plan adopted by the decision making authority.
 2. **Landscape Materials.** Landscape materials shall be used to enhance street right-of-way and building frontages by the following:
 - a. Street trees shall be planted in street right-of-way areas consistent with adopted City streetscape plans and also may be installed in on-site pedestrian walkway areas and plazas.
 - b. Building foundation plantings shall be conform to "-U" designator standards specified in Chapter 33 unless specified by a landscape design plan or specific redevelopment plan adopted by the decision making authority.
- C. **Parking.** In addition to the regulations of Chapter 32, On-Site Parking, Loading, and Circulation, and Section 11-8-7(A) and (B) of this chapter, the following standards apply to the DC District:
1. Covered multi-level parking structures are encouraged; open surface parking shall be discouraged.
 - 2.

All parking area and structure designs and off-site parking accommodations are subject to approval by the Planning & Zoning Board through site plan review.

(Ord. No. 3423, 1-20-98; Ord. No. 3817, 2-22-00)

11-8-7: - SUPPLEMENTAL REGULATIONS FOR ALL DOWNTOWN DISTRICTS

- A. **Parking.** In addition to the standards of Chapter 32, On-Site Parking, Loading, and Circulation, the following standards apply to the Downtown districts.
1. **Off-Site Parking.** Required parking may be provided off-site in a privately or municipally owned parking garage, commercial parking lot or other approved facility. If such off-site parking is leased, the length of the term of such lease shall be the same as the length of the term of the lease of the property for which such spaces are provided. Terms of the lease shall be provided upon request of the city.
 2. **Shared Parking.** Required parking spaces may be shared between differing commercial and mixed-use projects when located on the same or adjacent parcels, if the principal operating hours of the uses involved are significantly different, i.e. daytime versus nighttime uses. Assurances of different operating hours for each use must be provided in writing in a form acceptable to the Zoning Administrator, pursuant to Section 11-32-5.
 3. **Enclosed Structures.** In the DR-1 and DR-2 Districts, enclosed structures shall be provided for required parking when the parking space is located in the front half of a lot.
 4. **Interconnectivity.** In the DB-1 and DB-2 Districts, parking areas should be interconnected on-site to allow vehicular access between parcels and to avoid numerous driveway cuts along street rights-of-way.
- B. **Loading.** In addition to the standards of Chapter 32, On-Site Parking, Loading, and Circulation all non-residential uses shall demonstrate availability of convenient, paved space for loading and unloading of commercial vehicles within 300 ft. of the site.
- C. **Building Projections into Required Yards.** Building projections may extend into required yards, subject to the following standards:
1. No projection may extend closer than 2 feet to an interior lot line or into a public utility easement.
 2. Awnings, eaves, overhangs, or basement window wells may encroach up to 3 feet into any required yard.
 3. Vestibules, bay windows, nooks, chimneys, or similar wall projections with or without footings may encroach not more than 3 feet into any required front or rear yard and not more than 2 feet into any required side yard, provided the aggregate width of all such projections adjacent to any yard does not exceed $\frac{1}{3}$ of the length of the building wall.
 4. Staircases may encroach up to 3 feet into any required front yard, and up to 10 feet into any required rear yard.
 5. Attached open porches, open patios, open carports or open balconies may encroach to within 10-feet of the rear property line. Such open structures may include window screens, knee walls, and other partial enclosures as specified in the Building Code for patio covers.
 6. In DR-1 and DR-2 districts only, enclosed rooms may encroach up to 10-feet into a required rear yard for up to one-half the width of the building, provided a minimum of 10-feet remains between the building face and the rear property line.

(Res. No. 12269, § 8, 9-23-24; Ord. No. 5883, § 3, 10-7-24)

11-8-8: - REVIEW OF PLANS

Permit and review procedures shall follow the standards established in Article 7, Administration.

CHAPTER 10 - PUBLIC AND SEMI-PUBLIC DISTRICT

Footnotes:

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Editor's note— Previously, Chapter 10 derived from Ord. No. 4262, 8-16-04.

11-10-1: - PURPOSE

The purpose of the Public and Semi-Public (PS) District is to accommodate large-scale governmental, public utility, recreational, and educational facilities. It is the intent of this district to:

- A. Recognize those uses that are provided by public entities for public usage and convenience;
- B. Ensure high quality development;
- C. Encourage the use of sustainable development practices; and,

D. Insure compatibility with surrounding uses.

11-10-2: - LAND USE REGULATIONS

Facilities owned, leased, or operated by city, county, state, or federal governments or agencies thereof or school districts are considered permitted in this district. In addition, Table 11-10-2, which follows, specifies additional land use regulations for each Public and Semi-Public zoning district, established by letter designations as follows:

- "P" designates use classifications permitted in public and semi-public districts.
- "TUP" designates use classifications permitted on approval of a Temporary Use Permit
- "SUP" designates use classifications permitted on approval of a Special Use Permit.
- "CUP" designates use classifications permitted on approval of a Council Use Permit.
- "(x)" a number in parentheses refers to limitation following the table.

Use classifications not listed are prohibited. The "Additional Use Regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-10-2: Public and Semi-Public District		
Proposed Use	PS	Additional Use Regulations
Agricultural Use Classifications		
Community Gardens	P	Section 11-31-10, Community Gardens
Public and Semi-Public Use Classifications		
Cemeteries	P	
Community Center	P (2, 5)	
Cultural Institutions	P (2, 5)	
Government Offices	P	
Hospitals and Clinics		
Clinics	P (2, 3)	Section 11-31-15, Hospitals and Clinics
Hospitals	P (2, 3)	
Parks and Recreation Facilities, Public	P	
Public Safety Facilities	P	
Public Maintenance Facilities	P	

Schools, Colleges, and Trade Schools		
Colleges or Universities, Private	CUP (2, 3)	Section 11-31-24, Schools
Colleges or Universities, Public	P	
Commercial Trade Schools, Private	CUP (2, 3)	Section 11-31-24, Schools
Commercial Trade Schools, Public	P	
Industrial Trade Schools, Private	CUP (2, 3)	Section 11-31-24, Schools
Industrial Trade Schools, Public	P	
K-12, Private	CUP (2, 3)	Section 11-31-24, Schools
K-12, Public	P	
Transportation, Communication, and Utilities Use Classifications		
Airports	CUP	
Heliports (1)	CUP	
Communication Facilities		
Antenna and Transmission Towers	CUP	
Facilities within Buildings	P	
Transportation Passenger Terminals	P	
Utilities, Major	CUP	
Utilities, Minor	P	
Accessory Uses and Facilities		
Accessory Dwelling Unit	P (6)	Section 11-31-3, Accessory Dwelling Unit

Temporary Outdoor Entertainment	TUP	Section 11-31-30, Temporary Uses
Temporary Outdoor Sales	TUP	
1. Heliports require a CUP unless considered an accessory use when a part of a hospital or clinic.		
2. Use not permitted when the property is subject to the AOA 1 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.		
3. Use not permitted when the property is subject to the AOA 2 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas		
4. Use permitted with the approval of a CUP when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas		
5. Use permitted with the approval of a CUP when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.		
6. Permitted if an existing non-conforming residential use is located on the lot.		

(Ord. No. 5759, § 1, 12-8-22; Res. No. 12269, § 9, 9-23-24; Ord. No. 5883, § 3, 10-7-24)

11-10-3: - DEVELOPMENT STANDARDS

Table 11-10-3 and the subsection that follows it prescribe the development standards for the PS District.

Table 11-10-3: Development Standards - PS Public and Semi-Public District	
Site Standards	
Minimum Site Area (sq. ft.)	None
Building Form and Location	
Maximum Height (ft.)	30 ft. within 60 ft of RS, RSL, and DR-1 60 ft. all others

Minimum Front and Street-Facing Side Yard	Varies by classification of adjacent street: 6-lane arterial: 30 ft. 4-lane arterial: 20 ft. Major or Midsection Collector: 25 ft. Industrial/Commercial Collector: 20 ft. Local Street: 20 ft. Freeways: 30 ft. for buildings; 15 ft. for parking structures Next to MX, DC, or any district with a U designator: Same as adjacent district
Minimum Interior Side and Rear Yard: Adjacent to RS District	Sites smaller than 5 acres: 20 ft. Sites 5 acres or larger: 25 ft.
Minimum Interior Side and Rear Yard: Adjacent to RM District	Single-story building: 20 ft. Two or more stories: 15 ft. per story
Minimum Interior Side and Rear Yard: Adjacent to Non-residential District	Single-story building: 15 ft. Two or more stories: 15 ft. per story
Minimum Separation between Buildings on Same Lot (ft)	One-story building: 25 ft. Two-story building: 30 ft. Three- or more-story building: 35 ft.
Supplemental Standards	
Fences and Walls	Section 11-30-4, Fences and Freestanding Walls
Landscaping	Chapter 33, Landscaping
Lighting and Illumination	Section 11-30-5, Lighting and Illumination
Lots Splits and Subdivisions	Section 11-30-6; and Title 9 , Chapter 6, Subdivision Regulations
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation
Pedestrian Connections	Section 11-30-8, Pedestrian Connections
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits
Setbacks at Intersections	Section 11-30-10, Setbacks at Intersections

Screening	Section 11-30-9, Screening
Signs	<u>Article 5</u> , Signs
Solar Panels	Section 11-30-15, Solar Panels and Other Energy Production Facilities
Swimming Pools	Section 11-30-11, Swimming Pools
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas
Visibility at Intersections	Section 11-30-14, Visibility at Intersections

- A. **Buffer Yards.** A screening wall 6 feet in height is required wherever a lot located in the PS District abuts an R or DR district at the time of development. In addition, if a lot in the PS District abuts a lot in an RS or DR-1 district at the time of development, a landscape buffer of at least 15 feet wide shall be provided on the PS-zoned lot.

(Ord. No. 5814, § 1(Exh. 1), 10-16-23)

11-10-4: - REVIEW OF PLANS

Permit and review procedures shall follow the standards established in Article 7, Administration.

CHAPTER 11 - PLANNED COMMUNITY DISTRICT

11-11-1: - PURPOSE AND INTENT

The purposes of the Planned Community (PC) District are to:

- A. Accommodate large-scale, unified and comprehensively planned developments that encourage and promote innovative and sustainable residential and non-residential land uses;
- B. Allow flexibility for innovative and high quality development while meeting the goals of the Mesa General Plan and establishing planning and development control parameters tailored to the opportunities and constraints of the property;
- C. Conserve scarce energy resources, using technologies, materials and designs that are sustainable;
- D. Provide for creative and high quality design and materials, for buildings and landscape, to accomplish efficient, aesthetic, sustainable, and desirable development that highlights special features of the geography, topography, size, or shape of a particular property and that include exceptional public amenities and facilities;
- E. Provide environmental improvements that mitigate air and storm water pollution. Provide shade and reduce the effects of the urban heat island;
- F. Ensure that areas designated as neighborhood centers, urban centers or regional centers in the Mesa General Plan contain an appropriate variety and mix of employment, office, retail, medical, educational, community service, tourism, entertainment, open space, recreational, and residential uses to provide center(s) with a sense of place within the community;
- G. Ensure that residential neighborhoods utilize a variety of housing types and densities that contain parks and schools that are located within convenient walking or bicycling distance from all homes, and neighborhood village centers with shops, restaurants, service uses, schools, and other civic uses that provide each neighborhood an individual identity and foster community interaction;
- H. Ensure that demands on streets, utilities and other public infrastructure do not exceed the capacity of existing or planned facilities, and ensure that the development will accommodate new and future technologies for utilities and other public infrastructure;
- I. Provide reasonable assurances to the City and land developer that the proposed development may be planned and carried out in one or more phases over an extended period, in accord with an approved Community Plan; and
- J. Provide for cohesive development patterns that integrate well with surrounding development; and encourage a variety of transportation options.

11-11-2: - LAND USE AND DEVELOPMENT REGULATIONS

- A. **General Plan and Zoning.** PC Districts may be established within areas designated mixed residential, urban residential, neighborhood center, urban center, or regional center in the Mesa General Plan. The PC District and adopted Community Plan are the zoning for the property. The adopted Community Plan also is the principal reference for implementation and review of future development within the boundary of the overall site. All development that takes place within the boundaries of a PC District shall be governed by and built in accordance with the adopted Community Plan or approved amendments to the Community Plan.
- B. **Minimum Area.** The minimum area required for a PC District is 160 contiguous acres.
- C. **Permitted Uses and Land Use Groups.** The permitted and conditional land uses for a PC District shall be listed in, and established by, an adopted Community Plan. As part of the Community Plan, the uses shall be individually listed for each development unit, and the uses shall be grouped into land use groups. A land use group may be subdivided into sub-land use groups. Such groups may be based in whole or in part on existing Mesa Base Zoning Districts or may be new categories. In addition to listing all permitted uses in the land use groups and any sub-land use groups, the Community Plan shall have a narrative describing the intent and purpose for each.
1. **The Community Plan.** The Community Plan may establish any land use as a conditional use that requires review and approval of Council Use Permit, Special Use Permit, or Administrative Use Permits in accordance with Chapter 70 of this Title.
 2. **Land Use Budget.** In the Community Plan, the land use groups and any sub-land use groups shall be designated for each development unit, and have a minimum and maximum range (the land use budget) for each designated land use group and/or the budget may be specific to sub-land use groups or individual land uses. The land use budget shall be expressed in the following manner:
 - a. Dwelling units (DU) shall be used as the measure to express the number of residences.
 - b. The density of a residential project, expressed as a ratio of the number of dwelling units per acre (DU /AC), shall be the measure of the intensity of a Residential Land Use.
 - c. Gross Floor Area (GFA) shall be the measure used to express the amount of mixed and non-residential land use.
 - d. Floor Area Ratio (FAR) shall be the measure used to express the intensity of development for all mixed and non-residential land uses.
 - e. The approved Community Plan may include additional measures for the land use budget.
 - f. The amounts (e.g. DU, GFA) and intensities (e.g. DU /AC, FAR), expressed in minimum and maximum ranges, for each land use group (and any sub-land use groups or specific land uses) for the development units, in aggregate, shall not exceed the total adopted for the Community Plan.
 3. **Development Unit Land Use Plan.** With the approval of each development unit there shall be a Development Unit Land Use Plan that shall identify:
 - a. The general location for the land use group and any sub-land use group (and may identify general locations for specific uses),
 - b. The approximate amount of acreage for such group (or specific use),
 - c. The intensity of development proposed at each location.
 4. **Site Plan.** With the approval of each Site Plan the permitted uses shall be specified on the Site Plan by reference to sub-land use group(s) or specific uses. Permitted uses at a specific site shall be limited to those specified on the approved Site Plan; all other uses are prohibited.
- D. **Development Standards.** The Community Plan shall specify General Development Standards, as defined in Chapter 87, for the PC District.
1. **Application of the General Development Standards.** The General Development Standards shall apply to each development unit, site plan, and all development in the PC District.
 2. **Zoning Ordinance Standards as Default Standards.** Site plans and improvements to individual lots or sites shall conform with the standards set forth in the Zoning Ordinance (the Zoning Ordinance Standards) for the district or use most nearly approximating the proposed uses, where applicable, and intensities of use unless the approved General Development Standards for the adopted Community Plan include a specific standard.
 - a. **Modifications to Default Standards.** The Community Plan may establish a process that authorizes the Zoning Administrator to grant minor modifications to an applicable Zoning Ordinance Standard and/or General Development Standards.
 - b. **Criteria for Modifications to Default Standards.** The Zoning Administrator shall use, at a minimum, the following criteria when evaluating all requests for minor modifications to Zoning Ordinance Standards and/or General Development Standards:
 - i. The minor modification is consistent with the application of design requirements designated in the Community Plan; and
 - ii. The minor modification is consistent with the implementation of the Community Plan and the Development Unit Plan; and

- iii. The minor modification will result in a project design that meets or exceeds the design goals and guidelines as expressed by the Community Plan; and
- iv. The minor modification results in a building of superior architectural design, as determined by building form and massing, use of materials and colors, and relationship of the building to the building site; and
- v. The minor modification is in accord with the Mesa Building Code and adopted Engineering Division requirements, as may be applicable.

E. **Standards not in the Zoning Ordinance.** Modifications to development standards not established within the Zoning Ordinance shall be in accordance with procedures and processes established in the Mesa City Code. With the application of the PC District, certain modifications may be sought in accordance with 9-5-3(C), 9-6-7(C), and 9-8-4(C).

11-11-3: - APPLICATION REQUIREMENTS

- A. **Pre-Submittal Conference.** A pre-submittal conference with the City Planning Director and Engineer, or their designees, is required prior to submittal of an application for PC District zoning. The applicant shall provide a description of the boundary of the proposed PC District, a conceptual land use summary and budget, proposed development units, project narrative, proposed General Development Standards, and any proposed modifications that may be sought in accordance with sections 9-5-3(C), 9-6-7(C), and 9-8-4(C).
- B. **Application and Submittal Requirements.** In addition to the requirements for rezoning amendments as described in Chapter 76 of this Title, each application for rezoning to the PC District shall be accompanied by the following information. Submittals that fail to include all of the items listed in the below subsections shall not be scheduled for consideration.
1. An application form, available in the Planning Division office, and payment of required fees.
 2. A map showing the ownership of the property within the proposed PC District, and a current Title report for the property.
 3. The name(s) and current address(s) of the applicant, owner, and developer.
 - a. If the applicant, owner or developer is a corporation, the names and current addresses of the principal officers and members of its board of directors shall be submitted in addition to the information required above.
 - b. If the applicant, owner or developer is a partnership, the names and current addresses of the general and managing partners shall be submitted in addition to the information required above.
 - c. A material change in any of the information regarding the identity of the applicant, owner or developer or in any address thereof shall be filed with the City within 30 days of the change.
 4. A legal description with dimensions and bearings of the proposed PC District boundary.
 5. A narrative describing and explaining how the proposed PC District and Community Plan complies with and meets the purpose, intent, and requirements of the Mesa General Plan and the PC District. This narrative shall be separate from the Community Plan.
 6. Development Schedule shall be submitted as part of the Community Plan that includes the following:
 - a. The timeframe in which construction or development is expected to begin and the estimated duration of time required for completion of all development including public infrastructure improvements necessary to serve the Community;
 - b. Anticipated phasing, including phasing of infrastructure improvements, if the project will not be developed as one unit, including a plan for the interim use, maintenance and management of the undeveloped phase or phases;
 - c. The anticipated completion of development for each development unit; and
 - d. Anticipated initiation and completion dates for each phase or development unit, in no greater than three-year increments.
 7. A Community Plan, which shall include all the minimum required elements listed in Section 11-11-4.
- C. **Evaluation.** The Planning & Zoning Board and City Council shall consider at a minimum the following goals and objectives when evaluating the proposed Community Plan. The proposed Community Plan should:
1. Conform to applicable policies, land use map designations, and land use definitions of the Mesa General Plan;
 2. Conform to the purposes and intents of the PC District as listed in Section 11-11-1;
 3. Provide the following when the PC District is located on a site designated as a mixed residential, urban residential, neighborhood center, urban center, or regional center placetype on the Mesa General Plan placetype map:
 - a. A mix of land uses in a wide variety of building forms which creates a complete community environment; and
 - b. An appropriate mix of non-residential uses, including commercial, employment (such as office and industrial), and public/semi-public, in addition to multiple forms of residential uses; and
 - c. One or more areas designated as villages or urban cores that will serve and complement surrounding residential development.

4. Provide a combination of land uses that are arranged and designed in such a manner as to be well integrated with other land uses, the immediate surrounding area, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools, transit routes and utilities.
5. Include adequate provisions and sites for schools, playgrounds, parks, trails, and other recreational facilities that are adequate to serve the anticipated population and interconnected with other public open spaces and recreational resources within the city.
6. Adequately, reasonably, and conveniently integrate into existing and planned streets, transit systems, and public services, utilities, and public facilities and will not result in a reduction in service levels to adjacent properties.
7. Promote development that is appropriate to and well integrated with its environmental setting, including existing vegetation, soils, geology, topography, and drainage patterns.
8. Preserve, where possible, any significant historical, cultural, and archaeological features of the site.
9. Provide superior design and environmental sustainability in comparison with development reviewed under other base zoning district regulations.
10. Provide a level of detail that adequately describes the relative quality and design themes of the built environment of the project, both at completion and during the phased implementation of the Community Plan.
11. Be compatible with, and not detrimental to, adjacent properties or the surrounding neighborhood(s).

D. **Conditions.** The City Council may place conditions on its approval of a PC District, Community Plan, and/or modifications to either a PC District or a Community Plan. Such conditions of approval may include, but are not limited to: conditions to ensure implementation of the Community Plan in accordance with the Mesa General Plan, and other applicable plans and policies adopted by the City; conditions to achieve the purposes and intents described in Section 11-11-1; and, conditions requiring additional or different approval processes for development units, design guidelines, site plans, and/or areas within the PC District.

(Ord. No. 5928, §§ 15—17, 2-3-25)

11-11-4: - COMMUNITY PLAN REQUIRED

A. **Contents.** A Community Plan shall be submitted concurrently with the application for the PC District, and shall include the following:

1. **Community Plan Map.** A map, which may consist of multiple sheets, drawn to a suitable scale and that includes the following elements:
 - a. The boundary with dimensions and bearings of the proposed PC District.
 - b. Division of the entire site into separate land development increments, referred to as Development Units. The size and number of Development Units shall be sufficient to provide understanding of the pattern, phasing and intensity of development authorized by the Community Plan.
 - c. The approximate location of proposed freeways, parkways, arterial streets, and streets which provide connectivity between development units and other major transportation and transit corridors.
 - d. Major drainage elements within the proposed PC District and vicinity.
 - e. Existing and proposed utility corridors.
 - f. Any major trails and/or bikeways, including their proposed connections to conceptual trail locations identified in the Mesa General Plan or other applicable plans adopted by the city.
 - g. Location of any known significant historical, cultural, and archaeological features of the site.
2. **Land Use Regulations.** Permitted land uses, land use groups, and any sub- land use groups, as described in Section 11-11-2(C), and a Land Use budget, as described in Section 11-11-2(C)(1).
3. **Master Developer.** The Community Plan shall identify a Master Developer or other entity that shall be designated to ensure all future development requests are in compliance with the land use budget and in compliance with the provisions of the Community Plan.
4. **Community Facilities Element.** A narrative describing the estimated need for community facilities, including public schools, parks, open space, fire stations, police substations and other similar community facilities, by type and land area.
5. **Infrastructure Element.** Major street system and transportation plan, and Utilities and storm water drainage master plans.
6. **General Development Standards.** Defined in Chapter 87 of this Title.
7. **Design Guidelines.** Community Plan Design Guidelines for the development of the property, including illustrations of proposed architectural, urban design, streetscape, and landscape concepts, thematic design elements such as architectural materials, building colors and landscape plants, and any proposed variation from Chapter 30, General Site Development Standards. The Community Plan

Design Guidelines may describe broadly based design or architectural themes and concepts, sufficient to convey an idea and general pattern of development. With the application of the Development Units and Development Unit Design Guidelines shall be submitted that are consistent with, and provide further detail to, the Community Plan Design Guidelines.

8. **Supplemental Reports.** Each Community Plan shall be accompanied by the following supplemental reports, as determined by the Planning Director and City Engineer at the time of the Pre-Submittal Conference.
 - a. Traffic impact analysis, soils engineering report, geology report, and/or drainage report.
 - b. Additional information as necessary to facilitate understanding, review and action on the application by the Planning & Zoning Board and the City Council.
9. **Requirements and Administration for Future Development Unit Plans.** Consistent with, and in addition to the requirements in this Chapter, the Community Plan shall set forth additional elements for the Development Unit Plans, additional submittal and process requirements for Development Unit Plans and amendments thereto, and additional criteria for reviewing Development Unit Plans. Such additional requirements shall include, but are not limited to, the process and public body or position that reviews, and may approve, future Development Unit Plans. Such additional elements and criteria shall include, but are not limited to, criteria and requirements to ensure that future development plans will facilitate development compatible with adjacent properties and surrounding neighborhoods, will facilitate the implementation of the Community Plan, will facilitate appropriate transitions between differing developments, and will not overburden the transportation system, utility infrastructure or community facilities. If a Development Unit Plan Application is filed prior to the approval of the Community Plan, such a Development Unit Plans may be approved by City Council with the approval of the Community Plan.
10. **Requirements and Administration for Future Site Plans.** Consistent with, and in addition to the requirements of this Chapter, the Community Plan shall set forth additional elements required of Site Plan Review, additional submittal and process requirements for a site plan, Site Plan Modification, and additional criteria for review or modification of site plans. Such additional requirements shall include, but are not limited to, specifying how Site Plan Review requirements will be administered within a development unit, and set forth the review and approval process for Site Plan Review. Such additional elements and criteria shall include, but are not limited to, criteria and requirements to ensure that site plans will facilitate development compatible with adjacent properties and surrounding neighborhoods, will facilitate the implementation of the Community Plan, will facilitate appropriate transitions between differing developments, and will not overburden the transportation system, utility infrastructure or community facilities.

- B. **Review of PC District and Community Plans.** The PC District and Community Plan shall be reviewed, and a recommendation to City Council shall be made, by the Planning & Zoning Board. The Community Plan Design Guidelines shall also be reviewed, and a recommendation to City Council shall be made, by the Planning & Zoning Board. The PC District and Community Plan shall be reviewed, and are subject to approval by City Council. These processes shall be in accordance with the requirements of this Chapter 76 of this Title.

(Ord. No. 5928, § 18, 2-3-25)

11-11-5: - REVIEW AND CONSIDERATION OF DEVELOPMENT UNIT PLANS

- A. **Pre-Submittal Conference.** A Pre-Submittal Conference with the City Planning Director and Engineer, or their designee, is required prior to submittal of a Development Unit Plan Application.
- B. **Consideration of Request.** Development Unit Plans shall be reviewed, and are subject to approval, in accordance with the requirements and process established by the adopted Community Plan. The Development Unit Plans include, but are not limited to, Development Unit Design Guidelines and a Development Unit Land Use Plan.
- C. **Development Unit Design Guidelines.** Development Unit Design Guidelines shall be submitted that are consistent with, and provide further detail to, the Community Plan Design Guidelines. The Development Unit Guidelines shall include design themes, additional standards and concepts unique to the development unit, and shall be of sufficient detail to ensure cohesive, integrated, high-quality design. All site plans and development shall conform to, and be consistent with, the approved Development Unit Design Guidelines.
- D. **Development Unit Land Use Plan.** A Development Unit Land Use Plan, as described in Section 11-11-2(C)(3), shall be of sufficient detail to ensure the compatibility of future development in the unit and compatibility with properties surrounding the unit, to ensure appropriate transitions between differing developments, to ensure that development will not overburden the transportation system, utility infrastructure or community facilities, and to facilitate the implementation of the Community Plan. All site plans and development shall conform to, and be consistent with, the approved Development Unit Land Use Plan.
- E.

Review of Development Unit Plans. Applications for Development Unit Plans within an adopted PC District shall only be approved if the application and supporting materials are consistent with the approved Community Plan, as well as any conditions or modifications of the Community Plan that were imposed by the City Council. In addition to the requirements and criteria established in this Chapter and Community Plan to evaluate development units. Development Unit Plans shall be consistent with the approved Community Plan as follows:

1. The land use budget for a development unit shall remain identical to, or within the range established by the approved Community Plan budget for that development unit.
2. Development Unit Plans shall be consistent with any major or minor amendments of the Community Plan.
3. All other relevant policies and guidelines as outlined in the Community Plan shall remain as adopted.

11-11-6: - SITE PLAN REVIEW

- A. **Pre-Submittal Conference.** A Pre-Submittal Conference with the City Planning Director and Engineer, or their designee, is required prior to submittal of a site plan application.
- B. **Site Plan Approval Required.** All non-single residence development within a PC District shall require an approved site plan. All single residence developments shall meet this requirement through the subdivision process as required by Chapter 6, of Title 9 of the Mesa City Code. For all development requiring an approved site plan, no building permit shall be issued for such sites until there is an approved site plan.
- C. **Site Plan Review.** All sites shall be reviewed, and be subject to approval, by the Planning Director and his/her designees, unless otherwise designated by the adopted Community Plan.
- D. **Review and Conditions.** Site plans shall be reviewed for consistency with the requirements of this Chapter, the Community Plan and Development Unit Plans. Unless otherwise specified in the Community Plan, conditions may be imposed on the approval of any site plan as may be deemed necessary to ensure that the site is designed in a way to facilitate compatibility with adjacent property and to ensure that the development will be in accordance with the Community Plan, the General Development Standards, Community Plan Design Guidelines, Development Unit Design Guidelines, and the Land Use Budget. The Community Plan may establish additional criteria for such conditions. Consistent with this Chapter and any additional criteria established in the Community Plan such conditions may include:
1. Revised building setbacks;
 2. Revised landscaping;
 3. Revised on-site parking and loading spaces;
 4. Height and area limitations on structures;
 5. Limited vehicular access;
 6. Placement and/or installation of walls, fences and screening devices;
 7. Installation of noise attenuating construction; and
 8. Off-site improvements in public rights-of-way adjacent to the subject property.
- E. **Required Information.** All applications for Site Plan Review for development within an approved PC District shall include drawings (drawn to scale) and other supporting materials and documents, as determined by the Community Plan. Additional materials and plans may be requested, as needed, by the Planning Director to determine the full compatibility of the project to neighboring development.
- F. **Land Use Budget Update.** The Master Developer shall review all site plans prior to submittal to ensure compliance with the land use budget. All site plans shall be submitted with a chart, approved by the Master Developer, updating the land use budgets for the Community Plan and the applicable Development Unit Plan.
- G. **Permitted Uses.** The permitted uses shall be limited to those identified on the site plan as described in Section 11-11-2(C)(4).
- H. **Appeal of a Site Plan Review Decision Made by a City Board or the Planning Director.** The applicant, any owner of property within 750 feet of the boundaries of the Site Plan Review case or the City Manager (or his designee) may appeal a Site Plan Review decision. The appeal shall be made in writing, specifying the grounds for the appeal, within 15 business days of the decision. An appeal from a decision by a City board shall be forwarded to the City Council for review and consideration. An appeal from a decision by the Planning Director shall be forwarded to the Planning and Zoning Board (unless specified otherwise in the Community Plan for review and consideration. It shall be the responsibility of the applicant to complete all citizen participation requirements. The appellate body shall rehear the request, and shall have the ability to affirm, reverse or modify the previous decision.

11-11-7: - EXPIRATION AND RENEWAL OF SITE PLAN REVIEWS

- A. **Expiration.** The approval of a site plan shall expire 2 years following the date of the approval, unless a building permit has been issued and construction diligently pursued.
- B. **Extension.** Site plan approval may be extended once for a period of not more than an additional two years by the Planning Director. Application for an extension shall be made in writing not less than 30 days after and not more than 60 days before the expiration of the original approval. The Planning Director may extend a site plan approval if the site plan remains consistent with the purpose and intent of this Chapter, the Community Plan, and the applicable Development Unit Plan.
- C. **New Application.** If the approval of a site plan expires and an extension to the approval is not, or cannot, be granted, a new application for Site Plan Review shall be filed.

11-11-8: - AMENDMENTS TO AN APPROVED PC DISTRICT

- A. **Initiation.** Amendments to a Community Plan may be requested by the Master Developer or an owner of property located within a PC District. Amendments requested by a property owner shall provide documentation that notice of such request has been provided to the Master Developer.
- B. **Limitation of Affected Area.** Amendments to the approved Community Plan may be limited to one or more development units and any proposed change will not extend to, or affect, another development unit unless specifically included in the area to be affected by the proposed amendment.
- C. **Land Use Budget Transfer.** A Community Plan may establish the process and criteria for permitting an unused portion of a development units' land use budget to be transferred to another development unit. To allow such transfers, the Community Plan must establish criteria to categorize transfers as major amendments or minor amendments. Such criteria shall be consistent with the requirements of this Chapter.
- D. **Major Amendments.** The Planning Director shall determine if the proposed amendment constitutes a major or minor amendment. If the Planning Director determines an amendment to be major, the amendment request shall be processed as an amendment to the PC District and Community Plan. An amendment will be deemed major if it involves any one of the following:
 - 1. A change in the overall PC District boundary.
 - 2. A change to the permitted uses in the PC District or any development unit.
 - 3. A change to the General Development Standards.
 - 4. An increase in the total number of approved dwelling units, floor area ratio (FAR) or gross floor area (GFA) for the overall PC District.
 - 5. A significant change to the boundary or gross area of a development unit from that approved in the PC District, as determined by the Planning Director. A 10 percent increase or decrease to the gross area of a development unit as approved in the PC District shall automatically be determined a significant change.
 - 6. Any change to the land use budget for the PC District. Any change to the land use budget for a particular development unit, except if the change is a result of an approved Land Use Budget Transfer.
 - 7. Any change in land use intensity that is likely to negatively impact or burden public facilities, transportation systems, major street systems, and utilities infrastructure as determined by the appropriate department head.
 - 8. Any proposed change to the Community Plan that substantively alters one or more components or required elements of the PC District or Community Plan as determined by the Planning Division.
- E. **Minor Amendments.** Amendments not meeting one or more of the criteria listed in above subsections shall be considered minor. If the Planning Division determines the amendment to be minor, the Planning Director may administratively act on the amendment and attach stipulations or conditions of approval thereto.
- F. **Notice.** Unless otherwise provided for in the Community Plan, notice of the proposed minor amendment shall be mailed, or otherwise made as determined by the Planning Director, to each owner of property as last disclosed by county assessor records, situated wholly or partly within 750 feet of the affected development unit(s) to which the amendment relates. For purposes of giving mailed notice, if required, the Planning Division shall require the applicant to prepare the letters, and stamp and address the envelopes of all affected property owners as determined above. The fully prepared letters will then be submitted to Planning Division staff, who will place the envelopes in the mail.
- G. **Written protest.** If written protest to any minor amendment is received from any notified property owner within 15 days of the notification mailing date and such protest cannot be resolved, then the minor amendment shall be reclassified as a major amendment. No additional application shall be required, however, all provisions governing major amendments shall then apply.
- H.

Planning Director Decision. If written protest is not received as described above, the Planning Director shall render a decision on the minor amendment request. The Planning Director's decision shall be final unless appealed under section 11-11-9. The Planning Director or assigned designee shall send copies of the decision to the applicant, interested parties of record and members of the Planning & Zoning Board.

11-11-9: - ADMINISTRATIVE DECISION APPEALS

- A. **Appeal to Planning and Zoning Board.** An action or decision by the Planning Director on minor amendments may be appealed by the applicant, or by an owner of property located within 750 feet of the area affected by the minor amendment. The appeal shall be filed within 15 days from the date of the Planning Director's decision.
 - 1. Appeals shall be made in writing and submitted to the Planning Director, and
 - 2. Appeals shall include: the specific items being appealed, the conclusion the appellant believes should occur and why the initial decision should be changed. The Planning Division will submit a report and any background material regarding the appeal to the Planning & Zoning Board. The applicant associated with the action being appealed shall be informed by the Planning Division of the date, time and location of the appeal hearing.
 - 3. The applicant shall notify adjacent property owners of the Planning and Zoning Board meeting in the same manner as described in Section 11-11-8.
 - 4. The Planning and Zoning Board's decision on the appeal will be sent to the applicant and interested parties of record. The decision of the Planning and Zoning Board will be final, unless the applicant or an owner of property within 750 feet of the area affected by the minor amendment initiates an appeal to the City Council in accordance with Sub-section (B) of this Section.
- B. **Appeal to Council.** The applicant or an owner of property located within 750 feet of the area affected by the minor amendment or any action or decision involving a development unit plan or an appeal of a minor amendment to a Community Plan.
 - 1. The appeal shall be filed within 15 days of the board's decision.
 - 2. Appeals shall be made in writing and submitted to the Planning Director, and shall include: the specific items being appealed, the conclusion the appellant believes should occur, and why the initial decision should be changed.
 - 3. City Council's review on appeal is de novo. The City Council may consider any information before it when hearing an appeal under this Section. City Council may remand the matter for further proceedings or may affirm, reverse, or modify the decision.

11-11-10: - SUPPLEMENTARY PROVISIONS

- A. For the PC District, Community Plan, Development Unit Plan, Site Plan Review, and amendment thereto, notice and citizen participation shall be in accordance with Article 7, Administration this Ordinance, except an adopted Community Plan may modify these notice and citizen participation requirements for approvals and amendments that the Community Plan establishes are to be subject to approval by the Planning Director or designee.
- B. The owner(s) of property located in the PC District shall notify all prospective purchasers of the existence of the PC District and the Community Plan. Upon approval of the PC District, the owner(s) shall record a notice in the County Recorder's Office that provides notice to purchasers that the property is subject to the PC District and a Community Plan and that the development and use of the property is subject to other property owner's use of the Land Use Budget in the development unit.
- C. Prior to or with the approval of a PC District, there shall be a Development Agreement that includes Development Unit Phasing Schedule, Infrastructure Phasing Plan, and other terms to ensure that the future development fulfills the purposes of this Chapter and the Community Plan.

CHAPTER 12 - ID - INFILL DEVELOPMENT DISTRICTS

Footnotes:
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Editor's note— Previously, Chapter 12 derived from Ord. No. 4262, 8-16-04.

11-12-1: - PURPOSE

- A. **General Purpose.** The purpose of the Infill Development (ID) Districts is to promote and facilitate the development and redevelopment of by-passed, underutilized, or abandoned properties. This district provides for the establishment of specific land uses, development standards, alternative fees and streamlined review processes as incentives to stimulate re-investment and development of these properties in a manner

that will contribute to the creation of a high quality context for employment opportunities and improve the overall economic viability of that area of the city. The ID Districts may be used when other tools available in the Zoning Ordinance will not work to address the needs of the properties involved. It is the intent of this district to:

1. Encourage flexibility in the development, redevelopment, investment and reinvestment of by-passed, underutilized and/or abandoned properties that meet the criteria below for establishment of this district through the use of Infill Incentive Plans.
2. Encourage the use of innovative approaches to development that utilize sustainable development practices and incorporate environmental performance standards.
3. Where an urban form is anticipated or desired, encourage a mix of uses in close proximity of each other to promote pedestrian activity and reduce vehicle miles traveled. This goal includes consideration of off-site activities.
4. Facilitate the development, redevelopment, and use of properties in Mesa where the public infrastructure is in place.

B. Specific Purposes of Each District. There are two Infill Development districts:

1. **ID-1.** The ID-1 District is for use with small sites of less than 5 acres that need relief from only a few development standards in order to develop or redevelop.
2. **ID-2.** The ID-2 District is for use with sites of 2.5 acres or more that would benefit from a more comprehensive modification of standard development requirements in order to develop or redevelop.

11-12-2: - APPLICABILITY

An ID District may be established for any area where the City Council finds that the property meets the definition of "by-passed parcel" as defined in this Ordinance, without regard to lot size. The Council must also find that the area within the district meets at least 3 of the following requirements:

- A. There is a high percentage of vacant older or dilapidated buildings or structures;
- B. There is a high percentage of vacant or underused parcels of property, obsolete or inappropriate lot or parcel sizes, buildings designed for obsolete land uses, or environmentally contaminated sites;
- C. There is a high percentage of buildings or other places where nuisances exist or occur;
- D. There is an absence of development and investment activity compared to other areas in the City;
- E. There is a high occurrence of crime; or,
- F. There is a continuing decline in population.

11-12-3: - LAND USE REGULATIONS

- A. **ID-1 Districts.** Land use regulations will be established for a given ID-1 district by referencing a base zoning district established in this Ordinance in the Infill Incentive Plan (IIP) and in the ordinance adopting the zoning designation. The uses allowed in that referenced district will be allowed on the property following approval of the rezoning. Example, the adopting ordinance would state that the uses permitted would be the same as the LC, Limited Commercial District.
- B. **ID-2 Districts.** The land uses permitted in a given ID-2 district will be established uniquely for that district based on the Infill Incentive Plan (IIP) approved by City Council with the adoption of the ID district. The requirements for the IIP are described in Section 11-12-5.

11-12-4: - DEVELOPMENT STANDARDS

- A. **ID-1 Districts.** The General Development Standards established in this Ordinance and the specific development standards for the base zoning district are required, unless specifically modified by the City Council with the approval of the ID-1 district.
- B. **ID-2 Districts.** The General Development Standards and specific development standards for property zoned ID-2 shall be established through the review and approval of an IIP as described in Section 11-12-5.
- C. **Standards not in the Zoning Ordinance.** Modifications to development standards not established within the Zoning Ordinance shall be in accordance with procedures and processes established in the Mesa City Code (MCC). With the application of the ID District, certain modifications may be sought in accordance with MCC Sections 9-5-3(C), 9-6-7(C), and 9-8-4(C).

(Ord. No. 4262, 8-16-04)

11-12-5: - INFILL INCENTIVE PLAN (IIP)

The request for an ID shall be accompanied with an Infill Incentive Plan (IIP). The IIP shall be reviewed and approved as the regulating document for property development within the ID. The adopted IIP will establish objectives, land uses, development standards, and incentives for the specific infill district. The IIP shall be submitted concurrently with the application for the ID, and shall include the following:

- A. **IIP Map.** A map, which may consist of multiple sheets, drawn to a suitable scale and that includes the following elements:
1. Required map elements for ID-1 and ID-2.
 - a. Boundary of the proposed ID District.
 - b. The approximate location of existing and proposed transit and bus routes, bike lanes, freeways, parkways, arterial streets, and streets which provide connectivity between ID District area other major transportation and transit corridors.
 - c. Existing site improvements, including adjacent street improvements.
 - d. Requested deviations from General Development Standards and other development standards not established by the Zoning Ordinance, pursuant to Section 11-12-4.
 2. Additional required map elements for ID-2.
 - a. Major drainage elements within the proposed ID-2 District and vicinity.
 - b. Existing and proposed utility corridors.
 - c. Any major trails and/or bikeways, including their proposed connections to conceptual trail locations identified in the Mesa General Plan or other applicable plans adopted by the city.
 - d. Location of any known significant historical, cultural, and archaeological features of the site.
- B. **Statement of Need.** The statement of need shall describe the existing conditions of the area proposed for inclusion in the ID and address the items listed in Section 11-12-2 that establish the reasons for use of this district.
- C. **Development Goals.** The IIP shall contain a description of the goals to be accomplished through the adoption and implementation of the ID. This description may be written and/or graphic and include a description of the final developments envisioned for the property that will meet the intent of this zoning district.
- D. **Development Regulations.** The IIP shall list permitted General Development Standards and land use options, which may be assigned to specific parcels. Multiple development and land use options may be assigned and described as available alternatives.
1. ID-1 applications shall state the zoning district or districts, as listed in Section 11-3-1(A) Base Zones, being used to establish the uses permitted on the property. If more than one district is utilized, then the boundaries of each district shall be delineated on the IIP Map. The development standards associated with the designated district(s) shall govern development on the site unless deviations are requested as part of the application and approved with the adoption of the ID. If applicable, a character designation, as listed in Section 11-3-1(C), Community Character Designators, may be used to define the default development standards. The application must also include any requests for modification of development standards contained in, or authorized by Title 9 of the Mesa City Code.
 2. ID-2 applications shall submit either of the following:
 - a. A list of base district(s) and/or character designator(s), as described in 1, above, or
 - b. A specific land use plan including allowed land uses and activities that may or may not necessarily correspond to specific base zoning districts. If this option is chosen, the adopted IIP shall govern allowed land use activities for the project site.
- E. **General Development Standards.** The IIP may, but is not required to include deviations to Chapter 30, General Development Standards, as defined in Chapter 87, Definitions of this Title. In the event the IIP does not specify deviations to General Development Standards, the IIP shall specify how and when General Development Standards apply to specific sites.
- F. **Design Guidelines.** The IIP may, but is not required to include IIP Design Guidelines for the development of property, including illustrations of proposed architectural, urban design, streetscape, and landscape concepts, thematic design elements such as architectural materials, building colors and landscape plants, and any proposed variation from the Design Standards or guidelines contained in this ordinance. The IIP Design Guidelines may describe broadly based design or architectural themes and concepts, sufficient to convey an idea and general pattern of development. In the event an IIP does not include Design Standards or guidelines specific to that Infill District, then the requirements of the declared base district and Article 4, Chapters 30 through 33 of this Ordinance shall apply.
- G. **Review and Development Procedures.** The adoption of the ID-2 District allows for the specification of review procedures for future rezoning, site planning, design review and/or construction permit review and approval as well as waivers from other City ordinances and/or fees. If modifications are not included in the approved IIP, standard City procedures will apply. Options include:
1. **Zoning Procedures.** Procedures for expedited zoning or rezoning of a site, if desired.
 2. **Scheduled Timeframes.** Customized or expedited building plan review and permitting schedule, if desired.

3. **Waivers.** A provision for waivers of certain municipal fees for development activities as long as the waivers are not funded by other development fees, if desired.

H. **Additional Information/Requirements.** Additional information that may be required by the City as part of the IIP for the ID-2 District are:

1. **Infrastructure Element.** An infrastructure element, which includes plans for incorporating transportation, stormwater drainage and utility options may be required by the City Engineer and City Traffic Engineer to evaluate current conditions and consider requested modifications.
2. **Supplemental Reports.** Each IIP shall be accompanied by the following supplemental reports, as determined by the Planning Director, City Engineer and City Traffic Engineer at the time of the Pre-Submittal Conference.
 - a. Applicability Analysis: a narrative explaining how the area within the ID District complies with the Applicability Criteria specified in Section 11-12-2.
 - b. Additional information as necessary to facilitate understanding, review and action on the application by the City Council and administration of the implementation of the IIP by the Development and Sustainability Department.
3. **Neighborhood Compatibility.** The IIP shall include criteria and requirements to ensure that future development plans; will facilitate development compatible with adjacent properties and surrounding neighborhoods, will facilitate the implementation of the IIP, will facilitate appropriate transitions between differing developments, and will not overburden the transportation system, utility infrastructure or community facilities.

(Ord. No. 4262, 8-16-04; Ord. No. 5928, § 19, 2-3-25)

11-12-6: - REVIEW OF ID DISTRICT AND INFILL INCENTIVE PLAN

- A. The City Council may approve an application for an ID after review and holding public hearing in accordance with ARS § 9-499.10 and the requirements of Article 7 of this Ordinance. The required IIP shall be reviewed concurrently with this application. In addition to the Planning & Zoning Board, the Council, at its discretion, may request that Design Review Board or any other citizen advisory board or committee identified by Council, review and make recommendations on any or all parts of the application for compliance with the applicability and evaluation criteria, and the general appropriateness of the IIP.
- B. Evaluation: the Planning & Zoning Board and City Council shall consider at a minimum the following goals and objectives when evaluating the proposed ID District and IIP. The proposed IIP shall:
 1. Conform to applicable policies, land use map designations, and land use definitions of the Mesa General Plan.
 2. Conform to the purposes and intents of the ID District as listed in Section 11-12-1.
 3. Address the concerns outlined in the statement of need in support of the ID district.
 4. Provide a land use, or a combination of land uses that are arranged and designed in such a manner as to be well integrated with other land uses, the immediate surrounding area, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools, transit routes and utilities.
 5. Adequately, reasonably, and conveniently integrate into existing and planned streets, transit systems, and public services, utilities, and public facilities.
 6. Promote development that is appropriate to and well integrated with its environmental setting, including existing vegetation, soils, geology, topography, and drainage patterns.
 7. Justify any deviations from Standard Development Requirements based upon the overall quality of the plan provided, the need to address specific concerns outlined in the Statement of Need, and the need to address other conditions that may affect the viability of reasonably developing the property in a manner consistent with stated objectives of the Mesa General Plan.
 8. Provide superior design and environmental sustainability in comparison with development reviewed under other base zoning district regulations.
 9. Be compatible with, and not detrimental to, adjacent properties or the surrounding neighborhood(s).

(Ord. No. 4262, 8-16-04)

CHAPTER 14 - EMPLOYMENT OPPORTUNITY DISTRICT

Footnotes:

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Editor's note— Chapter 14 derived from Ord. No. 3987, 5-20-02; Ord. No. 5340, 7-11-16.

11-14-1: - PURPOSE

The purpose of the Employment Opportunity District (EO) is to:

- A. Facilitate entitlements for the development of projects aligned with City Council adopted plans and policies, particularly those projects that attract industries providing significant employment opportunity;
- B. Accommodate large-scale, unified and planned employment developments that encourage and promote innovative and sustainable land uses;
- C. Allow flexibility that accommodates market changes while providing incentives for high quality development that is consistent with the goals of both the Mesa General Plan and any applicable sub-area plans;
- D. Establish planning and development criteria tailored to the opportunities and constraints of the property; and
- E. Encourage creative and high quality design, and establish standards leading to an efficient, aesthetic, sustainable, and desirable development.

11-14-2: - APPLICABILITY AND AUTHORITY

- A. **Applicability:** An EO District shall only be established for an area when the City Council finds that the property meets the following requirements:
 - 1. **General Plan.** EO Districts may be established within areas designated Employment and/or Employment Mixed Use Activity District in the Mesa General Plan.
 - 2. **Minimum Area.** The minimum area required for an EO District is 160 contiguous acres.
- B. **Designation of Employment Opportunity District, Status of Existing Zoning District, and Optional Use of Floating Zone.**

City Council may approve the EO District in conformance with all requirements of this Chapter. The Council's approval shall either:

 - 1. Apply immediately as the zoning district on a property; or
 - 2. Retain the existing (non-EO) district as the active zoning district until such time as a property owner chooses to opt-in to the EO District (Section 11-14-2C). All requirements of the existing, non-EO zoning district remain in effect until a property owner elects to Opt-in to the EO zoning district. This second option shall also be known, and referred to, as a Floating Zone.
- C. **Opt-In Procedures.**
 - 1. When an EO District is adopted by City Council as a floating zone, a property owner may opt-in to the EO District and EO Development Plan by signing before a notary public an "Employment Opportunity Development Plan Opt-In" form prepared by the Zoning Administrator and approved by the City Attorney's Office.
 - 2. Such form shall state, at minimum that:
 - a. The EO District standards are in effect for the identified parcels(s) as of the signature date of the Opt-In Form,
 - b. The requirements of the previous zoning district are no longer applicable for that site, and
 - c. Any future development shall conform with the standards of the applicable EO Development Plan.
 - 3. Once an Opt-in Form is signed and notarized, in no case may any subsequent development on the site be based upon the standards of the existing, non-EO zoning district, nor may the site be developed using a mixed set of standards of both the former, non-EO zone and the EO Development Plan at the same time.
 - 4. Once signed, the City shall maintain an official record of the agreement in the files of the Planning Division Office, and shall update the Official Zoning Map of the City (Section 11-3-2) to reflect the agreed change to the zoning district.
- D. **Other Agreements.** If the Zoning Administrator, in consultation with the City Attorney's Office, determines there is a conflict between the requirements of the adopted EO district, EO Development Plan, and applicable standards adopted by City Council as part of any other agreement, the more restrictive requirements shall apply.

(Ord. No. 4262, 8-16-04; Ord. No. 4770, 10-15-07)

11-14-3: - EFFECT ON EXISTING DEVELOPMENT AND LAND USES BEFORE AND AFTER OPT-IN TO EO

- A. **Compliance with Existing Zoning Until Opt-in.** When an EO District is approved as a floating zone, until a property owner opts-in pursuant to the Opt-In Procedure described in Section 11-14-2.C above, requirements for the development and use of the property shall remain in compliance with the existing, non-EO zoning district.

- B. **Existing Conditions at Time of Rezoning.** If there is existing development or land uses on the property, once the property owner opts-in to the EO District, then the following rules shall apply:
1. **Compliance with EO Development Plan.** Existing development and land uses that comply with all applicable requirements of the EO Development Plan may continue to operate. Any alterations, additions or replacements shall comply with the requirements of the applicable EO Development Plan.
 2. **Non-compliance with EO Development Plan.** Any existing development or land use that was lawfully built in conformance with Zoning Ordinance requirements that does not comply with the requirements of the applicable EO Development Plan shall be considered legal, but nonconforming, and may continue to operate in compliance with the City's regulations for non-conformities to this Zoning Ordinance (Chapter 36 - Nonconforming Uses, Structures, and Lots).

(Ord. No. 4262, 8-16-04)

11-14-4: - LAND USE REGULATIONS AND DEVELOPMENT STANDARDS

- A. **Zoning.** Once the EO District becomes effective on a property (either directly by City Council action, or through the opt-in process described in Section 11-14-2), the EO District and adopted EO Development Plan are the zoning for the property. The adopted EO Development Plan is the principal reference for implementation and review of future development within the boundary of the overall site. All development that takes place within the boundaries of a EO District shall be governed by and built in accordance with the adopted EO Development Plan and approved amendments.
- B. **Permitted Uses.** The permitted, conditional and prohibited land uses for an EO District shall be listed in, and established by, an adopted EO Development Plan. Permitted land uses may be based in whole or in part on existing base Zoning Districts, or may create a new list of uses based on the land use classification descriptions referenced in Chapter 86 of this Zoning Ordinance. The EO Development Plan may establish any land use classification as a conditional use that requires review and approval of a Council Use Permit, a Special Use Permit, or an Administrative Use Permit in accordance with Chapter 70 of this Zoning Ordinance. Land use classifications not listed in the EO Development Plan shall be considered prohibited.
- C. **Development Standards.** The EO Development Plan shall specify General Development Standards, as defined in Chapter 87, for the EO District.
1. Application of the General Development Standards. General Development Standards, including those amended by the EO Development Plan, shall apply to all development in the EO District.
 2. Zoning Ordinance Standards as Default Standards. Any General Development Standards not specified within the adopted EO Development Plan shall conform with the standards set forth in the Zoning Ordinance. A default standard base zoning district shall be selected as part of the EO Development Plan.
 3. Adjustments to General Development Standards. The Zoning Administrator may grant minor adjustments to applicable General Development Standards when applied to specific development projects or sites. Such adjustments may be approved on an administrative basis when the adjustment is less than 20 percent of the required number, dimension or measurement. Adjustments greater than 20 percent shall be considered as major adjustments, and shall be reviewed as per Chapter 67 of this Zoning Ordinance.
 4. Criteria for Minor Adjustments. The Zoning Administrator shall use, at a minimum, the following criteria when evaluating all requests for minor adjustments to General Development Standards:
 - a. The minor adjustment is consistent with the application of design requirements designated in the EO Development Plan; and
 - b. The minor adjustment is consistent with the implementation of the EO Development Plan; and
 - c. The minor adjustment will result in a project design that meets or exceeds the design goals and guidelines as expressed by the EO Development Plan; and
 - d. The minor adjustment results in a building of superior architectural design, as determined by building form and massing, use of materials and colors, relationship of the development project to the project context, and relationship of the building to the building site; and
 - e. The minor adjustment is in accordance with the Mesa Building Code (Title 4 of the Mesa City Code), adopted Engineering Division requirements, and associated requirements of the City of Mesa, as may be applicable.

11-14-5: - APPLICATION REQUIREMENTS

- A. **Pre-Submittal Conference.** A pre-submittal conference that includes the City Planning Director, or their designee(s), is required prior to submittal of an application for EO District zoning. The applicant shall provide a description of the boundary of the proposed EO District, project narrative with proposed Land Use Groups, and proposed General Development Standards.

- B. **Application and Submittal Requirements.** In addition to the requirements for rezoning amendments as described in Chapter 76 of this Title, each application for the EO District shall be accompanied by the following information. Submittals that fail to include all of the items listed in the below subsections shall be considered incomplete and will not be scheduled for consideration.
1. Completion of an application form and payment of required fees.
 2. A map showing the ownership of the property within the proposed EO District, as listed in the records of the Maricopa County Assessor's Office.
 3. A general description of the proposed EO District boundary including bordering streets or canals.
 4. A project narrative describing and explaining how the proposed EO District and associated EO Development Plan comply with the purpose, intent, and requirements of both the Mesa General Plan and the EO District. This narrative shall be separate from the EO Development Plan.
 5. An EO Development Plan, which shall include all the minimum required elements listed in Section 11-14-6.
- C. **Evaluation.** The Planning and Zoning Board and City Council shall consider, at a minimum, the following goals and objectives when evaluating a proposed EO Development Plan. The proposed EO Development Plan shall:
1. Conform to applicable policies, land use map designations, and land use definitions of the Mesa General Plan, any sub-area plans, and/or strategic plans and policies of the City Council;
 2. Conform to the purpose of the EO District as listed in Section 11-14-1;
 3. Provide a combination of land uses that are designed to be integrated with other land uses in the immediately surrounding area, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools, transit routes and utilities;
 4. Promote development that creates concentrated areas of employment; and
 5. Provide a level of detail adequately describing high quality development and design themes that will implement the built environment described by the EO Development Plan.
- D. **Conditions.** In adopting an application for a EO District, the City Council may place conditions on its approval, and the approval of the associated EO Development Plan. Such conditions of approval may include, but are not limited to:
1. Conditions to ensure implementation of the EO Development Plan in accordance with the Mesa General Plan, and other applicable plans and policies adopted by the City;
 2. Conditions to achieve the purpose described in Section 11-14-1 of this Ordinance; and,
 3. Conditions requiring additional or different approval processes for site plans within the EO District.

11-14-6: - EO DEVELOPMENT PLAN REQUIREMENTS

Contents. An EO Development Plan shall be submitted concurrently with the application for the EO District, and shall include, at a minimum, the following:

- A. **An EO Development Plan Map.** A map, which may consist of multiple sheets, drawn to a suitable scale, which includes the following elements:
1. The boundary of the proposed EO District.
 2. The approximate location of proposed freeways, parkways, arterial and other streets, and other transportation facilities which provide connectivity to surrounding development.
 3. A EO Development Plan may consist of one or multiple Land Use Groups (LUGs). The EO Development Plan Map shall include approximate locations of differing Land Use Groups, if used.
- B. **Development Goals.** The EO Development Plan shall contain a list of goals and objectives, and narrative explanation of these goals, that are to be accomplished through adoption and implementation of the Plan. This description may include graphic and photographic examples, and shall include descriptions of the anticipated types of development envisioned for the property that will meet the intent of this zoning district and associated economic development benefits.
- C. **Land Use Regulations.** The EO Development Plan shall contain permitted, conditional and prohibited land uses, as described in 11-14-4. Land use activities may also be organized by Land Use Groups (LUGs), which may permit land uses in one LUG that may differ from a separately designated LUG, and must be described in the EO Development Plan. Such LUGs may be based in whole or in part on existing Mesa Base Zoning Districts, or may be new categories expressly created by a specific EO Development Plan. In addition to listing all permitted uses in the LUGs, the EO Development Plan shall have a narrative describing the intent and purpose for each separately designated LUG.
- D.

Development Standards. The EO Development Plan shall address requirements listed as General Development Standards, as defined in Chapter 87 of this Zoning Ordinance. General Development Standards can be based on existing Mesa Base Zoning Districts, or may have adjustments to those standards and shall be described in the EO Development Plan. Those not listed in the EO Development Plan shall default to development standard requirements as listed in this Zoning Ordinance. A default standard base zoning district from Article 3 of this Ordinance shall be identified in the EO Development Plan. When LUGs are used, a separate default standard base zoning district shall be identified for each LUG described.

- E. **Design Guidelines.** The EO Development Plan shall contain Design Guidelines for the development of the property. The guidelines will include the following items as applicable:
1. Broadly based design or architectural themes and concepts, sufficient to convey an idea and general pattern of development.
 2. Written guidelines and illustrations of proposed architectural, urban design, streetscape, and landscape concepts, thematic design elements such as architectural materials, building colors and landscape plants;
 3. Any proposed variation from Chapter 30, General Site Development Standards;
 4. The goals and guidelines described may be in narrative and/or graphic formats.
- F. **Permanent Sign Regulations.** An EO Development Plan shall specify permanent sign requirements, using one or a combination of the following:
1. Providing sign allowances for LUGs by citing requirements of identified default base zoning districts, or by citing sections of the Mesa Sign Ordinance; or
 2. Identifying specific sign allowances for permanent signs that differ from standard allowances for identified base zoning districts; or
 3. Specifying that a Comprehensive Sign Plan shall be required for developments governed by that specific EO Development Plan. The requirement for a Comprehensive Sign Plan may apply to all development sites governed by the EO Development Plan, or may be limited to a few selected development sites.
- G. **Site Specific Requirements Based on the Location.** An EO Development Plan will include any measures necessary to address compatibility with surrounding properties and provide for appropriate transitions.

11-14-7: - SITE PLAN REVIEW

- A. **Site Plan Approval Required.** All development within an EO District shall require an approved site plan. No building permit shall be issued for such sites until there is an approved site plan.
- B. **Pre-Submittal Conference.** A Pre-Submittal Conference with the City Planning Director and City Engineer, or their designee(s), is required prior to submittal of a site plan application.
- C. **Site Plan Review.** All site plans shall be reviewed and approved by the Planning Director and/or designee(s), through the administrative process unless a site within the EO Development Plan area is otherwise designated for review by public hearing by the adopted EO Development Plan.
- D. **Review and Conditions.** Site plans shall be reviewed for consistency with the requirements of the EO District and the approved EO Development Plan. Conditions may be imposed on the approval of any site plan as may be deemed necessary by the Planning Director to ensure that the site is designed in a way to facilitate compatibility with adjacent property, and to ensure that the development will be built in accordance with the approved EO Development Plan. The EO Development Plan may establish additional criteria for such conditions. Consistent with this Chapter and any additional criteria established in the EO Development Plan, such conditions may include:
1. Revised building setbacks;
 2. Revised landscaping;
 3. Revised on-site parking and loading spaces;
 4. Height and area limitations on structures;
 5. Limited vehicular access;
 6. Placement and/or installation of walls, fences and screening devices;
 7. Installation of noise attenuating devices or construction;
 8. Off-site improvements in public rights-of-way adjacent to the subject property; and
 9. Placement of all detached signs.
- E. **Required Information.** All applications for Site Plan Review for development within an approved EO District shall include:
1. Identification of the proposed range of land use classifications, or, when used, the LUG specified for the development site by the EO Development Plan;

2. Drawings (drawn to scale), including a site plan, landscape plan, and building elevations;
 3. Other supporting materials and documents, as determined by the EO Development Plan.
 4. Additional materials and plans as may be requested by the Planning Director to determine full compliance with the EO Development Plan, and compatibility of the project to neighboring development.
- F. **Land Use Boundaries Set by Site Plan Review.** When distinct, multiple Land Use Groups (LUGs) are used in an EO Development Plan, the site plan approved for a specific location or land parcel will set boundaries and shall designate which LUG applies. All future use and development of that site shall conform to the requirements of that specified LUG unless a different LUG is otherwise approved by the Planning Director as a part of a subsequent Site Plan Review application.

11-14-8: - EXPIRATION AND RENEWAL OF SITE PLAN REVIEWS

- A. **Expiration.** The approval of a site plan located within an adopted EO District shall expire 2 years following the date of the approval, unless a building permit has been issued and construction diligently pursued.
- B. **Extension.** Site plan approval may be extended once for a period of not more than an additional two years by the Planning Director. Application for an extension shall be made in writing not more than 60 days before and not more than 30 days after the expiration of the original approval. The Planning Director may extend a site plan approval if the site plan and any minor revisions approved since the initial adoption of the Site Plan Review remain consistent with the purpose and intent of this Chapter, and the applicable EO Development Plan.
- C. **New Application.** If the approval of a site plan expires and an extension to the approval is not, or cannot, be granted, a new application for Site Plan Review shall be required.

11-14-9: - AMENDMENTS TO AN APPROVED EO DISTRICT

- A. **Major Amendments.** The Planning Director shall determine if the proposed amendment constitutes a major or minor amendment. If the Planning Director determines an amendment to be major, the amendment request shall be processed as an amendment to the EO District and EO Development Plan, which shall require review and approval by the Planning and Zoning Board and City Council in accordance with the requirements of Chapter 67 of this Zoning Ordinance. An amendment will be deemed major if it involves a change or modification to any one of the following:
1. The overall EO District boundary.
 2. The permitted uses in the EO District as listed in the EO Development Plan.
 3. The General Development Standards.
 4. The EO Development Plan that substantively alters one or more components or required elements of the EO District or EO Development Plan as determined by the Planning Director.
- B. **Minor Amendments.** Amendments not meeting the criteria listed in subsection A, above, shall be considered minor. If the Planning Director determines the amendment to be minor, the Planning Director may administratively act on the amendment and attach stipulations or conditions of approval thereto.

11-14-10: - ADMINISTRATIVE ACTIONS AND APPEALS

- A. **Administrative Actions.** The following requests shall be reviewed on an administrative basis, including:
1. Site Plan Reviews;
 2. Site Plan Modifications;
 3. Minor Adjustments to General Development Standards; and
 4. Minor Amendments to the EO Development Plan.
- B. **Notice of Administrative Action Requests.** Letters delivered by first-class mail shall be sent to owners of those properties located within 750-feet of the exterior boundaries of the property that is the subject of the administrative action. Such letters shall be mailed a maximum of 5-working days after the application for Administrative Action is received. The notice letter shall:
1. Provide a brief narrative summary of the requested action,
 2. Provide copies of any graphic plans and drawings submitted by the applicant in support of the requested action.
 3. Provide the following information in order that the letter recipient may communicate with either the applicant or the Mesa Planning Division staff planner assigned to manage the request:
 - a. Telephone numbers;
 - b. E-mail addresses; and

- c. Street addresses.
 4. Provide an explanation that the intended recipient of the letter, or their assigned representative, may:
 - a. Express interest in, and be notified of, the decision made on request;
 - b. Provide comments expressing support or concern regarding the request, and list the basis for the support or concern.
 5. Specify a scheduled deadline for the intended recipient of the letter, or their selected representative, to file an expression of interest in the request.
- C. **Administrative Decision Process.** The Planning Director and/or Zoning Administrator, as applicable, shall review the application and make a decision, which may include conditions of approval. Notice of the decision shall be sent to the applicant and those owners of properties within 750-feet of the exterior boundaries of the application site that have expressed written interest in being notified of the decision by the filing date described in sub-section B, above. Included with the decision notice, there shall be a statement of the ability to file an appeal of the decision, a description of the appeal process, and a deadline by which to file an appeal. The appeal deadline shall be set 15-calendar days from the date the decision notice is sent. In the event the 15-day appeal deadline falls on a weekend or recognized public holiday, the deadline shall be set as the next working day following the weekend or public holiday.
- D. **Planning and Zoning Board Appeals.** An action or decision by the Planning Director on minor amendments, site plan reviews, or site plan modifications may be appealed by the applicant, or by an owner of property located within 750 feet of the area affected by the minor amendment and/or site plan. The appeal shall be filed within 15 calendar days from the date of the Planning Director's decision, and shall be heard by the Planning and Zoning Board.
- E. **Board of Adjustment Appeals.** An action or decision by the Zoning Administrator on minor adjustments to General Development Standards may be appealed by the applicant, or by an owner of property located within 750 feet of the area affected by the minor adjustment. The appeal shall be filed within 15 calendar days from the date of the Zoning Administrator's decision, and shall be heard by the Board of Adjustment.
- F. **Evaluation of Administrative Action Appeals.** Appeals of Administrative Action decisions shall be evaluated based on the same criteria used by the Planning Director or Zoning Administrator when making the decision that is the subject of the appeal.
- G. **Notice of Appeals.**
1. Notice of any appeal shall be sent to the property owner of the project, and any property owner filing the appeal.
 2. Notice of appeals to the Planning and Zoning Board shall be in the same manner as described in Section 11-67-5.A.
 3. Notice of appeals to the Board of Adjustment shall be in the same manner as described in Section 11-67-5.B.
- H. **Further Appeals.** Any further appeals of the decision of the Planning and Zoning Board, and/or Board of Adjustment shall be in accordance with Section 11-67-12 and Chapter 77 of this Ordinance.

CHAPTER 15 - LEISURE AND RECREATION (LR) DISTRICT SECTIONS

11-15-1: - PURPOSE

The purpose of the Leisure and Recreation (LR) District is to allow public and private parks as a specific base zoning district. The district provides for a variety of recreation-related facilities and uses for residents and visitors of the City.

(Ord. No. 5554, § 3, 2-10-20)

11-15-2: - LAND USE REGULATIONS

In Table 11-15-2, the land use regulations for each Leisure and Recreation Zoning District are established by letter designations as follows:

- * "P" designates use classifications permitted in the Leisure and Recreation District.
- * "SUP" designates use classifications permitted on approval of a special use permit.
- * "CUP" designates use classifications permitted on approval of a council use permit.
- * "(X)" a number in parentheses refers to a limitation following the table.

Use classifications not listed are prohibited. The "additional use regulations" column includes specific limitations applicable to the use classification or refers to regulations located elsewhere in this Ordinance.

Table 11-15-2: Leisure and Recreation District			
Proposed Use	LR	Additional Use Regulations	
Public and Semi-Public Use Classifications			
Community Gardens	P	Section 11-31-10, Community Gardens	
Parks and Recreation Facilities, Public	P		
Parks and Recreation Facilities, Private	P		
Public Safety Facilities	P (23)	P (23)	P (23)
Schools, Colleges, and Trade Schools			
Colleges or Universities, Private	—	Section 11-31-24, Schools	
Colleges or Universities, Public	P		
Commercial Trade Schools, Private	—	Section 11-31-24, Schools	
Commercial Trade Schools, Public	P		
Industrial Trade Schools, Private	—	Section 11-31-24, Schools	
Industrial Trade Schools, Public	P		
K-12, Private	—	Section 11-31-24, Schools	
K-12, Public	P		
Accessory Uses and Facilities			

Temporary Outdoor Entertainment	TUP	Section 11-31-30, Temporary Uses
Temporary Outdoor Sales	TUP	

(Ord. No. 5554, § 3, 2-10-20; Ord. No. 5759, § 1, 12-8-22)

11-15-3: - REVIEW OF PLANS

Administrative use permits, special use permits, and council use permits shall follow the standards established in Chapter 70 of this Ordinance. All other uses and development shall comply with the review procedures, standards and criteria established in Article 7, Administration.

(Ord. No. 5554, § 3, 2-10-20)

ARTICLE 3 - OVERLAY ZONES

CHAPTER 19 - AIRFIELD OVERLAY DISTRICT

11-19-1: - PURPOSE AND INTENT

The purpose of the Airfield (AF) Overlay District is to recognize the effects and hazards associated with the operation of aircraft in designated areas and the effect of aircraft operation on nearby areas. This district is intended to promote the public health and safety in the vicinity of aircraft operation areas by establishing Runway Protection Zones and Overflight Areas and designating permitted land uses, public notification and noise attenuation requirements within these areas to minimize exposure to the hazards, high noise levels, and overflight activity generated by aircraft operations and encourage future development compatible with and supportive of the continued operation of airports and other approved aircraft operation areas. Implementation of this district assists in achieving compliance with CFP 14 Part 77 with regards to the safe, efficient use, and preservation of navigable air space.

(Ord. No. 5446, 6-4-18)

11-19-2: - RUNWAY PROTECTION ZONES AND AIRPORT OVERFLIGHT AREAS

A. **Establishment of Runway Protection Zones and Airport Overflight Areas.** The Runway Protection Zones and Airport Overflight Areas described below are established as shown on Map AF-1 or AF-2: Airport Overflight. Within the Airfield Overlay District there are four sub-areas:

1. Runway Protection Zones (RPZ)
2. Airport Overflight Area One (AOA 1)
3. Airport Overflight Area Two (AOA 2)
4. Airport Overflight Area Three (AOA 3)

MAP AF-1: AIRFIELD OVERLAY - PHOENIX-MESA GATEWAY AIRPORT

MAP AF-2: AIRFIELD OVERLAY - MESA-FALCON FIELD
AIRPORT

Uncertainty of Boundaries. Where uncertainty exists as to the boundaries of the Runway Protection Zones and Airport Overflight Areas shown on map AF-1 or AF-2, the following rules shall apply:

1. Boundaries shall be scaled from the nearest physical feature shown on the map, such as roads and canals;
 2. Boundaries on the map shall be scaled from the nearest lot line; or
 3. Distances not specifically indicated on either map AF-1 or Map AF-2 shall be determined by a scaled measurement on the map.
- C. Where physical features on the ground differ from the information shown on Maps AF-1 or AF-2, or when there arises a question as to how or where a parcel of property is zoned or in which Runway Protection Zone or Overflight Area the property is located and such questions cannot be resolved by the application of the above rules, the property shall be considered to be classified as the more restrictive Runway Protection Zone or Airport Overflight Area.
- D. Where a parcel of land lies within more than one (1) Runway Protection Zone or Airport Overflight Area, the Runway Protection Zone or Airport Overflight Area within which each portion of the property is located shall apply individually to each portion of the development.

(Ord. No. 5446, 6-4-18)

11-19-3: - DEFINITIONS SPECIFIC TO AIRFIELD OVERLAY DISTRICTS

Aircraft: Any contrivance, now known or hereafter invented, for use or designed for navigation of or flight in the air, including helicopters, fixed-wing aircraft and gliders, and lighter-than-air vehicles, such as hot-air balloons, blimps and dirigibles.

Airport: The Phoenix - Mesa Gateway Airport owned and operated by the Phoenix- Gateway Airport Authority, or Falcon Field Airport, owned and operated by the City of Mesa, as may be applicable. Airports (plural) refers to both places.

Airport Overflight Area: The areas described in technical studies of airport operation order Federal Aviation Administration (FAA) procedures. The entire Airport Overflight Area consists of 3 Airport Overflight sub-areas: Area One, Area Two and Area Three.

Airport Overflight Area One (AOA 1): The area within the 65 DNL contour.

Airport Overflight Area Two (AOA 2): The area between the 60 and 65 DNL noise contours, as "squared off" by addition of an additional one-half mile for ease of application.

Airport Overflight Area Three (AOA 3): The area outside the 60 DNL contour area as defined by Airport Overflight Area Two, which extends to the balance of the Airport Overflight Area.

Airport hazard: Any structure or object of natural growth, use of land, or other item classified by the FAA as an obstruction to the airspace required for the flight of aircraft arriving at, or departing from, the Airport.

Avigation easement: An easement granted for aviation purposes over and across a property which acknowledges the property will be subject to aircraft overflights and which holds the City, the public and either of the Airports harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by aircraft landing, departing or operating at or near either of the Airports, not including the physical impact of aircraft or parts thereof.

DNL (Day-Night Level): The 24-hour average sound level in A-weighted decibels, obtained after the addition of 10 decibels (dB) to sound levels for the periods between 10:00 P.M. and 7:00 A.M. as averaged over a span of 1 year. It is the Federal Aviation Administration (FAA) standard metric for determining the cumulative exposure of individuals to noise.

Decibel (dB): A standard measure of sound intensity, sound power or sound pressure equal to 20 times the common logarithm of the ratio of the pressure produced by the sound wave to a reference pressure, usually 0.0002 microbar.

Noise Level Reduction (NLR): The reduction of outside noise transmitted inside a structure achieved through the incorporation of noise attenuation into the design and construction of the structure.

Noise sensitive uses: Those activities considered to be adversely affected by high noise levels including, but not limited to: single residence or multiple residence housing, hotels, motels, hospitals, nursing homes, places of worship, libraries, public and private schools, standalone day care centers, and places of public assembly.

Runway: A defined area on an airport prepared for landing and takeoff of aircraft along its length. The runway includes any proposed runway or runway extension as shown on the most current Phoenix - Mesa Gateway Airport Layout Plan, Falcon Field Airport Layout Plan, or any other Council approved airport planning document.

11-19-4: - LAND USE REGULATIONS

- A. **Runway Protection Zones (RPZ).** In order to minimize public exposure to accident hazard and crash potential as generated by aircraft operations, no building shall be located within any portion of a runway protection zone as defined and designated by this Code. However, such onsite improvements as vehicle parking, storm water retention, landscaping, and yard setbacks, as otherwise required by this Code or other city regulation, may be permitted within the designated runway protection zones. No element of any landscaping shall be allowed to penetrate any runway protection zone slope or other approach surface.
- B. **Airport Overflight Areas One and Two (AOA 1, AOA 2).** Use limitations are imposed for the AOA 1 and AOA 2 Overflight Areas as shown in the district Land Use Regulation Tables, See Tables 11-4-2, 11-5-2, 11-6-2, 11-7-2, and 11-10-2.
- C. **Airport Overflight Area Three (AOA 3).** For areas within the AOA 3 Overflight Area, there are no use limitations beyond those in the base district.

11-19-5: - SUPPLEMENTARY PROVISIONS

- A. **Avigation Easement.** The owners of any property, including mortgagees, other lien holders and easement holders, located within the Airfield Overlay District shall execute an avigation easement prior to or concurrently with the recordation of any subdivision final plat, or issuance of any building permit, whichever occurs first. The easement shall be in a form approved by the Mesa Planning Director and City Attorney. This easement shall hold the City, the public and the associated Airport harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or any other effects that may be caused by aircraft landing, departing or operating at or near a designated Airport, not including the physical impact of aircraft or parts thereof.
- B. **Notification of Buyers.** No person shall sell or offer for sale any property located within the Airfield Overlay District unless the prospective buyer has been notified of the fact that the property is located within the Airfield Overlay District.
- C. **Disclosure.** The following notice shall be provided in accordance with paragraphs one (1) and (2) below for all single and multiple residence housing and other noise sensitive uses. "This property, due to its proximity to a designated Airport, will experience aircraft overflights, which is expected to generate noise levels that may be of concern to some individuals. The mix of aviation activities and types of aircraft expected to be located at the airport now and in the future may include: scheduled and unscheduled commercial charters, commercial air carriers and commercial air cargo operations, all of which are expected to use large commercial aircraft, corporate and executive jets, helicopters, general aviation aircraft, aviation flight training schools using training aircraft and high performance military jets. The size of aircraft and frequency of use of such aircraft may change over time depending on market and technology changes."
 - 1. **Final Subdivision Plats and Public Reports.** For all areas within an AF overlay district, final subdivision plats and public reports filed with the Arizona Department of Real Estate shall provide notice that discloses the location of the Airport and the potential for aircraft overflights and objectionable aircraft noise and shall include, at minimum, the disclosure in Subsection C above.
 - 2. **Real Estate and Similar Sales and Leasing Offices.** Sales and leasing offices shall provide notice to all prospective buyers and lessees stating that the project is located within an Overflight Area. Such notice shall consist of a sign at least 4-foot × 4-foot installed at the entrance to the sales office or leasing office at each project. The sign shall be installed prior to commencement of sales or leases and shall not be removed until the sales office is permanently closed or leasing office no longer leases units in the project. The sign shall state the disclosure in Subsection C above letters of at least 2" in height.
- D. **Noise Level Reduction.** A building permit shall not be issued for any structure requiring a Certificate of Occupancy or designed for habitation, within the Airfield Overlay District, until the plans and specifications accompanying the application for the building permit have been certified by a registered Professional Engineer or registered Professional Architect in the State of Arizona as demonstrating that indoor noise levels attributable to airport operations shall not exceed 45 db for all portions of a structure where the public is received, office areas, public assembly rooms, sleeping areas, noise-sensitive areas and other areas where the ambient noise level is expected to be low. Plazas, courtyards, outside displays, covered/partially enclosed work areas, storage areas, loading bays, and similar areas are excluded.
- E. **Provisions.** Notwithstanding any other provisions of this Chapter and in compliance with CFR 14 Part 77, no use may be made within any area affected by this Chapter in such a manner as to obstruct navigable airspace, interfere with navigational signals, impair radio communication between the Air Traffic Control Tower and aircraft, impair visibility in the vicinity of the Airport, create bird strike hazards, or otherwise materially endanger or interfere with the landing, takeoff, operation or movement of aircraft.

11-20-1: - PURPOSE

The purpose of the Age-Specific (AS) Overlay District is to provide a residential environment conducive to the lifestyle and particular needs of senior citizens and retirees. This district is intended to be utilized for existing and proposed planned residential developments developed, advertised, and sold under certain age-specific conditions that contain facilities and services specifically designed to meet the physical and social needs of older persons.

11-20-2: - LAND USE REGULATIONS

- A. The Age-Specific overlay district is to be used in conjunction with an underlying residential zoning district, thereby permitting the same uses as the underlying base zoning district.
 - 1. Each dwelling unit, if occupied, shall be occupied by at least 1 person not less than 55 years of age. Unless a person of not less than 55 years of age also occupies the residence, no person less than 55 years of age shall reside in any dwelling unit for a period of time exceeding 90 days, unless except pursuant to an Administrative Use Permit issued in accordance with Chapter 70, Conditional Use Permits. Evaluation and Issuance of the Administrative Use Permit shall be based on the following criteria:
 - (a) The residence has been occupied by some person of not less than 55 years of age within the last 12 months.
 - (b) The person that is less than 55 years of age is a spouse or blood relative related to the previous occupant mentioned in (a), above, or listed as a recipient of the estate or trust of the previous occupant.
 - 2. Administrative Use Permit shall be issued for a period no greater than one year, and shall be renewable.

11-20-3: - SUPPLEMENTAL REGULATIONS

- A. An application for Age-Specific overlay zoning may be approved by the City Council only after submission of the following materials:
 - 1. A petition signed by 100 percent of the owners of property within the proposed district; or
 - 2. Documentation that all of the property within the proposed district has been, and will continue to be, developed, advertised, and sold or rented under specific age restrictions; and
 - 3. Documentation of the existence and availability of facilities and services designed to meet the physical and social needs of older persons.
- B. Age-Specific overlay zoning district may be established only on parcels of 40 or more contiguous acres.

CHAPTER 21 - BONUS INTENSITY ZONE OVERLAY DISTRICT

11-21-1: - PURPOSE

The purpose of the Bonus Intensity Zone (BIZ) Overlay District is to provide for variation from the application of residential densities and other development standards to allow greater intensity of development and encourage unique, innovative developments of superior quality. It must be demonstrated that the resulting development will further the goals and objectives of the General Plan, Specific Plans, and Council policies and will provide significant social or economic benefits to the City. This overlay district applies more frequently to individual projects which may consist of one or more buildings. Moreover, the purposes of this district are to:

- A. Encourage unique, innovative development of superior quality that utilizes sustainable development practices and promotes pedestrian activity.
- B. Allow for the establishment of unique land use regulations and development standards to achieve the goals of the General Plan for the area.
- C. Promote development patterns that encourage conservation of natural resources and provide opportunities for renewable energy production.

11-21-2: - LAND USE REGULATIONS

The BIZ overlay-zoning district is used in conjunction with an underlying zoning district, thereby permitting the same uses as the underlying base zoning district, except those land uses that may be excluded by the City Council. Before the City Council excludes a land use from a base zoning district, a development agreement that also excludes those specified land uses shall be adopted previous to or concurrently with the adoption of the overlay district.

11-21-3: - DEVELOPMENT STANDARDS

- A. Unless specifically modified by the City Council, the specified development standards are based upon the requirements of the underlying base zoning district; including but not limited to minimum lot area, maximum density, maximum building height, minimum setbacks, and maximum lot coverage for each underlying zoning district.
- B. The City Council may approve modifications to the underlying district standards proportionate to number of items and degree of compliance provided by projects that comply either with a combination of Items 1 and 2, below; or with a combination of 1 and 3, below. Projects with few modifications need comply with a lower percentage of criteria. Projects with a higher number and greater deviation from adopted standards shall comply with a higher percentage of criteria.
 1. Provide distinctive, superior quality designs. (See Section 11-31-32, Superior Design)
 2. Address environmental performance standards outlined below:
 - a. Site selection criteria. Sites shall meet one or more of the following criteria.
 - i. Redevelop and rehabilitate economically distressed properties (particularly greyfield sites), damaged sites or environmentally contaminated 'brownfield' sites.
 - ii. Utilize areas with existing utility and transportation infrastructure and existing community services. This criterion is preferred for higher density and higher intensity development, when feasible.
 - iii. Utilize locations within ½ mile of a planned light rail line or ¼ mile from an existing or planned bus stop. This criterion is preferred for higher density and higher intensity development, when feasible
 - b. Site design criteria. Designing the site to facilitate alternative modes of transportation and to reduce onsite environmental impacts.
 - i. Provide safe and secure storage for bicycles. For commercial, employment or institutional projects, bicycle storage areas shall be within 200 yards of the building entrance, and shall have a designated and convenient pedestrian access route connecting the storage area to the building. For residential projects, safe and secure bicycle storage areas shall be provided on-site for a minimum 15% of the residents.
 - ii. Include priority location parking for low-emission vehicles in parking areas.
 - iii. Provide priority location parking spaces for carpool or vanpool vehicles.
 - iv. Provide the number of parking spaces designed to serve a development site consistent with the number of spaces required to meet the minimum parking ratio. Parking spaces over the minimum number is discouraged.
 - v. For greenfield sites, protect or restore natural areas on site with native vegetation to encourage biodiversity and for enjoyment by people. For previously developed sites, restore areas with native or adapted vegetation to encourage biodiversity and for enjoyment by people. The size of the space should be appropriate for the size of the site and the activity level or use of the site.
 - vi. Design the project to be energy efficient including, but not limited to, designed to reduce summer heat gain, reduce winter heat loss, utilize day lighting strategies and provide the opportunity for occupants to take advantage of renewable energy. The design also mitigates the effects of solar exposure for users and pedestrians. For purposes of this criterion, buildings that have efficient HVAC systems, incorporate passive solar heating, cooling and day lighting strategies within an efficient building envelope, as recommended by the Department of Energy's Energy Efficiency and Renewable Energy (EERE) section, including buildings designed to earn the EPA ENERGY STAR or designed to meet LEED™ Silver or equivalent third-party criteria are considered to be energy efficient and no higher standard shall be used
 - c. Provide documented evidence that the building(s) will meet or exceed nationally recognized environmental performance standards. For purposes of this criterion, buildings that are designed to earn LEED™ Silver, Green Globes, and/or equivalent third-party criteria, and no higher standard shall be required. Avoid sites considered inappropriate, such as prime farmland, land identified as habitat for endangered species, and wetlands or riparian areas associated with wildlife.
 - d. Utilize areas with existing utility and transportation infrastructure and existing community services. This criterion is preferred for higher density and higher intensity development, when feasible.
 - e. Redevelop and rehabilitate economically distressed properties (particularly greyfield sites), damaged sites or environmentally contaminated 'brownfield' sites.
 - f. Utilize locations within ½ mile of a planned light rail line or ¼ mile from an existing or planned bus stop. This criterion is preferred for higher density and higher intensity development, when feasible.
 3. Provide documented evidence that the building(s) will meet or exceed nationally recognized environmental performance standards. For purposes of this criterion, buildings that are designed to earn Green Globes, LEED™ Silver, or to be in compliance with the International Green Construction Code and/or equivalent third-party criteria, are considered to be energy efficient and no higher standard shall be

required.

11-21-4: - SUPPLEMENTAL REGULATIONS

- A. Land developed under this Chapter may consist of building(s) on individual or multiple lots.
- B. Common open space shall be an essential element of the plan. Open areas should provide an efficient, aesthetic, and desirable usage.
- C. Every structure containing residential, commercial, or industrial units shall have access to a public street. The access shall occur either directly to an abutting public right-of-way, or by use of a recorded access easement, or by utilizing a court, walkway, or other common area. If a common area is used, it shall be owned and maintained in common by a property owner's association organized through private covenants, conditions and restrictions attached to the deed.

11-21-5: - REVIEW OF PLANS

- A. Application. Requests for BIZ overlays shall follow the same procedures specified for zoning amendments in Article 7, Administration of this Ordinance.
- B. Modifications to Plans. Changes to the approved development plan shall be reviewed and approved in accord with Chapter 67 Common Procedures.
- C. Building Permits and Regulations.
 - 1. An approved development may be built in phases upon approval of a phasing plan. Any phasing plan must provide, at a minimum, that the construction and provision of all necessary elements associated with that phase, including parking, drainage, common open spaces, and public and recreational facilities, which are shown on the approved site plan, are constructed prior to or contemporaneously with the construction of buildings for that phase. If the City Manager or designee determines that the rate of building construction does not conform to the approved phasing plan, he shall notify the developer that no new building permits shall be issued until the developer obtains approval of a supplemental Phasing Plan designed to restore compliance with the previously approved Phasing Plan. In the alternative, the developer may submit a proposed revision to the Phasing Plan for Planning Director review and possible approval. Failure to comply with the terms of this Section in a timely manner following notification shall result in all building construction being halted and all existing building permits shall be suspended until a supplemental or revised Phasing Plan is approved by the Planning Director.
 - 2. When the project has been completed, the use of the land and the construction, modification, or alteration of any buildings or structures within the development shall remain in conformance with the development plan, except that any minor extension, alteration, or modification of existing buildings or structures may be authorized by the Zoning Administrator or Board of Adjustment in accordance with Article 7, Administration of this Ordinance if they are consistent with the purpose and intent of the approved development plan.

CHAPTER 22 - PLANNED AREA DEVELOPMENT OVERLAY DISTRICT

11-22-1: - PURPOSE

The purpose of the Planned Area Development Overlay (PAD) District is to permit flexibility in the application of zoning standards and requirements where it can be demonstrated that the proposed development provides equivalent or superior standards in a creative way to meet the intent of the underlying zoning district and general plan. This overlay district allows for innovative design and flexibility in projects of sufficient size that are planned for development as a cohesive unit and may also be used to organize a development in phases by using conceptual development plans and deferring specific site plan approval to a future date. The intent of this district is to provide for creative, high-quality development incorporating:

- A. Well designed and integrated open space and/or recreational facilities held in common ownership and of a scale that is proportionate to the use;
- B. Options for the design and use of private or public streets;
- C. Preservation of significant aspects of the natural character of the land;
- D. Building design, site design, and amenities that create a unique and more sustainable alternative to conventional development;
- E. Sustainable property owners' associations;
- F. Maintenance of property held in common ownership through the use of recorded covenants, conditions, and restrictions; and
- G. Single or multiple land use activities organized in a comprehensive manner, and designed to work together in common and in a synergistic manner to the benefit of both the project and the neighboring area.

11-22-2: - LAND USE REGULATIONS

The PAD overlay district is to be used in conjunction with one or more underlying zoning districts, thereby permitting the same uses and activities as the underlying base zoning district(s), except those that may be excluded by the City Council. Limitations and standards of use also may be established in the overlay district as conditions of approval for individual developments. Before the City Council excludes a land use from a base zoning district, a development agreement that also excludes those specified land uses shall be adopted previous to or concurrently with the adoption of the overlay district.

11-22-3: - DEVELOPMENT STANDARDS

- A. The minimum site area for a PAD shall be 5 acres. Residential and mixed-use applications for sites that are smaller than 5-acres may be considered in the event the project includes a minimum of 20 dwelling units.
- B. The general development standards established in this Ordinance and the specific development standards for each underlying zoning district are required, unless specifically modified by the City Council with the approval of the PAD overlay.

11-22-4: - SUPPLEMENTAL REGULATIONS

- A. The submitted plan shall list permitted development and land use options, which may be assigned to specific parcels. Multiple development and land use options may be assigned and described as available alternatives. Land developed under this Chapter may consist of multiple parcels or may have common building sites.
- B. Common open space shall be an essential and major element of the plan. Open areas should provide an efficient, aesthetic, and desirable usage.
- C. Every structure shall have access to a public street, directly across either a coterminous property line; or using recorded access easements; or using a court, walkway or other common area owned and maintained as common ground.

11-22-5: - REVIEW OF PLANS

- A. **Application.** Requests for PAD overlays shall follow the same procedures specified for zoning amendments in Chapter 76, Zoning Ordinance: Amendments to Map and Text, of this Ordinance. In addition, applications requesting PAD overlays shall include a planning document(s) that incorporates the following items:

- 1. Graphic depictions of the following, as may be applicable:

- a. Land use plan, drawn to scale, including:
 - i. Dimensions and acreage of overall project site;
 - ii. Dimensions and acreage of each underlying zoning district;
 - iii. Dimensions and acreage of each unit or stage of development; and,
 - iv. Locations of properties proposed for conceptual and specific review.
- b. Site Plan(s), drawn to scale, including typical lot sizes and building placement for residential development (Site Plans not required for conceptual requests).
- c. Elevation(s) of proposed building(s), drawn to scale (Elevations not required for conceptual requests).
- d. Locations of commonly owned, property, including open space and recreational amenities.
- e. Locations of all proposed streets alignments and subdivisions of land.

- 2. Narrative description(s) and explanation(s) of the following:

- a. Compliance of the proposed project with the requirements of the Mesa General Plan, and the Purpose statements of the PAD Overlay District (Section 11-22-1).
- b. Development standards for the project, including how proposed deviations from base zoning district development standards and general development standards are of equal or superior quality.
- c. Phasing plans, if the project consists of multiple units or stages of development.
- d. Specific and/or conceptual land uses, as applicable.
- e. Properties and amenities to be held in common ownership, including open space and recreational amenities.
- f. Intensity of development expressed as a ratio (specific plan) or as a range (conceptual plan).

- g. Description of design themes and character.
- h. Incorporation of sustainable development practices.

B. **Conceptual and Specific Plans.** Applications for PAD Overlay may specify the project is proposed for conceptual and/or specific approval.

1. Requests for Conceptual Plan approval permits submittal of generalized plans describing land uses and development themes, and ranges of intensity of development described as ratios of activity, such as floor area ratio or dwelling units per acre. Approved Conceptual Plans require review and approval of a Specific Plan prior to development.
2. Requests for Specific Plan approval requires submittal of detailed drawings of the proposed development, including site plans, landscape plans and building elevations, depicting the project as it is anticipated to be constructed on the specific location. Specific Plans may be approved by the Planning & Zoning Board in the event a Conceptual Plan has been approved by the City Council, and the submitted Specific Plan indicates the land use is consistent with the range of intensity and other applicable descriptions of development documented on the approved Conceptual Plan or conditions of approval.
3. The initial submittal for rezoning for the PAD overlay may include both specific plan areas and conceptual plan areas.

C. **Modifications to Plans.** Changes to the approved development plan shall be reviewed and processed in accordance with the provisions in Chapter 67 Common Procedures, of this Ordinance.

D. **Phased Development.** An approved development may be built in phases as part of the project's plan, if the construction and provision of all necessary elements, including parking, drainage, common open spaces, and public and recreational facilities, which are shown on the approved plan, proceed at a rate commensurate with the construction of buildings. If the Development and Sustainability Department Director determines that the rate of building construction is not commensurate with the construction of the aforementioned necessary elements, the Planning Director or designee shall notify the developer that no permits for building construction will be issued until the rate of construction conforms accordingly. Failure to comply with the terms of this Section in a timely manner following notification shall result in all building construction being halted until compliance is restored.

E. **Conformance with Approved Plan - Modification after Initial Construction.** When the project has been completed, the use of the land and the construction, modification, or alteration of any buildings or structures within the development shall remain in conformance with the approved development plan except that any minor extension, alteration, or modification of existing buildings or structures may be reviewed and approved by the Zoning Administrator Hearing Officer or Board of Adjustment in accordance with Chapter 67 Common Procedures, of this Ordinance if the request is found to be consistent with the purpose and intent of the approved development plan.

(Ord. No. 5544, § 5, 12-9-19)

CHAPTER 23 - HISTORIC AND LANDMARK OVERLAY DISTRICTS

11-23-1: - PURPOSE

The specific purposes of this Chapter are to:

- A. Recognize that the form and character of the City of Mesa are reflected in its cultural, historical, and architectural heritage;
- B. Preserve the unique cultural heritage, to encourage and facilitate public knowledge and appreciation of the past, to foster civic and neighborhood pride, and to encourage public participation in identifying and preserving historical and architectural resources;
- C. Enhance property values, protect and enhance the City's attraction to tourists and visitors, stimulate business and industry, and identify and resolve possible conflicts between the preservation of cultural and historic resources and alternative land uses;
- D. Stabilize neighborhoods through preservation of historic and cultural resources and maintenance of the existing built environment; and
- E. Preserve the diverse architectural styles, patterns of development, and design preferences that reflect phases of the City's history, and encourage complementary contemporary design and construction.

11-23-2: - MESA HISTORIC PROPERTY REGISTER

- A. The Mesa Historic Property Register is hereby established for the purpose of listing the landmarks, historic properties, and historic districts, as designated under the provisions of this Chapter and listed on the National Register of Historic Places. This register, as may be amended from time to time, shall serve as the official record of all such designations and shall be maintained by the Historic Preservation Officer (HPO) and available for public reference at the Office of Historic Preservation.

B.

Supplemental to the historic property register shall be the list of properties classified as historically eligible and archaeologically sensitive. This list, as may be amended from time to time, shall be maintained by the Historic Preservation Officer, and available for public reference at the Office of Historic Preservation.

11-23-3: - APPLICATION FOR HD OR HL

Requests for Historic District (HD) or Historic Landmark (HL) overlays shall follow the same procedures specified for zoning amendments in Chapter 74 and Chapter 76 of this Ordinance. In addition, requests for HD or HL overlays shall also be reviewed by the Historic Preservation Board and a recommendation considered prior to the request being reviewed by the Planning & Zoning Board.

11-23-4: - CRITERIA FOR HISTORIC DISTRICTS AND LANDMARKS

A. Historic District (HD) Criteria.

1. **Required Minimum Area.** An HD overlay district shall have either:
 - a. Seven or more properties, whether or not separated by a street; or
 - b. At least four or more adjacent and adjoining lots or parcels with at least 300 feet of consecutive street frontage.
2. **Required Historical Elements.** An HD overlay district may be established only if at least one (1) of the following exists:
 - a. The area meets the criteria for historic districts adopted by the State of Arizona through the State Historic Preservation Office;
 - b. The area substantially meets the criteria for the listing of districts to the National Register of Historic Places adopted by the United States Secretary of the Interior, copies of which shall be on file in the Office of Historic Preservation and made available there for public inspection; or
 - c. Both of the following are found:
 - i. The area possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects which are united by past events of 50 or more years ago, or aesthetically by plan or physical development of 50 or more years ago; and
 - ii. The area is worthy of preservation and protection for aesthetic interest or value, educational potential, or significance in the history of Mesa.

B. Historic Landmark (HL) Overlay District Criteria. A building, structure, or object within or without an HP overlay district in the City may be designated as an "Historic Landmark" only if it displays exceptional historic, visual, or architectural significance and at least one of the following exists:

1. It meets the criteria for historic sites adopted by the State of Arizona through the State Historic Preservation Office;
2. Any part of it is 50 or more years old; or
3. It substantially meets the following criteria for individual listing in the National Register of Historic Places adopted by the Secretary of the Interior, copies of which shall be on file in the Office of Historic Preservation:
 - a. Value as a significant reminder of the cultural, historical, architectural or archaeological heritage of the city, state, or nation.
 - b. Location is the site of a significant local, state or national event.
 - c. Identified with a person or persons who significantly contributed to the development of the city, state, or nation.
 - d. Identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the city, state, or nation.
 - e. Value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.
 - f. Distinguishing characteristics of an architectural style valuable for the study of a period.

11-23-5: - LAND USE REGULATIONS

The HD and HL overlay districts are to be used in conjunction with an underlying zoning district, thereby permitting the same uses as the underlying base zoning district, including those uses that may be specified by the City Council.

11-23-6: - BUILDING PERMITS

Prior to issuance of a building permit for the construction, alteration, rehabilitation, or maintenance of a structure, building, sign, or other object within a designated historic district or historic landmark, the Building Official shall first refer such application to the Historic Preservation Officer for review and approval of a Certificate of Appropriateness as specified in Section 11-74-3. No building permit shall be

issued without such Certificate and an issued permit must be in conformance with the requirements specified in the Certificate of Appropriateness.

CHAPTER 24 - DOWNTOWN EVENTS (DE) OVERLAY ZONING DISTRICT

Footnotes:

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Editor's note— Previously, Chapter 24 derived from Ord. No. 5123, 9-24-12.

11-24-1: - PURPOSE AND INTENT

The purpose of this Chapter is to recognize that temporary events of a civic and commercial nature foster and encourage a sense of community. Special events and other temporary activities, such as carnivals, rodeos, festivals, parades and other temporary activities encourage the gathering of citizens of the community for community, civic, recreational, commercial and promotional reasons, when held in the downtown area, benefit the citizens and visitors of Mesa.

(Ord. No. 5862, § 1, 7-8-24)

11-24-2: - DESCRIPTION OF OVERLAY DISTRICT BOUNDARIES

This overlay district shall be the area as shown on Map 11-24-2, and the boundaries of which may be described as:

By a line beginning at the intersection of the west right-of-way line of Country Club Drive and the north right-of-way line of 1st Street; then extending east along the north right-of-way line of 1st Street to the west right-of-way line of Center Street Alley; then extending north along the west right-of-way line of Center Street Alley to the north right-of-way line of 2nd Street; then extending east along the north right-of-way line of 2nd Street to the west right-of-way line of Center Street; then extending north along the west right-of-way line of Center Street to south right-of-way line of University Drive; then extending east along the south right-of-way line of University Drive to the east right-of-way line of Pasadena; then extending south along the east right-of-way line of Pasadena to the south right-of-way line of 2nd Street; then extending west along the south right-of-way line of 2nd Street to the east right-of-way line of Centennial Way; then extending south along the east right-of-way line of Centennial Way to the north right-of-way line of 1st Street; then extending east along the north right-of-way line of 1st Street to the east right-of-way line of Mesa Drive; then extending south along the east right-of-way line of Mesa Drive to approximately 440 feet north of Main Street; then extending east to the west right-of-way line of Lesueur; then extending north along the west right-of-way line of Lesueur to the north right-of-way line of 2nd Street; then extending east along the north right-of-way line of 2nd Street to the east right-of-way line of Hobson; then extending south along the east right-of-way line of Hobson to the south right-of-way line of 2nd Avenue; then extending west along the south right-of-way line of 2nd Avenue to the west right-of-way line of Lesueur; then extending north along the west right-of-way line of Lesueur to the south right-of-way line of Main Street; then extending west along the south right-of-way line of Main Street to the east right-of-way line of Mesa Drive; then extending south along the east right-of-way line of Mesa Drive to the south right-of-way line of 1st Avenue; the extending west along the south right-of-way line of 1st Avenue to the east right-of-way line of Sirrine; then extending south along the east right-of-way line of Sirrine to the south right-of-way line of 2nd Avenue; then extending west along the south right-of-way line of 2nd Avenue to the west right-of-way line of MacDonald; then extending north along the west right-of-way line of MacDonald to the south right-of-way line of 1st Avenue; and then extending west along the south right-of-way line of 1st Avenue to the west right-of-way line of Country Club Drive; then extending north along the west right-of-way line of Country Club Drive and ending at the intersection of the west right-of-way line of Country Club Drive and the north right-of-way line of 1st Street.

MAP 11-24-2

(Ord. No. 5862, § 2, 7-8-24)

11-24-3: - PERMITTED ACTIVITIES

- A. The number of Special Events, as that term is defined in Chapter 87, held within the Downtown Events Overlay District shall not be limited by the number of events during a calendar year.
- B. Each individual Special Event held within the Downtown Event Overlay District shall be limited to a maximum of 4 consecutive days, unless it is a City-sponsored special event, a City-supported special event, or a temporary use permit or a Special Use Permit is approved in accordance with Chapter 70 of this Ordinance.

(Ord. No. 5759, § 2, 12-8-22; Ord. No. 5862, § 3, 7-8-24)

11-24-4: - SPECIAL EVENT LICENSE REQUIRED

Special events held within the Downtown Event Overlay District shall require approval of a Special Event License, pursuant to Section 11-31-27 of this Ordinance, and in accordance with Title 5, Chapter 1 of the Mesa City Code.

CHAPTER 25 - BILLBOARD OVERLAY DISTRICT

11-25-1: - PURPOSE AND INTENT

The purpose of the Billboard Overlay District is to encourage the development or redevelopment of large or underutilized sites near a Freeway while conserving and promoting public health, safety, and general welfare. The Billboard Overlay District promotes an aesthetically pleasing environment while minimizing distractions for motorists through regulations limiting the location, number, size, and height of Billboards, and requiring spacing, illumination, maintenance, and other development standards for Billboards.

(Ord. No. 5847, § 1, 3-4-24)

11-25-2: - LAND USE REGULATIONS

- A. The Billboard Overlay District shall only be used in conjunction with the Infill Development District-2 (ID-2), Public and Semi-Public District (PS), or Mixed-Use District (MX).
- B. The Billboard Overlay District allows Billboards in accordance with this Chapter and permits the same land uses as the underlying base zoning district, except those land uses that may be excluded by the City Council through a development agreement.

(Ord. No. 5847, § 1, 3-4-24)

11-25-3: - ELIGIBILITY REQUIREMENTS

To be eligible for a Billboard Overlay District, a site must meet the requirements of this Section.

A. Minimum Site Area.

1. The site must be at least fifty (50) acres in size.
2. This requirement may be met by one parcel of land fifty (50) acres or more in size, or a combination of adjoining parcels of land under the same ownership, that are not separated by a right-of-way dedicated to the City, that are collectively fifty (50) acres or more in size.

B. Minimum Freeway Frontage. The site must have a minimum of 1,500 feet of frontage along a Freeway.

(Ord. No. 5847, § 1, 3-4-24)

11-25-4: - DEVELOPMENT STANDARDS FOR BILLBOARDS

A. General Development Standards.

1. Billboards are required to comply with A.R.S. Title 28, Chapter 23, Article 1, and the development standards established in this Chapter.
2. No deviations from the development standards identified in this Chapter are permitted unless the deviation is more restrictive.
3. For all other land uses on the site, compliance with the specific development standards for the underlying base zoning district is required and cannot be modified through the Billboard Overlay District.

B. Setback Requirements. Setbacks for Billboards must adhere to the standards of the underlying base zoning district except for setbacks from the Freeway, in which the following setbacks shall apply:

1. **Minimum Setback from Freeway.** The minimum setback to a Freeway right-of-way is zero (0) feet, distance measured from the nearest edge of the Billboard face to the nearest edge of the Freeway right-of-way.
2. **Maximum Setback from Freeway.** A Billboard must be located within 250 feet of a Freeway right-of-way, distance measured from the furthest edge of the Billboard face to the nearest edge of the Freeway right-of-way.
3. **Encroachment into Right-of-Way Prohibited.** No portion of a Billboard shall overhang or encroach into the right-of-way.

C. Spacing Requirements.

1. **Billboards or Freeway Landmark Monuments.** No portion of a Billboard may be placed within 1,000 feet of another Billboard or Freeway Landmark Monument, including Billboards and Freeway Landmark Monuments located in neighboring jurisdictions, distance measured from the nearest edge of the Billboard face to the nearest edge of the nearest Billboard face or Freeway Landmark Monument face.
2. **Residential Zoning District or Residential Use.** No portion of a Billboard may be placed within 500 feet of a Residential Zoning District (RS, RSL, or RM) or residential use unless:
 - A. The residential use is part of a mixed-use development; or
 - B. A line-of-sight study or balloon test is conducted and demonstrates the Billboard will not be visible to or from any residential use that is not part of a mixed-use development or residential zoning district within 500 feet.
 - C. In no case may any portion of the Billboard be placed within 400 feet of a residential use that is not part of a mixed-use development or a residential zoning district.

D. Number and Size Requirements.

1. **Maximum Number.** No more than two (2) Billboards are permitted within a Billboard Overlay District.
2. **Billboard Sign Area.**
 - a. **Maximum Sign Area.** The maximum sign area of a Billboard is limited to 672 square feet per sign face.
 - b. **Sign Area Dimensions.** The maximum vertical dimension of a Billboard's sign face is fourteen (14) feet and the maximum horizontal dimension of a Billboard's sign face is forty-eight (48) feet.
 - c. **Back-to-Back.** Back-to-Back are permitted with the maximum sign area allowed for each face as shown on Figure 11-25-4.C.2.
 - d. **"V" Shaped Billboards.**
 - i. A Billboard may be "V" shaped, provided the interior angle between the two sign faces is forty-five (45) degrees or less.
 - ii. If the angle between the two (2) sign faces is greater than forty-five (45) degrees, the sign area is the sum of the areas of the two (2) sign faces as shown on Figure 11-25-4.C.2.

- e. *Embellishments.* A Billboard's maximum sign area may be exceeded by up to 20% by a Billboard embellishment.
- f. *Standards of Measurement for Billboards and Embellishments.* Billboards and embellishments shall be measured by the smallest square, rectangle, triangle, circle or combination of the smallest square, rectangle, triangle, or circle that will encompass the entire Billboard or the entire embellishment, excluding base or apron supports, pylons, and other structural parts.

3. **Billboard Height.**

- a. The maximum height of a Billboard, including any supporting structures, attachments, and embellishments, shall not exceed 60 feet.
- b. Height measurement.
 - i. If the natural grade at the base of a Billboard is higher than, or at the same grade as the Freeway, the Billboard height shall be measured as the vertical distance from the average elevation of the natural grade within a 50-foot radius from all sides of the Billboard base to the highest point of the Billboard.
 - ii. If natural grade at the base of a Billboard is lower than the grade of the Freeway or has been reduced to provide a storm water retention basin, the height of the Billboard shall be measured from the Freeway elevation to the highest point of the Billboard.

E. **Auditory Effects.** Auditory effects, including music, are prohibited as part of any Billboard.

F. **Electronic Billboard Requirements.** Electronic Billboards must comply with the following:

- 1. **Copy Change.** Copy must not change more than once every eight (8) seconds.
- 2. **Message Animation.**
 - a. Animation, video, flashing, blinking, or moving lights are prohibited.
 - b. In the transition between copy, there must not be any sense of movement from one message to the next.
- 3. **Malfunction.** An electronic Billboard must contain a default design mechanism that freezes copy in one (1) position if a malfunction occurs.

G. **Lighting Controls.**

- 1. **Electronic Billboards.**
 - a. *Evening Illumination.* Illumination of electronic Billboards must not exceed 300 nits in full white mode in evening hours (from sunset until 11:00 p.m.).
 - b. *Automatic Dimming.* Electronic message panels must include automatic lighting control technology to dim, control, and vary the intensity of the display based on ambient light conditions (e.g. daytime, nighttime, partial shade, or cloudy conditions) through a photoelectric sensor that detects ambient light levels and automatically adjusts the display intensity to ensure compliance with the maximum nit levels in this Section.
- 2. **Nighttime Illumination.** All electronic and non-electronic Billboard illumination must be extinguished in nighttime hours (from 11:00 p.m. until sunrise), except for amber alerts and emergency messaging.

(Ord. No. 5847, § 1, 3-4-24; Ord. No. 5889, §§ 1, 2, 11-4-24)

11-25-5: - BILLBOARD APPLICATION, PERMITS, AND MAINTENANCE

A. **Application Requirements.** The requirements and procedures for submission and consideration of an application for a Billboard permit are provided in Chapter 67, Common Procedures, and must include:

- 1. Graphic depictions of the Billboard, in plan and elevation views, including:
 - a. A description of the Billboard type and materials used for the Billboard and Billboard structure.
 - b. Dimensions of the Billboard defining the proposed Billboard sign area including copy.
 - c. Dimensions of the Billboard structure.
- 2. A site plan depicting, at a minimum:
 - a. The Billboard location.
 - b. The Billboard's distance from all property lines.
 - c. The Billboard's distance from structures on the site.

- B. **Building Permit.** A Billboard is required to obtain a permit and comply with all requirements of Title 4, Chapter 1 of the Mesa City Code including the requirements relating to permits, inspections, fees, and penalties.
- C. **Maintenance.** All Billboards must be maintained according to this Section.
1. It is unlawful for a Billboard to remain in a damaged or deteriorated condition that constitutes a danger or hazard to public safety or a visual blight.
 2. All Billboards must be maintained to the following standards of structural repair and visual appearance:
 - a. All structural and nonstructural components must be positioned and secured in accordance with approved plans for the Billboard;
 - b. Any deteriorated, damaged, or weakened components must be promptly repaired or replaced;
 - c. All copy and painted surfaces of a Billboard must be free of chipping, peeling, rusting or other oxidation of metals, and fading of colors;
 - d. Billboards must be maintained in working order; and
 - e. If a permit is required per Title 4 of the Mesa City Code for any Billboard maintenance or repair activities, the permit must be obtained prior to commencing work and all work must be done in accordance with permit requirements.

(Ord. No. 5847, § 1, 3-4-24)

11-25-6: - DEVELOPMENT AGREEMENT OR INTERGOVERNMENTAL AGREEMENT

- A. A development agreement or intergovernmental agreement is required in conjunction with a Billboard Overlay District.
- B. The agreement must be approved prior to or concurrently with the approval of the Billboard Overlay District.
- C. The development agreement or intergovernmental agreement may include, but is not limited to:
1. Requirements that Billboards, or permission for Billboards to, display public service announcements, public announcements, event announcements, or other announcements.
 2. Removal of an existing Freeway Landmark Monument on the site.
 3. Requirements, standards, or limitations for Billboards which may be established as conditions of approval for the Billboard Overlay District.

(Ord. No. 5847, § 1, 3-4-24)

ARTICLE 4 - DEVELOPMENT REGULATIONS

CHAPTER 30 - GENERAL SITE DEVELOPMENT STANDARDS

11-30-1: - PURPOSE AND APPLICABILITY

- A. **General Purposes of the Site Development Standards.** The purposes of this Chapter are to:
1. Prescribe development and site regulations that establish a framework for diverse, comfortable, safe and sustainable neighborhoods;
 2. Enhance existing community character and encourage transitions to more mixed- use community centers characterized by attractive urban design, high quality architecture, vibrant public spaces, and pedestrian amenities where appropriate;
 3. Encourage orderly, well-planned development of individual sites;
 4. Encourage development that fits seamlessly into attractive, viable neighborhoods and improves areas that are in transition;
 5. Ensure appropriately designed and maintained site features that incorporate Community Policing Through Environmental Design (CPTED) principles and allow natural surveillance;
 6. Ensure development functions efficiently and screens unsightly and utilitarian elements and uses from public view;
 7. Contribute to the pedestrian environment by prescribing a safe, shaded network of walkways that connect destinations on-site to destinations on the public street, and to adjacent development.
- B. **Applicability.** The standards apply, except where specifically stated, to development in all districts. These standards shall be used in conjunction with the standards for each zoning district located in Article 2, Base Zoning District Regulations and Article 3, Overlay District Regulations. When a conflict exists, the standards specific to a zoning district, or approved by a plan as part of an applicable overlay district, shall override these regulations.

11-30-2: - BUILDING PROJECTIONS INTO SETBACKS

In all districts, awnings, eaves, overhangs, light shelves and basement window wells may encroach not more than 3 feet into any required yard, but shall not be closer than 2 feet to any property line. Additional standards for building projections into setbacks for the agricultural and residential districts are located in Sections 11-4-3, Agricultural District - Development Standards, 11-5-4, Residential Districts - Development Standards for the RSL District and 11-5-5, Residential Districts - Development Standards for the RM District, respectively.

11-30-3: - EXCEPTIONS TO HEIGHT LIMITS

- A. **Allowed Projections above Height Limits.** The structures listed in Table 11-30-3 may exceed the maximum permitted building height for the district in which they are located, subject to the limitations stated in the table below, and further if no portion of a structure in excess of the building height limit may be used for sleeping quarters or advertising.

Table 11-30-3: Allowed Projections Above Height Limits		
Structures Allowed Above the Height Limit	Maximum Coverage, Location Restrictions	Maximum Vertical Projection Above the Height Limit (ft)
Skylights	No limitation.	10
Solar panels, and other energy production facilities located on a rooftop	No limitation.	20% of base height limit
Chimneys	10% of roof area	20% of base height limit up to 10
Decorative features such as spires, bell towers, domes, cupolas, pediments, obelisks, and monuments	No limitation	No limitation
Rooftop open space features such as sunshade and windscreen devices, open trellises, enclosed space for use by residents, and landscaping	25% of roof area	20% of base height limit up to 12
Elevator and stair towers (for multi-family and non-residential buildings only)	NA	12
Mechanical penthouses	60% of roof area	10

Flagpoles	N/A	DC District: 40 ft total height. Other districts: No limit except AF Overlay Districts which require a SUP when exceeding maximum base district height standard.
Distribution and transmission towers, lines, and poles Water tanks, Windmills, Radio towers, Airway beacons Industrial structures where the manufacturing process requires a greater height, located in the GI and HI Districts	20% of the area of the lot, or 20% of the roof area of all on-site structures, whichever is less; no limit if a primary use permitted in the district	10 as an accessory structure; none as a primary use
Building-mounted telecommunications facilities, antennas, and microwave equipment	Subject to provisions of <u>Chapter 35</u> , Antennas and Wireless Communication Facilities. A Special Use Permit is required for commercial communication towers that exceed the maximum permitted height of the district in which they are located.	

B. **Airfield Overlay District.** Notwithstanding any other provisions of this section, there shall be no exceptions to the specified height limits within the AF Airfield Overlay Districts, unless authorized by the approval of a Special Use Permit in accordance with Chapter 70, Conditional Use Permits.

C. **Additional Exceptions.** The Design Review Board may approve additional exceptions to the height limits specified in this Ordinance only upon a finding by the Board that:

1. The proposed development does not exceed the maximum number of stories or residential densities permitted in the zoning district in which it is located; and.
2. At least one of the following items is present:
 - a. Increased setbacks, enhanced landscaping, or other screening measures effectively mitigate the impact of the building height; or
 - b. The exception is necessary to accommodate the proposed uses or activities within the building or structure; or
 - c. The architectural style of the building or structure places the exception at a central point or in a limited area such as a dome, sphere, or other geometric solid.

11-30-4: - FENCES AND FREESTANDING WALLS

Design Objective: Fences and walls should be an integral design component of the project that identify public areas; direct movement of visitors, define areas intended for private use and allow natural surveillance.

Fences, freestanding walls, and similar structures shall comply with the standards of this section.

A. **AG, RS, RSL, RM, and DR Districts.**

1. **Maximum Height.**

- a. *Front Yards.* No opaque or non-transparent fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of 3.5 feet. Fences or freestanding walls over 3.5 feet high are allowed in front yards, provided the fence or freestanding wall does not exceed a maximum height of 4.5 feet, and the topmost 1.5 feet is visually transparent and not opaque.

- b. *Side and Rear Yards.* No fence or freestanding wall within or along the exterior boundary of the required side or rear yards shall exceed a height of 6 feet.
- 2. *Corral Fences.* Corral fences are only allowed for the keeping of livestock and similar large animals. Corral fences are permitted in the Agricultural, RS-90 and RS-43 districts subject to conformance with the following standards:
 - a. *Materials.* Corral fences shall be constructed of masonry, wrought iron, pipe-rail, or similar material, but shall not be of solid construction or made of metal wire, such as chain-link or barbed wire;
 - b. *Transparency.* Corral fences shall maintain a minimum transparency of 66 percent of the exterior surface of the fence to keep visibility into the property and allow the transfer of light and air; and
 - c. *Maximum Height.* Corral fences shall not exceed six (6) feet in height.
- 3. *Building Area.* When located in the buildable area, the maximum height for fences and freestanding walls is the maximum height allowable in the applicable district.
- 4. *Decorative Features.* One entry gateway, trellis, or other entry structure is permitted in the required front or street-facing side yard of each lot, provided the maximum height or width of the structure does not exceed 10 feet in either direction. Such decorative feature shall not have any solid obstruction that exceeds 2 feet in diameter between the height of 3 and 10 feet.
- 5. *DR Districts.* Whenever a new multiple residence project is constructed or an existing single residence is converted to a multiple residence use, a privacy wall shall be constructed along the property lines separating the multiple residence use, its parking areas and driveways from any existing single residence. The privacy wall shall be of masonry construction with stucco, mortar wash or other finish to match that of the main building and shall be 6 feet in height. The privacy wall shall extend along interior side lot lines to the front-yard setback of the main building or to the front-yard setback of the existing adjacent residence, whichever is closer to the street right-of-way, but shall not extend past said setback into the front yard without being reduced in height to a maximum of 3.5 feet.
- 6. *Prohibited Materials.* The use of barbed wire, razor wire, embedded glass shards, ultra barrier, electrified and other hazardous fencing is prohibited, except for the use of barbed wire fencing used for livestock enclosures.

FIGURE 11-30-4.A: FENCES

B. All Other Zoning Districts.

- 1. *Maximum Height.*
 - a. *Front Yards and Required Street Side Yards.* No fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of 3.5-feet.
 - b. *Rear Yards and Interior Side Yards.* No fence or freestanding wall within or along the exterior boundary of the required interior side or rear yards shall exceed a height of 8-feet.
 - c. *Building Area.* When located in the buildable area, the maximum height for fences and freestanding walls is the maximum height allowable in the applicable district.
- 2. *Fence Materials in Commercial and Employment Districts.*
 - a. *Materials.* Walls and fences shall be constructed of high-quality materials, such as tinted, textured blocks; brick; stone; or ornamental metal; and shall complement the design of an overall development and its surroundings.
 - i. Chain link may only be used when not visible from public view.
 - ii. Wood fencing is not allowed, except wood may be used in conjunction with metal frames for gates used in conjunction with required screening walls.
 - iii. The use of barbed wire, razor wire, embedded glass shards, ultra barrier, electrified and other hazardous fencing is prohibited in street-facing yards or where adjacent to any public right-of-way.

C.

Visibility at Intersections. Notwithstanding any other provisions of this Section, fences and walls shall comply with the standards of Section 11-30-14, Visibility at Intersections.

FIGURE 11-30-4.D CORNER LOT ABUTTING A KEY LOT

- D. **Corner Lots Abutting a Key Lot.** In the event the rear property line of a corner lot abuts a side property line of an adjoining key lot, a 10-foot deep by 10-foot wide visibility triangle shall be maintained over the corner lot, starting at the intersection of the rear and street side property lines of the corner lot. See diagram above, 11-30-4D.
- E. **Fence Articulation.** The maximum length of continuous, unbroken and uninterrupted fence or wall plane adjacent to right-of-way or private streets functioning as public roads shall be forty (40) feet. Articulation shall be provided through the use of columns, landscaping pockets and/or a change to different materials.

(Ord. No. 5544, §§ 6—8, 12-9-19)

11-30-5: - LIGHTING AND ILLUMINATION

- The objective of this section is to promote well designed lighting that can enhance the design of a building or site by highlighting interesting architectural details, calling attention to interesting textures and colors, and focusing attention to primary site features. Such lighting should be controlled to minimize adverse impacts to abutting residential uses.
- A. **Applicability:** The requirements of this Section shall apply to all projects except single residence swellings and duplex residence dwellings (2 dwellings on one lot or parcel).
 - B. **Parking Lot Illumination.**
 - 1. Light standards shall be located only within the parking area or, where permitted, the outdoor storage area, and shall not encroach into required perimeter landscape areas.
 - 2. House side shields shall be provided on all light standards adjacent to residential development.
 - 3. Building mounted lights shall maintain the same heights as specified in B, below.
 - 4. For additional standards refer to the Mesa Lighting and Electrical Code; Title 4, Chapter 4 of the Mesa City Code.
 - C. **Maximum Height of Lighting Fixtures.** Design Objective: Provide sufficient height to safely light areas without impacting adjacent residential development or contributing to light pollution.
 - 1. Lighting fixtures, including freestanding light poles as well as building-mounted lights, shall not exceed the maximum heights specified in Table 11-30-5 below.

Table 11-30-5: Maximum Height of Lighting Fixtures		
District	Maximum Height (ft) - Detached	Maximum Height (ft) - Attached

Residential Districts	15	Not to exceed the peak elevation of the immediately adjacent sloped roof, parapet, or building elevation to which the fixture is attached
DC, and DB Districts all non-residential districts with U designators	16	
All other non-residential districts	<p>Within 50 feet of any street frontage: 20 ft.</p> <p>Within 50 feet of a residential district: 15 ft.</p> <p>Any other location: 25 ft.</p>	

2. Exceptions to the maximum height of lighting fixtures may be approved by the Zoning Administrator, after a review of a photometric study for compliance with Section 11-30-5(A). Such exceptions may include requirements for use light control devices, such as fully shielded or full cut-off fixtures, to reduce glare and light-spillage onto abutting properties.

D. **Exposed Exterior Building Illumination.** Design Objective: Contribute to the safety of the nighttime environments and accentuate architectural elements.

1. **Findings for Approval.** The use of exposed neon, argon, LED or krypton tubing, exposed incandescent lighting, or other exposed artificial lighting to outline any structure or portion thereof may be authorized after review and approval by the Design Review Board. The Board shall approve exposed building illumination only upon a finding that such illumination:
 - a. Constitutes a design component of the overall building architecture; and
 - b. Is integrated into the primary physical elements of the building or development, and is harmonious with the architectural style of the structure(s); and
 - c. Serves only for the purpose of embellishing the nighttime architecture of the building, and does not portray an advertising message; and
 - d. Is compatible with the land use and architecture of adjacent developments.
2. **Substantial Conformance Required.** Any approval by the Design Review Board for exposed building illumination requires finding that the structure or building complex on which the lighting is to be used shall be in substantial compliance with all current Mesa City Code requirements and regulations.
3. **Full Functionality Required for Use.** If any component of the lighting system becomes nonfunctional, neither the entire lighting system, nor any portion thereof, may be illuminated until the entire lighting system is repaired.

E. **Compliance with Mesa Lighting and Electrical Code.** All lighting shall comply with the Mesa Lighting and Electrical Code ([Title 4](#), Chapter 4 of the Mesa City Code).

F. **Control of Light Trespass.** Project lighting shall be designed to minimize glare and light trespass from the project site to adjacent residential properties.

G. **Maximum Light Spillage.** For light spillage, the light level at the boundary of the project, measured 36-inches above ground level, shall be not more than 0.5 foot candles (5 Lux) above ambient light level.

H. **Illuminate Pedestrian Paths.** Pedestrian paths connecting the project to the public sidewalks, connecting buildings on the same project, and the public pedestrian entry foundation base of the building shall be illuminated during the twilight and evening hours the project is active and open to the public.

I. **Consistent Fixture Design.** Fixture designs used shall be harmonious with the building design, and with the architectural theme of the overall project, including multiple building projects.

J. **Gradual Transition of Exterior Lighting Levels.** The relative brightness of light used may vary throughout the project, provided the transition from higher levels to lower levels of illumination of illumination shall be gradual, without extreme or abrupt degrees of change between higher levels of illumination and natural ambient darkness.

- K. **Highlight Building Entries.** Focus attention on primary entries to buildings with illumination directed to highlight the entry and adjacent architectural details. Generally, lighting levels at the primary public entry shall be higher than lighting levels away from the public entry.
- L. **Lighting to Enhance Design.** Lighting shall embellish nighttime architecture by illuminating activity areas, calling attention to details of the building design; and highlighting the relief of building features and/or the texture of building materials.

(Res. No. 12269, § 10, 11, 9-23-24; Ord. No. 5883, § 3, 10-7-24)

11-30-6: - LOTS AND SUBDIVISIONS

Design Objectives: Provide for orderly growth and harmonious development; to insure adequate access and circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, adjoining development and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for light, air, and separation between residences; and to establish street and lot patterns that support sustainable development practices.

- A. Any lot or parcel of land recorded in the Maricopa County Recorder's Office and lawfully created prior to the effective date of this Ordinance and having an area, width, depth, or street frontage less than that required by the zoning district regulations of that zone in which such lot or parcel is located, shall be deemed to be a lot and may be used as a building site, provided that all other regulations for the zoning district in which that lot is situated shall be applicable.
- B. No lot shall be reduced in area so as to cause any open space or yard required by this Ordinance to be less in dimension than is required for the district and lot in question, except those lots reduced in area by purchase, dedication or gift to a governing authority for the purposes of providing public rights-of-way; or for conveying a portion of a lot to a public governing authority for a publicly beneficial use.
- C. No yard or other open space required around any building designed to comply with the provisions of this Ordinance shall again be used as a yard or other open space for another lot or parcel.
- D. No lot shall be divided in such a way that any division of such lot shall contain more dwelling units than are permitted by the zoning district in which such lot is situated.
- E. A large lot or parcel of land may be subdivided into smaller lots provided such smaller lots conform to the lot size limitations of the district in which the lots are situated. However, a parcel shall not be divided into 4 or more lots or 2 or more lots if a new street is involved, without approval of a subdivision plat in compliance with Title 9 of the Mesa City Code.
- F. The division of land into 2 or 3 parcels shall require approval of a land split map in compliance with Section 9-6-6: Land Splits, of the Mesa City Code. Division of developed land shall maintain separation distances as required in the Building Code and the open space requirements of this Ordinance.
- G. Where two or more lots are used as a building site and where buildings cross lot lines, the entire area shall be considered one lot, except that the front of the parcel shall be determined to be the front of the individual lots as originally platted or recorded.
- H. Every lot shall have frontage on a dedicated public street unless the lot is part of an approved Planned Area Development (PAD), Bonus Intensity Zone (BIZ), Infill Development District (ID-1 or ID-2), Planned Employment Park District (PEP), a unit in a condominium subdivision or an alternative is specified in an approved Community Plan for a Planned Community District (PC).
- I. Where future width lines for rights-of-way have been established, all required yards shall be measured from such future width lines.
- J. Where a conflict exists between yards required by this Ordinance and yards specified on a subdivision plat, the more restrictive requirement shall control, except when such yards are conditioned by an approved PAD, BIZ, overlay districts, or adoption of an Infill Development or Planned Community District (PC) districts.

11-30-7: - OUTDOOR STORAGE

The objective of this section is to maintain an attractive environment for the community, adjacent businesses and residents while allowing open storage of goods, materials, machines, equipment, and vehicles or parts when necessary for business purposes in specific locations.

- A. **Applicability:** Open storage of goods, materials, machines, equipment, and vehicles or parts outside of a building (considered collectively as a general activity) for more than 24 hours shall conform to the standards of this Section. The regulations of this Section do not apply to temporary storage of construction materials reasonably required for construction work on the premises pursuant to a valid building permit.
- B. **Permitted Locations.** Table 11-30-7 states the districts where outdoor storage is permitted and prohibited.

Table 11-30-7: Open Storage Regulations by District and Location	
Base Districts	Permissibility of Open Storage

Neighborhood Commercial (NC), Limited Commercial (LC), Mixed Use (MX), and Downtown Business (DB)	All storage shall be within an enclosed building except as specified for accessory outdoor display.
Planned Employment Park (PEP)	All storage shall be within an enclosed building.
General Commercial (GC) and Light Industrial (LI)	Not permitted in front or street-facing side yards. Permitted in interior side and rear yards, or outside of required yards, subject to the standards of this Section.
General Industrial (GI) and Heavy Industrial (HI)	Permitted anywhere on a lot or parcel, subject to the standards of this Section.
Agricultural (AG), Single Residence (RS), Small Lot Single Residence (RSL), Downtown Residence (DR), and Multiple Residence (RM)	Any individual tool or piece of equipment that is higher than four (4) feet and in which the added aggregate measurements of the length, width, and depth (length plus width plus depth) exceeds 15 lineal feet, based on the extreme perimeter measurements, shall be placed or stored within an enclosed building. ^(1, 2, 3)
1. Equipment specifically designed and used for agriculture (as defined in Section 11-86-7 of this Title), Utility Trailers and Watercraft (as defined in Section 8-6-2 of the Mesa City Code), Recreational Vehicles (as defined in <u>Chapter 87</u> of this Title), and other motorized vehicles eligible for licensing by the State of Arizona for travel on public thoroughfares are excluded from this requirement.	
2. Recreational Vehicle parking requirements are provided in Section 11-34-5(B) of this Title.	
3. Requirements for parking and storage of watercraft and utility trailers are provided in Section 8-6-3 of the Mesa City Code.	

C. **Screening and Setbacks.** Storage areas visible from public streets shall be screened.

1. **Screening Walls.** Screening walls and fences shall be at least eight (8) feet in height. If located on a street facing front or side yard, the fence shall be placed to meet required street side setbacks.
2. **Landscaping.** Landscaping is not required within screened storage areas.
3. **Setback.** A setback shall be provided for material stored outdoors at the ratio of 1:1 from all lot lines equal to total height of stored material above the required eight (8) foot screen wall.

FIGURE 11-30-7.C(1)

(Ord. No. 5759, § 1, 12-8-22; Ord. No. 5814, § 2, 10-16-23; Res. No. 12269, § 12, 9-23-24; Ord. No. 5883, § 3, 10-7-24)

11-30-8: - PEDESTRIAN CONNECTIONS

Design Objective: Encourage people to walk by providing safe, convenient, comfortable and efficient pedestrian connections.

Pedestrian walkways shall be provided in office, employment, commercial, mixed-use and multi-family residential developments. These walkways shall be designed to serve internal pedestrian circulation needs, and shall connect to public sidewalks and transit stops. Pedestrian access must be provided according to the following standards:

- A. **Connection to Public Sidewalk.** An on-site walkway shall connect the main entry of each building or each primary entry to a public sidewalk on each street frontage of the site, and to any transit stop adjacent to the site. On at least one frontage, such walkway shall be provided along the shortest practical distance between the main building entry and sidewalk, generally no more than 125 percent of the straight-line distance. The distance may increase up to 50% of the total straight-line distance in the event the route is designed to take account of afternoon shade patterns from buildings or similar shading devices.

FIGURE 11-30-8.A: PEDESTRIAN ACCESS THROUGH PARKING AREA

- B. **Internal Connections.** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site recreational or open space areas or pedestrian amenities.
- C. **Connections across Parking Areas.** See Section 11-32-4(G)3.
- D. **Materials and Width.** Pedestrian walkways shall be at least 5 feet in width and paved with a hard, durable surface.
- E. **Separation.** Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the auto travel lane by a raised curb at least 6 inches high, decorative bollards, or other physical barrier.
- F. **Shade at Entries.** At customer entrances, pedestrian walkways shall be provided with weather protection such as canopies, awnings, arcades and trellises.

11-30-9: - SCREENING

Design Objective: Encourage attractive, safe buildings and sites by screening non-architectural elements and uses from public view and providing for transitions between uses.

A. **Screening of Mechanical Equipment.** Design Objective: Integrate visual screening of necessary mechanical equipment into the architecture of buildings to ensure development is attractive, clutter-free and safe.

Except the AG, RS, DR-1 and RSL districts, all exterior mechanical equipment, whether on a roof, on the side of a structure, or on the ground, shall be screened from public view. Exterior mechanical equipment to be screened includes, but is not limited to heating, ventilation, air conditioning, refrigeration equipment, plumbing lines, ductwork, transformers, satellite dishes, smoke exhaust fans, service entry section and similar utility devices. Exceptions may be approved by the Zoning Administrator when warranted. Screening shall be architecturally integrated into the main structure with regard to materials, color, shape, and size to appear as an integral part of the building or structure. Equipment shall be screened from public view, public right-of-way, parking areas and on-site pedestrian walkways and amenities. Screening materials shall be opaque and durable. When screening with plants, evergreen types of vegetation shall be planted and maintained. Plant material sizes and types shall be selected and installed, and maintained so that at the time of building occupancy, and continuously afterwards, such plants effectively screen their respective equipment. The use of wood, expanded metal lath, and chain link for screening is prohibited. The following additional screening standards apply:

1. **Roof-Mounted Equipment.** Roof-mounted equipment screening shall be constructed as an encompassing monolithic unit, rather than as several individual screens (i.e., multiple equipment screens, or "hats," surrounding individual elements shall not be permitted). The height of the screening element shall equal or exceed the height of the structure's tallest piece of installed equipment.

FIGURE 11-30-9.A.1: SCREENING OF ROOF-MOUNTED EQUIPMENT

2. **Ground-Mounted Equipment.** Ground-mounted equipment facing a street or not otherwise separated from the street by intervening building(s) shall be screened to a height of at least 12 inches above the equipment. Screening devices shall consist of decorative walls and/or berms (2:1 maximum slope) with supplemental plant materials including trees, shrubs and groundcovers. For screen walls that are 3 feet in height or lower, vegetative materials may be substituted for 50 percent of the screening device.

FIGURE 11-30-9.A.2: SCREENING OF GROUND-MOUNTED EQUIPMENT

3. **Exterior Wall Equipment.** Wall-mounted equipment, including but not limited to electrical meters, electrical distribution cabinets, service entry section (SES), fire sprinkler equipment and similar valves and cabinets that face a street, or public parking and are not recessed and/or separated from the street by intervening building(s) shall be screened. Screening devices shall incorporate elements of the building design, e.g. shape, color, texture and material. Vegetative materials may be substituted for up to 50 percent of the screening devices when used in conjunction with screen walls that are 3 feet in height or lower.

B. **Truck Docks, Loading, and Service Areas.** Truck docks, loading, delivery and service bays shall be screened according to the standards of Section 11-30-13.

C. **Roof Access Ladders and Fire Sprinkler Risers.** Design Objective: Reduce visual clutter at the skyline.

The location of roof-access ladders and fire sprinkler risers shall be, within the interior of the structure.

D. **Outdoor Storage.** Screening for outdoor storage shall be according to the standards of Section 11-30-7, Outdoor Storage.

E. **Drive-through Windows and Automated Car Washes.** Design Objective: Reduce potential visual glare of headlights with screening that is an integral part of the site and landscaping theme.

Screening for vehicle lanes for drive-through windows and automated car wash openings shall be from public streets to a height of 40 inches. Screening devices shall consist of walls and/or berms with supplemental plant materials.

F.

Auto Service Bays. Design Objective: Reduce view into open service bays, integrate screening device with project theme, and attenuate noise emanating from power-assisted tools.

1. **Adjacent Residential or Mixed Use.** When the automobile/vehicle repair or service use is within 200 feet of a residential or mixed-use development without an intervening street, the following standards shall apply along the common property line:
 - a. Bay doors located within 100 feet of an adjacent residential or mixed-use development shall be oriented away from the adjacent use.
 - b. Bay doors located between 100 feet and 200 feet of an adjacent residential or mixed use development and oriented such that the bay doors would be visible from the adjacent use shall be screened with an intervening building or an 8' tall screen wall.
 - c. Bay doors located more than 200 feet from an adjacent residential or mixed use development and oriented such that the bay doors would be visible from the residential or mixed use development shall be screened by an intervening building or a 6' screen wall.
2. **Screening from Adjacent Streets.** Screening of bay door openings shall be accomplished based upon the following preferences:
 - a. The use of intervening buildings such that the bay doors are not visible from the street(s).
 - b. The bay doors are setback from the street a distance of 200 feet or greater.
 - c. Orient the building such that the bay doors are perpendicular to the centerline axis of the abutting street. For corner lots, the bay doors shall be oriented perpendicular to the street with the highest functional classification identified in the Mesa Transportation Plan. In the event that the functional street classifications are equivalent, the orientation creating the smallest noise impact on adjacent residential development shall be used.
 - d. When bay doors are less than 200 feet from an adjacent street and the bay doors are less than perpendicular to a street, screening shall be provided at least 6' high. Screening shall be at least 50% opaque and may include landscaping.
3. **Landscape Screening.** Large-canopy trees and shrubs shall be used to provide screening to the bay doors when the bays are visible from the adjacent street.
4. **Noise Reduction.** Air compressors and similar devices shall be housed in enclosed rooms designed to attenuate sound a minimum of 25 db.

G. **Trash and Refuse Collection Areas.** Design Objective: Reduce visual clutter of trash and refuse collection areas and integrate screening device with project theme.

Trash and refuse collection areas shall be screened so as to not be visible from a public street or parking area. Latching gates shall be provided for trash enclosure openings where visible from street and/or public parking areas. Orient openings away from public right-of-way, where possible. See Section 11-30-12.

H. **Parking Areas.** Design Objectives: Reduce potential visual glare of headlights and reduce the visual clutter of parking fields with screening that is integral to the site and landscaping theme.

Parking areas and drive aisles shall be screened from street(s) with masonry wall, berm or combination of walls/berms and densely planted landscaping or "vertical wire trellis panels". No more than 40 percent of the screening shall be accomplished with dense landscaping.

1. Screen walls shall vary in height from 32 to 40 inches and shall be offset or staggered by at least 24 inches at intervals of no more than 50 feet.
 2. The screening device shall vary in height from 12 to 18 inches when lawful display of automobiles, trucks, Recreational Vehicles, Manufactured Homes, boats, motorcycles, and utility trailers is adjacent to public streets.
 3. Screen walls shall be composed of brick, stone, stucco, or other quality durable material that complements the theme of the project and shall include a decorative cap or top finish as well as edge detail at wall ends.
 4. Berms shall be contoured and covered with a combination of vegetative and inert ground cover. If a contoured screening berm is installed, 24" box trees may be substituted for required 36" box trees.
 5. Screen wall and/or berm height shall be measured from the finish grade of the parking lot.
 6. When using a screen wall there shall be a landscaped setback of at least 5 feet between the screen wall and the edge of the parking area.
 7. A setback of at least 10 feet shall be provided between the screen wall and the right-of-way.
- I. **Common Property Lines.** Design Objective: Fences and walls that screen building(s), facilities or activities of the site from adjacent development should be an effective buffer and an integral design component of the project.

A screening wall of 6 feet in height shall be provided on the interior lot lines of any lot that contains any commercial use, industrial use, public or semi-public use (except Cemetery or Public Park and Recreation Facility), or transportation, communication and utilities use, as described in [Chapter 86](#), Descriptions of Use Classifications and Use Types, and abuts a residential district or residential use. Such screening wall shall

be provided at the time of new construction or expansion of buildings, or changes from one use classification to another non-residential use classification.

FIGURE 11-30-9.I: SCREENING ALONG RESIDENTIAL DISTRICT BOUNDARIES

1. **Location.** Screening walls shall follow the lot line of the lot to be screened, or shall be so arranged within the boundaries of the lot so as to substantially hide from adjoining lots the building, facility, or activity required to be screened.
 2. **Materials.** Industrial uses must provide a solid screening wall of stucco, decorative block, or concrete panel. Screening walls for other uses may be constructed of stucco, decorative block, concrete panel, or other substantially equivalent material. Chain-link fencing does not fulfill the screening wall requirement.
 3. **Berms.** A landscaped earth berm may be used in combination with, or in lieu of, the above types of screening walls.
 4. **Relationship to Fence and Wall Height Limits.** If the minimum height required for screening walls exceeds the maximum permitted height of fences and freestanding walls for the zoning district, then an alternative screening solution shall be provided for review and approval by the Planning Director that meets the intent of the screening requirement.
 5. **Exception.** In locations where commercial and multiple residence properties share a common interior property line the requirements for screening can be waived, except for loading and service areas, if the waiver of the screening will facilitate a more integrated design and development allowing greater pedestrian connection between the uses.
- J. **Roof-mounted Solar Equipment.** Design Objective: Allow solar panels and other solar equipment to be placed on roofs in a manner that is aesthetically pleasing without creating excess shadows on the equipment.
- Solar equipment placed on flat roofs shall be screened a minimum of 60% of the height of the equipment. Roof mounted equipment laying flat on a sloped roof, without additional structures elevating the panels from collectors do not require any additional screening device.

(Ord. No. 5928, § 20, 2-3-25)

11-30-10: - SETBACKS AT INTERSECTIONS

- A. **Minimum Setback.** Design Objective: Provide open space at intersections to enhance or establish distinctive locations.
- Within the required setbacks at intersections, integrate way-finding features such as attractive plantings, pedestrian paving, lighting, monument signage and/or street furniture. All parking areas, and drive aisles shall be set back from street intersections according to the standards in Table 11-30-10.

FIGURE 11-30-10.A: CORNER SETBACKS

Table 11-30-10: Minimum Setbacks from Intersections		
Intersections	Minimum Corner Setback (radius in feet)	
	DR, DB, DC, RM-5 and All Districts with a 'U' designator	All other non-residential districts
Arterial (110-130' R.O.W.)with Arterial	No radius is required for any of the above listed zoning districts so that the setback becomes an intersection of the street side setbacks with a build-to line where required.	Minimum 50' radius
Arterial with Major/Midsection Collector		Minimum 35' radius
Arterial with Major/Midsection Collector		Minimum 25' radius
Major/Midsection Collector (90—110' R.O.W.) with Major/Midsection Collector		Minimum 35' radius
Major/Midsection Collector with Collector/Industrial/Commercial		Minimum 25' radius
Collector/Industrial/Commercial (60—80' R.O.W.) with Collector/Industrial/Commercial		Minimum 25' radius

B. **Landscaping.** Corner setbacks shall be landscaped according to the standards of Chapter 33, Landscaping.

11-30-11: - SWIMMING POOLS

Swimming pools and other bodies of water located in any zoning district must be developed in compliance with the following standards:

- A. A swimming pool shall not be located in the required front yard or a side yard required for vehicle access, required landscaped areas or closer than 4 feet from the water's edge to any lot line.
- B. Contained bodies of water either above or below ground level with the container being 18 inches or more in depth at any point or wider than 8 feet at any point, shall conform to the location and fencing requirements for swimming pools.
- C. Swimming pools shall be secured from unauthorized access by an enclosure as provided in [Title 4](#), Chapters 2 (Mesa Building Code) or 3 (Mesa Residential Code), as applicable, of the Mesa City Code.

11-30-12: - TRASH AND REFUSE COLLECTION AREAS

Design Objectives: Trash and refuse collection areas, including enclosures, should be an integral component of the project. The areas should be safe and convenient. The location should not be visually prominent.

- A. **General Applicability Requirements and Alternatives.**

1. **General Applicability Requirements.** Solid waste and recycling-container enclosures are required for new dwelling groups consisting of 4 or more dwelling units and for all commercial or industrial developments in which the aggregate gross floor area exceeds 10,000 square feet. Designs must meet Mesa Standard Details.
 2. **Alternatives.** Alternatives to standard requirements may be considered by the Planning Director and Solid Waste Management Director.
- B. **Location.** All enclosures shall comply with all applicable Building and Fire Codes and shall meet the following requirements.
1. The solid waste and recycling storage area shall not be located within any required front yard, street side yard, any required parking and landscaped areas, or any other area required by the Mesa City Code to be constructed and maintained unencumbered according to fire and other applicable building and public safety codes.
 2. Solid waste and recycling areas shall be consolidated to minimize the number of collection sites and located so as to reasonably equalize the distance from the building spaces they serve.
 3. Storage areas shall be located so that the trucks and equipment used by the City of Mesa solid waste and recycling collector(s) have sufficient maneuvering areas.
- C. **Materials, Construction and Design.**
1. **Minimum Height of Screening.** Solid waste and recycling storage areas located outside or on the exterior of any building shall be screened to a minimum height of 6-feet.
 2. **Enclosure Material.** Enclosure material shall be solid masonry or concrete tilt- up with decorated exterior-surface finish compatible to the main structure(s).
 3. **Gate Material.** Gate material shall be decorative, solid, heavy-gauge metal or a heavy-gauge metal frame with a covering of a view-obscuring material.
 4. **Access to Enclosure from Residential Projects.** Each solid waste and recycling enclosure serving a residential project shall be designed to allow walk-in access without having to open the main enclosure gate.
 5. **Protection for Enclosures.** Concrete curbs or equivalent shall protect enclosures from adjacent vehicle parking and travel ways.
 6. **Landscaping.** When feasible the perimeter of the recycling and trash enclosure shall be planted with drought resistant landscaping, including a combination of shrubs and/or climbing evergreen vines.
 7. **Lighting.** All trash collection areas shall be well lit with a minimum 1 foot candle.

11-30-13: - TRUCK DOCKS, LOADING AND SERVICE AREAS

Design Objectives: Reduce the negative impact of noise and activity associated with truck docks, loading and service areas on quieter activities of adjacent properties. Minimize the impact of visual clutter associated with open bay doors and parked trucks being loaded and unloaded from adjacent lots and street rights-of-way.

Truck docks, loading, and service areas shall be located and screened as follows:

- A. **Minimum Distance from Residential District.** Truck docks, loading, and service areas are not permitted within 50 feet of the boundary of any residential district or use.
- B. **Location on Lot.** In all districts except the GI, and HI districts, truck docks, loading areas and service areas must be located at the rear or side of buildings, rather than facing a street.
- C. **Screening.** Truck docks, loading areas, and service areas located in any zoning district shall be screened from any adjacent residential districts or uses. Docks, loading and service areas in any district except the GI and HI districts shall be screened from public view. Screening shall consist of a solid masonry wall at least 8 feet in height or opaque automated gates.

11-30-14: - VISIBILITY AT INTERSECTIONS

Notwithstanding any other provisions of this section, no fence, wall, shrubbery, sign or other obstruction to vision between a height of 3 feet and 8 feet above the centerline grades of the intersecting streets shall be erected, placed, planted, allowed to grow or maintained within the triangular yard space formed by the intersecting center lines and a line joining points on such center lines 80 feet from the point of intersection. Where a conflict occurs between this requirement and the Subdivision Regulations, the more restrictive provision shall apply.

11-30-15: - SOLAR PANELS AND OTHER ALTERNATIVE ENERGY PRODUCTION FACILITIES

- A. **Solar Panels.** The following standards are applicable solar panels used for the primary purpose of providing energy for the immediate site or development:

1. **Attached solar panels.** In all zoning districts, solar panels attached to sloped roofs shall be located entirely on the roof. Solar panels located behind parapets on flat roofs shall comply with Table 11-30-3: Allowed Projections Above Height Limits.
2. **Detached, freestanding solar panels.** Detached or freestanding solar panel structures are permitted only in single residence districts and shall comply with all location, maximum height and maximum roof area requirements of Detached Accessory Structures, Section 11-5-7(B).

B. Solar Farms and Alternative Energy Production Facilities. Design Objective: Reduce the impact of large energy production utilities.

Solar farms and other alternative energy production facilities shall be permitted in accordance with the requirements of [Article 2](#) and the following:

1. **Setbacks and Landscaping.** In all districts where permitted, provide the setbacks and landscaping required for that district.
2. **Screening.** Solar panels and equipment used for solar farms and/or alternative energy production facilities shall be screened from the public view of the street right-of-way by walls and fences that are the height of the panels and equipment or at least 8 feet in height, whichever is less.

11-30-16: - PORTABLE STORAGE CONTAINERS (PSC)

Portable Storage Containers are permitted only in accordance with the following requirements:

- A. **Minimum Standard.** The construction of the PSC shall conform to requirements set by the International Standards Organization for portable shipping containers, ISO 6346.
- B. **Temporary Use during Construction.** PSCs are permitted as a temporary storage device for use during construction, remodeling, or redevelopment of permanent on-site buildings and facilities:
 1. When either of the following occurs:
 - a. In all Agriculture (AG), multiple residence (RM), all commercial and all industrial zoning districts, and for non-residential uses in Mixed Use (MX) and all Transect districts, if no building permit is required for the type of construction taking place, the temporary use of the PSC is subject to the issuance of an Administrative Use Permit by the Development Services Division in accordance with requirements of [Chapter 70](#) of this Zoning Ordinance.
 - b. In all zoning districts, when a building permit is required for the type of construction taking place, the temporary use of use of the PSC may be authorized in conjunction with the issuance of a building permit in accordance with [Title 4](#) of the Mesa City Code.
 2. Applications for a building permit or Administrative Use Permit, as applicable (Item 1, above), shall include a plan which specifies the number, size, and location of the storage containers.
 3. The temporary use of PSCs is limited to the lesser of the following time periods:
 - a. When authorized in conjunction with the issuance of a building permit, the temporary use shall be limited to the time in which the construction, remodeling, or redevelopment of permanent on-site buildings and facilities is actively taking place; or
 - b. When authorized with the issuance of an Administrative Use Permit, the temporary use shall be limited to 6-months, or until such time as the construction, remodeling, or redevelopment activity is completed, whichever occurs first. If the construction, remodeling, or redevelopment activity remains active and extends beyond 6-months, then the use permit may be renewed, but no more than 2 times.
 4. The PSC shall be removed within 7-days of the completion of:
 - a. The construction, remodeling, or redevelopment activities;
 - b. The construction activities authorized by the construction permit; or
 - c. The expiration of the use permit.
 5. In all Single Residence (RS) and Single Residence-Small Lot (RSL) districts, PSCs used during construction with the issuance of a building permit shall be limited to no more than one PSC per residential lot.
 6. PSCs shall not be located in retention basins, drive aisles, fire lanes, loading zones, or any other location that may cause hazardous conditions, or constitute a threat to public safety.
- C. **Temporary or Periodic Commercial Storage.** In the LC and GC commercial districts, and in the PEP and LI industrial districts, PSCs may be used as a periodic, intermittent, or isochronal use for a temporary period of time and accessory to a primary permitted use, subject to the approval of a special use permit in accordance with [Chapters 67](#) and [70](#) of this Zoning Ordinance. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the special use permit may require additional measures to ensure compatibility with adjacent land uses, such as increased setbacks, screen walls, landscaping, exterior materials and color.

- D. **Permanent Storage in Industrial Districts.** In those industrial districts for which outdoor storage is expressly allowed (i.e., LI, GI and HI districts), PSCs may be used for permanent outdoor storage, subject to:
1. All requirements for the placement of outdoor storage specified for the applicable zoning district;
 2. Compliance with all requirements of Section 11-30-7 with regard to placement and screening of outdoor storage; and
 3. Placement of the PSC in a manner such that it is not located in landscape areas, designated open space, retention basins, drive aisles, fire lanes, required parking spaces, loading zones, or any other location that may cause hazardous conditions, or constitute a threat to public safety.
- E. **Permanent Storage in Downtown Business District 2.** In the DB-2 district, a PSC shall only be used for outdoor storage, subject to:
1. Approval of a Special Use Permit in accordance with Chapters 67 and 70 of this Zoning Ordinance;
 2. Compliance with all requirements for the placement of outdoor storage specified by Section 11-30-7 with regard to placement and screening of outdoor storage; and
 3. Placement of the PSC in a manner such that it is not located in landscape areas, designated open space, retention basins, drive aisles, fire lanes, required parking spaces, loading zones or any other location that may cause hazardous conditions, or constitute a threat to public safety.
- F. **Temporary Use in Residential Districts for Loading and Unloading of Household Goods.** In residential districts (RS, RSL and RM), Downtown Residence (DR-1, DR-2 and DR-3), and residential uses in all Transect districts (T3N, T4N, T4NF, T4MS, T5N, T5MSF, and T6MS), the temporary placement of a portable storage container on a residential lot for the purpose of loading and unloading household contents is only permitted for a period of time not exceeding seven (7) days in a calendar year.
- G. **Permanent Use in Single Residence and Agriculture Districts.** The permanent use of PSCs is permitted only in the RS-43, RS-90 and AG zoning districts, and only in accordance with the following requirements:
1. The placement, floor area, and size of the portable storage containers shall be in conformance with the same requirements specified for detached accessory buildings in Section 11-30-17.
 2. A building permit is required before installation, with a field inspection following installation.
 3. The PSC shall be placed upon an elevated pad that is a minimum of 4-inches above average natural grade of the ground within a 4-foot radius of the exterior walls of the PSC.
 4. One or more of the following aesthetic treatments to the exterior physical appearance of the PSC are required. At minimum:
 - a. A veneer of a durable building material similar to and congruous in appearance with the primary dwelling shall be attached to the PSC; or
 - b. Landscaping of sufficient density is installed and maintained so as to block the visibility of the PSC from across property lines of all directly abutting properties, or from across a right-of-way from a property that would otherwise directly abut the site. This landscaping screening may be through the use of a hedge or other landscaping growing adjacent or on the PSC. If this alternative is used, the PSC shall be painted a color considered compatible with the color of the associated primary residence; or,
 - c. A combination of partial veneer treatments, compatible paint colors, and/or landscape treatments that result in the appearance of the PSC being aesthetically congruous with the primary residence, and undiscernible from a detached accessory building of standard construction.
 5. Openings created for placement of doors and/or windows in the PSC are only permitted if no cuts or structural alterations are made to the primary structural frame of the PSC.

(Ord. No. 5249, 10-6-14)

11-30-17: - DETACHED ACCESSORY BUILDINGS OR STRUCTURES

The purpose of this Section is to aid in the comfort, convenience, and enjoyment of a lot or parcel by providing standards for the allowance and placement of detached accessory buildings or structures that place reasonable limitations to minimize impacts on access to light, air, and spacing relative to adjacent lots and parcels.

- A. **General Requirements.** Detached accessory buildings or structures located on lots or parcels in Agricultural (AG), Single Residence (RS), Small Lot Single Residence (RSL), Downtown Residential (DR), and Multiple Residence (RM) districts are permitted subject to the following provisions:
1. The primary building shall be under construction or fully constructed on a lot or parcel of land prior to initiating construction of a detached accessory building or structure;
 - 2.

Detached accessory buildings or structures shall not be constructed or used for dwelling purposes, except as an Accessory Dwelling Unit as provided in Section 11-31-3 of this Title;

3. Detached accessory buildings or structures shall adhere to the maximum building coverage and maximum lot coverage requirements of the underlying zoning district;
4. The gross floor area of all detached accessory buildings or structures, including any Accessory Dwelling Unit, shall not exceed 100% of the gross floor area of the primary building; and
5. No detached accessory building or structure shall encroach into any recorded easement.

B. Building Height and Location.

1. ***Detached Accessory Buildings or Structure: Less than or equal to 200 Square Feet.*** Detached accessory buildings or structures 200 square feet or less in gross floor area shall comply with all of the following requirements:
 - a. May be located within the required rear, side, or street side yards.
 - b. Shall not be located in the required front yard or between the front of the primary building and the street.
 - c. On corner lots or parcels abutting a key lot, detached accessory buildings or structures shall not be located closer to the street than the primary building on the adjacent key lot.
 - d. Shall not be located closer than six (6) feet to the primary building.
 - e. Shall not exceed eight (8) feet in height at the peak of the roof unless the detached accessory building or structure complies with the height and location requirements in Subsection (B)(2)(d) or Subsection (B)(2)(e) below.
 - f. No portion of the accessory building or structure shall overhang the property line or cause water to shed or drain from the roof of the accessory building or structure onto a neighboring property.
2. ***Detached Accessory Buildings or Structures: Greater than 200 Square Feet.*** Detached accessory buildings or structures greater than 200 square feet in gross floor area shall comply with all of the following requirements:
 - a. Shall not be located in the required front yard or between the primary building and the street.
 - b. Shall not be located closer than six (6) feet to the primary building.
 - c. On corner lots or parcels abutting a key lot, detached accessory buildings or structures shall not be located closer to the street than the primary building on the adjacent key lot.
 - d. Shall not exceed the maximum building height of the underlying zoning district, or the height of the primary building as measured at the peak of the roof, whichever is less, unless approved by a Special Use Permit.
 - e. In addition to the height maximum in Subsection (d), the below requirements must be met for the detached accessory building or structure, as applicable. If the height of the accessory building or structure is:
 - i. Equal to or less than 15 feet in height at the peak of the roof, the detached accessory building or structure may be located within the rear, side, or street side yards but shall not be located closer than five (5) feet from the side, street-side, and rear property lines.
 - ii. Over 15 feet in height at the peak of the roof, the detached accessory building or structure shall not be located within any rear, side, or street side yard, and shall adhere to the setback requirements of the underlying zoning district.
 - f. No portion of the accessory building or structure shall overhang the property line or cause water to shed or drain from the roof of the accessory building or structure onto a neighboring property.

(Ord. No. 5814, § 3, 10-16-23; Ord. No. 5883, § 1, 10-7-24)

CHAPTER 31 - STANDARDS FOR SPECIFIC USES AND ACTIVITIES

Footnotes:

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Editor's note— Previously, Chapter 31 derived from Ord. No. 5233, 6-2-14.

11-31-1: - PURPOSE AND APPLICABILITY

The purpose of this Chapter is to establish standards for specific uses and activities that are permitted or conditionally permitted in multiple zones. For each zoning district, uses and activities that are permitted or conditionally permitted shall comply with the regulations and standards of this Chapter, as well as any applicable standard found in each zoning district.

11-31-2: - ACCESSORY USES

An accessory use shall be secondary to a primary use and shall be allowed only in conjunction with a principal use or building to which it relates, in any zoning district. Accessory use regulations are found in the use regulations tables in [Article 2](#) and 3 of this Zoning Ordinance and are subject to the regulations of the primary use and specific standards found in this Chapter.

11-31-3: - ACCESSORY DWELLING UNIT

The purpose of this Chapter is to provide opportunities for Accessory Dwelling Units (ADUs) while minimizing impacts to surrounding uses and properties.

A. Applicability.

1. One (1) attached ADU and one (1) detached ADU are permitted per lot or parcel in any of the following zoning districts where a single residence is allowed: Agricultural, Residential, Commercial and Mixed Use, and Downtown.
2. Any lot or parcel containing an existing single residence is permitted one (1) attached ADU and one (1) detached ADU regardless of the zoning district.
3. One (1) additional detached ADU is permitted on a lot or parcel that is one (1) acre or more in size on a lot or parcel that meets the requirements in Subsection (A)(1) or (A)(2) above if at least one (1) of the ADUs is used as a restricted-affordable dwelling unit, which is defined as a dwelling unit that either, through a private deed restriction or a development agreement with the City, is rented to households earning up to eighty percent (80%) of the area median income.

B. General Requirements.

1. There are no minimum lot size requirements to establish an ADU.
 2. An ADU shall have a separate and independent entrance from the primary residence.
 3. An ADU may contain either a partial kitchen or full kitchen, but no more than one (1) kitchen per ADU is allowed.
 4. An ADU in a Historic District shall comply with [Chapter 74](#) of the Zoning Ordinance.
 5. An ADU shall comply with all applicable building code requirements for residential dwellings.
 6. Manufactured homes, Recreational Vehicles (RV), and trailers shall not be used as an ADU.
- C. Unit Size. The interior habitable area of an ADU shall not exceed 75% of the primary residence's interior habitable area, or 1,000 square feet, whichever is less.

D. Setbacks.

1. Attached or Detached - New Structures.

- a. A minimum side and rear setback of five (5) feet shall be provided for all side and rear setbacks.
- b. Front and secondary front (street side) setbacks shall comply with the primary residence setback requirements for the underlying zoning district.

2. Attached or Detached - Existing Structures.

- a. Existing structures converted to an ADU shall require no additional setbacks.
- b. For existing structures with a second story that will be converted to an ADU, no additional setbacks are required.
- c. For existing structures where a new second story ADU is being added, the setbacks of the ADU shall comply with the primary residence setback requirements of the underlying zone.

3. Non-conforming Structure Conversions.

a. *Detached Accessory Building or Structure.*

- i. A detached accessory building or structure that does not meet the current setback requirements and is a legal non-conforming structure may be converted to an ADU.
- ii. Side and rear setback shall be a minimum of five (5) feet.
- iii. For front and secondary front (street side) setbacks, no additional setback shall be required, provided that the conversion does not further increase the nonconformity.

b. *Primary Residence.*

- i. A single residence that does not meet current setback requirements and is a legal non-conforming structure may be altered to include an ADU.
- ii.

Side and rear setback shall be a minimum of five (5) feet.

- iii. For front and secondary front (street side) setbacks, no additional setback shall be required, provided that the alteration does not further increase the nonconformity.

- c. *Second Story Conversions.* An existing legal non-conforming, two-story structure that does not meet the current setbacks may be altered to include an ADU with no additional setback required.

E. **Lot Coverage and Building Coverage.** An ADU shall comply with all lot coverage and building coverage requirements of the underlying zoning district.

F. **Height.** The height of an attached or detached ADU shall comply with the primary residence height requirements for the underlying zoning district.

G. **Parking.**

- 1. No additional parking spaces are required for an ADU.
- 2. If a garage or carport is converted to an ADU, covered parking for the primary residence is not required to be replaced elsewhere on the lot or parcel.

H. **Utilities.**

- 1. An ADU shall be provided with water, sewer, and electric utilities.
- 2. An ADU shall be served by the same water, sewer and electric utility providers and meters as the primary residence.
- 3. An ADU may not be built on top of a current or planned public utility easement of any kind unless the property owner receives written consent from any utilities currently using the public utility easement or that may use the public utility easement in the future.

(Ord. No. 5814, § 4, 10-16-23; Ord. No. 5883, § 2, 10-7-24)

11-31-4: - ANIMAL KEEPING (AG AND ACCESSORY TO RESIDENTIAL USES)

Keeping animals in AG and residential zones is allowed, subject to compliance with Title 8 Article 4.

A Special Use Permit may be approved for the keeping of livestock in excess of the number permitted in Section 8-6-21 of the Mesa City Code, or for the keeping of livestock on a parcel less than 35,000 square feet, as specified in Section 8-6-21 of the Mesa City Code, only upon a finding by the Zoning Administrator acting as a hearing officer/Board of Adjustment that all three of the following are present:

- A. The applicant has demonstrated that the number of livestock proposed is consistent with the number historically kept on the property.
- B. The keeping of livestock is for private use and enjoyment and does not constitute a commercial use, unless otherwise authorized in this Chapter.
- C. The keeping of livestock will be in accordance with all other provisions of Title 8 Article 4, of the Mesa City Code, including proper sanitation and placement of barns, pens, and corrals.

11-31-5: - AUTOMOBILE RENTALS; AUTOMOBILE/VEHICLE SALES AND LEASING

Automobile Rental, and Automobile/Vehicle Sales and Leasing, each as described in Section 11- 86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Landscaping.** In addition to perimeter and foundation base landscaping requirements, landscaping shall comprise a minimum of 10 percent of the site area.
- B. **Vehicle Display.** A maximum of 30 percent of the street side landscape area may be used for vehicle display. A minimum 12-foot wide planter strip shall separate vehicle display areas from sidewalks along the streets. Vehicle display encroachments wider than 30-feet shall be separated by a minimum distance of 30-feet between similar vehicle displays that encroaches into the street side landscape area (illustration needed).
- C. **Vehicle Loading and Unloading.** Vehicle loading and unloading shall occur on-site.
- D. **Vehicle Display Platforms.**
 - 1. Elevated platforms or other structures or devices used for the display of vehicles associated with an approved vehicle sales or rental facility are permitted, provided such platforms, structures, or devices:
 - a. Shall only be located in areas currently approved or authorized for vehicle display; and
 - b. Shall not project into or over required landscape areas, drive aisles, or fire lanes; and
 - c. Shall not be located closer to the public street than the existing, at-grade vehicle display area; and

- d. Shall not exceed four feet (4') in height as measured from the mean finished grade of the display surface.
- 2. Only one (1) vehicle shall be displayed on each platform, structure, or device.
- 3. The number of display platforms, structures, or devices shall not exceed a ratio of one (1) per one hundred feet (100') of lineal street frontage of the at-grade display area (exclusive of driveways).
- 4. The Design Review Board may approve modifications or variations to the above provisions when such platforms, structures, or devices are a component of a site development plan reviewed and approved in accordance with Section 11-18-9 of this Title. Such modifications or variations shall only be approved upon a finding by the Board that such platforms, structures, or devices:
 - a. Constitute a design component, or incorporate architectural features, associated with the primary buildings or structures on the development site; and
 - b. Serve only to enhance the visibility of vehicles, and do not display or portray an advertising message, or commercial signage; and
 - c. Will not impede or obstruct the visibility of traffic maneuvering on the development site or traveling upon the public-street; and
 - d. Incorporate increased setbacks, enhanced landscaping, or other screening measures to effectively mitigate the impact of the platforms.

11-31-6: - AUTOMOBILE/VEHICLE REPAIR, MAJOR AND MINOR

Major Automobile/Vehicle Repair, and Minor Automobile/Vehicle Service and Repair, each as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Minimum Lot Size.** 1 acre, unless part of a larger group commercial center.
- B. **Screening.** Car service and storage areas shall be screened per Sections 11-30-9(F), Auto Service Bays and 11-30-9(H), Parking Areas.
- C. **Litter.** No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles may be stored outside of the main building.
- D. **Noise.** All body and fender work, or similar noise-generating activity, shall be enclosed in masonry or similar building with sound attenuating measures incorporated into the building design and construction to absorb noise to comply with [Title 6](#), Chapter 12 of the Mesa City Code. Bay openings shall be oriented so as to minimize the effects of sound emanating from the auto repair building towards residential uses, towards outdoor restaurant seating and outdoor reception areas. Compressors shall be located within separately enclosed, sound attenuated rooms.

11-31-7: - AUTOMOBILE/VEHICLE WASHING

Automobile Washing, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Location.** Automobile/Vehicle Washing, as a primary use, is only allowed on sites with at least one frontage on an arterial street.
- B. **Setbacks.** No building or structure shall be located within 20 feet of any interior lot line abutting a residential zoning district.
- C. **Drive-up Aisles and Required Queuing Area.** Drive-up aisles shall be at least 11 feet wide; if adjacent to a street, they shall be screened as specified in Section 11-30-9(E), Drive-through Windows and Automated Car Washes. The drive-up aisle shall provide queuing space, with no encroachment into required landscape areas or building setbacks, for at minimum:
 - 1. 4 vehicles per pull-through rack for each automatic wash bay.
 - 2. 3 vehicles per bay for self-serve, coin-operated and/or hand wash facilities.
- D. **Landscaping.** Automobile/Vehicle Washing, as a primary use, in addition to perimeter, parking lot and foundation base landscaping requirements, landscaping shall comprise a minimum of 10 percent of the site area.
- E. **Litter.** One permanent, non-combustible trash receptacle per wash bay is required.
- F. **Noise.** Sound attenuating measures shall be incorporated into the building design and construction to absorb noise such that the sound level readings at the street and at interior property lines are no more than 55 decibels. Mechanical equipment for centralized vacuum equipment shall be housed in an enclosed room.
- G. **Additional Special Use Permit Criteria.** When a Special Use Permit is required by [Article 2](#), each of the following items shall be included in the evaluation:
 - 1. The number of automobile related activities within 600-feet of an intersection of arterial streets shall not exceed 2, including automobile/vehicle washing, automobile service stations, automobile sales or rental lots, or automobile/vehicle repair.
 - 2.

Proposed locations within "-U" designated areas shall be oriented with canopies and fuel dispensing equipment away from the street, either to the side or to the rear of a building.

3. Compliance with all development standards for the applicable zoning district, including compliance with all requirements for automobile related services located in all mixed districts and "-U" designated districts.
4. The use is found to be in compliance with the General Plan, applicable Sub-area plans and other recognized development plans or policies, and will be compatible with surrounding uses;
5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.
6. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations.
7. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures.
8. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines

11-31-8: - BED AND BREAKFAST INNS

Bed and Breakfast Inns, as described in Section 11-86-4, shall be located, developed and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

- A. **Location of Parking:** All parking shall be located behind the front yard building setback for the zoning district, and be designed to facilitate the exiting of vehicles in a forward motion from the site onto the adjacent street. Parking for sites located in RM districts shall not encroach into any required side and rear yards, nor any required landscape areas.
- B. **Additional Requirements for Sites located in RS and DR Districts.** In addition, sites located within the RS and DR districts shall comply with the following:
 1. **Minimum lot area.** When located in Single Residence (RS) districts, the minimum lot area shall be 15,000 square feet or greater.
 2. **On-site resident.** When located in Single Residence (RS) or Downtown Residence (DR) districts, the operation of the facility shall include an on-site resident owner or manager.
 3. **Outdoor facilities.** In addition to compliance with all building setback requirements for the zoning district, all unenclosed outdoor buildings open on 1 or more sides, miscellaneous structures, decks and swimming pools shall maintain a minimum separation of 20-feet from abutting single residence lots.
 4. **Signage.** The site shall be limited to 1 attached sign that is no greater than 4 square feet. Any verbiage on the sign shall be limited to the name of the facility and the address. Use of an internally illuminated sign is prohibited.
- C. **Special Use Permit Criteria.** Review of the Special Use Permit required for Bed and Breakfast Inns located in RS districts shall be based on the following:
 1. **Historic Sites.** Preference may be given to sites located within Approved Historic or Historic Landmark Overlay Districts, without the site being located in close proximity to an arterial street, as stated in 2, below.
 2. **Proximity to Arterial Streets.** Sites should be located within a traveling distance on public streets of 300-feet from a major arterial street, and should have no more than 1 turning movement on a public street before accessing the public street leading to the arterial street.
 3. **Facility-Lot Area Balance.** The size and number of on-site improvements should be balanced against the size of the lot in order to maintain the appearance of the site as being compatible with the context and character of the surrounding neighborhood. Factors to consider in reviewing this balance include:
 - a. Providing facilities needed to minimize impacts on adjacent properties at a scale limited to that needed to achieve the intended result; and
 - b. Restricting non-residential structures; and
 - c.

Providing adequate screening (by structure, screening wall and/or vegetation) of the view of parking spaces from the adjacent street(s).

11-31-9: - COMMERCIAL USES IN ANY RESIDENCE DISTRICTS

Any Special Use Permit request for a commercial land use classifications in a residence district shall be reviewed in accordance with the following criteria:

- A. **Applicable Policies.** The use is found to be in compliance with the General Plan, and with applicable Sub Area Plans, Neighborhood Plans and other recognized development plans or policies, and will be compatible with surrounding uses; and
 - 1. **Site Plan.** A finding that an acceptable site plan has been submitted for review and consideration.
 - 2. **Operational Plan.** A finding that an acceptable operational plan in narrative form has been submitted for review and consideration, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses, Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
 - 3. **Addresses Adverse Impacts.** Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

11-31-10: - COMMUNITY GARDENS

Community Gardens, as described in Section 11-86-3 shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Type and Size Restrictions.** Community gardens shall be limited in type and size by zoning district as follows:
 - 1. **Agricultural.** Gardens may be divided into individual plots or farmed collectively. There is no maximum size for individual plots or for the aggregate garden area.
 - 2. **RS-35, RS-43, and RS-90.** Gardens may be divided into individual plots or farmed collectively. Individual plots may be of any size, the maximum size of the aggregate garden area is limited to one (1) acre.
 - 3. **All Other Districts.** Garden areas may only be developed as individual garden plots. The individual garden plots may be no larger than 400 square feet and the maximum size of the aggregate garden area is limited to ½ acre.
- B. **Setbacks.** Site features, such as raised planting beds and storage sheds, are not allowed in the required setback. Plantings are allowed in required yards provided they comply with site visibility triangles of Section 11-30-14, Visibility at Intersections.
- C. **Storage Buildings.** Storage buildings shall conform to the following standards:
 - 1. **Maximum area:** 200 square feet;
 - 2. **Maximum height:** 10 feet;
 - 3. **Location:** within the buildable area and placed in the rear one-half of the lot;
 - 4. **Number:** One (1) storage shed per site for gardens one (1) acre or less; maximum 2 storage sheds for sites larger than one (1) acre.
- D. **Lighting.** Overhead lighting is prohibited.
- E. **Parking.** No more than 2 vehicles shall be permitted onsite, excluding those parked within an enclosed structure. Parking spaces shall be paved with an approved dust proof material.
- F. **Maintenance.** The site shall be kept clear of weeds, debris and waste in conformance with Mesa City Code, Section 8-6-3. All composting shall be done in a screened area or within a container. All tools and equipment shall be stored or screened from view when not in use.
- G. **Fences.** Fences, including trellises, are allowed in required yards subject to the standards governing fence location, maintenance, height and design of Section 11-30-4, Fences and Freestanding Walls. Exception: chain link fence material may be used in the Community Garden.

11-31-11: - CONVENIENCE MARKETS

Convenience Markets, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Maximum Building Size.** 5,000 square feet.
- B. **Setbacks.** No building or structure shall be located within 20 feet of an interior lot line abutting a residential zoning district.
- C.

Litter. One permanent, non-flammable trash receptacle shall be installed in the parking area adjacent to the entrance/exit of the market.

11-31-12: - CORRECTIONAL TRANSITIONAL HOUSING FACILITIES (CTHF)

Correctional Transitional Housing Facility (CTHF), as described in Section 11-86-2, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

A. Location.

1. *Separation from Dissimilar Uses.*

- (a) A minimum distance of 500 feet from any residential zoning district.
- (b) A minimum distance of 1,200 feet from any of the following:
 - (i) A public or private school building with kindergarten programs or any of grades one (1) through 12, and any recreational area adjacent to such school; and
 - (ii) A public park; and
 - (iii) Any existing community residence or assisted living facility.

2. *Separation from Similar Uses.* A minimum distance of 5,280 feet from any other CTHF.

B. Criteria for Review of Council Use Permit. The review of the Council Use Permit shall include a review and determination regarding the following items:

- 1. The use is found to be in compliance with the General Plan and other recognized development plans or policies, and will be compatible with surrounding uses; and
- 2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
- 3. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
- 4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City Development Standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.

C. Registration and Renewal. To register with the City, a correctional transitional housing facility requires a council use permit to operate. the applicant must submit to the City an application for a council use permit in accordance with section 11-67, and provide evidence demonstrating compliance with this section. Registration of a correctional transitional housing facility is valid for one (1) year and must be renewed annually on or before the expiration date of the registration.

D. General Operations. Correctional transitional housing facilities shall submit an operational plan demonstrating:

- 1. Compliance with all zoning, building, and fire safety regulations including, but not limited to, evidence demonstrating that the building and the proposed site will be brought into substantial conformance with all current city development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines;
- 2. Compliance with state laws and regulations;
- 3. Provisions of on-site supervision, by qualified staff, for all hours during which residents are on the premises; and
- 4. Security measures that are sufficient to protect the safety of residents and other citizens in the vicinity of the facility.

(Ord. No. 5631, § 1, 7-8-21)

11-31-13: - LARGE DAY CARE GROUP HOMES

Large Day Care Group Home, as described in Section 11-86-2, shall be located, developed, and operated in compliance with the Land Use Regulations in Article 2 and the following standards:

- A. The location of the home is registered with the Planning Division and evidence of certification by the Arizona Department of Health Services is provided to the City;
- B. No identification is visible from a public street by signage, graphics, display, or other visual means;
- C. The building complies with all applicable building and fire safety regulations;

- D. A 6-foot-high solid (opaque) fence or wall is provided between all outdoor play areas and adjacent properties, except within the required front yard, in which fencing requirements shall comply with in the requirements of Section 11-30-4, Fences and Freestanding Walls; and
- E. A separation between large day care group homes of 600 feet or by the presence of significant intervening physical features between an existing large day care group home and the proposed large day care group home, such as arterial streets, canals, parks, or similar buffering features or developments.

11-31-14: - COMMUNITY RESIDENCES

A community residence (family and transitional) shall be located, developed and operated in compliance with the land use regulations in [Article 2](#) and the following standards:

A. General Requirements.

1. **Spacing Requirements.** A minimum distance of 1,200 feet from the closest existing community residence, assisted living home, or assisted living center, as measured under Section 11-2-3(D), unless separated by a significant intervening natural or manmade feature such as, but not limited to, a canal, municipal open space of at least ten (10) acres (e.g., park, golf course, etc.), a railroad, or a highway, that is approved by the Zoning Administrator.
2. **Occupancy.** Five (5) up to a maximum of ten (10) individuals (not including staff).
3. **Licensure and Certification.** A community residence must obtain one (1) or more of the following:
 - (a) License or certification from the State of Arizona required to operate the proposed community residence; or
 - (b) Certification by the Arizona Recovery Housing Association if not required to be licensed by the State of Arizona; or
 - (c) A "Permanent" Oxford House Charter.

B. Community Residences Requiring a Conditional Use Permit. In certain zoning districts community residences are not allowed by right but require the approval of a conditional use permit. A conditional use permit shall be granted only if the governing body finds that the applicant has demonstrated that all of the following criteria are met:

1. The proposed use will be compatible with the residential uses allowed as of right in the zoning district;
2. The proposed use in combination with any existing community residences, assisted living homes, and assisted living centers will not result in a clustering of such uses or alter the residential character of the surrounding neighborhood by creating or intensifying an institutional atmosphere; and
3. The proposed use will not interfere with normalization and community integration of the residents of any existing community residences, assisted living homes, or assisted living centers, and that the presence of other existing community residences, assisted living homes, or assisted living centers will not interfere with normalization and community integration of the residents of the proposed use;
4. The applicant has submitted a "good neighbor policy" in narrative form that includes:
 - (a) A description of acceptable measures to ensure ongoing compatibility with adjacent uses;
 - (b) The name and telephone number of the manager or person responsible for the operation of the facility;
 - (c) Complaint response procedures including investigation, remedial action, and follow-up procedures; and
 - (d) The proposed use complies with all other development standards in this Chapter.

C. Registration, Renewal, and Revocation. A community residence must register with the City and renew its registration as set forth below:

1. **Registration Process for Community Residences That Do Not Require a Conditional Use Permit.** An applicant for a community residence that does not require a conditional use permit to operate and is not requesting a reasonable accommodation under Section 11-31-14(D), must register with the City by submitting the City's registration application according to [Chapter 67](#), Common Procedures. If the use complies with all City requirements, the applicant will receive provisional registration approval from the planning division. To obtain final registration, the applicant must provide evidence of the required license or certification within 120 days from the date the provisional registration was approved.
2. **Registration Process For a Community Residence That Requires a Conditional Use Permit or is Requesting a Reasonable Accommodation.** A community residence that requires a conditional use permit to operate or that requests a reasonable accommodation to the standards in Section 11-31-14(a), must register with the city by submitting the City's application for a conditional use permit according to [Chapter 67](#), Common Procedures, and by providing evidence of compliance with all City requirements. The request will be reviewed by the applicable governing body. approval of the conditional use permit grants the applicant provisional registration. To obtain final registration, the applicant must provide evidence of the required license or certification within 120 days from the date the provisional registration was approved; except registration for a community residence that is granted a reasonable accommodation to the license and certification requirement is considered final and no other action is required.

3. **Registration Renewal.** Registration of a community residence is valid for one (1) year and must be renewed annually on or before the expiration date of the registration. To renew a registration, the operator of a community residence shall submit to City an application for renewal and evidence of a current state license, certification or Oxford House Charter.
4. **Revocation.** The registration and conditional use permit obtained by a community residence may be revoked as set forth in this section:
 - (a) *Facilities Without a Conditional Use Permit.* In the event the license, certification or Oxford House Charter for a community residence is denied or revoked, the City of Mesa registration will automatically terminate after 15 calendar days of the date of the City's written notification to the applicant; and the community residence must cease operation 45 calendar days from the date of the City's written notification.
 - (b) *Facilities With a Conditional Use Permit.* A community residence that requires a conditional use permit to operate or that has applied for or received a special use permit for a reasonable accommodation and whose license, certification, or oxford house charter required in Section 11-31-14(a)(3) is denied or revoked, the City of Mesa registration shall automatically terminate, and the conditional use permit is subject to the revocation process in Chapter 70. If the conditional use permit is revoked, the community residence must cease operation within 45 calendar days from the date the conditional use permit is revoked.

D. **Reasonable Accommodation.** A community residence that does not meet the spacing, occupancy or licensure requirements may request a reasonable accommodation through the special use permit process. The accommodation being sought must be reasonable and necessary to afford individual(s) with disabilities an equal opportunity to use and enjoy housing that is the subject of the request. The process to apply for a special use permit are provided in Chapter 67, Common Procedures, except a citizen participation plan and report is not required.

1. **Accommodation to Spacing Requirements.** A special use permit to the spacing requirements shall be granted only if the governing body finds that the applicant has demonstrated that the proposed use meets all of the following criteria:
 - (a) The proposed use will not interfere with the community integration of the residents of any existing community residences, assisted living homes, or assisted living centers, or their ability to interact with neighbors without disabilities; and the presence of other community residences, assisted living homes, or assisted living centers will not interfere with the community integration and interaction of the residents of the proposed use;
 - (b) The proposed use in combination with any existing community residences, assisted living homes, or assisted living centers will not alter the residential character of the surrounding neighborhood by creating or intensifying an institutional atmosphere or by creating or intensifying a de facto social service district by clustering or concentrating community residences, assisted living homes, or assisted living centers; and
 - (c) The proposed use complies with all other development standards in this Chapter.
2. **Accommodation to Licensure Requirements.** When the state, Arizona Recovery Housing Association or Oxford House does not offer a license, certification, or charter for the type of community residence and the population it will serve, the community residence may request a special use permit. the special use permit shall be granted only if the governing body finds that the applicant has demonstrated that all of the following criteria are met:
 - (a) The proposed use will operate in a manner effectively similar to a licensed or certified community residence;
 - (b) Staff will be adequately trained under standards typically required by the state or Oxford House for a community residence;
 - (c) The proposed use will have operating rules and practices that will protect residents from abuse, exploitation, fraud, theft, insufficient support, use of illegal drugs or alcohol, and misuse of prescription medications;
 - (d) The proposed use will emulate a family and will operate to achieve community integration; and
 - (e) The proposed use otherwise complies with all other development standards in this Chapter.
3. **Accommodation to Occupancy Limits.** A community residence that wants to house more than ten (10) people may request a special use permit. A special use permit shall be granted only if the governing body finds that the applicant has demonstrated that the proposed community residence meets all of the following criteria:
 - (a) The number of residents over ten (10) is needed for therapeutic viability of the proposed community residence;
 - (b) The number of residents in the proposed community residence will emulate and operate as a family rather than a boarding house, skilled nursing facility, short-term rental, treatment center, social service facility or other nonresidential uses; and will not interfere with the community integration of the occupants of any existing community residences, assisted living homes, or assisted living centers;
 - (c) The primary function of the proposed community residence is residential where any treatment is merely incidental to the residential use of the property;
 - (d)

The proposed community residence has sufficient parking for the requested number of occupants so as not to impact the adjacent properties; and

(e) The proposed use complies with all other standards in this Chapter.

(Ord. No. 5632, § 7, 7-8-21; Ord. No. 5858, § 3, 7-1-24)

Editor's note— Ord. No. 5632, § 7, adopted July 8, 2021, repealed the former section 11-31-14, and enacted a new section 11-31-14 as set out herein. The former section 11-31-14 pertained to group homes for the handicapped.

11-31-15: - HOSPITALS AND CLINICS

Hospitals and Clinics, as described in Section 11-86-3 shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

A. Patient Entrances: Patient entrances shall:

1. Be clearly distinctive from the remainder of the building, and be readily visible from the public street;
2. Be identified by directional signage in conformance with requirements of Article 5;
3. Include an extended foundation base to provide a patient drop-off area of a minimum 900 sq. ft., extending a minimum 20-feet measured perpendicular from the patient entrance door "See FIGURE 11-31-15.A & 11-31-15.B"; and
4. Pedestrian connections within parking areas, to other buildings on site, and to the public street and transit shall follow the requirements of Section 11-30-8, Pedestrian Connections and Section 11-32-4(G)3, Pedestrian Access.

FIGURE 11-31-15.A: HOSPITALS AND CLINICS

FIGURE 11-31-15.B: PATIENT ENTRANCES

- B. Emergency Room Access.** Emergency room access shall be separate and distinct from the patient entrance(s), with directional signage in conformance with the requirements of Article 5. Vehicle access drives leading to the Emergency Room shall be direct from the street and separated from parking lanes and spaces by intervening buildings, extruded curbs and landscape islands. "See FIGURE 11-31-15.C and 11-31-15.D"

FIGURE 11-31-15.C.1: EMERGENCY ROOM ACCESS

FIGURE 11-31-15.D: EMERGENCY ROOM ACCESS

- C. **Storage of Liquid Chemicals and Bulk Materials.** Liquid oxygen and other similar materials stored outdoors and in bulk shall be screened from ground-level view by the building, screen wall, or screen walls in combination with landscape materials. If landscape materials are used, the mature height of the plant according to ANA standards may be taken into consideration, provided the size of the tree at planting is a minimum of 36-inch box.
- D. **Heliports.** "See Figure 11-31-15.A" Heliports associated with a hospital are permitted, and shall be located in a manner to minimize noise impacts on abutting residential uses, according to the following preferences:
1. First Preference: Ground on side of building opposite any abutting residential areas.
 2. Second Preference: Roof level of building less than the highest point on side of building away from residential areas.
 3. Third Preference: Roof at top of building.

11-31-16: - LARGE COMMERCIAL DEVELOPMENT

Large Commercial Development, as described in Section 11-86-4, buildings shall be located, developed and operated in compliance with the land use regulations in Article 2, and the following standards:

- A. **Section 11-6-3 Standards Apply.** Large Commercial Development shall comply with all requirements of Section 11-6-3, without regard to minimum floor area requirements.
- B. **Customer Entrances.** All entries designed for general public and customer access to the building shall:
1. Be clearly visually distinctive from the remainder of the building, and be readily visible from the public street;
 2. Include an extended foundation base to provide a customer drop-off area of a minimum 900 square feet, extending a minimum 20-feet measured perpendicular from the public entrance door. See Figures 11-31-16.B.2 and 11-31-16.B.2.2; and
 3. Comply with the requirements of Section 11-30-8, Pedestrian Connections and Section 11-32-4(G)3, Pedestrian Access regarding all pedestrian connections within parking areas to other buildings on site, to the public street, and to transit stops or stations.

FIGURE 11-31-16.B.2: STORE ENTRIES

FIGURE 11-31-16.B.2.2: STORE ENTRIES

- C. **Large Commercial Development in "-U" Designated Areas.** In addition to the development standards specified in Section 11-6-43, Large Commercial Development buildings located in "-U" designated areas shall comply with the following requirements:
1. ***Number of Store Entries.*** Buildings greater than 200-feet wide shall provide a minimum of 2 public entries to the store building. Store buildings greater than 300-feet wide shall provide public entries from the street at a ratio of 1 entry for every 150 linear feet of building width. Public entries shall have a minimum separation of 50-feet between entries.

FIGURE 11-31-16.C.1: NUMBER OF STORE ENTRIES

2. ***Maximum Setback Standard.*** The ground level of a building or buildings shall be placed no further back than the maximum setback for a minimum of 65 percent of the width of the building.
3. ***Corner Properties.*** Where a property fronts on 2 or more streets, the building shall be placed at the maximum setback or closer to the street right-of-way on 2 sides for at least 65 percent of the building width on one street side, and for 50 percent of the building width on the second side. For lots fronting more than 2 streets, this requirement shall be met along the frontage of the two streets with the highest functional classification identified in the Mesa Transportation Plan. If all streets adjacent to the property have the same functional classification, the developer shall choose which 2 street frontages apply.

D.

Criteria for Review of Council Use Permit. When required, the review of the Council Use Permit for a Large Commercial Development shall include a review and determination regarding the following items:

1. The use is found to be in compliance with the General Plan and other recognized development plans or policies, and will be compatible with surrounding uses; and
2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
3. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines; and
5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

(Ord. No. 5544, § 10, 12-9-19; Ord. No. 5928, § 21, 2-3-25)

11-31-17: - LIVE/WORK UNITS

Live-Work Units, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Establishment.** Live/Work Units may be established through new construction or through the conversion of existing commercial or industrial buildings that were designed, constructed and received an occupancy permit for such non-residential uses. See Figure 11-31-17.A.
- B. **Allowable Uses.** Work activities in Live/Work Units are limited to uses as permitted in the base zoning district in which the Live/Work Units are located.
- C. **Sale or Rental of Portions of Unit Prohibited.** No portion of a Live/Work Unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.
- D. **Floor Area Distribution.** At least 30 percent of the net floor area of a Live/Work Unit must be designated for work activities. An applicant shall submit a floor plan of all proposed units to the Planning Division to demonstrate compliance with this regulation.
- E. **Outdoor Living Area.** Common or private on-site open space shall be provided for the use of occupants at a rate of at least 150 square feet per Live/Work Unit. This space may be attached to individual units or located on the roof or adjoining the building in a rear yard.

FIGURE 11-31-17.A: LIVE/WORK

11-31-18: - DRIVE-THRU AND PICK-UP WINDOW FACILITIES

Drive-thru Facilities, Pick-up Window Facilities, and Drive-up ATM/Teller Windows as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Purpose.** The purpose of this Section is to mitigate potential impacts of Drive-thru Facilities, Pick-up Window Facilities, and Drive-up ATM/Teller Windows, including but not limited to, visual, traffic, and noise impacts, and to ensure that these facilities are developed to enhance the city's urban form.
- B. **General Requirements.**

1. A drive-thru lane, pick-up lane, or drive lane serving a Drive-up ATM/Teller Window must be physically separated from non-drive-thru traffic areas or nonpick-up traffic areas with a minimum five (5) foot wide raised landscape median. See Figure 11-31-18.A.
2. A minimum two (2) foot wide foundation base must be provided along any exterior building wall that is adjacent to a drive-thru lane, pick-up lane, or drive lane serving a Drive-up ATM/Teller Window. See Figure 11-31-18.A.
3. Awnings or architecturally integrated weather protection structures must be provided over drive-thru windows and pick-up windows. Such awning or weather protection structure must be architecturally integrated in proportion, color, material, and texture to the building it serves.

C. Onsite Circulation and Stacking Study.

1. An Onsite Circulation and Stacking Study is required with every application for a new Drive-thru Facility.
2. Pick-up Window Facilities and Drive-up ATM/Teller Windows are exempt from this requirement.
3. The Onsite Circulation and Stacking Study shall include the following:
 - a. Description of onsite operations including:
 - i. Business hours of operation.
 - ii. The method by which a customer order is placed and processed.
 - iii. Peak demand hours.
 - iv. The time required to serve a typical customer.
 - v. A description of how sound from external operations will be attenuated from neighboring properties.
 - b. Description of onsite traffic activity, including:
 - i. Arrival rates of customers.
 - ii. Anticipated vehicular stacking required.
 - iii. An onsite circulation plan showing points of entry to the site, stacking locations and distances, and anticipated patterns of onsite circulation.
 - iv. A mitigation plan describing how backup stacking will be addressed so that vehicles are not blocking internal drives or backing up onto roadways.
 - v. An evaluation of uses within 1,200 feet of the proposed development identifying cumulative traffic impacts and mitigation efforts to ensure that vehicles are not blocking internal drives or backing up onto roadways.
 - c. Other information deemed necessary by the Planning Director or their designee to review the proposal including additional information to determine whether the proposal has appropriate traffic circulation, and stacking.

D. Stacking Requirements.

1. ***Drive-thru Facilities and Pick-Up Window Facilities.*** Drive-thru Facilities and Pick-up Window Facilities must conform to the following stacking requirements: A minimum 50-foot-long distance must be provided between the entrance of a drive-thru lane or pick-up lane and a street access driveway or cross access drive aisle. Distance measured from the entrance of the drive-thru lane or pick-up lane to the right-of-way, property line or edge of street access driveway or cross access drive aisle. See Figure 11-31-18.A.
2. ***Additional Drive-thru Facility Requirements.*** In addition to the stacking requirement in Subsection (1) above, Drive-thru Facilities must conform to the following stacking requirements:
 - a. A minimum 100-foot-long stacking distance must be provided between the drive-thru window and order-placing speaker. Distance measured from the leading edge of the drive-thru window along the centerline of the drive-thru lane to the far edge of the order placing speaker. See Figure 11- 31-18.A.
 - b. A minimum 40-foot-long stacking distance must be provided between the order-placing box and the entry to a drive-thru lane. Distance measured from the leading edge of the order-placing box along the centerline of the drive-thru lane to the entrance of the drive-thru lane. See Figure 11-31-18.A.
3. ***Additional Pick-up Window Facility Requirements.*** In addition to the stacking requirements in Subsection (1) above, Pick-up Window Facilities must conform to the following stacking requirements: A minimum 100-foot-long stacking distance must be provided between the pick-up window and the entrance of the pick-up lane. Distance measured from the leading edge of the pick-up window along the centerline of the pick-up lane to the entrance of the pick-up lane.
4. ***Drive-Up ATM/Teller Window Requirements.*** A minimum 40-foot-long stacking distance must be provided for each Drive-up ATM/Teller Window. Distance measured from the leading edge of the ATM/Teller window along the centerline of the stacking lane to the entry of the stacking area.

5. **Modifications to Stacking Requirements.** Modifications to the stacking requirements found in this Section may be approved through the site plan review process if the Planning Director or their designee determines, based on the Onsite Circulation and Stacking Study, that the proposed modifications to the stacking requirements are sufficient to meet the demands of the development, including the traffic circulation, and stacking demands.

FIGURE 11-31-18.A DRIVE-THRU AND PICK-UP FACILITIES

E. **Screening/Buffering Requirements.** Drive-thru Facilities, Pick-up Window Facilities, and Drive-up ATM/Teller Windows shall conform to the following screening requirements:

1. A drive-thru lane or pick-up lane is not permitted to be located parallel to arterial roadways. Where physical site conditions prevent a non-parallel configuration, the drive-thru lane or pick up lane must conform to the required landscaping per Table 11-33-3.A.4 and provide either:
 - a. A 40-inch-high screen wall adjacent to the arterial roadway that extends the entire length of the drive-thru lane or pick-up lane, along with two (2) additional trees per 25 feet of linear street frontage, and two (2) additional shrubs per 25 feet of linear street frontage; or
 - b. An architecturally integrated awning, canopy, or trellis system that covers and screens the entire drive-thru lane or pick-up lane from the street, one (1) additional tree per 25 feet of linear street frontage, and two (2) additional shrubs per 25 feet of linear street frontage.
2. Separation from Residential Uses and Residential Districts.
 - a. A 100-foot distance must be provided between the drive-thru lane or pickup lane and any residential use or property zoned with a Residential District (i.e., RS, RSL, RM).
 - b. The Planning Director, or their designee, may approve a distance less than 100 feet if a sound study submitted by the applicant demonstrates that the drive-thru noise level at the property line will not exceed 60 dB.
 - c. If the ambient noise level exceeds 60 dB, the noise study must demonstrate that the Drive-thru Facility will not increase the existing noise level.
 - d. Distance shall be measured from the far edge of the drive-thru lane to the property line containing the residential use or property zoned with a Residential District.

F. **Employee Protection Requirements.** Drive-thru Facilities whose operations include employees who take orders outside of the eating establishment must provide a raised two (2) foot wide pedestrian path and an architecturally compatible shade structure along the area in which employees are staged and take orders.

(Ord. No. 5544, § 11, 12-9-19; Ord. No. 5813, § 2, 10-16-23)

11-31-19: - OUTDOOR EATING AREAS

Outdoor eating areas in conjunction with an eating and drinking establishment, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

A. **Downtown Core, Form Based Code Transect, Commercial District with a "-U" Designation.**

1. **Location.** Within the Downtown Core District (DC), Form Based Code Transect Districts, and any Commercial District with a "-U" Designation, an outdoor eating area is permitted only in the following locations:
 - a. Within the buildable area of the lot; or
 - b.

Within the right-of-way, on a public sidewalk, provided a minimum six (6) foot wide contiguous portion of the public sidewalk remains unobstructed for pedestrian use. Review and approval of an encroachment permit by the City Engineer is required for any outdoor eating area located on a public sidewalk.

**FIGURE 11-31-19.A.1: OUTDOOR EATING
ALL OTHER ZONING DISTRICTS**

B. All other zoning districts.

1. **Locations.** In all other zoning districts in which an outdoor eating area is permitted, an outdoor eating area is permitted only in the following location:
 - a. Within the buildable area of the lot; or
 - b. The outdoor eating area may encroach up to one-half the depth of a street-side landscape yard and may encroach into the required foundation base area as long as a minimum five (5) foot contiguous pedestrian walkway remains unobstructed for pedestrian use.

**FIGURE 11-31-19.A.2: OUTDOOR EATING
AREAS**

- C. **Outdoor eating area barriers.** Barriers are meant to demarcate the section provided for an outdoor eating area, for both temporary and permanent outdoor eating areas. Barriers, such as but not limited to, fencing, decorative planters, or other architectural enclosures of the outdoor eating area, must comply with the following standards.
1. **Applicability.** Barriers must be provided at the following outdoor eating areas:
 - a. Outdoor eating areas with more than four (4) tables or more than eight (8) seats unless approved through an encroachment permit.
 - b. Outdoor eating areas with alcohol service.
 2. **Barrier height.** An outdoor eating area barrier within the right-of-way or within the required front setback may have a maximum height of 42 inches.
 3. **Design.** Outdoor eating area barriers shall consist of durable, high-quality materials, shall compliment the architecture of the building which they serve, and adhere to any design guidelines established for the area in which the eating and drinking establishment is located.
 4. **Prohibited barriers.** Outdoor eating area barriers may not be constructed with chain link fencing, chicken wire, cyclone fencing, sway ropes, fabric, or canvas.
- D. **Fixtures.** Fixtures, such as but not limited to, furniture, awnings, umbrellas, planters, heaters, lighting fixtures, enclosure legs or supports, may be used in conjunction with an outdoor eating area and must comply with the following standards:

1. **Location.** Fixtures shall not be located or project beyond the outdoor eating area barrier, if present. Fixtures shall not encroach into the pedestrian walkway.
 2. **Overhead fixtures.** Permanent, attached shade structures must be adequately secured and shall comply with the provisions of the Mesa Building Code, Title 4 of the Mesa City Code.
 3. **Refuse storage area.** Trash receptacles and enclosures must comply with Section 11-30-12 and may not be located within the right-of-way unless approved through an encroachment permit.
- E. **Signage.** Signs associated with outdoor eating areas must comply with the Mesa Sign Ordinance and may not be located within the right-of-way in accordance with Section 11-45-1: Prohibited Signs.

(Ord. No. 5758, § 2, 12-8-22)

11-31-20: - OUTDOOR DISPLAY

Outdoor display, as described in Chapter 87, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. An outdoor display is permitted only in conjunction with a lawfully established primary business.
- B. An outdoor display shall only contain goods sold by the primary business.
- C. **Location.** An outdoor display shall be located adjacent to the front facade of the primary business.
 1. **Multi-tenant building.** When located outside of a multitenant building, an outdoor display shall not extend beyond the tenant frontage of the primary business.
 2. **Downtown Core.** When located within the Downtown Core (DC) Zoning District, an outdoor display may be located within the right-of-way, on a public sidewalk, provided a minimum six (6) foot wide contiguous portion of the public sidewalk remains unobstructed for pedestrian use.
 3. An outdoor display may not be located within landscape areas, parking lots, drive-aisles, loading zones, or fire lanes.
- D. **Hours of operation.** Outdoor displays may only operate during the hours of operation of the primary business. All structures, signs, equipment, and displays associated with an outdoor display must be stored indoors at all times when the primary business is closed to the public, unless the outdoor display is permitted as a permanent location on an approved site plan.

(Ord. No. 5759, § 3, 12-8-22)

Editor's note— Ord. No. 5759, § 3, adopted December 8, 2022, repealed the former § 11-31-20, and enacted a new § 11-31-20 as set out herein. The former § 11-31-20 pertained to outdoor retail sales.

11-31-21: - PAWN SHOPS

Pawn Shops, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **License required.** A pawn broker license issued pursuant to Title 5, Chapter 7 of the Mesa City Code is required, or evidence of current and/or future compliance with all requirements of Mesa City Code Title 5, Chapter 7 pertaining to the issuance of a pawn broker's license.
- B. **Location.**
 1. Minimum distance from another pawn shop: 1,200 feet. Minimum distance from a public or private school: 1,200 feet.
 2. Exceptions to the 1,200 foot separation requirement may be approved by the City Council upon a finding that there are significant intervening physical features, such as arterial street, canals, parks, or similar buffering features or developments, between a proposed pawn shop and an existing pawn shop or Public or Private School.
- C. **Criteria for Review of Council Use Permit.** The review of the Council Use Permit shall include a review and determination regarding the following items:
 1. The use is found to be in compliance with the General Plan and other recognized development plans or policies, and will be compatible with surrounding uses; and
 2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
 3. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including

investigation, remedial action, and follow-up; and litter control measures; and

4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City Development Standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.
5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

11-31-22: - PLACES OF WORSHIP

Places of Worship, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Accessory Uses.** Accessory uses customarily found in conjunction with Places of Worship, including parish houses, parsonages, rectories, seminaries, classrooms, and convents, are permitted, provided that such accessory uses are located on the same lot or contiguous lot with the religious facility.
- B. **Athletic Facilities and Day Care Centers.** Athletic facilities and day care centers in conjunction with Places of Worship require approval of a Special Use Permit.
- C. **Residential Districts.** Places of Worship located in residence districts shall:
 1. Locate buildings within the required setbacks for the building setbacks specified for that zoning district;
 2. Comply with design standards for the LC district, unless located within an area designated by the U Character Designator, when it would then comply with LC- U design standards
- D. **Building Setback, Building Height, Parking, Landscaping and Screening Standards.** Places of Worship shall comply with each of the following:
 1. The building setback and building height requirements established by the zoning district for which the Places of Worship is located; unless modified as a building height exception pursuant to Section 11-30-3.
 2. Landscaping and Screening requirements as specified for a LC development, pursuant to Section 11-30-9 and Chapter 33. In the event character designators "-U" or "-A" are established for the Places of Worship site, the development standards associated with such character designators shall also apply. site, the development standards associated with such character designators shall also apply.
 3. All parking requirements specified in Chapter 32.

11-31-23: - RECYCLING COLLECTION AND PROCESSING FACILITIES

- A. **Recycling Collection Facilities,** as described in Section 11-86-5 shall be located pursuant to the requirements of Article 2, and developed and operated in compliance with the following standards:
 1. **Location.** The facility must be established in conjunction with an existing commercial use or community service facility and not obstruct pedestrian or vehicular circulation.
 2. **Minimum Distance** from an R (RS, RSL or RM) Zones shall be 100 feet.
 3. **Maximum Size:**
 - a. Small Indoor Collection Facility shall occupy no more than 1000 square feet of space.
 - b. Reverse Vending Machines shall occupy no more than 350 square feet of space
 4. **Power-Driven Equipment.** Power-driven processing equipment, except for reverse vending machines, is not permitted.
 5. **Storage Container.** All recyclable material must be stored in containers. Materials may not be left outside of containers. Containers shall be stored within an enclosed building, when required by the zoning district. For reverse vending machines, such containers shall be stored within the machine.
 6. **Maintenance.** Facilities must be maintained free of litter and any other undesirable materials, and mobile facilities for which truck or containers are removed at the end of the collection day, must be swept at the end of the collection day.
 7. **Required Container Information.** Containers shall be clearly marked to identify the type of materials that may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside of the building or reverse recycling machine.
 - 8.

Reduction of Parking. Occupation of parking spaces by a reverse vending facility and by the attendant (if present) may not reduce available parking spaces below the minimum number required for the site.

B. **Recycling Processing Facilities** shall be located pursuant to the requirements of Article 2, and developed and operated in compliance with the following standards:

1. **Operation—Fence, Wall or Enclosed Building Required.** All operations and storage, including all equipment used in conducting such use, other than parking, shall be conducted within an enclosed building or within an area enclosed by a solid wall or solid fence.
2. **Specifications for Walls and Fences.**
 - a. All fences and walls shall be of a uniform height, and shall be a minimum of eight feet and shall not exceed 15 feet in height. Where fences or walls exceed a height of 10 feet and are located on street or highway frontages, they shall be set back at least three feet from the lot line. The area between the fence and the lot line shall be fully landscaped according to the specifications described in this section.
 - b. All fences and walls open to view from any street or highway or any area in a residential, agricultural or commercial zone shall be constructed of the following materials:
 - i. Metallic panels, at least .024 inches thick, painted with a "baked on" enamel or similar permanent finish;
 - ii. Masonry;
 - iii. Other materials comparable to the foregoing if approved by the Director.
 - c. Other required fences may be constructed of material other than as specified above.
 - d. All fences and walls shall be constructed in workmanlike manner and shall consist solely of new materials unless the Director approves the substitution of used materials where, in his opinion, such used materials will provide the equivalent in service, appearance and useful life.
 - e. All fences and walls, excluding masonry and approved permanent-finish panels, shall be painted a uniform, neutral color, excluding black, which blends with the surrounding terrain, and improvements shall be maintained in a neat, orderly condition at all times. Such fence or wall shall contain no painted signs or posters except as approved by the Director.
 - f. **Modifications, When Authorized.** The Director may modify fences or walls not exposed to view from any street or highway or any area in a residential, agricultural or commercial zone:
 - i. Where an adjoining lot is located within a GI zone, and is developed with an automobile dismantling yard, junk and salvage yard, scrap metal processing yard, or other open storage use displaying similar characteristics; or
 - ii. Where substantial fences, walls or buildings on abutting properties serve to enclose such yard as well or better than the required wall or fence. Should the use, fence, wall or building providing justification for such modification be removed, a new wall or fence shall be provided in compliance with this section within six months from the date of such removal.

C. **Paving of Yards.** All areas of the yard open to vehicular passage shall be paved with an asphalt surfacing or an oil and aggregate mixture to prevent emission of dust or tracking of mud onto public rights-of-way; provided, however, the Director may approve other paving materials which provide, in his opinion, the equivalent in service and useful life.

D. **Storage Limitations.**

1. Salvage or junk shall not be placed or allowed to remain outside of the enclosed yard area, but may be stored above the height of the fence or wall, provided such storage is not within 10 feet of an exterior lot line.
2. Where the land upon which the yard is located is in a GI zone, and such storage above said fence or wall is not within 500 feet of any different zoning district other than a GI zone, the 10-foot setback shall not apply.

11-31-24: - SCHOOLS

Schools, as that term is defined in Section 11-86-3 shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

A. **Accessory Uses.** Accessory uses customarily found in conjunction with schools, including classrooms, dormitories, stadiums, and auditoriums are permitted provided such accessory uses are located on the same lot or contiguous lot with the school.

B. **Building Setback, Building Height, Parking, Landscaping and Screening Standards.** Schools shall:

1. Comply with the building setback and building height requirements established by the zoning district for which the School is located; unless modified as a building height exception pursuant to Section 11-30-3;
2. Comply with Landscaping and Screening requirements as specified for a LC development, pursuant to Chapters 6 and Chapter 33; and

3. Comply with all parking requirements specified in Chapter 32.
4. In the event the school is located in a Downtown, Mixed or "-U" designated district, Section 11-6-4, Special Standards for Districts with "-U" Character Designator shall apply rather than Section 8-6-3.

11-31-25: - SERVICE STATIONS

Service Stations, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Location.** Maximum number of service stations permitted at an arterial intersection is total of 2.
- B. **Minimum Frontage.** 100 feet on each street.
- C. **Pump Canopy.** Pump islands shall be covered by a canopy that matches or complements the design of the main structure.
- D. **Landscaping.** Landscaping shall comprise a minimum 10 percent of the site area, exclusive of required setbacks, and include an irrigation system that is permanent, below- grade, and activated by automatic timing controls.
- E. **Fencing.** Masonry only.
- F. **Lighting.** All exterior light sources, including canopy, perimeter, and flood, shall be stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from adjacent properties and public rights-of-way. No lens of any lighting fixture may extend below the shielding device. Lighting shall not be of a high intensity so as to cause a traffic hazard, be used as an advertising element, or adversely affect adjacent properties.
- G. **Litter.** A minimum of 1 permanent, non-flammable trash receptacle shall be installed at each pump island.
- H. **Urban Character Designator Design Standards.** When located in a "-U" designated district, the main structure containing the office, cashier, retail shop and/or other services shall be placed between the pump canopy and the street right-of-way no further back from the property line than the maximum setback. When located on a corner, the street with the higher functional classification shall be used to determine compliance with this requirement.
- I. **Criteria for Review of Special Use Permit.** When required, the review of the Special Use Permit for a Service Station shall include a review and determination regarding the following items:
 1. The use is found to be in compliance with the General Plan, applicable Sub Area Plans, and other recognized development plans or policies, and will be compatible with surrounding uses; and
 2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
 3. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses, including sound attenuation, lighting control measures, and vehicular access and traffic control. Such policies shall include, but are not limited to, the name and telephone number of the position, manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
 4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City Development Standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.
 5. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

11-31-26: - SOCIAL SERVICE FACILITIES

Social Service Facilities, as described in Section 11-86-3 shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Location.** Social Service Facilities are not allowed on Main Street, within the designated Town Center Redevelopment Area.
- B. **Minimum Standards.** All Social Service Facilities shall provide: adequate and accessible sanitary facilities, including lavatories, rest rooms and refuse containers; sufficient patron seating facilities for dining, whether indoor or outdoor; effective screening devices such as landscaping and masonry fences in conjunction with outdoor activity areas; a plan of operation, including but not limited to, patron access requirements, hours of operation, measures used to control potential client congregation on the site during non-operating hours, security measures, litter

control, and noise attenuation. Further, evidence of compliance with all Building and Fire Safety regulations and any other measures determined by the City Council to be necessary and appropriate to ensure compatibility of the proposed use or uses with the surrounding area shall be provided with permit applications.

C. **Applicable Guidelines.** All Social Service Facilities are subject to the Social Service Facilities Guidelines adopted by the City.

D. **Criteria for Review of Council Use Permit.** When required, the review of the Council Use Permit shall include a review and determination regarding the following items:

1. The use is found to be in compliance with the General Plan, Sub Area Plans and other recognized development plans or policies, including the Social Service Facility Guidelines and will be compatible with surrounding uses; and
2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
3. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City Development Standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.

11-31-27: - SPECIAL EVENTS

A. Special events as defined in Chapter 87 of this Title are permitted in all zoning districts, provided that:

1. The event is licensed in accordance with the provisions of Title 5 of the Mesa City Code;
2. The duration of the event does not exceed the time period specified in the special event license or a maximum of 4 consecutive days, whichever is less;
3. No more than 4 events are conducted on the same premises during the calendar year;
4. The site of the event is adequately served by utilities and sanitary facilities; and
5. The event will not present a safety hazard or public disturbance and will not cause substantial adverse impacts on surrounding properties or land uses by creating excessive noise, glare, heat, dust, odors, or pollutants as determined by the Director and Fire Marshal.

B. Special events shall be conducted only on a lot that has an approved dust proof parking surface with permanent driveway access. Decomposed granite or Aggregate Base Course (ABC) gravel surfacing may be substituted for paving subject to approval by the Director and Fire Marshal.

C. Facilities, structures, and utilities shall be installed and maintained in conformance with all applicable building, fire, traffic, and zoning regulations.

D. The maximums specified in subsections A(2) and (3) of this Section may be exceeded:

1. ***Outside of the Downtown Events Overlay District.*** Only as authorized by approval of a Temporary Use Permit or Special Use Permit in accordance with Article 7 of this Ordinance.
2. ***Within the Downtown Events Overlay District.*** Without limit to the number of events that may occur in a calendar year. Individual events that exceed the maximum of four (4) days per event shall require a Special Use Permit in accordance with Article 7 of this Ordinance.

(Ord. No. 5759, § 4, 12-8-22)

11-31-28: - ASSISTED LIVING CENTERS, NURSING AND CONVALESCENT HOMES

Assisted living centers and nursing and convalescent homes as defined in Section 11-86-2, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

A. **General Requirements**

1. ***Distance from a Major Intersection.*** The assisted living center or nursing and convalescent home must be located a minimum distance of 600 feet from the following intersections, as measured in accordance with the rules of measurement in Section 11-2-3(C):
 - a. Highway and arterial street;
 - b. Highway and collector street;
 - c. Arterial street and arterial street; or

d. Arterial street and collector street.

2. **Separation from Similar Uses.** The assisted living center or nursing and convalescent homes must be separated a minimum distance of 1,200 feet from the closest assisted living center, nursing and convalescent home, or community residence as measured in accordance with Section 11-2-3(C), unless separated by a significant intervening natural or manmade feature, such as a municipal open space of at least ten (10) acres in size (e.g. park, golf course, etc.), a railroad, or a highway, that is approved by the zoning administrator.
3. **Licensure.** The assisted living facility or nursing and convalescent home must obtain the license the State of Arizona requires to operate the proposed use. A copy of the state issued license must be submitted with the applicant's registration application or within 30 days from the date the license for the proposed use is issued.
4. **Registration.** The assisted living center or nursing and convalescent home must register with the City as set forth in this section.
 - A. Registration process for assisted living centers and nursing and convalescent homes that do not require a conditional use permit. To register with the City, when the assisted living center or nursing and convalescent home does not require a council use permit to operate, the applicant must submit the City's registration application in accordance with Section 11-67 and provide evidence demonstrating compliance with this section. If the facility complies with all City requirements, the applicant will receive provisional registration approval from the planning division. To obtain final registration, the applicant must provide to City a copy of the state issued license required in Section 11-31-28(a)(3) above within 30 days from the date of issuance.
 - B. Assisted living center and nursing and convalescent homes that require a council use permit. To register with the City, when the assisted living center or nursing and convalescent home requires a council use permit to operate, the applicant must submit the City's application for a council use permit in accordance with Section 11-67 and provide evidence demonstrating compliance with this section. The request for a conditional use permit will be reviewed by the applicable governing body. Approval of the conditional use permit grants the applicant provisional registration approval. To obtain final registration approval, the applicant must provide to City a copy of the state issued license required in Section 11-31-28(a)(3) above within 30 days from the date of issuance.
5. The assisted living center or nursing and convalescent home must comply with all applicable federal, state, county, and local requirements for the location and operation of the facility.
6. The assisted living center or nursing and convalescent home must provide adequate access for emergency vehicles.

B. **Council Use Permit Criteria.** When a proposed assisted living center or nursing and convalescent home is required to obtain a council use permit, the council use permit will only be granted if the governing body finds that the use conforms to the criteria in Section 11-70-6 of the Mesa Zoning Ordinance and all of the following criteria:

1. The proposed use in combination with any existing assisted living facilities, nursing and convalescent homes or group homes for the handicapped will not alter the character of the area by creating or intensifying an institutional atmosphere or by creating or intensifying a de facto social service district by clustering assisted living facilities, nursing and convalescent homes or group homes for the handicapped in a particular area; and
2. The proposed use in combination with other existing assisted living facilities, nursing and convalescent homes, group homes for the handicapped and other land uses that typically generate higher calls for service to the fire department, will not overburden or have an adverse impact on the city's fire department or the fire district where the proposed use will be located; and
3. Whether the location and operational characteristics of the proposed use will have an adverse impact on vehicular traffic and other public facilities and services.

(Ord. No. 5592, § 5, 12-1-20; Ord. No. 5632, § 3, 7-8-21)

11-31-29: - TEMPORARY PARKING LOTS

- A. Stadiums, performing arts centers, competitive aquatics facilities, and similar public event facilities, with a required parking count of at least 300 spaces, are permitted to utilize temporary or overflow parking lots in DB-1, DB-2 and DC districts, subject to the issuance of a Special Use Permit, in accordance with [Article 7](#) of this Ordinance.
- B. A Special Use Permit may be approved for a Temporary Parking Lot that:
 1. Has an approved dust-proofed surface;
 2. Is screened from an adjacent residential use by an opaque fence or similar feature at least 6 feet in height;
 3. Has lighting that is fully screened to prevent light spillover onto adjacent properties, if lighting is provided on the temporary parking lot;
 - 4.

Is located within 1,200 feet of the public facility being served. The 1,200 feet shall be measured directly from the nearest edge of the property lines between the proposed temporary parking lot and the public event facility;

5. Is in conformance with City Council policies; and
 6. Is compatible with, and not detrimental to, adjacent properties or the neighborhood in general.
- C. Conditions of approval may be stipulated by the Zoning Administrator or Board of Adjustment to ensure compatibility with adjacent land uses.

11-31-30: - TEMPORARY USES

- A. **Temporary outdoor sales.** Temporary outdoor sales, as described in Section 11-86-9, requires approval of a temporary use permit in compliance with Section 11-70-4 and must be located, developed, and operated in compliance with the land use requirements in Article 2 and subject to the requirements in this section.
1. **Placement in the Downtown Core and Form Based Code Transect Districts.** Temporary outdoor sales, including associated temporary displays and structures, may occur within the right-of-way, on a public sidewalk, provided a minimum six (6) foot wide contiguous portion of the public sidewalk remains unobstructed for pedestrian use.
 2. **Placement in all other zoning districts.** Temporary outdoor sales, including associated temporary displays and structures, may not occur within or encroach into driveways, landscape areas, parking spaces required for the primary use, within right-of-way, or within 25 feet of a street.
 3. **Temporary structures.** A temporary structure such as a tent, pop-up, umbrella or covering, measuring over 400 square feet requires the issuance of a building permit and approval by the Fire Marshal.
 4. **Signs.** All signs associated with a temporary outdoor sale must comply with Title 11, Article 5: Sign Ordinance and must be removed upon cessation of the temporary use or upon expiration of the temporary use permit, whichever occurs first.
 5. **Hours of operation.** A temporary outdoor sale may only operate between 9:00 a.m. and 10:00 p.m. all temporary structures, signs, equipment, and display of merchandise associated with the temporary outdoor sale must be removed from the site or otherwise stored in enclosed buildings at all times when the temporary outdoor sale is closed to the public.
 6. **Discontinuance of use.** All temporary structures, equipment, temporary signs, and display of merchandise associated with the temporary outdoor sale must be removed from the site upon cessation of the temporary use or upon expiration of the temporary use permit, whichever occurs first.
 7. **Site restoration.** The site must be restored to the same condition it was prior to commencement of the temporary outdoor sale, including but not limited to, the removal of all debris, litter, and other evidence of the temporary outdoor sale, within 72 hours of cessation of the temporary outdoor sale or upon expiration of the temporary use permit, whichever occurs first.
- B. **Temporary outdoor entertainment.** Temporary outdoor entertainment, as described in Section 11-86-9, requires approval of a temporary use permit in compliance with Section 11-70-4 and must be located, developed, and operated in compliance with the land use requirements in Article 2 and subject to the requirements in this section.
1. **Placement.**
 - a. **Minimum lot area.** A temporary outdoor entertainment may only be located on a site that is a minimum of five (5) acres in size.
 - b. **Setback from residential uses.** All areas, structures, and operational items associated with a temporary outdoor entertainment, such as but not limited to, parking areas, storage areas and structures, stands, stages, tents, restroom facilities, trash receptacles and enclosures, and lighting, must be located at least 250 feet from all residential uses except for residential uses which are a part of an approved mixed-use development.
 2. **Duration.** A temporary outdoor entertainment is permitted to operate for up to twenty-one (21) consecutive days. An additional three (3) days is allowed before and after the event for set-up and take-down.
 3. **Hours of operation.** A temporary outdoor entertainment may only operate between 9:00 a.m. and 11:00 p.m.
 4. **Signs.** All signs associated with a temporary outdoor entertainment must comply with Title 11, Article 5: Sign Ordinance and must be removed upon cessation of the temporary use or upon expiration of the temporary use permit, whichever occurs first.
 5. **Site restoration.** The site must be restored to the same condition it was prior to commencement of the temporary outdoor entertainment, including but not limited to, the removal of all debris, litter, and other evidence of the temporary outdoor entertainment, within 72 hours of cessation of the temporary outdoor entertainment or upon expiration of the temporary use permit, whichever occurs first.

Editor's note— Ord. No. 5759, § 5, adopted December 8, 2022, repealed the former § 11-31-30, and enacted a new § 11-31-30 as set out herein. The former § 11-31-30 pertained to temporary uses: swap meets and farmer's markets.

11-31-31: - RESIDENTIAL USES IN COMMERCIAL DISTRICTS

- A. Residential uses are permitted in the NC, LC, GC, and MX Districts as provided in Section 11-6-2, if located, developed and operated in compliance with the following standards:
1. **Commercial Floor Area Requirements.**
 - a. Projects with only single-story buildings. A project that contains only single-story (1-story) buildings may include residential if a minimum of 60 percent of the gross floor area (GFA) of all the buildings for the project is reserved for commercial uses.
 - b. Projects with multiple-story buildings or a mixture of single-story (1-story) and multiple-story buildings. A project that contains multiple-story buildings or a mixture of single-story and multiple-story buildings may include residential if:
 - (i) A minimum of 60 percent of the gross floor area (GFA) of all the buildings for the project is reserved for commercial uses; and
 - (ii) A minimum of 65 percent of the ground floor of each multi-story building is reserved for commercial uses.
 2. **Maximum Density.** Maximum residential density shall be no more than 15 dwelling units per acre in the NC district, and no more than 25 dwelling units per acre in the LC and GC districts.
- B. Live-work units are permitted in the NC, LC and GC districts, subject to approval of a Special Use Permit. A maximum of one (1) live-work unit is permitted per parcel.
- C. Caretakers' residences are permitted in the NC, LC, GC, and OC districts, subject to approval of a Special Use Permit. A maximum of one (1) caretakers' residence is permitted per parcel.
- D. Projects that comply with the residential density maximums specified in Table 11-6-3A, and the commercial floor area requirements in Section 11-31-31(A)(1) above require Site Plan Review, as described in Chapter 69.
- E. **Modifications to Development Standards.**
1. **Maximum Density.** Projects that exceed the residential density maximums specified in Section 11-31-31(A)(2) above require approval of a Council Use Permit (even if the development complies with the commercial floor area requirements in Section 11-31-31(A)(1)).
 2. **Commercial Floor Area Requirements.** Modification to the commercial floor area requirements in Section 11-31-31(A)(1) above require approval of a council use permit.
- F. **Criteria for Review of Council Use Permit.** When required, the review of the Council Use Permit shall include a review and determination regarding the following items:
1. The use is found to be in compliance with the General Plan, Sub-Area Plans and other recognized development plans or policies, and will be compatible with surrounding uses; and
 2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
 3. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses; including measures to assure that commercial activity will remain as a viable activity on this site; and
 4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines; and
 5. The overall project conforms to the intent and character of the zoning district and is part of a well integrated mixed-use project.

(Ord. No. 5593, § 9, 12-1-20)

11-31-32: - SUPERIOR DESIGN

For a project to reflect Superior Design it will incorporate all of the following elements:

- A. **Holistic Approach to Project Design.** Varied, high-quality, regionally-appropriate building materials, used in distinctive building forms, building massing and detailing that result in a note-worthy example of holistic site design, architecture, landscaping and signage; and
- B. **Responsive Approach to Site and Sub-Area Context.** Architectural and landscape architecture details and features that reflect the character defined in Sub-Area Plans or the General Plan's placetype urban design characteristics, that are harmonious with adjacent development patterns, integrate with the physical conditions of the immediate site, and create a unique sense of place; and

- C. **Sustainable Design.** Site design, architecture and landscaping features that address the local climate to reduce summer sun penetration and provide summer sun shade protection for pedestrians, promote energy and water conservation, promote the preservation or creation of open space, provide for and encourage the use of multiple modes of transportation, utilize existing infrastructure, and create the opportunity for social interaction; and
- D. **Exceeds Standards.** Provision of details and features that exceed the criteria and standards specified in Sections 11-5-3, 11-5-5, 11-6-43, 11-6-4 (AS applicable), 11-7-3, 11-8-5, 11-8-6 and Chapters 30 through 34, where applicable; and
- E. **Great Public Spaces.** Details and features that create attractive, comfortable environments for pedestrians; ensure safe, useful and well integrated open or public spaces; and include high quality amenities.

(Ord. No. 5544, § 12, 12-9-19; Ord. No. 5928, § 22, 2-3-25)

11-31-33: - HOME OCCUPATIONS

Home Occupations, as defined in Chapter 87, are permitted as specified in Article 2, limited by the following:

- A. In all residence, commercial, mixed-use and downtown districts, the following standards apply:
 - 1. There is no nonresident employee working at the Home Occupations site;
 - 2. There is no commercial storage on the Home Occupations site, interior or exterior;
 - 3. The Home Occupations site is not used for day-long or other long-term parking of vehicles used by non-resident employees, or clients for personal or business use;
 - 4. Any short-term employee or client parking that is needed occurs on the Home Occupations property or on the street immediately in front of the residence; and
 - 5. There is no exterior indication of a nonresidential use, outside of a one, non-illuminated, static message sign of no more than 3 square feet in area attached to the building or placed in a window.
- B. In the AG, RS-90 and RS-43 districts:
 - 1. The definition of "Home Occupations" may be expanded to include on-site fabrication of artisan or custom crafted materials for installation at a different location when conducted within an enclosed, sound attenuated building.
 - 2. Home Occupations that are not in conformance with items 1 through 5 in Paragraph A, above, shall require approval a Special Use Permit, pursuant to Chapters 67 and 70. Such SUPs shall be limited as follows:
 - a. No more than 2 non-resident employees;
 - b. One on-site, independently accessed parking space provided for each non-resident employee. The parking space(s) shall be located on a dust-proof surface, and shall be in addition to required minimum parking for the residence;
 - c. Any commercial storage occurs entirely within an enclosed structure; and
 - d. The primary residence, and all accessory buildings and structures, shall comply with the requirements of Sections 11-5-3 and 11-5-7(B)

11-31-34: - MARIJUANA FACILITIES

Medical marijuana dispensaries, dual licensee facilities, marijuana cultivation facilities, and marijuana infusion facilities, each as defined in the zoning ordinance, are permitted subject to the regulations in this section. Recreational marijuana establishments are only permitted when operated as a dual licensee facility.

- A. **General Requirements.** A medical marijuana dispensary, dual licensee facility, marijuana cultivation facility, and marijuana infusion facility is permitted only in the LI and GI districts, provided that evidence has been demonstrated of compliance with all of the following:
 - 1. ***Spacing requirements for medical marijuana dispensaries and dual licensee facilities.*** Each medical marijuana dispensary and each dual licensee facility shall be separated from the following uses as follows:
 - (a) A minimum distance of 5,280 feet from the nearest registered medical marijuana dispensary or dual licensee facility, including any medical marijuana dispensary, dual licensee facility or marijuana establishment located in neighboring jurisdictions, except as provided in Subsections 11-31-34(A)(1)(a)(i) and 11-31-34(A)(1)(a)(iii).
 - (i) Qualified Marijuana Facility. An existing marijuana facility may be located a minimum distance of 1,000 feet from the nearest registered medical marijuana dispensary or dual licensee facility if the existing marijuana facility is:
 - 1. Located on or relocates to a large industrial development; and
 - 2. Setback from a major roadway by at least 300 feet; and

3. Separated from the nearest registered medical marijuana dispensary or dual licensee facility by the major roadway.
- (ii) The distance in Subsection 11-31-34(A)(1)(a)(i) is measured from the support wall, post or column of the existing marijuana facility along the street to the nearest support wall, post or column of the nearest registered medical marijuana dispensary or dual licensee facility.
 - (iii) Relocation Eligible Marijuana Facility. A relocation eligible marijuana facility is permitted a one-time relocation if the new location compared to the location on the effective date of Ordinance No. 5845 results in greater separation and setbacks (an increase in distance) between: (1) the relocation eligible marijuana facility and the nearest qualified marijuana facility, (2) the relocation eligible marijuana facility and the nearest right-of-way, and (3) the relocation eligible marijuana facility and the nearest intersection of public streets. Other than the exception stated in the prior sentence, the relocation eligible marijuana facility must comply with all requirements of the zoning ordinance.
 - (iv) The following definitions apply to Subsection 11-31-34(A)(1)(a):

"Existing Marijuana Facility" means a medical marijuana dispensary or dual licensee facility that prior to the effective date of Ordinance No. 5845 had registered with the City and was operating within the corporate boundaries of the City as evidenced by a certificate of occupancy issued by the City.

"Large Industrial Development" means a single parcel of land zoned LI or GI that is at least 80-acres in size, or a parcel of land zoned LI or GI that in combination with adjoining parcels of land zoned LI or GI that are not separated by a right-of-way dedicated to the City are collectively at least 80-acres in size.

"Major Roadway" means a highway, six lane arterial roadway, or a roadway identified as a future six lane arterial in the Mesa 2040 Transportation Plan, as may be amended from time to time.

"Qualified Marijuana Facility" means an existing marijuana facility that meets the requirements for the exception to the minimum distance in Subsection 11-31-34(A)(1)(a)(i).

"Registered Medical Marijuana Dispensary or Dual Licensee Facility" means and includes both: (1) a medical marijuana dispensary or dual licensee facility that is registered or had registered with the City and is currently operating within the corporate boundaries of the City as evidenced by a certificate of occupancy issued by the City, and (2) a medical marijuana dispensary, dual licensee facility, or marijuana establishment that is currently operating in a neighboring jurisdiction.

"Relocation Eligible Marijuana Facility" means an existing marijuana facility that, on the effective date of Ordinance No. 5845, is located less than 5,280 feet from the nearest qualified marijuana facility.
- (b) A minimum distance of 2,400 feet from:
 - (i) A community residence;
 - (ii) A correctional transitional housing facility; and
 - (iii) A social service facility.
 - (c) A minimum distance of 1,200 feet from the following land uses, unless separated by a canal, railroad track, or highway (when separated by a canal, railroad track, or highway, the distance is measured from the support wall, post or column of the medical marijuana dispensary or dual licensee facility along the street to the lot line of the subject land use.):
 - (i) A church located in the RS, RM, DR, T3N, T4N, or T5N Districts;
 - (ii) A library;
 - (iii) A school; and
 - (iv) A public park located in the LI or GI districts.
 - (d) A minimum distance of 500 feet from the following land uses, unless separated by a canal, railroad track, or highway (when separated by a canal, railroad track, or highway, the distance is measured from the support wall, post or column of the medical marijuana dispensary or dual licensee facility along the street to the lot line of the subject land use.):
 - (i) A day care center and pre-school;
 - (ii) A public park located in all zoning districts except LI or GI; and
 - (iii) A privately owned open space and recreation area as designated on the applicable plan of development approved by the City that is maintained by a homeowner's association.

Spacing Requirements for Marijuana Cultivation and Infusion Facilities. Each marijuana cultivation facility and each marijuana infusion facility shall be separated from the following uses as follows:

- (a) A minimum distance of 2,400 feet from the nearest medical marijuana dispensary, dual licensee facility, off-site cultivation facility or off-site marijuana infusion facility. This spacing requirement does not apply to a marijuana cultivation facility or marijuana infusion facility and the specific medical marijuana dispensary or dual licensee facility it serves.
 - (b) A minimum distance of 1,200 feet from any of the following land uses, unless separated by a canal, railroad track, or highway (when separated by a canal, railroad track or highway, the distance is measured from the support wall, post or column of the marijuana cultivation or marijuana infusion facility along the street to the lot line of the subject land use.):
 - (i) A church located in the RS, RM, DR, T3N, T4N, or T5N Districts;
 - (ii) A library;
 - (iii) A school; and
 - (iv) A public park located in the LI or GI Districts.
 - (c) A minimum distance of 500 feet from any of the following land uses, unless separated by a canal, railroad track, or highway (when separated by a canal, railroad track or highway, the distance is measured from the support wall, post or column of the marijuana cultivation or marijuana infusion facility along the street to the lot line of the subject land use.):
 - (i) A day care center and pre-school;
 - (ii) A public park located in all zoning districts except LI or GI; and
 - (iii) A privately owned open space and recreation area, as designated on the applicable plan of development approved by the City, that is maintained by a homeowner's association.
3. **State Registration and Approval to Operate.** Each medical marijuana dispensary and each dual licensee facility must obtain a valid dispensary registration certificate and an approval to operate (ATO) in accordance with state law.
4. **City Registration.** Each medical marijuana dispensary, dual licensee facility, marijuana cultivation facility, and marijuana infusion facility must register with the planning division in accordance with Chapter 67 and the process set forth in this section.
- (a) The following information shall be provided to the planning division in order to register with the City:
 - (i) A complete application filed with the office of the planning division.
 - (ii) Name, mailing address, telephone number, and e-mail address of the individual, non-profit organization, or business entity operating the facility. If a non-profit organization or business entity registers the facility, contact information for the individual responsible for managing the facility shall also be provided.
 - (iii) A written narrative describing how the location and the proposed improvements comply with the requirements of this Ordinance including but not limited to the spacing requirements.
 - (iv) If applicable, the name(s) and location(s) of any off-site marijuana cultivation facility or marijuana infusion facility, or both, associated with the marijuana dispensary or dual licensee facility, and its operations.
 - (v) Written acknowledgement that the marijuana facility has complied with all state security requirements including applicable administrative codes and record keeping.
 - (vi) A medical marijuana dispensary must provide a copy of its current ADHS dispensary registration certificate and ATO. a dual licensee facility must provide a copy of its current ADHS dispensary registration certificate, license, and ATO.
 - (vii) Any other information deemed necessary by the City to process the registration request.
 - (b) **Registration Non-Transferable.** A medical marijuana dispensary or a dual licensee facility may not transfer or assign its City registration.
5. **Registration Renewal.** City registration is valid for one (1) year from the date of approval of the City registration and must be renewed annually on or before the expiration date of the registration. To renew the City's registration, a complete application for renewal and evidence of current state registration certificate, license, and ATO, as applicable, must be provided.
6. **Revocation.** The Zoning Administrator may revoke the City's registration upon finding:
- (a) The applicant made or provided false or misleading information or statements or both to City staff during the application process; the application contains false or misleading information; or the fees required by the schedule of fees and charges have not been paid; or
 - (b) The required ADHS dispensary registration certificate or ATO is denied or revoked.
 - (c)

In the event that a marijuana facility's City registration is revoked, the Zoning Administrator will provide written notice to the applicant. The City of Mesa registration will automatically terminate 15 calendar days after written notification was provided to the applicant; and the marijuana facility must cease operation 45 calendar days from the date of the City's written notification.

- (b) **Development Standards.** Each medical marijuana dispensary, dual licensee facility, marijuana cultivation facility, and marijuana infusion facility shall be housed in a permanent building and shall comply with the following development standards:

1. **Facility Size.**

- (a) Medical Marijuana Dispensaries and Dual Licensee Facilities. The maximum floor area of an individual medical marijuana dispensary or an individual dual licensee facility is 2,500 square feet, of which, no more than 500 square feet shall be used for storage of product. a minimum of 25% of the floor area shall be set aside as an interior customer waiting area.
- (b) Marijuana Cultivation Facilities. The maximum floor area of an individual cultivation facility is 25,000 square feet.
- (c) Marijuana Infusion Facilities. The maximum floor area of an individual infusion facility is 10,000 square feet, of which no more than 2,500 square feet shall be used for storage of marijuana related product or marijuana related materials used in the production of product.
- (d) A medical marijuana dispensary and a dual licensee facility may operate a marijuana cultivation facility, marijuana infusion facility, or both, at a single location, provided the maximum floor area for each facility does not exceed the maximum floor area specified for each individual facility above.

2. **Marijuana Facility Use Restrictions.** Marijuana facilities may not include:

- (a) A drive-through window;
- (b) Outdoor seating;
- (c) Outdoor vending machines; or
- (d) Temporary, portable, or self-powered mobile facilities.

3. **Delivery.** A medical marijuana dispensary may offer direct or home delivery service to only medical marijuana qualifying patients in compliance with ADHS regulations and requirements.

4. **Hours of Operation.** A medical marijuana dispensary and a dual licensee facility shall only be open to the public between 8:00 a.m. and 9:00 p.m. of the same calendar day.

5. Medical marijuana dispensaries and dual licensee facilities shall remain in compliance with all applicable state laws and regulations.

(Ord. No. 5388, 6-26-17; Ord. No. 5437, 5-7-18; Ord. No. 5633, § 1, 7-8-21; Ord. No. 5845, § 1, 2-5-24)

11-31-35: - RECREATIONAL VEHICLE STORAGE IN RESIDENTIAL ZONING DISTRICTS

Recreational Vehicle Storage Lots that have been developed as part of a residential neighborhood and historically been used solely to serve the needs of that residential community may be allowed to expand the use in the RS district and provide storage service to people outside of the adjacent neighborhood, subject to approval of a Special Use Permit, in accordance with Chapter 70 of this zoning ordinance.

A. The review of the special use permit shall be based upon the following items:

- 1. The applicant has demonstrated that the storage of Recreational Vehicles has historically taken place on this site, and that the continued use of this lot for open air storage of Recreational Vehicles is consistent with this historical usage.
- 2. Screening of the storage lot is achieved through either: 1) a combination of a minimum 6-foot high masonry wall and 15-foot wide landscape buffer with trees planted at 20-foot on center; or 2) a minimum 8-foot high, fully grouted masonry wall.
- 3. The site may be accessed directly from an arterial or collector street.
- 4. Landscaping along street frontages complies with landscaping requirements for the LC zoning district where adjacent to arterial streets, and at minimum substantially complies with LC zoning district landscaping requirements where adjacent to streets not classified as a collector or arterial street.

B. Signs associated with this activity:

- 1. All signs facing single residence land uses shall remain non-illuminated.
- 2. The maximum area of any individual sign shall be 32 square feet.
- 3. The maximum height of any detached sign shall be no higher than 8-feet.
- 4. The number of signs shall not exceed two per street front in which direct vehicular access to the Storage Lot is available.

11-32-1: - PURPOSE AND APPLICABILITY

- A. **Purpose.** The purpose of this Chapter is to provide standards for parking and loading facilities to accommodate the various land uses permitted by this Ordinance. It is the intent of this Chapter to require the minimum number of on-site parking and loading spaces with maneuvering areas, driveways, and surface materials for the efficient movement of vehicular traffic, and to provide flexibility in meeting these requirements for sites with special needs. Additional purposes of this Chapter include:
1. Ensuring the provision of safe and convenient places to park personal transportation vehicles, including automobiles, bicycles and motorcycles,
 2. Providing paved surfaces and alternative dust control measures to control and reduce the amount of dust and PM-10 particulates released to the atmosphere,
 3. Limiting the area of land consumed by parking through allowances for reductions to the number of required parking spaces and allowances for sharing of parking spaces among multiple uses where appropriate,
 4. Minimizing conflicts between pedestrian and vehicular circulation,
 5. Reducing the scale of paved surfaces and shading these surfaces, to reduce heat gain that contributes to the urban heat island effect, and
 6. Encourage sustainable development by promoting the use of alternative modes of transportation, walking and bicycling through recalibrating parking regulations for mixed use and transit-oriented developments.
- B. **Applicability.** The parking and loading requirements of this Chapter apply to all development in the City. They may be modified pursuant to the provisions for certain base districts and overlay districts.
1. ***Additions to Existing Buildings and Changes in Use.*** When a change in use, expansion of a use, or expansion of gross floor area creates an increase of 5% or more in the number of required off-street parking or loading spaces, based on the initially approved and constructed facility or development, off-street parking and loading shall be provided according to the provisions of this Chapter. The additional parking shall be required only for such addition, enlargement, or change in use and not for the entire building or site. A change in occupancy is not considered a change in use for the purpose of this paragraph unless the new occupancy is in a different land use classification, based on the descriptions found in Chapter 86, than the former occupant.
 2. ***Alterations that Increase Number of Dwelling Units.*** If an alteration to an existing building increases the number of residential dwelling units on the site, off-street parking to serve the new dwelling units shall be provided according to the provisions of this Chapter. This requirement does not apply to an Accessory Dwelling Unit.
 3. ***When Required.*** Off-street parking and loading facilities required by this Chapter shall be constructed or installed prior to the issuance of a Certificate of Occupancy for the uses that they serve.

(Res. No. 12269, § 13, 9-23-24; Ord. No. 5883, § 3, 10-7-24)

11-32-2: - GENERAL REGULATIONS AND STANDARDS

- A. **Location.** All required parking and loading spaces and maneuvering areas shall be located on the lot upon which the use served is located, except that parking spaces may also be located upon a contiguous lot incorporated into the development site. Parking spaces and maneuvering areas shall not be located within the required front yard in any Single Residence district or in any required front or corner side yard or landscaped area in any other zoning district, except driveways that directly and immediately allow a vehicle to access the site from a street or abutting property.
- B. **Commercial Vehicles.** No commercial vehicle having a gross vehicle weight rating (GVWR) exceeding 13,000 pounds and is intended to be used primarily for commercial purposes rather than private or individual use shall be parked overnight or stored on any residential lot.
- C. **Standards.** The following standards apply to required onsite parking and loading spaces, maneuvering areas, and access:
1. Required parking and loading spaces, maneuvering areas, and driveways shall be paved with asphalt, concrete, paving stone, or masonry to a sufficient thickness to withstand repeated vehicular traffic, except in Single Residence and Agricultural uses. The Zoning Administrator, in collaboration with the City Engineer, may establish alternative standards for porous surface paving.
 2. Required parking spaces shall be permanently marked and shall be accessible from a street or alley by a driveway or aisle such that all vehicles shall approach the street or alley in forward motion, except in Single Residence and Agricultural uses. See Section 11-32-4(G).
 3. Failure by the owner of the site to maintain the parking surface and markings according to the industry standards and schedules shall be considered a violation of this Ordinance.
- D.

Compact Parking. On a site with at least 10 required parking spaces, up to 20 percent of the total required parking spaces may be compact spaces, provided that the following standards are met:

- 1. Where covered parking is required all covered parking spaces shall be standard size;
- 2. All compact spaces are to be designated with a sign or pavement marking; and
- 3. Compact spaces shall be distributed throughout the parking area, with no more than 9 compact spaces in a single cluster. Each cluster of up to 9 spaces shall be separated by a minimum radius of at least 60-feet from the next cluster of compact parking spaces.

FIGURE 11-32-2.D: COMPACT PARKING SPACES

- E. **Accessible Parking.** Accessible parking spaces shall be provided and maintained pursuant to Section 4-2-1(F) of the Mesa City Code pertaining to the Arizonans with Disabilities Act of 1992.
- F. **Structured Parking.** The exterior elevations of any multi-level parking structure must be designed so as to screen or conceal parked cars from view from public streets and open space on the first and second floors of the structure. The floors of structured parking garages must be screened or concealed by one (1) or more of the following methods:
- 1. **Ground-Floor Commercial.** The garage's ground-level street frontage (except for driveways and pedestrian entrances) for the designated front of the structure shall be improved with Retail Sales, Food and Beverage Sales, Eating and Drinking Establishments, Personal Services, or similar pedestrian-oriented uses.
 - 2. **Landscaping.** Landscaping shall be provided in the form of perimeter planters within openings of the structure, and/or the incorporation of hanging baskets, flower boxes, or planting trellises.
 - 3. **Setback.** A parking structure that does not incorporate ground-floor retail or other commercial use or is not otherwise screened or concealed at street frontages on the first and second levels, must provide a densely planted landscaped yard that is a minimum of 10 feet in depth, or the required setback for the district in which it is located, whichever is greater.
 - 4. **Combination of Opaque Screen Walls and Open Decorative Panels.** A combination of opaque screening devices and decorative panels may be used to screen parking within above ground structures. Opaque screen walls shall not be higher than 3'-6" relative to the abutting floor height, and shall not exceed 45 percent of the aggregate surface area of the exterior wall. Decorative panels or other devices with opacity of at least 40% shall be used to screen the remainder. The decorative panels shall be constructed of durable materials, such as iron, steel, copper, aluminum, formed concrete, glass block, brick or other textured masonry.
 - 5. **Design Review Board Review of Alternative Architectural Structure.** The Design Review Board may approve parking garage structures that incorporate attractive architectural forms and detailing that have interest equal to an occupied structure.
- G. **Recreational Vehicle (RV) Parking.** See Section 11-34-5(B) regarding temporary parking requirements for Recreational Vehicles.
- H. **Size of Parking Spaces and Maneuvering Aisles.** Parking spaces and maneuvering aisles shall be provided to meet the minimum dimensions required by this subsection. Screening walls, roof support posts, columns, or other structural members shall not intrude into the required dimensions for parking spaces.
- 1. **Standard Parking Spaces.** The minimum basic dimension for standard parking spaces is 9 feet by 18 feet. Table 11-32-2(H)1 provides the dimensions of spaces (stalls) and aisles according to the angle of parking spaces.

Table 11-32-2-H-1: Standard Parking Space and Aisle Dimensions					
Angle of Parking	Stall Width	Curb Length Per Stall	Stall Depth	One-Way Aisle Width	Two-Way Aisle Width

Parallel	9'0"	22'0"	9'0"	12'	20'
30°	9'0"	18'0"	17'4"	11'	20'
40°	9'0"	14'0"	19'2"	12'	22'
45°	9'0"	12'9"	19'10"	13'	24'
50°	9'0"	11'9"	20'5"	15'	24'
60°	9'0"	10'5"	21'0"	18'	24'
70°	9'0"	9'8"	21'0"	19'	24'
90°	9'0"	9'0"	18'0"	24'	24'

FIGURE 11-32-2.H.1: PARKING SPACES AND AISLES

2. **Compact Parking Spaces.** The minimum basic dimension for compact parking stalls shall be 8 feet by 16 feet. Table 11-32-2(H)2 provides the dimensions of spaces and aisles according to angle of parking spaces. See Table 11-32-2.H.2.

Table 11-32-2.H.2: Parking Area and Space Dimensions - Compact Spaces					
Angle of Parking	Stall Width	Curb Length Per Stall	Stall Depth	One-Way Aisle Width	Two-Way Aisle Width
Parallel	9'0"	22'0"	9'0"	11'	20'
30°	9'0"	18'0"	14'11"	11'	20'
40°	9'0"	14'0"	16'5"	11'	22'
45°	9'0"	12'9"	17'0"	11'	24'
50°	9'0"	11'9"	17'5"	13'	24'
60°	9'0"	10'5"	17'10"	16'	24'

70°	9'0"	9'8"	17'9"	16'	24'
90°	9'0"	9'0"	16'0"	21'	24'

3. **Loading Spaces.** If loading spaces are provided they shall be a minimum 10 feet by 30 feet.

- I. **Size of Parking Spaces for Motorcycles, Scooters, and Golf Carts.** Motorcycle and Scooter parking spaces shall have a minimum dimension of 5 feet by 9 feet. Golf cart parking spaces shall have a minimum dimension of 5 feet by 10 feet.
- J. **Drive Aisle without Associated Parking Spaces.** One-way drive aisles that do not provide access to parking or loading spaces shall be at least 12-feet wide. 2-way drive aisles that do not provide access to parking or loading spaces shall be at least 20-feet wide.

11-32-3: - PARKING SPACES REQUIRED

A. The following chart specifies the minimum parking spaces required for each permitted use (For exceptions, see Sections 11-32-5, 6, and 7):

Table 11-32-3.A: Required Parking Spaces By Use		
Use	Minimum Standard	
Residential		
Single Residence, detached or attached, including Manufactured Home Subdivisions	2 spaces per dwelling which may be in tandem with Zoning Administrator approval but no parking space is required for an Accessory Dwelling Unit	
Multiple Residence (Typical)	See sub categories, below	
Apartments, multiple residence condominiums, and mixed-use residential, townhomes, patio homes and similar multiple residence buildings: development site located within ¼ mile radius (1320-feet) of bus rapid transit or light rail station, regardless of bedroom count	9 or fewer total units	1.4 spaces per dwelling unit
	10-25 total units	1.3 spaces per dwelling unit
	26 or more total units	1.2 spaces per dwelling unit
Apartments, multiple residence condominiums, mixed-use residential, townhomes, patio homes, and similar multiple residence buildings: development site not located within ¼ mile radius (1320-feet) of bus rapid transit or light rail station, regardless of bedroom count	2.1 spaces per dwelling unit	

Boarding House and Assisted Living Center	1.2 spaces per dwelling unit for development with distinguishable dwelling units 1.0 space for each room plus 2 additional spaces for development with congregate dining and no distinguishable separate dwelling units
Family Community Residence, Transitional Community Residence, and Assisted Living Home	Same as Single Residence
Live-Work Units	2.1 spaces per unit
Residential Care, General (Nursing Home, Hospice)	1.0 space per room or dwelling unit plus 2 additional spaces
RV Parks	1 full-sized space for each RV space, plus 1 guest parking space per 10 (or fraction thereof) RV spaces for the overall development
RV Subdivisions	1 full-sized space and 1 golf cart space for each lot; plus 1 full-sized guest parking space per 10 (or fraction thereof) dwelling units for the overall development
Manufactured Home Parks	2 full-sized space for each lot (may include tandem spaces); plus 1 guest parking space per 10 (or fraction thereof) dwelling units for the overall development
Public Assembly and Schools	
Theaters, auditoriums, assembly halls, places of worship, clubs, lodges and fraternal buildings, funeral homes, community centers, libraries	1 space per 75 square feet used for public assembly
Museums	1 space per 250 square feet used for public assembly plus accessory uses
Stadiums	1 space per 5 seats plus 1 space per 300 square feet for accessory uses

School, kindergarten through 9th grade	1 space per 75 feet for public assembly space, such as auditoriums and theaters, and 1 space per 600 square feet for all other areas
High schools, academies, colleges, universities, trade or vocational schools	1 space per 200 square feet
Health Care	
Medical/dental offices and outpatient clinics	1 space per 200 square feet
Hospitals, hospices, skilled nursing, and nursing and convalescent homes	1 space per 400 square feet
Day care centers	1 space per 375 square feet
Group Commercial Developments	
Shell buildings (no specified use)	1 space per 275 square feet
Independent Commercial Buildings and Uses	
General offices, retail, and services	1 space per 375 square feet
General auto repair, garages, service stations, car washes, and drive-through lubrication shops	1 space per 375 square feet, including service bays, wash tunnels, and retail areas
Hotels and motels	1 space per room or suite of rooms with individual exits plus ancillary use requirements
Eating and Drinking Establishments (no drive through window)	1 space per 75 square feet for indoor area, and 1 space per 200 square feet for outdoor seating area
Eating Establishments (with drive-through window and associated queuing drive aisle)	1 space per 100 square feet for indoor area, and 1 space per 200 square feet for outdoor seating area
Outdoor sales and service areas (car lots, plant nurseries, building supplies, etc.)	1 space per 375 square feet of sales and service building, but not less than 4 spaces per use
Temporary Outdoor Uses	
Swap Meets (See Section 11-20-29)	1 space per 300 square feet of designated vendor area

Farmer's Markets (See Section 11-20-29)	1 space per 400 square feet of designated vendor area
Recreation	
Bowling centers	5 spaces per lane plus ancillary use requirements
Golf driving range	1 space per tee plus ancillary use requirements
Miniature golf, amusement parks, batting ranges, and water slides	1 space per 500 square feet of outdoor recreations area plus ancillary use requirements
Health space and clubs, gyms, and tennis, handball, and racquetball courts and clubs	1 space per 100 square feet, excluding courts, plus 2 spaces per court
Skating rinks and dance halls	1 space per 75 square feet used for recreational activities plus ancillary use requirements
Group Industrial Buildings and Uses	
Shell buildings (no specified use)	75% at 1 space per 500 square feet plus 25% at 1 space per 375 square feet
Independent Industrial Buildings and Uses	
Mini-storage (dead storage only)	4 spaces plus 2 for manager's quarters; Drive aisles between buildings shall maintain minimum distance of 24 feet
Warehousing and Storage, excluding Mini-storage	1 space per 900 square feet
Industrial	1 space per 600 square feet
Airport Buildings and Uses	
Aircraft Hangars	2 per aircraft, plus ancillary use requirements
Public Facilities and Uses	
Fire stations	1 space per bed, plus 1 space per 75 square feet for Community Room

Police Substations	1 space per 300 square feet, plus 1 space per 75 square feet for Community Room, plus ancillary use requirements
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B. **Basis of Calculation.** The on-site parking requirements specified in this Section are based on gross floor area unless otherwise stated.

1. In the case of mixed uses, the total requirements for off-street parking spaces shall be the sum of the requirements of the various uses computed separately as specified in this Section, and the off-street parking space for one use shall not be considered as providing the required off-street parking for any other use, unless a Shared Parking Plan has been approved in accordance with the requirements of Section 11-32-5.
2. In case of fractional results in calculating parking requirements from the chart above, the required number shall be rounded up to the nearest whole number.

C. **Maximum Parking Spaces.** The number of parking spaces provided by any development in surface parking lots shall not exceed 125% of the minimum required spaces in Table 11-32-3(A), except as follows:

1. Office developments may provide higher parking ratio not to exceed 8 spaces per 1,000 square feet GFA when office development includes the following:
 - a. A minimum of 60,000 square feet.
 - b. The minimum density ratio of employees per gross floor area shall be 1 employee per 200 square feet.
2. Parking within the building footprint of a structure (e.g., rooftop parking, below grade parking, multi-level parking structure);
3. When a change in use to an existing development causes a lower parking requirement;
4. Parking spaces managed for shared parking;
5. An Administrative Use Permit is required to provide more surface parking than the maximum standard and additional landscape is required in compliance with Section 11-33-4, Interior Parking Lot Landscaping.
6. Phased projects do not need to comply with the maximum parking space requirement until the final phase is constructed.

D. **Covered Spaces.** Covered parking spaces shall be provided as follows:

1. Single residences shall provide a minimum of two (2) covered parking spaces per unit, except no additional parking space is required for an Accessory Dwelling Unit.
2. Multiple-residence projects shall provide a minimum of one (1) covered parking space per unit.
3. Office-use developments requiring a minimum of 10 parking spaces or more shall provide a minimum of one (1) covered parking space per office or suite plus one (1) additional space.
4. Covered spaces may be counted concurrently with the minimum aggregate parking space requirements for the development.

E. **Minimum Number.** Unless otherwise specifically stated in this Ordinance, all uses, except single residences, shall provide at least 4 on-site parking spaces.

F. **Credit for On-Street Spaces.** On-street parking spaces located immediately adjacent to the frontage of properties in the EO, MX, DB, and DC districts or districts with a "-U" designator, may be counted toward required off-street parking for non-residential uses. One on-street parking space may be substituted for each required off-street space. These provisions only apply to street frontages where on-street parking is allowed and provided. The parking space credit shall be determined at the time of site plan approval.

G. **Uses not Specified.** The parking requirement for any use not listed in Table 11-32-3(A) shall be determined by the Zoning Administrator based upon the requirements for the most similar comparable use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand. In order to make this determination, the Zoning Administrator may require the applicant to submit a parking demand study or other information, at the applicant's cost.

H. **Credit for On-Street Spaces.** On-street parking spaces immediately adjacent to the frontage of properties in the EO, ME, PE, and DC districts or districts with a "-U" designator, may be counted toward required off-street parking for non-residential uses. One on-street parking space may be substituted for each required off-street space. These provisions only apply to street frontages where on-street parking is allowed and provided. The parking space credit shall be determined at the time of site plan approval.

(Ord. No. 5281, 5-4-15; Ord. No. 5633, § 1, 7-8-21; Res. No. 12269, § 14, 15, 9-23-24; Ord. No. 5883, § 3, 11-7-24)

- A. **Setback of Cross Drive Aisles.** Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 50 ft from the property line abutting the street.
- B. **Parallel Parking Spaces Abutting Wall or Fence.** Each parallel parking space adjoining a wall, fence, column, or other obstruction higher than 0.5 feet shall be increased by 2 feet on each obstructed side, provided that the increase may be reduced by 0.25 feet for each one foot of unobstructed distance from the edge of a required aisle, measured parallel to the depth of the parking space. See FIGURE 11-32-4.A.

FIGURE 11-32-4.A: PARALLEL PARKING SPACES ABUTTING WALL OR FENCE

- C. **Optional Double-Line Striping.** Each parking space shall measure at least 9 feet from center to center, with double stripes 2 feet apart.
- D. **Long-Term Parking.** In parking areas, or portions of parking areas, restricted to employee use rather than customer or visitor use, and in which a vehicle is not normally moved during the period of an employee's work shift, the width of parking spaces may be reduced to 8.5 feet for standard and compact spaces.
- E. **Minimum Dimensions for Residential Carports.** Each single-car carport shall measure at least 10 feet wide by 20 feet long. Each double carport shall measure at least 18 feet wide by 20 feet long. The width of the carport is to be measured from inside face of support to inside face of opposite support. The carport roof shall cover the entire 20-foot length of the space.
- F. **Minimum Dimensions for Residential Enclosed Garages.** Enclosed garages serving residential uses shall be constructed to meet the following minimum inside dimensions.
 - 1. A single-car garage shall be at least 10 feet wide and 22 feet long.
 - 2. A double-car garage shall be at least 20 feet wide and 22 feet long.
 - 3. A garage for tandem parking shall be at least 10 feet wide and 44 feet long.
- G. **Circulation and Safety.**
 - 1. **Internal Circulation.**
 - a. Visibility shall be assured for pedestrians, bicyclists, and motorists entering individual parking spaces, circulating within a parking facility, and entering or leaving a parking facility.
 - b. Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety.
 - c. Off-street parking and loading areas shall be provided with sufficient maneuvering room so that all vehicles can enter and exit from a public street by forward motion only. This regulation does not apply to parking areas serving Single-Family Residences served by individual driveways. The maneuvering of vehicles necessary to enter or exit loading areas shall not occur on City streets.
 - d. Parking lots shall be designed so that solid waste, emergency, and other public service vehicles can provide service without backing unreasonable distances or making other dangerous or hazardous turning movements.
 - 2. **Parking Lot Layout.** No more than 200 parking spaces shall be allowed together in one group or cluster. Parking lot clusters shall be separated by landscaping, pedestrian connections, cross aisles, retention basins or similar features.
 - a. In office-use and industrial projects, a minimum 25 percent of the required parking spaces shall be provided within 200 feet of the building served, with the balance of the required parking within 400 feet.
 - b. In commercial and mixed-use projects, a minimum of 50 percent of the required parking spaces shall be located within 300 feet of the building served.
 - c. In residential projects, required parking spaces shall be arranged to provide at least one parking space per unit within 200 feet of the dwelling units they are intended to serve.
 - d. Drive aisle intersections are to be perpendicular to each other.
 - e. Separate vehicular and pedestrian circulation systems shall be provided.

FIGURE 11-32-4.H.2: PARKING LOT LAYOUT

3. **Pedestrian Access.** Design Objective: Provide a safe, convenient and comfortable network of pedestrian walkways within parking areas for users and residents.

The design standards described below shall be provided for multi-family residential developments of 5 or more units and for commercial, mixed-use, and/or industrial developments that are 80 feet or more in depth and/or include 50 or more parking spaces.

- a. **Pedestrian Safety.** Parking lot design should be laid out in a way to minimize the times pedestrians would typically have to walk between parked cars and then cross a drive aisle to get to locations on the site. Internal circulations systems shall be clearly defined.
- b. **Materials and Width.** Walkways shall provide at least 5 feet of unobstructed width and be hard-surfaced with a material that differs from the drive aisle by composition, texture, or through the use of a differing color that is integral to the material.
- c. **Identification.** Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or similar method. Where a pedestrian sidewalk crosses a vehicle lane, the pedestrian sidewalk shall be raised a minimum of 3-inches above the vehicle lane and made distinct by use of textured paving and contrasting color.
- d. **Separation.** Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the auto travel lane by a raised curb at least 6 inches high, decorative bollards, or other physical barrier.

- H. **Electric Vehicle Charging Stations.** If spaces for electric cars are provided, allowed compact parking spaces can be increased by 1% for every 2 electric car charging stations; up to a maximum of 25-percent of the total minimum required.

- I. **Additional Requirements.** For additional design requirements related to parking, See Chapter 33 (Landscaping), as well as Sections 11-30-5 (Lighting and Illumination), Section 11-30-8 (Pedestrian Connections), 11-30-9 (Screening), 11-30-12 (Trash and Refuse Collection Areas), and 11-30-13 (Truck Docks, Loading, and Service Areas).

- J. **Alternative Parking Area Designs.** Where an applicant can demonstrate to the satisfaction of the approval authority that variations on the dimensions otherwise required by this Section are warranted in order to achieve to environmental design and sustainable building objectives (i.e. certification under the LEEDTM Green Building Rating System or an equivalent), a specific parking area design may be approved.

11-32-5: - SHARED PARKING

- A. **Description.** Shared parking represents an arrangement in which 2 or more nonresidential uses, or a mixed-use residential development, with different peak parking periods (hours of operation) use the same off-street parking spaces to meet their off-street parking requirements.

B. **Authorization and Criteria.**

1. **Permit Requirement.** An Administrative Use Permit may be approved, allowing shared parking arrangements for nonresidential uses with different hours of operation in accordance with the requirements of Section 11-70-3.
2. **Criteria for Approval.** Up to 100% of the parking required for one use may be supplied by the off-street parking spaces provided for another use if the Zoning Administrator determines:
 - a. that the various activities will have peak parking demands at different periods of the day or week; and,
 - b. based on competent evidence provided by the applicant, that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.

3. **Application Requirements.** A request for approval of a shared parking arrangement must be accompanied by such information determined by the Zoning Administrator to be necessary to evaluate the peak parking demand characteristics or difference in hours and/or days of operation, including, but not limited to, a description of the uses and their operational characteristics, a site plan including a description of pedestrian access, and a parking study prepared by a licensed professional traffic engineer or equivalent qualified professional which justifies the reduction in parking requested.
4. **Location of Shared Parking Facility.** A facility or land use activity for which shared parking is proposed must be located within 660 feet of the shared parking, measured from the entrance of the use to the nearest parking space within the shared parking lot. A Shared Parking Facility greater than 660 feet from the location of the activity served may be reviewed and approved through a Special Use Permit, pursuant to Chapter 70.
5. **Agreement.** An agreement providing for the shared use of parking areas, executed by the parties involved, must be filed with the Zoning Administrator in approved form, and then recorded with the Office of the Maricopa County Recorder. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking. If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this Chapter.

11-32-6: - PARKING REDUCTIONS

Required parking for any use may be reduced through approval of a Special Use Permit, pursuant to Chapter 70, unless specified otherwise, and the following:

- A. **Criteria for Approval.** A Special Use Permit for reduced parking shall only be issued if the following criteria are found to be true:
 1. Special conditions—including but not limited to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site—exist that will reduce parking demand at the site;
 2. The use will adequately be served by the proposed parking; and
 3. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.
- B. **Parking Demand Study.** In order to evaluate a proposed project's compliance with the above criteria, the Zoning Administrator may require submittal of a parking demand study that substantiates the basis for granting a reduced number of spaces and includes any of the following information:
 1. Total square footage of all uses within existing and proposed development and the square footage devoted to each type of use.
 2. A survey of existing on-street and off-street parking within 300 feet of the project site.
 3. Standard parking requirements for the use, based on Table 11-32-3(A).
 4. Estimated parking demand for the use, using any available existing parking generation studies from the Institute for Transportation Engineers (ITE) or other professionally recognized, and/or accredited sources. If appropriate parking demand studies are not available, the City may require the applicant to conduct a parking demand survey of a development similar to the proposed.
 5. Comparison of proposed parking supply with parking requirements.
 6. A shared parking analysis, as appropriate.
 7. A description any other characteristics of the site or measures being undertaken that could result in reduced parking demand, including staggered work shifts, telecommuting, shuttles to transit stations, or similar programs.
 8. Other information as required by the City.
- C. **Optional Transit Reduction.**
 1. Except residence uses, the following reductions may be factored directly when determining the minimum number of parking spaces required for a development, and do not require an Special Use Permit to be approved by the Zoning Administrator:
 - a. The minimum number of parking spaces may be reduced by up to 10% for sites in which the closest portion of the requested parcel is no more than a $\frac{1}{4}$ of a mile (1320-linear feet) radius from a light rail station or bus rapid transit stop.
 - b. The minimum number of parking spaces may be reduced by up to 5 percent for sites in which the closest portion of the requested parcel is no more than a $\frac{1}{2}$ of a mile (2640 linear feet) radius from a light rail station or bus rapid transit stop.
 - c. The distances specified shall be measured in a straight line from the nearest property line of the development site to the nearest pay kiosk, shade canopy, or transit stop sign post, whichever is closest.
 - 2.

Additional reductions to the minimum number of parking spaces may be requested through the Special Use Permit process described in Paragraph A of this Section.

11-32-7: - ALTERNATIVE COMPLIANCE WITH MINIMUM PARKING REQUIREMENTS

- A. **Authorized Alternatives.** The Zoning Administrator is authorized to approve alternative compliance parking permits for the following:
1. Off-site parking (See C, below);
 2. Valet parking (See D, below);
 3. Transit accessibility (See E, below);
 4. Residential Special Needs (See F, below); and
 5. Community building(s) for residential developments (See G, below).
- B. **Special Use Permit Required.** Applicants seeking approval of an alternative compliance parking plan must secure approval of a Special Use Permit, pursuant to Chapter 70.
- C. **Off-Site Parking.** The Zoning Administrator may permit all or a portion of the required off-street parking spaces to be located on a remote and separate lot from the lot on which the principal use is located, subject to the standards of this Section.
1. **Location.** No off-site parking space may be located more than 1,000 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This distance limitation may be waived by the Zoning Administrator if adequate assurances are offered that van or shuttle service will be operated between the off-site parking areas and the principal use.
 2. **Off-Site Parking Agreement.** An agreement providing for the use of off-site parking, executed by the parties involved, must be filed with the Zoning Administrator, in an approved form. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking, and shall be recorded with the County Recorder's Office. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this Chapter.
- D. **Valet Parking.** Valet parking may be authorized through a Special Use Permit as a means of satisfying up to 100 percent of otherwise applicable off-street parking ratios. In order to approve an alternative parking plan for valet parking the Zoning Administrator must determine that the proposal satisfies the approval criteria of off-site parking (see C, above) and that the valet parking will not cause interference with the public use of rights-of-way or imperil public safety.
- E. **Transit Accessibility.** The Zoning Administrator may authorize up to a 33 percent (total) reduction in parking ratios for uses located within 1320-feet (¼ mile) of a BRT or light rail stop with 30-minute or more frequent service during the hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m. The basis point for determining the reduction shall be the aggregate number of parking spaces for the total development required before any reductions have been applied.
- F. **Residential Special Needs.** If a developer can demonstrate that a Multi-Family Residential or Group Residential housing project designed for residents with special needs, such as senior citizens or handicapped individuals, will not generate a need for as much parking as such a project designed for a general market, the approving body shall have the authority to allow a reduction in the number of required parking spaces. Upon conversion of a senior citizen or other special needs group housing project to a general market apartment or condominium complex, parking must be provided consistent with the requirements of Table 11-32-3(A).
- G. **Community Building(s) for Residential Developments.** Community buildings used for the common benefit of residents within residential subdivisions and located within approved PAD overlay districts; or otherwise designed to be used by multiple-residence projects such as townhouse developments, apartments, residential condominiums, RV Parks or Manufactured Home Parks may substitute up to 50 percent of required full-size parking spaces with golf-cart spaces, motorcycle/scooter spaces, or bicycle parking. Up to 50 percent of the substituted spaces may be bicycle parking.

11-32-8: - BICYCLE AND MOTORCYCLE PARKING

- A. **Bicycle Parking.**
1. **Spaces Required.**
 - a. Bicycle parking is required for multi-unit residential buildings and nonresidential development. Unless otherwise expressly stated, buildings and uses subject to bicycle parking requirements must provide at least 3 bicycle parking spaces or at least 1 bicycle space per 10 on-site vehicle parking spaces actually provided, whichever is greater. After the first 50 bicycle parking spaces are provided, the required number of additional bicycle parking spaces is 1 space per 20 vehicle parking spaces.
 - b.

The requirements of subsection a and b, above, notwithstanding, the following minimum bicycle parking requirements apply to colleges, universities, schools and libraries:

- i. Elementary and junior high school: 1 bicycle parking space per 1000 square feet;
- ii. High school: 1 bicycle parking space per 1500 square feet;
- iii. Colleges and universities: 1 bicycle parking space per 5 vehicle parking spaces provided; and
- iv. Libraries: 1 bicycle space per 5 vehicle parking spaces provided.

2. **Design and Location.**

a. *General.* Required bicycle parking spaces must:

- i. Consist of racks or lockers anchored so that they cannot be easily removed and of solid construction, resistant to rust, corrosion, hammers, and saws;
- ii. Allow both the bicycle frame and the wheels to be locked using a standard U-lock;
- iii. Be designed so as not to cause damage to the bicycle;
- iv. Facilitate easy locking without interference from or to adjacent bicycles and maintain a separation of at least 24 inches from the nearest wall; and
- v. Be located in close proximity to entrances and other high activity areas, highly visible, active, well-lighted areas without interfering with pedestrian movements.

b. *Size.* Required bicycle parking spaces for nonresidential uses must have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.

FIGURE 11-32-8.A: BICYCLE PARKING SPACES

c. *Location.* Required bicycle parking may be located indoors or outdoors. Such spaces must be located out of the ROW unless an encroachment agreement is approved. If required bicycle parking facilities are not visible from the abutting street or the building's main entrance, signs must be posted indicating their location.

B. **Motorcycle and Scooter Parking.** For any nonresidential use providing 50 or more off- street spaces, a maximum of 2 required off-street parking spaces per 50 vehicle spaces may be reduced in size or otherwise redesigned to accommodate parking for motorcycles and scooters. When provided, motorcycle and scooter parking must be identified by a sign. Motorcycle and Scooter parking shall be counted concurrently as part of the minimum number of vehicle spaces required for the development.

CHAPTER 33 - LANDSCAPING

11-33-1: - PURPOSE AND APPLICABILITY

A. **Purpose.** This Chapter establishes standards for landscaping. The purpose of the landscaping standards are to:

1. Improve the appearance of the community by requiring aesthetically pleasing landscaping on public and private sites;
2. Soften the appearance of urban development;
3. Ensure appropriately designed and maintained landscaping elements that allow natural surveillance;
4. Generate and preserve community identity to reinforce a sense of place that is unique to various neighborhoods throughout the City;
5. Encourage the use of native or adapted plant species and demonstrate appropriate design and maintenance techniques; and
6. Provide environmental improvements such as mitigating air and storm water pollution, providing shade and reducing the effects of the urban heat island.

B. **Applicability.** The regulations of this Chapter shall apply to:

- 1.

Proposed Developments. These standards may be augmented, modified or replaced with specific landscaping standards adopted by the City Council for the Town Center Area, and for other areas of the City as defined by the General Plan or similarly adopted City Council policies.

2. **Existing Properties.** When there is a change in the distinguishing traits or primary exterior features of the use of a building or land as evidenced by increased parking requirements or a change in the building occupancy designation, after the effective date of this Ordinance, the standards of this Chapter apply.

C. **Exempt Projects.** The requirements of this Chapter do not apply to:

1. Additions to existing nonresidential or residential construction that add less than 20 percent to the existing floor area;
2. The establishment of an accessory use on the same lot as an existing primary use, with no expansion of floor area or outdoor area occupied; and
3. A change in occupancy of a building that does not involve a change in use.

(Ord. No. 5544, § 13, 12-9-19)

11-33-2: - GENERAL REQUIREMENTS

A. **Landscaped Areas.** Required landscaped areas shall be maintained free from encroachment by any use, structure, vehicle, or feature not a part of the landscaping design, except as specified in Chapter 33.

1. Where turf abuts decomposed granite or similar inorganic landscape material, a hardscape edging material such as brick or concrete curb/mow-strip shall be provided.
2. Electric vehicle charging stations may be placed in parking lot landscape islands. If necessary, shrubs and ground cover may be eliminated to accommodate the charging equipment.

B. **Tree Size.** Required trees shall be a minimum size as specified in the Arizona Nursery Association "Recommended Tree Specification" latest edition, a copy of which will be maintained on file by the Planning Division.

C. **Tree Substitution.**

1. **Palm.** Palm trees may be substituted for 20 % of the total required trees along streets and driveways according to the following table:

Table 11-33-2.C.1: Substitute Palm Tree Heights	
Required Tree Size	Substitute Palm Tree Heights (in feet)
15 Gallon	15
24-inch box	20
36-inch box	25

2. **Saguaros.** Saguaros may be substituted for 10% of the total required trees along streets and driveways according to the following table:

Table 11-33-2.C.2: Substitute Saguaro Heights	
Required Tree Size	Substitute Saguaro Heights (in feet)
15 Gallon	6
24-inch box	10
36-inch box	15

Exception. A higher percentage, up to a maximum of 30 % of the total number of tree required, may be approved by the Zoning Administrator within the defined boundaries of the Desert Uplands area.

3. **Ocotillos.** Ocotillo plants may be substituted for 10% of the total required trees along streets and driveways, at a ratio of two ocotillo plants for each required tree. Note: Any fractional amounts are rounded up to the next whole number.

Exception: A higher percentage, up to a maximum of 30% of the total number of trees required, may be approved by the Zoning Administrator within the defined boundaries of the Desert Uplands area.

- D. **Shrubs.** Required shrubs shall have a minimum mature growth height of 18 inches. At least 50% of required shrubs shall be a minimum of 5 gallons in size upon installation, but in no case shall any shrub be less than one (1)-gallon size.

- E. **Open space.** Fifty percent (50%) of all required open space shall contain live plant material.

1. To ensure that landscape materials are measured as accurately and equitably, the guidelines in Table 11-33-2-e shall be used to determine what portion of a lot or right-of-way is landscaped with live plant materials other than turf and provides the square footage credit for various types of plants.

TABLE 11-33-2-E: VEGETATION CREDIT TABLE	
Type of Plant Material	Credit in Square Feet
Evergreen tree (at least 25 ft. tall at maturity) ¹	100
Shade tree	50
Ornamental tree	25
Large shrub (more than 8 ft. tall at maturity)	50
Medium shrub (4—8 ft. tall at maturity)	25
Small shrub (less than 4 ft. tall at maturity)	10
Columnar deciduous or evergreen tree	25
Columnar evergreen shrub (less than 8 ft. tall at maturity)	10
Evergreen ground cover	25
Perennial plant and ground cover, bulb/tuber and ornamental grass ²	5
1. Dwarf trees or tree varieties with a mature width of less than 10 feet shall count as 25 square feet.	
2. Large ornamental grass, over 4 feet tall at maturity, shall count as 10 square feet.	

2. Ground cover may be of two types:

- a.

Vegetative ground cover consisting of living plant materials generally characterized by primary horizontal growth, as well as secondary vertical growth, generally not exceeding 18 inches in height; and

- b. Inert ground cover consisting of gravel, decomposed granite, crushed rock, desert tree mulch or other approved materials. The use of "desert cobble" that looks like the desert floor, consisting of natural desert covers and seed mix, is encouraged.

F. **Irrigation Systems.** Required irrigation systems shall be underground automatic watering systems, unless the lot is served by functioning flood irrigation.

G. **Paving and Hardscape Materials.** Paving and ground treatment shall be an integral part of site and landscape design.

H. **Selection of Plant Materials.** The physical characteristics of the species and variety of plants selected, at maturity, shall correspond closely with the design objectives listed for each of the respective landscape requirements, including the following:

1. Characteristics of trees and shrubs used in locations required for screening and buffering shall include dense foliage and relatively wide diameters.
2. Trees and shrubs with thorns, spines and sharp points should not be placed within 7' of sidewalks and/or vehicular roadways and should not be placed within 3' of median island curbing. Exceptions may be made for plants placed in controlled locations, such as plazas and outdoor seating, clearly designed as being away from access aisles, connecting routes or through pathways.
3. Trees designated to meet the shading requirements of the ordinance shall meet at least 50% of the required shading within 4 years and the full shading within 8 years.

I. **Maintenance of Landscaping.**

1. An irrigation system shall be provided to all landscaped areas containing living plant materials, unless otherwise approved.
2. Lack of maintenance as above described, shall constitute a violation of this Ordinance. The property owner and/or occupant or lessee shall be held jointly and severally liable for any infraction of the requirements set forth in this Chapter.
3. In the event a plant specified as required on an approved landscape plan dies or is removed, the property owner and or occupant or lessee are jointly responsible and shall replace the plant with one of a similar species with a similar size as specified in the approved landscape plan.
4. Landscape Plans shall designate plant material to be kept in either a natural state (minimal pruning) or a formal state (regularly trimmed and pruned to a sculpted appearance). Plant materials shall be maintained as designated.
 - a. Property owners shall maintain landscaping in accordance with the best management practices of the landscaping industry. Pollarding of trees and similar practices of over pruning are discouraged.

J. **Installation of Landscaping.** Landscaping shall be installed with adequate precautions to insure survival, as shown on the approved development plan or landscape plan, prior to the issuance of a Certificate of Occupancy for the building or use.

K. **Perimeter Landscaping.** Required landscaped areas adjacent to the property lines of the site shall be installed with the first phase of construction when adjacent to residential districts.

L. **Undeveloped Parcel within a Group Commercial, Industrial, or Office Project.** Extruded concrete curbing and a 5 foot-wide landscape area along the undeveloped edge(s) shall be provided, unless otherwise approved.

M. **Substantial Conformance.** Landscaping installation shall be in substantial conformance with the approved plans. Significant alteration in the design or installation without appropriate plan amendment approval is subject to the withholding of final inspection approval.

N. **Curbing.** Where wheel stops are required to prevent vehicular intrusion, poured-in-place continuous concrete curbing or decorative bollards shall be installed.

O. **Parking.** When a parking space abuts a landscape island or planter, a poured-in-place continuous concrete wheel stop or curbing shall be provided.

P. **Right-of-Way.** Landscaping of adjacent undeveloped right-of-way is required in addition to the minimum on-site requirements. Right-of-way landscaping shall be limited to non-vegetative ground cover and low-water-use plants, including those drought-tolerant plants listed by the Arizona Department of Water Resources for the Phoenix Active Management Area. The Planning Division will maintain a list of such plants.

Q. **Parking Lot/Site Lighting.** Light standards shall be located only within the parking area.

1. Light Standard Heights. Maximum standard height shall be 14 feet when within 50 feet of the perimeter of the development and adjacent to a residential use. When adjacent to any other use, the maximum height shall be 20 feet within 50 feet of the perimeter. The maximum height shall be 25 feet everywhere else on the site.
2. House side shields shall be provided on all light standards adjacent to residential development.
3. Building mounted lights shall maintain the same heights as specified above.

4. For additional standards refer to the City of Mesa Lighting Code.

(Ord. No. 5544, § 14, 12-9-19; Ord. No. 5814, § 5, 10-16-23)

11-33-3: - PERIMETER LANDSCAPING

A. Streets.

1. **Allowable Uses.** Landscape yards shall be exclusively maintained as landscaped areas with plant materials and may include monument signs, parking screen walls, and retention basins.
2. **Exceptions.** Outdoor seating for restaurants may encroach:
 - a. In M and -A designated areas, up to 50 percent of the width of the required landscape area.
 - b. In -U designated areas, the entire width of the required landscape area.
3. **Basis for Calculation.** Plant materials shall be calculated based on a linear module of 25 feet. Trees and shrubs may be clustered.
4. **Numbers of Plants:**

Table 11-33-3.A.4: Required Number of Plants by Street Type			
Street Right-of-Way	Min. Required Plants	Min. Required Plants - "A" Character Designations	Min. Required Plants - "U" Character Designations
Arterial Streets (110—130') Note: TC, MX and districts with "-U" designator shown in section 5 below	1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 24 shrubs per 100')	1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 24 shrubs per 100')	$\frac{3}{4}$ Trees and 6 Shrubs per 25 Linear Feet of Street Frontage (3 trees and 24 shrubs per 100')
Major and Midsection Collector Streets (90—110')	1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 24 shrubs per 100')	1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 24 shrubs per 100')	$\frac{3}{4}$ Trees and 6 Shrubs per 25 Linear Feet of Street Frontage (8 trees and 24 shrubs per 100')
Collector/Industrial/Commercial Streets (60—80')	1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 16 shrubs per 100')	1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 16 shrubs per 100')	1 Tree and 4 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 16 shrubs per 100')
Public or Private Local Streets (Less than 60')	1 Tree and 4 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 16 shrubs per 100')	1 Tree and 4 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 16 shrubs per 100')	1 Tree and 4 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 16 shrubs per 100')

All Fractional Amounts shall be rounded up to the next whole number (Example 2.15 trees rounds up to 3 trees).

5. **"-U" Character Designations, DC and MX districts.** All new development shall provide shade with canopy trees, shade structures or building overhangs for at least 50% of sidewalk along street frontages.
6. **Minimum Size.** Minimum size of plant materials shall be as follows:
 - a. **Trees.**
 - i. A minimum of 25 percent of the total required trees shall be 36-inch or larger box trees.
 - ii. A minimum of 50 percent of the total required trees shall be 24-inch box trees.
 - iii. No trees shall be smaller than 15-gallon size.
 - iv. When located in front of buildings that could contain commercial signage, install trees that branch at sufficient height to allow people to see the signage beyond the tree.
 - b. **Shrubs.**
 - i. A minimum of 50 percent of the total required shrubs shall be 5-gallon size or larger.
 - ii. No shrubs shall be less than one (1)-gallon size.
 - c. **Substitutions.** Substitutions for the above requirements may be made according to the following table.

Table 11-33-3.A.6: Tree Substitutions

Tree to be placed on site	15-gallon tree equivalent	24-inch box tree equivalent
24-inch box tree	2 trees	-
36-inch box tree	3 trees	2 trees
48-inch box tree	4 trees	3 trees
60-inch or larger box tree	-	4 trees

7. All landscape areas shall be either covered with decomposed granite, "desert varnish or cobble", desert tree mulch, turf, and/or acceptable alternative with supplemental shrubs and ground covers, accents, flowers, vines. Fifty percent of the landscape area shall be vegetative material at maturity.
 8. All landscape plant material should be appropriate for the developed environment.
- B. Required Landscape Yards.** Landscaping should provide a visual buffer, screen view of objectionable uses, provide a transition between adjacent development, shade paved and unpaved surfaces, and screen nighttime light from adjacent property.
1. **Landscaping for Non-Single Residence Uses adjacent to Single Residence Uses or Districts.**
 - a. **Width.**
 - i. Sites less than five (5) acres adjacent to an RS or RSL district, must provide a minimum 20-foot landscape yard.
 - ii. Sites five (5) acres or more adjacent to an RS or RSL district must provide a minimum 25-foot landscape yard.
 - b. **Ground Treatment.**
 - i. The entire landscape yard shall be either covered with decomposed granite, "desert varnish or cobble", desert tree mulch and/or turf or as approved.
 - ii. Landscape yards shall remain free from parking, driveways, and encroachment by any structures that are not part of the landscaping design.

c. *Number of Plants.*

1. *Screening.* Landscape yards not visible from public parking/drive aisles and adjacent to loading, service and unsightly areas shall have a minimum of five (5) non-deciduous trees per 100 linear feet of adjacent property line (1 tree per 20 linear feet) or shall have continuous tree canopy between 6 feet—20 feet in height at maturity, 50 percent canopy within five (5) years, 70 percent canopy within seven (7) years and 100 percent within 10 years.
- ii. *Areas visible from public parking or drive aisles.* A minimum of four (4) non-deciduous trees and 20 shrubs per 100 linear feet of adjacent property line shall be provided.
- iii. *Transition Areas.* A planted transition between visible areas and loading/service areas shall be provided.

d. *Size of Plants.* Required trees shall be at least 24-inch box size.

e. *Wall.* Refer to Section 11-30-9 (Screening) for standards regarding screening design of exterior walls and equipment.

2. ***Landscaping for Non-Single Residence Uses Adjacent to Other Non-Single Residence uses or districts.***

a. *Width.*

- i. *Group C-O-I Development.* Properties that are part of group commercial, office, industrial development, as defined in Chapter 87, must provide a seven (7) foot wide perimeter landscape yard except where a cross-access drive aisle occurs within the required landscape yard.
- ii. *Non-Group C-O-I Development.* Properties that are not part of a group C-O-I Development, as defined in Chapter 87, must provide a 15-foot landscape yard except where a cross-access drive aisle occurs within the required landscape yard.

b. *Ground Treatment.* The entire landscaped yard shall be either covered with decomposed granite, "desert varnish or cobble", desert tree mulch and/or turf as approved. Supplemental shrubs and ground covers including accents, flowers, and vines shall provide 50 percent vegetative ground coverage.

c. *Number of Plants.* A minimum of three (3) non-deciduous trees and 20 shrubs per 100 linear feet of adjacent property line shall be provided. In the event of fractional results, the resulting number will be rounded to the next highest whole number. Shrubbery and ground covers are not necessary if the area is not visible from public parking and drive aisles.

d. *Size of Plants.* A minimum of 50 percent of the required trees shall be at least 24-inch box size. The balance of the required trees shall be at least 15-gallon-size trees.

- i. *Exception.* Trees within LI, GI and HI Districts may be 15-gallon-size throughout.

e. *Plant types.* In areas with no pedestrian activity, appropriate low water use desert trees shall be planted.

(Ord. No. 5544, § 15, 12-9-19; Ord. No. 5593, § 10, 12-1-20; Ord. No. 5814, § 6, 10-16-23)

11-33-4: - INTERIOR PARKING LOT LANDSCAPING

A. **Applicability.** The interior parking lot landscaping standards of this section apply to all off-street parking lots containing 10 or more parking spaces. They do not apply to vehicle/equipment storage lots or vehicle and equipment sales lots. In addition, refer to Chapter 32 for additional parking lot standards.

B. **Landscape Islands.**

1. Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 8 contiguous parking spaces.
2. Landscape islands shall be a minimum of eight feet wide and 15 feet in length for single-row and 30 feet in length for double-row parking. All measurements are to face of curb.
3. Radius curbing shall be provided along drive aisles with a minimum 4 foot radius.
4. For rows of more than 16 parking spaces, landscape islands shall be staggered.

FIGURE 11-33-4.B.4: INTERIOR PARKING LOT LANDSCAPE
ISLANDS

The maximum length of a covered parking canopy shall be 15 parking stalls in a row. Landscape islands may be eliminated when a conflict with the covered parking canopy occurs.

FIGURE 11-33-4.B.5: INTERIOR PARKING LOT COVERED PARKING CANOPY

6. When parking canopies are adjacent to each other in a single row, the total length of each canopy shall not exceed 15 parking stalls and the adjoining canopies shall be separated by at least a 24-foot-wide landscape island as depicted in the following illustration.

FIGURE 11-33-4.B.6: INTERIOR PARKING LOT COVERED PARKING CANOPY

7. For parking lots containing more than 200 spaces, one 8-foot-by-15-foot staggered landscape island may be replaced with 2 landscape islands of at least 25 square feet clear landscape area each. Each landscape island/ planter shall contain at least 1 tree and 3 shrubs. These landscape islands/ planters may be designed in any combination of shape and size provided the minimum clear landscape area dimension is 5 feet.

FIGURE 11-33-4.B.7: INTERIOR PARKING LOT LANDSCAPE ISLANDS

- C. **Medians.** Where divider medians occur adjacent to head-in parking, allow for vehicle overhang and shall be as follows:
1. ***Single-Row Parking.*** Minimum 7-foot landscape area measured from face of curb to face of curb is required. The required median width does not include a sidewalk.

FIGURE 11-33-4.C.1: INTERIOR PARKING LOT LANDSCAPE ISLANDS

2. ***Double-Row Parking.*** Minimum 8-foot landscape area measured from face of curb to face of curb. Required median width does not include sidewalk.

FIGURE 11-33-4.C.2: INTERIOR PARKING LOT MEDIAN DOUBLE ROW PARKING

3. **Medians with sidewalks.** When a sidewalk is located within median, shade trees should be placed so that at least 25 percent of the sidewalk is shaded, at noon.

D. **Plant Materials.**

1. **Number of Plants.**
 - a. Parking lot landscape islands. One shade tree and three shrubs shall be provided for every 15-foot parking island.
 - b. Parking lot divider medians. In addition to the above requirements, minimum 1 shade tree and 6 shrubs shall be provided for every 8 parking spaces.
2. **Size of Plants.** A minimum 10 percent of the required trees for parking lot interior landscaping shall be 36-inch box. The balance of the required trees shall be at least 24-inch box. Substitution based on plant size is not permissible for trees planted within the interior of a parking lot.
3. **Ground Treatment.** All landscape planting areas that are not dedicated to trees or shrubs shall be decomposed granite and/or turf or as approved.

11-33-5: - FOUNDATION BASE

All buildings shall provide a foundation base of plant materials such as trees, shrubs, ground covers, and/or accent plants and hardscape such as decorative pavement adjacent to the exterior walls. Pedestrian areas and building entrance plazas should be shaded with trees and shade structures.

FIGURE 11-33-5: FOUNDATION BASE

A. **Foundation Base along Exterior Walls.**

1. **Exterior Walls with Public Entrance.** A 15-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall. For buildings with corner entries, both adjacent walls require a 15-foot-wide foundation base.

FIGURE 11-33-5.A.1: FOUNDATION BASE AT EXTERIOR WALL WITH PUBLIC ENTRANCE

- a. For buildings larger than 10,000 square feet with parking spaces that abut the foundation base, additional foundation base width is required as follows:
 - i. **Typical Building Entrances.** An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum width and depth of 20 feet, and a minimum area of 900 square feet.

**FIGURE 11-33-5.A.1.A: FOUNDATION BASE AT BUILDING
ENTRANCE**

- ii. *Buildings with Corner Entrances.* A foundation base shall be provided to ensure an area equivalent to 900 square feet.

FIGURE 11-33-5.A.1.B: FOUNDATION BASE WITH CORNER ENTRANCE

- b. *Medical Buildings Less Than 10,000 Square Feet.* A 13-foot-wide patient drop-off area shall be provided with at least one 5-foot-wide accessible sidewalk.

FIGURE 11-33-5.A.1.C: FOUNDATION BASE AT MEDICAL BUILDINGS

- 2. *Exterior Walls without a Public Entrance.*
 - a. A minimum 10-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall adjacent to parking stalls.

**FIGURE 11-33-5.A.2.A: FOUNDATION BASE EXTERIOR WALL WITHOUT A
PUBLIC ENTRANCE**

- b. A minimum 5-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall adjacent to drive aisles as illustrated.

FIGURE 11-33-5.A.2.B: FOUNDATION BASE AT EXTERIOR WALL WITHOUT A PUBLIC ENTRANCE

3. ***Averaging Depth of Foundation Base.*** The designated depth of the foundation base may be less than the minimum required depth (as specified above), provided:
 - a. That for each location in which the depth is less, a corresponding location along the same foundation base exceeds the minimum depth by the same amount; (for example, if 15 feet is the minimum required depth of a foundation base, the foundation base may be reduced to 10 feet at one (1) point provided that an equal portion of the same foundation base depth extends to 20 feet in depth) and;
 - b. In all cases involving principally pedestrian access points into a building, the foundation base shall be no less than 5 feet in depth.
 - c. The foundation base area remains equivalent to or more than the amount of foundation base area that would be provided if the edge of the foundation base remained parallel to the building elevation.

FIGURE 11-33-5.A.3: AVERAGING FOUNDATION BASE

B. Landscape Area in Foundation Base.

1. ***Number of Trees.*** A minimum one (1) tree per 50 linear feet or less of exterior wall length of a building shall be provided. Trees in a parking lot and within 30 feet of the building may be counted toward this requirement. Any calculation resulting in a percentage of a whole tree shall be rounded up to the nearest whole.
2. ***Size of Trees.*** A minimum 10 percent of the required trees in foundation base shall be at least 36-inch box size. The balance of the required trees shall be 24-inch box size. Substitution of landscape plants based on plant size is not permissible for trees planted within a required foundation base.
3. ***Plant Material within Foundation Base.***
 - a. **Exterior Walls Visible From Public Parking or Right-of-Way with Public Entrances.** A landscape area shall be provided equal in length to 33 percent (minimum) of adjacent exterior wall.
 - b. **Exterior Walls Visible From Public Parking or Right-of-Way without Public Entrances.** A landscape area shall be provided equal in length to 25 percent (minimum) of adjacent exterior wall.
 - c. **Exterior Walls Not Visible From Public Parking or Right-of-Way without Public Entrances.** A landscape area shall be provided equal in length to 10 % (minimum) of adjacent exterior wall.
4. Trees shall be in planters that are at least 8 feet wide. Other plant material shall be in planters that are at least 3 feet wide.
5. If the foundation base contains expansive soils (as determined by a certified engineer) the plant material shall be placed away from the building.

C. Setback for Raised Planter Boxes. Raised planter boxes shall be 5 feet minimum from drive aisles and parking stalls.

D. Setback for Columns in Foundation Base. Columns shall be 5 feet minimum from drive aisles and parking stalls.

FIGURE 11-33-5.D: SETBACKS FOR RAISED PLANTER BOXES AND COLUMNS

E. **Exceptions.**

1. **Loading and Service Areas.** A foundation base is not required along exterior walls at overhead doors.
2. **Foundation Base Adjacent to Drive-Thru Lanes.** Provide 2-foot-wide foundation base along exterior wall, except at window.

11-33-6: - RETENTION BASINS

- A. In both residential and nonresidential developments, the basin design shall be incorporated with the overall site plan by providing access, landscape, amenities.
- B. Retention basin layout shall be irregular in shape, contoured and designed as an integral part of the landscaping theme, and shall not take on the appearance of a ditch. The depth of water in retention basins shall not exceed 3 feet 6 inches.
- C. A 3-foot transition area shall be provided where the retention basin side exceeds 6-to-1 slope measured horizontal to vertical and basin is adjacent to right-of-way and sidewalks. Transition area shall be less than 6-to-1 slope. A maximum 4-to-1 slope allowed in other locations.
- D. Retaining walls shall not exceed 25 percent of the basin perimeter (measured at the high waterline). The maximum height of retaining walls is 18 inches.
- E. Retention basins along public streets that incorporate retaining walls shall utilize catch basins and pipes to collect and direct water to the bottom of the basins. Where retention basins occur along arterial streets, berms shall be provided along 33 % of basin frontage. Berms are to be 4-to-1 (horizontal-to-vertical) maximum slope, 2 feet high. Within public right-of-way maximum slope is 6 to 1. Berming shall not obstruct run-off from streets into the retention basin.
- F. Retention basin design shall provide consolidated basins. Multiple, small retention areas are not acceptable unless basins are interconnected and designed per the City of Mesa Engineering Manual.
- G. Landscaping shall be provided in all areas of the retention basin (slope, top, and bottom).

11-33-7: - ALTERNATIVE LANDSCAPE PLAN

An applicant who can demonstrate that the intent of this Chapter can be exceeded, in whole or in part, may submit an Alternative Landscape Plan (ALP) prepared in accordance with the following principles and design criteria. The ALP shall include a narrative that clearly details the modifications being requested and explains how they enhance the landscape design principles listed below.

- A. **Design Principles.** In order to qualify for consideration, an ALP shall demonstrate compliance with at least 6 of the following principles:
 1. **Innovative Design.** Innovative use of plant materials and design techniques in response to unique characteristics of the site.
 2. **Native Vegetation.** Preservation or incorporation of existing native vegetation.
 3. **Plant Variety.** Use of a variety of plant material, including plants of color, form, and texture, in excess of the minimum requirements.
 4. **Naturalistic Design.** Incorporation of naturalistic design principles, such as variations in topography, meandering or curvilinear plantings, and grouping of dominant plant materials (trees, large shrubs) in a manner consistent with native vegetation. Bio-swales are encouraged adjacent to all paved areas.
 5. **Compatibility with Surrounding Uses.** A greater degree of compatibility with surrounding uses than a standard landscape plan would offer. The number of trees required should depend on the type of tree planted, not some set number. There cannot be a trade off in the number of trees due to the size of the tree at initial planting because what is needed is the ultimate screening.
 6. **Water Efficiency.** Use of water-efficient irrigation systems, such as rain water harvesting that allows paved surfaces to drain to adjacent bio-swales and spread rain water more evenly throughout the site, and xeriscaping at appropriate locations.
 7. **Storm Water Management.** Use of bio-swales with plant material and desert varnish clean storm water before it percolates into the ground.
 - 8.

Site-Specific Attributes. The design incorporates specific environmental attributes such as soil, hydrology, and vegetative communities unique to the site, and which are compatible with environmental features on adjacent properties. Additional design attributes may include incorporation of landscaping selections for the consistency of the streetscape in character areas.

9. **Tree Substitution.** Substitution resulting in fewer, larger, and more mature trees to replace the required numbers of smaller varieties when placed in perimeter areas at the inverse of the ratios stated in Table 11-33-3.A. (Example: One 60-inch box tree may substitute for four 15-gallon trees when approved by the Zoning Administrator through the use of an ALP.
 10. **Plant Viability and Longevity.** The landscape plan takes into account the effect of plants on the surrounding activities over the lifetime of the land use, and attempts to promote the viability and long term maturation of plants. It does this by:
 - a. Accounting for microclimates and the specific context of the plant's location in choosing of plant varieties.
 - b. The use of advanced installation techniques, such as structured soils and Silva cells, to promote the permeability of air and water into the root zone of the plant, and to resist compaction of the soils.
 - c. Accounting for the effects that plants may have on a site as the plants mature into adult forms, providing shade while limiting potential restrictions on visibility of the site from adjacent streets; including consideration of visibility of signs, vehicle traffic sight angles, and the type and context of the specific land use.
 11. **Overhead Utility Line Easements.** For those portions of sites impacted by the presence of overhead utility lines, the landscape plan:
 - a. Uses plants from an approved list suggested by the Arizona Community Tree Council for placement near utility lines (a copy of which shall be kept on file in the Planning Division office), or
 - b. Makes other design considerations to meet the intent of the landscape requirements while reducing potential interference of mature plants limbs growing up into vertical space occupied by suspended utility cables.
- B. Allowable Modifications.** The following standards may be modified by an ALP:
1. **General Requirements.**
 - a. Allowed percentage of palm tree and saguaro substitution.
 - b. Ground treatment materials.
 - c. Irrigation type and coverage.
 - d. Landscape buffer along undeveloped edges.
 - e. Right-of-way landscaping and plant types.
 2. **Perimeter Landscaping.**
 - a. Minimum percent of vegetative ground coverage.
 - b. Minimum size of plant materials.
 - c. Substituting smaller trees with larger, more mature varieties.
 3. **Interior Parking Lot Landscaping.**
 - a. Length and width of required landscape islands.
 - b. Size and number of plants on landscaped islands.
 4. **Foundation Base.**
 - a. Width of foundation base.
 - b. Size of entry plaza area.
- C. Review, Approval and Required Findings.** An ALP shall be reviewed and evaluated as follows:
1. An application for an ALP may be submitted:
 - a. In conjunction with any request, including rezoning, site plan review or modification, Design Review, Council Use Permit, Special Use Permit, variance, or building permit applications.
 - b. As a separate application for Administrative Use Permit in accordance with Section 11-70-3, following approval of any processes mentioned in C.1.a, above.
 2. An ALP may be approved upon finding that:
 - a. There are unique characteristics of the property, site design, or use that warrant special consideration to modify or deviate from the requirements of this Section and that these characteristics are not self-created.
 - b. The ALP meets or exceeds the minimum requirements of this section, while recognizing the unusual site design or use restraints on the property.

- c. Approval of an ALP will provide for both increased consistency and compatibility with adjacent properties.
- d. The ALP conforms to the allowable modifications listed in subsection B, above, and no exceptions to the limitations on the standards that may be modified are requested.

CHAPTER 34 - MANUFACTURED HOME/RECREATIONAL VEHICLE REGULATIONS

11-34-1: - PURPOSE AND INTENT

- A. **Purpose.** This Chapter is to provide for Manufactured Home and Recreational Vehicle Parks and Subdivisions which are suitably developed for the placement and occupancy of Manufactured Homes or Recreational Vehicles for residential purposes on rented, leased, or owned spaces with the necessary accessory uses and amenities.
- B. **Intent.** These regulations are intended to enable the development of unique, well-planned projects incorporating a variety of manufactured and vehicle-based housing for permanent or seasonal occupancy. It is also the intent of this Chapter to provide adequate regulations to preserve the residential character of the development and to prohibit inappropriate and incompatible land uses.

11-34-2: - PERMITTED USES

A. Permitted Uses in Recreational Vehicle Parks and Subdivisions:

- 1. Recreational vehicle parks.
 - a. One (1) Recreational Vehicle or one (1) Recreational Vehicle Park Model is permitted on each approved space.
 - b. Manufactured homes and dwelling units of conventional construction are prohibited, except as permitted for Recreational Vehicle accessory structures per Section 11-34-2(12).
- 2. Recreational vehicle subdivisions.
 - a. One (1) Recreational Vehicle or one (1) Recreational Vehicle Park Model is permitted on each approved lot; or
 - b. One (1) dwelling unit of conventional construction is permitted on each approved lot, subject to the following:
 - i. Compliance with Title 4, Building Regulations;
 - ii. Compliance with Title 9, Chapter 6, Subdivision Regulations; and
 - iii. Compliance with the required yard setbacks outlined in Section 11-34-3, unless modified with a planned area development overlay.
 - c. Accessory dwelling units shall be permitted in accordance with Section 11-31-3: Accessory Dwelling Unit.
 - d. Manufactured homes are prohibited, except as permitted per Section 11-34-2(A)(12).
- 3. Recreational Vehicle Accessory Structures, as defined in Chapter 87, Definitions are permitted if the accessory structure:
 - a. Is no more than one (1) story;
 - b. Is directly accessible through an internal opening to the Recreational Vehicle or Recreational Vehicle Park Model;
 - c. Is no greater in size than 100% of the floor area of the Recreational Vehicle or Recreational Vehicle Park Model;
 - d. Is removed within 60 days of removal of the Recreational Vehicle or Recreational Vehicle Park Model;
 - e. Conforms to Title 4, building regulations; and
 - f. Conforms to all other applicable development standards, including required yard setbacks and parking requirements.
- 4. Storage buildings. storage buildings, attached or detached, subject to:
 - a. A maximum area of 120 square feet;
 - b. A maximum height that shall not exceed the height of the Recreational Vehicle or Recreational Vehicle Park Model; and
 - c. Is located within the buildable area unless placed in the rear quarter of the space or lot and separated from the Recreational Vehicle or Recreational Vehicle Park Model by at least six (6) feet.
- 5. Manager's office and residence, which may be of conventional construction.
- 6. Recreation and social centers, which may be used for dancing, crafts, hobbies, games, childcare, meetings, banquets, theatrical performances, movie viewing, and similar entertainment uses which are intended and used primarily as a resident amenity. Such facility may be of conventional construction.
- 7. Outdoor recreation facilities such as parks, swimming pools, ramadas, playground equipment, shuffleboard and tennis courts, putting greens, and similar recreational uses intended for use by the residents of the park or subdivision.

8. Common-use laundry facilities, maintenance buildings, and security guard houses, which may be of conventional construction.
9. Designated areas for boat and Recreational Vehicle or Recreational Vehicle Park Model storage which are used solely by the residents of the park or subdivision.
10. Recreation center parking lots and guest parking areas.
11. Accessory retail activities, as defined in [Chapter 87](#), Definitions; Provided:
 - a. All proprietors and vendors shall possess valid business licenses and permits as required by the Mesa City Code; and
 - b. All signs, flyers, and advertising that describe or relate to accessory retail activities shall not be visible from beyond the boundaries of the Recreational Vehicle Park or subdivision; and
 - c. Such activities shall not exceed more than ONE (1) every seven (7) days; and
 - d. Each separate activity shall not exceed more than four (4) consecutive hours.
12. Manufactured homes allowed with special use permit.
 - a. Manufactured homes may be used only in the RM-2-PAD, RM-4, and RM-4-PAD zoning districts subject to the approval of a Special Use Permit, in accordance with the provisions contained in [Chapter 70](#), provided the area of the RV park or RV subdivision is 10 acres or greater.
 - b. The minimum area may include an abutting Manufactured Home Park or Subdivision which shares common development improvements, such as reciprocal access, circulation lanes, and recreation areas.
 - c. The special use permit shall only be approved upon a finding that the Recreational Vehicle Park or Subdivision is in substantial compliance with all of the following:
 - i. The minimum area and minimum width of lots or spaces for Recreational Vehicle Park or Subdivision, as applicable, and
 - ii. The minimum setbacks, and parking for Recreational Vehicle Parks or Subdivisions, as applicable; and
 - iii. A minimum ratio of 100 square feet of open space or recreation area for each lot or space. Designated open space or recreation area in excess of the minimum required for an abutting Manufactured Home Park or Subdivision used to meet the minimum area requirement above may be included to satisfy the open or recreation space requirement. In the event that insufficient open space or recreation area exists upon initial approval, a phasing plan may be submitted and approved that will provide, over the course of time, the minimum open space or recreation area needed to comply with the specified ratio. Such a phasing plan shall show installation of all required additional open space or recreation area before installation of a Manufactured Home within the Recreational Vehicle Park or Subdivision that exceeds a threshold level of 66% of the lots or spaces within the Recreational Vehicle Park or Subdivision that contains Manufactured Homes; and
 - iv. Perimeter landscaping and perimeter screening walls.
 - d. The development requirements pertaining to the park or subdivision contained in this Subsection may be modified through approval of the Special Use Permit, provided the modifications will substantially comply with the intent of these provisions, as evidenced by lot or space size, lot or space area, or open space and recreation areas in excess of the minimum required. Such modification may not exceed a deviation of more than 10% below the required minimum. In no instance, shall the minimum separation between units be less than six (6) feet.
 - e. A Manufactured Home Accessory Structure, as defined in [Chapter 87](#), is permitted when a special use permit for a Manufactured Home is approved provided that it is developed in accordance with the development standards for a Manufactured Home Accessory Structure.

B. Permitted Uses in Manufactured Home Parks:

1. One (1) Manufactured Home is permitted on each approved space.
2. Dwelling units of conventional construction are prohibited.
3. Manufactured Home Accessory Structures as defined in [Chapter 87](#), Definitions, are permitted if the accessory structure:
 - a. Is no more than one (1) story;
 - b. Is directly accessible through an internal opening to the Manufactured Home;
 - c. Is no greater in size than 100% of the floor area of the Manufactured Home;
 - d. Is removed within 60 days of removal of the Manufactured Home;
 - e. Conforms to [Title 4](#), Building Regulations; and
 - f. Conforms to all other applicable development standards, including setbacks and parking requirements.
4. Storage buildings. Storage buildings, attached or detached, are subject to:

- a. A maximum area of 150 square feet;
 - b. A maximum height of 10 feet;
 - c. Location within the buildable area unless placed in the rear quarter of the space or lot and separated from the Manufactured Home by at least six (6) feet.
5. Manager's office and residence, which may be of conventional construction.
 6. Recreation and social centers, which may be used for dancing, crafts, hobbies, games, childcare, meetings, banquets, theatrical performances, movie viewing, and similar entertainment uses which are intended and used primarily as a resident amenity. Such facility may be of conventional construction.
 7. Outdoor recreation facilities such as parks, swimming pools, ramadas, playground equipment, shuffleboard and tennis courts, putting greens, and similar recreational uses intended for use by the residents of the park.
 8. Common-use laundry facilities, maintenance buildings, and security guard houses, which may be of conventional construction.
 9. Designated areas for boat and Recreational Vehicle storage which are used solely by the residents of the park
 10. Recreation center parking lots and guest parking areas.
 11. Accessory retail activities provided:
 - a. All proprietors and vendors shall possess valid business licenses and permits as required by the Mesa City Code; and
 - b. All signs, flyers, and advertising that describe or relate to accessory retail activities shall not be visible from beyond the boundaries of the Manufactured Home Park; and
 - c. Such activities shall not exceed more than one every seven (7) days; and
 - d. Each separate activity shall not exceed more than four (4) consecutive hours.

C. Permitted Uses in Manufactured Home Subdivisions:

1. One (1) Manufactured Home is permitted on each approved lot; or
2. One (1) dwelling unit of conventional construction is permitted on each approved lot, subject to the following:
 - a. Compliance with Title 4, Building Regulations;
 - b. Compliance with Title 9, Chapter 6, Subdivision Regulations; and
 - c. Compliance with the required yard setbacks outlined in Section 11-34-3, unless modified with a planned area development overlay.
3. Accessory dwelling units shall be permitted in accordance with Section 11-31-3: Accessory Dwelling Unit.
4. No Recreational Vehicle or Recreational Vehicle Park Model shall be permitted on a Manufactured Home lot for living purposes.
5. Manufactured home accessory structures as defined in Chapter 87, Definitions, are permitted if the accessory structure:
 - a. Is no more than one (1) story;
 - b. Is directly accessible through an internal opening to the Manufactured Home;
 - c. Is no greater in size than 100% of the floor area of the Manufactured Home;
 - d. Is removed within 60 days of removal of the Manufactured Home;
 - e. Conforms to Title 4, Building Regulations; and
 - f. Conforms to all other applicable development standards, including setbacks and parking requirements.
6. Detached accessory buildings in accordance with Section 11-30-17: Detached Accessory Buildings.
7. Recreation and social centers, which may be used for dancing, crafts, hobbies, games, childcare, meetings, banquets, theatrical performances, movie viewing, and similar entertainment uses which are intended and used primarily as a resident amenity. Such facility may be of conventional construction.
8. Outdoor recreation facilities such as parks, swimming pools, ramadas, playground equipment, shuffleboard and tennis courts, putting greens, and similar recreational uses intended for use by the residents of the subdivision.
9. Common-use laundry facilities, maintenance buildings, and security guard houses, which may be of conventional construction.
10. Designated areas for boat and Recreational Vehicle storage which are used solely by the residents of the subdivision.
11. Recreation center parking lots and guest parking areas.

(Res. No. 12269, § 16, 9-23-24; Ord. No. 5883, § 3, 10-7-24; Ord. No. 5943, § 1, 6-2-25)

Table 11-34-3, below, specifies the required zoning, minimum area, maximum densities, minimum yard setback, minimum recreational area, and minimum parking regulation for all parks and subdivisions.

TABLE 11-34-3: DEVELOPMENT STANDARDS FOR RV AND MANUFACTURED HOME PARKS AND SUBDIVISIONS				
Standard	Type of Development			
	Recreational Vehicle Park	Recreational Vehicle Subdivision	Manufactured Home Park	Manufactured Home Subdivision
Required Zoning	RM-4	RM-4-PAD RM-4-PAD	RM-4, RSL	RS-6 - PAD
Alternative Zoning for Infill Sites	—	—	—	ID-1, ID-2 (8)
Minimum Area	10 Acres	10 Acres	10 Acres	10 Acres (8)
Maximum Density (3)	22 spaces per net acre	15 spaces per net acre	10 spaces per net acre	7.26 spaces per net acre
Maximum Height- Conventional Construction	N/A	1 Story	N/A	1 Story
Minimum Space/Lot Size				
Area Sq. Ft.	1,200	1,750 (2,000 avg.)	3,000	6,000
Width (ft)	34 (7)	35	40	60
Depth (ft)	40	50	60	94
Required Yard Setbacks (5)				

Front (ft)	5	7	5	Front (Enclosed Livable Areas. Porches/Porte Cocheres)	10
				Garages/Carports - front and side yards	20 from the entry of carport/garage.
Side Min./Total (ft.)	3/6	5/10	5/10	5/15 (2)	
Rear (ft)	3	5	10	15	
From Exterior Boundary of Development (ft) (6)	10	10	10	10	
Minimum Recreation Area (sq. ft.) (4)	75 per RV Space	150 per RV Lot	100 per M. H. Space	150 per M.H. Lot	
Minimum Paved Parking (1)	1 per RV Space	1 per RV Lot	2 per M. H. Space	2 per M. H. Lot	
Minimum Visitor Parking	1 per 10 RV Spaces	1 per 10 RV Lots	1 per 5 M. H. Spaces	1 per 5 M. H. Lots	

Table 11-34-3 Footnotes

1. Minimum space size 9' x 18': may be tandem but may not be located in the required front yard setback.
2. Minimum of 10' on one side for vehicle access and/or 10' on street side of corner lot or space.
3. Net acre means after deduction of existing and/or proposed rights-of-way.
4. Public or private streets, vehicle storage areas and exterior boundary landscaping shall not be located in this area.
5. Required yard setbacks are measured from any portion of the unit or accessory structures to the space lease line or lot line.
6. Setbacks are measured from required screen walls.
7. Minimum width of 28' for spaces not designated for park trailers or Manufactured Homes.
8. Manufactured home subdivisions may be approved for use as part of an infill site when approved in conjunction with an ID-1 or ID-2 zoning district, as per Chapter 12 of this Title. When the ID-1 or ID-2 zoning is used to authorize a Manufactured Home Subdivision, the project site may be less than 10 acres.

11-34-4: - DEVELOPMENT REQUIREMENTS

A. Requirements for Recreational Vehicle Parks and Subdivisions.

1. A minimum of 5% of the required recreational area shall be enclosed within a recreation hall or building. Public or private streets, vehicle storage areas, and exterior boundary landscaping areas shall not be included when calculating required recreational area.
2. Landscaping shall be provided in accordance with the default landscape requirements of Chapter 33, Landscaping, for a project located in a RM, Multiple Residence district, unless a different character designator is approved by City Council for the site.
3. A 6 foot high masonry screen wall shall be required along all park and subdivision boundaries. Such wall shall be placed on the interior side of the required landscape strip.
4. Access to lots or spaces shall be from the interior of the park or subdivision.
5. Private streets shall be paved to a minimum width of 28 feet including required sidewalks when flush with the surface of the paving.
6. Concrete sidewalks at least 2 feet in width shall be provided on each side of interior private streets.
7. Required parking spaces shall be paved with either 2 inches of asphalt or 4 inches of concrete.

B. Requirements for Manufactured Home Parks and Subdivisions.

1. All room additions shall be structurally independent of the Manufactured Home itself but may be attached to the Manufactured Home by weather stripping.
2. Landscaping on the perimeter of the site shall be provided in accordance with the default landscape requirements of Chapter 6, Commercial and Mixed Use Districts, and Chapter 33, Landscaping, for a project located in a RM, Multiple Residence district, unless a different character designator is approved by City Council for the site.
3. A 6 foot high masonry screen wall shall be required along all park and subdivision boundaries. Such wall shall be placed on the interior side of the required landscape strip.
4. Access to lots or spaces shall be from the interior of the park or subdivision.
5. Private streets shall be paved to a minimum width of 32 feet including required sidewalks when flush with the surface of the paving.
6. Concrete sidewalks at least 2 feet in width shall be provided on each side of interior private streets.
7. Required parking spaces shall be paved with either 2 inches of asphalt or 4 inches of concrete.

C. Additional Requirements for Manufactured Home Parks. A minimum of 10% of the required recreational area shall be enclosed within a recreation hall or building. Public or private streets, vehicle storage areas, and exterior boundary landscaping areas shall not be included when calculating required recreational area.

11-34-5: - GENERAL PROVISIONS

A. Locations Outside of Parks and Subdivisions.

1. Permitted uses for Manufactured Homes or Recreational Vehicles outside of a park or subdivision are limited to the following:
 - a. As a sales office for Manufactured Home or Recreational Vehicle sales.
 - b. With approval of a Special Use Permit pursuant to Chapter 70 Conditional Use Permits, as quarters for a night watchman or caretaker, provided no person other than the night watchman or caretaker shall occupy the unit.
 - c. As a construction field office for use by contractors while a permanent building is under construction.
 - d. As a temporary place of business for the owner or lessee during the course of construction of a new building on the site, or during remodeling of an existing building or tenant space.
 - e. As a temporary sales office for the sale of homes in a conventional subdivision.
 - f. As staff residences for comprehensive youth residences as defined by Chapter 87, Definitions, limited to Manufactured Homes only, and subject to the approval of a Special Use Permit in accordance with Section 11-5-8, Comprehensive Youth Residence, and Chapter 70 Conditional Use Permits.
2. Prior to the use of a Manufactured Home or Recreational Vehicle for Items 1.b, 1.c, 1.d, and 1.e (above) enumerated in this Section, an Administrative Use Permits for the unit shall be obtained from the Building Safety Division, and the Use Permit shall be nontransferable from one owner or lessee to another.
 - a. Except Item 1.d (above), the Use Permit shall expire on December 31 of each year, unless earlier revoked. A Use Permit fee shall be collected when the Use Permit is issued.
 - b.

Use Permits issued for Item 1.d (above) shall be valid for the duration that a building permit associated with the building or remodeling activity remains active. In the event that no building permit is required, then the Use Permit shall remain valid for a maximum of 6-months, and may be renewed once if the applicant can demonstrate to the Zoning Administrator that the remodeling activity remains on-going and active.

- B. Temporary Parking.** Manufactured homes and Recreational Vehicles shall not be parked, stored, or occupied on any property which is not part of an approved Manufactured Home or Recreational Vehicle Park, subdivision, sales, or storage lot or approved under this Chapter. Temporary Parking of a Manufactured Home or Recreational Vehicle outside of an approved Manufactured Home Park, Manufactured Home Subdivision, Recreational Vehicle Park or Recreational Vehicle Subdivision is limited to the following:
1. Emergency parking of a Manufactured Home, Recreational Vehicle, or Recreational Vehicle Park model for a period of no longer than one (1) hour is permitted on any public thoroughfare subject to the provisions of the parking and traffic regulations of the City of Mesa.
 2. The temporary parking of a Recreational Vehicle on a public street in a residential area for the purposes of loading, unloading, or cleaning for a period of time not to exceed 48 hours shall also be permitted subject to the parking and traffic regulations of the City of Mesa and provided the vehicle is not parked so as to create a traffic hazard or obstruct traffic visibility.
 3. On-site parking or storage of a Recreational Vehicle in accordance with the following, provided such Recreational Vehicle is not used for living quarters or commercial purposes:
 - a. Within an enclosed accessory building or garage in all zoning districts.
 - b. Where outdoor storage is otherwise allowed in the commercial and industrial districts.
 - c. On residential lots containing less than 5 dwelling units:
 - i. For Lots of a minimum 15,000 sq. ft. or greater, anywhere within the buildable area behind the front line of the dwelling unit; or anywhere within the rear yard; or in the side yard behind the front line of the dwelling unit provided such Recreational Vehicle does not exceed 40-ft. in length exclusive of tongue.
 - ii. For Lots less than a minimum 15,000 sq. ft. or greater, anywhere within the buildable area behind the front line of the dwelling unit; or anywhere within the rear yard; or in the side yard behind the front line of the dwelling unit provided such Recreational Vehicle does not exceed 30 ft. in length exclusive of tongue.
 - iii. A Recreational Vehicle parked in the side yard which exceeds 6 feet in height as measured from grade and is visible from a public street shall be screened from such public street by a 6 ft. high opaque fence.
 - d. On residential lots containing 5 or more dwelling units: only on an approved parking space; or within an approved, designated storage area.
 4. The temporary parking of a Recreational Vehicle in the front yard on a residential lot for the purposes of loading, unloading, or cleaning shall be permitted for a period of time not to exceed 72 hours provided the Recreational Vehicle is not used for living quarters or business purposes. While temporarily located as provided herein, the Recreational Vehicle shall not be parked so as to obstruct traffic visibility.
- C. Conversion.** The conversion of an existing Manufactured Home or Recreational Vehicle Park to another residential use shall be subject to approval set forth in the amendment requirements established in Chapter 67 Common Procedures. When an existing Manufactured Home or Recreational Vehicle Park is converted to another residential use, the area so converted shall be zoned to limit the number of dwelling units per area that can be constructed thereon to a density compatible with existing residential development in the surrounding area.
- D. Permits.**
1. It shall be unlawful for any person to install a Manufactured Home, park trailer, Recreational Vehicle awning, Recreational Vehicle patio enclosure, Manufactured Home room addition, or any electrical, plumbing, or mechanical component without first obtaining a permit or permits from the Building Official or his designee as specified in Mesa Administrative Code, Title 4, Chapter 1 of the Mesa City Code.
 2. No person shall install any park trailer or Recreational Vehicle awning or construct any Recreational Vehicle patio enclosure without approval of the property owner, the owner's agent, or other authorized representative.

(Ord. No. 5943, § 4, 6-2-25)

CHAPTER 35 - ANTENNAS AND WIRELESS COMMUNICATIONS FACILITIES

11-35-1: - PURPOSE

The purpose of this Chapter is to provide a comprehensive set of requirements and standards for the development, siting, installation, and operation of wireless communications antennas and related facilities. These regulations are intended to protect and promote public safety, community welfare, and the aesthetic quality of the city consistent with the goals, objectives, and policies of the General Plan while providing

for managed development of wireless telecommunications infrastructure, consistent with the Federal Telecommunications Act of 1996 and related requirements in State law. The specific objectives of this Chapter are to:

- A. Establish regulations and guidelines for the governance of wireless telecommunications facilities that recognize the unique land use distribution, topography, and aesthetics of the community while preserving the rights of wireless telecommunications providers;
- B. Protect residential areas and land uses from visual blight, safety impacts associated with attractive nuisance, and degradation of residential character;
- C. Promote the location of towers in non-residential areas and minimize the total number of towers throughout the community;
- D. Establish the joint use of new and existing tower sites as a primary option instead of construction of single-use towers;
- E. Locate towers and antennas in areas where the overall impact on the community is minimal, now and in the future; to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful aesthetic design, siting, landscape screening, and innovative camouflaging techniques;
- F. Enhance the ability of providers of wireless telecommunications services to construct necessary infrastructure to provide such services to the community quickly, effectively and efficiently;
- G. Avoid potential damage to adjacent properties from tower failure through careful siting of tower structures;
- H. Create and preserve telecommunication facilities that will serve as an important and effective part of the City's emergency response network;
- I. Promote fair and effective wireless communication services and ensure that a broad range of competitive wireless services with high quality telecommunications infrastructure are available to serve the community; and,
- J. Establish preferred locations and design preferences for the siting of telecommunications infrastructure.

11-35-2: - APPLICABILITY; EXCEPTIONS

The regulations in this Chapter apply to all antennas and wireless communications facilities on property, other than the public right-of-way, with the following exceptions:

- A. **Amateur Radio Antennas.** Amateur radio antennas that do not exceed 75 feet in height when fully extended, are owned and operated by a federally-licensed amateur radio station operator who resides on the same property, and comply with the following requirements:
 - 1. Not located in the area between the front of a building and the front lot line or side street lot line or any required parking or loading area;
 - 2. Not exceeding a height of 10 feet within in a required side yard or required rear yard, or in any parking or loading area; and,
 - 3. Not more than one antenna structure on a lot may exceed a height of 30 feet.
- B. **Broadcast Antennas.** Direct broadcast, one-way multipoint distribution services, and television broadcast antennas that are one meter (39 inches) or less in diameter or diagonal measurement and are not located in the area between the front of a building and the front lot line, in a required side yard or required rear yard, or in any parking or loading area; and do not extend above the maximum permitted height of the zoning district.
- C. **Receive-only Antennas for Residential Uses in Any District and Non-Residential Uses in Residential Districts.** A single ground or building-mounted receive-only radio or television antenna that does not exceed the maximum height permitted in the district where it is located and is for the sole use of a resident who resides on the same property, including any mast, or a receive-only radio or television satellite dish antenna, subject to the following restrictions:
 - 1. **Satellite Dish One Meter or Less.** A satellite dish one meter or less in diameter is allowed if it is not located in a required front yard or any other yard abutting a street and is not closer to the front lot line than the front line of the primary dwelling or other principal building subject to the following requirements, unless the Zoning Administrator approves an exception as provided for in [Chapter 66](#):
 - a. Maximum height of 10 feet within a required side or rear yard;
 - b. Maximum height of 75 feet within the buildable area of the lot; and,
 - c. Not more than one such structure per lot shall exceed a height of 30 feet.
 - 2. **Satellite Dish Greater than One Meter.** A satellite dish greater than one meter in diameter is allowed if it is not located within a required front yard or side yard abutting a street, and is screened from view from any public right-of-way and adjoining property.
- D. **Receive-only Antennas Non-Residential Districts.** A single ground or building-mounted receive-only radio or television antenna that does not exceed the maximum height permitted in the district where it is located and is for the sole use of a legally established business or other non-residential occupant of the same property, including any mast, or a receive-only radio or television satellite dish antenna, subject to the following restrictions:
 - 1.

Satellite Dish Two Meters or Less. A satellite dish that does not exceed 2 meters in diameter is permitted anywhere on a lot in a mixed use, commercial or industrial district so long as the location does not reduce required parking, diminish pedestrian or vehicular access, or require removal of landscaping maintained as a condition of project approval. If more than one satellite dish of 2-meters or less is used for the same tenant, the dishes shall be screened from public view by a parapet or screening wall.

2. **Satellite Dish Greater than Two Meters.** A satellite dish greater than 2 meters in diameter is permitted provided that it is not located within a required front yard or side yard abutting a street and is screened from view from any public right-of-way and adjoining property.

E. **Pre-existing Towers.** Any tower or antenna for which a permit has been properly issued that was lawfully erected prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance unless there has been a cessation of operations for 6 months. These towers and antennas shall be referred to in this Ordinance as "pre-existing" towers or antennas and are allowed to continue as they presently exist, but will be considered lawful nonconforming legal uses subject to the Chapter 36, Non-Conforming Uses, Structures, and Lots. Maintenance, reasonable repairs and alterations to existing towers and antennas are permitted if they do not enlarge or extend the tower structure or equipment enclosures or change the number, type, dimensions, power rating, or frequency range of the antenna or antennas. New facilities and all other alterations, modifications, and additions shall comply with the requirements of this Chapter.

F. **Exemptions.**

1. Any antenna or wireless communications facility that has been established pursuant to a permit issued by the Federal Communications Commission (FCC) when such permit or the FCC rules and regulations specifically provide that the antenna or facility is exempt from local regulation.
2. Any wireless communications facility or antenna structure that is designed and used exclusively for public safety purposes.

11-35-3: - GENERAL REQUIREMENTS

- A. **Federal or State Requirements.** All towers and antennas must meet or exceed current standards and regulations of the FCC, the Federal Aviation Administration (FAA), and any other agency of the State or Federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this Chapter shall bring such towers and antennas into compliance with such revised standards and regulations within 6 months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling State or Federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
- B. **Building Codes and Safety Standards.** To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable State or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time.

11-35-4: - APPLICATION REQUIREMENTS

In addition to meeting the standard application submittal requirements for zoning clearances specified in Chapter 68, Zoning Clearance, or for Special Use Permit specified in Chapter 67, Common Procedures, and Chapter 70, Conditional Use Permits, applications for wireless communications facilities shall include the following:

- A. **Pre-application Meeting Required.** A pre-application conference with the City Zoning Administrator, or their designees, is required prior to submittal of an application for wireless telecommunications facility, or proposed modifications to existing facilities. A minimum of one week before the meeting, the applicant shall provide a description of the location of the facility, a conceptual summary of the project, and a draft sketch of the site plan and elevation of the project. At the pre-application meeting, the Zoning Administrator or designee shall provide a list of submittal requirements for that project, based on the requirements of this Ordinance, the land use activities occurring at this site and in the immediate proximity of the site, suggestions for increasing the compatibility of the facility with the existing or planned activities taking place on surrounding properties, and increasing the aesthetic quality of the facility
- B. **Map and Inventory of Existing Sites.** Each applicant for an antenna or antenna structure shall provide to the Planning Division an inventory of the service provider's existing facilities that are either within the jurisdiction of the City or within one-quarter mile of the City's border, including a map showing the location of the provider's existing facilities that serve customers in Mesa and adjacent areas and the specific site that is the subject of the application. The inventory shall provide specific information about the location, height, power rating, frequency range, and design of each facility or tower structure. The Planning Division may share such information with other applicants applying for administrative approvals or use permits under this Chapter or other organizations seeking to locate antennas within the jurisdiction of the City; provided, however, that the Planning Division is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

C. Description of Proposed Facility. Each applicant shall provide:

1. A site plan, plans, and elevations drawn to scale that identify all antennas by type (e.g. microcell; ground- building- or roof-mounted, etc.) and all related equipment. Elevations shall include all structures or locations on which facilities are proposed to be located.
2. A description of the proposed approach for screening or camouflaging all facilities from public view including plans for installation and maintenance of landscaping, sample exterior materials and colors, and an explanation of the measures by which the proposed facility will be camouflaged or rendered not readily visible. If any part of the proposed facility would be readily visible, the application shall explain why it not possible to further reduce its visual impact. Any representation that the use of state of the art design techniques and technology is not feasible shall be supported by technical and financial analysis.
3. If any part of the facility will be readily visible from the public right-of-way or from surrounding properties, a visual impact analysis of the proposed wireless communications facility, including scaled elevation diagrams within the context of buildings on and adjacent to the site of the facility, before and after photo simulations, and a map depicting from where the photos were taken. The Zoning Administrator may require the submission of photo overlays, scaled models, renderings, or mockups to document the effectiveness of techniques proposed to minimize visibility of the facility.
4. When an applicant proposes anything other than the most favored siting and design approach based on the preferences and priorities established in Section 11-35-5(A) and (B), the application must include technical information demonstrating that a higher ranked option is not technically feasible in light of the provider's service objectives.
5. If a new ground-mounted facility or a tower is proposed, the application must include an explanation as to why co-location or other facility types are not feasible to meet the provider's service objectives.

D. Compliance Verification. Each applicant shall provide:

1. Copies of, or a sworn statement by an authorized representative of the applicant, that applicant holds all applicable licenses or other approvals required by the Federal Communications Commission (FCC) and any other agency of the Federal or State government with authority to regulate telecommunications facilities that are required in order for the applicant to construct the proposed facility.
2. Documentation of, or a sworn statement by an authorized representative of the applicant, that applicant is in compliance with all conditions imposed in conjunction with such licenses or approvals, a description of the number, type, power rating, frequency range, and dimensions of antennas, equipment cabinets, and related wireless communications facilities proposed to be installed, and engineering calculations demonstrating that the proposed facility will comply with all applicable FCC requirements and standards.

E. Peer Review. The application shall include sufficient information for an approved radio frequency specialist or electrical engineer specializing in Electromagnetic Field (EMF) or Radio Frequency Radiation (RFR) studies (hereinafter, "an approved specialist") retained by the City to provide peer review of the information submitted in response to subdivisions C and D of this Section.

1. The application shall also include an agreement to pay the reasonable actual cost and a reasonable administrative fee for hiring an approved specialist to provide peer review.
2. Any proprietary information disclosed to the City or its specialist in confidence is not intended to be included in a public record and shall remain confidential and not be disclosed to any third party without the express consent of the applicant unless such disclosure is required by law. The City and/or its specialist shall return all proprietary information to the applicant and not retain any copies of such information once its decision is final. Notwithstanding the above, information provided to the City may be subject to public disclosure under the Arizona public records law.

F. Financial Assurances. Prior to obtaining a building permit to erect or install the proposed facility, the applicant shall either secure a bond or provide financial assurances, in a form acceptable to the City Manager, for the removal of the facility in the event that its use is abandoned or the approval is otherwise terminated.

G. Other Information. The Zoning Administrator may request additional information when it is deemed necessary to process the application in compliance with the requirements of this Chapter. This may include, but is not limited to,

1. Information concerning noise that might be generated by equipment associated with a wireless telecommunication facility, such as air conditioning equipment,
2. Photographs of the existing circumstances and context found at the proposed facility to assess what if any conditions may be needed to assure compatibility with surrounding land uses.
3. Additional photographic simulations from site angles specified by the Zoning Administrator.
4. General information about potential alternative sites considered in addition to the proposed location.

H.

Site Plan Review Required. Any application proposing the placement of communications equipment on or within architectural forms added to existing structures and which may involve a height exception that requires review by the Planning & Zoning Board shall be made in accordance with the procedures in Chapter 69, Site Plan Review, of this Ordinance.

11-35-5: - LOCATION, DESIGN, AND OPERATION REQUIREMENTS

The following requirements apply to all wireless communications facilities that are not exempt from regulation under this Chapter unless the decision-making authority approves a Special Use Permit pursuant to Chapter 70, Conditional Use Permits.

A. Location Preferences. The preferred locations for wireless communication facilities are in the following order:

1. On existing non-residential structures such as buildings, communication towers, or utility facilities located more than 300 feet from a residential zone, without modification to the structures.
2. On existing signal, power, light or similar kinds of permanent poles located more than 300 feet from a residential zone.
3. Co-located with existing wireless telecommunication facilities that conform to the requirements of this Ordinance.
4. Limited, General and Heavy Industrial Districts sites more than 300-feet from a residential zone.
5. Camouflaged, stealth, or building-mounted facilities in Limited and General Commercial Districts or in Planned Employment Park Districts.
6. Camouflaged, stealth or building-mounted facilities on non-residential structures, including monopoles, in any Agricultural or Residential District.

B. Design Preferences. The preferred design approaches for new wireless communication facilities are in the following order:

1. Building or structure mounted antennas designed and sited to be completely concealed from view or not readily visible because of integration into design of non-residential buildings or structures erected and approved for use other than as wireless telecommunications support. Examples of antennas completely integrated into the structure include existing parapet replacements, bell towers, steeples, clock towers and cupolas.
2. Building or structure mounted antennas set back from roof edge, concealed and not visible from the public right-of-way or from surrounding residential properties or minor faux-structural alterations. Examples include faux penthouses and parapet additions.
3. Building or structure mounted antennas below roof-line (façade mount, pole mount) visible from public right-of-way but artistically integrated into the existing structure and painted to match existing structure.
4. Freestanding camouflaged structures visible from public right-of-way and from surrounding residential properties. Examples include steeples, sculptures and clock towers.
5. Building or structure mounted antennas above the roof-line visible from public right-of-way or from surrounding residential properties behind frequency- transparent panels.
6. Freestanding stealth tree, such as monopalm.
7. Freestanding monopoles or other antenna towers.

C. Location of Facilities. Wireless telecommunication facilities shall be located where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening and in compliance with the following requirements.

1. No new facility shall be sited on or above a ridgeline.
2. Within Residential and Mixed Use Districts, no new freestanding antenna structure, including towers, lattice towers, and monopoles, shall be located within 1,000 feet of another freestanding facility unless mounting on a building or co-location on an existing pole or tower is not feasible and techniques have been used to camouflage, screen, or otherwise minimize the visual impact of the facility to the extent feasible.
3. Within Commercial and Employment Districts, new freestanding antenna structures, including towers, lattice towers, and monopoles, may be located within 1,000 feet of another freestanding facility, provided a stealth or camouflaged design is used.
4. Ground-mounted wireless telecommunication facilities shall be located in close proximity to existing above-ground utilities, such as permanent electrical towers, light poles, trees of comparable heights, and in areas where they will not detract from the appearance of the City.
5. Facilities may only be located on a property zoned for a residential or agriculture use if the antennas, antenna structures, and all related equipment can be sited to comply with the setback and separation requirements of this Chapter. Exceptions of up to 30% of the setback and up to 75% of the separation requirements may be considered as part of a Special Use Permit request when the application includes stealth or camouflaged facilities.

- D. **Height of Facilities.** The height limitations for each zoning district applicable to buildings and structures shall apply to all towers and antennas that are not exempt from regulation except as provided in this Chapter. The height of building-mounted antennas shall include the height of that portion of the building on which the antenna is mounted. In determining the height of portable "crank-up" or similar towers whose height is adjustable, the height of the tower shall be the maximum height to which it is capable of being raised.
1. Roof-mounted or facade-mounted antennas proposed on an existing building, or on a tower, pole or other structure shall not extend or project more than 15 feet above the existing height of the building or structure.
 2. Antenna support equipment for stand-alone facilities (not attached to a building) shall be screened by a minimum 6-foot high masonry wall unless placed within a fully enclosed building. When placed in a building, the building design shall be no taller than one (1) story or 15 feet in height with elevations designed and constructed in a manner compatible with building designs typically found in the area.
 3. Antenna support equipment that is roof mounted shall meet the screening requirements specified in Section 11-30-9 of this Ordinance.
- E. **Required Separation and Setbacks.** Antenna structures and antennas that are not exempt from regulation under this Chapter shall be setback from property lines and separated from other antenna structures in compliance with the following requirements.
1. Antenna structures other than alternative antenna structures must be set back from any property in residential use a distance equal to the twice the height of the structure. Alternative antenna structures shall be setback from residential uses a distance equal to the height of the structure plus one (1)-foot.
 2. Antenna structures, including alternative antenna structures, must be set back from public right-of-way a distance equal to the height of the structure plus one foot.
 3. In Non-Residential Districts, all free-standing antenna structures, except for alternative tower structures, must be at least 1,000 foot feet from another free-standing antenna structure, unless appropriate camouflage or stealth techniques have been used to minimize the visual impact of the facility to the extent feasible and mounting on a building or co-location on an existing facility is not feasible.
 4. All wireless communications facilities and related equipment shall comply with the required building setbacks for the zoning district in which the facility is located. However, in no instance shall the facility (including antennae and equipment) be located closer than 5 feet to any property line. Exception: Antenna support equipment that is not placed within enclosed buildings provided the surrounding security wall complies with the maximum fence height requirements as found in Section 11-30-4, Fences and Freestanding Walls.
- F. **Design Standards.** Antennas, antenna support structures, and related equipment shall be located, designed and screened to blend with the existing natural or built surroundings and existing supporting structures.
1. Facilities that are not camouflage or stealth shall close mount all panel antennas.
 2. Stealth or camouflaged facilities shall not have antenna mounts that extend beyond the outside edge of the materials used to provide the stealth or camouflage design.
 3. When freestanding, non-stealth tower elements are used, antennas and support structures, where utilized, shall be monopole type.
 4. Monopole support structures shall not exceed 4 feet in diameter unless technical evidence is provided showing that a larger diameter is necessary to attain the proposed tower height and that the proposed tower height is necessary.
 5. Wireless telecommunications facility support structures and antennas shall be a non-glossy color and/or exterior finish so as to minimize visual impacts from surrounding properties. Example: galvanized steel for freestanding, non-stealth facilities; fiberglass artificial bark cladding for stealth tree-like facilities.
 6. All facilities shall be designed and located to minimize their visibility to the greatest extent feasible. All wireless telecommunications facilities proposed for locations where they would be readily visible from the public right-of-way or from the habitable living areas of residential units within 100 feet shall incorporate appropriate techniques to disguise the facility and/or blend into the surrounding environment, to the extent feasible. Facilities shall be compatible in scale and integrated architecturally with the design of surrounding buildings or the natural setting.
 7. No telecommunications antenna or ancillary support equipment shall be located within a front or corner side setback except for facilities that are completely placed within sub-grade vaults no higher than the maximum height of a fence within a street or front setback, pursuant to Section 11-30-4, Fences and Freestanding Walls.
 8. Support structures and site areas for wireless telecommunications antenna shall be designed and of adequate size to allow at least one additional wireless service provider to co-locate on the structure. Stealth facilities are exempted from this requirement.
 9. Towers shall not be artificially lighted unless required by the FAA or other applicable government authority. All objects affecting navigable airspace must comply with Federal Aviation Regulation Section 77 and must be in conformance with the current restrictions for land within one mile of a runway.

All proposed fencing shall be constructed of masonry, and provide decorative texture, color and design in a manner compatible with the adjacent buildings and properties within the surrounding area and shall be designed to limit graffiti.

11. Within the Desert Uplands area, as defined on page 33 in Section 9-6-5(A) of the Mesa City Code, Desert Uplands design standards shall apply, including compatibility of stealth and camouflage facilities with the list of approved landscape plant materials.
- G. **Required Signs.** A permanent, weather-proof identification sign, approximately 16 inches by 32 inches in size, must be placed on the gate of the fence surrounding the facility or, if there is no fence, on the facility itself. The sign must identify the facility operator(s), provide the operator's address, and specify a 24-hour telephone number for reaching the operator or an agent authorized to provide 24/7 response to emergency situations.
- H. **Required Landscaping.** Sites with antennas, antenna support structures, and related equipment shall be landscaped with a buffer of plant materials that effectively screens views of the base of support structures and equipment facilities from adjacent residential property or from any public right-of-way, path or trail.
 1. The standard buffer shall consist of a continuous landscaped strip with a minimum radius of 4 feet around the perimeter of the installation.
 2. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, towers sited on large lots, natural vegetation around the property perimeter may serve as a sufficient buffer.
 3. Street trees and other landscaping may be required for telecommunications facilities proposed on lots lacking street frontage landscaping.
 4. As determined by the context of the site and design preference proposed, additional landscaping, such secondary plantings of trees similar in appearance to the stealth design of the telecommunications facility, may be conditioned as part of the approval to mitigate the visual impact of the facility.
- I. **Operation and Maintenance Standards.** All wireless communications facilities shall at all times comply with the following operation and maintenance standards.
 1. Wireless telecommunications facilities and related equipment, including lighting, fences, shields, cabinets, and poles, shall be maintained in good repair, free from trash, debris, litter, graffiti and other forms of vandalism, and any damage from any cause shall be repaired as soon as reasonably possible so as to minimize occurrences of dangerous conditions or visual blight. Graffiti shall be removed from any facility or equipment as soon as practicable, and in no instance more than 48 hours from the time of notification by the City.
 2. The owner or operator of a facility shall be responsible for maintaining landscaping in accordance with the approved landscape plan and for replacing any damaged or dead trees, foliage, or other landscaping elements shown on the approved plan. Amendments or modifications to the landscape plan shall be submitted to the Zoning Administrator for approval.
 3. Each facility shall be operated in a manner that will minimize noise impacts to surrounding residents and persons using nearby parks, trails, and similar recreation areas.
 - a. Except for emergency repairs, testing and maintenance activities that will be audible beyond the property line shall only occur between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, excluding holidays.
 - b. All air conditioning units and any other equipment that may emit noise that would be audible from beyond the property line shall be enclosed or equipped with noise attenuation devices to the extent necessary to ensure compliance with applicable noise limitations in Title 6, Chapter 12 of the Mesa City Code.
 - c. Backup generators shall only be operated during periods of power outages or for testing. Any testing of the backup generators should occur during daylight hours.
 - d. For the protection of emergency response personnel, each telecommunications facility shall have an on-site emergency "kill switch" to de-energize all RF-related circuitry and components at the site. For collocation facilities, a single "kill switch" shall be installed that will de-energize all carriers at the facility in the event of an emergency.

11-35-6: - REVIEW AND APPROVAL PROCEDURES

- A. The following wireless communication facilities are permitted by right with a Zoning Certificate issued under the provisions of Chapter 68, Zoning Clearance, if they comply with all applicable requirements of Section 11-35-5. All other facilities that are not exempt from regulation require approval of a Special Use Permit by the Zoning Administrator or Board of Adjustment, pursuant to Chapter 70, Conditional Use Permits and this Section:
 1. The following facilities when located on a property in non-residential use in any Commercial or Industrial District:
 - a. Any microcell facility.

- b. Any antenna that is mounted on any existing building or other structure when the overall height of the antenna and its supporting tower, pole or mast does not exceed the maximum height of zoning district in which it is located, or when attached to existing street light, or utility poles.
 - c. Any camouflaged facility designed and built to appear as an architectural element of an existing building, or as an architectural structure designed to be consistent with the approved design theme for the development site, provided:
 - i. All materials and design elements used in the camouflaged design are compatible with the approved materials, colors and design of the buildings and structures used for the development site;
 - ii. The overall height of the camouflaged facility is no higher than twice the maximum height permitted for the zoning district;
 - iii. The facility is a minimum distance of twice the proposed height of the facility from a Residential Zoning District.
 2. The following facilities when located on a property in non-residential use in any Industrial District:
 - a. Any free standing antenna structure and its supporting tower, pole, or mast that complies with all applicable setback ordinances, provided:
 - i. The overall height of the antenna and its supporting structure does not exceed a height of 70-feet; and
 - ii. The location of the facility is a minimum of 300-feet from a residence.
 - b. Freestanding Stealth facilities provided the overall height of the facility (not including stealth related masking features for antennas and antenna mounts) and its supporting structure does not exceed and height of 70- feet.
 3. The following facilities when located on a property in any zoning district:
 - a. Any building mounted facility, including roof mounts and wall mounts, provided any additional height required for the facility is less than 15- feet above the height of the existing building.
 - b. Any co-located facilities mounted on existing freestanding poles or towers, provided:
 - i. Any additional height required for the facility is less than 15-feet above the initial approved height of the pole or tower;
 - ii. The existing number of communication providers with facilities on the pole does not exceed 3. Co-location of a fourth provider shall require approval of a Special Use Permit.
 4. Undergrounding Required. All wires and/or cables necessary for operation of an antenna shall be placed underground or attached flush with the surface of the building or the structure of the antenna.
- B. All requests for Special Use Permit, height exceptions, or Zoning Clearance review shall follow the procedures set forth in Article 7, Administration, and the following requirements:
1. Any application that proposes construction of a new antenna structure or alternative tower structure or placement of a new antenna on an existing structure of any type shall require a pre-application meeting with Planning Division staff. This meeting is intended to provide significant preliminary information on the project, discuss development alternatives, and determine the appropriate review procedure.
 2. Any application that proposes construction of a new antenna structure or alternative tower structure or involves the placement of any type of communications equipment on or within an architectural form that requires an exception to a height limit shall require review by the Planning & Zoning Board.
- C. The Zoning Administrator may approve the following modifications to existing structures provided the modification is consistent with the requirements of this Chapter and any applicable conditions of approval of a Special Use Permit.
1. The use of a single tower by multiple carriers unless conditions of the Special Use Permit specify otherwise.
 2. An increase in the height of an existing antenna support structures that does not exceed 10 feet, provided, the increase in height is used to facilitate the co- location of another communications provider on the same structure and does not exceed the maximum height set forth in other applicable City requirements for a tower on that site.
 3. An application for building-mounted equipment provided the request is consistent with the requirements of this Chapter and other applicable City requirements and will not increase the height of an existing structure by more than 15 feet.
- D. Approval of a Special Use Permit by the Zoning Administrator acting as a Hearing Officer or Board of Adjustment is required for the following:
1. Any proposal for a new, freestanding communications facility or to increase the height of an existing antenna support structure greater than 15-feet in any agricultural or residential district;
 2. Any application for a building or roof-mounted structure that would exceed the height of the existing structure by more than 15 feet, except applications as listed in Paragraph A, above; and
 3. Any application that proposes an exception to any applicable requirement in Section 11-35-5.
- E.

In addition to any other findings that this Ordinance requires, in order to approve any Special Use Permit for a facility subject to regulation by this Chapter, the decision-making authority must find, based on substantial information in the record including, where required, technical analysis by an approved radio frequency engineers, calculations by a State-licensed structural engineer, or other evidence that:

1. The proposed telecommunication facility will comply with all applicable state and federal standards and requirements;
 2. The proposed project is consistent with the general requirements of this Chapter and any specific requirements applicable to the proposed facility;
 3. The proposed antenna or related facility, operating alone and in conjunction with other telecommunications facilities, will comply with all applicable state and federal standards and requirements; and either:
 - a. Will not be readily visible; or
 - b. Will be readily visible, but it is not feasible to incorporate additional measures that would make the facility not readily visible.
 4. The facility, if it is not a microcell or co-located, is necessary to prevent or fill a significant gap in coverage or capacity shortfall in the applicant's service area, and is the least intrusive feasible means of doing so;
 5. If the proposed facility is a satellite dish or parabolic antenna exceeding 39 inches in diameter, that a smaller or less intrusive antenna cannot feasibly accomplish the provider's technical objectives and that the facility will not be readily visible;
 6. If a new antenna support structure is proposed or the applicant proposes to extend the height of an existing tower, that the applicant has made good faith and reasonable efforts to locate a telecommunication facility on a support structure other than a new monopole or lattice tower or to accomplish co-location and that no existing tower or structure in the vicinity can accommodate the applicant's proposed antenna;
 7. If a modification of height, separation, setback, landscaping or other requirements of Section 11-35-5 is proposed, that the proposed modification is consistent with the purposes of this Chapter and will be the least intrusive feasible means of meeting the service provider's objectives;
 8. If the proposed location is in a Residential district that the location is necessary for the provision of personal wireless services to Mesa residents and businesses, or their owners, customers, guests, or invitees, or other persons traveling in or about the City based on substantial evidence that siting the facility outside of a Residential district is infeasible and without the proposed facility, the operator will be unable to provide personal wireless services to its customers in the proposed coverage area, or unable to provide the capacity necessary to meet call volumes
 9. If the proposed location is readily visible from the habitable area of a dwelling unit within 300 feet or from a public right-of-way, public park, or other public recreation or cultural facility, that:
 - a. It is not feasible to provide the service at another location or to incorporate additional measures such as a decrease in height, increase in the number of number of facilities, increase in setback, change in design, relocation relative to other structures or natural features, that would further reduce its visibility; and
 - b. The proposed telecommunication facility provides an important link in applicant's service area build-out and is necessary to meet its service needs to City residents.
- F. The Zoning Administrator Hearing Officer or Board of Adjustment may waive or modify requirements of this Chapter upon advice of the City Attorney that denial of the application would have the effect of prohibiting the provision of telecommunications services, unreasonably discriminating among service providers, or constituting any other violation of State or Federal Law. The applicant shall have the burden of proving that the denial or requirement for compliance would violate applicable Federal or State Law.

11-35-7: - CESSATION OF OPERATIONS

- A. The service provider shall notify the Zoning Administrator of the intent to vacate a site at least 30 days prior to the vacation. The permit for any antenna or tower that is not operated for a continuous period of 12 months shall be deemed lapsed and the site will be considered abandoned unless:
 1. The Zoning Administrator has determined that the same operator resumed operation within 6 months of the notice; or
 2. The Planning Division has received an application to transfer the permit to another service provider.
- B. No later than 90 days from the date the use is discontinued, the owner of the abandoned antenna or tower or the owner of the property on which the facilities are sited shall remove all equipment and improvements associated with the use and shall restore the site to its original condition as shown on the plans submitted with the original approved application or as required by the Zoning Administrator. The provider or owner may use any bond or other assurances provided by the operator under Section 11-35-4(E) to do so. The owner or his agent shall provide written verification of the removal of the wireless communications facility within 30 days of the date the removal is completed.

- C. If the antenna or tower is not removed within the time limits stipulated in subsections A and B, the site shall be deemed to be a nuisance and Zoning Administrator may cause the antenna or tower to be removed at the owners' expense or by calling any bond or other financial assurance provided to the City under Section 11-35-4(E) to pay for removal. If there are 2 or more service providers using a single tower, then the abandonment period shall not begin until all service providers have ceased using the tower.

The requirement for removal of equipment in compliance with this Section shall be included as a provision in any lease of private property for wireless communication facilities.

CHAPTER 36 - NONCONFORMING USES, STRUCTURES, AND LOTS

11-36-1: - PURPOSE AND APPLICABILITY

This chapter establishes provisions for the regulation of nonconforming structures, uses, lots, and sites that were legally in compliance before the adoption or amendment of this Zoning Ordinance or previously adopted City ordinances or annexations into the City, but which would be prohibited, regulated, or restricted differently under the terms of this Zoning Ordinance or future amendments to the Zoning Ordinance or the Zoning Map.

11-36-2: - ESTABLISHMENT OF LEGAL NONCONFORMING USES, STRUCTURES, AND LOTS

- A. **Nonconformity.** Nonconforming status may result from any inconsistency with the requirements of this Ordinance including, but not limited to, location, density, floor area, height, yards, usable open space, buffering, screening, landscaping, provision of parking, performance standards, or the lack of an approved use permit or other required authorization.
- B. **Nonconforming Uses, Structures, and Lots.** Any legally established use, structure, or lot that is in existence on the effective date of this Ordinance, or any subsequent amendment, but does not comply with all of the standards and requirements of this Ordinance shall be considered legally nonconforming. Legally nonconforming uses, structures, and lots may only be continued subject to the requirements of this Chapter. This term means any building, structure, or use that was lawfully established and in compliance with all applicable ordinances and laws, but no longer complies with all applicable regulations and standards of development in the zone in which it is located.

11-36-3: - EXPANSION OF NONCONFORMING USES

- A. **Expansions to Other Structures and/or Lots.** A nonconforming use shall not be expanded to any other structure or lot that it did not occupy on the enactment date of this Ordinance.
- B. **Expansion Within a Conforming Structure.** A nonconforming use may be allowed to expand within the conforming structure it occupied on the enactment date of this Ordinance, subject to a SUP or CUP where required for the specific use, provided the subject structure complied with the requirements of this Ordinance and the requirements of the Building Code in effect on the date of the expansion.
- C. **Expansion within a nonconforming structure.** A nonconforming use shall not be allowed to expand in a structure that is nonconforming under this Ordinance.

11-36-4: - ABANDONMENT OF NONCONFORMING USES

- A. No legal nonconforming use may be resumed, reestablished, or reopened after it has been abandoned or vacated for a period of one (1) year or more.
- B. The Zoning Administrator shall determine whether the use was abandoned or vacated for a period of one year or more. The owner/operator of the use may provide evidence of continual operation of the use, such as monthly business receipts or tax returns showing business activity during the time period in question.

11-36-5: - CONTINUATION AND MAINTENANCE OF NONCONFORMING USES OR STRUCTURES

- A. **Right to Continue.** Any use or structure that was legally established prior to the effective date of this Ordinance or of any subsequent amendments to its text or to the Zoning Map may only be continued and maintained provided there is no alteration, enlargement, or addition to any building or structure; no increase in occupant load; nor any enlargement of the area, space, or volume occupied by or devoted to such use, except as otherwise provided in this Chapter. The right to continue a nonconforming structure shall attach to the land and shall not be affected by a change in ownership. No substitution, expansion, or other change, alteration or other change in structures is permitted, except as otherwise provided in this Chapter. Legal nonconforming structures may be repaired and/or maintained in compliance with the requirements of this Section unless deemed to be a public nuisance because of health or safety conditions.

B.

Structural Repairs. Structural repairs that do not enlarge or extend a nonconforming structure or nonconforming use, including modification or repair of bearing walls, columns, beams, or girders, may be undertaken only when the Building Official determines that such modification or repair is immediately necessary to protect public health and safety, occupants of the nonconforming structure, or occupants of adjacent property, and when the cost of such work does not exceed 50 percent of the construction value, exclusive of foundation, of the nonconforming structure. No other structural repairs may be made to nonconforming structures.

11-36-6: - DAMAGED OR PARTIALLY DESTROYED STRUCTURES

- A. A lawful nonconforming building or structure that is damaged or partially destroyed may be restored or rebuilt if the cost of repair or reconstruction does not exceed 50 percent of the construction value, exclusive of the foundation, of the building or structure. Replacement of the damaged portions of the building is allowed by right provided that the replaced portions do not exceed the size, extent, and configuration that previously existed.
- B. If the cost of repair or reconstruction exceeds 50 percent of the construction value, exclusive of the foundation, of the building or structure replacement, the land and building shall be subject to all of the requirements of this Ordinance. However, the Zoning Administrator may approve a Special Use Permit for the structure to be rebuilt to less than the size, extent, and configuration as previously existed as long as the previous use is continued or the original use is reestablished, as provided for in this Chapter.

11-36-7: - ALTERATIONS AND ENLARGEMENTS TO NONCONFORMING STRUCTURES

Nonconforming structures may be enlarged, extended, structurally altered, or repaired in compliance with all applicable laws, subject to the following provisions.

- A. The Zoning Administrator may approve alterations and enlargements that comply with the following:
 - 1. Alterations or enlargements necessary to meet City or state requirements; and
 - 2. Alterations or enlargements necessary to meet current requirements of the zone in which the structure is located.
- B. Alterations and enlargements that extend into a nonconforming yard or height limit may be approved through a Special Use Permit where the alteration or enlargement would not:
 - 1. Further reduce any existing nonconforming yard;
 - 2. Exceed applicable building height limits;
 - 3. Further reduce existing nonconforming lot coverage or floor area ratio requirements; and
 - 4. Increase the required number of off-street parking spaces unless parking is provided under current standards for the addition of the use only.
- C. Alterations or enlargements up to 50 percent of floor area of a legal, nonconforming single residence or duplex residence may be made without providing any additional parking space or changes to an existing driveway, provided that such alterations do not increase the number of dwelling units on the lot and a Special Use Permit is approved.
- D. Notwithstanding the requirements of subsection C, a second unit in compliance with this Ordinance may be developed on a lot that contains a nonconforming single-residence. If the single residence is nonconforming because it does not meet current parking standards, the second unit may only be established when parking is provided to meet the applicable requirements of this Ordinance for both the primary dwelling and the second unit.

ARTICLE 5 - SIGN ORDINANCE

CHAPTER 41 - INTRODUCTORY AND GENERAL PROVISIONS

Footnotes:

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Editor's note— Previously, Chapter 41 derived from Ord. No. 5457, 7-9-18.

11-41-1: - FINDINGS AND PURPOSE

- A. **Findings.** Signs can obstruct views, distract motorists, obstruct pedestrians or vehicular traffic flow, create a safety hazard, create aesthetic blight and visual clutter, and pose other problems that legitimately call for regulation.
- B.

Purpose. The purpose of this Sign Ordinance is to regulate the size, illumination, movement or appearance of movement, materials, location, height, and condition of all signs, as defined herein, and to allow and to promote sign communication in a manner that:

1. Preserves and protects public health, safety, and welfare within the City of Mesa;
2. Assure the use of a variety of sign forms designed to be sensitive to the context of the location, as a reasonable method of visual communication between groups and individuals;
3. Enhances the flow of traffic and the convenience, ease, and enjoyment of travel within the City of Mesa;
4. Restricts circumstances that might otherwise result in injury or damage because of distractions, or obstructions of vision attributable to sign placement or size, or to the illumination of signs that may become a source of undo glare, distraction, or light pollution;
5. Avoids visual clutter that may contribute to traffic accidents or is potentially harmful to vehicular traffic or pedestrian safety;
6. Promotes the aesthetic and environmental values of the community by providing for signs that do not impair property values, business opportunities, community appearance, or the attractiveness of the City as a place to visit, live, work, and shop;
7. Allows signs that are appropriate in scale to the zoning district in which they are located;
8. Provides for signs as an effective channel of communication, while ensuring that sign forms are aesthetically designed and proportioned in relation to adjacent structures on the same lot or development site, and that are compatible with their surroundings; and
9. Promotes the effectiveness of signs by preventing their overconcentration, improper placement, deterioration, and excessive size and number.
10. Supports and enhances commerce within the City.

11-41-2: - APPLICABILITY

A. **Subject of this Sign Ordinance.** All signs are subject to the provisions of this Sign Ordinance as it pertains to:

1. The allowance of signs (principally the number, form, material, size, and structure of signs);
2. The review and consideration of sign plans and permits;
3. The entitlement and issuance of permits;
4. The location and placement of signs on all buildings, structures, and land;
5. The integration of the design of signs with associated building architecture; and
6. The maintenance of signs.

B. **The provisions of this Sign Ordinance do not apply to the following:**

1. Address numbers as required by the Mesa Fire Code;
2. Government Signs;
3. Traffic Control Signs, Markings, and Devices;
4. Signs authorized by Arizona Revised Statutes;
5. Public Transportation Signs; and
6. Signs specified as mandatory by any provision of the Mesa City Code.

C. **Most Restrictive Provision Applies.** Except when otherwise authorized by an approved Council Use Permit, Special Use Permit, Administrative Use Permit, or Variance, the most restrictive provision shall prevail in cases in which two or more provisions of this Sign Ordinance appear to conflict.

D. **Controlling Document.** This Sign Ordinance is not intended to repeal, abrogate, annul, or in any way impair or interfere with other City provisions, allowances, or ordinances, except those specifically repealed by this Sign Ordinance. Where this Sign Ordinance imposes a greater restriction on a sign than is imposed or required by other Mesa City Codes, provisions, allowances, ordinance, the provisions of this Sign Ordinance control.

E. **Definitions Used.** Definitions for specific terms used in this Sign Ordinance are principally found in Chapter 50 of this Sign Ordinance. Additional definitions are also provided in Chapters 86 and 87 of the Zoning Ordinance, and in the Mesa City Code. Definitions not included in this Sign Ordinance, the Zoning Ordinance, or the Mesa City Code are as defined in a widely circulated dictionary commonly considered to be accurate and noteworthy.

F. **Effect on Previously Approved Sign Permits and Comprehensive Sign Plans.** All sign permits and comprehensive sign plans approved after January 1st, 1987, and in effect prior to the effective date of this Sign Ordinance, shall remain in effect. Signs authorized by such comprehensive sign plans shall be developed in accordance with the standards specified by that adopted sign plan, and any applicable

conditions or stipulations associated with the approval of that sign plan. The development standards and requirements of this Sign Ordinance apply if not specifically modified by the applicable adopted sign plan. The Zoning Administrator may approve minor modifications to approved plans, regarding specific design, height, number, or sign area, that do not exceed the maximums allowed by this Sign Ordinance.

11-41-3: - GENERAL REQUIREMENTS

All signs shall conform to the following requirements:

- A. **Building Regulations.** All signs, including portable signs and electric signs, shall conform to the requirements of the Mesa Building Code, Title 4 of the Mesa City Code.
- B. **Illumination.**
 - 1. The light source, direct or indirect, for a sign(s) is oriented or shielded so the light source is not directly visible from any adjacent residential use, or from a public thoroughfare.
 - 2. Direct illumination by incandescent sources shall:
 - a. Incorporate a dimming and/or a screening device when using bulbs rated at greater than eleven (11) watts, or equivalent measurement; and
 - b. Not exceed a rating of forty (40) watts, or equivalent measurement, for any individual bulb.
 - 3. No illuminated sign is placed or constructed on a vacant or undeveloped lot, or parcel.
 - 4. The following types of illumination are prohibited:
 - a. Flashing, blinking or rotating lights;
 - b. Metal halide lighting;
 - c. High or low-pressure sodium light bulbs; and
 - d. Mercury vapor light sources.
 - 5. Within the Desert Uplands Area (see Section 9-6-5 of the Mesa City Code for map), illuminated signs shall not exceed a 0.4-foot candle or equivalent light level.
 - 6. The illumination of any sign shall conform to the requirements of the Mesa Lighting and Electrical Code, Title 4 of the Mesa City Code.
 - 7. Outline illumination of buildings using a non-shielded or exposed illumination (neon, argon, LED or similar) source shall comply with Section 11-30-5-D of the Zoning Ordinance for Exposed Building Illumination.
- C. **Sound or Odor.** No sign shall emit a sound or odor.
- D. **Prohibited Placement and Locations of Signs.**
 - 1. Within, on, or projecting over the right-of-way, unless it is in the Downtown Pedestrian Area defined in Chapter 50.
 - 2. On public property.
 - 3. Placed in a manner that interferes with pedestrian movement or obstructs ADA access.
 - 4. Placed in a manner that obstruct the visibility of any authorized traffic sign, traffic signal, or another traffic control device.
 - 5. Affixed to fuel tanks, storage containers, or solid waste receptacles; except signs related to the manufacturer's or installer's identification, warning signs, and placards, and information otherwise required by law.
 - 6. Tacked, painted, burned, cut, pasted, or otherwise affixed to trees, shrubs, posts, fences, ladders, benches, or similar supports if visible from across the property boundary or from the right-of-way.
 - 7. Placed in a manner that prevents ingress or egress from any window or door, or other exit-way required by the Mesa Building Code, and amendments, or by the Mesa Fire Code.
 - 8. Covers the architectural features of a building, such as dormers, insignias, pilasters, soffits, transoms, trims, columns, or similar architectural elements or devices.
 - 9. Placed on the roof of a building or extends higher than the highest point of the portion of the building to which the sign is attached.
 - 10. Attached to a standpipe, gutter, drain, or fire escape, or placed in a manner that impairs roof access.
 - 11. Located contrary to the standards of horizontal and vertical clearance from electrical wires and conductors found in the Mesa Lighting and Illumination Code, and the National Electrical Code Safety Standards.
- E. **Signs for Nonconforming Uses.** New signs for a nonconforming use are permitted in accordance with permitted signage for the zoning district in which the nonconforming use is located. Existing signs must be maintained consistent with the requirements of Section 11-49-1.

11-41-4: - REPEAL AND SEVERABILITY

- A. If any section, subsection, paragraph, sentence, clause or phrase of this Sign Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Sign Ordinance. The City of Mesa hereby declares that it would have passed this Sign Ordinance, and each section, subsection, sentence, clause and phrase thereof, regardless of the fact that any or one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.
- B. **Effects on Previous Proceedings.** Nothing contained in this Sign Ordinance affect rights and duties that matured, penalties that were incurred, and proceedings that begun before its effective date, notwithstanding the provisions of subsection (A) of this Section.

11-41-5: - CONSENT OF THE PROPERTY OWNER REQUIRED

No person shall construct, place, display, or maintain any sign without the written consent of the property owner, the property owner's agent, or an authorized representative.

11-41-6: - NONCOMMERCIAL MESSAGE SUBSTITUTIONS ALLOWED

Notwithstanding any other provision of this Sign Ordinance to the contrary, any noncommercial message may be substituted for the message placed on any sign permitted by this Sign Ordinance.

11-41-7: - STANDARDS OF MEASUREMENT

A. **Sign Area Measurement.** Sign area for all sign types is measured as follows:

1. Sign copy is measured as a minimum area contained within the sum of one (1) or two (2) smallest tangent rectangle(s) or other standard regular geometric shapes (e.g.: circle, triangle, regular ellipse, regular rhombus or regular parallelogram), or combination of rectangles or standard regular geometric shapes (e.g.: rectangle and circle, two (2) triangles, or a circle and a rhombus) that will enclose both the sign copy and the background, as shown in Figure 11-41-7-A. When two (2) shapes are used, the shapes must include at least one (1) point of common tangency between the two (2) shapes.
2. The background portion of a sign is included in the sign area measurement when the surface of a building or background panel to which the sign copy is mounted, affixed, painted, or textured, is clearly distinct when compared to the color, texture, or materials used on the building or mounting structure.
3. A sign as individual letters, logos, or similar graphics painted or mounted directly on a wall, fascia, mansard, or parapet of a building or surface of another structure are measured based on the calculation described in Section 11-41-7-B that encloses the entire proposed sign in total, as shown in Figure 11-41-7-B.
4. Sign copy mounted, affixed, or painted on a distinct illuminated surface or illuminated element of a building or structure is measured as the entire illuminated surface or illuminated element that contains sign copy, as shown in Figure 11-41-7-A.
5. Window sign area is computed by calculating each windowpane or panel. A group of windowpanes or panels is considered one (1) window if the windowpanes or panels are adjoined or are not separated by more than six (6) inches. The area for each building face and window is separate. The building face includes any doors or walls with varying wall planes.
6. A multi-face sign, as shown in Figure 11-41-7-D, is measured as follows:
 - a. Two (2) face sign:
 - i. If the interior angle between the two sign faces is forty-five (45) degrees or less, the sign area is one (1) sign face only. If the angle between the two (2) sign faces is greater than forty-five (45) degrees, the sign area is the sum of the areas of the two (2) sign faces.
 - ii. If the faces of the signs at the closest point are separated by a horizontal distance of two (2) feet or more, even when placed on the same sign support structure, the sign area is the sum of the areas of the two (2) sign faces.
 - b. Three (3) or more face sign:
 - i. The sign area is fifty percent (50%) of the sum of the areas of all vertical sign faces.
 - c. Sign sculpture, statue, or three-dimensional figure:
 - i. Spherical, free-form, sculptural, or other non-planar sign area is measured as fifty percent (50%) of the sum of the areas using only the four (4) vertical sides of the smallest four (4) vertical sided polyhedron that encompasses the sign structure (six (6) total sides when counting top and bottom), as shown in Figure 11-41-7-D. No more than four-vertical flat polyhedron faces are used to calculate the sign area for a non-planar sign.

FIGURES 11-41-7-A THROUGH C

FIGURE 11-41-7-D

B. **Sign Height Measurement.** Sign height is measured as follows:

1. ***Freestanding Signs.*** Sign height is measured as the vertical distance from the average elevation of the finished grade within an eight (8) foot radius from all sides of the sign at the base of a sign to the top of the sign, exclusive of any filling, berms, mounds, or landscaping solely for the purpose of locating the sign, excluding decorative embellishments as defined in Section 11-50-2, and authorized in Section 11-43-3.
 - a. If natural grade at the base of a sign is higher than the grade of the adjacent road, and the grade has not been artificially raised by fill or other means to a height above the adjacent road, then sign height is measured from the base of the sign at natural grade, as shown in Figure 11-41-7-E.
 - b. If natural grade at the base of a sign is lower than the grade of an adjacent road, or has been reduced to provide a storm water retention basin, then the height of the sign is measured from the top of curb elevation, as shown in Figure 11-41-7-F.
 - c. Consideration of natural grade does not include the use of berms or increases in building construction pads, grading of the site, importing of sand, gravel, or other similar means to artificially increase the natural grade level of a site.
2. ***Building Mounted Signs.*** The height of wall, fascia, mansard, parapet, or other building mounted signs is the vertical distance measured from the base of the wall on which the sign is located to the top of the sign, as shown in Figure 11-41-7-G.

FIGURE E. FREESTANDING SIGN HEIGHT - SIGNS HIGHER THAN THE GRADE OF AN ADJACENT ROAD

FIGURE F. FREESTANDING SIGN HEIGHT - SIGNS LOWER THAN THE GRADE OF AN ADJACENT ROAD

FIGURES 11-41-7-E and 11-41-7-F

FIGURE 11-41-7-G

- C. **Sign Illumination Measurement.** The illuminance of an electronic message panel shall be measured with an illuminance meter set to measure foot-candles accurate to two (2) decimals. Illuminance shall be measured with the unit turned off, and again with the unit turned on displaying a white image for a full color-capable electronic message panel, or a solid message for a single-color electronic message panel. Both measurements shall be taken perpendicular to the face of the electronic message panel at a distance determined by the total square footage of the electronic message panel as provided in Table 11-41-7-C below.

Table 11-41-7-C: Measurement Distance Based on Sign Area							
Sign Area	Measurement Distance	Sign Area	Measurement Distance	Sign Area	Measurement Distance	Sign Area	Measurement Distance
5	22 feet	35	59 feet	65	81 feet	95	97 feet
10	32 feet	40	63 feet	70	84 feet	100	100 feet
15	39 feet	45	67 feet	75	87 feet	105	102 feet
20	45 feet	50	71 feet	80	89 feet	110	104 feet
25	50 feet	55	74 feet	85	92 feet	115	107 feet
30	55 feet	60	77 feet	90	95 feet	120	110 feet

No sign shall interfere with visibility at street intersections or driveways as provided in the City of Mesa Engineering and Design Standards Section 211 - Sight Distance and Visibility Guidelines.

- A. **Permanent Signs.** No permanent sign is allowed above the height of three (3) feet.
- B. **Portable Signs.** Portable signs are allowed in the sight visibility triangle, only as follows:
 - 1. The portable sign does not exceed three (3) feet in height.
 - 2. In the RS, RSL, and DR-1 districts or T3N transect, one (1) portable sign exceeding three (3) feet high is allowed within fifteen (15) feet of the edge of pavement or face of curb, as may be applicable, of any streets, roads or highways providing two (2) or less vehicular traffic lanes.

11-41-9: - RESPONSIBLE PARTY

- A. **Posting Sign.** The person, group, or organization directing the posting, installation, or erection of a sign is responsible for assuring the compliance of the sign with the requirements of this Sign Ordinance. This includes the removal, maintenance, replacement, or alteration of the sign, as may be applicable.
- B. **Owner or Occupant.** If the person directing the posting, installation, or erection of the sign does not remove, maintain, replace, or alter the sign in accordance with the requirements of this Sign Ordinance, then the property owner or occupant of the building, where the sign is posted, is responsible for either replacing the sign with a sign that complies with this Sign Ordinance or removing the sign.

CHAPTER 42 - PORTABLE SIGNS

Footnotes:
--- (2) ---
Editor's note— Previously, Chapter 42 derived from Ord. No. 5457, 7-9-18.

11-42-1: - PURPOSE AND GENERAL PROVISIONS

Purpose. The City finds that an overconcentration of portable signs is a distraction to motorists, interferes with the visibility of the traveling public, and creates aesthetic blight and visual clutter. In addition to Section 11-41-1, the purpose of this Chapter is to:

- A. Identify and provide for a variety of portable sign types;
- B. Provide for the appropriate size and number of portable signs in a manner consistent with the design and aesthetic standards of the City of Mesa urban design characteristics as specified in the Mesa General Plan; and
- C. Assure that opportunities for portable signs do not create visual clutter or in an over-concentration of portable signs that result in a distraction to motorists or interfere with the visibility of the traveling public.

(Ord. No. 5928, § 23, 2-3-25)

11-42-2: - PORTABLE SIGN ALLOWANCES BY ZONING DISTRICT FOR DEVELOPED PROPERTY

- A. Allowances for the size, number, and height of portable signs for a lot or parcel are determined by the zoning district and lot size as provided in the Tables in this Section. The Tables in this Section are used to calculate the maximum number, size, and height of signs that may be used on a property. The types of portable signs allowed are provided in Table 11-42-3. The portable sign must conform to the standards provided in both Sections 11-42-2 and 11-42-3, the more restrictive standards apply.
- B. Example: A property owner wants to display portable signs at a three (3) acre shopping center in the LC zoning district. The shopping center is located at a street intersection. Using Table 11-42-2-E, the center is allowed two (2) portable signs per street front. The property has two street fronts; therefore, the property owner is allowed to display up to four (4) portable signs. The maximum individual portable sign area is twelve (12) square feet and the total portable sign area allowance for the property is twenty-four (24) square feet With this allowance, use the information in Table 11-42-3 to select the portable sign type(s) for the property, as illustrated by the examples in Table 11-42-2-B.

Table 11-42-2-B: Portable Sign Allowance Examples		
Example: 3 Signs	Example: 4 Signs	Example: 2 Signs

1 detached rigid, 8 sq. ft. 1 detached rigid, 6 sq. ft. 1 fabric wall banner, 10 sq. ft.	4 detached rigid, 6 sq. ft. ea.	1 attached rigid, 10 sq. ft. 1 detached rigid, 10 sq. ft.
Total Sign Area Used: 24 sq. ft.	Total Sign Area Used: 24 sq. ft.	Total Sign Area Used: 20 sq. ft.

C. **Agriculture and Single-Residence.** The allowances for the size, number, and height of portable signs per lot or parcel in AG, RS, RSL, DR-1, and T3N are provided below in Table 11-42-2-C.

Table 11-42-2-C: Portable Sign Allowances Per Lot or Parcel					
Lot Size	Max. Aggregate Sign Area	Max. Individual Sign Area	Max. Number of Signs Per Street Front	Max. Height	Minimum Separation
1-Acre or Less	12 sq. ft.	6 sq. ft.	1	6-feet	—
1-Acre or More	24 sq. ft.	8 sq. ft.	2	6-feet	50-feet

D. **Multi-Residence, Office, and Light Commercial.** The allowances for the size, number, and height of portable signs per lot or parcel in RM, DR-2, DR-3, OC, NC, DB-1, and T4N are provided below in Table 11-42-2-D.

Table 11-42-2-D: Portable Sign Allowances Per Lot or Parcel (1)(2)					
Lot Size	Max. Aggregate Sign Area	Max. Individual Sign Area	Max. Number of Signs Per Street Front	Max. Height	Minimum Separation
1-Acre or Less	12 sq. ft.	12 sq. ft.	1	6-feet	—
More Than 1-Acre and Less Than 5-Acres	24 sq. ft.	12 sq. ft.	2	6-feet	30-feet
5-Acres or More	48 sq. ft.	12 sq. ft.	3, plus 1 per each additional 5-acres, Max: 4	6-feet	50-feet

(1) Portable sign types are limited to the size and height provided in Table 11-42-3.

(2) Air activated and balloon sign maximum heights are provided in Table 11-42-3. Sign area of balloons are not counted against the maximum aggregate sign area. See section 11-42-6 for additional requirements for fabric signs.

E. **Commercial and Industrial.** The allowances for the size, number, and height of portable signs per lot or parcel in LC, GC, DB-2, PEP, LI, GI, HI, and EO are provided in Table 11-42-2-E.

Table 11-42-2-E: Portable Sign Allowances Per Lot or Parcel (1)(2)					
Lot Size	Max. Aggregate Sign Area	Max. Individual Sign Area	Max. Number of Signs Per Street Front	Max. Height	Minimum Separation
2-Acres or Less	12 sq. ft.	12 sq. ft.	1	8-feet	—
More Than 2-Acres and Less Than 5-Acres	24 sq. ft.	12 sq. ft.	2	8-feet	50-feet
5-Acres or More	32 sq. ft., plus an additional 12 sq. ft. per each additional 5-acres	12 sq. ft.	3, plus 1 per each additional 5-acres	8-feet	75-feet

(1) Portable sign types are limited to the size and height provided in Table 11-42-3.

(2) Air activated and balloon sign maximum heights are provided in Table 11-42-3. Sign area of balloons are not counted against the maximum aggregate sign area. See section 11-42-6 for additional requirements for fabric signs.

F. **Neighborhood and Main Street Transects.** The allowances for the size, number, and height of portable signs for each building in the T4NF, T4MS, T5N, and T5MSF are provided in Table 11-42-2-F.

Table 11-42-2-F: Portable Sign Allowances Per Building (1)							
Width of Building	Max. Aggregate Sign Area	Max. Individual Sign Area			Max. Number of Signs per Street Front	Max. Height	Minimum Separation
		Rigid	Semi-Rigid	Wall and Detached Banners (2)			
30 Feet or Less	8 sq. ft.	8 sq. ft.	8 sq. ft.	8 sq. ft.	1	6-feet	10-feet

More Than 30 Feet and Less Than 61 Feet	16 sq. ft.	8 sq. ft.	8 sq. ft.	12 sq. ft.	2	6-feet	20-feet
More Than 60 Feet and Less Than 91 Feet	24 sq. ft.	8 sq. ft.	8 sq. ft.	16 sq. ft.	3	6-feet	20-feet
91 Feet or More	32 sq. ft.	8 sq. ft.	8 sq. ft.	24 sq. ft.	4	6-feet	25-feet

(1) Portable sign types are limited to the size and height provided in Table 11-42-3.

(2) See section 11-42-6 for additional requirements for fabric signs.

G. **Mixed-Use and Urban.** The allowances for the size, number, and height of portable signs for each building in the MX, DC, T5MS, T6MS, and all districts with a 'U' character designator are provided in Table 11-42-2-G.

Table 11-42-2-G: Portable Sign Allowances Per Building (1)						
Width of Building	Max. Aggregate Sign Area	Max. Individual Sign Area		Max. Number of Signs, per Street Front	Max. Height	Minimum Separation
		Rigid	Wall Banner (2)			
30 Feet or Less	8 sq. ft.	8 sq. ft.	8 sq. ft.	1	6-feet	10-feet
More Than 30 and Less Than 61 Feet	16 sq. ft.	8 sq. ft.	12 sq. ft.	2	6-feet	20-feet
More Than 60 and Less Than 91 Feet	24 sq. ft.	8 sq. ft.	16 sq. ft.	3	6-feet	20-feet
91 Feet or More	32 sq. ft.	8 sq. ft.	24 sq. ft.	4	6-feet	25-feet

(1) Portable sign types are limited to the size and height provided in Table 11-42-3.

(2) See section 11-42-6 for additional requirements for wall banners.

H. **Downtown Pedestrian Area.**

1.

The downtown area is an intense pedestrian area with buildings built to the property line thus requiring some allowance for signage in or over the right of way. The sign requirements and allowances have been adjusted for the downtown to meet the unique needs of this area.

- 2. A business owner within the DPA, can display portable signs within the right-of-way subject to all of the following conditions:
 - a. Annually apply for and obtain an Administrative Use Permit (AUP) from the City of Mesa Planning Director or designee. The AUP is valid for one (1) year from the date of issuance.
 - b. Renew the AUP within thirty (30) days of the expiration date of the current AUP. The Planning Director shall renew the AUP provided that, on the date of application, the business owner is in compliance with all provisions of the Sign Ordinance and further provided that, on the date of application, the use of portable signs within the DPA is still an allowed use under the Sign Ordinance.
 - c. The application and renewal of the AUP requires submission of a Certificate of Insurance which complies with the City's current insurance requirements.
 - d. Obtain an encroachment permit from the City Engineer.
 - e. The portable sign does not interfere with pedestrian movement or obstruct ADA access. A minimum access width of five (5) feet is maintained along all sidewalks and building entrances accessible to the public.
 - f. The portable sign does not encroach into required off-street parking areas, and does not create site visibility conflicts or other traffic hazards.
 - g. The portable sign is only displayed during the operating hours of the business and is removed during non-business hours.
 - h. The portable sign is maintained in good condition throughout the term of the AUP.

11-42-3: - CLASSIFICATIONS AND DESCRIPTIONS

A. **Permitted Portable Sign Types.** The portable signs as defined in [Chapter 50](#) and described in Table 11-42-3 are permitted in accordance with the requirements set forth in this Sign Ordinance. The Table identifies the specific types of portable signs permitted in a zoning district and establishes the maximum size and height. The height(s) and size(s) in Table 11-42-3 do not increase the sign allowance established in Tables 11-42-2; the more restrictive standards from Tables 11-42-2-C through G and Table 11-42-3 apply.

Table 11-42-3: Portable Sign Types			
Description	Sign Type/Maximums	Illustrative Examples	Permitted Zoning

Rigid: A sign made of durable, non-pliant material such as wood, sheet metal, plastic, or other lightweight rigid material	A-frame or T-frame: A light weight portable sign resting atop the ground without penetrating the ground. Max. Size: 8 sq. ft. Max. Height: 4 ft.		AG	RS	RSL	RM
			OC	NC	LC	GC
			DR-1	DR-2	DR-3	MX
			DB-1	DB-2	DC	PEP
			LI	GI	HI	EO
			T3N	T4N	T4NF	T4MS
			T5N	T5MSF	T5MS	T6MS
	Attached: Affixed to a building or wall.		AG	RS	RSL	RM
			OC	NC	LC	GC
			DR-1	DR-2	DR-3	MX
			DB-1	DB-2	DC	PEP
			LI	GI	HI	EO
			T3N	T4N	T4NF	T4MS
			T5N	T5MSF	T5MS	T6MS
	Detached: Affixed to post(s) or stake(s) that penetrates the ground. Max. Size: 32 sq. ft. Max. Height: 8 ft.		AG	RS	RSL	RM
			OC	NC	LC	GC
			DR-1	DR-2	DR-3	MX
			DB-1	DB-2	DC	PEP
			LI	GI	HI	EO
			T3N	T4N	T4NF	T4MS
			T5N	T5MSF	T5MS	T6MS

Semi-rigid: A sign made of cardboard, foam-core, thin plastic, paper, or other quasi-rigid but less durable material.	Detached Yard: Affixed to a stake(s), post(s), or other device that penetrates the ground. Max. Size: 6 sq. ft. Max. Height: 3-feet		AG	RS	RSL	RM
			OC	NC	LC	GC
			DR-1	DR-2	DR-3	MX
			DB-1	DB-2	DC	PEP
			LI	GI	HI	EO
			T3N	T4N	T4NF	T4MS
			T5N	T5MSF	T5MS	T6MS

Fabric: A sign made of durable fabric or similar pliant flexible material.	Detached Banners: Fabric affixed to a stake, post, or other device that penetrates the ground. Max. Size: 12 sq. ft. Max. Height: 6-feet		AG	RS	RSL	RM
			OC	NC	LC	GC
			DR-1	DR-2	DR-3	MX
			DB-1	DB-2	DC	PEP
			LI	GI	HI	EO
			T3N	T4N	T4NF	T4MS
			T5N	T5MSF	T5MS	T6MS
	Wall Banners: Fabric affixed to a building, wall, or fence. Max. Size: 32 sq. ft. Max. Height: Less than roof or parapet		AG	RS	RSL	RM
			OC	NC	LC	GC
			DR-1	DR-2	DR-3	MX
			DB-1	DB-2	DC	PEP
			LI	GI	HI	EO
			T3N	T4N	T4NF	T4MS
			T5N	T5MSF	T5MS	T6MS
	Air Activated: A sign that moves or makes motions when wind is applied powered means. Max. Height: 12-feet		AG	RS	RSL	RM
			OC	NC	LC	GC
			DR-1	DR-2	DR-3	MX
			DB-1	DB-2	DC	PEP
			LI	GI	HI	EO
			T3N	T4N	T4NF	T4MS
			T5N	T5MSF	T5MS	T6MS

	Balloons: A bag or similar flexible, non-rigid enclosure, that holds air or gas attached by a tether to a fixed place. Max. Height: 20-feet		AG	RS	RSL	RM
			OC	NC	LC	GC
			DR-1	DR-2	DR-3	MX
			DB-1	DB-2	DC	PEP
			LI	GI	HI	EO
			T3N	T4N	T4NF	T4MS
			T5N	T5MSF	T5MS	T6MS
	Not Allowed					
	Allowed					
Note: Portable sign allowances for properties in ID-1, ID-2, or PC districts are permitted as provided in the plan approved for that development or as allowed in the base zoning district.						

11-42-4: - PORTABLE SIGNS FOR UNDEVELOPED PROPERTY

A. **Allowance for Undeveloped Lots or Parcels.** Any lot or parcel that is vacant, devoid of any development, or that is currently under construction, may utilize the portable sign allowance provided in this Section.

Table 11-42-4-A: Portable Signs for Undeveloped Property			
Property Size	Maximum Individual Sign Area	Maximum Number of Signs Allowed	Maximum Sign Height
1-acre or less	32 sq. ft.	1 per street frontage	8-feet
More than 1-acre	32 sq. ft.	2 per street frontage	8-feet

B. **Prompt Removal.** Detached signs authorized under this Section shall be removed from a vacant lot or parcel within one (1) week after the issuance of a Certificate of Occupancy or equivalent.

11-42-5: - NON-RESIDENTIAL USES IN RESIDENTIAL ZONING DISTRICTS

In the AG, RS, and RSL zoning districts, non-residential land use classifications as defined in Sections 11-86-3, 11-86-4, 11-86-5, and 11-86-6 may use portable signs in accordance with Section 11-42-2-D.

11-42-6: - FABRIC SIGNS

In zoning districts where allowed per Table 11-42-3, each multi-residence development, or each occupancy in a non-residential development may display one (1) fabric sign, on property that is developed, if an Administrative Use Permit is approved. The fabric sign may be displayed for a maximum of thirty (30) days per calendar year. The days do not need to be consecutive, and may be divided into several separate periods provided the number of days, in aggregate, does not exceed thirty (30) per calendar year, with each calendar year beginning on January 1st. Additionally, each occupancy in a non-residential development is permitted additional fabric signs if a Temporary Use Permit (TUP) is approved authorizing a temporary use on the property. The display of the fabric sign is only allowed during the time-period the TUP is valid.

A. **Wall Banners.** In addition to the requirements in this Section, 11-42-2, and 11-42-3, wall banners shall comply with the following:

1. All corners of the banner must be fastened securely to the building, wall, or fence in a manner that prevents high winds from removing or separating the banner from the building, wall, or fence or causes the banner to flap;
2. Provide vents to ensure the banner withstands the wind; and
3. Provide a minimum clearance of eight (8) feet above grade when placed above an area open for the common or general use of the public.

B. **Detached Banners.** In addition to the requirements in this Section, 11-42-2, and 11-42-3, detached banners must be secured to the ground in a manner that prevents high winds from removing the banner.

C. **Air Activated and Balloons.** In addition to the requirements in this Section, 11-42-2, and 11-42-3, air activated and balloons shall comply with the following:

1. Secured to the ground in a manner that prevents high winds from removing the air activated or balloon sign; and
2. Located at least fifty (50) feet from the right-of-way.

11-42-7: - VEHICLE SIGNS

Vehicle signs are allowed if the following conditions are satisfied:

- A. The vehicle complies with Section 8-6-3(A) of the Mesa City Code;
- B. The vehicle is parked in an authorized location and in a lawful manner that is not distinct or different from the pre-determined parking area design; and
- C. During periods of inactivity exceeding two (2) days, the vehicle is parked in a manner so that the sign is not visible from the right-of-way, or if this is not possible, is parked as far from the right-of-way as possible.

CHAPTER 43 - PERMANENT SIGNS

Footnotes:

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Editor's note— Previously, Chapter 43 derived from Ord. No. 5457, 7-9-18.

11-43-1: - PURPOSE AND INTENT

In addition to the items listed in Section 11-41-1, the purpose and intent of regulating signs used as permanent fixtures includes:

- A. Keeping the scale of permanent signs proportionate in height, size, number, and illumination to the intensity and context of land use in the vicinity of the sign, including the specific location of the sign;
- B. Utilizing shapes, details, materials, and illumination on permanent sign devices and structures in a manner that furthers, enhances, and reinforces the architectural design theme of the related development; and
- C. Maintaining and enhancing the aesthetic character of permanent signs based upon the context in which they are located.

11-43-2: - DESIGN STANDARDS FOR PERMANENT SIGNS AND SIGN STRUCTURES

A. **Architectural Compatibility.** Permanent signs and sign structures shall:

1. Be designed to be attractive and artistic;
2. Incorporate design features associated with the buildings or structures, and should constitute an architectural component of the overall development that is compatible with, and not incongruous to, the architectural style and character of the development of the property associated with the sign; and
- 3.

Utilize materials and design themes consistent with the architectural design theme of the development, as expressed by the building architecture, landscaping, and overall site development.

B. Attached Permanent Signs.

1. Design Standards. Attached permanent signs must comply with the following design standards:
 - a. A sign shall be mounted so that the attachment device is not visible or discernible and shall consist of the following:
 - i. Individual letters such as pan channel or other durable material or
 - ii. An architecturally designed cabinet that is irregular and freeform in shape.
 - b. A sign attached to a single tenant building shall not exceed more than fifty-percent (50%) of the width of the building elevation upon which the attached sign is placed.
 - c. A sign attached to a single tenant space of a multiple tenant building, as determined by the issuance of a separate Certificate of Occupancy for the specific tenant space, shall not exceed more than seventy-five percent (75%) of the width of the front of the occupancy upon which the attached sign is placed.
 - d. Placed on the elevation of the same tenant space for which the Certificate of Occupancy is issued.
 - e. Opaque backgrounds shall be provided on internally illuminated signs so that only the sign copy is illuminated.
 - f. A wall mounted sign shall be placed below parapet or eave.
 - g. Roof signs are not permitted.
 - h. Signs are permitted on a false mansard roof, awning, or canopy. Signs placed in these locations shall comply with the following:
 - i. Installed in a manner where angle iron supports, guy wires, braces, or secondary supports, are not visible.
 - ii. Appear to be an architectural or integral part of the roof.
 - iii. All parts of the sign are below the highest portion of the building or roof where the sign is attached.
2. Design Guidelines:
 - a. Letters attached or anchored to the face of an exposed standard raceway should be architecturally designed and integrated into the building.
 - b. If non-standard raceways are used the following design guidelines shall be followed:
 - i. As a background where the raceway is not discernable. Raceway is designed as splash cabinet following the shape of the letters where the area of the cabinet is included in the total attached sign area as provided in the example shown in Figure 11-43-2-B-2-b-i;

FIGURE 11-43-2-B-2-b-i

- ii. Integrated and a part of the design that acts as a backdrop where the area of the raceway is included in the total attached sign area as provided in the example shown in Figure 11-43-2-B-2-b-ii; or

FIGURE 11-43-2-B-2-b-ii

- iii. Integrated into the design where letters are mounted to the top of the raceway cabinet as provided in the examples shown in Figures 11-43-2-B-2-b-iii.

FIGURE 11-43-2-B-2-b-iii

- c. Raceways shall either:
 - i. Be finished to match the color of the building adjacent to the raceway and design elements of the building or
 - ii. When a raceway is provided as an architectural enhancement to the building elevation, the raceway must be in a contrasting color and material.

- C. **Detached Permanent and Freestanding Signs.** Detached permanent and freestanding signs must complement design features associated with the buildings or structures, and constitute an architectural component of the overall development.
1. Design Standards. Detached permanent and freestanding signs must comply with the following design standards:
 - a. The sign structure must consist of metal, masonry, or a similar durable construction material using one (1) of the following styles:
 - i. A single base where the width of the base is a minimum of seventy-five percent (75%) of the width of the sign copy, or
 - ii. A base consisting of two (2) or more posts or columns in which the width of all posts or columns, in aggregate, is a minimum of thirty-three percent (33%) of the width of the sign copy.
 - b. An internally illuminated sign shall comply with the requirements of Section 11-41-3-B, and shall provide either:
 - i. An opaque background so only the sign copy is illuminated; or
 - ii. A translucent background of no more than fifty-percent (50%) opacity.
 - c. No detached permanent sign is allowed within seventy-five (75) feet of any other detached permanent sign on the same parcel or Group C-O-I Development site.
 - d. For streets or roads with three (3) or more traffic lanes, a sign is not allowed within fifteen (15) feet of the face of curb or edge of pavement, when no curb exists.
 - e. If a sign is placed at the street intersection of a corner parcel and is visible from both streets or both frontages, the sign may not exceed the maximum height and area allowed for the longer street frontage. The area of the sign is deducted from the total aggregate sign height, sign area, and number of signs permissible on the corner parcel.
 2. Design Guidelines:
 - a. The sign copy should not exceed a horizontal-to-vertical ratio of two to one (2:1).
 - b. A sign may consist of more than one (1) sign panel provided all sign panels are attached to one (1) common integrated sign structure. When multiple sign panels are used, the area of the sign is calculated as one (1) aggregate sign area of all panels used.
 - c. Embellishment should complement the primary design elements or unique architectural features of the buildings or structures.
 - d. Embellishment added to a sign structure may extend above the allowable height, up to a maximum extension of twenty-percent (20%) of the permitted height of the sign.

FIGURE 11-43-2-C-2-d

11-43-3: - PERMANENT SIGN ALLOWANCES BY ZONING DISTRICT

The following Tables include the sign allowances for attached and detached permanent signs by zoning district. The "Additional Requirements" column lists additional standards that apply. Individual number(s) placed in parentheses [ex: (1)] refer to footnotes appearing immediately below or following the Table.

A. Attached and detached permanent sign allowances in AG, RS, RSL, DR-1, T3N, and T4N are provided in Table 11-43-3-A.

Table 11-43-3-A: Attached and Detached Sign Allowances				
Zoning	Max. Number of Permitted Signs	Max. Area Per Sign (1)	Max. Height	Additional Requirements

AG	1 sign per street front, attached or detached	6 sq. ft.	10-feet attached 4-feet detached	Non-illuminated
RS, RSL, DR-1, T3N, T4N	1 sign per lot or parcel, attached or detached	4 sq. ft.	10-feet attached 4-feet detached	Non-illuminated

(1) A lot or parcel allowed to operate a non-residential land use is allowed to increase the maximum area of each permitted sign to thirty-two (32) sq. ft. with a maximum height of eight (8) feet if detached, or below the top of the parapet or eave, if wall mounted (no roof signs). Increased sign allowance under this provision does not apply to Home Occupations as authorized by Section 11-31-33 in the Zoning Ordinance.

B. Attached and detached permanent sign allowances for RM, DR-2, DR-3, T4NF, and T5N are provided in Table 11-43-3-B.

Table 11-43-3-B: Attached and Detached Sign Allowances per Development			
Max. Number of Permitted Signs (1)	Sign Area Calculation	Max. Height	Additional Requirements
2 signs per street front, attached or detached	1 sq. ft. of sign area per 5-lineal feet of street frontage up to a max. of 32 sq. ft.	8-feet detached	Illumination is allowed if the sign is adjacent to an arterial or collector street. (2)

(1) A non-residential use in T4NF is allowed one (1) additional attached sign on a street and one (1) additional attached sign on an alley frontage, not to exceed thirty-two (32) sq. ft.

(2) Street classification is based on the Mesa Transportation Plan.

C. The following two (2) Tables provide the attached and detached permanent sign allowances for OC. The maximum aggregate sign allowance for all signage (attached and detached) is thirty-two (32) sq. ft.

Table 11-43-3-C-1: Attached Sign Allowances per Occupancy			
Occupancy	Max. Number of Permitted Signs	Sign Area Calculation	Min. Individual Sign Area (2)
Single-Occupant Building	2 attached signs	1 sq. ft. of sign area per front foot of building occupancy (1)	24 sq. ft.

Multiple-Occupant Building	1 attached sign per occupancy	1 sq. ft. of sign area per front foot of building occupancy (1)	20 sq. ft.
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(1) The sign area applies only to occupancies with an exterior wall. When there is more than one (1) exterior wall, the longest wall can be used to calculate the maximum sign allowance.

(2) Each occupant with an exterior wall is allowed this minimum individual sign area regardless of the front foot of the building occupancy.

Table 11-43-3-C-2: Detached Sign Allowances per Development		
Max. Number of Permitted Signs	Sign Area Calculation	Max. Height
1 detached sign per street	1 sq. ft. of sign area per 5-lineal feet of street frontage	8-feet

D. The following four (4) Tables provide the attached and detached permanent sign allowances in NC, LC, GC, PS, PEP, LI, GI, and HI.

1. The standard allowances for attached signs per occupancy are provided in Table 11-43-3-D-1.

Table 11-43-3-D-1: Standard Attached Sign Allowances Per Occupancy			
Front Foot of Building Occupancy (1)	Max. Number of Permitted Signs	Max. Aggregate Sign Area Calculation	Max. Area Per Sign
80-feet or Less (2)	2 signs	2 sq. ft. of sign area per front foot of building occupancy	160 sq. ft.
81 to 199-feet	3 signs	160 sq. ft. is allowed	160 sq. ft.
200 to 249-feet	4 signs	80% of lineal front foot of occupancy,	160 sq. ft.
250-feet or More	5 signs, plus one additional sign for every additional 50-feet of occupancy up to a max. of 7 signs	80% of lineal front foot of occupancy up to a max. of 500 sq. ft.	160 sq. ft.

(1) If an occupancy(s) has more than one exterior wall, the longest wall is used to calculate the sign allowance.

(2) Each occupant is allowed a minimum of twenty-four (24) sq. ft. of sign area regardless of front foot of building occupancy.

2. In lieu of the standard attached sign allowances in Table 11-43-3-D-1, a single occupant pad building under 5,000 sq. ft. of gross floor area may use the attached sign allowance in Table 11-43-3-D-2.

Table 11-43-3-D-2: Optional Attached Sign Allowances for Single Occupant Pad Buildings Under 5,000 sq. ft. of Gross Floor Area		
Max. Number of Permitted Signs	Max. Aggregate Sign Area Calculation (1)(2)	Max. Area Per Sign
4 signs	2 sq. ft. of sign area per lineal foot of the widest building elevation up to a max. of 160 sq. ft.	80 sq. ft.

(1) Sign shall not exceed more than 50% of the width of the building elevation.

(2) A single-occupant pad building is allowed a minimum of 24 sq. ft. of sign area regardless of the widest building elevation.

3. The standard allowances for detached signs per development are provided in Table 11-43-3-D-3.

Table 11-43-3-D-3: Standard Detached Sign Allowances per Development			
Max. Number/Height	Max. Aggregate Sign Area Calculation	Max. Height	Max. Area Per Sign
One (1) Sign: 1-foot of sign height per 10 lineal feet of street frontage Multiple Signs: 1-foot of sign height per 20 lineal feet of street frontage	1 sq. ft. of sign area per lineal foot of street frontage	12-feet	80 sq. ft.

4. In lieu of the standard detached sign allowances in Table 11-43-D-3, commercial use developments with a minimum of three (3) separate occupants and more than four-hundred (400) feet of frontage along a single street frontage may use the detached sign allowance in Table 11-43-3-D-4 for one (1) sign within the development.

Table 11-43-3-D-4: Optional Detached Sign Allowance for Commercial Use Development with 3 Separate Occupants and more than 400-feet of Frontage		
Max. Number/Height	Max. Area Per Sign	Reference

The 120-sq. ft. max. sign can be up to 14-feet in height and all other detached signs shall not exceed 8-feet in height	One (1) sign at a max. of 120-sq. ft. and all other detached signs shall not exceed 50 sq. ft.	Use Table 11-43-3-D-3 to determine max. allowances for all detached signs in the development
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- E. Attached and detached sign allowances in DB-1, DB-2, and DC (outside of the Downtown Pedestrian Area [DPA]) are provided in Table 11-43-3-E. In addition to the requirements in this Chapter, a sign in this Sub-section has the following additional requirements:
1. Attached signs must use individual letters. An attached cabinet sign is not permitted.
 2. Neon signs are permitted provided the neon is complementary and harmonious with the primary color(s), style, and architecture of the building or development.
 3. A comprehensive sign plan is required for sign(s) located on the upper story of a building when the building exceeds two (2) stories in height.

Table 11-43-3-E: Attached and Detached Sign Allowances per Development			
Sign Type	Sign Area Calculation	Max. Number of Permitted Signs	Max. Height/Placement
Attached	General Allowance 2 sq. ft. of sign area per front foot of building occupancy up to a max. of 120 sq. ft. All occupants allowed a min. of 32 sq. ft. (1, 2)	1 per street and 1 per alley frontage	Below parapet
	Additional Allowance Window: 30% of window	—	—
	Additional Allowance Awning: 1 sq. ft. of sign area per linear foot of awning up to a max. of 50% of awning	1 per street frontage	A min. of 8-feet above the sidewalk
Detached	1 sq. ft. of sign area per linear foot of street frontage up to a max. of 32 sq. ft.	1 per street frontage	5-feet (3)

- (1) A sign attached to a single tenant building shall not exceed more than fifty percent (50%) of the width of the building elevation upon which the attached sign is placed. A sign attached to a single tenant space of a multi-tenant building, as determined by the issuance of a separate Certificate of Occupancy for the specific tenant space, shall not exceed more than seventy-five percent (75%) of the width of the front of the occupancy upon which the attached sign is placed.
- (2) An attached sign is allowed on the occupant's building only.

(3) The sign copy horizontal-to-vertical ratio cannot exceed two to one (2:1).

F. Attached permanent sign allowances in DC (in the DPA), T4MS, T5MSF, T5MS, and T6MS are provided in Table 11-43-3-F.

Table 11-43-3-F: Attached Permanent Sign Allowances per Development					
Sign Type	Max. Number of Permitted Signs	Sign Area Calculation, Street Frontage	Sign Area Calculation, Alley Frontage	Max. Sign Length	Placement
Wall Sign (Single-Occupancy) (1, 4, 5, 7)	1 per street frontage and 1 per alley frontage	1 sq. ft. of sign area per linear foot of street frontage up to a max of 40 sq. ft.	½ sq. ft. of sign area per linear foot of alley frontage up to a max of 20 sq. ft.	50% of building	No higher than 4-feet below top of building or 25-feet from grade, whichever is less
Wall Sign (Multi-Occupancy) (1, 4, 5, 7)	1 per street frontage and 1 per alley frontage	1 sq. ft. of sign area per linear foot of street frontage up to a max of 30 sq. ft.	½ sq. ft. of sign area per linear foot of alley frontage up to a max of 15 sq. ft.	50% of building	No higher than 4-feet below top of building or 25-feet from grade, whichever is less
Awning Sign (3, 5)	1 per street frontage and 1 per alley frontage	1 sq. ft. of sign area per linear foot of awning	1 sq. ft. of sign area per linear foot of awning	50% of awning	—
Blade Sign (7)	1 per street frontage	Max. of 60% of the face of the blade	—	60% of the depth of the blade	No higher than 1-foot below the top of the blade
Hanging Sign (Parallel to Street) (6, 7)	1 per street frontage and 1 per alley frontage	10 sq. ft.	8 sq. ft.	10-feet	No higher than ceiling of the canopy and no lower than 8-feet from grade

Hanging Sign (Perpendicular to Building) (6, 7)	1 per street frontage and 1 per alley frontage	6 sq. ft.	4 sq. ft.	6-feet	Top no higher than 14-feet and bottom no lower than 8- feet from grade
Marquee Sign (7, 10)	1 per street frontage	Max. of 60% of the face of the marquee	—	60% of the length of the marquee	Below the top of the marquee
Outdoor Display Case	1	4 sq. ft.	—	—	—
Projecting Sign (1, 7, 8, 9, 11)	1 per street frontage and 1 per alley frontage	1 sq. ft. of sign area per linear foot of street frontage up to a max of 36 sq. ft.	½ sq. ft. of sign area per linear foot of alley frontage up to a max of 12 sq. ft.	—	Min. of 8-feet above pedestrian sidewalk, 14- feet above vehicular drive
Window Sign (2)	1	Max. 30% of window	—	—	—

- (1) Must use individual letters. An attached cabinet sign is not permitted.
- (2) A window sign is only allowed on the first and second story of the building.
- (3) An awning sign is only allowed on the ground floor of the building. Two-story architectural entry elements may include an awning sign over the entry.
- (4) A wall-mounted sign is allowed on the colonnade in lieu of a wall-mounted sign on the building.
- (5) A comprehensive sign plan is required for a sign(s) located on the upper story of a building when the building exceeds two (2) stories.
- (6) Cannot be illuminated.
- (7) A neon sign is permitted provided the neon is complementary and harmonious with the primary color(s), style, and architecture of the building or development.
- (8) A projecting sign mounted at the corner of the building must be installed at a forty-five-degree (45°) angle. A Projecting sign mounted on a wall parallel to the street must be mounted at a ninety-degree (90°) angle. A projecting sign must maintain a twelve (12) feet minimum separation from any other projecting sign.
- (9) A projecting sign is permitted in lieu of a wall-mounted sign. A projecting sign cannot be placed on the colonnade.
- (10) Exposed bulbs are allowed when the bulbs are an integral component of the design of a marquee.
- (11) A projecting sign shall not extend more than four (4) feet from the face of the building and no more than two (2) feet above the parapet.

G. **ID District.** Attached and detached permanent sign allowances for properties in the ID District are permitted as follows:

- 1.

Signs in the ID-1 District are permitted as provided in the base zoning district, unless specified otherwise in the adopted infill incentive plan, or by an adopted comprehensive sign plan approved in accordance with Section 11-45-3.

2. Signs in the ID-2 District are permitted as provided in the adopted infill incentive plan, or by an adopted comprehensive sign plan approved in accordance with Section 11-45-3.

- H. **PC District.** Attached and detached permanent sign allowances for properties in the PC District shall be as specified in the community plan, or by an adopted comprehensive sign plan approved in accordance with Section 11-45-3.
- I. **EO District.** Attached and detached permanent sign allowances for properties in the EO District shall be as specified in the specific EO District Development Plan, or by an adopted comprehensive sign plan approved in accordance with Section 11-45-3.
- J. **Multiple Residence Districts with an Urban Character Designator.** Signs in the RM Districts with an urban character designator shall comply with the requirements of an analogous transect in the Form-Based Code, as referenced in Table 11-43-3-K.

Table 11-43-3-K: RM District with an Urban Character Designator		
District	Analogous Transect in the Form-Based Code	Reference Section
RM-3U	T4N	11-43-3-A
RM-4U	T4NF	11-43-3-B
RM-5U	T5N	11-43-3-B

- K. **Commercial Districts with an Urban Character Designator.** Signs in Commercial Districts with an urban character designator shall comply with the requirements of an analogous transect in the Form-Based Code, as referenced in Table 11-43-3-L.

Table 11-43-3-L: Commercial Districts with an Urban Character Designator		
District	Analogous Transect in the Form-Based Code	Reference Section
OC-U	T4MS	11-43-3-F
NC-U	T4MS	11-43-3-F
LC-U	T5MSF	11-43-3-F
MX-U	T5MSF	11-43-3-F

11-43-4: - DRIVE-THRU AND DRIVEWAY SIGNS

Driveway and Drive-Thru Lane Signs. Driveway and drive-thru lane signs do not count against the detached permanent sign allowance.

11-43-5: - ELECTRONIC MESSAGE PANELS

Permanent signs may use electronic message panels, when the panel is not considered animated, and in compliance with the following requirements, as may be applicable:

- A. **Standards for Message Display.** Each message is displayed for a minimum period of eight (8) seconds with no movement or motion. As defined below, message change is permitted through fade, dissolve, travel, or scrolling modes not to exceed two (2) seconds in transition.
1. **Fade:** A sign where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
 2. **Dissolve:** A sign where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
 3. **Travel:** A sign where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
 4. **Scrolling:** A sign where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.
- B. **Lighting Controls Required.** The electronic message panel shall include automatic lighting control technology, such as the use of photocells, to control and vary the intensity of lighting depending on the amount of ambient light present (e.g. daytime, nighttime, partial shade or cloudy conditions).
1. **Nighttime Illumination Limit.** The intensity of the lighting from dusk until dawn shall not exceed a 0.3 foot-candle difference between the off and solid message measurements using the illumination measure provided in Section 11-41-7-C.
 2. The electronic message panel shall not be illuminated between 11:00 p.m. and sunrise if the following conditions exist:
 - a. The sign is located in or within one-hundred fifty (150) feet of Single Residence (RS), Downtown Residential 1 and 2 (DR-1 and DR-2), Multiple Residence (RM), or Small Lot Residence (RSL) zoning districts, or in a T3 Neighborhood (T3N); and
 - b. There is no intervening building or other permanent structure that completely screens the electronic message panel from the residential site.
 3. **Certification.** Prior to the issuance of a sign permit for an electronic message panel, the applicant shall provide a written certification from the owner of the sign attesting that said owner has read and understands the provisions of this Section, Section 11-41-3-B, and 11-41-7-C, and agrees to abide by said Section, and agrees to cooperate with City of Mesa staff with regards to any nighttime testing that may be necessary should the 0.3 foot-candle limitation be at question.
- C. **Wall Signs.** An electronic message panel may be used as a wall sign.

11-43-6: - FLAGPOLES AND FLAGS

Flagpoles and flags shall comply with the following standards:

- A. **Flagpoles.**
1. No more than three (3) flagpoles are allowed on an individual lot or parcel, or within a Group C-O-I Development. This limitation applies to model home offices in single residence subdivisions, multiple tenant non-residential developments, and similar multi-user sites. A flagpole may be wall-mounted or in-ground.
 2. An in-ground flagpole may require a building permit as required by Title 4 of the Mesa City Code to ensure the flagpole is structurally sound and complies with all requirements of the Zoning Ordinance.
 3. The minimum setback for in-ground flagpoles shall equal one-half (½) the setback required for a principal building as set forth by the zoning district in which it is located.
 4. The height of wall-mounted and in-ground flagpoles is regulated by Section 11-30-3, Exceptions to Height Limits in the Zoning Ordinance.
- B. **Flags.**
1. A sign permit is not required to display a flag.
 2. The length of each flag, which is the longer side of a flag that is perpendicular to the flagpole, shall not exceed one-third (1/3) of the in-ground flagpole height on which the flag is attached. When attached to a wall-mounted flagpole, the length of the flag shall not exceed one-third (1/3) of the maximum height allowed by the zoning district in which the flag is displayed.
 3. Unless otherwise required or authorized by state law, no more than two (2) flags are allowed on a flagpole, from a flag bracket, or on a flag stanchion.
 4. Flags may be externally illuminated in compliance with the provisions of the Mesa Building Code.

11-43-7: - FREEWAY LANDMARK MONUMENTS (FLM)

- A. **Purpose and Intent.** The purpose and intent of this Section is to:
1. Promote the effectiveness of individual Freeway Landmark Monuments by preventing the over concentration, improper placement, deterioration, excessive size, and excessive number.

2. Regulate advertising distractions that may contribute to traffic accidents, thereby protecting travelers from injury or damage due to distraction or obstruction of vision, and enhancing the flow of traffic, visual environment, and the convenience, ease, and enjoyment of travel along Mesa's freeways.
 3. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of freeways and other public structures and spaces are protected by exercising reasonable control over the character and design of large sign structures.
- B. **Applicability.** The provisions of this Section prevail if conflicts occur with other portions of the Sign Ordinance and govern Freeway Landmark Monuments, regardless of which provisions imposes a greater restriction.
- C. **Eligibility Requirements.** To be eligible for a Freeway Landmark Monument, a development site must meet the following requirements:
1. **Zoning Districts.** The development site must be zoned Limited Commercial (LC), General Commercial (GC), Planned Employment Park (PEP), Light Industrial (LI), or General Industrial (GI). If the development site is zoned Planned Community (PC) or Infill District-2 (ID-2), a Freeway Landmark Monument may be permitted in conjunction with a commercial or industrial use, if specified as permitted in the approved Community Plan or Infill Plan.
 2. **Minimum Site Area.**
 - a. The development site must be at least thirty (30) contiguous acres in size.
 - b. This requirement may be met by one parcel of land thirty (30) acres or more in size, or a combination of adjoining parcels of land that are not separated by a right-of-way dedicated to the City, that are collectively thirty (30) acres or more in size.
 3. **Frontage.** The development site must have frontage on a freeway and an intersecting arterial street.
- D. **Authorization.** Freeway Landmark Monuments require the following recommendations and approvals:
1. Recommendation by the Design Review Board;
 2. Recommendation by the Planning and Zoning Board;
 3. Approval and issuance of a Council Use Permit in accordance with Section 11-70-6 of the Zoning Ordinance and the standards contained within this Section; and
 4. Issuance of a sign permit in accordance with Title 11, Chapter 47 of the Zoning Ordinance.
- E. **General Development Standards.** Freeway Landmark Monuments are required to comply with A.R.S. Title 28, Chapter 23, Article 1, and the development standards established in this Section.
- F. **Number, Sign Area, and Height Requirements.**
1. **Maximum Number.**
 - a. Eligible development sites are allowed a maximum of one (1) Freeway Landmark Monument, except as set forth in Subsection (b) below.
 - b. Eligible development sites with more than 2,000 linear feet of freeway frontage and that are 60 contiguous acres or more in size are allowed a maximum of two (2) Freeway Landmark Monuments.
 2. **Sign Area.**
 - a. The maximum sign area of a Freeway Landmark Monument is determined by the following ratio: maximum one (1) square foot of total sign area per two (2) lineal feet of freeway or arterial frontage, whichever is greater.
 - b. In no instance may the maximum sign area exceed 750 square feet.
 3. **Maximum Height.**
 - a. The maximum height of a Freeway Landmark Monument, including any support structures, attachments, and embellishments, shall not exceed sixty (60) feet, unless a modification to the maximum height is granted as set forth in Section 11-43-7(J)(I) and Subsection c. below.
 - b. **Height Measurement.**
 - i. If the natural grade at the base of a Freeway Landmark Monument is higher than, or at the same grade as the freeway, the Freeway Landmark Monument height shall be measured as a vertical distance from the average elevation of the natural grade within a 50-foot radius from all sides of the Freeway Landmark Monument base to the highest point of the Freeway Landmark Monument.
 - ii. If natural grade at the base of the Freeway Landmark Monument is lower than the grade of the freeway or has been reduced to provide a storm water retention basin, the height of the Freeway Landmark Monument shall be measured from the freeway elevation to the highest point of the Freeway Landmark Monument.
- C.

Height Exception. A modification to the maximum height limit may be granted per Section 11-43-7(J)(1), if the following are demonstrated:

- i. A 60-foot-tall sign is not visible from a vehicle approaching on the same side of the freeway within a sufficient distance to permit vehicles to safely exit the freeway;
 - ii. The proposed sign is no higher than reasonably necessary for the topmost portion of the sign (including sign embellishment) to be visible from a vehicle approaching on the same side of the freeway and located within sufficient distance to permit vehicles to safely exit the freeway; and
 - iii. Visibility of sign area assigned to tenant(s) may not be used as the basis to justify additional sign height.
- d. If a height modification is granted, the maximum height of a Freeway Landmark Monument may be increased but shall not exceed ninety (90) feet.

G. Spacing Requirements.

1. Freeway Landmark Monuments.

- a. No portion of a Freeway Landmark Monument may be placed within 2,000 feet of another Freeway Landmark Monument distance measured from the nearest edge of the Freeway Landmark Monument face to the nearest edge of the nearest Freeway Landmark Monument face on the same side of the freeway.
- b. No more than three (3) Freeway Landmark Monuments are permitted on one (1) side of the freeway within one (1) lineal mile of freeway frontage.

2. Billboards. No portion of a Freeway Landmark Monument may be placed within 1,000 feet of a Billboard, including Billboards located on adjacent properties or in neighboring jurisdictions, the distance measured from the nearest edge of the Freeway Landmark Monument face to the nearest edge of the nearest Billboard face.

3. Residential Zoning District or Residential Use.

- a. No portion of a Freeway Landmark Monument may be placed within 500 feet of a Residential Zoning District (RS, RSL, or RM) or residential use unless:
 - i. The residential use is part of a mixed-use development; or
 - ii. A line-of-sight study or balloon test is conducted and demonstrates the Freeway Landmark Monument will not be visible to or from any Residential Zoning District or residential use within 500 feet.
- b. In no case may any portion of the Freeway Landmark Monument be placed within 400 feet of a residential use that is not part of a mixed-use development or a Residential Zoning District.

4. Setback Requirements. Setbacks for Freeway Landmark Monuments must adhere to the standards of the underlying base zoning district except for setbacks from the freeway, in which the following setbacks shall apply:

- a. *Minimum Setback from Freeway.* The minimum setback to a freeway right-of-way is zero (0) feet, distance measured from the nearest edge of the Freeway Landmark Monument face to the nearest edge of the freeway right-of-way.
- b. *Maximum Setback from Freeway.* A Freeway Landmark Monument must be located within 250 feet of a freeway right-of-way, distance measured from the furthest edge of the Freeway Landmark Monument face to the nearest edge of the freeway right-of-way.
- c. *Encroachment into Right-of-Way Prohibited.* No portion of a Freeway Landmark Monument shall overhang or encroach into the right-of-way.

H. Design Standards.

1. **Architectural Compatibility.** Freeway Landmark Monuments must complement the development site's primary architecture by incorporating design elements from the development site, such as, materials, form, texture, color, and finish.
2. **Materials.** Freeway Landmark Monuments shall be constructed with low maintenance, architectural-grade surfacing materials such as metal, masonry, ceramic tile, glass or stucco.
3. **Project Identification.** The project or destination name should be clearly visible and located towards the topmost visible portion of the Freeway Landmark Monument or located vertically along the side of the Freeway Landmark Monument.
4. **Lighting Controls.**
 - a. *Exposed Lighting.* A Freeway Landmark Monument, or portion thereof, may be outlined by exposed neon, argon or krypton tubing, exposed incandescent lighting, or other exposed artificial lighting provided that the subject exposed lighting complies with all of the following:
 - i. It constitutes a design component of the overall Freeway Landmark Monument architecture;
 - ii.

Is integrated into the primary physical elements of the Freeway Landmark Monument and is harmonious with the architectural style of the structure;

- iii. Serves only the purpose of embellishing the nighttime architecture of the Freeway Landmark Monument, and does not portray an advertising message;
- iv. Is compatible with the land use and architecture of adjacent developments; and
- v. Complies with Section 11-41-3(B) of the Zoning Ordinance regarding signage illumination and the National Electrical Code, as evidenced by submittal of complete design plans and specifications.

b. *Internal illumination.*

- i. Internally illuminated signs shall have opaque backgrounds so that only the sign copy is illuminated.
- ii. Where a background is integral to the design of a corporate image or registered trademark, the background is to be colored to mute the amount of illumination.

c. *Nighttime Illumination.*

- i. Nighttime illumination is limited to the sign copy or sign message.
- ii. Illumination must be extinguished in nighttime hours (from 11:00 p.m. until sunrise).

d. *Maintenance.* If any component of the lighting becomes nonfunctional, none of the lighting system may be illuminated until the entire lighting system is repaired and is functioning as intended.

I. **Electronic Message Display.**

1. ***Copy Change.*** Copy may not change more than once every eight (8) seconds.

2. ***Message Animation Prohibited.***

- a. Animation, video, flashing, blinking, or moving lights are prohibited.
- b. In the transition between copy, there shall not be any sense of movement from one message to the next. No continuous, traveling or scrolling displays are allowed.

3. ***Electronic Message Display Lighting Controls.***

- a. *Automatic Dimming.* Electronic message displays must include automatic lighting control technology to dim, control, and vary the intensity of the display based on ambient light conditions (e.g. evening and nighttime) through a photoelectric sensor that detects ambient light levels and automatically adjusts the display intensity to ensure compliance with the maximum nit levels in this Section 11-437(1).
- b. *Evening Illumination.* The intensity of the electronic message display lighting shall not exceed 300 nits in full white mode in evening hours (from sunset until 11:00 p.m.).
- c. *Nighttime Illumination.* Illumination of electronic message displays must be extinguished in nighttime hours (from 11:00 p.m. until sunrise).
- d. *Certification.* The applicant must provide written certification from the sign manufacturer that the sign's light intensity has been factory pre-set not to exceed the limits specified above, and the intensity level is protected from end-user manipulation by password-protected software or other method.

J. **Modifications to Development Standards.** City Council may approve modifications or alternatives to the development standards in this Section upon finding:

- 1. ***Site Characteristics.*** The development site contains unique or unusual physical conditions, such as topography, proportion, size, or relation to the freeway that would limit or restrict visibility; or
- 2. ***Design.***
 - a. The proposed or existing development exhibits unique characteristics of land use, architectural style, development site location, physical scale, historical interest or other distinguishing feature that represents a clear variation from conventional development; and
 - b. Such modifications or alternatives are consistent with the intent of these Freeway Landmark Monument provisions and will result in conditions that are commensurate with or superior to the development standards contained in this Section.

K. **Maintenance.**

- 1. All Freeway Landmark Monuments must be maintained according to this Section 11-43-7(K).
- 2. It is unlawful for a Freeway Landmark Monument to remain in a damaged or deteriorated condition that constitutes a danger or hazard to public safety or a visual blight.
- 3. All Freeway Landmark Monuments must be maintained to the following standards of structural repair and visual appearance:

- a. All structural and nonstructural components must be positioned and secured in accordance with approved plans for the Freeway Landmark Monument;
- b. Any deteriorated, damaged, or weakened components must be promptly repaired or replaced;
- c. All copy and painted surfaces of a Freeway Landmark Monument must be free of chipping, peeling, rusting or other oxidation of metals, and fading of colors;
- d. Freeway Landmark Monuments must be maintained in working order; and
- e. If a permit is required per Title 4 of the Mesa City Code for any Freeway Landmark Monument maintenance or repair activities, the permit must be obtained prior to commencing work and all work must be done in accordance with permit requirements.

(Ord. No. 5886, § 1, 11-18-24)

11-43-8: - MURALS

Any portion of a mural that contains sign copy that is more than two (2) inches in height and is of sufficient size that it is readable or identifiable from beyond the lot boundary or within fifty (50) feet of the sign, whichever is greater, is counted against the maximum allowed sign area.

11-43-9: - STATUES, SCULPTURES AND THREE-DIMENSIONAL FIGURES

- A. **Permitted.** Signs that include statues, sculptures, or other three-dimensional figures are permitted in all Multiple Residence, Commercial, and Industrial Districts and Transects.
- B. **Sign Allowance.** Fifty percent (50%) of the area of the statue, sculpture, or three-dimensional figure shall be deducted from the total allowable sign area for that tenant, development or parcel (as applicable) if it meets the following criteria:
 1. The figure is either:
 - a. Attached to the building and placed within one-hundred (100) feet from the nearest right-of-way; or
 - b. Detached from the building and placed within one-hundred (100) feet from the nearest right-of-way; and,
 2. The vertical height of the figure is more than twelve (12) feet; and,
 3. The longest horizontal distance of the figure is more than ten (10) feet.

Statues, Sculptures and Three-Dimensional Figures that do not meet the criteria above will not be deducted from the total allowable sign area for that tenant, development or parcel.

11-43-10: - SUBDIVISION ENTRY SIGNS

- A. **Allowance.** A subdivision may display permanent signs subject to all of the following:
 1. No more than two (2) entries to the subdivision may display a sign. Each entry is limited to either:
 - a. Two (2) wall-mounted, single face signs; one (1) on each side of an entry; or
 - b. One (1) double-faced monument sign placed on one (1) side of an entry and oriented so the long axis is perpendicular to the intersecting street.
 2. Each sign shall not exceed twenty (20) square-feet of sign area.
 3. Signs shall consist of low-maintenance materials; such as metal or ceramic tile.
 4. Signs shall be located on private property, and not within the right-of-way.
- B. **Illumination of Subdivision Entry Signs.**
 1. **Source of illumination.** Subdivision entry signs may only utilize indirect lighting, such as halo illumination, or downcast exterior illumination in compliance with Section 4-1-4 of the Mesa City Code.
 2. Upcast exterior illumination and interior illumination through a translucent panel are prohibited.

11-43-11: - WINDOW SIGNS

Window signs are allowed and regulated as follows:

- A. In zoning districts and transects as provided in Tables 11-43-3-E and 11-43-3-F.
- B. In all other zoning districts:
 - 1.

Window signs may cover up to twenty-five percent (25%) of the area of the window and shall not be counted towards the maximum attached allowable sign area.

CHAPTER 44 - HISTORIC SIGNS

Footnotes:

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Editor's note— Previously, Chapter 44 derived from Ord. No. 5457, 7-9-18.

11-44-1: - HISTORIC SIGNS

- A. **Purpose and Intent.** This Section provides standards and procedures for the preservation and maintenance of a sign designated as historic. The intent of this Section is to recognize the historic character of Mesa's older commercial areas through the preservation of historic signs.
- B. **Eligibility.** A sign is designated historic if it meets the following criteria:
1. The sign has been in continuous existence, at its present location, for not less than fifty (50) years and the appearance of the sign has remained substantially the same during this time-period;
 2. The sign is of exemplary technology, craftsmanship, and design for the period in which it was constructed;
 3. The sign uses historic sign materials from the time-period of the signs construction, and has retained those materials;
 4. The sign uses some form of exposed neon lighting, electrified glass tubes, bulbs that contain rarefied neon, or another means of illumination for the time-period in which the sign was established; and
 5. The sign is unique in that it demonstrates extraordinary aesthetic quality, creativity, or innovation.
- C. **Application Requirements.** Only the sign owner may initiate a request for historic sign designation. The sign owner must apply, to the office of the Planning Division, in accordance with the application procedures in Chapter 67 of the Zoning Ordinance except that a Citizen Participation Plan is not required. In addition to the requirements in Chapter 67, the application must include the following:
1. A project narrative that includes:
 - a. The original construction date and location of the sign;
 - b. Statements and evidence of the height, size, location, materials and design of the sign, such as photographs, original drawings, approved permits, site plans, or other materials; and
 - c. Any other document(s) necessary to show the sign meets the eligibility requirements in Sub-section B.
 2. A restoration and maintenance plan demonstrating:
 - a. The sign is in operational order, or if the sign is not in operational order, identify the steps and the time frame necessary to make the sign operational within one-hundred and eighty (180) days. Include a list of any parts and materials that need to be replaced;
 - b. The sign is structurally sound, or if the sign is not structurally sound, outline the steps and the time frame necessary to make the sign structurally sound. Explain the process that will be used to ensure the sign maintains its historic character; and
 - c. Historic materials are available to continue maintenance of the sign and structure in its historic character.
- D. **Review Procedures.** The Historic Preservation Officer (HPO) determines whether an application is complete. When an application is determined complete, a hearing is scheduled before the Hearing Preservation Board. The Historic Preservation Board will conduct a public hearing and render a decision. The Historic Preservation Board may approve the designation of a historic sign if the sign satisfies the review criteria in Sub-section E. The Historic Preservation Board may impose reasonable conditions to achieve the review criteria in Sub-section E, including but not limited to a statement of the character defining elements that must be maintained.
- E. **Review Criteria.** When determining whether a sign is historic, the Historic Preservation Board must find that the sign(s) satisfies the following criteria:
1. The sign has been at its present location for not less than fifty (50) years.
 2. The sign uses exemplary technology, craftsmanship, or design for the time-period in which it was constructed.
 3. The sign uses historic materials for the time-period it was constructed and the availability of materials to maintain the historic character of the sign.
 4. If the sign is not operational, the ability to restore the sign within one-hundred eighty (180) days.
 5. If the sign uses exposed neon lighting, electrified glass tubes, bulbs that contain rarefied neon, or another means of illumination, it shall be from the time-period in which it was constructed.

6. The sign has a unique design that demonstrates aesthetic quality, creativity, or innovation.
- F. **Public Notice.** Notice of the public hearing of the Historic Preservation Board shall be mailed at least fifteen (15) days before the scheduled hearing date by first class mail to all owners of property located within three-hundred (300) feet of the exterior boundary of the property that contains the proposed historic sign, based on the last assessment. The contents of the notice shall comply with 11-67-5-C of the Zoning Ordinance.
- G. **Revocation of Historic Sign Designation.** The Historic Preservation Officer may revoke a historic sign designation if the sign is not maintained, modified, or repaired consistent with the Historic Preservation Board's findings and conditions of approval. A sign owner may appeal the Historic Preservation Officer's decision to the Historic Preservation Board, as provided in Chapter 77 of the Zoning Ordinance.
- H. **Restoration, Maintenance and Repair.** The owner of a historic sign must restore, maintain, and repair the sign in accordance with this Section.
 1. **Restoration.** Approval of a historic sign is subject to the sign being operational and restored consistent with the conditions approved by the Historic Preservation Board within one-hundred and eighty (180) days of the Board's approval. If a sign is not restored consistent with the conditions approved by the Board or is not operational within one-hundred and eighty (180) days of the Board's approval, the historic sign designation is automatically revoked. The owner of the historic sign can appeal this decision to the Historic Preservation Board as provided in Chapter 77.
 2. **Maintenance.** Ordinary maintenance and repair of the historic sign is permitted, provided the maintenance does not change the material or design of the sign or alter the sign's character defining elements as per the Historic Preservation Board's approval.
 3. **Repair.** If a historic sign is damaged or partially destroyed, the historic sign must either be removed, or restored or rebuilt consistent with the character defining elements of the Historic Preservation Board's approval.
 4. **Modifications.** The Historic Preservation Officer may approve modifications to a historic sign that are consistent with the original findings and conditions approved by the Historic Preservation Board. The owner of the historic sign can appeal the Historic Preservation Office's decision to the Historic Preservation Board as provided in Chapter 77.
- I. **Demolition Permits.** Prior to demolition of a designated historic sign, the consideration of a demolition permit, in accordance with the provisions in Sections 11-74-4-B-1, 11-74-4-B-2, and 11-74-4-C of the Zoning Ordinance, is required.
- J. **Effect of Designation.** When a sign is designated as a historic sign and restored to its historic function and appearance:
 1. The sign is exempt from the height and size requirements of this Sign Ordinance;
 2. The sign is considered legal, conforming and the property on which the sign is located may redevelop without having to bring the historic sign into conformance with this Sign Ordinance; and,
 3. The amount of sign area contained in the historic sign does not count toward the sign area or height allowed on the property.

CHAPTER 45 - PROHIBITED SIGNS

Footnotes:

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Editor's note— Previously, Chapter 45 derived from Ord. No. 5457, 7-9-18.

11-45-1: - PROHIBITED SIGNS

- A. The following signs are prohibited:
 1. Discontinued Signs.
 2. Pennants, streamers, and whirligigs.
 3. Portable Message Center Signs.
 4. Reflective Signs.
 5. Animated Signs.
 6. Signs that employ intermittent or flashing illumination, stereopticon, motion picture, rotation or other movement, visible moving parts, or any device creating the optical illusion of motion.
 7. Signs that emit sound or odor.
 8. The use of strobe lights or similar intermittent light devices, separately, or as part of a sign or to illuminate a sign.
 9. Any sign which is structurally unsafe, unsafely installed, or otherwise hazardous to physical safety.

10. Signs not authorized by the property owner.

B. The following signs and conditions are prohibited:

1. Signs that are located within the right-of-way, other than signs governed by Sections 11-43-3-E and 11-43-3-F.
2. Signs that do not comply with the location, size, or use restrictions of this Sign Ordinance.
3. Signs placed so as to prevent or inhibit free ingress to or egress from any door, window, entry, exit, fire escape, building or site required by the Mesa Building Code, or by the Mesa Fire Code.
4. Signs attached to any public utility pole or structure, streetlight, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, bus bay, or other location on public property.
5. Signs placed in a location which obstructs the view of any traffic sign, signal, or other traffic-control sign, or of a vehicle operator entering, exiting, or traveling upon the right-of-way.
6. Signs that by way of shape, color, or position are confused with any authorized traffic-control or public directional sign.
7. Signs not maintained pursuant to [Chapter 49](#).

C. The installation, construction, or display of any prohibited sign is unlawful and a violation of this Sign Ordinance.

(Ord. No. [5847](#), § 2, 3-4-24)

CHAPTER 46 - USE PERMITS, VARIANCES, AND INTERPRETATIONS

Footnotes:

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Editor's note— Previously, Chapter 46 derived from Ord. No. 5457, 7-9-18.

11-46-1: - ADMINISTRATIVE USE PERMITS, SPECIAL USE PERMITS, COUNCIL USE PERMITS, AND VARIANCES

- A. **Administrative Use Permits, Special Use Permits, and Council Use Permits.** If an Administrative Use Permit (AUP), Special Use Permit (SUP), or Council Use Permit (CUP) is required by this Sign Ordinance, an applicant shall apply with the office of the Planning Division. The application is processed in accordance with [Chapter 67](#) and reviewed in accordance with [Chapter 70](#) of the Zoning Ordinance.
- B. **Variances.** An applicant requesting a variance from the provisions of this Sign Ordinance shall apply to the office of the Planning Division. The request is processed in accordance with [Chapter 67](#) and reviewed in accordance with [Chapter 80](#) of the Zoning Ordinance and ARS 9-462.06.

11-46-2: - INTERPRETATIONS

- A. **Authorization.** A person requesting an interpretation of the provision(s) of this Sign Ordinance shall make the request to the Zoning Administrator as provided in Section 11-66-7 of the Zoning Ordinance.
- B. **Limits of interpretations.** An interpretation may not change the basic term(s) and provision(s) of this Sign Ordinance.
- C. **Considerations required in making interpretation.** All interpretations of this Sign Ordinance are exercised with consideration of all policies, purposes, and guidelines established by the Mesa City Council, the intent set forth herein in this Sign Ordinance, and in a manner that is consistent with the First Amendment guarantee of free speech.

11-46-3: - COMPREHENSIVE SIGN PLANS

- A. **Authorization.** The Zoning Administrator Hearing Officer or the Board of Adjustment may approve a comprehensive sign plan for a proposed or existing development or building in conjunction with the granting of a Special Use Permit in accordance with [Chapters 67](#) and 70 of the Zoning Ordinance.
- B. **Purpose and Intent.** The purpose of a comprehensive sign plan is to provide for the establishment of signage criteria that are tailored to a specific development or location, and which may vary from specific Sign Ordinance provisions. The intent is to provide for flexible sign criteria that promote superior design through architectural integration of the site, buildings, and signs. This does not allow for consideration of sign types allowed within a zoning district.
- C. **Minimum Required Elements of Comprehensive Sign Plan.** A comprehensive sign plan shall include the location, size, height, construction material, color, type of illumination, and orientation of all proposed permanent and portable signs, and any other document(s) necessary to determine if the plan meets the review criteria.
- D.

Review criteria. The Zoning Administrator Hearing Officer or the Board of Adjustment may approve a comprehensive sign plan containing elements which exceed the permitted height, area, and number of signs specified in this Sign Ordinance if the comprehensive sign plan conforms to the required findings in 11-70-5 of the Zoning Ordinance and upon a finding that:

1. The development site contains unique or unusual physical conditions, such as topography, proportion, size, or relation to a public street that would limit or restrict normal sign visibility; or
 2. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest, or other distinguishing features that represent a clear variation from conventional development; or
 3. The proposed signage incorporates special design features such as lighting, materials and craftsmanship, murals, or statuary that reinforce or are integrated with the building architecture.
- E. **Sign Permit Required.** A sign permit is required for the construction and placement of individual signs contained in an approved comprehensive sign plan.
- F. **Modification and Expiration of Approved Sign Plans.** An approved comprehensive sign plan expires in accordance with Section 11-67-9 of the Zoning Ordinance. If a plan expires, the sign allowance for the property is based on the provisions in Chapters 42 and 43 of this Sign Ordinance unless a new comprehensive sign plan is approved.

CHAPTER 47 - SIGN PERMITS

Footnotes:

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Editor's note— Previously, Chapter 47 derived from Ord. No. 5457, 7-9-18.

11-47-1: - SIGN PERMITS, INSPECTIONS, FEES, AND PENALTIES

A sign requiring a permit shall be erected, constructed, or relocated in compliance with all requirements of Title 4, Chapter 1 of the Mesa City Code including the requirements relating to permits, inspections, fees, and penalties.

11-47-2: - SIGNS AND ACTIONS NOT REQUIRING A SIGN PERMIT

- A. A sign permit is not required for the following signs or defined actions if such sign or action complies with the provisions of this Sign Ordinance. (Note: An electric permit is still required for any exterior electric signs.)
1. A change in sign face with no structural or electrical changes or alterations.
 2. All signs six (6) square feet or less in area and not otherwise prohibited by Chapter 45 of this Sign Ordinance;
 3. Unilluminated portable signs thirty-two (32) square feet or less in area, and specifically listed as permitted by Chapter 42 of this Sign Ordinance;
 4. Standard sign maintenance, as defined in Section 11-50-1;
 5. Relocation of a sign when required as an action of the City or another governmental agency;
 6. Window Sign;
 7. Flag; or
 8. Vehicle Sign.
- B. All other signs or actions require a sign permit.

11-47-3: - SIGN PERMIT APPLICATION REQUIREMENTS

Application Requirements. An applicant must apply for a sign permit in compliance with Sections 4-1-4 of the Mesa City Code. In addition to the requirements in Section 4-1-4, the application must include:

- A. All required fees;
- B. Graphic depictions of the sign, in plan and elevation views, including:
1. A description of the sign type and materials used for the sign and sign structure;
 2. Dimensions of the sign or sign panel defining the proposed sign area including sign copy;
 3. Dimensions of the sign structure; and
 - 4.

Sign location.

- C. Construction specifications, including structural calculations;
- D. Specifications and designs for electrical components and wiring (if applicable);
- E. The method of attachment if the sign is attached to a building or similar structure;
- F. Design of structural members for attached signs; and
- G. Scale drawings depicting the following:
 - 1. Location(s) and distance(s) of the leading edge of the sign (attached or detached) that is closest to:
 - a. The adjacent property line(s) that is not coterminous with a right-of-way line;
 - b. The future width line of the closest adjacent street; and
 - c. The right-of-way; and
 - 2. The zoning for the parcel where the proposed sign(s) are located and the zoning for all abutting parcels.
- H. Demonstrated conformance with the conditions of any approved use permit.
- I. Demonstrate there are no unauthorized signs on the property by providing current photographs of the entire property.

11-47-4: - GENERAL PROVISIONS

- A. **Public or Private Nuisance.** A sign permit issued by the City does not constitute permission or authorization to maintain a public or private nuisance, and does not constitute a defense in any action to abate a nuisance.
- B. **Sites Displaying Existing Prohibited Signs.** The City will not issue a sign permit for new or additional signs if a site currently displays an unlawful or prohibited sign(s). The City may issue a sign permit provided the term of the permit specifies the modification or removal of all unlawful or prohibited signs on the property.
- C. **Conformance with Approved Plans.** A sign for which a sign permit is issued shall be constructed, installed, maintained, or displayed in complete conformance with all terms, requirements, and stipulations specified by the approved plans and sign permit, including visual appearance requirements as specified in Section 11-43-3.

11-47-5: - REQUIRED INSPECTIONS

A sign which requires a sign permit is subject to the following inspections, unless waived by the Building Official or designee:

- A. Footing inspections on all detached signs, including situations where square footage or panels are added to existing detached signs.
- B. Electric inspections on all electrical signs, prior to placement.
- C. Final inspection which includes structural members, height, design, materials, and area.
- D. Any other inspections required by Title 4 of the Mesa City Code.

11-47-6: - SIGN PERMIT REQUIRED FOR COMPREHENSIVE SIGN PLAN

A sign permit is required for a sign(s) authorized by an approved Special Use Permit for a Comprehensive Sign Plan. The applicant must submit a sign permit application prior to the expiration of the Special Use Permit.

11-47-7: - SIGNS PLACED WITHIN FUTURE WIDTH LINE OF RIGHT-OF-WAY

- A. A sign permit for a sign(s) proposed within the future width line of right-of-way as specified in Section 11-2-3-L of the Zoning Ordinance, and not within the right-of-way, is allowed if authorized by:
 - 1. An approved variance, or
 - 2. As a replacement sign in accordance with Section 11-47-2-A-5 of this Sign Ordinance.
- B. The sign owner must enter into the City's sign agreement. The sign agreement requires approval by the Planning Director. The City, upon receipt of an executed sign agreement, will issue a sign permit. The sign owner is responsible for the cost of relocating the sign(s), at the owners' expense, to an authorized location outside of the right-of-way when the right-of-way is widened or when required by the City in conjunction with a public improvement.
- C. The sign owner must submit a Certificate of Insurance that complies with the City's current insurance requirements.

11-47-8: - APPEAL OF DENIAL OR REFUSAL TO ISSUE A SIGN PERMIT

When the Building Official or designee, in consultation with the Zoning Administrator, refuses to issue a sign permit on the grounds of violation of this Sign Ordinance, the applicant or the owner of property owner may appeal the decision to the Board of Adjustment in accordance with Section 11-77-3 of the Zoning Ordinance. When the Building Official or designee refuses to issue a sign permit on the grounds of violation of the Building or Electrical Code, The applicant or the owner of the property may appeal such decision to the Building Board of Appeals in accordance with Title 4 of the Mesa City Code.

11-47-9: - REVOCATION AND EXPIRATION OF A SIGN PERMIT

- A. Pursuant to Title 4 of the Mesa City Code, the Building Official or designee may suspend or revoke a sign permit.
- B. A sign permit expires if work under the sign permit is not commenced within one-hundred eighty (180) days of the issuance of the sign permit. The Building Official or designee may extend the sign permit if an applicant submits a request in writing demonstrating justifiable cause.

CHAPTER 48 - LEGAL NONCONFORMING SIGNS

Footnotes:

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Editor's note— Previously, Chapter 48 derived from Ord. No. 5457, 7-9-18.

11-48-1: - MAINTENANCE, ALTERATION, OR REMOVAL OF LEGAL NONCONFORMING SIGNS

- A. A legal nonconforming sign shall be maintained and may continue only in the manner and to the extent that it existed at the time of adoption of this Sign Ordinance, amendment to this Sign Ordinance, or extension of boundaries because of annexation into the Mesa corporate limits.
- B. A legal nonconforming sign structure shall not be re-erected, relocated, or replaced unless it is brought into compliance with the requirements of this Sign Ordinance. If property is rezoned at the request or initiation of the property owner, including the opt-in process, the City, as a condition of the zoning, may require any nonconforming sign or sign structure be removed or brought into conformance with the provisions of this Sign Ordinance.
- C. Any legal nonconforming sign shall be removed or rebuilt in full conformity to the terms of this Sign Ordinance if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty-percent (50%) or more of the cost of reconstruction of the sign. In the event the sign is considered prohibited or discontinued, the sign shall be removed.
- D. Existing detached signs located within the future width line of a street, as specified in Section 11-2-3-L, are not subject to the limits and conditions specified in Section 11-48-1-A through C provided the signs are in compliance with all other applicable provisions of this Sign Ordinance.

11-48-2: - LEGAL NONCONFORMING SIGNS ON A SEVERED PARCEL

- A. Notwithstanding any other provision of this Chapter, legal nonconforming signs that are located on a parcel of property which is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase, or dedication, may be relocated on the remainder parcel without extinguishing the legal nonconforming status of that sign if the nonconforming sign:
 - 1. Is not increased in area or height;
 - 2. Remains structurally unchanged except for reasonable repairs or alterations;
 - 3. Is placed in the same relative position on the remaining property that it occupied prior to the relocation; and
 - 4. Is relocated in a manner to comply with all applicable safety requirements.
- B. After relocation, pursuant to this Sub-section, the legal nonconforming sign is subject to all provisions of this Sign Ordinance.

CHAPTER 49 - MAINTENANCE, REMOVAL, DISPOSAL, VIOLATIONS, AND ENFORCEMENT

Footnotes:

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Editor's note— Previously, Chapter 49 derived from Ord. No. 5457, 7-9-18.

11-49-1: - MAINTENANCE

- A. **General Provisions.** All conforming and legal nonconforming signs and sign structures, shall be maintained according to this Chapter. It is unlawful for a sign or sign structure to remain in a damaged, deteriorated condition that constitutes a danger or hazard to public safety or a visual blight. All signs shall be maintained to the following standards of structural repair and visual appearance:
1. All structural and nonstructural components are positioned and secured in accordance with approved plans for the sign;
 2. Any deteriorated, damaged, or weakened components are promptly repaired or replaced;
 3. All sign copy and painted surfaces of a sign are free of chipping, peeling, rusting or other oxidation of metals, and fading of colors, as detectable from beyond the lot boundary or within fifty (50) feet of the sign, whichever is less;
 4. Components composed of plastic, acrylic, and other artificial or non-organic material compositions are free of cracks, holes, buckling, or any other condition affecting the strength and stability of the component, as detectable from beyond the lot boundary or within fifty (50) feet of the sign, whichever is less; and
 5. Electrical signs are maintained in working order. Minimum maintenance requirements for electrical signs and electrical systems include but are not limited to: prompt removal and replacement of all defective bulbs, fluorescent tubes, neon or other inert gas light segments, damaged or deteriorated electrical wiring and diodes, and malfunctioning control devices and related circuitry.
- B. If a permit is required per Title 4 of the City Code for any sign or sign structure maintenance or repair activities, the permit must be obtained prior to commencing work.

11-49-2: - DETERIORATED SIGNS

- A. A sign that is damaged or deteriorated:
1. Constitute a danger or hazard to public safety, and
 2. A sign is considered visual blight, particularly when the following conditions are present:
 - a. The sign is not repaired shortly after being damaged, and remains damaged;
 - b. A sign continues to deteriorate, generally because of lack of basic maintenance or repair; or
 - c. A sign cannot fully function or operate as designed, generally because of a lack of basic maintenance or repair.
- B. A sign that remains damaged, deteriorated, or shows evidence of a lack of basic maintenance is prohibited.
- C. Evidence of lack of basic maintenance shall include, but is not limited to:
1. Peeling, faded or deteriorating paint;
 2. Cracked damaged, rusting or missing parts, posts or sign cabinets;
 3. Incomplete, uneven or partial illumination (applicable to signs intended as illuminated), including non-functional light sources;
 4. Faded, cracked, or damaged sign panels;
 5. Any condition affecting the strength and stability of the component;
 6. Electric signs no longer in working order, including: defective bulbs, tubes, neon light segments, damaged or deteriorating electrical wiring, and malfunctioning control devices and related circuitry.

11-49-3: - PENALTIES FOR LACK OF SIGN MAINTENANCE

It is a violation of this Sign Ordinance for the owner of a sign to fail to maintain, repair or replace defective, malfunctioning, or broken parts of the sign, as described in this Chapter.

11-49-4: - REMOVAL OF SIGNS

- A. **Declaration of a Public Nuisance.** A sign is a public nuisance when in violation of the requirements of the Mesa City Code.
- B. **Notice.** Before removing or bringing action to require the removal of any illegal, prohibited, or nonconforming sign, except for those signs in Sub-section D below, the City Manager or designee shall provide notice to the owner of the sign or the owner of the premises on which the sign is located. The notice shall state the reasons for removal, listing the deficiencies or defects in the sign with reasonable definiteness, and the penalties. The notice shall include what repairs or maintenance, if any, will make the sign conform to the requirements of the City Code. The notice shall specify that the sign must be removed or made to conform with the requirements of the Mesa City Code within the time-period identified in this Chapter. Service of notice shall be by any of the following methods:
1. By first class mail, postage prepaid, addressed to the owner, occupant, agent, manager, or responsible person at the last known address. Service by mail is deemed complete upon deposit in the U.S. mail;
 2. By certified or registered mail;

3. Hand delivery to the record owner, occupant, agent, manager, or responsible person of the premises where the violation occurred, or to the person responsible for the violation;
 4. By publication; or
 5. By serving the owner, occupant, agent, manager, or responsible person in the same manner as provided by the Arizona Rules of Civil Procedure.
- C. **Notice Period.** The notice period for permanent signs is twenty-eight (28) days and the notice period for portable signs is three (3) days. If the owner or lessee of the premises where the sign is located has not complied with this Chapter by the end of the notice period, the City Manager or designee may pursue enforcement as authorized in Section 11-49-5 of this Sign Ordinance.
- D. **Notice Not Required.** The City Manager or designee is not required to provide written notice before removing or bringing action to require the removal of the following:
1. A sign that is placed within the right-of-way in violation of this Sign Ordinance;
 2. A Prohibited or illegal sign placed on public property;
 3. A sign that creates an immediate threat to public safety; and
 4. A sign that is dangerous or defective.
- E. **Removal of Signs.** The City Manager, or designee, is authorized to remove any sign posted in violation of this Sign Ordinance that are not removed or replaced by the owner or other responsible party when required in accordance with the provisions of this Sign Ordinance. The City may also file a civil complaint against the person who posted the sign to recover the costs of removing the sign.
- F. **Disposal of Signs.** A sign removed in accordance with this Chapter may be impounded as evidence, or disposed of as abandoned property, unless claimed by the owner within thirty (30) days. Any sign removed by the City Manager or designee, pursuant with the provisions of this Sign Ordinance, shall become the property of the City and may be disposed in any manner deemed appropriate by the City. The cost of removal of the sign by the City is considered a debt owed to the City by the owner of the sign and the owner of the property, and is recoverable in an appropriate court action by the City, or by assessment against the property in accordance with Chapter 79 of the Zoning Ordinance. The cost of abatement or removal shall include any and all incidental expenses incurred by the City in connection with the sign abatement or removal.

11-49-5: - VIOLATIONS

- A. It is unlawful and constitutes a public nuisance for any person, firm, or corporation to construct, place, install, alter, change, maintain, or use any sign contrary to or in violation of any provision:
1. Of this Sign Ordinance;
 2. Designated as a condition of approval of a land use action required by the Zoning Ordinance; or
 3. Designated as a condition of approval for a sign or building permit.
- B. The installation, construction, or display of any illegal or prohibited sign is unlawful and a violation of this Sign Ordinance.

11-49-6: - ENFORCEMENT

Enforcement of the provisions of this Sign Ordinance shall be pursuant to the provisions contained in Chapter 79 of the Zoning Ordinance.

CHAPTER 50 - DEFINITIONS OF TERMS USED IN THE SIGN ORDINANCE

Footnotes:

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Editor's note— Previously, Chapter 50 derived from Ord. No. 5457, 7-9-18.

11-50-1: - GENERAL PROVISIONS RELATED TO DEFINITIONS

This Chapter lists definitions of terms used primarily in chapters and sections of this Sign Ordinance (Article 5 of the Mesa Zoning Ordinance), but may be applicable as the context demands for other related portions of the Zoning Ordinance and Mesa City Code. The terms are listed in alphabetical order. The photographs and illustrations used in this Chapter are intended to provide generalized examples and illustrate broad

concepts, and are not to be used as exclusive or limited examples, or considered regulatory in nature. If a conflict exists between what is illustrated by the drawing or photograph, and the narrative text description in the definition, then the narrative text description is considered the controlling definition.

11-50-2: - DEFINITIONS: A THROUGH C

Abandoned Sign: See Discontinued Sign.

Advertising For Hire Sign: As defined in Chapter 87 - Definitions.

Awning Sign: A sign that is a part of or attached to an awning.

Billboard: As defined in Chapter 87 - Definitions.

Blade Sign: A sign attached to a thin or narrow architectural feature of a building façade that projects from the building façade, typically at a ninety-degree (90°) angle.

Cabinet Sign: An internally illuminated sign in which a removable sign face, usually with translucent sign graphics, is enclosed within a single case, and the source of illumination is not visible. A cabinet sign may be multi-faced.

Canopy Sign: See Awning Sign.

Copy: The letters, numerals, figures, symbols, illustrations, logos, and graphic characters used to make up the sign message.

(Ord. No. 5847, § 3, 3-4-24)

11-50-3: - DEFINITIONS: D THROUGH F

Discontinued Sign: A sign or sign structure located on a property that has been vacant or unoccupied for a consecutive period of one-hundred eighty (180) days or more, regardless of whether the owner intends to abandon the sign.

Downtown Pedestrian Area: The Downtown Pedestrian Area (DPA) is designated, as depicted in Figure 11-50-3-A below, as the east side of Country Club Drive to the west side of Mesa Drive, the south side of 1st Street to the north side of 1st Avenue. The centerline of the streets shall be construed to be the boundaries. This area is characterized as the most intensely developed governmental, cultural, and business core.

FIGURE 11-50-3-A: DOWNTOWN PEDESTRIAN AREA

Drive-thru Sign: A detached permanent sign not exceeding thirty-two (32) square feet in area and eight (8) feet in height located within five (5) feet of a drive-thru lane where the sign copy is designed to be readable only by the occupants of a vehicle in the drive-thru lane and the sign copy is not readable across a property line unless the property line is shared between parcels within the same Group C-O-I Development.

Driveway Sign: A detached permanent sign not exceeding three (3) square feet in area and three (3) feet in height located within five (5) feet of a driveway or drive aisle and within twenty (20) feet from a future width line of the adjacent public street.

Electric Sign: Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source, does not include signs illuminated by an exterior light source that is not an integral part of the sign.

Electronic Message Panel: A sign that is capable of displaying copy that is electronically or mechanically changed by remote or automatic means.

Embellishment: Structural or decorative elements of a sign incorporating representations of the significant architectural features of the associated building or development; does not include the portion of the sign structure counted as the sign area.

FIGURE 11-50-3-B: EMBELLISHMENT

Flashing Illumination: Illumination in which the artificial source of light is intermittent in intensity and/or color.

Freestanding Sign: Same as Permanent Sign, Detached.

Freeway Landmark Monument: A sign structure which exceeds sixteen (16) feet in height or one-hundred twenty (120) square feet in area, and is intended to be visible from an adjacent designated state or federal freeway.

Front Foot: The maximum lineal dimension of an exterior wall, excluding canopies and projections, measured on a straight-line parallel to a fronting street. For purposes of this definition, all pad buildings and pad occupancies within a Group C-O-I Development, located on a corner parcel, are defined as having exterior walls fronting on both streets.

11-50-4: - DEFINITIONS: G THROUGH K

Government Sign: Any sign, posting, or notice constructed, posted, installed, maintained or required by a city, county, federal, or state governmental agency in carrying out its responsibility to protect the public health, safety, and welfare, including but not limited to, emergency and warning signs necessary for public safety or civil defense; posting of legal notices; official traffic, fire, and police signs, signals, and devices; traffic signs, traffic control devices, or streets signs erected and maintained by an authorized public agency; signs showing the location of public facilities; signs for government sponsored events; signs placed by the government on buildings of historical significance; and government speech pursuant to case law. Government signs are allowed in every zoning district and are not governed by this Sign Ordinance.

Grade: The top of curb or edge of pavement where no curb exists.

Hanging Sign: A sign suspended from, and located entirely under a covered porch, covered walkway, or an awning.

FIGURE 11-50-4-A: HANGING SIGN: PERPENDICULAR TO THE BUILDING

Height: The vertical distance to the top of a sign, excluding embellishment, measured from the nearest curb, sidewalk, or street grade.

11-50-5: - DEFINITIONS: L THROUGH N

Legal Nonconforming Sign: Any permanent sign which is not permitted by this Sign Ordinance, but which, when first constructed, was legally permitted by the City or the political subdivision then having jurisdiction and regulation over the construction of the sign.

Maintenance: The repair or replacement in-kind of individual sign components including paper, fabric, or plastic copy panels; electrical wiring and bulbs; or paint, stucco, or other exterior finishes. Shall not include the replacement of metal or wood cabinets, structural faces, supporting structural members, primary uprights, posts and poles, or the sign in its entirety.

Monument Sign: A detached permanent sign mounted or incorporated into a solid, self-supporting base.

Mural: A painted work of visual art or pictorial representation applied to or incorporated into a structure or wall, with the exception of a window, that can be viewed from public places, alleys, rights-of-way. A painted work of visual art or pictorial representation applied to or incorporated into a window is a window sign.

11-50-6: - DEFINITIONS: O THROUGH R

Off-site Sign: As defined in Chapter 87 - Definitions.

Outdoor Display Case: A sign consisting of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a building wall or freestanding support.

Permanent Sign, Attached: A sign made of durable material permanently anchored to a building or wall.

Permanent Sign, Detached: A sign which is intended to and is constructed in a manner that is permanent, on its own foundation and structural supports, and is detached from any supporting elements of a building. Sign structures are constructed of materials, such as brick, stone, metal, concrete, carved wood that is treated for durability when exposed to the weather, or related materials considered durable and of architectural quality.

Pole Sign: A permanent detached sign supported by one (1) or more uncovered or exposed uprights, supports, or braces.

Portable Message Center Sign: A portable sign larger than eight (8) square feet mounted, painted, placed on, attached or affixed to a trailer or resting atop the ground without penetrating the surface.

FIGURE 11-50-6-A to C: EXAMPLES OF PORTABLE MESSAGE CENTER SIGNS

Portable Sign: A sign constructed of fabric, canvas, vinyl, cardboard, foam-core, plywood, sheet metal, plastic, or other light weight material that is neither permanently installed in the ground nor permanently affixed to a building or structure. Portable signs include signs resting atop the ground, or affixed to the ground by a temporary anchoring system such as, but not limited to, stakes or ballast or footing for large portable signs. This definition includes a-frame, t-frame, attached rigid, detached rigid, yard, detached banner, and wall banner sign.

FIGURE 11-450-6-D through I: EXAMPLES OF PORTABLE SIGNS

Projecting Sign: A sign attached to a building or structure in such a manner that its face is not parallel to the building or structure to which it is attached.

FIGURE 11-50-6-J through N: EXAMPLES OF PROJECTING SIGNS

Public Transportation Sign: A sign installed as part of a City transit program that is located at a bus or transit stop, bus or transit shelter facility, bike share station, bus or bike kiosk, or other bus, transit or bike structure.

Roof Sign: A sign placed on a flat or sloped roof.

11-50-7: - DEFINITIONS: S THROUGH V

Sign: Any identification, description, illustration, symbol, or device which is designed to identify, announce, direct, or inform, which is affixed or painted directly or indirectly upon a building, vehicle, structure, or land that is visible from:

1. Beyond the property boundaries except within a Group C-O-I Development; or
2. Beyond the perimeter boundaries of a Group C-O-I Development; or
3. The right-of-way.

Sign Structure: The supports, uprights, braces and framework of a sign.

Vehicle Sign: A sign mounted, painted, placed on, attached or affixed to a trailer, watercraft, truck, automobile, or other form of motor vehicle. The term shall not include a symbol, mark, or other medium of identity that is intrinsic, inherent, or otherwise belonging to the vehicle by nature of its manufacture, or a license plate frame, bumper sticker, spare tire cover, or similar appurtenance.

11-50-8: - DEFINITIONS: W THROUGH Z

Wall Sign: A permanent or portable sign mounted flat against or painted on the wall of a building or structure with the exposed face of the sign in a plan parallel to the face of the wall. This does not include window signs.

Window Sign: A sign that is applied to, placed on, affixed to, or painted on a window; or suspended or placed in front of or thirty-six (36) inches behind a window so that it is visible from the exterior of the building or structure.

CHAPTER 51 - BILLBOARDS

11-51-1: - BILLBOARDS

- A. Billboards, including Off-Site Signs, and Advertising for Hire Signs, are prohibited in all zoning districts except that Billboards, including Off-Site Signs, and Advertising for Hire Signs, are permitted in an approved Billboard Overlay District in compliance with Chapter 25 of the Zoning Ordinance.
- B. Billboards, including Off-Site Signs, and Advertising for Hire Signs, are governed by and must comply with Chapter 25 - Billboard Overlay District.

(Ord. No. 5847, § 5, 3-4-24)

ARTICLE 6 - FORM-BASED CODE

CHAPTER 56 - FORM-BASED CODE OVERVIEW

11-56-1: - PURPOSE

The purpose of the Form-Based Code is to implement the vision, goals, and policies of the community for Traditional Neighborhood Development and urban centers. The standards set forth in this Code are intended to ensure that future development and redevelopment will reinforce an urban environment and active streetscape.

11-56-2: - AUTHORITY AND APPLICABILITY

- A. The Form-Based Code (FBC) replaces the Zoning for parcels that have been mapped with a Transect Zone. See Chapter 57 (Regulating Plans) of this Title for the mapping of Transect Zones.
 1. Area of Initial Application. In its initial application, the Form-Based Code will be applied to the Downtown and Pioneer/ Temple Neighborhoods, as mapped in Chapter 57: Maps, once rezoning to the designated transect zone is made effective through completion of the opt-in process (Sub-sections C and D, below).
 2. Areas of Future Use. Rezoning requests for use of Form-Based Code and transect zones in other areas of the City shall be governed by Chapter 63: Smart Growth Community Plans (SGCP). As individual SGCPs become adopted by City Council in the future, the regulating plans for each SGCP shall be added to Chapter 57: Maps.
 - 3.

Relationship of FBC to Zoning Ordinance. This Form-Based Code is a subpart of the Zoning Ordinance. All provisions of the Zoning Ordinance apply within the areas mapped with Transect Zones using FBC unless otherwise provided in [Article 6](#): Form-Based Code of this Title.

4. **Applicability of Non-Transect Development Standards.** The FBC shall be considered in combination with any applicable standards in [Article 3](#): Overlay Districts and Chapter 31 of [Article 3](#): 'Standards for Specific Uses' in the Zoning Ordinance. Requirements referenced in Chapter 30: 'General Site Development Standards' may be applicable when directly referenced as part of a requirement of [Article 6](#): Form-Based Code.
- B. **Other Agreements.** If conflicts occur between the requirements of this FBC and applicable standards adopted by City Council as part of any other agreement, and determined by the Zoning Administrator in consultation with the City Attorney's Office to remain in effect, the more restrictive requirements shall apply.
- C. **Council Option to Designate Transect and Non-transect Zones to Same Parcel.** At the time of adoption of a regulating plan, the City Council may designate a parcel for both the existing non-transect zone (i.e., the current zoning designation) and a FBC transect zone (refer to Section 11-3-2 'Official Zoning District Map and District Boundaries' and associated map for non-transect zone boundaries and [Chapter 57](#) of this Article: 'Maps' for applicable regulating plan). When this occurs, a property owner may continue to apply the standards of the non-transect zone (see Sub-section D, below) or, may choose to designate the site entirely for compliance with the requirements of the FBC transect zone, pursuant to the Opt In Procedures in Section D below, but in no case may the site be developed utilizing a mixed set of standards from both transect and non-transect zones at the same time, unless reference to a non-transect standard is specified in the transect requirement.
- D. **Opt In Procedures.** In those circumstances in which the City Council designates a parcel for both non-transect and transect zones, the property owner may choose to continue to comply with the existing non-transect zone requirements, or choose to comply with the FBC requirements applicable to the transect zone, but not both. When a property owner selects a transect zone, they shall sign before a notary public a "Form-Based Code Opt-In" form prepared by the Zoning Administrator and approved by the City Attorney's Office. Such form shall state that the FBC transect zone standards are now effective, and that the non-transect zone is no longer effective for that site. The City shall maintain an official record of the agreement in the files of Planning Division Office, and shall update the Official Zoning Map of the City (Section 11-3-2) to reflect the agreed change. The selected change will remain on the site until rezoned in the future.

11-56-3: - Effect on Existing Development and Land Uses After Opt In to FBC

Note: In circumstances in which transect and non-transect zones apply to the same site, development will be subject to the requirements of the non-transect zones, until a property owner opts in pursuant to the Opt In Procedure described in Section 11-56-2.D above. The following language describes the use of FBC requirements on existing development for properties designated with only transect zones (non-transect zones are not present), or after the owner of dual designated transect/non-transect property has chosen to opt in to the FBC requirements and therefore make the transect zone effective.

Development and land uses that were lawfully established, and exist within the FBC boundaries prior to the effective date of this FBC are affected by this code as follows:

- A. **Complies with FBC.** Existing development and land uses that comply with all applicable requirements of [Article 6](#): Form-Based Code of this Title may continue to operate, and shall be altered or replaced only in compliance with [Article 6](#): Form-Based Code.
- B. **Non-compliance with FBC.** Any development or land use that was lawfully built in conformance with non-transect zone requirements (the Zoning Ordinance), and does not comply with the requirements effective for the applicable transect zone, shall be considered as legal, but non-conforming, and may continue to operate in compliance with the City's regulations for non-conformities in the Zoning Ordinance (see Zoning Ordinance [Chapter 36](#) 'Nonconforming Uses, Structures and Lots'). Sites that are non-conforming relative to site development standards may redevelop, remodel or expand only in conformance with the following:
 1. [Article 6](#) and Transect zone requirements. However, existing construction may stay in place without modification or demolition except what is necessary to accommodate the redevelopment, remodel or expansion.
 2. When the expansion, or remodeling of existing development amounts to an increase of 20 percent (20%) or less of the existing floor area, up to a maximum of 1000 square feet, then such remodeling or expansion may proceed in accordance with any conditions attached to the Zoning Clearance by the Planning Director.
 3. When expansion or remodeling of an existing development results in a larger building that exceeds a 20 percent (20%) increase of the existing floor area, or exceeds 1000 square feet, then such remodeling or expansion may only proceed in accordance with an approved Substantial Conformance Improvement Permit (SCIP), as per [Chapter 73](#) of this Ordinance. Said SCIP application shall be reviewed prior to issuance of a Zoning Clearance.

11-56-4: - PERMIT PROCESSING, REZONING AND ADMINISTRATION

- A. **Processing and Procedures.** The standards, permits, procedures, and other requirements of this Code shall be administered and enforced per Zoning Ordinance requirements, unless specifically stated otherwise in this FBC.
- B. **Text amendments.** Text amendments to this FBC, or to adopted regulating plans as listed in Chapter 57 'Maps', shall be processed in accordance with the procedures and standards found in Chapter 76 'Zoning Ordinance: Amendments to Map and Text' in the Zoning Ordinance.
- C. **Rezoning of Parcels within Adopted Regulating Plans.**
1. ***Parcels within Adopted Regulating Plans*** - Rezone from One Transect Zone to Another Transect Zone. Amendments to the map shall be processed in accordance with the procedures and standards in Chapter 76 'Zoning Ordinance: Amendments to Map and Text' in the Zoning Ordinance.
 2. ***Properties Outside of Adopted FBC Mapped Area(s)*** - Rezone from a Non-transect Zone to a Transect Zone.
 - a. Requests for Transect Zones outside of areas with adopted Regulating Plans shall include all Smart Growth Community Plan (Chapter 63) requirements when an application includes a request for a regulating plan and the project involves:
 - (1) Parcels of 10-acres or greater, or
 - (2) Parcels designated by City Council as a redevelopment site.
 - b. Requests for Transect Zones on Parcels other than those described by Subsection C.2.a., above:
 - (1) Parcels or project sites abutting and/or coterminous with an existing regulating plan may request rezoning to a transect zone in conformance with Chapter 76 'Zoning Ordinance: Amendments to Map and Text' in the Zoning Ordinance. Such rezoning to a transect zone shall be a natural extension of the standards adopted in the abutting and/or coterminous regulating plan and include the updating of that regulating plan to include the area being rezoned.
 - (2) Other parcels may request rezoning to a transect zone only by determination of the Planning Director that a successful application will result in more complete conformance with goals and objectives as found in the Mesa General Plan, applicable sub-area plans, and other adopted Council policies, than the use of non-transect zones and requirements.
- D. **Conditional Use Permit Procedures.**
1. ***Administrative Use Permit (AUP)***. Uses or activities of the FBC requiring an AUP shall be processed according to the requirements of Section 11-70-3 'Administrative Use Permit' of the Zoning Ordinance.
 2. ***Special Use Permit (SUP)***. Uses or activities of the FBC requiring a SUP shall be processed according to the requirements of Section 11-70-5 'Special Use Permit' of the Zoning Ordinance.
 3. ***Council Use Permit (CUP)***. Uses or activities of the FBC requiring a CUP shall be processed according to the requirements of Section 11-70-6 'Council Use Permit' of the Zoning Ordinance.
- E. **Zoning Clearance - Review Process for FBC Compliant Projects.**
1. ***Zoning Clearance Required before Application for Building Permit.*** Prior to submitting a building permit request, an application for Zoning Clearance shall be filed with the Planning Director or designee, who shall then review the project for compliance with the requirements of FBC.
 - a. ***Fee Payment.*** Payment of a fee for this service shall be in accordance with the adopted fee schedule for the Development and Sustainability Department.
 - b. ***Design Review.*** Upon determination that one or both of the two following items is present, the Planning Director may elect to also review the project under the provisions of Design Review, Chapter 71 of this Title:
 - (1) That the project largely conforms to the minimum requirements of the FBC, and may benefit from review and comments generated by the Design Review process to achieve full compliance, or
 - (2) That the project conforms to the minimum requirements of the FBC, but fails to contribute to the creation of a visually interesting built environment that includes a variety of building styles and designs with well-articulated structures that present well designed building facades on all sides, rooflines, and building heights within a unifying context that encourages increased pedestrian activity and promotes compatibility among neighboring land uses within the same or different districts.
 2. ***Zoning Clearance Issuance.*** Upon successfully determining the project complies with the minimum requirements of the FBC, and/or Design Review, as may be applicable, the Planning Director or designee shall issue a Zoning Clearance, which shall then allow an application to be filed for a construction or a building permit in accordance with Title 4 of the Mesa City Code. Concurrent review of applications for building permit and FBC Zoning Clearance may be requested and allowed upon agreement by both the Planning Director and Building Official.

F. **Variances.** In the event that an applicant believes special circumstances applicable to a property, including size, shape, topography, location, or surroundings, deprives such property of privileges enjoyed by other properties in the vicinity and under the identical transect zone classification, a variance may be requested in accordance with provisions set forth in Chapter 80 'Variances' of the Zoning Ordinance.

G. **Administrative Modifications to Form-Based Code Standards.**

1. **Purpose and Intent.** The purpose of this section is to provide an administrative process to allow minor administrative modifications to specific standards of Article 6: Form-Based Code (FBC). The intent of this section is to allow relief when the application of specific FBC standards creates practical difficulties developing the property and to allow flexibility in order to create high quality development while maintaining the intent of the Form-Based Code which focuses on physical form rather than the separation of uses as an organizing principle.
2. **Process for Requesting Administrative Modification.** An applicant may only apply for an administrative modification under this section concurrently with an application for Zoning Clearance, Administrative Use Permit, Special Use Permit or Council Use Permit. An administrative modification may be requested for a single building or for a specified area. An application for an administrative modification must include a narrative that specifically identifies and describes the administrative modification sought.
3. **Administrative Decision Process and Review Criteria.** After a submittal of a complete application for an administrative modification, the Planning Director will review the application in accordance with this section and will either approve as submitted, approve with conditions or modifications, or deny the request. The specific basis for approval or denial shall be established in the written decision. An administrative modification shall only be granted if the Planning Director determines that the requested modification strictly complies with subsection (4) of this section and conforms to all of the following findings:
 - a. Conforms to the purpose and intent of the City's General Plan and Zoning Ordinance;
 - b. Conforms to the intent of the transect zone for the proposed development;
 - c. Does not change the intended building types and form within a transect zone;
 - d. Results in a superior building design standard including pedestrian scale design; and
 - e. Is necessary for the proposed development.

If the Planning Director determines the requested modification does not strictly comply with subsection (4) of this section and does not conform to all of the required findings, the request shall be denied.

4. **Administrative Modifications.** An administrative modification is limited to and must comply with the following limitations and requirements:
 - a. No more than a 10% reduction or increase in the required lot depth.
 - b. No more than a 10% increase to the maximum build-to-line.
 - c. No more than a 10% reduction of a required side and/or rear setback if adjacent to public right-of-way or public open space.
 - d. No more than a 10% reduction to the required façade within the façade zone.
 - e. Location of the private open space so long as the alternative location meets the intent of the transect.
 - f. A reduction in the required ground floor building transparency if the project is located outside of the Downtown Pedestrian Area (DPA). Any reduction in the required ground floor building transparency shall include pedestrian scale design, building articulations and fenestrations, and superior façade materials such as brick, stone, architectural precast concrete, etc.
 - g. No more than 10% increase or reduction of any other exterior design feature not specifically stated above.

The Planning Director may refer a request for an administrative modification to the design review board for review and recommendation. If referred to the Design Review Board, the applicant shall be required to address the recommendations of the Design Review Board. The Planning Director shall have the final authority to approve the request for administrative modifications. Any request for a modification other than those listed above are considered major and shall follow the processes established in the City's Zoning Ordinance.

5. **Appeals.**

- a. **Process.** An applicant or property owner may appeal the Planning Director's decision to the Planning and Zoning Board in accordance with Section 11-77 of the Zoning Ordinance. If the Planning Director refers the request to the Design Review Board, an applicant or property owner may appeal the Design Review Board decision to City Council in accordance with Section 11-77 of the zoning ordinance.
- b. **Evaluation of Administrative Modification Appeals.** Appeals of an administrative modification decision shall be evaluated based on the required findings and criteria in this section.

11-56-5: - OVERVIEW AND ORGANIZATION

Form-Based Codes are an alternative approach to zoning that reinforces walkable, sustainable, mixed-use environments and development and builds upon the character of a place. Form-Based Codes foster predictable built results and a high-quality public realm by using physical form (rather than the separation of uses) as the organizing principle for the code. These codes are adopted into city or county law as regulations, not mere guidelines. Form-Based Codes are an alternative to conventional zoning.

A. Form-Based Code Components.

1. The Building Form Standards Chapter provides regulatory standards governing land use and building form within the transect zones. See [Chapter 58](#) (Building Form Standards).
2. The Building Type Standards Chapter supplements the Building Form Standards by providing a more detailed set of standards related to the appropriate massing and form applicable to the development of each building type. See [Chapter 59](#) (Building Type Standards).
3. The Private Frontage Standards Chapter supplements the Building Form Standards by setting forth the standards for the components of a building that provide an important transition and interface between the public realm (street and sidewalk) and the private realm (yard or building). See [Chapter 60](#) (Private Frontage Standards).
4. The Thoroughfare Standards Chapter provides the components of a thoroughfare and thorough fare assemblies that can be used to create walkable streets that balance the needs of vehicles, pedestrians and bicyclists. See [Chapter 61](#) (Thoroughfare Standards).
5. The Civic Space Standards Chapter provides a set of civic space types and their associated standards to use within the transect zones. See [Chapter 62](#) (Civic Space Standards).
6. The Smart Growth Community Plan Chapter provides standards for the application of Form-Based Code standards to reinforce walkable urban neighborhoods or create new walkable urban neighborhoods within the City of Mesa.
7. The Definitions Chapter provides definitions for land use and specialized terms and phrases used in the Form-Based Code.

11-56-6: - THE RURAL-TO-URBAN TRANSECT

The Transect is an organizing principle often used in Form-Based Coding that focuses first on the intended character and type of place and second on the mix of uses within. This differs from the framework found in conventional or Euclidean zoning in which use, rather than form, is the primary focus. Transect-based zone districts are used to regulate the preservation, evolution, and creation of walkable places. The Rural-to-Urban Transect is a means for considering and organizing the human habitat in a continuum of intensity that ranges from the most rural condition to the most urban. It provides a standardized method for differentiating between the intentions for urban form in various areas using gradual transitions rather than harsh distinctions. The zones are primarily classified by the physical intensity of the built form, the relationship between nature and the built environment, and the complexity of uses within the zone.

The model transect for American cities is divided into six transect zones or T-zones: Natural (T1), Rural (T2), Sub-urban (T3), General Urban (T4), Urban Center (T5), and Urban Core (T6), together with a Special District (SD) designation for areas with specialized purposes (e.g., heavy industrial, transportation, entertainment, or university districts, among other possibilities).

11-56-7: - USING THE TRANSECT

The Transect can be applied at various scales across the City to meet the following principles:

A. The City-Guiding Principles

1. Preserve and enhance community character;
2. Encourage appropriately-scaled infill and development;
3. Encourage a system of extensive trails and bicycle routes that support patterns of development conducive to more frequent transit service;
4. Preserve agriculture and open space at edges, maintaining a clear boundary;
5. Reinforce a pattern of walkable neighborhoods: support existing walkable neighborhoods and retrofit those that are not walkable; and
6. Support a range of vibrant human habitats along the transect.

B. The Neighborhood-Guiding Principles

1. Support a diversity of housing choices at the appropriate location along the transect;
2. Encourage and incubate small local businesses;
3. Place services within a safe, comfortable walking distance of homes; and
4. Create a framework of well-designed streets that are safe and secure for pedestrians and bicyclists.

C. The Block and Building-Guiding Principles

1. Build upon and reinforce the unique characteristics of Mesa;
2. Ensure that each building plays a role in creating a better whole, not just a good building;
3. Meet the changing needs of residents;
4. Ensure that architecture and landscape grow from local climate, history, culture, and building practice; and

5. Put civic buildings in important locations and make sure their form is appropriate to their civic stature.

CHAPTER 57 - MAPS

11-57-1: - DOWNTOWN AND TEMPLE/PIONEER PARK NEIGHBORHOODS REGULATING PLAN

CHAPTER 58 - BUILDING FORM STANDARDS

Footnotes:

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Editor's note— Previously, Chapter 58 derived from Ord. No. 5233, 6-2-14.

11-58-1: - PURPOSE

This Chapter provides regulatory standards governing land use and building form within the transect zones. The standards in this Division are a reflection of the community's vision for implementing the intent of the General Plan to preserve natural areas, to create walkable mixed-use neighborhoods, and reinforce downtown Mesa. They are intended to ensure that proposed development is compatible with existing and future development on neighboring properties and produces an environment of desirable character, consistent with the Regional Plan.

11-58-2 - APPLICABILITY

- A. The standards within this Chapter shall apply to all proposed development within transect zones.
- B. For Nonconforming Uses, Structures, and Lots, See [Chapter 36](#) (Nonconforming Uses, Structures, and Lots).

11-58-3: - OVERVIEW OF TRANSECT ZONES AND ALLOWED USES

- A. The following three pages provide an overview of the Transect Zones.
- B. Table 11-58-3.A provides a composite use table for all Transect Zones.

T3N	T4N
-----	-----

T3 Neighborhood	T4 Neighborhood
Intent	Intent
To provide a walkable predominantly single-family neighborhood that integrates appropriate multifamily housing types such as duplexes, mansion apartments, and bungalow courts within walking distance to transit and commercial areas.	To provide high quality, medium residential building types such as townhouses, small courtyard housing, mansion apartments, duplexes, or fourplexes within walking distance to transit and commercial amenities.
Desired Form	Desired Form
Residential	Residential
General Use	General Use
Residential	Residential
Parking	Parking
Low to moderate Parking Requirements to promote walkability and minimize the visual impact on the neighborhood.	Low to moderate Parking Requirements to promote walkability and minimize the visual impact on the neighborhood. On street parking should be counted toward required parking.

T4NF	T4MS	T5N

T4 Neighborhood Flex Intent	T4 Main Street	T5 Neighborhood
Intent	Intent	Intent
To provide a flexible area that can accommodate smaller, neighborhood serving commercial uses in a main street form that allows for interim uses such as live/work and ground floor residential until the commercial corridor matures.	To integrate vibrant main-street commercial and retail environments into neighborhoods, providing access to day-to-day amenities within walking distance, creating potential for a transit stop, and serving as a focal point for the neighborhood.	To provide a medium- to high-density residential building types such as apartment houses, courtyard buildings, and mid-rise buildings that transition from lower density surrounding residential neighborhoods to the higher density mixed-use neighborhoods.
Desired Form	Desired Form	Desired Form
Live-Work/Commercial/Residential	Commercial/Shopfronts	Residential
General Use	General Use	General Use
Ground Floor Live/Work, Commercial, or Residential	Ground Floor Commercial	Residential
Upper Floor Residential or Commercial	Upper Floor Residential or Commercial	
Parking	Parking	Parking
Low Parking Requirements to promote walkability; Commercial parking handled as a part of a Downtown Commercial District, off-street structured residential parking.	Low Parking Requirements to promote walkability, Commercial parking handled as a part of Downtown Commercial Distract, off-street structured residential parking.	Low Parking Requirements to promote walkability, off-street structured residential parking.

T5MSF	T5MS	T6MS
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T5 Main Street Flex	T5 Main Street	T6 Main Street
Intent	Intent	Intent
To provide a flexible area that can transition from the commercial district to residential district by allowing a mixture of ground floor uses including live/work and ground floor residential that could transition to commercial space when the commercial corridor matures.	To integrate medium intensity vertical mixed use that can appropriately transition into the adjacent neighborhoods in central Mesa, near transit stops, or other pedestrian oriented urban area areas.	To enable designated areas within the core of central Mesa to evolve into higher intensity mixed use development that can support transit and provide a vibrant urban environment.
Desired Form	Desired Form	Desired Form
Live-Work/Commercial/Residential	Commercial/Shopfronts	Commercial/Shopfronts
General Use	General Use	General Use
Ground Floor Live/Work, Commercial, or Residential	Ground Floor Commercial	Ground Floor Commercial
Upper Floor Residential or Commercial	Upper Floor Residential or Commercial	Upper Floor Residential or Commercial
Parking	Parking	Parking

Low Parking Requirements to promote walkability; Commercial parking handled as a part of a Downtown Commercial District, off-street structured residential parking.	Low to no Parking Requirements to promote walkability; Commercial parking handled as part of a Downtown Commercial District, off-street structured residential parking.	Low to no Parking Requirements to promote walkability; Commercial parking handled as part of a Downtown Commercial District, off-street structured residential parking.
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Table 11-58-3.A: Composite Use Table

[illegible]

>5,000 sf		CUP	CUP	CUP	CUP	CUP	AUP	CUP	CUP
Meeting Facility, public or private									
≤5,000 sf		P	P	P	$\frac{AUP}{P^2}$	P	P	AUP/P^4	AUP/P^2
≤20,000 sf		SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
>20,000 sf		CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Place of Worship									
≤5,000 sf		P	P	P	$\frac{AUP}{P^2}$	P	P	AUP/P^2	AUP/P^2
≤20,000 sf		SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
>20,000 sf		CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Schools, Colleges, and Trade Schools									
Colleges or Universities, Private	§ 11-31-24	-	-	CUP	CUP	P	CUP	CUP	CUP
Colleges or Universities, Public		P	P	P	P	P	P	P	P
Commercial Trade Schools, Private	§ 11-31-24	P	P	CUP	CUP	P	CUP	CUP	CUP
Commercial Trade Schools, Public		P	P	P	P	P	P	P	P
Industrial Trade Schools, Private	§ 11-31-24	P	P	CUP	CUP	P	CUP	CUP	CUP
Industrial Trade Schools, Public		P	P	P	P	P	P	P	P
K-12, Private	§ 11-31-24	P	P	CUP	CUP	P	CUP	CUP	CUP
K-12, Public		P	P	P	P	P	P	P	P

Studio, art, dance, martial arts, music, etc.									
≤1,500 sf		-	-	P	P	-	P	AUP/P ⁴	AUP/P ²
≤3,000 sf		-	-	AUP	AUP	-	P	p ⁴	p ²
>3,000 sf		-	-	SUP	SUP	-	P	p ⁴	p ²
Theater, cinema or performing arts									
≤5,000 sf		-	-	P	P	-	P	P	P
≤10,000 sf		-	-	AUP	AUP	-	AUP	P	P
>10,000 sf		-	-	SUP	SUP	-	SUP	AUP	AUP
Residential									
Boarding House		-	SUP	SUP	SUP ²	SUP ²	SUP ²	SUP ²	-
Community Residence									
Family Community Residence	§ 11-31-14	P	P	P	p ²	P	P	p ⁴	p ²
Transitional Community Residence	§ 11-31-14	P	P	P	p ²	P	P	p ⁴	p ²
Dwelling:									
Accessory/Secondary Unit		P	P	P	-	-	-	-	-
Single-Unit Residence		P	P	P	-	-	-	-	-
Multi-Unit Residence		P	P	P	p ²	P	P	p ⁴	p ²
Home Occupation:									
Main Building, ≤300 sf, ≤2 employees		P	P	P	p ²	P	P	p ⁴	p ²

Main Building, >300 sf, >2 employees		SUP	SUP	AUP	-	-	-	-	-
Accessory Structure, ≤600 sf, ≤4 employees		P	P	P	-	-	-	-	-
Accessory Structure, >600 sf, >4 employees		SUP	SUP	SUP	-	-	-	-	-
Retail									
General Retail, except with any of the following features:		-	-	P	P	-	P	P	P
Alcoholic Beverage Sales Series 10 Liquor License		-	-	AUP	P	-	P	P	P
Alcoholic Beverage Sales Series 9 Liquor License		-	-	SUP	P	-	P	P	AUP
Tenant floor area >5,000 sf		-	-	SUP	AUP	-	P	P	P
Tenant floor area >10,000 sf		-	-	SUP	SUP	-	AUP	AUP	AUP
Tenant floor area >25,000 sf		-	-	-	-	-	SUP	SUP	SUP
On-site production of items sold		-	-	SUP	AUP	-	AUP	AUP	AUP
Operating between 1 a.m.—5 a.m.		-	-	-	SUP	-	SUP	AUP	AUP
Operating between 5 a.m.—7 a.m.		-	-	AUP	P	-	AUP	P	P

Operating between 11 p.m.—1 a.m.		-	-	-	SUP	-	SUP	P	P
With Drive-Thru Facilities	§ 11-31-18	-	-	-	-	-	-	-	-
With Pick-Up Window Facilities	§ 11-31-18	-	-	-	-	-	-	-	-
Eating or Drinking Establishment, except with any of the following features:		-	-	P	P	-	P	P	P
Bars/Clubs/Lounges		-	-	CUP	CUP	-	P	P	P
Restaurants, Bar and Grill		-	-	SUP	SUP	-	P	P	P
Tenant floor area >5,000 sf		-	-	P	P	-	P	P	P
Tenant floor area >10,000 sf		-	-	-	SUP	-	SUP	AUP	AUP
Operating between 1 a.m.—5 a.m.		-	-	-	SUP	-	SUP	AUP	AUP
Operating between 5 a.m.—7 a.m.		-	-	AUP	P	-	AUP	P	P
Operating between 11 p.m.—1 a.m.		-	-	-	SUP	-	SUP	P	P
With Drive-Thru Facilities	§ 11-31-18	-	-	-	-	-	-	-	-
With Pick-Up Window Facilities	§ 11-31-18	-	-	-	-	-	-	-	-

Providing entertainment		-	-	SUP	AUP	-	SUP	AUP	AUP
With outdoor eating areas	§ 11-31-19	-	-	P	P	-	P	P	P
Pawn shop		-	-	-	CUP	-	-	CUP	-
Services									
Personal Services, except with any of the following features:		-	-	P	P	-	P	P	P
Tenant floor area >2,500 sf		-	-	AUP	P	-	P	P	P
Tenant floor area >5,000 sf		-	-	-	AUP	-	P	P	P
Tenant floor area >10,000 sf		-	-	-	SUP	-	SUP	AUP	AUP
Operating between 1 a.m.—5 a.m.		-	-	-	SUP	-	SUP	AUP	AUP
Operating between 5 a.m.—7 a.m.		-	-	AUP	P	-	AUP	P	P
Operating between 11 p.m.—1 a.m.		-	-	-	SUP	-	SUP	P	P
With Drive-Thru Facilities	§ 11-31-18	-	-	-	-	-	-	-	-
With Pick-Up Window Facilities	§ 11-31-18	-	-	-	-	-	-	-	-
Bank; Financial Services		-	-	P	P	-	P	P	P
With Drive-Up ATM/Teller Window	§ 11-31-18	-	-	P	P	-	P	P	P

Business Support Services		-	-	AUP	P	-	P	P	P
Day Care, child or adult:									
Large Day Care Home	§ 11-31-13	P	P	P	P ²	P	-	-	-
Small Day Care Home	§ 11-31-13	P	P	P	P ²	P	P ²	P ²	P ²
Day Care Center		-	-	P	P ²	-	P	P ⁴	P ²
Small Animal Day Care		-	-	SUP	AUP ²	-	AUP	SUP ²	-
Lodging:									
Bed and Breakfast		P	P	P	P ²	P	P	P ⁴	-
Hotel		-	-	-	P ²	-	P	P ⁴	P ²
Hostel		-	-	-	-	-	P	P ⁴	P ²
Inn/Lodge		-	-	P	P	P	P	P ⁴	P ²
Kennel		-	-	SUP	AUP ²	-	AUP	SUP ²	SUP ²
Medical Services:									
Skilled Nursing Facility		-	-	P	P ²	-	P	P ²	P ²
Hospital		-	-	CUP	CUP	-	CUP	CUP	-
Medical/Dental Clinic		-	-	SUP	P ²	-	AUP	P ²	P ²
Medical/Dental Office		-	-	P	P ²	-	P	P ⁴	P ²
Office: Professional, administrative:									
≤5,000 sf		₃ SUP	₃ SUP	P	P ²	₃ SUP	P	P ⁴	P ²
>5,000 sf		-	-	SUP	AUP ²	-	P	P ⁴	P ²
Social Service Facilities	§ 11-31-26	-	-	CUP	CUP	-	CUP	CUP	-

[illegible]

⁴ Not allowed on the ground floor unless behind an allowed ground floor use, except the use may occupy up to 50% of the ground floor if: I) The development site is 5 acres or more; II) The building where the ground floor use is located is greater than 100,000 square feet and has more than 200 linear feet of frontage on a front street; III) The ground floor space is designed and will be constructed to an assembly occupancy class (as that term is defined in the Mesa Building Code); IV) The design of the project encourages transition of the ground floorspace to active commercial uses in the future by complying with FBC building form and private frontage standards for commercial uses; V) The building design, site design, and amenities of the project are unique and conform to the intent and purpose of the FBC.

Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to [Chapter 36](#).

([Ord. No. 5576](#), § 1, 6-1-20; [Ord. No. 5632](#), § 1, 7-8-21; Ord. No. [5758](#), § 1, 12-8-22; [Ord. No. 5759](#), § 1, 12-8-22; [Ord. No. 5813](#), § 1(Exh. 1), 10-16-23)

11-58-4: - T3 NEIGHBORHOOD (T3N) STANDARDS

A. **Zone Intent and Description.** To provide a walkable predominantly single-family neighborhood that integrates appropriate multifamily housing types such as duplexes, mansion apartments, and bungalow courts within walking distance to transit and commercial areas.

B. **Building Types.**

Allowed Building Types ¹ :

Carriage House
Single Unit House, Village
Single Unit House, Cottage
Bungalow Court
Duplex
Mansion Apartment

¹ See Building Type Standards for descriptions and regulations.

C. Building Placement		
Setbacks (Distance from Property Line/ROW)		
Front	15' min. ^{1, 2} , 25' max. ²	
Side Street	10' min.; 20' max.	
Side	5' ³	
Rear		
Main Building	30'	
Accessory Structure	5'	
Facade within Facade Zone		
Front	50% min.	
Side Street	50% min.	
Lot Size		
Per Building Type Standards (see Chapter 59).		
Miscellaneous		
Only one Main Building and one Accessory Structure may be built on each lot.		
¹ Where existing adjacent buildings are in front of the regulated front setback, the building may be set to align with the facade of the front most immediately adjacent property.		

² For parcels within an identified historic district, the min. and max. setbacks shall be determined by the setbacks of the existing buildings along the block.

³ No side setback required along the common property line between duplex building types.

D. Building Form

Height

Main Building	2 Stories max.	
Accessory Structure	1½ Stories max.	
Ground Floor Ceiling	10' min. clear	
Upper Floor (s) Ceiling	9' min. clear	

Footprint

Per Building Type Standards (see [Chapter 59](#)).

E. Encroachments and Frontage Types.

Allowed Encroachments^{4, 5}

Front	10' max.	
Side Street	10' max.	
Side	2'-6" max.	
Rear	2'-6" max.	
Allowed Private Frontage Types⁶		
Common Yard	Porch, Projecting	
Porch, Engaged	Stoop	
⁴ Maximum allowed encroachments, see Frontage Types for further refinement of the allowed encroachments for frontage elements.		
⁵ Encroachments are not allowed within a Street or Alley ROW or across a Property Line.		
⁶ See <u>Chapter 60</u> (Private Frontage Standards) for private frontage type descriptions and regulations.		

F. Parking		
Required Spaces		
Residential Uses	1 space per unit min.	
Location (Distance from Property Line/ROW)		
Front Setback	50'	
Side Street Setback	20'	
Side Setback	5' ⁷	

Rear Setback	5'	
Miscellaneous		
Parking Access Drive Width		
Front	12' max.	
Side Street/Alley	20' max.	
⁷ No side setback required along the common property line between duplex building types.		

G. Allowed Uses.

Land Use ¹	Specific Use Regulations	T3N
Recreation, Education & Public Assembly		
Civic Space (see Civic Space Standards)		P
Library; Museum		
≤5,000 sf		P
>5,000 sf		CUP
Meeting Facility, public or private		
≤5,000 sf		P
≤20,000 sf		SUP
>20,000 sf		CUP
Place of Worship		
≤5,000 sf		P
≤20,000 sf		SUP
>20,000 sf		CUP
School, public or private		

K-12		P
Residential		
Community Residence	§ 11-31-14	
Family Community Residence		P
Transitional Community Residence		P
Dwelling:		
Accessory/Secondary Unit		P
Single-Unit Residence		P
Multi-Unit Residence		P
Home Occupation:		
Main Building, ≤300 sf, ≤2 employees		P
Main Building, >300 sf, >2 employees		SUP
Accessory Structure, ≤600 sf, ≤4 employees		P
Accessory Structure, >600 sf, >4 employees		SUP
Services		
Day Care, child or adult:		
Large Day Care Home	§ 11-31-13	P
Small Day Care Home	§ 11-31-13	P
Lodging:		
Bed and Breakfast		P
Office: Professional, administrative		
≤5,000 sf		SUP ³
Transportation, Communications, and Utilities		

Public Safety Facility		
≤1,000 sf		P
>1,000 sf		SUP
Stealth Wireless Telecommunications Facility	§ 11-35	SUP

Key	
P	Permitted Use
AUP	Administrative Use Permit Required
SUP	Special Use Permit Required
CUP	Council Use Permit Required
-	Prohibited Use
/	Separates requirements for ground floor uses and uses on upper floor(s) or behind an allowed ground floor use.
End Notes	
Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to Chapter 36 .	
¹ See Chapter 64 (Definitions of Terms and Uses) for use type definitions.	
² Not allowed on the ground floor unless behind an allowed ground-floor use.	
³ Allowed only within a Level I Historic Structure.	

(Ord. No. 5632, § 1, 7-8-21)

A. **Zone Intent and Description.** To provide high quality, medium residential building types such as townhouses, small courtyard housing, mansion apartments, duplexes, or fourplexes within walking distance to transit and commercial amenities.

B. **Building Types.**

Allowed Building Types ¹ :	Carriage House Single Unit House,Village Single Unit House,Cottage Bungalow Court Duplex Townhouse Mansion Apartment Apartment House Courtyard Building
¹ See Building Type Standards for descriptions and regulations.	

C. Building Placement		
Setbacks (Distance from Property Line/ROW)		
Front	10' min.; 15' max. ¹	
Side Street	5' min.; 10' max.	
Side		
Main Building	5' ²	
Accessory Structure	0'	
Rear		
Main Building	5'	
Accessory Structure	5'	
Facade within Facade Zone		
Front	75%	
Side Street	75%	
Lot Size		
Per Building Type Standards (see Chapter 59).		
¹ Where existing adjacent buildings are in front of the regulated BTL, the building may be set to align with the facade of the front most immediately adjacent property.		
² No side setback required along the common property line between townhouse and/or duplex building types.		

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D. Building Form.

Height

Main Building	3 Stories max.	
Accessory Structure	2 Stories max.	
Ground Floor Finish Level	18" min.	
Ground Floor Ceiling	10' min. clear	
Upper Floor(s) Ceiling	9' min. clear	

Footprint

Per Building Type Standards (see [Chapter 59](#)).

Miscellaneous

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

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E. Encroachments and Frontage Types.

Allowed Encroachments ^{3, 4}		
Front	10' max.	
Side Street	5' max.	
Side	2'-6" max.	
Rear	2'-6" max	
Allowed Private Frontage Types ⁵		
Porch, Engaged	Forecourt	
Porch, Projecting	Dooryard	
Stoop		
³ Maximum allowed encroachments, see Frontage Types for further refinement of the allowed encroachments for frontage elements.		
⁴ Encroachments are not allowed within a Street or Alley ROW or across a Property Line.		
⁵ See <u>Chapter 60</u> (Private Frontage Standards) for private frontage type descriptions and regulations.		
F. Parking.		
Required Spaces		
Residential Uses	1/1,000 sf min. ⁶	
Location (Distance from Property Line/ROW)		
Front Setback	30'	

Side Street Setback	10'	
Side Setback	5' ⁷	
Rear Setback	5'	
Miscellaneous		
Parking Access Drive Width		
Front	12' max.	
Side Street/Alley	20' max.	
⁶ No parking spaces required for the first 2,000 sf of residential use or for affordable or senior housing units.		
⁷ No side setback required along the common property line between townhouse and/or duplex building types.		

G. Allowed Uses.

Land Use ¹	Specific Use Regulations	T4N
Industry, Manufacturing & Processing		
Recycling, small collection facility		SUP
Recreation, Education & Public Assembly		
Civic Space (see Civic Space Standards)		P
Library; Museum		
≤5,000 sf		P
>5,000 sf		CUP
Meeting Facility, public or private		
≤5,000 sf		P
≤20,000 sf		SUP
>20,000 sf		CUP

Place of Worship		
≤5,000 sf		P
≤20,000 sf		SUP
>20,000 sf		CUP
School, public or private		
K-12		P
Residential		
Boarding House		SUP
Community Residence	§ 11-31-14	
Family Community Residence		P
Transitional Community Residence		P
Dwelling:		
Accessory/Secondary Unit		P
Single-Unit Residence		P
Multi-Unit Residence		P
Home Occupation:		
Main Building, ≤300 sf, ≤2 employees		P
Main Building, >300 sf, >2 employees		SUP
Accessory Structure, ≤600 sf, ≤4 employees		P
Accessory Structure, >600 sf, >4 employees		SUP
Services		
Day Care, child or adult:		
Large Day Care Home	§ 11-31-13	P

Small Day Care Home	§ 11-31-13	P
Lodging:		
Bed and Breakfast		P
Office: Professional, administrative		
≤5,000 sf		SUP ³
Transportation, Communications, and Utilities		
Public Safety Facility		
≤1,000 sf		P
>1,000 sf		SUP
Stealth Wireless Telecommunications Facility	§ 11-35	SUP

Key	
P	Permitted Use
AUP	Administrative Use Permit Required
SUP	Special Use Permit Required
CUP	Council Use Permit Required
-	Prohibited Use
/	Separates requirements for ground floor uses and uses on upper floor(s) or behind an allowed ground floor use.
End Notes	
Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to Chapter 36 .	
¹ See Chapter 64 (Definitions of Terms and Uses) for use type definitions.	
² Not allowed on the ground floor unless behind an allowed ground-floor use.	

³ Allowed only within a Level I Historic Structure.

(Ord. No. 5632, § 1, 7-8-21)

11-58-6: - T4 NEIGHBORHOOD FLEX (T4NF) STANDARDS

- A. **Zone Intent and Description.** To provide a flexible area that can accommodate smaller, neighborhood serving commercial uses in a main street form that allows for interim uses such as live/work and ground floor residential until the commercial corridor matures.

B. **Building Types.**

Allowed Building Types ¹ :	Carriage House Single Unit House, Cottage Bungalow Court Duplex Townhouse Mansion Apartment Apartment House Courtyard Building Main Street Mixed Use
¹ See Building Type Standards for descriptions and regulations.	

C. Building Placement		
Build-to Lines (Distance from Property Line/ROW)		
Front	0'min.; 15' max. ^{1, 2}	
Side Street	0'min.; 15' max.	
BTL Defined by a Building		
Front, Lots <50' wide	100%	
Front, Lots ≥50'wide	75% min. ³	
Side Street	50% min. ³	
Building Facade at Front BTL	75% min.	
Setbacks (Distance from Property Line/ROW)		
Side	0'	
Rear		
Adjacent to T5N, T4N or T3N	5'	
Adjacent to All Other Zones	0'	
Adjacent to Alley	0'	
Lot Size		
Per Building Type Standards (see Chapter 59).		

¹ Where existing adjacent buildings are in front of the regulated BTL, the building may be set to align with the facade of the front most immediately adjacent property.

² The exact location of the BTL, within the range listed above shall be established by the first building along each block frontage to receive planning department approval. All subsequent buildings along that block frontage shall match the first building's BTL.

³ On corner lots, the BTL must be defined by a building for the first 30' from the corner.

Miscellaneous

A building form with a chamfered corner is permitted only if a corner entry is provided.

Entire ROW shall be defined by a building or a 24" to 42" high hedge, fence or stucco or masonry wall.

D. Building Form.

Height

Main Building	20' min.; 3 stories max. ⁴	
Ground Floor Finish Level		
Residential BTL/Setback <8'	24" min.	
Residential BTL/Setback ≥8'	18" min.	
Commercial	6" max.	
Ground Floor Ceiling		
Residential	10' min. clear	
Commercial	14' min. clear	

Upper Floor(s) Ceiling	9' min. clear	
Footprint		
Per Building Type Standards (see Chapter 59).		
Depth, Ground-Floor Space		
Residential	20' min.	
Commercial	30' min.	
⁴ Within 20' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.		
Miscellaneous		
Distance Between Entries		
To Ground Floor	50' max.	
To Upper Floor(s)	100' max.	
Upper Floors shall have a primary entrance along the front.		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		
Any street facade wider than 75' shall be designed to read as a series of building no wider than 50' each.		
E. Encroachments & Frontage Types		
Allowed Encroachments ^{5, 6}		
Front	14' max.	

Side Street	14' max.	
Rear	5' max.	
Allowed Frontage Types ⁷		
Porch, Projecting	Dooryard	
Porch, Engaged	Shopfront	
Stoop	Gallery	
Forecourt	Arcade	
⁵ Maximum allowed encroachments, see Frontage Types for further refinement of the allowed encroachments for frontage elements.		
⁶ Encroachments into the ROW require the approval of an encroachment permit. Encroachments are not allowed within an Alley ROW or across a Property Line.		
⁷ See <u>Chapter 60</u> (Private Frontage Standards) for descriptions and regulations.		
F. Parking.		
Required Spaces		
Residential Uses	1/1,000 sf min. ⁸	
Retail and Service Uses	2/1,000 sf min. ⁹	
Off-site parking within 1,200' may be used to meet parking requirements for non-residential uses.		
Shared Parking may be used to meet parking requirements.		
Location (Distance from Property Line/ROW)		

Front Setback	30'	
Side Street Setback	0' (from BTL)	
Side Setback	0'	
Rear Setback		
Adjacent to T5N, T4N or T3N	5'	
Adjacent to all other Zones	0'	
Adjacent to Alley	0'	
Miscellaneous		
Parking Access Drive Width		
Front	12' max.	
Side Street/Alley	20' max.	
All garages shall be screened from the Front and the Street by habitable space.		
⁸ No parking spaces required for the first 2,000 sf of residential use or for affordable or senior housing units.		
⁹ No parking spaces required for lodging uses and ground floor uses less than 5,000 sf.		

Key	
P	Permitted Use
AUP	Administrative Use Permit Required
SUP	Special Use Permit Required
CUP	Council Use Permit Required
-	Prohibited Use
/	Separates requirements for ground floor uses and uses on upper floor(s) or behind an allowed ground floor use.

End Notes
Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to Chapter 36 .
¹ See Chapter 64 (Definitions of Terms and Uses) for use type definitions.
² Not allowed on the ground floor unless behind an allowed ground-floor use.
³ Allowed only within a Level I Historic Structure.

([Ord. No. 5632](#), § 1, 7-8-21; [Ord. No. 5759](#), § 13, 12-8-22)

11-58-7: - T4 MAIN STREET (T4MS) STANDARDS

A. **Zone Intent and Description.** To integrate vibrant main-street commercial and retail environments into neighborhoods, providing access to day-to-day amenities within walking distance, creating potential for a transit stop, and serving as a focal point for the neighborhood.

B. **Building Types.**

Allowed Building Types ¹ :	Main Street Mixed Use Mid-Rise
¹ See Building Type Standards for descriptions and regulations.	

C. Building Placement.		
Build-to Lines (Distance from Property Line/ROW)		
Front	0'	
Side Street	0'	
BTL Defined by a Building		
Front, Lots <50' wide	100%	
Front, Lots ≥50' wide	75% min. ¹	
Side Street	50% min. ¹	
Building Facade at Front BTL	100%	
Setbacks (Distance from Property Line/ROW)		
Side	0'	
Rear		
Adjacent to TSN, T4N or T3N	5'	
Adjacent to All Other Zones	0'	
Adjacent to Alley	0'	
Lot Size		
Width	100' max. ³	
Miscellaneous		

A building form with a chamfered corner is permitted only if a corner entry is provided.		
Entire BTL shall be defined by a building or a 24" to 42" high stucco or masonry wall.		
¹ On corner lots, the BTL must be defined by a building for the first 30' from the corner.		
² By-passed parcels may exceed max. lot width.		
³ See <u>Chapter 59</u> : Building Type Standards for additional lot size regulations per Building Type.		

D. Building Form.		
Height		
Main Building	20' min.; 3 Stories max. ⁵	
Ground Floor Finish Level	6" max.	
Ground Floor Ceiling	14' min. clear	
Upper Floor (s) Ceiling	9' min.	
Footprint		
Per Building Type Standards (see <u>Chapter 59</u>).		
Depth, Ground-Floor Space		
Commercial, Front	50' min.	
Commercial, Side Street	30' min	

Miscellaneous		
Distance between Entries		
To Ground Floor	50' max.	
To Upper Floor(s)	100' max.	
Upper Floors shall have a primary entrance along the front.		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		
Any street facade wider than 75' shall be designed to read as a series of buildings no wider than 50' each.		
⁴ 4 stories max. permitted for buildings with more than 25% affordable or senior housing or for LEED (or equivalent) certified buildings.		
⁵ Within 20' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.		
E. Encroachments & Frontage Types.		
Allowed Encroachments^{6, 7}		
Front	14' max.	
Side Street	14' max.	
Rear	5' max.	
Allowed Frontage Types⁸		
Forecourt	Gallery	
Shopfront	Arcade	

⁶ Maximum allowed encroachments, see Frontage Types for further refinement of the allowed encroachments for frontage elements.

⁷ Encroachments into the ROW require the approval of an encroachment permit. Encroachments are not allowed within an Alley ROW or across a Property Line.

⁸ See Chapter 60 (Private Frontage Standards) for descriptions and regulations.

F. Parking.

Required Spaces

Residential Uses	1/1,000 sf min. ⁹	
Retail and Service Uses	2/1,000 sf min. ¹⁰	

Off-site parking within 1,200' may be used to meet parking requirements for non-Residential uses.

Shared Parking may be used to meet parking requirements.

Location (Distance from Property Line/ROW)

Front Setback		
Ground Floor	50'	
Upper Floors	30'	
Side Street Setback	0'	
Side Setback	0'	
Rear Setback		
Adjacent to T5N, T4N or T3N	5'	

Adjacent to all other Zones	0'	
Adjacent to Alley	0'	
Miscellaneous		
Parking Access Drive Width		
Front	12' max.	
Side Street/Alley	20' max.	
All garages shall be screened from the Front and the Side Street by habitable space.		
⁹ No parking spaces required for the first 2,000 sf of residential use or for affordable or senior housing units.		
¹⁰ No parking spaces required for lodging uses and ground floor uses less than 5,000 sf.		

Key	
P	Permitted Use
AUP	Administrative Use Permit Required
SUP	Special Use Permit Required
CUP	Council Use Permit Required
-	Prohibited Use
/	Separates requirements for ground floor uses and uses on upper floor(s) or behind an allowed ground floor use.

End Notes	
Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to Chapter 36 .	
¹ See Chapter 64 (Definitions of Terms and Uses) for use type definitions.	
² Not allowed on the ground floor unless behind an allowed ground-floor use.	
³ Allowed only within a Level I Historic Structure.	

11-58-8: - T5 NEIGHBORHOOD (T5N) STANDARDS

A. **Zone Intent And Description.** To provide a medium- to high-density residential building types such as apartment houses, courtyard buildings, and mid-rise buildings that transition from lower density surrounding residential neighborhoods to the higher density mixed-use neighborhoods.

B. **Building Types.**

Allowed Building Types ¹ :	Apartment House Courtyard Building Mid-Rise
¹ See Building Type Standards for descriptions and regulations.	

C. Building Placement.

Build-to Lines (Distance from Property Line/ROW)		
Front	0' min.; 15' max. ^{1, 2}	
Side Street	0'min.; 15' max.	
BTL Defined by a Building		
Front	60% min. ³	
Side Street	60% min. ³	
Setbacks (Distance from Property Line/ROW)		
Side	0'	
Rear		
Adjacent to T5N, T4N or T3N	5'	
Adjacent to All Other Zones	0'	
Adjacent to Alley	0'	
Lot Size		
Per Building Type Standards (see Chapter 59).		
Miscellaneous		
Entire ROW shall be defined by a building or a 24" to 42" high fence or stucco or masonry wall.		
¹ Where existing adjacent buildings are in front of the regulated BTL, the building may be set to align with the facade of the front most immediately adjacent property.		
² The exact location of the BTL within the range listed above shall be established by the first building along each block frontage to receive planning department approval. All subsequent buildings along that block frontage shall match the first building's BTL.		
³ On corner lots, the BTL must be defined by a building for the first 50' from the corner.		

D. Building Form.		
Height		
Main Building	2 Stories min.; 55' max. ⁴	
Ground Floor Finish Level		
Residential BTL/Setback <8'	24" min.	
Residential BTL/Setback ≥8'	18" min.	
Ground Floor Ceiling	10' min. clear	
Upper Floor (s) Ceiling	9' min. clear	
Footprint		
Per Building Type Standards (see Chapter 59).		
Depth, Ground-Floor Space	20' min.	
Miscellaneous		
Distance between Entries		
To Ground Floor	50' max.	
To Upper Floor(s)	100' max.	
Upper Floors shall have a primary entrance along the front.		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		

Any street facade wider than 100' shall be designed to read as a series of buildings no wider than 75' each.

⁴ Within 20' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.

E. Encroachments and Frontage Types.

Allowed Encroachments^{5, 6}

Front	14' max.	
Side Street	14' max.	
Rear	5' max.	

Allowed Frontage Types⁷

Stoop	Dooryard
Forecourt	

⁵ Maximum allowed encroachments, see Frontage Types for further refinement of the allowed encroachments for frontage elements.

⁶ Encroachments into the ROW require the approval of an encroachment permit. Encroachments are not allowed within an Alley ROW or across a Property Line.

⁷ See [Chapter 60](#) (Private Frontage Standards) for descriptions and regulations.

F. Parking.		
Required Spaces		
Residential Uses	No min.; 1/unit max.	
Off-site parking within 600' may be used to meet parking requirements for Residential uses.		
Location (Distance from Property Line/ROW)		
Front Setback	30'	
Side Street Setback	0' (from BTL)	
Side Setback	0'	
Rear Setback		
Adjacent to T4N or T3N	5'	
Adjacent to all other Zones	0'	
Adjacent to Alley	0'	
Miscellaneous		
Parking Access Drive Width		
Front	20' max.	
Side Street/Alley	20' max.	
% of Frontage along Front	20% max.	
All garages shall be screened from the Front and the Street by habitable space.		

Key	
P	Permitted Use
AUP	Administrative Use Permit Required
SUP	Special Use Permit Required
CUP	Council Use Permit Required
-	Prohibited Use
/	Separates requirements for ground floor uses and uses on upper floor(s) or behind an allowed ground floor use.
End Notes	
Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to Chapter 36 .	
¹ See Chapter 64 (Definitions of Terms and Uses) for use type definitions.	
² Not allowed on the ground floor unless behind an allowed ground-floor use.	
³ Allowed only within a Level I Historic Structure.	

([Ord. No. 5632](#), § 1, 7-8-21; [Ord. No. 5759](#), § 13, 12-8-22)

A. **Zone Intent and Description.** To provide a flexible area that can transition from the commercial district to residential district by allowing a mixture of ground floor uses including live/work and ground floor residential that could transition to commercial space when the commercial corridor matures.

B. **Building Types.**

Allowed Building Types ¹ :	Apartment House Courtyard Building Main Street Mixed-Use Mid-Rise
¹ See Building Type Standards for descriptions and regulations.	

C. Building Placement.		
Build-to Lines (Distance from Property Line/ROW)		
Front	0' min.; 10' max. ^{1,2}	

Side Street	0' min.; 10' max.	
BTL Defined by a Building		
Front, Lots <50' wide	100%	
Front, Lots ≥50' wide	75% min. ³	
Side Street	60% min. ³	
Setbacks (Distance from Property Line/ROW)		
Side	0'	
Rear		
Adjacent to T5N, T4N or T3N	5'	
Adjacent to All Other Zones	0'	
Adjacent to Alley	0'	
No side setback required along the common property line between Townhouse building types.		
Lot Size		
Per Building Type Standards (see Chapter 59).		
¹ Where existing adjacent buildings are in front of the regulated BTL, the building may be set to align with the facade of the front most immediately adjacent property.		
² The exact location of the BTL within the range listed above shall be established by the first building along each block frontage to receive planning department approval. All subsequent buildings along that block frontage shall match the first building's BTL.		
³ On corner lots, the BTL must be defined by a building for the first 50' from the corner.		
Miscellaneous		
A building form which a chamfered corner is permitted if a corner entry is provided.		
Entire ROW shall be defined by a building or a 24" to 42" high stucco or masonry wall.		

D. Building Form.		
Height		
Main Building	2 Stories min.; 55' max. ^{4, 5}	
Ground Floor Finish Level		
Residential BTL/Setback <8'		24" min.
Residential BTL/Setback ≥8'		18" min.
Commercial		6" max.
Ground Floor Ceiling		
Residential	10' min. clear	
Commercial	14' min. clear	
Upper Floor(s) Ceiling	9' min. clear	
Footprint		
Per Building Type Standards (see Chapter 59).		
Depth, Ground-Floor Space		
Residential	20' min	
Commercial	30' min.	
⁴ 65' max. permitted for buildings with more than 25% affordable or senior housing; 85' max. for LEED (or equivalent) certified buildings.		
⁵ Within 20' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.		

Miscellaneous		
Distance Between Entries		
To Ground Floor	50' max.	
To Upper Floor(s)	100' max.	
Upper Floors shall have a primary entrance along the front.		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		
Any street facade wider than 100' shall be designed to read as a series of buildings no wider than 75' each.		
E. Encroachments & Frontage Types.		
Allowed Encroachments^{6, 7}		
Front	14' max.	
Side Street	14' max.	
Rear	5' max.	
Allowed Frontage Types⁸		
Stoop	Terrace	
Forecourt	Gallery	
Dooryard	Arcade	
Shopfront		

⁶ Maximum allowed encroachments, see Frontage Types for further refinement of the allowed encroachments for frontage elements.

⁷ Encroachments into the ROW require the approval of an encroachment permit. Encroachments are not allowed within an Alley ROW or across a Property Line.

⁸ See Chapter 60 (Private Frontage Standards) for descriptions and regulations.

F. Parking Required Spaces.

Required Spaces

Residential Uses	No min.; 1/unit max.	
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Retail and Service Uses	2/1,000 sf min. ⁹	
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Off-site parking within 600' may be used to meet parking requirements for Residential uses.

Off-site parking within 1,200' may be used to meet parking requirements for non-Residential uses.

Shared Parking may be used to meet parking requirements.

Location (Distance from Property Line/ROW)

Front Setback	30'	
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Side Street Setback	0' (from BTL)	
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Side Setback	0'	
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Rear Setback		
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Adjacent to T5N, T4N or T3N	5'	
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Adjacent to all other Zones	0'	
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Adjacent to Alley	0'	
Miscellaneous		
Parking Access Drive Width		
Front, ≤40 spaces	12' max.	
Front, >40 spaces	20' max.	
Side Street/Alley	20' max.	
% of Frontage along Front	20% max.	
All garages shall be screened from the Front and the Street by habitable space.		
⁹ No parking spaces required for lodging uses and ground floor uses less than 5,000 sf.		

Key	
P	Permitted Use
AUP	Administrative Use Permit Required
SUP	Special Use Permit Required
CUP	Council Use Permit Required
-	Prohibited Use
/	Separates requirements for ground floor uses and uses on upper floor(s) or behind an allowed ground floor use.
End Notes	
Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to Chapter 36 .	
¹ See Chapter 64 (Definitions of Terms and Uses) for use type definitions.	
² Not allowed on the ground floor unless behind an allowed ground-floor use.	
³ Allowed only within a Level I Historic Structure.	

11-58-10: - T5 MAIN STREET (T5MS) STANDARDS

A. Zone Intent and Description. To integrate medium intensity vertical mixed use that can appropriately transition into the adjacent neighborhoods in central Mesa, near transit stops, or other pedestrian oriented urban area areas.	
B. Building Types.	
Allowed Building Types ¹ :	Main Street Mixed-Use Mid-Rise High-Rise
¹ See Building Type Standards for descriptions and regulations.	

C. Building Placement.
Build-to Lines (Distance from Property Line/ROW)

Front	0'	
Side Street	0'	
BTL Defined by a Building Front		
Front	100%	
Side Street	60% min. ¹	
Setbacks (Distance from Property Line/ROW)		
Side	0'	
Rear	0'	
Lot Size		
Width	50' min. ²	
Miscellaneous		
A building form with a chamfered corner is permitted if a corner entry is provided.		
Entire ROW shall be defined by a building or a 24" to 36" high stucco or masonry wall.		
¹ On corner lots, the BTL must be defined by a building for the first 50' from the corner.		
² See <u>Chapter 59</u> : Building Type Standards for additional lot size regulations per Building Type.		
D. Building Form.		

Height		
Main Building	3 Stories min.; 85' max. ^{3, 4}	
Ground Floor Finish Level	6" max.	
Ground Floor Ceiling	14' min. clear	
Upper Floor (s) Ceiling	9' min. clear	
Footprint		
Per Building Type Standards (see Chapter 59).		
Depth, Ground-Floor Space		
Front	50' min.	
Side Street	30' min.	
Miscellaneous		
Distance Between Entries		
To Ground Floor	50' max.	
To Upper Floor(s)	100' max.	
Upper Floors shall have a primary entrance along the front.		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades		
Any street facade wider than 150' shall be designed to read as a series of buildings no wider than 100' each.		
³ 3 Stories min. permitted in the Historic Downtown Overlay (See Regulating Plan); 105' max. permitted for building with more than 25% affordable or senior housing; 135' max. or for LEED (or equivalent) certified buildings.		
⁴ Within 20' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.		

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E. Encroachments & Frontage Types.

Allowed Encroachments^{5, 6}

Front	14' max.	
Side Street	14' max.	

Allowed Frontage Types 7

Stoop	Terrace
Forecourt	Gallery
Dooryard	Arcade
Shopfront	

F. Parking.

Required Spaces

Residential Uses	No min.; 1/unit max.	
Retail and Service Uses	2/1,000 sf min. ⁸	

Off-site parking within 600' may be used to meet parking requirements for Residential uses.

Off-site parking within 1,200' may be used to meet parking requirements for non-Residential uses.

Shared Parking may be used to meet parking requirements.

⁵ Maximum allowed encroachments, see Frontage Types for further refinement of the allowed encroachments for frontage elements.

⁶ Encroachments into the ROW require the approval of an encroachment permit. Encroachments are not allowed within an Alley ROW or across a Property Line.

⁷ See Chapter 60 (Private Frontage Standards) for descriptions and regulations.

⁸ No parking spaces required for lodging uses and ground floor uses less than 5,000 sf.

Location (Distance from Property Line/ROW)

Front Setback

Ground Floor	50'	
Upper Floors	30'	

Side Street Setback

Ground Floor	30'	
Upper Floors	0'	

Side Setback	0'	
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Rear Setback	0'	
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Miscellaneous

Parking Access Drive Width		
Front, ≤40 spaces	12' max.	
Front, >40 spaces	20' max.	
Side Street/Alley	20' max.	

% of Frontage along Front	20% max.	
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Key	
P	Permitted Use
AUP	Administrative Use Permit Required
SUP	Special Use Permit Required
CUP	Council Use Permit Required
-	Prohibited Use
/	Separates requirements for ground floor uses and uses on upper floor(s) or behind an allowed ground floor use.
End Notes	
Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to Chapter 36 .	
¹ See Chapter 64 (Definitions of Terms and Uses) for use type definitions.	
² Not allowed on the ground floor unless behind an allowed ground-floor use.	
³ Allowed only within a Level I Historic Structure.	
⁴ Not allowed on the ground floor unless behind an allowed ground floor use, except the use may occupy up to 50% of the ground floor if: I) The development site is 5 acres or more; II) The building where the ground floor use is located is greater than 100,000 square feet and has more than 200 linear feet of frontage on a front street; III) The ground floor space is designed and will be constructed to an assembly occupancy class (as that term is defined in the Mesa Building Code); IV) The design of the project encourages transition of the ground floorspace to active commercial uses in the future by complying with FBC building form and private frontage standards for commercial uses; V) The building design, site design, and amenities of the project are unique and conform to the intent and purpose of the FBC.	

(Ord. No. 5576, § 2, 6-1-20; Ord. No. 5632, § 1, 7-8-21; Ord. No. 5759, § 13, 12-8-22)

A. **Zone Intent and Description.** To enable designated areas within the core of central Mesa to evolve into higher intensity mixed use development that can support transit and provide a vibrant urban environment.

B. **Building Types.**

Allowed Building Types ¹ :	Main Street Mixed-Use Mid-Rise High-Rise
¹ See Building Type Standards for descriptions and regulations.	

C. Building Placement.
Build-to Lines (Distance from Property Line/ROW)

Front	0'	
Side Street	0'	
BTL Defined by a Building		
Front	100%	
Side Street	80% min. ¹	
Setbacks (Distance from Property Line/ROW)		
Side	0'	
Rear	0'	
Lot Size		
Width	50' min. ²	
¹ On corner lots, the BTL must be defined by a building for the first 50' from the corner.		
² See Chapter 59 : Building Type Standards for additional lot size regulations per Building Type.		
D. Building Form.		
Height		
Main Building	4 Stories min.; 135' max. ³	

Ground Floor Finish Level	6" max.	
Ground Floor Ceiling	14' min. clear	
Upper Floor(s) Ceiling	9' min. clear	
Footprint		
Per Building Type Standards (see Chapter 59).		
Depth, Ground-Floor Space	50' min.	
Miscellaneous		
Distance Between Entries		
To Ground Floor	50' max.	
To Upper Floor(s)	100' max.	
Upper Floors shall have a primary entrance along the front.		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		
³ 155' max. for buildings with more than 25% affordable or senior housing; No max. for LEED (or equivalent) certified buildings.		
E. Encroachments & Frontage Types.		
Allowed Encroachments^{4, 5}		
Front	14' max.	
Side Street	14' max.	
Allowed Frontage Types⁶		

Shopfront	Gallery	
Terrace	Arcade	
⁴ Maximum allowed encroachments, see Frontage Types for further refinement of the allowed encroachments for frontage elements.		
⁵ Encroachments into the ROW require the approval of an encroachment permit. Encroachments are not allowed within an Alley ROW or across a Property Line.		
⁶ See <u>Chapter 60</u> (Private Frontage Standards) for descriptions and regulations.		
F. Parking.		
Required Spaces		
Residential Uses	No min.; 1/unit max.	
Retail and Service Uses	2/1,000 sf min. ⁷	
Off-site parking within 600' may be used to meet parking requirements for Residential uses.		
Off-site parking within 1200' may be used to meet parking requirements for non-Residential uses.		
Shared Parking may be used to meet parking requirements.		
Location (Distance from Property Line/ROW)		
Front Setback		
Ground Floor	50'	
Upper Floors	30'	
Side Street Setback		

Ground Floor	30'	
Upper Floors	0'	
Side Setback	0'	
Rear Setback	0'	
Miscellaneous		
Parking Access Drive Width		
Front, ≤40 spaces	12' max.	
Front, >40 spaces	20' max.	
Side Street/Alley	20' max.	
% of Frontage along Front	20% max.	
⁷ No parking spaces required for lodging uses and ground floor uses less than 5,000 sf.		

Key	
P	Permitted Use
AUP	Administrative Use Permit Required
SUP	Special Use Permit Required
CUP	Council Use Permit Required
-	Prohibited Use
/	Separates requirements for ground floor uses and uses on upper floor(s) or behind an allowed ground floor use.
End Notes	
Uses not listed are specifically prohibited unless the Zoning Administrator interprets that a use is consistent pursuant to the Form-Based Code. For existing and non-conforming uses, refer to Chapter 36 .	
¹ See Chapter 64 (Definitions of Terms and Uses) for use type definitions.	

² Not allowed on the ground floor unless behind an allowed ground-floor use.

³ Allowed only within a Level I Historic Structure.

(Ord. No. 5632, § 1, 7-8-21; Ord. No. 5759, § 13, 12-8-22)

11-58-12: - ADDITIONAL STANDARDS FOR ALL ZONES

A. Open Space Standards for All Zones.

1. The Civic Space Standards set forth in Chapter 62 (Civic Space Standards) provide the regulations for the Civic and Open Space within the Form-Based Code Transect Zones.

B. Landscape Standards.

1. See Chapter 33 (Landscaping) for Landscaping Standards on private lots within the Form-Based Code Transect Zones.
2. Unbuilt spaces on private lots, including front yards, rear yards, and courtyard spaces, should, to the maximum extent possible, provide pervious surfaces and landscape in order to encourage soft edges and transitions between the public and private realms, reduce heat island effect, and aid in compliance with the Stormwater Quality Standards. Landscape treatments should use drought tolerant and native species and be in keeping with the an urban environment to accommodate active and passive uses and the effective use of compact spaces.

C. Lighting Standards.

1. All lighting shall comply with the standards found in the Mesa Lighting and Electrical Code, Title 4, Chapter 4 of the Mesa City Code.
2. All lighting shall comply with § 11-30-5 of this Zoning Code.
3. All Outdoor lighting for sport courts/fields shall require a Special Use Permit (SUP).

D. Parking Requirements.

1. All on-street parking spaces adjacent to the lot may be used to meet parking requirements.
2. No parking spaces are required for Accessory Structures that are 500 sf or less.
3. Bicycle parking shall be provided and in a secure environment, except in residential buildings with 4 units or less.
4. Bicycle parking shall be provided at a minimum ratio of 1 bicycle space for every 10 vehicular spaces with a maximum requirement of 20 bicycle spaces. The bicycle parking spaces provided shall be accessible in the same manner as their equivalent vehicular spaces (publicly or privately accessible).
5. For every 10 publicly accessible bicycle parking spaces provided, the required commercial parking spaces may be reduced by one space with a maximum reduction of 15 percent of the required vehicular parking spaces.

E. Parking Space Design.

1. All parking spaces must be accessible from a public ROW.
2. Except for designated disabled parking spaces, no parking spaces shall be required to be individually accessible. Tandem, stacking and valet parking may be used to meet parking requirements.
3. Parking spaces may be directly accessed from an alley.
4. On lots with alleys, all drives shall be accessed only from the alley.
5. On corner lots, all drives shall be accessed only from the alley or side street.
6. Shared drives are encouraged between adjacent lots to minimize curb cuts along the street.
7. Off-street parking spaces do not have to be covered.
8. Vehicles parked off-street may not encroach on a sidewalk.
9. Underground parking may be placed up to the ROW or Property Line.
10. Underground parking shall not be visible to pedestrians from a Public way.
11. Parking spaces shall generally be designed according to the dimensions in 11-32-2.H (Size of Parking Spaces and Maneuvering Aisles).
12. If park-lifts or mechanically-ventilated garages are used next to Residential uses, the noise and vibration of the mechanical systems shall be mitigated.
- 13.

- All surface parking areas along a Street or Civic Space that are not behind buildings shall be screened by a 3'6" tall min. hedge, fence, or wall in character with the building at the ROW.
- 14. All exposed structured parking shall be architecturally incorporated into the facade composition.
 - 15. On corner lots less than 100' wide, maximum length of 60' of parking podium or garage is allowed along a Side Street.
 - 16. The minimum number of parking spaces required for buildings within ¼ mile of transit may be reduced by 20%.
 - 17. Temporary parking lots that will be replaced by a permanent building or structure are not subject to the parking location regulations in the Building Form Standards, but shall comply with all landscaping requirements.
 - 18. At least 10% of the area of an off-street parking with more than 30 spaces shall be reserved for landscaping.
 - 19. All off-street parking lots with 10 or more surface parking spaces shall meet the landscaping requirements of 11-33-4 (Interior Parking Lot Landscaping).

CHAPTER 59 - BUILDING TYPE STANDARDS

11-59-1: - PURPOSE

This Chapter sets forth the standards applicable to the development of each building type. These standards supplement the standards for each zone that the building types are allowed within. These standards are intended to ensure development that reinforces walkability, relationships within built environment, and the highly-valued existing character and scale of Mesa's historic neighborhoods and downtown. Additionally, these standards are intended to allow creation of new developments that create new walkable neighborhoods.

11-59-2: - APPLICABILITY

- A. The standards within this Chapter shall apply to all proposed development within transect zones and shall be considered in combination with the standards for the applicable zone in [Chapter 58](#) (Building Form Standards) and [Chapter 60](#) (Private Frontage Standards).
- B. The standards set forth in this Chapter shall be used in non-transect zones with the "U" designator as guidelines and may be used in all other non-transect zones as guidelines.

11-59-3: - BUILDING TYPES OVERVIEW

- A. This section provides an overview of the allowed building types. The names of the building types are not intended to limit uses within a building type. For example, a single-unit house may have non-residential uses within it, such as a cafe or an office.
- B. The Lot Size Standards for each building type designate the range of lot sizes that the given building type is allowed to be built on. If the lot is smaller or larger than the allowed lot size, a different building type must be selected.

TABLE 11-59-3.A BUILDING TYPES GENERAL BUILDING TYPE

	Building Type	Transect Zones
	Carriage House: This Building Type is a secondary structure typically located at the rear of a lot. This structure provides habitable/occupiable space for a small residential unit, home office space, or other small commercial or service use that may be above a garage or at ground level. This Type is important for providing affordable housing opportunities and incubating small businesses within walkable neighborhoods.	

	<p>Single-Unit House, Village: This Building Type is a medium-sized detached structure on a medium-sized lot that incorporates one unit. It is typically located within a primarily single-family residential neighborhood in a walkable urban setting, potentially near a neighborhood main street.</p>	
	<p>Single-Unit House, Cottage: This Building Type is a small detached structure on a small lot that incorporates one unit. It is typically located within a primarily single-family residential neighborhood in a walkable urban setting, potentially near a neighborhood main street. This Type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>	
	<p>Bungalow Court: This Building Type consists of a series of small, detached structures, providing multiple units arranged to define a shared court that is typically perpendicular to the street. The shared court takes the place of a private rear yard and becomes an important community-enhancing element of this Type. This Type is appropriately scaled to fit within primarily single-family or medium-density neighborhoods. It enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>	

	<p>Duplex: This Building Type is a small to medium-sized structure that consists of two side-by-side or stacked dwelling units, both facing the street, and within a single building massing. This Type has the appearance of a medium to large single-family home and is appropriately scaled to fit within primarily single-family neighborhoods or medium-density neighborhoods. It enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>	
	<p>Townhouse: This Building Type is a small to medium-sized attached structure that consists of three to eight dwelling units placed side-by-side. This Type is typically located within medium-density neighborhoods or in a location that transitions from a primarily single-family neighborhood into a neighborhood main street. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p> <p>Syn: Rowhouse</p>	
	<p>Mansion Apartment: This Building Type is a medium structure that consists of three to six side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front. This type has the appearance of a medium sized family home and is appropriately scaled to fit in sparingly within primarily single-family neighborhoods or into medium density neighborhoods. This Type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>	

	<p>Apartment House: This Building Type is a medium- to large-sized structure that consists of seven to 12 side-by-side and/or stacked dwelling units, typically with one shared entry. This Type is appropriately scaled to fit in within medium-density neighborhoods or sparingly within large lot predominantly single-family neighborhoods. This Type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>	
	<p>Courtyard Building: This Building Type is a medium- to large-sized structure that consists of multiple side-by-side and/or stacked dwelling units accessed from a courtyard or series of courtyards. Each unit may have its own individual entry, or up to three units may share a common entry. This Type is appropriately scaled to fit in sparingly within primarily single-family or medium-density neighborhoods. It enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>	
	<p>Main Street Mixed-Use: This Building Type is a small- to medium-sized structure, typically attached, intended to provide a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, service, or residential uses. Smaller versions of this Type include live/work units. This Type makes up the primary component of a neighborhood main street and portions of a downtown main street, therefore being a key component to providing walkability.</p>	

	<p>Mid-Rise: This Building Type is a medium- to large-sized structure, 4 to 8 stories tall, built on a large lot that incorporates structured parking. It can be used to provide a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, service, or residential uses; or may be a single-use building, typically service or residential, where ground floor retail is not appropriate. This Type is a primary component of an urban downtown providing high-density buildings.</p>	
	<p>High-Rise: This Building Type is a large-sized structure, more than 8 stories tall, built on a large lot that incorporates a structured parking. It is used to provide a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, service, or residential uses. This Type is a primary component of an urban downtown providing high-density buildings.</p>	

11-59-4: - CARRIAGE HOUSE



	<p>A. Description</p> <p>Carriage House: This Building Type is a secondary structure typically located at the rear of a lot. This structure provides habitable/occupiable space for a small residential unit, home office space, or other small commercial or service use that may be above a garage or at ground level. This Type is important for providing affordable housing opportunities and incubating small businesses within walkable neighborhoods.</p>
<p>General Note: Photos on this page are illustrative, not regulatory.</p>	

<p>B. Lot.</p>
<p>Allowed on lots when accompanying the following building types: Single-Unit Houses, Duplexes, Townhouses, Mansion Apartments.</p>

The Carriage House Building Type is the only detached accessory dwelling unit (ADU) allowed in transect zones.

C. Number of Units.

Units	1 max.
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D. Building Size and Massing

Height

Per Building Form Standards based on transect zone

Main Body

Width	36' max.	
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Depth	30' max.	
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Separation from Main Building	10' min. ¹	
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Miscellaneous

Carriage houses shall not be taller or have a larger footprint than the main building on the lot.

¹ Carriage house may be connected to the main building by uninhabitable space such as a breezeway.

E. Allowed Frontages

Stoop

Carriage houses are not required to have a Frontage Type.

Pedestrian Access

Main Entrance Location	Side Street, Alley, or internal to the lot
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The main entrance may not be through a garage.

G. Vehicle Access and Parking

Parking may be accessed from the alley, side street or front.

Parking may be accessed from the front only when there is no adjacent alley or side street.

All parking spaces provided shall be separate from the principal building and may be enclosed, covered or open.

H. Private Open Space

The Private Open Space requirements for the lot shall be determined by the principal building on the lot. No additional Private Open Space is required for a Carriage House.

11-59-5: - SINGLE-UNIT HOUSE, VILLAGE

A. Description

Single-Unit House, Village: This Building Type is a medium-sized detached structure on a medium-sized lot that incorporates one unit. It is typically located within a primarily single-residence residential neighborhood in a walkable urban setting, potentially near a neighborhood main street.

General Note: Photos on this page are illustrative, not regulatory.

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B. Lot

Lot Size¹

Width	50' min.; 75' max.	
Depth	75' min.; 150' max.	
Area ²	5,000 sf min.	

C. Number of Unit

Units	1 max.
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D. Building Size and Massing

Height

Per Building Form Standards based on transect zone

Main Body

Width	48' max.	
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Secondary Wing(s)

Width	30' max.	
Depth	30' max.	

Accessory Structure(s)

Width	24' max.	
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Depth	30' max.	
¹ By-passed parcels may exceed lot width, depth and area.		
² Smaller or larger lot size permitted only if building type is already existing on lot at time of code adoption.		
E. Allowed Frontages		
Porch, Engaged		
Porch, Projecting		
F. Pedestrian Access		
Main Entrance Location	Front	
G. Vehicle Access and Parking		
Parking may be accessed from the alley, side street or front.		
Parking may be accessed from the front only when there is no adjacent alley or side street.		
Parking spaces may be enclosed, covered or open.		
H. Private Open Space		
Width	20' min.	
Depth	20' min.	
Area	500 sf min.	

Required street setbacks and driveways shall not be included in the private open space area calculation.

Required private open space may be allowed in locations compatible with the building type and form, subject to zoning clearance review.

(Ord. No. 5514, § 1, 7-8-19)

11-59-6: - SINGLE-UNIT HOUSE, COTTAGE

	A. Description
	Single-Unit House, Cottage: This Building Type is a small detached structure on a small lot that incorporates one unit. It is typically located within a primarily single-residence neighborhood in a walkable urban setting, potentially near a neighborhood main street. This Type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.

General Note: Photos on this page are illustrative, not regulatory.

B. Lot		
Lot Size¹		
Width	30' min.; 50' max.	
Depth	50' min.; 150' max.	
Area ²	2,500 sf min.	
C. Number of Units		
Units	1 max.	
D. Building Size and Massing		
Height		
Per Building Form Standards based on transect zone.		
Main Body		
Width	36' max.	
Secondary Wing(s)		
Width	30' max.	
Depth	30' max.	
Accessory Structure		

Width	24' max.	
Depth	30' max.	
Only one accessory structure is allowed per lot.		
¹ By-passed parcels may exceed lot width, depth and area.		
² Smaller or larger lot size permitted only if building type is already existing on lot at time of code adoption.		
E. Allowed Frontages		
Porch, Projecting		
Stoop		
F. Pedestrian Access		
Main Entrance Location	Front	
G. Vehicle Access and Parking		
Parking shall be accessed from a side street or alley.		
Parking spaces may be enclosed, covered or open.		
H. Private Open Space		
Width	15' min.	
Depth	15' min.	

Area	300 sf min.	
Required street setbacks and driveways shall not be included in the private open space area calculation.		
Required private open space may be allowed in locations compatible with the building type and form, subject to zoning clearance review.		

(Ord. No. 5514, § 1, 7-8-19)

11-59-7: - BUNGALOW COURT

	A. Description
	<p>Bungalow Court: This Building Type consists of a series of small, detached structures, providing multiple units arranged to define a shared court that is typically perpendicular to the street and defined on three sides by buildings. The shared court takes the place of a private rear and becomes an important community-enhancing element of this Type. This Type is appropriately scaled to fit within primarily single-residence or medium density neighborhoods. It enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>

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General Note: Photos on this page are illustrative, not regulatory.

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B. Lot

Lot Size¹

Width	75' min.; 150' max.	
Depth	100' min.; 150' max.	

C. Number of Units

Units	3 min.; 9 max.	
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D. Building Size and Massing Height

Height

Height	1½ Stories max.
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Main Body

Width	32' max.	
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Depth	24' max.	
Secondary Wing(s)		
Width	24' max.	
Depth	12' max.	
Accessory Structure		
Width	24' max.	
Depth	24' max.	
¹ By-passed parcels may exceed max. lot with and depth.		
E. Allowed Frontages		
Porch, Projecting		
Stoop		
F. Pedestrian Access		
Main Entrance Location	Front	
G. Vehicle Access and Parking		
Parking may be accessed from the alley, side street or front.		
Parking may be accessed from the front only when there is no adjacent alley or side street.		

Parking spaces may be enclosed, covered or open.		
H. Private Open Space		
Width	20' min.	
Depth	20' min.	
Area	400 sf min.	
Required street setbacks and driveways shall not be included in the private open space area calculation.		

(Ord. No. 5514, § 1, 7-8-19)

11-59-8: - DUPLEX

	<p>Duplex: This Building Type is a small to medium-sized structure that consists of two side-by-side or stacked dwelling units, both facing the street, and sharing one common party wall. This Type has the appearance of a medium to large single-residence home and is appropriately scaled to fit within primarily single-residence neighborhoods or medium density neighborhoods. It enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>

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General Note: Photos on this page are illustrative, not regulatory.

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B. Lot

Lot Size²

Width ³	50' min.; 75' max.	
Depth	100' min.; 150' max.	

C. Number of Units

Units	2 max.
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D. Building Size and Massing

Height

Per Building Form Standards based on transect zone.

Main Body

Width	48' max.	
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Secondary Wing(s)		
Width	30' max.	
Accessory Structure(s)		
Width		
Individual unit ownership	24' max.	
Shared between units	48' max.	
Depth	30' max.	
¹ Side-by-side duplexes may have a shared Property Line		
² By-passed parcels may exceed lot width and depth.		
³ Total width of lot(s) if there is a shared Property Line		
E. Allowed Frontages		
Porch, Engaged	Stoop	
Porch, Projecting		
F. Pedestrian Access		
Main Entrance Location	Front ⁴	
Each unit shall have an individual entry facing the street on or no more than 10' behind the front facade.		

G. Vehicle Access and Parking		
Parking may be accessed from the alley, side street or front.		
Parking may be accessed from the front only when there is no adjacent alley or side street.		
Parking spaces may be enclosed, covered or open.		
H. Private Open Space		
Width	15' per unit, min.	
Depth	15' per unit, min.	
Area	300 sf min.	
Required street setbacks and driveways shall not be included in the private open space area calculation.		
Required private open space may be allowed in locations compatible with the building type and form, subject to zoning clearance review.		
⁴ On corner lots, each unit shall front a different street.		

(Ord. No. 5514, § 1, 7-8-19)

11-59-9: - TOWNHOUSE

	A. Description
	<p>Townhouse: This Building Type is a small to medium-sized attached structure that consists one or three or more dwelling units placed side-by-side. This Type is typically located within medium density neighborhoods or in a location that transitions from a primarily single-residence neighborhood into a neighborhood main street. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability. Syn:</p> <p>Rowhouse</p>
General Note: Photos on this page are illustrative, not regulatory.	

B. Lot		
Lot Size²		
Width	18' min. per unit	

Depth	80' min.	
C. Number of Units		
Units	3 min.; 8 max.	
D. Building Size and Massing		
Height		
Per Building Form Standards based on transect zone		
Main Body		
Width	18' min.; 36' max.	
Secondary Wing(s)		
The footprint area of the Secondary Wing(s) may not exceed the footprint area of the Main Body.		
Accessory Structure(s)		
Width	24' max.	
Depth	30' max.	
The footprint area of an Accessory Structure may not exceed the footprint area of the Main Body.		
² By-passed parcels may exceed lot width and depth.		
<div></div>		
E. Allowed Frontages		

Porch	Dooryard	
Stoop		
F. Pedestrian Access		
Main Entrance Location	Front	
Each unit shall have an individual entry facing a street.		
G. Vehicle Access and Parking		
Parking may be accessed from the alley, side street or front.		
Parking may be accessed from the front only when there is no adjacent alley or side street.		
When accessed from the front, a single shared drive shall be used.		
Parking spaces may be enclosed, covered or open.		
H. Private Open Space		
Width	8' min.	
Depth	8' min.	
Area	100 sf min.	
Required street setbacks and driveways shall not be included in the private open space area calculation.		
Required private open space may be allowed in locations compatible with the building type and form, subject to zoning clearance review.		

(Ord. No. 5514, § 1, 7-8-19)

	A. Description
	Mansion Apartment: This Building Type is a medium structure that consists of three to six side-by-side and/ or stacked dwelling units, typically with one shared entry or individual entries along the front. This type has the appearance of a medium sized residence home and is appropriately scaled to fit in sparingly within primarily single-residence neighborhoods or into medium density neighborhoods. This Type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.
General Note: Photos on this page are illustrative, not regulatory.	

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B. Lot

Lot Size¹

Width	50' min.; 100' max.	
Depth	100' min.; 150' max.	

C. Number of Units

Units	3 min.; 6 max.
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D. Building Size and Massing

Height

Per Building Form Standards based on transect zone.

Main Body

Width	48' max.	
Depth	36' max.	

Secondary Wing(s)

Width	30' max.	
Depth	30' max.	

Accessory Structure(s)

Width	48' max.	
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Depth	30' max.	
The footprint area of an Accessory Structure may not exceed the footprint area of the Main Body.		
¹ By-passed parcels may exceed lot width and depth.		
E. Allowed Frontages		
Porch, Engaged	Stoop	
Porch, Projecting	Dooryard	
F. Pedestrian Access		
Main Entrance Location	Front	
Each unit may have an individual entry.		
G. Vehicle Access and Parking		
Parking may be accessed from the alley, side street or front.		
Parking may be accessed from the front only when there is no adjacent alley or side street.		
Parking spaces may be enclosed, covered or open.		
H. Private Open Space		
Width	8' min.	
Depth	8' min.	
Area	100 sf min.	

Required street setbacks and driveways shall not be included in the private open space area calculation.

Required private open space may be allowed in locations compatible with the building type and form, subject to zoning clearance review.

(Ord. No. 5514, § 1, 7-8-19)

11-59-11: - APARTMENT HOUSE

	A. Description
	Apartment House: This Building Type is a medium-to-large-sized structure that consists of seven to 12 side-by-side and/or stacked dwelling units, typically with one shared entry. This Type is appropriately scaled to fit in within medium density neighborhoods or sparingly within large lot predominantly single-residence neighborhoods. This Type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.

General Note: Photos on this page are illustrative, not regulatory.

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B. Lot

Lot Size¹

Width	75' min.; 150' max.	
Depth	100' min.; 150' max.	

C. Number of Units

Units	7 min.; 12 max.
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D. Building Size and Massing

Height

Per Building Form Standards based on transect zone.

Main Body

Width	60' max.	
Depth	50' max.	

Secondary Wing(s)

Width	48' max.	
Depth	36' max.	

Accessory Structure(s)

Width	48' max.	
Depth	30' max.	
The footprint area of an Accessory Structure may not exceed the footprint area of the Main Body.		
¹ By-passed parcels may exceed lot width and depth.		
E. Allowed Frontages		
Porch, Projecting	Forecourt	
Stoop	Dooryard	
F. Pedestrian Access		
Main Entrance Location	Front	
Units located in the Main Body shall be accessed by a common entry along the front.		
On corner lots, units in a secondary wing may front the side street.		
G. Vehicle Access and Parking		
Parking may be accessed from the alley, side street or front.		
Parking may be accessed from the front only when there is no adjacent alley or side street.		
Parking spaces may be enclosed, covered or open.		
H. Private Open Space		

No private open space requirement.

(Ord. No. 5514, § 1, 7-8-19)

11-59-12: - COURTYARD BUILDING

A. Description

Courtyard Building: This Building Type is a grouping of small structures or an individual medium-to-large-sized structure that is oriented around a shared courtyard or series of courtyards. The units consists of multiple side-by-side and/or stacked dwelling units primarily accessed directly from a courtyard. This Type is primarily applicable for medium-density neighborhoods, but is also appropriately scaled to fit in sparingly within primarily single-residence neighborhoods. It enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.

	B. Lot		
	Lot Size¹		
	Width	75' min.; 200' max.	
	Depth	100' min.	
	C. Number of Units		
	Units	4 min.; 24 max.	
General Note: Photos on this page are illustrative, not regulatory.			

D. Building Size and Massing		
Height		
Height	2 stories min.; 4 stories max. ²	
Main Body/Secondary Wing(s)		
Width	100' max.	
Depth	40' max.	
Accessory Structure(s)		

No accessory structures are allowed.	
E. Allowed Frontages	
Porch, Projecting	Shopfront
Stoop	Gallery
Forecourt	Arcade
Dooryard	
F. Pedestrian Access	
The main entry of ground floor units is directly off of a courtyard or a street.	
Courtyards shall be accessible from the front	
Each unit may have an individual entry.	
Stairs accessing upper floors may serve no more than three units	
¹ By-passed parcels may exceed lot width and depth.	
² Height must also comply with Building Form Standards.	
Pedestrian connections should link all buildings to the public right-of-way, courtyards, and parking areas.	
Passages through buildings (zagwans) and between buildings should be provided to connect multiple courtyards	

G. Vehicle Access and Parking		
Parking may be accessed from the alley, side street or front.		
Parking may be accessed from the front only when there is no adjacent alley or side street.		
Parking spaces may be structured, tuck-under, or open.		
H. Private Open Space		
No private open space requirement.		
I. Courtyard(s)		
Width	20' min.; 50' max.	
Width-to-Height Ratio	1:2 min. to 2:1 max.	
Depth	20' min.; 150' max.	
Depth-to-Height Ratio	1:1 to 3:1	
Area (total)	400 sf min.; 50 sf/unit min.	
Buildings must define a minimum of two courtyard edges.		
Courtyard edges not defined by building should be defined by a 6' stucco or masonry wall.		

(Ord. No. 5514, § 1, 7-8-19)

11-59-13: - MAIN STREET MIXED-USE

	<p>Main Street Mixed-Use: This Building Type is a small-to medium-sized structure, typically attached, intended to provide a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, service, or residential uses. Smaller versions of this Type include live/work units. This Type makes up the primary component of a neighborhood main street and portions of a downtown main street, therefore being a key component to providing walkability.</p>

General Note: Photos on this page are illustrative, not regulatory.

B. Lot

Lot Size¹

Width

25' min.; 150' max.

Depth

100' min.; 150' max.

C. Number of Units

Units	2 min.	
D. Building Size and Massing		
Height		
Height	2 stories min.; 4 stories max. ²	
Main Body		
Width	150' max.	
Depth	65' max.	
Secondary Wing(s)/Accessory Structure(s)		
Width	100' max.	
Depth	65' max.	
Separation from Main Body	10' min.	
A Secondary Wing/Accessory Structure shall have a smaller footprint, a narrower width, and a depth not greater than the Main Body.		
¹ By-passed parcels may exceed lot width and depth.		
² Height must also comply with Building Form Standards.		
E. Allowed Frontages		
Forecourt	Dooryard	

Shopfront	Gallery
Terrace	Arcade
F. Pedestrian Access	
Upper floor units located in the Main Body shall be accessed by a common entry along the front.	
Ground floor units may have individual entries along the front or side street.	
On corner lots, units in a secondary wing/accessory structure may front the side street.	
G. Vehicle Access and Parking	
Parking shall be accessed from a side street or alley.	
Parking drives and access may be shared on adjacent lots.	
On-site parking spaces may be enclosed or open.	
Garages may be detached or tuck-under.	
H. Private Open Space	
No private open space requirement.	

(Ord. No. 5514, § 1, 7-8-19)

11-59-14: - MID-RISE

	A Description		
	<p>Mid-Rise: This Building Type is a medium to large-sized structure, 4 to 8 stories tall built on a large lot that incorporates structured parking. This building type can be used to provide a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, service, or residential uses; or may be a single use building, typically service or residential, where ground floor retail is not appropriate. This Type is a primary component of an urban downtown providing high density buildings.</p>		
	B. Lot		
	Lot Size		
	Width	100' min.; 200' max.	
	Depth	100' min.; 150' max.	
General Note: Photos on this page are illustrative, not regulatory.			

C. Number of Units			

Unrestricted		
D. Building Size and Massing		
Height		
Height	4 stories min.; 8 stories max. ¹	
Footprint		
Floors 1—2		
Width	200' max.	
Depth	150' max.	
Lot Coverage	100% max.	
Floors 3+		
Depth	65' max.	
The floorplate of any floor may not be larger than the floor below.		
E. Allowed Frontages		
Shopfront	Dooryard	
Gallery	Terrace	
¹ Height must also comply with Building Form Standards.		

F. Pedestrian Access		
Upper floor units shall be accessed by a common entry along the front.		
Ground floor units may have individual entries along the front or side street.		
G. Vehicle Access and Parking		
Parking may be accessed from the front, alley or side street.		
Parking may be accessed from the front only when there is no adjacent alley or side street.		
On-site parking spaces may be in a structured garage. ²		
H. Open Space		
No private open space requirement.		
Podium tops should be used to provide open space.		
I. Courtyard(s)		
Width	20' min.; 50' max.	
Width-to-Height Ratio	1:2 to 2:1	
Depth	20' min.; 150' max.	
Depth-to-Height Ratio	1:1 to 3:1	
² A limited number of surface parking spaces along an alley may be approved by the Director.		

(Ord. No. 5514, § 1, 7-8-19; Ord. No. 5547, § 1, 1-27-20)

	A. Description
	High-Rise: This Building Type is a large-sized structure, more than 8 stories tall built on a large lot that incorporates a structured parking. This building type is used to provide a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, service, or residential uses. This Type is a primary component of an urban downtown providing high density buildings.
General Note: Photos on this page are illustrative, not regulatory.	

B. Lot		
Lot Size		
Width	100' min.; 300' max.	
Depth	100' min.; 300' max.	
C. Number of Units		
Unrestricted		
D. Building Size and Massing		
Height		
Height	8 stories min.	
Footprint		
Floors 1—5		
Width	300' max.	
Depth	300' max.	
Lot Coverage	100% max.	
Floors 6—8		
Floorplate	80% of lot max.	
Floors 9+		

Residential Floorplate	15,000 sf max.	
Commercial Floorplate	30,000 sf max.	
The floorplate of any floor may not be larger than the floor below.		
E. Allowed Frontages		
Shopfront	Dooryard	
Gallery	Terrace	
F. Pedestrian Access		
Upper floor units shall be accessed by a common entry along the front.		
Ground floor units may have individual entries along the front or side street.		
G. Vehicle Access and Parking		
Parking may be accessed from the front, alley or side street.		
Parking may be accessed from the front only when there is no alley or side street.		
On-site parking spaces may be in a structured garage. ¹		
H. Private Open Space		
No private open space requirement.		
Podium tops should be used to provide open space.		
¹ A limited number of surface parking spaces along an alley may be approved by the Director.		

11-59-16: - ADDITIONAL STANDARDS FOR MID-RISE AND HIGH-RISE BUILDINGS

A. High-Rise/Mid-Rise Buildings in T6MS		
Front/Side Street Setback		
Floors 9+	10' min.	
Side/Rear Setback		
Abutting T6		
Floors 1-8	0' min.	
Floors 9+	30' min.	
Abutting T5		
Floors 1-5	0' min.	
Floors 6-8	10' min.	
Floors 9+	30' min.	
Abutting T4		
Floors 1-5	10' min.	
Floors 6-8	10' min.	
Floors 9+	30' min.	

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B. High-Rise/Mid-rise Buildings in T5MS

Front/Side Street Setback

Floors 6+	10' min.	
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Side/Rear Setback

Abutting T6/T5

Floors 1-5	0' min.	
Floors 6-8	10' min.	
Floors 9+	30' min.	

Abutting T4

Floors 1-5	10' min	
Floors 6-8	20' min.	
Floors 9+	30' min.	

Abutting T3

Floors 1-2	10' min.	
Floors 3-5	20' min.	
Floors 6+	30' min.	

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C. High-Rise/Mid-Rise Buildings in T5MSF/T5N

Front/Side Street Setback

Floors 69+	10' min.	
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Side Setback

Abutting T6/T5/T4

Floors 1-5	0' min.	
Floors 6-8	10' min.	
Floors 0+	30' min.	

Abutting T3

Floors 1-5	10' min.	
Floors 6-8	20' min.	
Floors 9+	30' min.	

Rear Setback

Abutting T6/T5/T4

Floors 1-5	10' min.	
Floors 6-8	20' min.	
Floors 9+	30' min.	

Abutting T3

Floors 1-2	10' min.	
Floors 3-5	20' min.	
Floors 6+	30' min.	
D. Mid-Rise Buildings in T4MS		
Front/Side Street Setback		
Floors 4+	10' min.	
Side Setback		
Floors 1-3	0' min.	
Floors 4+	10' min.	
Rear Setback		
Abutting T6/T5/T4		
Floors 1-3	10' min.	
Floors 4+	20' min.	
Abutting T3		
Floors 1-2	10' min.	
Floor 3	20' min.	
Floors 4+	30' min.	

11-60-1: - PURPOSE

This Chapter sets forth the standards applicable to the development of private frontages. Private frontages are the components of a building that provide an important transition and interface between the public realm (street and sidewalk) and the private realm (yard or building). These standards supplement the standards for each zone that the frontage types are allowed within. For each private frontage type, a description, a statement of the type's intent, and design standards are provided. These standards are intended to ensure development that reinforces the highly-valued existing character and scale of Mesa's neighborhoods and downtown.

11-60-2: - APPLICABILITY

The standards within this Chapter shall apply to all proposed development within transect zones and shall be considered in combination with the standards for the applicable zone in [Chapter 58](#) (Building Form Standards) and [Chapter 59](#) (Building Type Standards).

11-60-3: - PRIVATE FRONTAGES OVERVIEW

Table A (Private Frontages General) provides an overview of the allowed private frontage types.

11-60-3.A Private Frontages General

The private frontage is the area between the building facade and the lot line.		
	SECTION	PLAN
Common Yard: The main facade of the building has a large planted setback from the frontage line providing a buffer from the higher-speed thoroughfares. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape and working in conjunction with the other private frontages.		
Porch, projecting: The main facade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch is open on three sides and all habitable space is located behind the setback line.		

<p>Porch, engaged: The main facade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The engaged porch has two adjacent sides of the porch that are engaged to the building while the other two sides are open.</p>	
<p>Stoop: The main facade of the building is near the frontage line and the elevated stoop engages the sidewalk. The stoop shall be elevated above the sidewalk to ensure privacy within the building. Stairs from the stoop may lead directly to the sidewalk or may be side-loaded. This type is appropriate for residential uses with small setbacks.</p>	
<p>Forecourt: The main facade of the building is at or near the frontage line and a small percentage is set back, creating a small court space. The space could be used as an entry court or shared garden space for apartment buildings, or as an additional shopping or restaurant seating area within commercial areas.</p>	

<p>Dooryard: The frontage line is defined by a low wall or hedge and the main facade of the building is set back a small distance creating a small dooryard. The dooryard shall not provide public circulation along a ROW. The dooryard may be raised, sunken, or at grade and is intended for ground floor residential in flex zones, live/work, and small commercial uses ≤2,500 sf.</p>	
<p>Shopfront: The main facade of the building is at or near the frontage line with an at-grade entrance along the public way. This type is intended for retail use. It has substantial glazing at the sidewalk level and may include an awning that may overlap the sidewalk. It may be used in conjunction with other frontage types.</p> <p>Syn: Retail Frontage, Awning.</p>	
<p>Terrace: The main facade is at or near the frontage line with an elevated terrace providing public circulation along the facade. This type can be used to provide at-grade access while accommodating a grade change. Frequent steps up to the terrace are necessary to avoid dead walls and maximize access. This type may also be used in historic industrial areas to mimic historic loading docks.</p>	

Gallery: The main facade of the building is at the frontage line and the gallery element overlaps the sidewalk. This type is intended for buildings with ground-floor commercial uses and may be one or two stories. The gallery should be used to provide the primary circulation along a frontage and extend far enough from the building to provide adequate protection and circulation for pedestrians.

Arcade: A covered walkway with habitable space above often encroaching into the ROW The arcade should be used to provide the primary circulation along a frontage and extend far enough from the building to provide adequate protection and circulation for pedestrians. This type is intended for buildings with ground floor commercial uses and is common along public courtyards and paseos.

11-60-4: - COMMON YARD

A. Description

Common Yard: The main facade of the building has a large planted setback from the frontage line providing a buffer from the higher-speed thoroughfares. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape and working in conjunction with the other private frontages.

B. Size

Depth	20' min.	
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C. Miscellaneous

Fences between front yards or between the sidewalk and front yard are not allowed.	
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Common Yard Frontages may only be used in conjunction with another allowed private frontage type, such as porch.	
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11-60-5: - PORCH: PROJECTING

A. Description

Porch, projecting: The main facade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch is open on three sides and all habitable space is located behind the setback line.

B. Size

Width, clear	10' min.	
Depth, clear	8' min.	
Height, clear	8' min.	
Height	2 Stories max.	
Furniture area, clear	4' × 6' min.	
Path of travel	3' wide min.	

C. Miscellaneous

Projecting porches are open on three sides and must have a roof.

A. Description		
<p>Porch, engaged: The main facade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The engaged porch has two adjacent sides of the porch that are engaged to the building while the other two sides are open.</p>		
B. Size		
Width, clear	10' min.	
Depth, clear	8' min.	
Height, clear	8' min.	
Height	2 Stories max.	
Furniture area, clear	4' × 6' min.	
Path of travel	3' wide min.	
C. Miscellaneous		
Up to $\frac{2}{3}$ of the building facade may project beyond the setback line into the encroachment area for this frontage type.		
Engaged porches must be open on two sides and have a roof.		

11-60-7: - STOOP

A. Description		
Stoop: The main facade of the building is near the frontage line and the elevated stoop engages the sidewalk. The stoop shall be elevated above the sidewalk to ensure privacy within the building. Stairs from the stoop may lead directly to the sidewalk or may be side-loaded. This type is appropriate for residential uses with small setbacks.		
B. Size		
Width, clear	5' min.; 8' max.	
Depth, clear	5' min.; 8' max.	
Height, clear	8' min.	
Height	1 Story max.	

Depth of recessed entries	6' max.	
C. Miscellaneous		
Stairs may be perpendicular or parallel to the building facade.		
Ramps shall be parallel to facade or along the side of the building.		
The entry door shall be covered or recessed to provide shelter from the elements.		
All doors must face the street.		

11-60-8: - FORECOURT

A. Description
<p>Forecourt: The main facade of the building is at or near the frontage line and a small percentage is set back, creating a small court space. The space could be used as an entry court or shared garden space for apartment buildings, or as an additional shopping or restaurant seating area within commercial areas.</p>

B. Size		
Width, clear	12' min.	
Depth, clear	12' min.	
Ratio, Height to Width	2:1 max.	
C. Miscellaneous		
In order to ensure that the edge of the public realm is properly defined, within Neighborhood and Flex zones, this frontage type cannot be used on parcels with more than one adjacent parcel using the same frontage type; within Main Street zones, this frontage type cannot be used on adjacent parcels.		
The proportions and orientation of these spaces should be carefully considered for solar orientation and user comfort.		

A. Description		
Dooryard: The frontage line is defined by a low wall or hedge and the main facade of the building is set back a small distance creating a small dooryard. The dooryard shall not provide public circulation along a ROW. The dooryard may be raised, sunken, or at grade and is intended for ground floor residential in flex zones, live/work, and small commercial uses ≤2,500 sf.		
B. Size		
Depth, clear	8' min.	
Length	50' max.	
Distance between glazing	4' max. ¹	
Ground floor transparency	50% min. ^{2, 3}	
Depth of recessed entries	5' max.	
Path of travel	3' wide min.	
Finish level above sidewalk	3'-6" max.	
Finish level below sidewalk	6' max.	
C. Miscellaneous		
For Live/Work and Commercial Uses, these standards are to be used in conjunction with those for the Shopfront Frontage Type. In case of conflict between them, the Dooryard standards shall prevail.		
Low walls (12"-36") used as seating are encouraged.		
Shall not be used for circulation for more than one ground floor entry.		

¹ May be increased if located outside of the downtown pedestrian area, and superior building design standards are utilized including building wall articulation and changes in materials and colors, as reviewed with the zoning clearance.

² For Live/Work and Commercial Uses only

³ Minimum 40% if located outside the downtown pedestrian area and superior, pedestrian-scale building design, with changes in color, material and texture is utilized, as reviewed with the zoning clearance.

(Ord. No. 5514, § 1, 7-8-19)

11-60-10: - SHOPFRONT

A. Description

Shopfront: The main facade of the building is at or near the frontage line with an at-grade entrance along the public way. This type is intended for retail use. It has substantial glazing at the sidewalk level and may include an awning that may overlap the sidewalk. It may be used in conjunction with other frontage types.

B. Size

Distance between glazing	2' max. ¹	
Ground floor transparency	75% min. ²	
Depth of recessed entries	5' max.	
C. Awning		
Depth	4' min.	
Setback from curb	2' min.	
Height, clear	8' min.	
D. Miscellaneous		
Residential windows shall not be used.		
Doors may be recessed as long as main facade is at BTL. Operable awnings are encouraged.		
Open-ended awnings encouraged.		
Rounded and hooped awnings are discouraged. Shopfronts with accordion-style doors/windows or other		
Shopfronts with accordion-style doors/windows or other operable windows that allow the space to open to the street are encouraged.		
¹ May be increased if located outside of the downtown pedestrian area, and superior building design standards are utilized including building wall articulation and changes in materials and colors, as reviewed with the zoning clearance.		
² May be reduced to 50% min. if located outside of the downtown pedestrian area and results in superior building wall articulation and design, with further reduction to 40% if pedestrian-scale design is utilized, with changes in color, material and texture, as reviewed with the zoning clearance.		



(Ord. No. 5514, § 1, 7-8-19)

11-60-11: - TERRACE

>A. Description		
Terrace: The main facade is at or near the frontage line with an elevated terrace providing public circulation along the facade. This type can be used to provide at-grade access while accommodating a grade change. Frequent steps up to the terrace are necessary to avoid dead walls and maximize access. This type may also be used in historic industrial areas to mimic historic loading docks.		
B. Size		
Depth, clear	8' min.	
Finish level above sidewalk	3'6" max.	
Length of terrace	150' max.	
Distance between stairs	50' max.	
C. Miscellaneous		
These standards are to be used in conjunction with those for the Shopfront Frontage Type. In case of conflict between them, the Terrace standards shall prevail.		
Low walls used as seating are encouraged.		

11-60-12: - GALLERY

A. Description

Gallery: The main facade of the building is at the frontage line and the gallery element overlaps the sidewalk. This type is intended for buildings with ground-floor commercial uses and may be one or two stories. The gallery should be used to provide the primary circulation along a frontage and extend far enough from the building to provide adequate protection and circulation for pedestrians.

B. Size

Depth, clear	8' min.	
Ground floor height, clear	11' min.	
Upper floor height, clear	9' min.	
Height	2 Stories max.	
Setback from curb	2' min.	

C. Miscellaneous

These standards are to be used in conjunction with those for the Shopfront Frontage Type. In case of conflict between them, the Gallery standards shall prevail.

Upper-story galleries facing the street must not be used to meet primary circulation requirements.

Galleries must have a consistent depth along a frontage.

Gallery must project over a sidewalk.

A. Description		
<p>Arcade: A covered walkway with habitable space above often encroaching into the ROW. The arcade should be used to provide the primary circulation along a frontage and extend far enough from the building to provide adequate protection and circulation for pedestrians. This type is intended for buildings with ground floor commercial uses and is common along public courtyards and paseos.</p>		
B. Size		
Depth, clear	12' min.	
Ground floor height, clear	14' min. clear	
Setback from edge of curb	2' min.	
C. Miscellaneous		
<p>These standards are to be used in conjunction with those for the Shopfront Frontage Type. In case of conflict between them, the Arcade standards shall prevail.</p>		
<p>Arcades must have a consistent depth along a frontage.</p>		
<p>Arcades with more than 2 floors of habitable space above the colonnade may not encroach onto a Public ROW, and must be located so that it abuts a public ROW.</p>		

CHAPTER 61 - THOROUGHFARE STANDARDS

11-61-1: - PURPOSE

- A. The intent of this Chapter is to provide a catalog of pre-approved thoroughfare assemblies and components that are appropriate to use within transect zones. These components can be combined to form thoroughfares that can be used in developments. The standards in this Chapter are intended to help minimize the amount of back-and-forth with the Planning Department, City Traffic Engineer, Fire Department, Solid Waste Management, and City Engineer.
- B. Application of thoroughfares will balance the needs of pedestrians with vehicles. To make a more pedestrian-friendly environment, design speeds will generally be lower and traffic congestion will generally be higher when compared to thoroughfares in other parts of the City.

11-61-2: - APPLICABILITY

- A. This Chapter describes thoroughfare assemblies, formulas, and components and assemblies approved for the development of thoroughfares in transect zones. It supplements the "Engineering Standards." Where these standards conflict with the "Engineering Standards", the standards of this Chapter shall prevail.
- B. These thoroughfare standards are applicable for the transformation of existing thoroughfares and the creation of new thoroughfares in any areas within the transect zones.
- C. The placement and use of thoroughfare assemblies is subject to review through the development of a Street Regulating Plan per Chapter 63 (Smart Growth Community Plans) Section 11-63-6 (Thoroughfares).
- D. Additional thoroughfare assemblies can be integrated into this Chapter as they are approved by the City.

11-61-3: - ALLOWED THOROUGHFARES

Allowed thoroughfares shall follow the process diagram in Table 11-61-3.A (Allowed Thoroughfare Process Diagram) and are allowed by right or with the specified approvals as follows:

- A. Predefined thoroughfare assemblies found in Section 11-61-8 (Thoroughfare Assemblies) are allowed by right.
- B. Thoroughfares that meet the standards found in Table 11-61-9.A (Thoroughfare Formulas) and use only the predefined components in Tables 11-61-9.B-H are allowed By Right or By Review as follows (Thoroughfares allowed By Review are allowed if approved by the Director and City Traffic Engineer.):
 - 1. If all of the selected predefined components are allowed By Right, the thoroughfare is allowed By Right.
 - 2. If one or more of the selected predefined components is allowed By Review, the thoroughfare is allowed By Review.
- C. Thoroughfares that meet the standards found in Table 11-61-9.A (Thoroughfare Formulas) but do not use only the predefined components in Tables 11-61-9.B-H are allowed if approved by the Director, City Traffic Engineer, Fire Department, Solid Waste Management, and City Engineer.
- D. Thoroughfares that do not meet the standards in items A-C above are not allowed in any Transect zones.

Table 11-61-3.A: Allowed Thoroughfare Process Diagram

11-61-4: - THOROUGHFARE DESIGN

- A. Thoroughfares are intended for use by vehicular and pedestrian traffic and to provide access to lots and open spaces.
- B. Thoroughfares shall generally consist of vehicular lanes and public frontages.
- C. Thoroughfares shall be designed in context with the urban form and general intention of the transect zones through which they pass.
 - 1. Within the more urban transect zones (T3 through T6) pedestrian comfort shall be a primary consideration of the thoroughfare design. Design conflict between vehicular and pedestrian movement generally shall be decided in favor of the pedestrian.
 - 2. Within the most rural transect zones (T1 and T2) pedestrian comfort shall be a secondary consideration of the thoroughfare design. Design conflict between vehicular and pedestrian movement generally shall be decided in favor of the vehicle.
- D. The requirements for pedestrian and bicyclist safety, comfort and access shall establish thoroughfare movement type and design speed. The movement type and design speed shall be the primary consideration used to determine the dimensions of each thoroughfare element, such as vehicular lanes and turning (curb) radii.
- E. Thoroughfares shall be designed to accommodate the types of vehicles expected to use each thoroughfare on a daily basis. Occasionally, large vehicles are expected on all thoroughfares. All thoroughfares shall allow these vehicles to safely pass without major difficulty. It is expected that large vehicles may encroach on the opposing lane when making turning movements.
- F. Additional Design Considerations. Other factors that may need to be considered in the selection of an appropriate thoroughfare type in transect zones include the following:
 - 1. Topography. Thoroughfares that traverse steep slopes may need to incorporate additional design consideration for such elements as drainage facilities, additional width for bicycle lanes on the uphill side of the thoroughfare, etc.
 - 2.

Parking. The provision of parking on site or on the thoroughfare may need to be considered in the selection of the appropriate thoroughfare type.

3. Truck Access. Thoroughfares that provide access to high volumes of large trucks may need additional design considerations to mitigate potential negative effects on walkability.
 4. Bus Service. Thoroughfares that will serve as public transit or school bus routes may need additional design considerations, including, but not limited to, the location of bus stops.
 5. Fire/Emergency Access. Additional design considerations may be needed to accommodate Fire/Emergency Access, including, but not limited to, the location of rolled curbs and bulb-outs to accommodate fire truck outriggers.
- G. All lane dimensions shall be measured to the face of the curb. Where no curb and gutter is provided, the lane dimension shall be to the edge of the pavement. For Yield movement types, lane dimensions assume two-way traffic and are for a single lane accommodating two-way traffic.
- H. Shared lanes with sharrow markings on the travel lanes or a bicycle boulevard, a road shared by bicycles and vehicles, are allowed and may be required on streets with a design speed of 25 mph or less. Bike Lanes may also be required to provide continuity between neighborhoods or based on traffic volumes. See Table 11-61-9.B (Bicycle Facilities Standards) for minimum dimensions.

11-61-5: - MOVEMENT TYPES AND DESIGN SPEED

Movement types are intended to assist in the selection of the appropriate thoroughfare design for the necessary level of pedestrian and bicyclist safety and comfort at any given location. Design speed is the primary determinant of movement type. A list of approved movement types (along with their assigned lane widths and curb radii) is provided for each transect zone in Tables 11-61-9.A-D.

Following is a list of movement types:

- A. Yield. Drivers must proceed slowly, with extreme care, and must yield to approaching traffic when vehicles are parked on both sides of the thoroughfare creating essentially one through lane. A Yield Thoroughfare is the functional equivalent of traffic calming. In addition to Yield movement use on normal thoroughfares, this movement is used for Alleys and Rear Lanes. For these applications, the primary purpose is access to rear loaded driveways/access for residential and commercial property. The 12' travel lane for Rear Lanes can be configured for one-way or two-way operation. When used for two way travel, parking is required on both sides of street in order to facilitate the Yield Movement Type and drivers exiting garages or driveways will have to yield to those vehicles occupying the lane therefore the number of properties connected to the Rear Lane should be considered. Parking in Alleys and Rear Lanes should only occur in driveways or parking structures to allow access for trash collection, service trucks and emergency access. Design speed is less than 20 mph.
- B. Slow. Drivers can proceed carefully with an occasional stop to allow a pedestrian to cross or another car to park. The character of the thoroughfare should make drivers uncomfortable exceeding the design speed due to the presence of parked cars, sense of enclosure from buildings and street trees, tight turning radii, and other design elements. Design speed is 20-25 mph.
- C. Low. Drivers can generally expect to travel without delay at the appropriate design speed. Thoroughfare design supports safe pedestrian movement at the higher design speed. This movement type is appropriate for thoroughfares designed to traverse longer distances or connect to higher intensity locations. Design speed is 30-35 mph.
- D. Suburban. This is a conventional thoroughfare design in which drivers can expect a separation of modes, (i.e., bike lanes, walking paths and roads) allowing automobiles to travel unimpeded by pedestrians or walkability concerns. This movement type is rarely used in T3 through T6 transect zones, but may be needed when a thoroughfare crosses through T1 or T2 transect zones. Design speed may be above 35 mph.

The design criteria for Yield, Slow, and Low Thoroughfares shall be commensurate with local thoroughfares. Design speeds higher than 35 mph shall not be used in areas intended to support moderate or high levels of pedestrian or bicycle activity due to concerns with safety and comfort.

11-61-6: - INTERSECTIONS

- A. Street design of narrow streets and compact intersections requires designers to pay close attention to the operational needs of transit, fire and rescue, waste collection and delivery trucks. For this reason, early coordination with transit, fire and rescue, waste collection and other stakeholder groups is essential.
- B. More regular encroachment of turning vehicles into opposing lanes will occur at compact intersections. Therefore, frequency of access, traffic volumes and the speeds on intersecting streets at those intersections must be considered when designing intersections. For fire and rescue, determination of the importance of that street for community access should be determined, e.g. primary or secondary access.
- C.

The designer should use turning templates or software to evaluate intersections to ensure adequate operation of vehicles can occur. Location of on street parking around intersections should be evaluated during this analysis to identify potential conflicts between turning vehicles and on street parking. Bike lanes and on-street parking will increase the effective curb return radius, when curb extensions are not employed, by providing more room for the wheel tracking of turning vehicles.

11-61-7: - PUBLIC FRONTAGES

- A. **General to All Transect Zones**
 - 1. The public frontage contributes to the character of the transect zone, and includes the types of sidewalk, curb, planter, and street trees.
 - 2. Public frontages shall be designed and allocated within transect zones as shown in Tables 11-61-9.E-F
 - 3. Within the public frontages, the prescribed types of public planting and public lighting shall be as shown in Tables 11-61-9.E-H. The spacing of the public planting may be adjusted with the approval of the Director to accommodate specific site conditions.
- B. **Specific To Transect Zones T1, T2, T3**
 - 1. The public frontage shall include trees of various species, naturalistically clustered, as well as understory.
 - 2. The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization and maintenance. Lawn shall be permitted only with approval by the Director.
- C. **Specific To Transect Zones T4, T5, T6**
 - 1. The introduced landscape shall consist primarily of durable species tolerant of soil compaction.
 - 2. Above ground utility facilities shall be placed to minimize the impact on pedestrians.
- D. **Specific To Transect Zones T4**
 - 1. The public frontage shall include trees planted in a regularly-spaced allee pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story.
- E. **Specific To Transect Zones T5, T6**
 - 1. The public frontage shall include trees planted in a regularly-spaced allee pattern of single species with shade canopies of a height that, at maturity, clears at least one Story. At retail frontages, the spacing of the trees may be irregular, to avoid visually obscuring the shopfronts.
 - 2. Streets with a Right-of-Way width of 40 feet or less shall be exempt from the tree requirement.

11-61-8: - THOROUGHFARE ASSEMBLIES

- A. This section provides thoroughfare assemblies that have been approved by the City for use in transect zones.
- B. The tables in this section are added into the City of Mesa Engineering and Design Standards.

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST

Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Passage:	PS
Transit Route:	TR

Table 11-61-8.A: Thoroughfare Assembly BV-130-84

Application		
Transect Zones	T5MSF, T5MS, T6MS	
Movement Type	Low/Slow	
Design Speed		
Through Travel Lanes	35 mph	

Local Travel Lanes	20 mph	
Overall Widths		
Right-of-Way (ROW) Width	130'	
Pavement Width		
Through Travel Lanes	44'	
Local Travel	2@20'	
Lane Assembly		
Traffic Lanes		
Through Travel Lanes	4@11'	
Local Travel Lanes ¹	2@12'	
Parking Lanes	2@8', marked	
Medians	2@8'	
¹ Local travel lanes shall be shared bicycle lanes.		
Public Frontage Assembly		
Frontage Type	Boulevard	
Drainage Collection Type	Curb and Gutter	
Planter Type	4'x4' Tree Well	
Landscape Type	Trees at 30' o.c. Avg.	
Lighting Type	Column/Double Column	
Walkway Type	15' Sidewalk	
Curb Type	Square	

Table 11-61-8.B: Thoroughfare Assembly CS-100-60

Application		
Transect Zones	T4MS, T5MSF, T5MS	
Movement Type	Slow	
Design Speed	20 mph	
Overall Widths		
Right-of-Way (ROW) Width	100'	
Pavement Width	60'	
Lane Assembly		
Traffic Lanes	2@12'	
Bicycle Lanes	None	
Parking Lanes	2@18', marked	
Medians	None	
Public Frontage Assembly		
Frontage Type	Commercial Street	
Drainage Collection Type	Curb and Gutter	
Planter Type	4'x4' Tree Well	

Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Post, Column, or Double Column	
Walkway Type	20' sidewalk	
Curb Type	Square	

Table 11-61-8.C: Thoroughfare Assembly CS-100-48-BL

Application		
Transect Zones	T4MS, T5MSF, T5MS	
Movement Type	Low	
Design Speed	30 mph	
Overall Widths		
Right-of-Way (ROW) Width	100'	
Pavement Width	24'	
Lane Assembly		
Traffic Lanes	2@10'	
Bicycle Lanes	2@6'	

Parking Lanes	2@8', marked	
Medians	12'	
Public Frontage Assembly		
Frontage Type	Commercial Street	
Drainage Collection Type	Curb and Gutter	
Planter Type	4'x4' Tree Well	
Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Post, Column, or Double Column	
Walkway Type	20' sidewalk	
Curb Type	Square	

Table 11-61-8.D: Thoroughfare Assembly DR-100-36

Application		
Transect Zones	T3N, T4N, T4NF, T5N	
Movement Type	Low	
Design Speed	30 mph	

Overall Widths		
Right-of-Way (ROW) Width	100'	
Pavement Width	18'	
Lane Assembly		
Traffic Lanes	2@10'	
Bicycle Lanes	None	
Parking Lanes	2@8', marked	
Medians	36'	
Public Frontage Assembly		
Frontage Type	Drive	
Drainage Collection Type	Curb and Gutter	
Planter Type	8' continuous planter ¹	
Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Post, Pipe, Column, or Double Column	
Walkway Type	6' sidewalk ¹	
Curb Type		
Along planter	Square	
Along median	Rolled ²	
¹ 7' Continuous planter and 7' Sidewalk for T5 Application		
² Median curbs must be mountable in order to meet requirements for fire/emergency access.		

Table 11-61-8.E: Thoroughfare Assembly CS-60-32

Application		
Transect Zones	T4MS, T5MSF, T5MS	
Movement Type	Slow	
Design Speed	20 mph	
Overall Widths		
Right-of-Way (ROW) Width	60'	
Pavement Width	32'	
Lane Assembly		
Traffic Lanes	2@9'	
Bicycle Lanes	None	
Parking Lanes	2@7', marked	
Medians	None	
Public Frontage Assembly		
Frontage Type	Commercial Street	
Drainage Collection Type	Curb and Gutter	
Planter Type	4'x4' tree well	

Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Post or Column	
Walkway Type	14' sidewalk	
Curb Type	Square	

Table 11-61-8.F: Thoroughfare Assembly CS-60-34

Application		
Transect Zones	T4MS, T5MSF, T5MS	
Movement Type	Slow	
Design Speed	25 mph	
Overall Widths		
Right-of-Way (ROW) Width	60'	
Pavement Width	34'	
Lane Assembly		
Traffic Lanes	2@10'	
Bicycle Lanes	None	
Parking Lanes	2@7', marked	

Medians	None	
Public Frontage Assembly		
Frontage Type	Commercial Street	
Drainage Collection Type	Curb and Gutter	
Planter Type	4'x4' tree well	
Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Post or Column	
Walkway Type	13' sidewalk	
Curb Type	Square	

Table 11-61-8.G: Thoroughfare Assembly CS-60-36

Application		
Transect Zones	T4MS, T5MSF, T5MS	
Movement Type	Low	
Design Speed	30 mph	
Overall Widths		
Right-of-Way (ROW) Width	60'	

Pavement Width	36'	
Lane Assembly		
Traffic Lanes	2@10'	
Bicycle Lanes	None	
Parking Lanes	2@8', marked	
Medians	None	
Public Frontage Assembly		
Frontage Type	Commercial Street	
Drainage Collection Type	Curb and Gutter	
Planter Type	4'x4' tree well	
Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Post or Column	
Walkway Type	12' sidewalk	
Curb Type	Square	

Table 11-61-8.H: Thoroughfare Assembly CS-60-32

Application

Transect Zones	T3N, T4N, T4NF, T5N	
Movement Type	Slow	
Design Speed	20 mph	
Overall Widths		
Right-of-Way (ROW) Width	60'	
Pavement Width	32'	
Lane Assembly		
Traffic Lanes	2@9'	
Bicycle Lanes	None	
Parking Lanes	2@7', marked	
Medians	None	
Public Frontage Assembly		
Frontage Type	Street	
Drainage Collection Type	Curb and Gutter	
Planter Type	8' continuous planter ¹	
Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Pipe, Post or Column	
Walkway Type	6' Sidewalk ¹	
Curb Type	Square	
¹ 7' Continuous planter and 7' Sidewalk for T5 Application		

Table 11-61-8.I: Thoroughfare Assembly ST-60-34

Application		
Transect Zones	T3N, T4N, T4NF, T5N	
Movement Type	Slow	
Design Speed	25 mph	
Overall Widths		
Right-of-Way (ROW) Width	60'	
Pavement Width	34'	
Lane Assembly		
Traffic Lanes	2@10'	
Bicycle Lanes	None	
Parking Lanes	2@7', marked	
Medians	None	
Public Frontage Assembly		
Frontage Type	Street	

Drainage Collection Type	Curb and Gutter	
Planter Type	7' continuous planter ¹	
Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Pipe, Post or Column	
Walkway Type	6' Sidewalk ¹	
Curb Type	Square	
¹ 6' Continuous planter and 7' Sidewalk for T5 Application		

Table 11-61-8.J: Thoroughfare Assembly ST-60-36

Application		
Transect Zones	T3N, T4N, T4NF, T5N	
Movement Type	Low	
Design Speed	30 mph	
Overall Widths		
Right-of-Way (ROW) Width	60'	
Pavement Width	36'	
Lane Assembly		
Traffic Lanes	2@10'	

Bicycle Lanes	None	
Parking Lanes	2@8', marked	
Medians	None	
Public Frontage Assembly		
Frontage Type	Street	
Drainage Collection Type	Curb and Gutter	
Planter Type	6' continuous planter ¹	
Landscape Type	Trees at 30' o.c. avg.	
Lighting Type	Pipe, Post or Column	
Walkway Type	6' Sidewalk ¹	
Curb Type	Square	
¹ 5' Continuous planter and 7' Sidewalk for T5 Application		

Table 11-61-8.K: Thoroughfare Assembly ST-40-26

Application

Transect Zones	T3N, T4N, T4NF	
Movement Type	Yield	
Design Speed	<20 mph	
Overall Widths		
Right-of-Way (ROW) Width	40'	
Pavement Width	26'	
Lane Assembly		
Traffic Lanes	1@12'	
Bicycle Lanes	None	
Parking Lanes	2@7', marked	
Medians	None	
Public Frontage Assembly		
Frontage Type	Street	
Drainage Collection Type	Valley Gutter or Sheet Flow	
Planter Type	6'x6' planter at 50' o.c.	
Landscape Type	Trees at 50' o.c. avg.	
Lighting Type	Post or Column	
Walkway Type	7' Sidewalk	
Curb Type	Rolled or flush	

Table 11-61-8.L: Thoroughfare Assembly RL-20-12

Application		
Transect Zones	T3N, T4N, T4NF	
Movement Type	Yield	
Design Speed	<20 mph	
Overall Widths		
Right-of-Way (ROW) Width	40'	
Pavement Width	12'	
Lane Assembly		
Traffic Lanes	1@12'	
Bicycle Lanes	None	
Parking Lanes	None	
Medians	None	
Public Frontage Assembly		
Frontage Type	Rear Lane	

Drainage Collection Type	Valley Gutter or Sheet Flow	
Planter Type	None	
Landscape Type	None	
Lighting Type	Pipe or Post (if provided)	
Walkway Type	None	
Curb Type	Rolled or flush	

Table 11-61-8.M: Thoroughfare Assembly RA-24-21

Application		
Transect Zones	T4MS, T5N, T5MSF, T5MS, T6MS	
Movement Type	Slow	
Design Speed	<20 mph	
Overall Widths		
Right-of-Way (ROW) Width	24'	
Pavement Width	21'	

Lane Assembly		
Traffic Lanes	2@10'6"	
Bicycle Lanes	None	
Parking Lanes	None	
Medians	None	
Public Frontage Assembly		
Frontage Type	Rear Alley	
Drainage Collection Type	Valley Gutter or Sheet Flow	
Planter Type	None	
Landscape Type	None	
Lighting Type	Pipe or Post (if provided)	
Walkway Type	None	
Curb Type	Rolled or flush	

11-61-9: - THOROUGHFARE FORMULAS AND COMPONENTS

- A. This section provides thoroughfare components that have been approved by the Planning Department, City Traffic Engineer, Fire Department, Solid Waste, and City Engineer for use in transect zones.
- B. The tables in this section are added into the City of Mesa Engineering and Design Standards.

Table 11-61-9.A: Thoroughfare Formulas

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Movement Type	Speed	Lane Assembly		Public Frontage Assembly			
		Travel Lanes	Parking Lanes	Planting min.	Walkway min.	Assembly min.	Edge Treatment
T1 and T2 Allowed Movement Types	Speed	Lane Assembly		Public Frontage Assembly			
		Travel Lanes	Parking Lanes	Planting ¹ min.	Walkway ¹ min.	Assembly min.	Edge Treatment
Slow: 20	20 mph	9'	-	5'	5'	13'	R or C
Slow: 25	25 mph	10'	-	5'	5'	13'	R or C
Low: 30	30 mph	10'	-	5'	5'	13'	R or C
Low: 35	35 mph	11'	-	5'	5'	13'	R or C
T3 Allowed Movement Types	Speed	Lane Assembly		Public Frontage Assembly			
		Travel Lanes	Parking ¹ Lanes	Planting min.	Walkway min.	Assembly min.	Edge Treatment
Yield	<20 mph	12'	7'	5'	5'	10'	C
Yield: Rear Lane	10 mph	12'	-	-	-	4'	R, C, or RB
Slow: 20	20 mph	9'	7'	5'	5'	10'	C
Slow: 25	25 mph	10'	7'	5'	5'	10'	C
Low: 30	30 mph	10' ²	8'	5'	5'	10'	C
T4 Allowed Movement Types	Speed	Lane Assembly		Public Frontage Assembly			
		Travel Lanes	Parking Lanes	Planting ¹ min.	Walkway min.	Assembly min.	Edge Treatment
Yield	<20 mph	12'	7'	5'	6'	11'	C
Yield: Rear Lane	10 mph	12'	-	-	-	4'	R, C, or RB

Yield: Alley	10 mph	21'	-	-	-	1.5'	RB
Slow: 20	20 mph	9'	7'	5'	6'	12'	C
Slow: 20 w/45° angle parking	20 mph	12'	16'/18' ³	5'	6'	12'	C
Slow: 25	25 mph	10'	7'	5'	6'	12'	C
Slow: 25 w/45° angle parking	25 mph	12'/10' ⁴	16'/18' ³	5'	6'	12'	C
Low: 30	30 mph	10' ²	8'	5'	6'	12'	C
T5 Allowed Movement Types	Speed	Lane Assembly		Public Frontage Assembly			
		Travel Lanes	Parking Lanes	Planting ¹ min.	Walkway min.	Assembly min.	Edge Treatment
Yield: Alley	10 mph	21'	-	-	-	1.5'	RB
Slow: 20	20 mph	9'	7'	5'	7'	12'	C
Slow: 20 w/45° angle parking	20 mph	12'	16'/18' ³	5'	7'	12'	C
Slow: 25	25 mph	10'	7'	5'	7'	12'	C
Slow: 25 w/45° angle parking	25 mph	10'/12' ⁴	16'/18' ³	5'	7'	12'	C
Low: 30	30 mph	10' ²	8'	5'	7'	12'	C
Low: 35	35 mph	11'	8'	5'	7'	12'	C

T6 Allowed Movement Types	Speed	Lane Assembly		Public Frontage Assembly			
		Travel Lanes	Parking Lanes	Planting ¹ min.	Walkway min.	Assembly min.	Edge Treatment
Yield: Alley	10 mph	21'	-	-	-	1.5'	RB
Slow: 20	20 mph	9'	7'	-	12'	12'	C
Slow: 20 w/45° angle parking	20 mph	12'	16'/18' ³	-	12'	12'	C
Slow: 25	25 mph	10'	7'	-	12'	12'	C
Low: 30	30 mph	10' ²	8'	-	12'	12'	C
Low: 35	35 mph	11'	8'	-	12'	12'	C
End Notes							
¹ If provided.							
² 11' wide travel lanes adjacent to a median for assemblies with a median separating multiple travel lanes in each direction.							
³ 16' min. for reverse angled parking; 18' min. for head-in angled parking.							
⁴ 25 mph design speed requires 2 lanes in each direction with 12' outside travel lanes (adjacent to angled parking) and 10' inside travel lanes							
Key - = Not Allowed R = Rural Edge Treatment C = Curb Edge Treatment RB = Ribbon Curb (18")							

Table 11-61-9.B: Vehicular Lane Assemblies

Movement Type	Yield	Slow	Slow	Low	Low
Design Speed	<20 MPH	20 MPH	25 MPH	30 MPH	35 MPH

No Parking					
No Parking					
Limited Parking					
One-Side Parking					
Two-Side Parking					
Angle Parking					
Medians With Parking					
Medians With Parking					

Medians With Parking					
Medians With Angled Parking					

Table 11-61-9.C: Bicycle Facilities Standards	
Class I: Multi-Use Trail	
Transect Zones	
Movement Types	Slow, Low
Width	
One-way	10' min.
Two-way	12' min.
Class II: Bicycle Lane	
Transect Zones	
Movement Types	Slow, Low ¹
Width Adjacent to:	
Rural Edge	5' min.
Parking	6' min.
Curb and Gutter	5½' to face of curb
Class III: Shared Lanes/Bicycle Boulevard	
Transect Zones	
Movement Types	Yield, Slow
Width	no minimum
¹ Bicycle Lanes on Thoroughfares with a design speed >30 mph are allowed By Review only.	

Table 11-61-9.D: Curb Radius		
Movement Type	Speed	Curb Radius ¹

Yield	<20 mph	5'—10'
Slow	20—25 mph	10'—15'
Low	30—35 mph	15'—20'

¹ This table provides the allowed curb radius range by movement type and speed. The dimensions above require the provision of an effective curb radius and/or mountable curbs that meet the needs of fire and emergency access. All intersections shall be designed to meet the requirements in 11-61-6 (Intersections)

Table 11-61-9.E: Public Frontage Types

The public frontage is the area between the curb of the vehicular lanes and the Property Line/ROW. Dimensions are provided in Table F (Public Frontage Standards).

Public Frontage Type		Transect Zone
(HW) For Highway. The For Highway Frontage has bicycle trails, no parking and open swales. The landscaping consists of the natural condition or multiple species arrayed in naturalistic clusters. Buildings are buffered by distance or berms.		
(RD) For Road. The For Road Frontage has open swales, a walking path or bicycle trail along one or both sides, and yield parking. The landscaping consists of multiple species arrayed in naturalistic clusters.		
(ST) For Street. The For Street Frontage has raised curbs drained by inlets and sidewalks separated from the vehicular lanes by individual or continuous planters. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced alley.		

<p>(DR) For Drive. The For Drive Frontage has raised curbs drained by inlets and a wide sidewalk or paved path along one side, related to a Civic Space. It is separated from the vehicular lanes by individual or continuous planters. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced alley.</p>	
<p>(AV) For Avenue. The Avenue Frontage has raised curbs drained by inlets and wide sidewalks separated from the vehicular lanes by a narrow continuous planter with parking on both sides. The landscaping consists of a single tree species aligned in a regularly spaced alley.</p>	
<p>(CS) For Commercial Street or Avenue. The For Commercial Street or Avenue Frontage has raised curbs drained by inlets and very wide sidewalks along both sides separated from the vehicular lanes by separate tree wells with grates. The landscaping consists of a single tree species aligned with regular spacing where possible.</p>	
<p>(BV) For Boulevard. The Boulevard Frontage has slip roads on both sides. It consists of raised curbs drained by inlets and sidewalks along both sides, separated from the vehicular lanes by planters. The landscaping consists of double rows of a single tree species aligned in a regularly spaced alley.</p>	

(RA) For Rear Alley. The Rear Alley Frontage is located to the rear of lots. It consists of a paved surface and ribbon curb at the edges adjacent to property lines or buildings. Alleys are typically not landscaped.	
(RL) For Rear Lane. The Rear Lane Frontage is located to the rear of lots. It consists of a paved surface and compacted gravel or similar material placed on the outer edges. Lanes are typically not landscaped.	

Table 11-61-9.F Public Frontage Standards						
This table assembles prescriptions and dimensions for the public frontage elements - curbs, walkways, and planters - relative to specific frontage types within transect zones. The Assembly row assembles all of the elements for the various frontage types.						
Transect Zone						
Public Frontage Type	HW-RD-ST	RD-ST	ST-DR-AV-BV	ST-DR-AV-BV	CS-DR-AV-BV	CS-DR-AV-BV
Assembly: The principal variables are the type and dimension of curbs, walkways, planters and landscape.						
Total Width	13' - 22'	13' - 22'	10' - 17'	12' - 16'	12' - 19'	12' - 30'

Curb: The detailing of the edge of the vehicular pavement, incorporating drainage.						
Type	Rural	Raised Curb	Raised Curb	Raised Curb	Raised Curb	Raised Curb
Walkway: The pavement dedicated exclusively to pedestrian activity.						
Type	Path (if provided)	Sidewalk	Sidewalk	Sidewalk	Sidewalk	Sidewalk
Width	6' min.	5' min.	5' min.	6' min.	7' min.	12' min.
Note: the placement of curb ramps shall match the desired path of pedestrian travel. See Mesa Engineering and Design Standards and Standard Details and Specifications for curb ramp design.						
Planter: The layer which accommodates street trees and other landscape						
Arrangement	Clustered	Clustered	Regular	Regular	Regular	Opportunistic
Species	Multiple	Multiple	Multiple	Single/Alternating	Single	Single
Type	Continuous Planter	Continuous Planter	Continuous Planter	Continuous Planter	Continuous Planter	Tree Well

Width	5' min.	5' min.	5' min.	5' min.	5' min.	4' - 6' (tree wells located within Walkway Width)

Table 11-61-9.G Public Planting		
This table shows common street tree types and their appropriateness within the transect zones. The "City of Mesa Engineering Design and Construction Standards and Specifications for New Construction" provides detailed specifications for landscaping along thoroughfares.		
Standards	Illustration	Recommended Species
Tree Shape: Oval Placement: Spacing 20' - 35' o.c.		Willow Acacia, Shoestring Acacia, Palo Blanco, Floss-Silk Tree, Indian Rosewood, Red-Cap Gum, Coolibah, Afghan Pine, Canary Island Pine, Mexican Ebony, Tipu Tree
Tree Shape: Ball Placement: Spacing 20' - 30' o.c.		
Tree Shape: Umbrella Placement: Spacing 20' - 30' o.c.		Palo Brea, Honey Mesquite, Chilean Mesquite, Velvet Mesquite, Screwbean Mesquite, Live Oak, Evergreen Elm
Tree Shape: Vase Placement: Spacing 25' - 35' o.c.		
		Guajillo, Sweet Acacia, Cascalote, Canyon Hackberry, Blue Palo Verde, Hybrid Palo Verde, Desert Willow, Feather Bush

		Mexican Blue Palm, Mexican Fan Palm, California Fan Palm, Canary Island Date Palm, Texas Sabal Palm, Queen Palm
Tree Shape: Palm Placement: Spacing 20' - 30' o.c.		
Note: All Street trees shall be planted and maintained to avoid conflicts with fire/emergency vehicles and have a minimum canopy clearance of 14' at maturity.		

Table 11-61-9.H Public Lighting					
Lighting varies in brightness and also in the character of the fixture according to the transect zones. This table shows the types of light poles and fixtures allowed within the transect zones. Within these fixture types, the City Traffic Engineer must be included in the selection of light poles and light fixtures.					
Transect Zone					
Fixture Type	Cobra Head	Pipe	Post	Column	Double Column
Illustration					

CHAPTER 62 - CIVIC SPACE STANDARDS

11-62-1: - PURPOSE

The purpose of this Chapter is to provide a set of civic space types and their associated standards to use within the transect zones.

11-62-2: - APPLICABILITY

The standards established in this Chapter shall apply to all proposed development within the transect zones, and shall be considered in combination with the standards found within the other Chapters in [Article 6](#) (Form-Based Zoning).

11-62-3: - CIVIC SPACES

- A. The standards established in this Chapter provide the transect zones with a diverse palette of parks and other publicly accessible civic spaces, publicly or privately owned, that are essential components of walkable urban environments.
- B. There are 11 different civic space types defined in Table A (Civic Space Type Standards). Two of the civic space types, Playgrounds and Community Gardens, may be incorporated into any of the other nine types or may stand alone.
- C. In Table A (Civic Space Type Standards), the illustration and description of each civic space type are illustrative in nature and not regulatory.

- D. The service area, size, frontage and disposition of elements standards of each civic space types are regulatory.
1. **Service Area.** Describes how the civic space relates to the City as a whole and the area that will be served by the civic space.
 2. **Size.** The overall range of allowed sizes of the civic space.
 3. **Frontage.** The relationship along property lines of a civic space to adjacent buildings or lots.
 - a. The front of the lots attached to or across a thoroughfare from a civic spaces should face on to the civic space to the maximum extent possible.
 - b. Building. Lots that are attached to or across a thoroughfare from civic spaces listed as having an "Building" frontage shall have the front of the lot facing on to the civic space for a minimum of three quarters of the civic space perimeter.
 - c. Independent. Lots that are attached to or across a thoroughfare from civic spaces listed as having an "Independent" may have the front, side street, or rear of the lot facing on to the civic space.
 4. **Disposition of Elements.** The placement of objects within the civic space.
 - a. *Natural.* Civic spaces with natural character are designed in a natural manner with no formal arrangement of elements.
 - b. *Formal.* Civic spaces with a formal character have a more rigid layout that follows geometric forms and has trees and other elements arranged in formal patterns.
 - c. *Informal.* Civic spaces with an informal character have a mix of Formal and Natural characteristics.
- E. **Typical Facilities.** A list of the typical facilities found within the civic space. This list is not intended to be a complete list of facilities allowed nor is it intended that every civic space would contain each of the facilities listed. Facilities larger than indicated gross square footage (gsf) require review and approval by the Director and Parks Director.
- F. The civic spaces specified in Table A (Civic Space Type Standards) are allowed By Right or By Review in the designated transect zones. (Civic Space allowed By Review are allowed if approved by the Director and Parks Director.)

Table 11-62-3.A Civic Space Type Standards			
Transect Zone			
Civic Space Type	Regional Park	Sport Complex	Community Park
Illustration			
Description	A natural preserve available for unstructured recreation.	An open space that consolidates heavily programmed athletic fields and associated facilities.	An open space available for unstructured recreation and a limited amount of structured recreation.

Location and Size			
Location			
Service Area	Regional	Regional	Multiple Neighborhoods
Size			
Minimum	200 acres	25 acres	12 acres
Maximum	-	-	-
Character			
Frontage	Independent	Independent	Independent
Disposition of Elements	Natural, Formal or Informal	Formal or Informal	Informal
Typical Facilities			
	Passive and Active Recreation, Accessory Structure, Drinking Fountains, Community Facility <7,500 gsf, Paths and Trails	Passive and Active Recreation, Accessory Structure, Drinking Fountains, Community Facility <7,500 gsf, Paths and Trails	Passive and Active Recreation, Accessory Structure, Drinking Fountains, Community Facility <5,000 gsf, Paths and Trails

Table 11-62-3.A Civic Space Type Standards (continued)			
Transect Zone			
Civic Space Type	Greenway	Neighborhood Green	Neighborhood Square
Illustration			

Description	A linear open space that may follow natural corridors providing unstructured and limited amounts of structured recreation.	An open space available for unstructured and limited amounts of structured recreation.	An open space available for civic purposes, unstructured and limited amounts of structured recreation.
Location and Size			
Location			
Service Area	Multiple Neighborhoods	Neighborhood	Neighborhood
Size			
Minimum	8 acres (60' wide by 1 mile long)	1 acre	½ acre
Maximum	-	15 acres	5 acres
Character			
Frontage	Independent or Building	Building	Building
Disposition of Elements	Natural or Informal	Informal	Formal
Typical Facilities			
	Passive and Active Recreation, Accessory Structure, Drinking Fountains, Community Facility <5,000 gsf, Paths and Trails	Passive and Active (unstructured or structured) Recreation, Accessory Structure, Drinking Fountains, Community Facility <5,000 gsf, Paths and Trails	Passive and Active (unstructured or structured) Recreation, Accessory Structure, Drinking Fountains, Community Facility <5,000 gsf, Paths and Trails

Table 11-62-3.A Civic Space Type Standards (continued)

Transect Zone			
Civic Space Type	Plaza	Pocket Plaza	Pocket Park
Illustration			
Description	A formal open space available for civic purposes and commercial activities. Plazas are typically hardscaped. Commercial activities shall be subordinate to Civic use.	A formal open space available for civic purposes and commercial activities. Pocket Plazas are typically hardscaped. Commercial activities shall be subordinate to Civic use.	An open space available for informal activities in close proximity to neighborhood residences.
Location and Size			
Location			
Service Area	Neighborhood	Neighborhood	Neighborhood
Size			
Minimum	½ acre	2,000 sf	2,000 sf
Maximum	2½ acres	½ acre	1 acre
Character			
Frontage	Building	Building	Building
Disposition of Elements	Formal	Formal	Formal or Informal
Typical Facilities			

	Passive Recreation, Accessory Structure, Drinking Fountains, Paths and Trails	Passive Recreation, Accessory Structure, Drinking Fountains, Paths and Trails	Passive Recreation, Accessory Structure, Drinking Fountains, Paths and Trails

Table 11-62-3.A Civic Space Type Standards (continued)		
Transect Zone		
Civic Space Type	Playground	Community Garden ¹
Illustration		
Description	An open space designed and equipped for the recreation of children. A Playground should be fenced and may include an open shelter. Playgrounds may be included within other civic spaces.	An open space designed as a grouping of garden plots that are available to nearby residents for small-scale cultivation. Community Gardens may be included within other civic spaces.
Location and Size		
Location		
Service Area	Neighborhood	Neighborhood

Size		
Minimum	-	-
Maximum	-	-
Character		
Frontage	Independent or Building	Independent or Building
Disposition of Elements	Formal or Informal	Formal or Informal
Typical Facilities		
	Accessory Structure, Drinking Fountains, Paths and Trails	Accessory Structure, Drinking Fountains, Paths and Trails
		¹ See Section 11-31-10 (Community Gardens) for specific standards.

11-62-4: - ADDITIONAL STANDARDS

- A. **Accessory Structure Standards.** All accessory structures within parks and open spaces, including, but not limited to, restrooms, open-air pavilions, gazebos, picnic shelters and outdoor theaters, shall not be subject to the physical requirements of the Building Form Standards in Chapter 58 (Building Form Standards). They shall be designed and furnished to be consistent with the character of the transect zone in which they are located. Such consistency may require accessory structures to maintain building setbacks, frontage, massing, disposition and character similar to adjacent development as determined by the Director.
- B. **Lighting Standards.**
1. All lighting shall comply with the standards found in the Mesa Lighting and Electrical Code, Title 4, Chapter 4 of the Mesa City Code.
 2. All lighting shall comply with § 11-30-5 of this Zoning Code.
 3. All athletic field/sport court lighting shall be Dark Sky Compliant and shall require a Special Use Permit (SUP).

CHAPTER 63 - SMART GROWTH COMMUNITY PLANS

11-63-1: - PURPOSE

The purpose of this Chapter is to provide standards for the application of Form-Based Code standards to reinforce walkable urban neighborhoods or create new walkable urban neighborhoods within the City of Mesa. This application will start with the downtown Main Street area to reinforce the implementation of light rail and to put a proper regulatory framework in place to encourage transit-oriented development (TOD).

Smart Growth Community Plans (SGCP) are intended to create and reinforce walkable urban environments with a mix of housing, civic, retail and service choices within a compact, walkable, and transit-oriented or transit-ready environment.

This Chapter shall be used to achieve the following goals and objectives:

- A. Improve the built environment and human habitat.
- B. Promote development patterns that support safe, effective, and multi-modal transportation options, including auto, pedestrian, bicycle, and transit, and therefore minimize vehicle traffic by providing for a mixture of land uses, walkability, and compact community form.
- C. Provide neighborhoods with a variety of housing types to serve the needs of a diverse population.
- D. Remove barriers and provide incentives for walkable urban projects.
- E. Promote the greater health benefits of a pedestrian-oriented environment.
- F. Reinforce the character and quality of downtown and adjacent neighborhoods.
- G. Reduce sprawling, auto-dependent development.
- H. Protect and enhance real property values.
- I. Reinforce a unique identity for Mesa that builds upon the local context, climate, and history.

11-63-2: - APPLICABILITY

- A. The owner(s) of a parcel, or abutting parcels, consisting of 10 acres or more of contiguous lots within an area subject to the Smart Growth Overlay may apply to prepare an Infill SGCP. In consultation with the Planning Office, an Infill SGCP must assign transect zones, civic zones, thoroughfares, special districts and/or special requirements as provided in this Chapter, with appropriate transitions to abutting areas.
- B. For a site less than 10 acres or any area designated by the City Council for redevelopment, an Infill SGCP may be approved if the Director determines that:
 - 1. The goals and objectives of this Chapter can be achieved with the smaller site; or
 - 2. The project will provide an appropriate and logical extension of an existing transect zone or zones or existing walkable urban environment.
- C. The owner of a parcel, or abutting parcels, consisting of 30 acres or more of contiguous lots, whether inside or outside an area subject to the Smart Growth Overlay, may initiate the preparation of a New Smart Growth Community Plan. The plan shall connect and blend with the scale and character of the surrounding urbanism.
- D. In the event that any of the standards in this Chapter conflict with other standards in this Code the standards in this Chapter override.

11-63-3: - SMART GROWTH COMMUNITY PLAN REQUIREMENTS

Each SGCP shall:

- A. Be structured with pedestrian sheds to determine the scale and center. See Section 11-63-4 (Pedestrian Sheds).
- B. Allocate Transect Zones as per Section 11-63-5 (Transect Zones) and Table 11-63-5.A.
- C. Lay out a thoroughfare network according to standards in Section 11-63-6 (Thoroughfares).
- D. Allocate civic spaces and civic buildings according to the standards in Section 11-63-7 (Civic Buildings and Civic Spaces).
- E. Provide Neighborhood Centers/Main Streets to meet the standards in Section 11-63-8 (Neighborhood Centers/Main Streets).
- F. Provide a mix of building types to meet the standards in Section 11-63-9 (Mix of Building Types).
- G. Provide a mix of lot sizes to meet the standards in Section 11-63-10 (Mix of Lot Types) and Table 11-63-10.A.
- H. Have all lots facing a vehicular thoroughfare, except that 20% of the lots within each Transect Zone may face a pedestrian passage or a courtyard.
- I. Connect and blend with the scale and character of the surrounding walkable urbanism.
- J. The SGCP shall be calibrated to suit specific topographical, environmental, site layout, and design constraints unique to the site or its location within the City, yet each SGCP will be consistent in terms of structure and content based on the provisions of this Chapter.
- K. In addition to the requirements of this Section, the SGCP should promote the Mesa General Plan, or other applicable plans adopted by the city. This can be measured by the achievement of LEED certification (Leadership in Energy and Environmental Design) by the US Green Building Council, or equivalent, for all residential and mixed-use buildings. Also, LEED-ND certification (Leadership in Energy and Environmental Design for Neighborhood Development) for the SGCP should be pursued.

(Ord. No. 5928, § 24, 2-3-25)

11-63-4: - PEDESTRIAN SHEDS

Pedestrian sheds are useful in planning as they provide an understanding of how far a typical pedestrian might be willing to walk. They are based on the understanding that most people are willing to walk up to five minutes before they will choose to drive and up to ten minutes to a major destination or transit stop. SGCPs use pedestrian sheds to define the boundaries and the relationship of development patterns to create walkable environments.

A. Pedestrian Sheds shall be centered on a Neighborhood Center or a Main Street.

B. Types of Pedestrian Sheds.

1. ***Standard Pedestrian Shed.*** A pedestrian shed that is based on a one-quarter mile (1320 feet) radius around a node. Standard pedestrian sheds are useful in planning neighborhoods. See diagram on the following page.
2. ***Linear Pedestrian Shed.*** A pedestrian shed that is based on a one-quarter mile (1320 feet) radius around a series of block lengths. Linear pedestrian sheds are useful in planning neighborhood main streets or neighborhoods with multiple nodes. See diagram on the following page.
3. ***Long Pedestrian Shed.*** A pedestrian shed that is based on a one-half mile (2640 feet) radius around a series of block lengths. Long pedestrian sheds are useful in planning major destinations and downtowns. See diagram on the following page.

C. Maximum Size of Pedestrian Shed.

1. Individual standard pedestrian sheds shall be no more than 160 acres.
2. Linear pedestrian sheds shall be no more than 200 acres. The site or any plan may be smaller than its associated pedestrian shed.
3. Long pedestrian sheds shall be no more than 510 acres.

D. Remnants of the site outside the pedestrian sheds shall meet the following requirements:

1. Remnant areas outside of a pedestrian shed shall be assigned transect zones, civic spaces, or special districts; and
2. If the remnant areas assigned as T3, T4, and T5 transect zones exceed 35 acres, an additional pedestrian shed shall be created to encompass these remnant areas.

E. The pedestrian shed shall be mapped on the regulating plan.

A. General.

1. Transect Zones established in Chapter 58 (Building Form Standards) shall be used for the regulating plan.
2. Any modifications or additions to the transect zones in Chapter 58 (Building Form Standards) shall be done as part of a process of public consultation and are subject to the approval of the City Council. Metrics shall be recorded in a similar format to what exists within this Code.

B. Allocation of Transect Zones.

1. Any portion of a development site within one-quarter mile of a major transit stop may be considered transit-oriented development (TOD). Any sites outside this radius shall be considered a traditional neighborhood development (TND).
2. Community plans for complete new neighborhoods and smaller infill sites over 10 acres shall assign and map transect zones to each pedestrian shed according to the percentages allocated in the table on the following page.
3. For sites 10 acres or less, the Director shall determine the appropriate mix of Transect Zones and the location of the center of the pedestrian shed for the area to determine if a main street is needed on the site based on existing conditions. For these sites, property owners shall submit a letter of intent to apply a regulating plan to their site to the Director, and a Pre-Application Meeting shall be held prior to Preliminary Review. Following this meeting and the further review of the project area, the Director shall make this determination.
 - a. The criteria for determining the appropriate mix of Transect Zones are as follows:
 - (1) Proximity to existing or future transit stops;
 - (2) Scale and uses adjacent to site;
 - (3) Existing zoning and entitlement of property;
 - (4) Size of the site;
 - (5) Site constraints and opportunities;
 - (6) Ability of site to create a complete walkable neighborhood; and/or
 - (7) Role of this site in Smart Growth strategy for the larger city based on sector mapping or macro scale analysis.
4. Any TOD frontage along main streets shall have a T4 or T5 Main Street zone designation.
5. The Director may approve a variance for up to 15% for the transect zone allocation within Table 11-63-5.A (Required Allocation Mix of Transect Zones) as long as the proposed regulating plan meets the objectives of this Chapter.

Table 11-63-5.A Required Allocation Mix of Transect Zones		
Transect Zone	Percentage of Land Assign to Zone	
	Minimum	Maximum
Traditional Neighborhood Development between 10 - 30 acres		
T3 Neighborhood	no min.	30% max.
T4 Neighborhood (T4N)	25% min.	70% max.
T4 Neighborhood Flex (T4NF)	10% min.	50% max.
T4 Main Street (T4MS)	10% min.	30% max.
T5 Neighborhood (T5N)	no min.	35% max. ^{1, 2}
T5 Main Street Flex (T5MSF)	no min.	25% max. ¹

T5 Main Street (T5MS)	no min.	15% max. ¹
T6 Main Street (T6MS)	NA	NA
Traditional Neighborhood Development greater than or equal to 30 acres		
T3 Neighborhood	10% min.	30% max.
T4 Neighborhood (T4N)	25% min.	70% max.
T4 Neighborhood Flex (T4NF)	10% min.	50% max.
T4 Main Street (T4MS)	10% min.	30% max.
T5 Neighborhood (T5N)	no min.	30% max. ²
T5 Main Street Flex (T5MSF)	no min.	30% max.
T5 Main Street (T5MS)	no min.	20% max.
T6 Main Street (T6MS)	NA	NA
Transit Oriented Development		
T3 Neighborhood	NA	NA
T4 Neighborhood (T4N)	no min.	20% max. ³
T4 Neighborhood Flex (T4NF)	no min.	15% max.
T4 Main Street (T4MS)	no min.	30% max.
T5 Neighborhood (T5N)	no min.	80% max. ⁴
T5 Main Street Flex (T5MSF)	10% min.	75% max.
T5 Main Street (T5MS)	10% min. ⁵	30% max. ⁶
T6 Main Street (T6MS)	NA	NA
End Notes:		
¹ Allocation of Transect Zone requires Director approval		
² Allocation of T5N requires the allocation of T5MSF or T5MS		

3	Should primarily be used to transition TOD into an adjacent single-residence neighborhood if it abuts one.
4	With Director approval may be as high as 100% if the site is not along a major corridor and is not adjacent or backing onto single-residence parcels.
5	With Director approval may be as low as 0% if the site is not along a major corridor.
6	With Director approval may be up to 100% if the site is adjacent to the main street.

11-63-6: - THOROUGHFARES

Thoroughfares define the public streets that refine pedestrian sheds into walkable environments. Care should be taken in the layout and sizing of thoroughfares, as wide thoroughfares and a lack of connectivity reduce the pedestrian friendliness of the area.

A. Design.

- Thoroughfares shall be designed per [Chapter 61](#) (Thoroughfare Standards).
- The thoroughfare network shall be mapped on a Street Regulating Plan that shall:
 - Indicate the layout of thoroughfares and the block network according to the standards established in Subsections 11-63-6.B (Block Size) and 11-63-6.C (Connectivity); and
 - Be reviewed and approved by the Director, City Traffic Engineer, and Fire Department.
- Thoroughfares that pass from one transect zone to another shall adjust their public frontages to match the character of the transect zone. For example a thoroughfare that goes from an urban transect zone with retail shops may change in character from wide sidewalks with trees in tree grates to a narrower sidewalk with a planting strip as the thoroughfare transitions to a less urban transect zone composed of various residential building types.

- B. **Block Size.** Individual block faces and the total block perimeter shall follow the standards established in the table below. If a block contains multiple transect zones, the most intense transect zone shall be used to establish the requirements for block size.

Table 11-63-6.A Block Size		
Transect Zone	Block	
	Face Length	Perimeter Length
T3	900 ft. max.	2,400 ft. max.
T4	600 ft. max.	2,000 ft. max.
T5	600 ft. max.	1,800 ft. max.

C. Connectivity.

- Interconnected Thoroughfares.** Proposed thoroughfares shall be interconnected and shall connect with adjacent thoroughfares external to the site to provide multiple routes for pedestrian and vehicle trips from, to, and within the site.
- Thoroughfares shall terminate/connect to other thoroughfares. Thoroughfares shall not terminate on alleys and lanes.
- Thoroughfare Extensions and Thoroughfare Stubs.**

- a. Where a plan adjoins non-subdivided land, thoroughfares shall be extended to the adjacent non-subdivided land, as prescribed by the maximum block length requirements to provide access to the non-subdivided land in the event of its future subdivision.
- b. Where a plan adjoins developed or entitled parcels, thoroughfares shall connect to existing or entitled thoroughfare right-of-ways and stubs.

4. ***Dead-End Thoroughfares and Cul-de-Sacs.***

- a. Thoroughfares shall not include dead-end thoroughfares or cul-de-sacs except where through-streets cannot be provided because of an environmental feature requiring protection and/or preservation (e.g., a creek channel).
- b. The length of dead-end thoroughfares shall not exceed 300 feet, as measured from the center of the closest intersection to the center of the cul-de-sac bulb, and these thoroughfares shall provide a suitable turn-around designed to the satisfaction of the Director.

11-63-7: - CIVIC BUILDINGS AND CIVIC SPACES

Civic buildings and civic spaces provide important gathering places for communities and access to outdoor activities. The civic buildings and civic spaces should be carefully located within the pedestrian shed and accessible to all. The following standards shall be met for providing and locating civic buildings and civic spaces.

A. **General.**

1. SGCPs shall designate civic spaces and civic buildings on a Regulating Plan.
2. The design of civic spaces shall meet the standards set forth in Chapter 62 (Civic Space Types).
3. Civic buildings and the associated civic spaces shall cover less than 20% of a pedestrian shed. To request that civic buildings and the associated civic spaces cover 20% or more of a pedestrian shed, the applicant may apply for a special exception to create a special district.

B. **Civic Space Allocation.**

1. Projects shall set aside a minimum of five percent of the project area as civic space. This number shall be calculated after street right-of-way are subtracted from the project area. The following are exceptions:
 - a. For sites less than four acres, no civic spaces beyond the playground requirements of Subsection 3 are required.
 - b. For sites less than eight acres and within 1,500 feet of an existing public park of at least one acre, no civic spaces beyond the playground requirements of Subsection 3 are required.
2. For sites greater than ten acres, the required amount of civic space shall be distributed throughout the neighborhood as multiple smaller civic spaces.
3. Each residential lot shall be within 1,500 feet of an existing or proposed publicly accessible playground or tot lot.

C. **Civic Building Allocation.**

1. Sites greater than four acres or providing 100 units or more shall provide an indoor public meeting space that is a minimum of 30 feet by 30 feet and a maximum of 10,000 square feet. This may be a freestanding building or integrated within another building. This requirement may be waived for Infill SGPS if an existing public meeting space is located within 1,500 feet of the site.
2. Schools that are integrated into the regulating plan shall be located near the designated center of the pedestrian shed.
3. If a pool and a pool building are integrated into the plan, the space allocated for the pool use (building and grounds) may count for 1.25 times the actual space toward the required civic space.

11-63-8: - NEIGHBORHOOD CENTERS/MAIN STREETS WITHIN NEW SMART GROWTH COMMUNITY PLANS

A. **General.**

1. Neighborhood centers/main streets shall be located near the center of each pedestrian shed within a New SGCP.
2. Lots designated as part of a neighborhood centers/main streets within New SGCPs shall have a minimum depth of 130 feet; lots less than 130 feet may be approved by the Director.
3. Main streets shall be located as follows:
 - a. Along a thoroughfare that will have development consistent with a Main Street Transect Zone on both sides or one side if the other side is a civic space/civic use; and
 - b. Along a primary through-thoroughfare that connects to other existing or planned main streets or neighborhood centers; or
 - c. Perpendicular to and directly engaging a primary through-thoroughfare.
- 4.

Neighborhood centers shall include one or more civic spaces that contain one or more civic buildings and/or uses. Limited retail or service uses may also be incorporated within the civic space or buildings.

- B. **Allocation.** A main street within a New SGCP shall have a minimum of 400 linear feet of frontage as measured from the edge of lots.
- C. **Phasing.** A minimum of one lot designated as part of a main street shall be included and built during the first phase of a project.

11-63-9: - MIX OF BUILDING TYPES WITHIN NEW SMART GROWTH COMMUNITY PLANS

A mix of building types introduces variety into the character of SGCPs.

- A. In T3 Neighborhood Zones, a minimum of five percent of buildings shall be multi-residence/unit building types.
- B. In the T4 Neighborhood Zones, a minimum residential mix of three building types shall be required.
- C. No single building type may represent more than 60 percent of the total number of buildings, except in T5.
- D. Blocks shall provide a diversity of residential and mixed-use building types in a manner that fulfills the intent of each Transect Zone as they are described in Chapter 2.20 and the following formulas. In the event that blocks are composed of more than one Transect Zone, the minimum mixing requirements of the most intense Transect Zone shall apply across the block.
 - 1. Blocks within the T3N Transect Zone are intended to be primarily composed of single-residence/unit and duplex building types, while accommodating limited multi-residence building types that are compatible with single-residence/unit form.
 - a. Blocks within the T3N Transect Zone shall provide a minimum of two building types per block.
 - b. At least 50% of the residential units on block shall be located within single-residence/unit and/or duplex building types.
 - 2. Blocks within the T4N Transect Zone are intended to provide a mix of single-residence/unit, duplex and multi-residence/unit types.
 - a. Blocks within the T4N Transect Zone shall provide a minimum of two building types per block.
 - b. No block may be entirely composed of single-residence/unit and/or duplex building types.
 - 3. Blocks within the T4NF or T5MSF Transect Zone are intended to provide the greatest diversity of building types.
 - a. Blocks within the T4NF or T5MSF Transect Zone shall provide a minimum of three distinct building types per block.
 - b. No more than 50% of the residential units on a block shall be located within single-residence/unit or duplex building types.

11-63-10: - MIX OF LOT SIZES

A mix of lot sizes introduces variety into the character of Smart Growth Community Plans.

A. A mix of lot sizes shall be provided within pedestrian sheds and blocks as established in the table below.

Table 11-63-10.A Mix of Lot Sizes		
Transect Zone	Minimum Number of Lot Sizes	
	Pedestrian Shed	Block
T3	3	2
T4	2	2
T5	No minimum	No minimum

B. Lot shall vary by a minimum of 5 feet in width.

11-63-11: - INCENTIVES

To encourage the use of the SGCPs Chapter, the City Council shall grant the following incentives, to the extent authorized by State law:

- A. With an application for a Infill SGCP, separate review of a conceptual plat is no longer necessary, as it will be combined with the review for the Infill SGCP.
- B. An application for a preliminary plat and regulating plan with its associated Form-Based Code may be considered together. This has the advantage of reducing the amount of time required for project review and reduces otherwise applicable fees.
- C. A request for rezoning may occur concurrent with the request for a General Plan amendment to the Traditional Neighborhood or Mixed Use land use designation.
- D. Following approval of the SGCP, all applications for site plan and architectural review shall be reviewed and processed through the Director subject to the reduced fees established in the Appendix 2 (Planning Fee Schedule).

11-63-12: - SPECIAL REQUIREMENTS

A SGCP may designate any of the following special requirements:

- A. A differentiation of the thoroughfares as A-grid and B-grid. The review of Use Permits for buildings along the A-grid shall prioritize uses supportive of pedestrian activity. Buildings along the B-grid may be more readily considered for Use Permits allowing automobile-oriented standards. The frontages assigned to the B-grid shall not exceed 30% of the total length of frontages within a pedestrian shed.
- B. Designations for mandatory and/or recommended terminated vista locations, requiring or advising that the building be provided with architectural articulation of a type and character that responds visually to the location, as approved by the Director.
- C. A designation for cross block passages, requiring that a minimum 8-foot-wide pedestrian access be reserved between buildings.
- D. A designation for Buildings of Value, requiring that such buildings and structures may be altered or demolished only in accordance with Municipal Preservation Standards and Protocols.
- E. A designation for coordinated frontage, requiring that the standards in Table 11-61-9.E (Public Frontage Types), Table 11-61-9.F (Public Frontage Standards), and Chapter 11-60 (Private Frontage Standards) be coordinated as a single, coherent landscape and paving design.
- F. May designate one of the following mandatory retail frontage types:
 - 1. **Shopfront.** Designations for mandatory and/or recommended Shopfront Frontage, requiring or advising that a building provide a Shopfront Frontage at sidewalk level along the entire length of its private frontage. See Section 11-60-10 (Shopfront Frontage) for standards.
 - 2. **Gallery.** Designations for mandatory and/or recommended Gallery Frontage, requiring or advising that a building provide a permanent cover over the sidewalk, either cantilevered or supported by columns. See Section 11-60-12 (Gallery Frontage) for standards.
 - 3. **Arcade.** Designations for mandatory and/or recommended Arcade Frontage, requiring or advising that a building overlap the sidewalk such that the first floor facade is a colonnade. See Section 11-60-13 (Arcade Frontage) for standards.
- G. A designation of required Architectural Styles. The designation of required architectural styles requires the submittal of Architectural Guidelines or Pattern Book as part of a Final Development Plan.

11-63-13: - APPLICATIONS AND PROCESSING

- A. **Submittal Requirements.** Submittal requirements for each step in the approvals process can be found in the City of Mesa's SGCP submittal requirements handout.
- B. **Pre-Submittal Meetings.** Pre-submittal meetings allow potential applicants to review preliminary development proposals with the Director before substantial commitments of time and money have been made. During the pre-submittal phase the Director shall review submitted materials for compliance with the Form-Based Code and make recommendations to the applicant with regards to improvements that can increase compliance with the Code and ensure that future development processes are streamlined. The Director may forward review of relevant items to a Technical Advisory Committee as necessary to provide additional input and recommendations.
- C. **Preliminary Development Plans.** Preliminary development plans provide a public process for the evaluation and review of initial land development. These development plans enable detailed master planning for neighborhoods in a manner that assures that compliance with the intent and standards of the Code, while maintaining some degree of flexibility regarding the future build out of these areas. Such development plans will require the organization of streets, development blocks, and publicly accessible open spaces.
 - 1. The following information is required in order to demonstrate preliminary development plan compliance:
 - a. A refined building form regulating plan that identifies pedestrian sheds and clarifies the location, size, and disposition of the transect areas;
 - b. A refined streets and circulation regulating plan that clarifies the location of all primary streets and the type and location of all secondary streets, alleys, and other publicly accessible right-of-ways;
 - c. A refined parks and open space regulating plan that identifies the types, sizes, and locations of all parks and open spaces;
 - d. Existing conditions, indicating natural resources, topography, and site constraints.
 - e. Utility locations and setbacks.
 - 2. Approval of preliminary development plan is granted by the Planning and Zoning Board. Appeals may be forwarded to the City Council.
 - 3. Modifications to preliminary development plans may be made through the final development plan process, provided that such modifications maintain substantial compliance with this Code and the refined regulating plans, and/or are within the bounds of a Minor Adjustment.
 - 4. Any modifications to existing zoning require approval by City Council.
- D. **Final Development Plans.** Final development plans provide a process for detailed administrative review and evaluation of development proposals to ensure compliance with the requirements of this Code. Final development plans may be prepared for all or portions of a preliminary subdivision plan area.

Final development plans shall demonstrate compliance with preliminary development plans. Minor deviations may be characterized as Minor Adjustments. Final development plans that do not demonstrate substantial compliance will require an amendment to an existing preliminary development plan, with additional approvals by the Planning and Zoning Board.

1. The following information, in addition to the information required to demonstrate preliminary plan compliance, is required to demonstrate final development plan compliance:
 - a. Neighborhood block development plans, including the following:
 - (1) Lot lines and dimensions;
 - (2) Individual lot layouts illustrating buildable areas as per transect zones, setbacks, and encroachment;
 - (3) Identification of allowed building types;
 - (4) Preliminary landscape and lighting plans for all civic spaces and public right-of-ways.
 - (5) Preliminary grading plans showing modifications to existing conditions; and
 - (6) Detailed utility locations, sizes and setbacks.
 - b. Architectural Guidelines or Pattern Book, if required
2. Preliminary and final development plans may be processed simultaneously.

11-64-1: - PURPOSE

This Chapter provides the definitions of Land Uses and Specialized Terms and Phrases used in the Form-Based Code.

11-64-2: - APPLICABILITY

- A. The definitions in this Chapter shall apply to all proposed development within transect zones.
- B. In the event of conflict between the definitions found in this Chapter and the definitions found within the Zoning Code outside of Article 6 (Form-Based Development Regulations) these definitions shall prevail for all proposed development within transect zones.

11-64-3: - DEFINITIONS OF SPECIALIZED TERMS AND PHRASES

A. **Definitions.**

Accessory Structure. A structure that is physically detached from, secondary and incidental to, and commonly associated with a primary structure and/or use on the same site. The use of the Accessory Structure must not change the character of the use for the site.

This definition includes, but is not limited to, the following detached accessory structures that are associated with a residential use property:

Garages (covered or enclosed) for the storage of automobiles (including incidental personal restoration and repair), personal recreational vehicles and other personal property; guest houses, studios, workshops, greenhouses (noncommercial), enclosed cabanas and pool houses, storage sheds, outdoor saunas, and other similar enclosed structures.

This definition also includes, but is not limited to, the following detached accessory structures normally associated with a nonresidential use property:

Garages (covered or enclosed) for the storage of automobiles and work related vehicles and equipment (including incidental restoration and repair), storage structures, workshops, studios, other similar enclosed or unenclosed structures.

A permitted Accessory Structure is not permitted by right to have an Accessory/Secondary Unit. This use is regulated separately as "Dwelling, Accessory/Secondary Unit."

Accessory Use. A use customarily incidental to, related and clearly subordinate to a principal use established on the same lot or parcel of land, which accessory use does not alter said principal use nor serve property other than the lot or parcel of land on which the principal use is located. "Appurtenant use" means the same as accessory use.

Adjoining. 2 or more lots or parcels of land sharing a common boundary line, or 2 or more objects in contact with each other. Lots or parcels of land which touch at corners only shall not be deemed adjoining. "Abut" or "abutting" and "contiguous" means the same as adjoining.

Administrative Use Permit (AUP). An AUP is a discretionary use permit issued by the Zoning Administrator for uses that are generally permitted within a district and usually are of low impact to the community and environment. Conditions of approval, mandatory review periods, and expiration periods may be required at the discretion of the Zoning Administrator. In granting conditional approval, the Zoning Administrator may impose requirements and conditions with respect to location, siting, construction, maintenance, operation, duration, and overall development as deemed reasonable and necessary for the protection of adjacent properties and the public interest. If an Administrative Permit is denied by the Zoning Administrator, it may be appealed in accordance with Chapter 77 of the Zoning Ordinance.

Alcoholic Beverage Sales. The retail sale of beer, wine, and/or spirits for on-site or off-site consumption, either as part of another retail use, or as a primary business activity.

Ancillary Structure/Ancillary Building. See "Accessory Structure."

Apartment House. A Building Type. See Chapter 59 (Building Type Standards) for a description of and regulations for this building type.

Arcade. A Private Frontage Type. See Chapter 60 (Private Frontage Standards) for a description of and regulations for this private frontage.

Architectural Features. Exterior building elements intended to provide ornamentation to the building massing, including, but not limited to: eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

B. Definitions.

Building Type. The structure defined by the combination of configuration, disposition, and function. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for allowed building types.

Build-to Line (BTL). A line parallel to a property line or right-of-way where a building facade must be placed. The BTL may appear graphically on the regulating plan or be stated as a maximum setback dimension from the property line or right-of-way. Examples 1 and 3 below depict how to calculate the percent of BTL Defined by a Building and percent of Building at the BTL as may be required in the Building Form Standards. Minor deviations from the BTL are allowed for Architectural Features, recessed entries, and recessed balconies. These minor deviations do not count against the calculations of percent of BTL Defined by a building or percent of Building at the BTL.

Bungalow Court. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

C. Definitions.

Carriage House. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

Ceiling Height. See Measurements.

Civic. A term defining not-for-profit organizations, dedicated to arts, culture, education, religious activities, recreation, government, transit, and public parking facilities.

Civic Building. A structure operated by governmental or not-for-profit organizations and limited to civic and related uses.

Commercial. A term defining workplace, office and retail uses collectively.

Common Yard. See [Chapter 60](#) (Private Frontage Standards) for a description of and regulations for this private frontage.

Common Courtyard. A Private Frontage Type. An entry court, forecourt or courtyard shared by multiple residential units or commercial spaces.

Community Garden. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Community Park. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Corner Element. A prominent architectural element, such as a tower, corner bay window (chamfered or round) or significant facade articulation, designed to accent the corner of a building and typically used to terminate a view or mark an important entrance.

Council Use Permit (CUP). A CUP is a discretionary permit issued by the City Council after review and recommendation by the Planning and Zoning Board. Council Use Permits will be reviewed in accordance with Section 11-70-6 of the Zoning Ordinance.

Courtyard Building. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

D. Definitions.

Depth, Ground-floor Commercial Space. See Measurements.

Development. Any man-made change to improved or unimproved real estate, including but not limited to the division of a parcel of land into 2 or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; and any use or extension of the use of land.

Director. The Planning Director of the City of Mesa, or his or her duly appointed representative.

Dooryard. A Private Frontage Type. See [Chapter 60](#) (Private Frontage Standards) for a description of and regulations for this private frontage.

Duplex. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

Dwelling, Dwelling Unit, or Housing Unit. A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

Accessory/Secondary Unit. An auxiliary dwelling unit located within an accessory structure of a primary housing unit on the lot. Includes dwelling units found in guest houses, carriage houses, pool houses, and above or beside a garage.

Single-Unit Residence. A primary dwelling unit designed for occupancy by one household, and located on a separate lot from any other unit (except accessory living quarters, where permitted).

Multiple-Unit Residence. Two or more primary dwelling units on a single lot. Types of multiple residence dwellings include, but are not limited to duplexes, garden apartments, and multi-story apartment buildings.

E. Definitions.

Encroachment. Any architectural feature, structure or structural element, such as a gallery, fence, dooryard, garden wall, porch, stoop, balcony, bay window, terrace or deck, that breaks the plane of a vertical or horizontal regulatory limit extending into a setback, beyond the build-to-line, into the public frontage, or above a height limit.

F. Definitions.

Facade. The vertical surface of a building.

Facade Zone. The area between the minimum and maximum setback lines.

Street Facade. The vertical surface of a building located at the Build-to Line.

Flex Space. Space designed to accommodate an evolution of use over time in response to an evolving market demand. Typically designed to accommodate future commercial uses, while accommodating less intense short term uses such as residential or live/work, until the full commercial demand has been established.

Floor Finish Level. See Measurements.

Forecourt. A Private Frontage Type. See [Chapter 60](#) (Private Frontage Standards) for a description of and regulations for this private frontage.

Formally Disposed. Composed in a regular, classical, and symmetrical manner.

Front. The primary frontage(s) of a lot, determined as follows:

For lots with frontages along multiple thoroughfares, the frontage along the thoroughfare with the most pedestrian activity, as determined by the Director, will always be treated as a Front. At key gateways, as identified by the Director, corner lots may be required to have multiple frontages along thoroughfares treated as Fronts. All other frontages along thoroughfares may be considered to be Side Street Frontages.

For lots with frontages along a thoroughfare and a civic space, the Front may be the frontage along either the thoroughfare or the civic space, or both frontages may be treated as Fronts, with the following exception: the frontage along certain Civic Spaces may be required to be a Front, as per the Civic Space Standards (see [Chapter 62](#)).

For lots with a single frontage along a thoroughfare or a Civic Space, but not both, that frontage is the Front.

Frontages along Alleys, Service Drives, and Parking Drives may never be a Front.

Frontage. The portion of a lot or parcel of land which borders on a thoroughfare or other public right-of-way or civic space.

Frontage, Private. The area between the property line or right-of-way and the building façade, which may be coterminous. See [Chapter 60](#) (Private Frontage Types) for a description of and regulations for allowed Private Frontage Types.

Frontage, Public. The area between the curb of the vehicular lanes and the frontage line. See Table 11-61-9.E (Public Frontage Types) for a description of and regulations for allowed Public Frontage Types.

Frontage Line. The property lines of a lot along a thoroughfare or other public way, or a civic space.

G. Definitions.

Gallery. A Private Frontage Type. See [Chapter 60](#) (Private Frontage Standards) for a description of and regulations for this private frontage.

Greenway. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

H. Definitions.

Hardscape. Part of a building's grounds consisting of elements such as plazas, retaining walls and sidewalks, made with materials such as but not limited to, concrete and sidewalk pavers.

Height. See Measurements.

High-Rise. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

I. Definitions.

Infill/Redevelopment. The development of vacant land that was bypassed by earlier waves of development and is now largely surrounded by developed land or land that previously developed, then cleared.

J. Definitions.

No specialized terms beginning with the letter J are defined at this time.

K. Definitions.

No specialized terms beginning with the letter K are defined at this time.

L. Definitions.

Landscaping. The planting, configuration and maintenance of trees, ground cover, shrubbery and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), earth patterning and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

Landscaped Area. The area within a parcel containing landscaping, excluding building footprints, paved driveways, parking areas, decks, patios, walkways and undisturbed natural areas. Water features are included in the landscaped area.

Liner Building. An occupiable structure specifically designed to mask a parking lot or a parking structure from a frontage.

Live/Work Unit. An integrated housing unit and working space occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes complete kitchen space and sanitary facilities in compliance with the Building Code; and Working space reserved for and regularly used by one or more occupants of the unit.

M. Definitions.

Main Street Mixed-Use. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

Mansion Apartment. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

Measurements.

Depth, Ground-floor Commercial Space. The depth of the ground floor space available to a commercial tenant. Service cores (stairs and elevators), double height lobbies, trash rooms, and other building elements may encroach upon the required depth up to 50% of the required depth for a maximum of 25% of the width of the tenant space.

Ceiling Height. Height from finished floor to finished ceiling of primary rooms, not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.

Floor Finish Level. Height difference between public walk adjacent to the front and the floor. Regulations for ground floor finish level for ground floor residential uses do not apply to ground floor lobbies and common areas in multi-unit buildings.

Ground Floor Transparency. The percentage of the area, measured from floor to ceiling, of the ground floor wall along the frontage that is constructed with transparent materials. Includes the transparent glazing of storefronts, windows, transoms, and doors.

Height. A limit to the vertical extent of a building that is measured in number of stories. Where maximum height is measured in feet, the measurement is taken to the eave of a sloped roof or the base of a parapet wall. Height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads, and similar structures that do not occupy greater than ten percent (10%) of the roof, which may be of any height approved by the Planning Director.

Upper Floor Ceiling Height. Height from finished floor to finished ceiling of primary rooms on the upper floors not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.

Mid-Rise. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

Mixed-use. Multiple functions vertically superimposed within the same building or horizontally superimposed across the same development site or same general area through adjacency.

Mixed-Use Project. A development that combines both commercial and residential uses on the same site.

N. Definitions.

Naturally Disposed. A preservation of the existing natural condition or a composition of elements arranged as they would appear in nature, with irregular shapes, patterns, rhythms, and asymmetry.

Neighborhood Green. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Neighborhood Square. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

O. Definitions.

Open Space. The area or areas of a lot or parcel intended to provide light and air, and designed for either scenic and/or recreational purposes, excluding buildings, parking, driveways and other vehicular surfaces.

Common Open Space. An open space intended for the shared, common use of the occupants of a development.

Private Open Space. An open space intended for the exclusive use of the occupants of a dwelling unit.

P. Definitions.

Parking Access Drive. An accessway within a public right-of-way that provides vehicular access between a street or alley and the on-site parking.

Paseo. A pedestrian alley located and designed to reduce the required walking distance within a neighborhood.

Pedestrian Shed. An area centered on a major destination. Its size is limited by an average distance that may be traversed at an easy walking pace in a given amount of time from its center to its edge. Specific Pedestrian sheds are established through a regulating plan. See Section 11-63-4 (Pedestrian Sheds).

Permitted Use. Any use allowed in a Transect Zone without a requirement for approval of a discretionary use permit, but subject to any restrictions applicable to that transect.

Playground. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Plaza. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Pocket Plaza. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Pocket Park. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Porch, Projecting or Engaged. A Private Frontage Type. See [Chapter 60](#) (Private Frontage Standards) for a description of and regulations for this private frontage.

Prohibited Uses. Uses not listed in Table 11-58-3.A "Composite Use Table" are specifically prohibited unless an interpretation of the Zoning Administrator determines that a use is consistent pursuant to the Code.

Q. Definitions.

No specialized terms beginning with the letter Q are defined at this time.

R. Definitions.

Regional Park. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Residential. Enclosed space with a minimum 400 gross square feet used primarily for human habitation.

S. Definitions.

Setback. The area between a property line and a building or structure which must be kept clear or open.

Shared Parking. Any parking spaces assigned to more than one use, where persons utilizing the spaces are unlikely to need the spaces at the same time of day.

Shopfront. A Private Frontage Type. See [Chapter 60](#) (Private Frontage Standards) for a description of and regulations for this private frontage.

Single-Unit House, Cottage or Village. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

Special Use Permit (SUP). A SUP is a discretionary permit issued by the Zoning Administrator or Board of Adjustment. Special Use Permits will be reviewed in accordance with Section 11-70-5 of the Zoning Ordinance.

Sport Complex. A Civic Space Type. See [Chapter 62](#) (Civic Space Standards) for a description of and regulations for this Civic Space Type.

Stoop. A Private Frontage Type. See [Chapter 60](#) (Private Frontage Standards) for a description of and regulations for this private frontage.

Storefront. The portion of a frontage that is composed of the display window and/or entrance and its components including windows, doors, transoms and sill pane that is inserted into various frontage types, such as a shopfront or gallery, to accommodate retail.

Story. A habitable floor level within a building, typically 8' to 14' high from floor to ceiling. The number of stories is measured from the sidewalk of the primary street.

Story, Half. A conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows and occupying about half the area of the floor or floors below.

Structure. Anything constructed or erected, which requires a fixed location on the ground, or is attached to something having a fixed location on the ground. For the purposes of this Code, the term "structure" includes "buildings," and tents, but does not include swimming pools.

Structured Garage. (syn. Structured Parking). A Parking facility in or under a multi-story building.

Substantial Conformance. Substantial conformance shall mean physical improvements to the existing development site which constitute the greatest degree of compliance with this Ordinance that can be attained without causing or creating any of the following conditions:

1. The demolition or reconstruction of existing buildings or other significant structures (except signs); or
2. The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.
3. The creation of new non-conforming conditions.

T. Definitions.

Terrace. A Private Frontage Type. See [Chapter 60](#) (Private Frontage Standards) for a description of and regulations for this private frontage.

Temporary Parking Lots. Parking lots that are not permanent and are only intended to fulfill a short-term need and will ultimately be replaced by a permanent building or structure.

Townhouse. A Building Type. See [Chapter 59](#) (Building Type Standards) for a description of and regulations for this building type.

Transect. A geographical cross-section of a region used to reveal a sequence of environments. For human environments, this cross section can be used to identify a set of habitats that vary by their level and intensity of urban character, a continuum that ranges from rural to urban. Transects form the basis for organizing the components of the built world, including building, lot, land use, street, and all of the other physical elements of the human habitat.

Transect Zone. Transect Zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, density, height, and setback requirements, other elements of the intended habitat are integrated, including those of the private lot and building and the enfronting public streetscape. The elements are determined by their location on the Transect scale.

Transit Station. A lot, or structure used for the purpose of parking, loading, unloading of passengers from light-rail, train, or bus transportation. May include parking facilities and other commercial amenities to service transit.

Transit Stop. Locations designated by the transit authority in which patrons may access or exit from regularly scheduled BRT or bus service.

Transparency, Ground-floor. See Measurements.

U. Definitions.

No specialized terms beginning with the letter U are defined at this time.

V. Definitions.

No specialized terms beginning with the letter V are defined at this time.

W. Definitions.

No specialized terms beginning with the letter W are defined at this time.

X. Definitions.

No specialized terms beginning with the letter X are defined at this time.

Y. Definitions.

No specialized terms beginning with the letter Y are defined at this time.

Z. Definitions.

No specialized terms beginning with the letter Z are defined at this time.

11-64-4: - DEFINITIONS OF LAND USES

A. Definitions.

Alcohol Beverage Sales. The retail sale of beer, wine, and/or spirits in sealed containers for on-site or off-site consumption, either as part of another retail use, or as a primary business activity.

Animal Day Care. Facilities in which owners of small animals, principally dogs and cats, may contract with the operator for the keeping of pets for short, temporary periods, usually 1 day or less, but occasionally up to a week or so while the pet owner(s) are unable to care for the animals.

ATM. An automated teller machine (computerized, self-service machine used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel), located outdoors at a bank, or in another location. Does not include drive-up ATM's.

B. Definitions.

Bank, Financial Services. Financial institutions providing retail banking services. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excluding non-chartered financial institutions and check-cashing stores as a primary use. (See also, "ATM")

Boarding House. A residential dwelling for five (5) or more unrelated individuals in which the owner(s) provides lodging for compensation. A boarding house is occupied by individuals where rent is charged separately for the individual rooms or partitioned areas and may or may not be equipped with kitchen facilities and congregate dining facilities. The term includes similar congregate living arrangements but does not include community residences, hotels, motels, residential inns or bed and breakfasts.

Business Support Service. Establishments that primarily provide goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, equipment rental and leasing, office security, custodial services, photo finishing, and model building.

C. Definitions.

Civic Space. See Chapter 11-62 (Civic Space Types).

Commercial Recreation Facility. Provision of participant or spectator recreation to the general public, excluding public park and recreation facilities.

Small Indoor. This classification includes small, indoor facilities less than or equal to 3,000, such as billiard parlors, bowling centers, card rooms, dance halls, poolrooms, amusement arcades, and similar activities as interpreted by the Zoning Administrator. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Medium Indoor. This classification includes small, indoor facilities greater than 3,000 sf but less than 10,000 sf, such as billiard parlors, bowling centers, card rooms, dance halls, amusement arcades, and similar activities as interpreted by the Zoning Administrator. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Large, Indoor. This classification includes large indoor facilities of 10,000 square feet or larger in building area, including ice or roller skating rinks; swimming or wave pools; miniature golf courses; archery or indoor shooting ranges, and similar activities as interpreted by the Zoning Administrator. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Outdoor. This classification includes large generally outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, driving ranges, golf courses (daily fee), riding stables, campgrounds, and similar activities as interpreted by the Zoning Administrator. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Community Residence. A community residence is a residential living arrangement for five to ten individuals with disabilities, excluding staff, living as a family in a single dwelling unit who are in need of the mutual support furnished by other residents of the community residence as well as the support services, if any, provided by the staff of the community residence. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides habilitative or rehabilitative services related to the residents' disabilities. A community residence seeks to emulate a biological family to foster normalization of its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment. Medical treatment is incidental as in any home. Supportive interrelationships between residents are an essential component. Community residence includes sober living homes and assisted living homes but does not include any other group living arrangement for unrelated individuals who are not disabled nor any shelter, rooming house, boarding house or transient occupancy.

Family Community Residence. A community residence is a relatively permanent living arrangement with no limit on the length of tenancy as determined in practice or by the rules, charter, or other governing documents of the community residence. The minimum length of tenancy is typically a year or longer.

Transitional Community Residence. A community residence that provides a relatively temporary living arrangement with a limit on length of tenancy less than a year that is measured in weeks or months, as determined either in practice or by the rules, charter, or other governing document of the community residence.

D. Definitions.

Day Care Centers. Establishments providing non-medical care for persons on a less than 24-hour basis other than Day Care Homes. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of Arizona.

Day Care Home. A facility, the primary use of which is a residence, in which care of individuals is regularly provided for compensation for periods of less than 24 hours per day.

Small Day Care Home. Home day care for 5 or less people full-time or part-time.

Large Day Care Home. Home day care for more than 5 people full-time and part-time but no more than 10 people full-time and part-time.

Dwelling, Dwelling Unit, or Housing Unit. A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

Accessory/Secondary Unit. An auxiliary dwelling unit located within an accessory structure of a primary housing unit on the lot. Includes dwelling units found in guest houses, carriage houses, pool houses, and above or beside a garage.

Single-Unit Residence. A primary dwelling unit designed for occupancy by one household, and located on a separate lot from any other unit (except accessory living quarters, where permitted).

Multiple-Unit Residence. Two or more primary dwelling units on a single lot. Types of multiple residence dwellings include duplexes, garden apartments, and multi-story apartment buildings.

E. Definitions.

Eating and Drinking Establishments. Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises. Includes, but is not limited to the following sub-categories:

Bars/Clubs/Lounges. Businesses serving beverages for consumption on the premises as a primary use including on-sale service of alcohol including beer, wine, or mixed drinks, and businesses for which food sales are less than 30 percent of gross revenue.

Restaurants, Bar and Grill. Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may be provided, food sales are at least 30 percent but less than 40 percent of gross sales revenue.

With Outdoor Seating Areas. Provision of outdoor dining facilities on the same property or in the adjacent public right-of-way.

F. Definitions.

Family. An individual or two (2) or more individuals related by blood, marriage or adoption, or a group of no more than four (4) unrelated individuals, living together as a single housekeeping unit. A family includes a couple in a domestic relationship and biological, adopted, and foster children of either partner. The term family includes unrelated persons with developmental disabilities (as defined in A.R.S. § 36-581) living together in compliance with A.R.S. § 36-582.

Farmer's Market. Periodic outdoor sales activities involving the display and sale of fresh produce and locally produced food and beverage items, including baked goods, jams, jellies, and similar food products. The display and sale of hand-crafted artisan items may be considered as an accessory activity, provided the principal activity remains the sale of the food- or produce-related items.

G. Definitions.

General Retail. Stores and shops intended to serve the City as convenience shopping or destination retail. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes grocery stores, neighborhood markets, department stores, clothing stores, furniture stores, pet supply stores, small hardware stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs. This classification includes secondhand and wholesale stores, but does not include pawn shops.

On-Site Production. The assembly, fabrication, and conversion of materials into products for sale as an accessory use to a permitted General Retail activity. Such uses include, but are not limited to: artisan/craft products such as jewelry, pottery and other ceramics, small glass and metal art; tailoring of clothing; small, handmade custom furniture; musical instruments; toys; and other similar uses as interpreted by the Zoning Administrator.

H. Definitions.

Health/Fitness Facility. A fitness center, gymnasium, health and athletic club, which may include any of the following:

Exercise machines, weight facilities, group exercise rooms, sauna, spa or hot tub facilities, indoor tennis, handball, racquetball, and other indoor sports activities, indoor or outdoor pools.

Home Occupation. Residential premises used for the transaction of business or the supply of professional services. Home occupation shall be limited to the following: agent, architect, artist, broker, consultant, draftsman, dressmaker, engineer, interior designer, lawyer, notary public, teacher, and other similar occupations, as determined by the Zoning Administrator. The total gross area of the home occupation use shall not exceed 25 percent of the gross square footage of the residential unit. The home occupation use shall not disrupt the generally residential character of the neighborhood.

I. Definitions.

No land uses beginning with the letter I are defined at this time.

J. Definitions.

No land uses beginning with the letter J are defined at this time.

K. Definitions

Kennel. Facilities for keeping, boarding, training, breeding or maintaining for commercial purposes, four (4) or more dogs, cats, or other household pets not owned by the kennel owner or operator. This classification excludes pet shops and animal hospitals that provide 24-hour accommodation of animals receiving medical or grooming services.

L. Definitions.

Library, Museum. Public or quasi-public facilities, examples of which include: aquariums, arboretums, art galleries and exhibitions, historic buildings and exhibits, libraries, museums, and planetariums. May also include accessory retail uses such as a gift/book shop, restaurant, etc.

Lodging:

Bed & Breakfast Inn (B&B). Establishments providing not more than 5 guest rooms for lodging on a less than weekly basis typically in a converted single-residence or multi-residence dwelling, with incidental eating and drinking service provided from a single kitchen for lodgers and residents only.

Hostel. A facility for residence of under twenty-nine (29) days that provides simple dormitory or sleeping rooms and common rooms for cooking, meeting, recreational, and educational use; that is chartered or approved by the International Hostel Federation or its national or regional affiliates, or similar organizations; and that is supervised by resident house-parents or managers.

Hotel/Motel. Establishments with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. These establishments may provide additional accessory services, such as conference and meeting rooms, restaurants, or bars available to guest and general public. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc. This classification includes motels, extended-stay hotels, and tourist courts, but does not include rooming houses, boarding houses, or private residential clubs. The lengths of stays for the majority of guests at these facilities are for 30 days or less.

Inn/Lodge. A building used for temporary accommodation that includes the business of renting out no fewer than have (5) and no greater than twenty (20) guest rooms, where payment for occupancy is on a daily or weekly basis. The Inn/Lodge may include common lobby, indoor recreation, living and dining areas.

M. Definitions.

Medical Services:

Hospitals. Institutions providing medical and surgical care to the sick or injured, including operating facilities and beds for patients to stay overnight. These establishments may include nursing facilities, extended care facilities, physical therapy, gift shops, retail pharmacies, employee housing, temporary housing for patient families, cafeterias or restaurants, and related uses operated primarily for the benefit of patients, staff, and visitors.

Medical/Dental Clinic. Facilities with five or more licensed practitioners and/or medical specialist, other than hospitals, where patients are admitted for examinations and treatment on either a "walk-in" or "appointment" basis. Patients are treated on an outpatient basis and are not admitted for overnight treatment or observation. This classification includes emergency medical services offered exclusively on an out-patient basis, such as urgent care centers.

Medical/Dental Office. Offices where medical and dental services are provided by no more than four licensed primary practitioners (e.g. physicians, dentists, chiropractors, optometrists, and similar medical professionals). This classification also includes physical therapy, massage therapy, and counseling services related to medical conditions.

Meeting Facility, Public or Private. A facility for public or private meetings, including: Community centers, civic and private auditoriums, reception centers halls, union halls, meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms, accessory and incidental to another primary use, and which are typically used only by on-site employees and clients, and occupy less floor area on the site than the offices they support. Cinemas, performing arts theaters, indoor commercial sports assembly or other commercial entertainment and related on-site facilities such as day care centers and schools are separately defined and regulated.

N. Definitions.

Non-charted Financial Institution. A business, other than a state or federally chartered bank, credit union, mortgage lender or savings and loan association, that offers check cashing services and loans for payment of a percentage fee. Specifically included are check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and payday loan businesses that make loans upon assignment of wages received. Excluded are retail uses in which a minimum of 70 percent of the floor area of the store is devoted to the display or sale of merchandise.

O. Definitions.

Office, Professional, administrative. Offices of firms or organizations providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, and legal offices.

P. Definitions.

Parking Facility, Public or Commercial. Parking lots or structures operated by the City, or a private entity, providing parking either for free or for a fee. Does not include towing impound and storage facilities.

Pawn Shops. A business in which a principal business activity involves advancing money on the security of pledged goods or purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed or variable price within a fixed or variable period of time.

Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, seamstresses, tailors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, photocopying and photo finishing services, and travel agencies.

Place of Worship. A facility for religious worship and incidental religious education and offices, and may include private schools (Grades: Kindergarten through 12) for primary or secondary education, as defined in this section. This classification includes churches, temples, and other facilities used primarily for religious services or activities.

Public Safety Facility. Facilities providing public-safety and emergency services, including police and fire protection and emergency medical services, with incidental storage, and maintenance facilities.

Q. Definitions.

No land uses beginning with the letter Q are defined at this time.

R. Definitions.

Recycling - small collection facility. A center, occupying an area of 350 square feet or less, where the public may donate, redeem or sell recyclable materials. Includes reverse vending machines.

S. Definitions.

Schools, Public or Private.

K-12. Facilities for primary or secondary education, including public schools, charter schools, and private institutions having curricula of general academic education consistent with the academic requirements of the State of Arizona, including kindergarten, elementary, junior high school, and high school, including accessory facilities traditionally associated with schools, such as athletic stadia, cafeterias and libraries.

Colleges or Universities, Public or Private. A post-secondary institution of higher learning that grants associate and/or bachelor's degrees, and may also have research facilities and/or professional schools that grant master and/or doctoral degrees. This classification includes community colleges that grant associate degrees, and/or certificates of completion in business or technical fields.

Commercial Trade Schools, Public or Private. Schools established to provide teaching of clerical, managerial, or artistic skills, such as accounting, data processing, or computer repair. This classification excludes schools offering training in industrial trades, such as welding or metal fabrication and establishments providing training for activities that are not otherwise allowed in the zoning district.

Does not include pre-schools and child day care facilities (see "Day Care"). See also the definition of "Studio: Art, Dance, Martial Arts, Music, etc." for smaller-scale facilities offering specialized instruction

Skilled Nursing Facility. A health care institution other than a hospital, assisted living facility or nursing and convalescent home which provides resident beds or dwelling units, supervisory care services, personal care service, directed care services or health-related services for persons on a temporary basis. Skilled nursing facilities do not emulate a family and normalization and community integration are not among their core goals. This classification does not include community residences, assisted living homes, assisted living centers, or social service facilities.

Social Service Facility. A facility where the primary purpose is to provide either: 1) On-site food, clothing, shelter, employment or other related services, such as counseling for employment, or other services for individuals with limited ability for self care; or 2) Alcohol, drug, or substance abuse or other treatment or medical programs or services, such as detoxification, where shelter is incidental and of limited duration. The term includes homeless shelters, charity dining facilities, rescue missions, day labor hiring centers, substance abuse and detoxification center, and similar facilities, but does not include care facilities such as community residences, group foster homes, correctional transitional housing facilities, nursing and convalescent homes, or assisted living facilities.

Stealth Wireless Telecommunications Facility. Any commercial wireless communications facility that is designed to blend into the surrounding environment by means of screening, concealment, or camouflage. The antenna and supporting antenna equipment are either not readily visible beyond the property on which they are located, or, if visible, appear to be part of the existing landscape or environment rather than identifiable as a wireless communications facility.

Studio - Art, Dance, Martial Arts, Music, etc. Small-scale facilities, that provide instructional space for groups of students. Examples of these facilities include: Individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

T. Definitions.

Tattoo and Body Piercing Parlors. Establishments whose principal business activity is one (1) or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or 2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. Exception: Piercing earlobes as an accessory or subordinate activity when done at a shop or store selling jewelry as primary activity.

Theater, Cinema or Performing Arts. An indoor facility for group entertainment, other than sporting events. Examples of these facilities include: Civic theaters, facilities for "live" theater and concerts, and movie theaters.

Temporary Event Parking. Parking areas intended for overflow parking for stadiums, performing arts centers, competitive aquatic facilities, and similar public event facilities and located within 600 feet of the public facility being served.

U. Definitions.

No land uses beginning with the letter U are defined at this time.

V. Definitions.

Veterinary Services. Medical care for small and large animals on a commercial basis. This classification allows 24-hour accommodation of animals receiving medical or grooming services but does not include kennels. This classification includes animal hospitals and clinics providing services such as medical examinations, diagnosis, and procedures; dispensing of medications for animals; providing surgical procedures, and space for supervised recuperation from medical and surgical procedures.

W. Definitions.

No land uses beginning with the letter W are defined at this time.

X. Definitions.

No land uses beginning with the letter X are defined at this time.

Y. Definitions.

No land uses beginning with the letter Y are defined at this time.

Z. Definitions.

No land uses beginning with the letter Z are defined at this time.

ARTICLE 7 - ADMINISTRATION

CHAPTER 66 - PLANNING AGENCY

Footnotes:

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Editor's note— Previously, Chapter 66 derived from Ord. No. 5472, 11-6-18.

11-66-1: - PURPOSE

This Chapter identifies the bodies, officials, and administrators with designated responsibilities under various parts and chapters of the Zoning Ordinance. Subsequent chapters of this article provide detailed information regarding various procedures, applications, and permits including zoning, and General Plan text and map amendments, fees, and enforcement. When carrying out their assigned duties and responsibilities, all bodies, administrators, and officials shall interpret and apply the provisions of this Ordinance as minimum requirements adopted to implement the policies and achieve the objectives of the General Plan and Zoning Ordinance.

11-66-2: - PLANNING AND ZONING BOARD

- A. **Establishment and Organization of the Planning and Zoning Board.** The Planning & Zoning Board is established by Section 406 of the Mesa City Charter and Section 2-1-1 of the Mesa City Code. The Board's organization and duties are described in Title 2 - Boards and Commissions, Chapter 1, Planning and Zoning Board, of the Mesa City Code.
- B. **Meetings.**
1. Meetings of the Board shall be open to the public and the minutes of its proceedings, showing the votes of each member and records of its examinations and other official actions shall be kept and filed in the Planning Division Office as a public record. The Secretary of the Board shall be the Planning Director, or a member of the Planning Division staff as designated by the Planning Director.
 2. At least 4 members shall be present to conduct a meeting. No matter shall be considered unless there are at least 4 members present who are eligible and qualified to vote on the matter.
 3. The concurring vote of a majority of the Board members present shall be necessary to pass a motion.
 4. Elect a chair and vice-chair from among its members, annually.
 5. The Chair, or in the Chair's absence the Vice Chair, shall lead the meeting, maintain order, and be the final decision maker for all meeting management questions.
- C. **Authority and Duties of the Planning and Zoning Board.** The Planning & Zoning Board shall:
1. Recommend action to the City Council on requests for amendments to the Zoning Map and to the Zoning Ordinance, on requests for Council Use Permit, and amendments to the General Plan, except for those cases referred to the Planning Hearing Officer or the Planning Director by this Ordinance.
 2. Hear and take action on Special Use Permits only when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board, as authorized by this Sub-section C. Any Planning and Zoning Board approval of a SUP that requires the associated request to be approved by the City Council shall be conditioned upon Council approval of the associated request. In the event the City Council denies the associated request, the SUP shall also be considered denied.
 3. Hear and take action on requests for Site Plan Reviews and Site Plan Modifications when not otherwise conditioned for review and approval by City Council, or the request does not involve the need to amend a condition of approval as stated in the adopting ordinance.
 4. Consider and decide preliminary plats as part of the platting procedures and requirements described in the Subdivision Regulations, Title 2, Chapter 6, of the Mesa City Code.
 5. Hear, make recommendations and/or decide matters relating to a PC District, as specified in Chapter 11 of this Ordinance, and the applicable Community Plan as adopted by City Council and including all approved amendments to the Community Plan.
 6. Review and make recommendations to the City Council regarding joint public/private projects in designated redevelopment areas.
 7. Hold public hearing and make recommendations to the City Council on proposed redevelopment plans or amendments to adopted plans.
 8. Propose redevelopment actions to the council which are consistent with adopted plans and stated redevelopment goals.
 9. Hear and make recommendations on other matters as directed by the City Council.
 - 10.

The Board may adopt rules for the conduct of its business.

11-66-3: - BOARD OF ADJUSTMENT

A. **Establishment and Organization of the Board of Adjustment.** A Board of Adjustment is hereby established pursuant to A.R.S. § 9-462.06 and Section 409 of the City Charter. The Board shall elect a chair and vice-chair, annually, who shall have power to administer oaths and to take evidence.

B. **Meetings.**

1. Meetings of the Board shall be open to the public and the minutes of its proceedings, showing the votes of each member and records of its examinations and other official actions, shall be kept and filed in the Planning Division as a public record. The Secretary of the Board shall be the Zoning Administrator, or a member of the Planning Division staff as designated by the Planning Director.
2. No Variance, Special Use Permit, Substantial Conformance Improvement Permit, Development Incentive Permit, or appeal of an interpretation of the Zoning Ordinance or other provision of the City Code shall be acted upon until a public hearing has been held.
3. Not less than 4 members of the Board shall be present to conduct a hearing. No matter shall be considered unless there are at least 4 members present who are eligible and qualified to vote on the matter.
4. The concurring vote of 4 members of the Board shall be necessary to reverse any order or decision of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass or to effect any variation from the terms and conditions of this Zoning Ordinance or of the City Code within the jurisdiction of the Board as authorized by the City Council.
5. The Chair, or in the Chair's absence the Vice Chair, shall lead the meeting, maintain order, and be the final decision maker for all meeting management questions.

C. **Authority and Duties of the Board of Adjustment.**

1. The Board of Adjustment shall:
 - a. Hear and decide appeals in which it is alleged there is an error in an order, requirement, or decision made by the Zoning Administrator in the enforcement of the provisions of this Ordinance or other sections of the City Code within the jurisdiction of the Zoning Administrator.
 - b. Hear and decide appeals from the action of the Zoning Administrator, acting in either an administrative role or the Hearing Officer role, in the interpretation of the provisions of this ordinance.
 - c. Hear and decide appeals from the action of the Zoning Administrator as the Hearing Officer in the granting or denying of variances, the issuance of Special Use Permits, Substantial Conformance Improvement Permits (SCIPs) or Development Incentive Permits (DIPs).
 - d. Hear and decide the issuance of Special Use Permits (SUPs), Substantial Conformance Improvement Permits (SCIPs) or Development Incentive Permits (DIPs), required by the City Code.
 - e. Authorize variances from the terms of this zoning ordinance pursuant to the provisions of A.R.S. § 9-462.06.
 - f. Hear and decide all matters referred to the Board by the Zoning Administrator.
 - g. Take any and all actions referred to the Board by the City Council, or as specified by A.R.S. § 9-462.06; or Section 409 of the City Charter.
2. The Board shall prescribe in connection with any Special Use Permit, Development Incentive Permit, Substantial Conformance Improvement Permit, interpretation, or variance, such conditions as the Board may deem necessary in order to fully carry out the provisions and intent of this Zoning Ordinance.
3. The Board of Adjustment shall not make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the Zoning Ordinance; provided that the restriction in this paragraph shall not affect the authority to grant variances.
4. The Board of Adjustment may adopt rules for the conduct of its business.

11-66-4: - HISTORIC PRESERVATION BOARD

A. **Establishment and Organization of the Historic Preservation Board.** Historic Preservation Board is established and organized as established in [Title 2](#) - Boards and Commissions, in the Mesa City Code. The duties of the Historic Preservation Board shall be in conformance with those established in [Title 2](#) - Boards and Commissions, in the Mesa City Code.

B. **Meetings.**

1. Meetings of the Board are open to the public and the minutes of its proceedings are kept and filed in the office of the Historic Preservation Officer as a public record. The Secretary of the Board is the Historic Preservation Officer or his/her designee.

2. At least 4 members of the Board shall be present to conduct a meeting. No matter shall be considered unless there are at least 4 members present who are eligible and qualified to vote on the matter and an affirmative vote of a majority of the quorum present and voting shall be required to pass a motion.
 3. The Board shall meet at least 4 times per calendar year.
 4. The Chair, or in the Chair's absence the Vice Chair, shall lead the meeting, maintain order, and be the final decision maker for all meeting management questions.
- C. **Authority and Duties of the Historic Preservation Board.** The Historic Preservation Board shall have the powers and duties described in Title 2 - Boards and Commissions, in the Mesa City Code.
1. Hear and/or make recommendations on other matters as directed by the City Council.
 2. The Board may adopt rules for the conduct of its business.

11-66-5: - PLANNING HEARING OFFICER

- A. **Establishment of the Planning Hearing Officer.** The Planning Hearing Officer is hereby established in the Mesa Planning Division. The Planning Hearing Officer shall be appointed by the City Manager on the basis of training and experience regarding the conduct of hearings, knowledge of the General Plan and knowledge of the Zoning Ordinance.
- B. **Authority and duties of the Planning Hearing Officer.** When referred by the Planning Director, the Planning Hearing Officer shall:
1. Recommend action to the City Council on requests for amendments to the Zoning Map, on requests for Council Use Permit, Subdivision Plat Approvals, Applications for Site Plan Review and Site Plan Modifications, when such requests are determined by the Planning Director as appropriate to be heard by the Planning Hearing Officer pursuant to the Planning Hearing Officer guidelines.
 2. Hear and take action on requests for Site Plan Reviews and Site Plan Modifications when not otherwise conditioned for review and approval by City Council, or the request does not involve the need to amend a condition of approval as stated in the adopting ordinance.
 3. Consider and decide preliminary plats as part of the platting procedures and requirements described in the Subdivision Regulations, Title 9, Chapter 6, of the Mesa City Code.
 4. Hear, make recommendations and/or decide matters relating to a PC District, as specified in Chapter 11 of this Ordinance, and the applicable Community Plan as adopted by City Council and including all approved amendments to the Community Plan.
 5. Hear and make recommendations on other matters as directed by the City Manager or City Council.

11-66-6: - DESIGN REVIEW BOARD

- A. **Establishment and Organization of the Design Review Board.** The Design Review Board is established by Title 2 - Boards and Commissions, Design Review Board of the Mesa City Code.
1. **Qualification of Members:** The composition of the Board shall include: 2 licensed architects; 2 from other design professions (e.g.: architecture, landscape architecture, engineering, urban planning, interior design or similar design related profession); 1 contractor or developer; and 2 citizens selected at-large from the community.
 2. **Rules of Conduct:** The Board shall adopt rules for the conduct of its business. The Board may, in such rules, delegate certain responsibilities and/or tasks to be performed by a subcommittee or subcommittees of the Board.
- B. **Meetings.**
1. Meetings of the Board are open to the public and the minutes of its proceedings are kept and filed in the Planning Division office as a public record. The Secretary of the Board is the Planning Director or a member of the Planning Division staff designated by the Planning Director.
 2. At least 4 members of the Board shall be present to conduct a meeting and an affirmative vote of a majority of the quorum present and voting shall be required to pass a motion.
 3. The concurring vote of 4 of the Board members present is necessary to pass a motion to approve an appeal of a decision of the Planning Director.
 4. The Chair, or in the Chair's absence the Vice Chair, shall lead the meeting, maintain order, and be the final decision maker for all meeting management questions.
 5. The Board shall meet as needed.
- C. **Authority and Duties of the Design Review Board.** In addition to the powers and duties established in Title 2 - Boards and Commissions, Design Review Board of the Mesa City Code, the Design Review Board shall:
1. Hear and decide:

- a. Appeals of decisions of the Planning Director or staff as delegated by the Planning Director regarding methods to satisfy Mesa's aesthetic and design-related development requirements and to ensure that any proposed alternatives are at least equivalent to the City's development requirements or as previously approved by the City Council.
 - b. Requests to utilize architectural forms to screen a parking structure as provided in Section 11-32-2(F), Structured Parking.
 - c. Hear and decide requests for building height exceptions, pursuant to Section 11-30-3.
 - d. Hear and decide requests for exterior building illumination, pursuant to Section 11-30-5(C).
2. Review and recommend proposed changes in design and development standards to the City Council, including but not limited to design and development standards that relate to and reinforce the architectural qualities, landscape patterns and design character of sub-areas of the City.
 3. Review and make recommendations to the City Council regarding City staff implementation of design-related standards.
 4. Upon request, review and make recommendations to the Zoning Administrator on requests for exceptions or variances to height limits.
 5. Review and advise the Planning Director regarding development proposals involving the following:
 - a. Buildings 4 or more stories in height.
 - b. Multiple-residence projects that exceed the standard density in excess of 15 dwelling units per acre.
 - c. Mixed-use, commercial and/or industrial projects that have frontage on an arterial or collector street or that are part of an existing or planned development that has frontage on an arterial or collector street.
 - d. Mixed-use, commercial and/or industrial projects that have, or will have, greater than 20,000 square feet of gross floor area.
 - e. Modifications to existing commercial or industrial projects having frontage on an arterial street or that are part of an existing or planned development having frontage on an arterial street that involve:
 - i. A change in the distinguishing traits or primary features of the use of a building or land as evidenced by increased parking requirements, change in occupancy designation, change in outside storage, or other features.
 - ii. The predominant primary architectural features or materials of existing buildings, such as changes to horizontal or vertical elements of exterior walls, building trim, roof shape or composition, detailing, building height or roof line, and parapets.
 Such review is limited to the specific architectural building features proposed for modification.
 - f. Parking garages.
 6. Hear and make recommendations or decisions on matters as specified in an adopted Community Plan for a PC District.
 7. Review and decide Municipal projects of the City of Mesa, including fire stations, libraries, parking lots with over 50 spaces, and any building or facility meeting the above height, size, or location criteria set forth in Item 5 of this sub-section, above. Projects not subject to Board review include streets, walls and fences, well sites, and road widening projects.
 8. Review and make recommendations, upon request by the Planning Director, regarding methods to satisfy Mesa's aesthetic and design-related development requirements and guidelines of this Ordinance.
 9. Hear and decide appeals from the Zoning Administrator regarding Alternative Landscape Plans pursuant to Section 11-33-7.
 10. Hear and make recommendations on other matters as directed by the City Council.
 11. The Board may adopt rules for the conduct of its business.

11-66-7: - ZONING ADMINISTRATOR

- A. **Establishment of the Office of the Zoning Administrator.** The office of Zoning Administrator is hereby established in the Mesa Development Services Department. The Zoning Administrator shall be designated by the Development Services Department Manager and serves under the direction of the Planning Director.
- B. **Authority and Duties of the Zoning Administrator.** The Zoning Administrator is the city official established pursuant to A.R.S. § 9-462.05 and charged with responsibility for enforcement of the Zoning Ordinance. In addition, the Zoning Administrator acts in either an administrative role or as a Hearing Officer and shall have the following duties and authorities:
 1. Zoning Administrator in Administrative Role:
 - a. Accomplish all administrative actions required by this Ordinance, including the giving of notice, scheduling of hearings, preparation of reports, and receiving and processing appeals.
 - b. Interpret the Zoning Ordinance to the public, City Departments and other branches of government, and subject to general and specific policies established by the City Council. The Zoning Administrator may determine which requests for interpretations may be decided through an administrative process or reviewed and decided through a public hearing process as described in Item 2, below.

- c. Undertake preliminary discussions with, and provide advice to, applicants requesting assistance.
 - d. Serve as Secretary to the Board of Adjustment, or delegate such duties to qualified parties.
 - e. Make recommendations on changes and improvements in Ordinance regulations and procedures.
 - f. Determine the location of any district boundary shown on the Zoning Map adopted as part of this ordinance when such location is in dispute.
 - g. Review, consider and decide exceptions and alternative plans or alternative standards as authorized by this ordinance, based strictly upon the limitations and criteria specified for that exception, alternative standard or alternative plan.
 - h. Review, consider and decide Zoning Permits, Administrative Use Permits, and Temporary Use Permits as authorized by this ordinance, based strictly upon the limitations and criteria specified for Zoning Permits, Administrative Use Permits, and Temporary Use Permits.
 - i. Interpret any provisions of this ordinance.
 - j. Make decisions on other sections of the City Code which are within the jurisdiction of the Zoning Administrator.
 - k. Refer any matter within the Zoning Administrator's authority to the Board of Adjustment.
2. As a Hearing Officer conduct public hearings to:
- a. Interpret any provisions of this Ordinance when the Zoning Administrator, acting in administrative role, refers an interpretation to the Hearing Officer.
 - b. Hear and decide Special Use Permits, Development Incentive Permits, and Substantial Conformance Improvement Permits as required by the City Code.
 - c. Authorize variances from the terms of this Zoning Ordinance pursuant to the provisions of A.R.S. § 9-462.06.
 - d. Prescribe in connection with any Special Use Permit, Development Incentive Permit, Substantial Conformance Improvement Permit, or any Variance such conditions as deemed necessary in order to fully carry out the provisions and intent of this Ordinance.
 - e. Refer any matter within the Zoning Administrator Hearing Officer's authority to the Board of Adjustment.
- C. **Limits to Authority and Duties.** The Zoning Administrator shall not make any changes in the uses permitted in any zoning classification or zoning district, or make any change in the terms of the Zoning Ordinance; provided that the restriction in this paragraph shall not affect the authority to grant variances.

11-66-8: - DOWNTOWN DEVELOPMENT COMMITTEE

- A. **The Downtown Development Committee.** The Downtown Development Committee has been decommissioned by deletion of Section 2-20-1 of the Mesa City Code pursuant to Ordinance 4960, dated December 7, 2009.
- B. **Modifications.** All decided applications for which a condition of approval requires a future revision or modification of that decision to be reviewed by the Downtown Development Committee for either recommendation or decision shall instead be reviewed by the Planning & Zoning Board or Design Review Board, as determined by the Planning Director. The determination shall be based on the type of modification or revision requested.

CHAPTER 67 - COMMON PROCEDURES

Footnotes:

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Editor's note— Previously, Chapter 67 derived from Ord. No. 5472, 11-6-18.

11-67-1: - PURPOSE

This chapter establishes procedures that are common to the application and processing of all permits and approvals provided for in the Zoning Ordinance, unless superseded by specific requirement of this Ordinance or State law.

11-67-2: - APPLICATIONS, SUPPORTING MATERIALS AND FEES

- A. **Applicants.** The following persons may file an application:
 - 1. The owner of the subject property; or
 - 2. An agent representing the owner, duly authorized to do so in writing by the owner.

- B. **Applications.** Applications required by this ordinance shall be filed with the office of the Planning Division and include all of the following:
1. An application, provided by the City.
 2. The required documents and information in a form acceptable to the Planning Division.
 3. Additional materials, as required. The Zoning Administrator may require the submission of supporting materials as part of the application, including but not limited to, statements, photographs, plans, drawings, renderings, models, material samples and other items necessary to describe existing conditions and the proposed project.
 4. The required fee.
- C. **Pre-application or Pre-submittal Conference Required.** Before filing any applications described by paragraphs E through H, below, the applicant shall submit a preliminary description of the proposal, accompanied by a fee specified by the adopted fee schedule, for review and comment by Planning Division staff. This preliminary description shall include, at minimum, a site plan and project narrative; both of sufficient scope and detail so as to allow a basic review of location, land area, land use, land use intensity, traffic generation and adjacent streets, stormwater drainage, utility service, and previous case history. The Planning Director or a Planning Division staff member designated by the Planning Director shall return comments to the applicant based on this preliminary review in writing, and orally at a subsequent conference between the applicant, Planning Division staff, and staff members of other City departments submitting comments. The need for the conference and fee may be waived by the Planning Director if it is determined sufficient information already exists regarding the request and case site.
- D. **Payment, Waiver and Refund of Application Fees.**
1. **Schedule of Fees.** The City shall establish fees for all application types. Payment of the fee is required in order for an application to be complete. No application shall be processed without payment of the applicable fee unless a fee waiver or deferral has been approved by the Development Services Department Director.
 2. **Fee Waiver or Deferral.** No fee shall be required when the applicant is the City, or if it is waived or deferred by the Development Services Department Director based upon a finding of unique financial hardship or in unique circumstances where it would be unreasonable to impose the normal fee, or to impose such fee at the usual time.
 3. **Refund of Fees.** Once an application is filed with the Planning Division, no part of any application fee shall be refundable, unless the Development Services Department Director determines such a refund is justified on the basis of unique financial hardship and factual circumstances. No refund shall be made for any application that has been denied.

11-67-3: - CITIZEN PARTICIPATION

- A. **Citizen Participation Plan.** Every application that requires a public hearing in accordance with this Chapter shall be accompanied by a Citizen Participation Plan designed to provide effective, early and continuous public participation that includes at least the following:
1. A contact list or method for notifying adjacent landowners and other potentially affected citizens of the proposed action, that shall include, but is not limited to:
 - a. Property owners within the maximum public hearing notice area required for that type of application,
 - b. Residents, registered neighborhoods, and homeowners associations that may be impacted as a result of the application, and other neighborhood entities identified by the City,
 - c. Interested parties which have requested that they be placed on a contact list for this application, and
 - d. Interested parties that have been identified by the City.
 2. A general description of how interested persons and those on the contact list may obtain information and updates on the project, such as newsletters, mailings, and meetings.
 3. A general description of how interested persons, including those on the contact list, will be provided an opportunity to discuss the proposal with the applicant, such as neighborhood meetings, phone contacts, or door-to-door visits.
 4. The applicant's proposed schedule for implementation of the Citizen Participation Plan.
 5. How the applicant plans to keep the City informed on the status of the implementation of its Citizen Participation Plan, such as providing staff copies of notices prior to meetings with citizens, and contact lists used to notify interested parties.
- B. **Citizen Participation Report.** The requirements in this Section apply in addition to any notice provisions required elsewhere in this Zoning Ordinance, or by Arizona Revised Statutes (ARS).
1. Applicants shall provide a written Citizen Participation Report on the results of implementing their Citizen Participation Plan at least 10 City business days prior to the first scheduled public hearing. The Citizen Participation Report shall include the following information:
 - a.

A summary of neighborhood meetings, if held, including when and where they were held, number in attendance (copies of sign-in sheets), and results achieved at the meeting(s);

- b. A summary of citizen concerns, issues and problems expressed during the citizen participation process, and how these have been addressed through changes or stipulations to the project; and
 - c. Copies of comment letters, petitions, and other pertinent information received from residents and other interested parties.
2. City of Mesa staff may apply the Citizen Participation Guidelines, Resolution 7283 (adopted November 2, 1998) as needed to meet the requirements of this section.
 3. Failure to comply with the citizen participation provisions of this section, or a determination that such efforts were insufficient to provide adequate opportunities for citizen participation, may result in postponement, rescheduling or denial of an application.

11-67-4: - REVIEW OF APPLICATIONS

- A. **Determination of Administratively Complete Applications.** The Planning Director, or a member of the Planning Division staff designated by the Planning Director, shall determine whether an application is administratively complete.
1. ***Administrative Completeness Review.*** Except for residential zoning applications discussed in Section 11-67-(4)(A)(2) below, a determination of completeness will occur as follows:
 - a. ***Administratively Incomplete Application.*** If an application is incomplete, notification to the applicant shall be sent listing any additional forms, information, and/or fees that are necessary to complete the application.
 - b. ***Administratively Complete Application.*** When an application is determined to be complete, a notation on the application shall make a record of that date. If required, a public hearing shall be scheduled and the applicant shall be notified of the date and time.
 2. ***Residential Zoning Application Administrative Completeness Review.*** This section only applies to applications that meet the definition of a residential zoning application in Chapter 87 of the zoning ordinance.
 - a. ***Administrative Completeness Review Time Frame.*** For each residential zoning application, the City shall determine if the application is administratively complete within 30 calendar days after receiving the application.
 - b. ***Administratively Incomplete Applications.*** If it is determined the application is administratively incomplete:
 - i. The City shall provide the applicant with a written notice that includes a comprehensive list of the specific deficiencies within 30 calendar days of receiving the application.
 - ii. Upon issuance of the written notice, the administrative completeness review time frame and overall time frame, as defined in A.R.S. § 41-1072, are suspended from the date the notice is issued until the City receives the resubmitted application.
 - iii. The City shall have 15 calendar days to determine if the resubmitted application and determine whether every deficiency has been resolved for administrative completeness.
- B. **Approval or Denial of Residential Zoning Applications.** After determining a residential zoning application is complete:
1. The decision-making body shall approve or deny the application within 180 calendar days of the application being determined administratively complete.
 2. The City may extend the time frame to approve or deny the application beyond 180 calendar days as follows:
 - a. For extenuating circumstances the planning director may grant a one-time extension of no more than 30 calendar days; or
 - b. At the request of the applicant the Planning Director may grant extensions in 30 calendar day increments.
- C. **Exceptions.** The provisions within this section related to residential zoning applications do not apply to:
1. Land that is designated as a district of historical significance pursuant to A.R.S. 9-462.01(A)(10);
 2. An area that is designated as historic on the National Register of Historic Places; or
 3. A lot or parcel that is currently zoned with a planned area development (PAD) overlay.
- D. **Annexation Procedures.** Annexations shall be considered by City Council in accordance with the procedures specified in Chapter 78.
- E. **Additional Fee for Planning Hearing Officer.** When an application is determined by the Planning Director as appropriate to be heard by the Planning Hearing Officer pursuant to the Planning Hearing Officer guidelines, the applicant may elect to have the matter placed before the Planning Hearing Officer by submitting the additional fee as specified in a schedule adopted by resolution by the City Council.
- F. **Conditions Requiring Mandatory Supermajority Vote by City Council.** In the event the City Council is asked to decide upon any proposed Rezoning Amendment, Council Use Permit, Development Unit Plan, Site Plan Review or Site Plan Modification, amendments to such proposals, or appeals of any such proposals, and upon evidence that all conditions described in subsections 1. and 2. below, have been satisfied, then the proposal shall become effective only by favorable vote of three-fourths (¾) of all members of the City Council. If any

members of the City Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (¾) of the remaining membership of the City Council, provided that such required number of votes shall in no event be less than a majority of the full membership of the Council. For the purposes of this section, the required number of votes shall be rounded to the nearest whole number.

1. A written protest, signed by the property owners opposing the proposal is filed by the owners of 20-percent or more of the area and number of lots, tracts, and condominium units within the zoning area, as defined in A.R.S. § 9-462.04.
2. Signed written protests must be filed in the office of the City Clerk by no later than 12:00 noon the Monday of the week prior to the City Council meeting at which the proposal is scheduled to be considered, unless City offices are closed on that Monday because of a local, State or national holiday, then the protest must be filed by 12:00 noon the next business day.

(Ord. No. 5405, 8-28-17; Ord. No. 5905, § 1, 12-9-24)

11-67-5: - PUBLIC NOTICE

A. Notice of Public Hearing.

1. **City Council, Planning and Zoning Board, and Planning Hearing Officer.** Any applications to the City Council, Planning and Zoning Board or the Planning Hearing Officer shall:
 - A. Provide the same notice of Public Hearing as required by A.R.S. § 9-462.04; and
 - B. Post the subject property no less than 15 days prior to the first scheduled hearing; and
 - C. Provide additional notice by first class mail a minimum of 15-days prior to the first scheduled hearing date to all owners of property located within 500-feet of the exterior boundary of the property that is the subject of the application, based on the last assessment.
2. **Board of Adjustment and Zoning Administrator.** Any applications to the Board of Adjustment or Zoning Administrator acting as the Hearing Officer shall provide:
 - A. The same notice of Public Hearing as required by A.R.S. § 9-462.06(F); and
 - B. Additional notice by first class mail a minimum of 15 days prior to the scheduled hearing date to all owners of property located within the following distances of the exterior boundary of the property that is the subject of the application, based on the last assessment:
 - I. For any single residence, duplex, or single lot RV or manufactured home: 150 feet.
 - II. For any other request: 500 feet.
3. **Design Review Board.** Any application to the Design Review Board shall send notice by first class mail a minimum of 15 days prior to the scheduled meeting or work session date to all owners of property located within 500 feet of the exterior boundary of the property that is the subject of the application, based on the last assessment.

B. Administrative Site Plan. Each initial site plan or minor site plan modification that is eligible for administrative approval shall:

1. Provide notice by first class mail, to all owners of property located within 500 feet of the exterior boundary of the property that is the subject of the application, based on the last assessment. Notice must be within 15 days after the date the planning division determines the application is complete (i.e., eligible for administrative approval).
2. The public has ten (10) days from the postmark on the notice to submit comments on the proposed request to the Planning Division.

C. Contents of Public Notice. Any public notice shall include the following information:

1. A general description of the proposed project or action and the location of the real property, if any, that is the subject of the application;
2. The date, time, location, and purpose of the public hearing or the date of action when no public hearing is required;
3. The identity of the hearing body or officer;
4. The names of the applicant or the owner of the property that is the subject of the application; and
5. In addition to the items listed above, mailed notice shall include the following:
 - a. A copy of the proposed plans;
 - b. A statement that any interested person or authorized agent may appear, and be heard at a public hearing, if a public hearing is required; and
 - c. A statement describing how to submit written comments.
6. It shall be the responsibility of the applicant to maintain the posting once erected until after the last hearing.

D. Notwithstanding the notice requirements of this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the actions of the City of Mesa for which the notice was given.

11-67-6: - CONDUCT OF PUBLIC HEARINGS

A public hearing held pursuant to this Ordinance shall comply with the following procedures:

- A. **Public Hearing Testimony.** Any person may appear at a public hearing and submit oral or written evidence, either individually or as a representative of a person or an organization. Each person who appears at a public hearing shall be identified, state their name and address, and, if appearing on behalf of a person or organization, state the name and mailing address of the person or organization being represented. The presiding officer may establish time limits for individual testimony and may require that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.
- B. **Continuance of Public Hearing.** The body conducting the public hearing may, by motion, continue the public hearing to a fixed date, time and place or may continue the item to an undetermined date and provide notice of the continued hearing as set forth in Section 11-67-5.
- C. **Investigations.** The body conducting the hearing may cause such investigations to be made as it deems necessary and in the public interest on any matter to be heard by it. Such investigation may be made by a committee of one or more members of the body conducting the hearing or by members of its staff or its agents or employees. The facts established by such investigation shall be submitted to the body conducting the hearing either in writing, to be filed with the records of the matter, or in testimony before the body, and may be considered by the body in making its decision.
- D. **Record of Hearing.** The body conducting the hearing shall cause a written summary of all pertinent testimony heard at such public hearing, together with a record of the names and addresses of all persons testifying, to be prepared and filed with the papers relating to such matter.

11-67-7: - RECORDS OF ACTIONS TAKEN

Unless otherwise specified in this Ordinance, the minutes of the meeting where a decision is made shall be the official record of any action taken or decision made to approve, approve with conditions, modify, revoke or deny any discretionary permit or discretionary approval (e.g., Site Plan Review, Certificate of Appropriateness) under this Ordinance.

- A. **Date of Action.** The responsible body shall decide to approve, modify, revoke, or deny any discretionary permit or discretionary approval following the close of the public hearing, or if no public hearing is required, at a public meeting within the time period required by this Ordinance. The date of action shall be the date of the meeting where a motion or other action is approved.
- B. **Notice of Action.** After the Zoning Administrator or other responsible body takes any action to approve, modify, or deny an application that is subject to appeal under the terms of this Ordinance, Notice of Action shall be sent to the Applicant. The Notice shall describe the action taken, including any applicable conditions, and shall list any required findings that were the basis for the decision. The Notice shall be mailed within seven calendar days from the date of taking the action, to the Applicant at the address (including electronic addresses) stated in the application and to any other person or entity who has filed a written request of such notification.
- C. **Findings.** Findings shall be required for any action of the Zoning Administrator acting as a Hearing Officer and for the Board of Adjustment, as required by A.R.S. § 9-462.06 or this Ordinance, and shall be based upon personal observations, consideration of the application, plans, testimony, reports, and other materials that constitute the administrative record and shall be stated in writing in the resolution by or meeting minutes of the decision-making authority. The findings shall be set forth in the notice that the City issues following an appealable decision by the Zoning Administrator or other responsible body and in the minutes of the meeting or other record where the decision making authority documents its decision.

11-67-8: - EFFECTIVE DATES

- A. **Approvals Subject to Appeal.** A final decision on an application for any discretionary approval subject to appeal (e.g., a use permit, variance, or site plan approval) shall become effective after the expiration of the appeal period following the date of action, unless an appeal is filed. In accordance with paragraph B, below, no building permit or business license shall be issued until the day following the expiration of the appeal period, unless the applicant signs a waiver explaining that they understand and accept the risk of proceeding before the appeal period ends.
- B. **Exercising Approval at Risk.** An approved variance or Special Use Permit or an interpretation favorable to the applicant may be exercised at the applicant's sole risk, and a construction permit (if required) may be issued subsequent to the approval by the Zoning Administrator or Board of Adjustment. However, if an appeal of the decision is filed in accordance with the provisions of this Ordinance that reverses in whole or in part or modifies the decision and that causes any construction or use commenced as a result of exercising the decision to be in conflict

with the appellate body's decision, then such construction permit may be revoked in accordance with the appellate body's decision and any such construction or use may constitute a violation of this Ordinance and may be subject to removal or cessation by the applicant, property owner, or his agent.

11-67-9: - EXPIRATIONS AND EXTENSIONS

A. Expirations.

1. The Planning and Zoning Board, Planning Hearing Officer, Zoning Administrator acting as a Hearing Officer, Board of Adjustment, or City Council, in the granting of any permit, (also referred to as discretionary approval), or permit modification, for which the body has authority, may specify the time within which the proposed use must be undertaken and actively and continuously pursued. The Planning and Zoning Board, Planning Hearing Officer, Zoning Administrator acting as a Hearing Officer, Board of Adjustment, or City Council, may impose upon the permit a term of such period of time as is found to be consistent with the purposes of the use and necessary to safeguard the public safety, health and welfare. If no time period is otherwise specified, any permit granted under this Ordinance may be declared expired and of no further force and effect if it is not exercised or extended within one year of its issuance. The permit is considered exercised by completion of one of the following:
 - a. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property in reliance on that permit.
 - b. A permit for the construction of a building, structure, or sign is exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced in reliance upon that permit.
2. Approved Variances may be declared expired and of no further force and effect if it is not exercised or extended within 1 year of the date of approval. The variance is considered exercised when a valid city building permit, if required, is issued, and construction has lawfully commenced in reliance upon that permit.
3. An approved initial site plan, major site plan modification, or design review expires and is no longer in effect if it is not exercised or extended within two years of the date of approval. A minor site plan modification is effective for a period of two years from the date the initial site plan associated with the minor site plan modification was approved. An approved initial site plan, site plan modification or design review is considered exercised by completion of one of the following:
 - a. A valid city business license, if required, is issued, and the permitted use has commenced on the property.
 - b. A valid city building permit, if required, is issued, and construction has lawfully commenced.

- B. **Extensions.** The Zoning Administrator may approve a one-year extension of any permit or approval granted under this Ordinance upon receipt of an application with the required fee prior to the expiration date. All other extensions shall require approval by the original approving body.

(Ord. No. 5591, § 2, 12-1-20)

11-67-10: - MODIFICATIONS TO APPROVED PLANS

For those sections of this Ordinance that provide a modification or amendment process, such as [Chapter 69: Site Plan Review](#) and [Chapter 76: Amendments to Zoning Map](#), this section does not apply. This section only applies if this Ordinance does not provide a modification or amendment process. This section sets forth the criteria for minor and major modifications. It also provides the review and approval process for minor modifications.

- A. **Minor Modifications.** A modification is considered minor if it does not materially alter the approved plan or other approval, will not intensify any potentially detrimental effects of the project and is consistent with the original findings and all conditions of approval approved by the Planning Director or designee, the Board of Adjustment, Design Review Board, Planning Hearing Officer, Planning & Zoning Board, or City Council. The Planning Director, in the Planning Director's discretion, determines if a modification is minor. A modification that is not determined minor by the Planning Director is a major modification subject to subsection B. below.
1. **Review Process for Minor Modifications.** Minor modifications are reviewed administratively by the Planning Director or the Planning Director's designee. The Planning Director or designee may take action on, or impose conditions upon, the modification to protect adjacent properties, preserve neighborhood character, mitigate adverse environmental impacts or other public health and safety reasons. The Planning Director, in the Planning Director's discretion, may require a minor modification go through the public hearing process for review and consideration by the appropriate decision-making body as required by this Ordinance.

B.

Major Modifications. A modification is considered major if it changes, eliminates or affects a condition of approval (whether adopted by resolution, ordinance or otherwise) such as a change to a discretionary permit, approved plan, or building plan or materially alters a previous approval or plan. Additionally, any modification not determined minor by the planning director is a major modification. This section does not provide the review and approval process for major modifications. A modification that is determined major will require the submission of a new application to start the process from the beginning and must follow the applicable review and approval process set forth in this Ordinance and have the request approved by the appropriate decision-making body.

(Ord. No. 5591, § 3, 12-1-20)

11-67-11: - REVOCATION OF PERMITS APPROVED THROUGH A PUBLIC HEARING PROCESS

Any Council Use Permit (CUP), Special Use Permit (SUP), Development Incentive Permit (DIP), or Substantial Conformance Improvement Permit (SCIP) granted under this Chapter may be revoked if any of the conditions or terms of such permit are violated or if any law or ordinance is violated in connection therewith.

- A. **Initiation of Proceeding.**
 - 1. The City Council, by its own action, or following a recommendation from the Planning & Zoning Board or Zoning Administrator, may initiate revocation proceedings regarding Council Use Permits.
 - 2. The Board of Adjustment, following a recommendation from the Zoning Administrator, may initiate revocation proceedings for Special Use Permits, DIPs and SCIPs.
- B. **Public Notice.** Notice that the possible revocation of the permit has been scheduled for hearing shall be made pursuant to the requirements of Section 11-67-5, Notice of Public Hearing.
- C. **Public Hearing.** The public hearing regarding the revocation of a permit shall be conducted in the same manner as was used for the approval of the use permit, pursuant to Chapter 70.
- D. **Required Finding for Revocation.** The City Council, or Board of Adjustment, as applicable, may revoke a permit if it makes any of the following findings:
 - 1. That approval was obtained by means of fraud or misrepresentation of a material fact;
 - 2. That the permittee or holder of the permit has failed to initiate construction or undertake the use in question within a 1 year period following the effective date of the permit or variance;
 - 3. That the use in question has ceased to exist or has been suspended for one year or more;
 - 4. That there is or has been a violation of or failure to observe the terms or conditions of the permit or the use has been conducted in violation of the provisions of this Ordinance, law or regulation; or
 - 5. That the use to which the permit or applies has been conducted in a manner detrimental to the public safety, health and welfare, or so as to be a nuisance.

11-67-12: - APPEALS

A final decision is subject to appeal according to the standards in Chapter 77 - Appeals. Table 11-67-12 summarizes the appeal process for each body issuing a final decision.

Table 11-67-12: Appeal Bodies	
Initial Decision-Maker	Appeal Body
Historic Preservation Officer	Historic Preservation Board
Zoning Administrator	Board of Adjustment
Zoning Administrator - Alternative Landscape Plan	Design Review Board
Zoning Administrator Hearing Officer	Board of Adjustment

Board of Adjustment	Superior Court, per A.R.S. § 9-462.06.K
Planning Director, Site Plan Modification	Planning & Zoning Board
Planning Director, Design Review	Design Review Board
Historic Preservation Board	City Council
Planning & Zoning Board	City Council
Design Review Board	City Council
Planning Hearing Officer	City Council
City Council	Superior Court, where applicable under state law

CHAPTER 68 - ZONING CLEARANCE

11-68-1: - PURPOSE

This Chapter establishes procedures for conducting zoning clearance to ensure that each new or expanded use or structure complies with the applicable requirements of this Ordinance. Having made such determination, the City shall establish a record of the Zoning Clearance that document the initial establishment of a use, or the construction of a structure, which is allowed as a matter of right.

11-68-2: - APPLICABILITY

Zoning clearance is required for buildings or structures erected, constructed, altered, repaired or moved, which require a building permit, the use of vacant land, changes in the use of land or building, or for substantial expansions in the use of land or building.

11-68-3: - REVIEW AND DECISION

- A. **Determination.** The Zoning Administrator shall determine whether the Zoning Ordinance allows the proposed uses or structures by right. A Zoning Certificate shall be issued if the Zoning Administrator determines that the proposed use or building is allowed as a matter of right by the Zoning Ordinance, and conforms to all the applicable development and use standards. An approved Zoning Certificate may include attachments of other written or graphic information, including but not limited to, statements, numeric data, site plans, floor plans and building elevations and sections, as a record of the proposal's conformity with the applicable regulations of this Chapter.
- B. **Exceptions.** No Zoning Certificate shall be required for the continuation of lawful uses and structures approved or permitted prior to the adoption of this ordinance, uses and structures that are not subject to any building or zoning regulations, or other uses or buildings already subject to Council Use Permit, Special Use Permit, variances or other discretionary approvals in the district in which they are located.

11-68-4: - APPEALS

The applicant or any other aggrieved party may appeal a determination of zoning conformance pursuant to the provisions of [Chapter 77](#), Appeals.

CHAPTER 69 - SITE PLAN REVIEW

11-69-1: - PURPOSE

This Chapter establishes objectives, standards, and procedures for reviewing new site plans ("Initial Site Plan") as well as modifications to approved site plans ("Site Plan Modification"). The specific purpose of the site plan review process is to:

- A. Ensure the proposed development plan is in compliance with the provisions of this Ordinance.
- B. Eliminate or minimize potential land use conflicts and provide effective transitions between abutting parcels appropriate to the context of the circumstance.
- C. Mitigate any adverse impacts on adjacent developments or land uses that may be caused by specific proposed land uses.
- D. Ensure high-quality development and encourage development options that are designed in an aesthetically pleasing manner and incorporate public spaces that are integral to the project.
- E. Ensure a safe and efficient traffic circulation system, foster the provision of adequate off-street parking and off-street loading facilities, bicycle facilities and pedestrian amenities, and support a multi-modal transportation system. Encourage improved connectivity between abutting residential, commercial, educational, employment and recreational uses.
- F. Achieve goals, objectives, and policies of the General Plan, sub-area plans and other policies adopted by the City Council.

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020)

11-69-2: - APPLICABILITY

The following development proposals are required to go through the site plan review process. This Section applies to both Initial Site Plan reviews and Site Plan Modifications:

- A. A project that includes multiple residence, three or more attached single residences, or more than two dwelling units per lot. Site plan review is not required for a project with only one detached single residence.
- B. A project that includes mixed use, commercial or industrial uses and either has frontage on an arterial or collector street or is part of a larger development or center, or both, that has frontage on an arterial or collector street.
- C. Mixed use, commercial or industrial projects that have more than 20,000 square feet of gross floor area.
- D. A modification to an existing commercial or industrial development that either has frontage on an arterial street or is part of a larger development or center, or both, that has frontage on an arterial street; and the modification includes either:
 - 1. A change in the required parking or the site's circulation, including access points, or the addition of a drive-thru;
 - 2. A change in use, occupancy designation, or density; or
 - 3. A change in outside storage or outside display area, irrespective of whether the building or primary use has expanded.
- E. Parking garages.
- F. Municipal Projects. All fire stations and libraries, parking lots with over 50 spaces, and any municipal building or project of the City of Mesa that meets the criteria in this Section.
- G. The project is located on property in which the ordinance adopting the zoning, rezoning or Council Use Permit is conditioned upon site plan review.
- H. Any other projects identified in this Ordinance as requiring site plan review.

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020)

11-69-3: - APPLICATION REQUIREMENTS

An application for an Initial Site Plan review or Site Plan Modification must be filed with the Planning Division in accordance with the application procedures in Chapter 67, Common Procedures. In addition, an Initial Site Plan or Site Plan Modification shall comply with the citizen participation and public notice requirements in Chapter 67.

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020)

11-69-4: - INITIAL SITE PLAN REVIEW PROCEDURES

A project that is required to go through the site plan review process under Section 11-69-2 and is located on property, or a portion thereof, that does not have a previously approved site plan or the approved site plan has expired is required to submit for and obtain approval of an Initial Site Plan. The applicable governing body, as set forth in this Section, will review the Initial Site Plan following the procedures described

herein. The Zoning Administrator shall determine if a request is for an Initial Site Plan review. A site plan that is not considered an Initial Site Plan by the Zoning Administrator is a Site Plan Modification and subject to the procedures and review processes in Section 11-69-7.

- A. **Eligibility for Administrative Review.** In certain circumstances an Initial Site Plan may be administratively approved. An Initial Site Plan is not entitled to the administrative review and approval process but may qualify if the Zoning Administrator determines the Initial Site Plan is eligible. An Initial Site Plan is eligible for administrative review and approval if the Zoning Administrator determines the Initial Site Plan satisfies all of the following:
1. Complies with all applicable requirements in this Ordinance and any adopted sub-area plans;
 2. Complies with all conditions of approval or stipulations on the property (regardless of whether the condition of approval was approved by ordinance, resolution, or otherwise);
 3. The proposed development does not require a Rezone, Planned Area Development Overlay (PAD), Council Use Permit (CUP), Bonus Intensity Overlay Zone (BIZ), or Special Use Permit (SUP); and
 4. The proposed development will not have an adverse impact on adjacent properties.
- B. **Administrative Review Process.** Administrative review of an Initial Site Plan may be conducted by the Planning Director or the Planning Director's designee. The Planning Director or designee shall use the review criteria set forth in Section 11-69-5 to evaluate the Initial Site Plan and may take action on, or impose conditions upon, the Initial Site Plan as set forth in Section 11-69-6. The Planning Director, in the Planning Director's sole discretion, may require an Initial Site Plan go through the public hearing process as set forth in Section 11-69-4(D) below.
- C. **Requirements for Review by City Council and Planning & Zoning Board.** If the Zoning Administrator determines an Initial Site Plan is not eligible for administrative approval under Section 11-69-4(A), the Initial Site Plan must go through the public hearing review and approval process in Section 11-69-4(D).
- D. **Public Hearing Review Process.**
1. **Planning & Zoning Review.** The Planning and Zoning Board shall use the review criteria set forth in Section 11-69-5 to evaluate the initial site plan and may take action on, or impose conditions upon, the initial site plan as set forth in Section 11-69-6.
The following Initial Site Plans are reviewed by the Planning and Zoning Board through the public hearing process:
 - a. An Initial Site Plan associated with a proposed development that only requires a Special Use Permit.
 - b. An Initial Site Plan eligible for administrative review but referred to the Planning & Zoning Board by the Planning Director.
 2. **City Council Review.** The following Initial Site Plans are subject to recommendation by the Planning and Zoning Board and review and approval by the City Council.
 - a. An Initial Site Plan associated with a Rezone, Planned Area Development Overlay (PAD), Council Use Permit (CUP), or Bonus Intensity Overlay Zone (BI).
 - b. An Initial Site Plan that does not comply with a condition of approval or stipulation on the property (regardless of whether the condition of approval was approved by ordinance, resolution, or otherwise).
 - c. Any Initial Site Plan not eligible for administrative review and not subject to approval by the Planning and Zoning Board in Section 11-69-4(D)(1).
 3. The City Council shall use the review criteria set forth in Section 11-69-5 to evaluate the Initial Site Plan and may take action on, or impose conditions upon, the Initial Site Plan, as set forth in Section 11-69-6.

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020; Ord. No. 5759, §§ 6, 7, 12-8-22)

11-69-5: - REVIEW CRITERIA

When conducting an Initial Site Plan review or Site Plan Modification, the Planning Director or Planning Director's designee, the Planning & Zoning Board, and the City Council shall evaluate and determine if the project satisfies all of the following criteria:

- A. The project is consistent with and conforms to the adopted General Plan and any applicable sub-area or neighborhood area plans (except no analysis of the use if it is permitted in the zoning district on the property), is consistent with the development standards of this Ordinance, and is consistent with and meets the intent of any applicable design guidelines.
- B. The project is consistent with all conditions of approval imposed on the property whether by ordinance, resolution or otherwise.
- C. The overall design of the project, including but not limited to the site layout, architecture of the buildings or structures, scale, massing, exterior design, landscaping, lighting, and signage, will enhance the appearance and features of the site and surrounding natural and built environment.
- D.

The site plan is appropriate to the function of the project and will provide a suitable environment for occupants, visitors, and the general community.

- E. Project details, colors, materials, and landscaping are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.
- F. The project is compatible with neighboring development by avoiding big differences in building scale and character between developments on adjoining lots in the same zoning district and providing a harmonious transition in scale and character between different districts.
- G. The project contributes to the creation of a visually interesting built environment that includes a variety of building styles and designs with well-articulated structures that present well designed building facades, rooflines, and building heights within a unifying context that encourages increased pedestrian activity and promotes compatibility among neighboring land uses within the same or different districts.
- H. The streetscapes, including street trees, lighting, and pedestrian furniture, are consistent with the character of activity centers, commercial districts, and nearby residential neighborhoods.
- I. Street frontages are attractive and interesting for pedestrians and provide for greater safety by allowing for surveillance of the street by people inside buildings and elsewhere.
- J. The proposed landscaping plan is suitable for the type of project and site conditions and will improve the appearance of the community by enhancing the building and site design; and the landscape plan incorporates plant materials that are drought-tolerant, will minimize water usage, and are compatible with Mesa's climate.

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020)

11-69-6: - ACTION & CONDITIONS OF APPROVAL

The Planning Director or Planning Director's designee, the Planning & Zoning Board, and the City Council may approve, modify, approve with conditions, or deny an Initial Site Plan or Site Plan Modification. Conditions of approval that may be imposed include:

- A. Additional building setbacks;
- B. Additional landscaping;
- C. Height and area limitations of structures;
- D. Limited vehicular access;
- E. Walls, fences, and screening devices;
- F. Noise attenuation construction; or
- G. Any other restriction or requirement necessary to protect adjacent properties, preserve neighborhood character, or mitigate adverse environmental impacts.

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020)

11-69-7: - MODIFICATIONS TO APPROVED SITE PLANS

A change to a previously approved site plan or a site plan that is not considered an Initial Site Plan by the Zoning Administrator is a Site Plan Modification. Depending on the degree and type of change, the modification will be classified as minor or major and reviewed by the applicable governing body as provided in this Section. The proposed modification is minor or major as set forth in this Section 11-69-7.

- A. **Minor Modifications to an Approved Site Plan and Eligibility for Administrative Review.** In the following circumstances, a Site Plan Modification is minor and may be administratively approved by the Planning Director or the Planning Director's designee.
 - 1. A modification to a Site Plan that was administratively approved by the Planning Director or the Planning Director's designee and that is not a modification listed in Section 11-69-7(D)(1).
 - 2. A modification to an approved Site Plan if the Zoning Administrator determines the modification is minor. A modification to an approved Site Plan will be considered minor if the Zoning Administrator determines the modification meets the criteria in both Subsections (A) and (B) below:
 - a. The modification meets at least one of the following four criteria:
 - i. A change to the design that does not deviate from any applicable design review requirements or adopted design guidelines; or
 - ii. A change in landscape area or open space area that is less than 10% and not greater than 2.5 acres; or
 - iii. A change in the total building footprint (floor area, height, or dimensions) that is 10% or less and no more than 5,000 square feet; or
 - iv.

A minimal adjustment to: i) the building footprint, location, or orientation; ii) the pad location; iii) the configuration of a parking lot or drive aisles; iv) project amenities such as, but not limited to, recreational facilities, pedestrian amenities, fencing or other screening material; v) residential density; or vi) the approved phasing plan.

- b. In addition to meeting one of the four criteria listed in Subsection (A) above, the modification must also meet all of the following criteria:
 - i. Complies with all applicable requirements in this Ordinance and any adopted sub-area plans; and
 - ii. Complies with all conditions of approval or stipulations on the property (regardless of whether the condition of approval was approved by ordinance, resolution, or otherwise); and
 - iii. Is consistent with the purpose and intent of the approved site plan; and
 - iv. The proposed development does not require a Rezone, Planned Area Development Overlay (PAD), Council Use Permit (CUP), Bonus Intensity Overlay Zone (BIZ), or Special Use Permit (SUP); and
 - v. The change will not have an adverse impact on adjacent properties; and
 - vi. The change has not previously been determined to be a major Site Plan Modification.

B. Administrative Review Procedures for Minor Site Plan Modifications. The Planning Director or the Planning Director's designee shall use the review criteria set forth in Section 11-69-5 to evaluate the Site Plan Modification and may take action on, or impose conditions upon, the Site Plan Modification, as set forth in Section 11-69-6. The Planning Director, in the Planning Director's sole discretion, may require a minor Site Plan Modification go through the public hearing process as set forth in Section 11-69-7(D).

C. Major Modifications to an Approved Site Plan. If a Site Plan Modification is not minor and therefore not eligible for administrative approval under Section 11-69-7(A), the modification is considered major and must go through the public hearing review process set forth in Section 11-69-7(D).

D. Public Hearing Review Procedures for Major Site Plan Modifications. The Site Plan Modifications identified in this Section are considered major. The Planning & Zoning Board and the City Council shall use the review criteria set forth in Section 11-69-5 to evaluate the Site Plan Modification and may take action on, or impose conditions upon, the Site Plan Modification, as set forth in Section 11-69-6. Major modifications to an approved site plan must go through the public hearing review process as set forth below:

1. ***Site Plan Modifications Reviewed by the Planning & Zoning Board and Approved by City Council.*** The following Site Plan Modifications are subject to recommendation by the Planning & Zoning Board and review and approval by the City Council:
 - a. A Site Plan Modification for a project that requires a Rezone, Planned Area Development Overlay (PAD), Council Use Permit (CUP), Bonus Intensity Overlay Zone (BIZ), or other City Council action.
 - b. A modification to a site plan approved by City Council and the requested modification does not meet the criteria in Section 11-69-7(A).
 - c. A Site Plan Modification that does not comply with or eliminates a condition of approval of the zoning ordinance authorizing the zoning on the property requires a rezoning to amend, modify or remove the condition of approval. The rezoning must be approved by City Council prior to, or concurrently with, City Council's review of the Site Plan Modification.
 - d. A modification to an approved site plan and the requested modification was previously submitted to the City and determined by the City to require a rezoning. The rezoning must be approved by City Council prior to, or concurrently with, City Council's review of the Site Plan Modification.
 - e. A modification that is substantially similar (as determined by the Planning Director) to a modification the City previously reviewed and determined required a rezoning will also require a rezoning. The rezoning must be approved by City Council prior to, or concurrently with, City Council's review of the Site Plan Modification.
2. ***Site Plan Modifications Reviewed and Approved by the Planning & Zoning Board.*** The following site plan modifications are subject to review and approval by the Planning & Zoning Board:
 - a. A minor Site Plan Modification that is eligible for administrative review but referred to the Planning & Zoning Board by the Planning Director.
 - b. All major modifications not listed in Section 11-69.7(D)(1).

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020; Ord. No. 5759, §§ 8, 9, 12-8-22; Ord. No. 5815, § 1, 10-16-23)

11-69-8: - APPEALS

Any decision on an Initial Site Plan, Site Plan Modification, or determination under this Chapter 69 is subject to the appeal provisions of Chapter 77, Appeals, and Section 11-67-12.

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020)

11-69-9: - EFFECTIVE DATE, RENEWAL AND LAPSE OF APPROVAL

An approved Initial Site Plan or major Site Plan Modification is only effective for a period of two years from the date of approval and shall lapse and expire after the two-year period as provided in Section 11-67-9 unless the two-year period is extended as provided in Section 11-67-9. A minor Site Plan Modification does not extend the two-year period an Initial Site Plan is effective. A minor Site Plan Modification is only effective for a period of two years from the date the Initial Site Plan associated with the minor Site Plan Modification was approved. If an approved Initial Site Plan or Site Plan Modification (minor or major) lapses or expires, any proposed development on the property must submit a new application and go back through the site plan review process as outlined in this Chapter.

(Res. No. 11603, § 1, 11-16-2020; Ord. No. 5594, § 1, 12-1-2020)

CHAPTER 70 - CONDITIONAL USE PERMITS

11-70-1: - PURPOSE

This Chapter describes the process and general requirements applicable to those uses for which a Conditional Use Permit is required. These uses require special consideration to ensure that they can be designed, located, and operated in a manner that will not interfere with the use and enjoyment of surrounding properties. The purpose of the conditional use permit application process is to evaluate possible adverse impacts and to minimize them, where possible, through the imposition of specific conditions of approval. If adverse impacts cannot be appropriately resolved, the use is not appropriate in that location or configuration.

11-70-2: - BURDEN OF PROOF

The applicant has the burden of proving that the application meets the Ordinance requirements for granting of any use permit. No structure, facility, or use approved by conditional use permit may be modified, enlarged or expanded, without obtaining an approved modification to the Conditional Use Permit. The application for modification shall be processed as a new conditional use permit application under this Ordinance. The issuance of a Conditional Use Permit may require that the existing development site be brought into substantial conformance with the terms of the Mesa City Code in effect on the date the use permit is approved, including but not limited to: landscaping, screening, parking, and storm water retention.

11-70-3: - ADMINISTRATIVE USE PERMIT

- A. **Administrative Use Permit (AUP).** An AUP is a discretionary written authorization issued through the Planning Director upon a finding that the activity or use conforms with the intent of this Ordinance and any required findings. An AUP may be limited by a specific period of time.
- B. **Uses and Activities Subject to an Administrative Use Permit.** Uses and activities requiring an AUP are identified in this Ordinance, including but not limited to, Article 2, Base Zones, Article 4, Development Regulations, Article 5, Sign Ordinance, and Article 6, Form-Based Code.
- C. **Permit Application and Procedures.** The procedures for requesting an AUP are provided in Chapter 67, Common Procedures, except a citizen participation plan and report is not required.
- D. **Required Findings.** An AUP shall be granted only if the Planning Director determines that the project, as submitted or modified, conforms to all of the following criteria:
 1. The proposed project will advance the goals and objectives of, and is consistent with, the purposes and policies of the General Plan and any other applicable City plan or policies;
 2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conforms with the General Plan and with any other applicable City plans or policies;
 3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
 4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

(Ord. No. 5631, § 2, 7-8-21)

11-70-4: - TEMPORARY USE PERMIT

A temporary use permit is a discretionary authorization for certain uses that are intended to be of limited duration and will not permanently alter the character or physical conditions of the site where they occur. All temporary uses must comply with the requirements in Section 11-31-30 for temporary uses, as applicable, and all the requirements below:

- A. **Uses subject to Temporary Use Permits.** Uses requiring a temporary use permit are established in the use tables in Chapters 4 through 15 and Chapter 56. Uses requiring a temporary use permit will also require a Special Event License in accordance with Title 5 of the Mesa City Code.
- B. **Permit application and procedures.** In addition to the applicable requirements and procedures provided in Chapter 67, Common Procedures, the following specific procedures apply:
1. A completed application for a Temporary Use Permit must be submitted at least 45 days before the use is intended to begin.
 2. The application must include all information required in the official process guide and application packet for temporary use permits made available by the Development Services Department. The Zoning Administrator or designee may require additional information as necessary, based on the nature of the proposed temporary use.
 3. Written property owner permission is required for all temporary uses.
 4. Each occurrence of a temporary use requires a separate completed application and approval of a temporary use permit.
- C. **Required findings.** A Temporary Use Permit shall only be granted if the Zoning Administrator determines that the proposed temporary use, as submitted or modified, conforms to all of the following criteria:
1. The proposed use will not permanently alter the site on which it is located;
 2. The proposed use will not unreasonably affect or have a negative impact on adjacent properties, their owners and occupants, or the surrounding neighborhood, and will not in any other way constitute a nuisance or be detrimental to the health, safety, peace, comfort, or general welfare of persons residing or working in the area of such use or the general welfare of the City;
 3. The proposed use is consistent with land uses permitted by the Zoning District within which the site is located, and land uses consistent with the general plan land use designation of the site;
 4. The proposed use complies with all development standards applicable to the Zoning District in which the use is located unless specifically stated otherwise in Section 11-31-30: Temporary Uses; and
 5. The proposed site, if undeveloped, contains sufficient land area to allow the temporary use to occur, including sufficient room for parking, traffic movements, and structures associated with the temporary use.
- D. **Permit duration, extensions and revocation.**
1. **Duration.** A Temporary Use Permit must not exceed the duration established for the use, and if no duration is established for the use, the duration of the temporary use permit will be limited to 90 days per calendar year.
 2. **Occurrence.** No more than three (3) temporary uses may occur on one property per calendar year.
 3. **Extensions.** The Zoning Administrator may extend a temporary use permit as follows:
 - a. One time for a maximum of 30 additional calendar days per calendar year.
 - b. Any extension beyond the extension granted by the Zoning Administrator as set forth above must be processed as a Special Use Permit and approved by the Board of Adjustment.
 - c. When considering an extension of a Temporary Use Permit, the Zoning Administrator, or Board of Adjustment, may impose reasonable conditions deemed necessary to achieve the findings for a Temporary Use Permit listed above. The conditions may include but need not be limited to: regulation of vehicular ingress and egress and traffic circulation; regulation of dust control surfaces; regulation of lighting; regulation of hours of operation; submission of final plans to ensure compliance with conditions of approval, and such other conditions as the Zoning Administrator or Board of Adjustment may deem appropriate.
 4. **Revocation.** The Zoning Administrator may revoke a Temporary Use Permit at any time, if the use no longer satisfies the criteria required by Section 11-70-4(C) or poses a threat to public health, safety, or welfare.

(Ord. No. 5759, § 10, 12-8-22)

11-70-5: - SPECIAL USE PERMIT

- A. **Special Use Permit (SUP).** A SUP is a discretionary permit issued by the Zoning Administrator or Board of Adjustment.
- B. **Uses Subject to Special Use Permits.** Uses requiring a SUP are established in the use tables in Chapters 4 through 11.
- C.

Permit Requirements. Permit requirements for some uses requiring a SUP are provided in Chapter 31, Standards for Specific Uses and Activities.

- D. **Permit Application and Procedures.** The procedures for review and consideration of a SUP are as provided in the Chapter 67, Common Procedures, except a citizen participation plan and report is not required.
- E. **Required Findings.** A SUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established in the record.
 - 1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;
 - 2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;
 - 3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
 - 4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.
- F. **Revocation of Special Use Permits.** A Special Use Permit granted pursuant to this Chapter may be suspended, revoked, or modified by the Zoning Administrator, after holding a public hearing to determine whether any condition, stipulation, or term of the approval of the Use Permit has been violated. At least 30-days' notice shall be public hearing, and all of the noticing and hearing requirements of Chapter 67 shall apply.

11-70-6: - COUNCIL USE PERMITS

- A. **Council Use Permits (CUP).** A CUP is a discretionary permit issued by the City Council after review and recommendation by the Planning & Zoning Board.
- B. **Uses Subject to Council Use Permits.** Uses requiring a CUP are established in the use tables in Chapters 4 through 11.
- C. **Permit Application and Procedures.** The procedures for review and consideration of a CUP are as provided in the Chapter 67, Common Procedures.
- D. **Review Criteria.** A CUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to meet all of the review criteria, the application shall be denied. The specific basis for denial shall be established in the record.
 - 1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;
 - 2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;
 - 3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area of the proposed project or improvements in the neighborhood or to the general welfare of the City; and
 - 4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.
- E. **Revocation of Council Use Permits.** Any CUP granted under this Chapter may be revoked if any of the conditions or terms of such permit are violated or if any law or ordinance is violated in connection therewith.
 - 1. **Initiation of Proceeding.** The City Council, by its own action, or following a recommendation from the Planning & Zoning Board or Zoning Administrator, may initiate revocation proceedings.
 - 2. **Public Notice.** Notice that the possible revocation of the Council Use Permit has been scheduled for hearing before the City Council shall be made pursuant to the requirements of Section 11-67-5, Notice of Public Hearing.
 - 3. **Public Hearing.** The public hearing regarding the revocation of a use permit or variance shall be conducted pursuant to requirements of Section 11-67-6, Conduct of Public Hearings.
 - 4. **Decision of the City Council.** The City Council may revoke the Council Use Permit if it makes any of the following findings:
 - a. That approval was obtained by means of fraud or misrepresentation of a material fact;
 - b. That the permittee or holder of the permit has failed to initiate construction or undertake the use in question within a 1 year period following the effective date of the permit or variance;
 - c. That the use in question has ceased to exist or has been suspended for 1 year or more;
 - d.

That there is or has been a violation of or failure to observe the terms or conditions of the permit or variance, or the use has been conducted in violation of the provisions of this Ordinance, law or regulation; or

- e. That the use to which the permit or variance applies has been conducted in a manner detrimental to the public safety, health and welfare, or so as to be a nuisance.

11-70-7: - APPEALS; EXPIRATION AND EXTENSION; MODIFICATION

Use permits are subject to the expiration, extension, modification and appeal provisions of [Chapter 67](#), Common Procedures and [Chapter 77](#), Appeals.

CHAPTER 71 - DESIGN REVIEW

Footnotes:

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Editor's note— Previously, Chapter 71 derived from Ord. No. 5472, 11-6-18.

11-71-1: - PURPOSE

This Chapter establishes objectives, standards, and procedures for conducting Design Review (DR). These regulations shall be carried out in a manner that encourages creative and appropriate solutions while avoiding unnecessary delays in project approval. The specific purposes of Design Review are to:

- A. Ensure that the proposed development plan will be in compliance with the provisions of this Ordinance.
- B. Ensure high quality development and encourage development options that are designed in an aesthetically pleasing manner and incorporate public spaces that are integral to the project.
- C. Achieve goals, objective, and policies of the comprehensive plan, sub-area plans, and other policies adopted by the City Council.

11-71-2: - APPLICABILITY

- A. Design Review shall be required for development proposals including the following:
 - 1. Buildings 4 or more stories in height.
 - 2. Multiple-residence and attached single residence projects that exceed the standard density of the RM-2 density range.
 - 3. Mixed-use, commercial and/or industrial projects that have frontage on an arterial or collector street or that are part of an existing or planned development that has frontage on an arterial or collector street.
 - 4. Mixed use, commercial and/or industrial projects that have, or will have, greater than 20,000 square feet of gross floor area.
 - 5. Modifications to existing commercial or industrial projects having frontage on an arterial street or that are part of an existing or planned development having frontage on an arterial street that involve:
 - a. A change in the distinguishing traits or primary features of the use of a building or land as evidenced by increased parking requirements, change in occupancy designation, change in outside storage, or other features.
 - b. The predominant primary architectural features or materials of existing buildings, such as changes to horizontal or vertical elements of exterior walls, building trim, roof shape or composition, detailing, building height or roof line, and parapets. Such review is limited to the specific architectural building features proposed for modification.
 - 6. Parking garages.
 - 7. Municipal projects of the City of Mesa, including fire stations, libraries, parking lots with over 50 spaces, and any building or facility meeting the above height, size, or location criteria set forth above. Projects not subject to Design Review include streets, walls and fences, well sites, and road widening.
 - 8. Review of proposed alternatives to aesthetic-related design standards when specified as a review option to the design standard stated by this Ordinance.
- B. Design Review may be required, at the option of the decision making authority, in conjunction with any of the following:
 - 1. As a condition of approval included in any ordinance adopting a Rezoning or attached to the approval of a Council Use Permit, or
 - 2.

As a condition attached to the approval of a Special Use Permit, Development Incentive Permits (DIP), or Substantial Conformance Improvement Permit (SCIP) by the Board of Adjustment, Zoning Administrator Hearing Officer, or Planning & Zoning Board, whichever is applicable.

C. Design Review is not required for individual, detached single-family residences.

11-71-3: - APPLICATION REQUIREMENTS

Applications for DR shall be filed with the Planning Division in accordance with the application procedures in Chapter 67, Common Procedures.

11-71-4: - PUBLIC NOTICE

Public Notice shall be provided for all projects subject to Design Review subject to provisions of Section 11-67-5, Public Notice.

11-71-5: - PROCEDURES

- A. **Staff Review Applications.** Following submittal of a complete application with the required fees, review of DR applications shall be completed as follows:
1. Notice of DR applications shall be mailed in accordance with Section 11-71-4.
 2. New applications requiring DR approval shall be distributed to the Design Review Board for input and direction by the Design Review Board members at a work session prior to staff action on the proposal.
 3. Following input received by the Design Review Board members at the work session, staff shall approve, approve with conditions, return the application for modification, or deny the request. Prior to taking final action, the Planning Director shall notify any citizens who have expressed interest in the application and provide them the opportunity to review and comment on the final plan.
 4. The applicant may request further review by the Design Review Board during the staff review process. The applicant may also appeal staff decisions to the next available Design Review Board meeting.
- B. **Design Review Board Applications.** Those applications requiring Design Review Board action shall be processed based on the procedures described in Chapter 67, Common Procedures.
- C. **Appeals of Planning Director Design Review Decisions to the Design Review Board.** Any appeal of a Planning Director decision regarding a Design Review application shall follow the procedures described in Chapter 77, Appeals.

11-71-6: - REVIEW CRITERIA

- A. **Review Criteria.** When conducting DR, the Planning Director and the Design Review Board shall be guided by whether the project satisfies the following criteria.
1. The project is consistent with:
 - a. Applicable goals, objectives and policies of the general plan and any applicable sub-area or neighborhood area plans;
 - b. All of the development standards of this ordinance;
 - c. Other adopted Council policies, as may be applicable; and
 - d. Any specific conditions of approval placed on the zoning of the property.
 2. The overall design of the project including its scale, massing, site plan, exterior design, and landscaping will enhance the appearance and features of the project site, the street type, and surrounding natural and built environment.
 3. The overall design will create a distinctive and appealing community by providing architectural interest in areas visible from streets, sidewalks, and public areas.
 4. The project site plan is appropriate to the function of the project and will provide a suitable environment for occupants, visitors, and the general community.
 5. Project details, colors, materials, and landscaping, are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design and creates a safe, attractive and inviting environment at the ground floor of buildings on sides used by the public.
 6. The project is compatible with neighboring development by avoiding big differences in building scale and character between developments on adjoining lots in the same zoning district and providing a harmonious transition in scale and character between different districts.
 - 7.

The project contributes to the creation of a visually interesting built environment that includes a variety of building styles and designs with well-articulated structures that present well designed building facades on all sides, rooflines, and building heights within a unifying context that encourages increased pedestrian activity and promotes compatibility among neighboring land uses within the same or different districts.

8. The project creates visual variety and relief in buildings and avoids a large-scale, bulky, or box-like appearance.
 9. The streetscapes, including street trees, lighting, and pedestrian furniture, are consistent with the character of activity centers, commercial districts and nearby residential neighborhoods.
 10. Street frontages are attractive and interesting for pedestrians and provide for greater safety by allowing for surveillance of the street by people inside buildings and elsewhere.
 11. The proposed landscaping plan is suitable for the type of project and site conditions and will improve the appearance of the community by enhancing the building and site design; and the landscape plan incorporates plant materials that are drought-tolerant, will minimize water usage, and are compatible with Mesa's climate.
 12. The project has been designed to be energy efficient including, but not limited to, building siting, and landscape design. The project also mitigates the effects of solar exposure for users and pedestrians. For purposes of this criterion, buildings that meet environmental standards such as LEED™, Green Globes, or equivalent third-party certification are considered to be energy efficient.
- B. **Conditions of Approval.** To achieve the purposes of the DR, the Planning Director or Design Review Board may impose reasonable conditions to achieve the review criteria in paragraph (A), above and ensure land use compatibility, including one or more of the following:
1. Modification to building articulation;
 2. Modification to or additional landscaping;
 3. Modification to the height of structures to achieve design objectives;
 4. Walls, fences and screening devices;
 5. Noise attenuating construction; or
 6. Any other restriction necessary to provide compatible development with adjacent properties, preserve neighborhood character, or mitigate adverse environmental impacts.

11-71-7: - MINOR AND MAJOR MODIFICATIONS

- A. After approval of a project, subsequent modifications of the approval may be granted by the Planning Director, when it is determined that the modifications are minor, such as minor dimensional changes and building configurations. Such requests shall be made in writing and be accompanied by the required fee.
- B. Any modification that is considered a major modification by the Planning Director, such as changes in uses, densities, or other major changes, shall be considered a new application, subject to the procedures described for new application in this Section for Design Review.

11-71-8: - APPEALS, EXPIRATIONS AND EXTENSIONS

- A. Design Review decisions by the Planning Director or the Design Review Board are subject to the appeal provisions of Chapter 77, Appeals.
- B. Design Review approvals are subject to the expiration and extension provisions of Section 11-67-9, expirations and extensions.

CHAPTER 72 - DEVELOPMENT INCENTIVE PERMITS

11-72-1: - PURPOSE AND APPLICABILITY

This chapter is intended to provide incentives for the development of smaller tracts of land that would have difficulty meeting current development standards, having been bypassed by previous developments, and where land assembly either is not available, or is available only to a limited extent. Development Incentive Permits (DIPs) may be approved to allow incentives for the development of parcels that meet the following criteria:

- A. **Area.**
1. Total area of the parcel does not exceed 2.5 net acres, and the parcel has been in its current configuration for more than 10 years; or
 2. Total area of the site does not exceed 5 net acres and was created by the assembly of 2 or more individual, contiguous parcels.
- B. **Utilities.** The parcel is served by, or has direct access to, existing utility distribution facilities.
- C. **Surrounding Development.** The parcel is surrounded by properties within a 1,200 foot radius in which:
- 1.

The total developable land area is not more than 25 percent vacant; and

2. Greater than 50 percent of the total numbers of lots or parcels have been developed 15 or more years ago.

11-72-2: - INCENTIVES

Development incentives that may be granted by the DIP shall be limited to modifications to building setbacks, landscaping design, onsite parking, building height, right of way dedication, and other site development provisions contained in this Ordinance.

11-72-3: - REQUIRED FINDINGS

A DIP shall not be granted unless the Zoning Administrator, acting at the Hearing Officer, or Board of Adjustment shall find upon sufficient evidence:

- A. The proposed development is consistent with the General Plan, any other applicable Council adopted plans and/policies, and the permitted uses as specified in this Ordinance;
- B. The incentives do not allow development that is more intense than the surrounding neighborhood; commensurate with existing development within a 1200 foot radius of the by-passed property; and,
- C. The architectural elements, construction and landscape materials, and other site improvements of the proposed development meet the intent of the Design Standards of this Ordinance.

11-72-4: - CONDITIONS OF APPROVAL

After the conclusion of the hearing, the Board of Adjustment or Zoning Administrator Hearing Officer may approve, modify, approve with conditions or deny the proposed Development Incentive Permits. The Board or Hearing Officer may condition any approval, and such conditions may include, but are not limited to: review by the Design Review Board; conditions to assure implementation of the submitted plan in accordance with the Mesa General Plan, and other applicable policies and plans adopted by the City; conditions to achieve the purpose and intent of the requested zoning district; and conditions to achieve reasonable compatibility with the proposed use and adjacent land uses.

11-72-5: - APPEALS; EXPIRATION AND EXTENSIONS; MODIFICATIONS

- A. DIPs are subject to the appeal provisions of Chapter 77, Appeals.
- B. DIPs are subject to the expiration and extension provisions of Section 11-67-9, Expiration and Extension.
- C. A minor modification of a DIP granted pursuant to this Chapter may be approved under Section 11-67-10(A), Modifications of Approvals. Changed plans, including changes in conditions of approval of a DIP shall be treated as a new application; see Section 11-67-10(B), Changed Plan.

CHAPTER 73 - SUBSTANTIAL CONFORMANCE IMPROVEMENT PERMITS (SCIP)

11-73-1: - PURPOSE AND APPLICABILITY

The purpose of this chapter is to establish a review process by which improvement standards required by this Ordinance can be incrementally installed on non-conforming sites when such sites are enlarged; buildings are replaced, extended or have additions constructed; or other site modification developed. The intent is to recognize existing site constraints, and work proportionately with the degree of improvement being sought by the applicant to also improve the property based upon the development standards adopted by the Ordinance, and therefore bring non-conforming developments into substantial compliance with this Ordinance through approval of a Substantial Conformance Improvement Permit (SCIP).

11-73-2: - ALLOWED MODIFICATIONS

The only development requirements that may be modified in a SCIP are building setbacks, landscaping design, on-site parking, building height, right of way dedication, and other site development provisions, contained in this Ordinance.

11-73-3: - REQUIRED FINDINGS

A SCIP shall not be granted unless the Zoning Administrator, acting as a Hearing Officer, or Board of Adjustment shall find upon sufficient evidence that:

- A. The entire development site will be brought into substantial conformance. Substantial conformance shall mean physical improvements to the existing development site which constitute the greatest degree of compliance with this Ordinance that can be attained without causing or creating any of the following conditions:
 - 1. The demolition or reconstruction of existing buildings or other significant structures (except signs); or
 - 2. The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.
 - 3. The creation of new non-conforming conditions.
- B. The improvements authorized by the SCIP will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

11-73-4: - CONDITIONS OF APPROVAL

After the conclusion of the hearing, the Board of Adjustment or Zoning Administrator Hearing Officer may approve, modify, approve with conditions or disapprove the proposed Substantial Conformance Improvement Permit. The Board or Hearing Officer may condition any approval, and such conditions may include, but are not limited to: review by the Design Review Board; conditions to assure implementation of the submitted plan in accordance with the Mesa General Plan, and other applicable policies and plans adopted by the City; conditions to achieve the purpose and intent of the requested zoning district; and conditions to achieve reasonable compatibility with the proposed use and adjacent land uses.

11-73-5: - APPEALS; EXPIRATION AND EXTENSIONS; MODIFICATIONS

- A. SCIPs are subject to the appeal provisions of Chapter 77, Appeals.
- B. SCIPs are subject to the expiration and extension provisions of Section 11-67-9, Expiration and Extensions.
- C. A minor modification of a SCIP granted pursuant to this Chapter may be approved under Section 11-67-10(A), Modifications of Approvals. Changed plans, including changes in conditions of approval of a variance shall be treated as a new application; see Section 11-67-10(B), Changed Plan.

CHAPTER 74 - HISTORIC DISTRICT AND HISTORIC LANDMARK PROCEDURES

Footnotes:

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Editor's note— Previously, Chapter 74 derived from Ord. No. 5472, 11-6-18.

11-74-1: - PURPOSE

This Chapter establishes uniform procedures for the designation and regulation of Historic Landmarks and historic preservation overlay districts in order to preserve and maintain such landmarks and districts, consistent with the General Plan and State Law.

11-74-2: - DESIGNATION OF HISTORIC PRESERVATION DISTRICTS AND HISTORIC LANDMARKS

Upon compliance with the minimum criteria established in Section 11-23-4, Criteria for Historic Districts (HD) and Landmarks (HL), for the establishment of an HD or HL Overlay District, an application for such overlay may be made following the requirements for a zoning amendment as set forth in Chapter 76, Amendments to Zoning Map.

- A. **Eligible Applications.** In addition to the requirements of Chapter 76 and the payment of the fee as specified in the fee schedule adopted by the City Council, the application must include the following items:
 - 1. An application for the HD Overlay District must include a petition with signatures of a minimum of 50% plus one (1) of the number of owners within the boundaries of the proposed Historic District, and who also control at least 50% of the property area to be included in the Historic District.
 - 2. An application for the HL Overlay District must include either:
 - a. A petition with signatures of a minimum of 50% plus one of the owners within the boundaries of the Historic Landmark, and who also control 50% of the property area to be included in the proposed Historic Landmark; or,
 - b. A petition of at least 50 qualified electors residing within the City of Mesa.
- B.

Review of Application. When an application is deemed complete, the Historic Preservation Officer (HPO) shall proceed with the review process specified in this Ordinance. A hearing shall be scheduled before the Historic Preservation Board (HPB) within 30 days of the application being deemed complete. Following review and recommendation by the Historic Preservation Board the application shall be reviewed by the Planning & Zoning Board at their next available meeting. Following review and recommendation by the Planning & Zoning Board the application will be presented to the City Council at its next available meeting.

- C. **Posted Notice.** Notice of the public meeting of the Historic Preservation Board shall be posted on the property in question at least 15 days in advance of the said meeting. A notice of the time and place and purpose of the meeting shall be published at least one (1) time in the local newspaper of the City, not less than 15 days prior to the hearing. It shall not be the responsibility of the City to maintain the posting once erected.
- D. **Minutes.** Minutes of the meeting will be kept and findings of the Historic Preservation Board forwarded to the Planning & Zoning Board. Copies of the minutes will be kept with the permanent record of the application.
- E. **Council Authority to Remove Property from a Proposed Designation.** The City Council shall not include any property within a proposed Historic District or a proposed Historic Landmark when the owner has objected in writing or at a public hearing to such a designation, and may remove any property from a proposed designation if the owner of record has not responded to a request for comments on the proposed rezoning and designation as a Historic District or Historic Landmark. The City intends that these designations be voluntary and acceptable to affected property owners.
- F. **Procedure to Remove Property from Adopted District.** The procedure to remove the Historic Preservation Zoning District or Historic Landmark Zoning District designation shall be the same procedure specified by this Ordinance to establish a Historic District or Historic Landmark overlay.

11-74-3: - CERTIFICATES OF APPROPRIATENESS

- A. **Certificate of Appropriateness Required.** Activities, such as, but not limited to, changes to or installation of items listed below to be performed on or in connection with any building, structure, site, included in an HD or HL Overlay District shall require a Certificate of Appropriateness.
 - 1. Additions
 - 2. Awnings or canopies
 - 3. Carports; garages
 - 4. Decks
 - 5. Doors, door frames
 - 6. Driveways
 - 7. Exterior walls; fencing
 - 8. Fire escapes, exterior stairs, exterior elevators, and ramps for the handicapped
 - 9. Painting of historically unpainted surfaces including wood, stone, brick, terra cotta, concrete and marble
 - 10. Parapet walls
 - 11. Pool & Pool Cages
 - 12. Porch and balcony railings or decorative detailing
 - 13. Roofs; skylights
 - 14. Screen windows and doors; windows and window frames
 - 15. Siding
 - 16. Signs
- B. **Submittal Requirements for a Certificate of Appropriateness.** Alteration, new construction, and rehabilitation, to an existing structure involving items listed in Subsection A of Section 11-74-3 on a site located within a proposed or approved HD or HL Overlay District shall require submittal to the Historic Preservation Officer (HPO) of the following items:
 - 1. An application, on such form(s) and accompanied by such fee(s) as may be adopted. Applications may be obtained in the Office of Historic Preservation.
 - 2. Photographs of the existing property;
 - 3. Drawings, to approximate scale, of the site plan, floor plan(s) and elevations of the proposed work, indicating materials and color scheme;
 - 4.

If signage is part of the proposed work, drawings, to approximate scale, showing size and location of proposed signage, type of lettering to be used, and indication of color and type of illumination, if any; and

5. Any other information that the HPO may reasonably deem necessary to review the proposed work.

C. Review Procedures. The following procedures will be used for review of applications for Certificate of Appropriateness:

1. Within 10 City Business days of receiving the application for a Certificate of Appropriateness, the Historic Preservation Officer shall determine whether approval may be given for a building or a demolition permit, or shall provide written findings as to why the clearance was not approved. The decision of the Historic Preservation Officer shall be based upon compliance of the request with the United States Secretary of the Interior's "Standards for Rehabilitation" appearing 36 CFR Part 68. Additional guidelines, as proposed by the Historic Preservation Board and approved by the City Council, may also be used by the Historic Preservation Officer, provided the guidelines are not inconsistent with the Secretary's Standards.
2. The Certificate of Appropriateness shall be effective from the time of issuance by the Historic Preservation Officer or the Historic Preservation Board until the expiration of the building permit obtained for the specified improvements. A Certificate of Appropriateness is effective for 2 years unless there is an active building permit.

D. Ordinary Maintenance and Repair.

1. Ordinary maintenance and repair of any exterior architectural feature of a designated Historic Landmark or a site within a HD or HL overlay zone shall be permitted, provided the maintenance does not change the material, design, or alter the features that contribute to the distinctive character and general appearance of the landmark or site.
2. A Certificate of Appropriateness shall not be required for ordinary maintenance and repair, in-kind replacement of materials or painting historic materials, which are currently painted (i.e. wood, brick, stone or stucco).

11-74-4: - DEMOLITION PERMITS

A. Proposed Districts or Landmarks. For a period of 6 months from the date of application for a proposed HD or HL designation, demolition of structures and sites within an area shall not proceed except in conformance with the following:

1. An application for demolition must be submitted to the HPO.
2. The HPO shall consider the request and either approve or deny the request within 20 city business days.
3. If the building or structure is less than 40 years old and meets one (1) of the following circumstances the HPO shall approve the demolition:
 - a. The building or structure is determined not to contain historic or architectural significance; or,
 - b. The building or structure is determined not to essentially contribute to the historic features of the area.
4. If the building or structure is 40 years old or greater and/or the HPO finds that the conditions of #3 above are not met, the request for demolition shall be considered following the requirements of Subsection (B) below.
5. If the HD or HL overlay district is not approved by the City Council within 6 months of the application filing date, the HPO shall then approve the request for demolition.

B. Approved Districts or Landmarks. On properties with an approved HD or HL overlay district, a request for demolition shall be granted only if either of the following exists:

1. The Building Official, in conjunction with the HPO and the City Manager, determines that the building or structure is currently an imminent hazard to the public safety and repairs and/or renovation would be impractical; or,
2. The HPB determines that both of the following are found:
 - a. The building or structure is of minimal historic significance because of its location, conditions, modifications, or other factors; and,
 - b. Demolition of the building or structure would be inconsequential to the preservation of historic properties in the vicinity.

C. Actions Subsequent to Denial of a Request for Demolition. In the event a request for a demolition permit is denied for either a proposed or an existing district, issuance of a demolition permit by the Building Official will be delayed 180 from the effective date of the denial by the HPO. During the 180 day period the applicant may appeal the decision of the HPO to the HPB. In addition, the HPO, the HPB, and the applicant shall meet to attempt to negotiate and develop an agreement and/or plan to preserve the building or structure. The agreement and/or plan may include public and private financial assistance, consideration of alternative land uses and/or zoning districts, expansions or additions to the building or structure within its historical context, adaptive reuse of the site, or public or private purchase of the property. If no plan and/or agreement is achieved, a clearance to issue a demolition permit will be forwarded to the Building Official at the applicant's request any time after the prescribed 180 days are passed.

11-74-5: - APPEALS

- A. **Appeals from the HPO.** Decisions of the HPO with regards to interpretation of Overlay District Design Guidelines, Certificate of Appropriateness, and demolition requests may be appealed to the HPB. Appeals are subject to the appeal provisions of Chapter 77, Appeals and Section 11-67-12.
- B. **Appeals from the HPB.** Decisions of the HPB are subject to the appeal provisions of Chapter 77, Appeals, and Section 11-67-12.

CHAPTER 75 - AMENDMENTS TO GENERAL PLAN

11-75-1: - PURPOSE AND APPLICABILITY

This Chapter establishes procedures for making changes to the General Plan as provided for in State Law when there are compelling reasons to do so as a result of changes in conditions or circumstances unforeseen at the time of adoption or last amendment of the General Plan. These circumstances include, but are not limited to, changes in State or Federal law and problems and opportunities that were unanticipated at the time of adoption or last amendment. This amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy. In addition to the requirements of this Chapter, all General Plan amendments shall conform to the requirements of A.R.S. § 9-461.06 (Adoption and Amendment of General Plan).

11-75-2: - INITIATION OF AMENDMENTS

Application for amendment of the Mesa General Plan designation applicable to a piece of property shall be made in the office of the Planning Division on an application form provided by the City. The application shall be accompanied by payment of the applicable fee. Pursuant to A.R.S. § 9-461.06, the City has adopted criteria for determining whether a proposed amendment is a "major amendment", in which case such amendments shall be presented at a public hearing held within twelve months after the proposal is made.

(Ord. No. 5928, § 25, 2-3-25)

11-75-3: - PUBLIC NOTICE, HEARING AND REVIEW PROCEDURES

Any notice, public hearings and action regarding any amendment to the Mesa General Plan shall be in conformance with the requirements of A.R.S. § 9-461.06, including:

- A. **Public Notice.** In addition to the procedures set forth in Chapter 67, Common Procedures, Public Notice of hearings by the Planning & Zoning Board and the City Council for General Plan amendments shall be given as required in A.R.S. § 9-461.06.
- B. **Planning and Zoning Board: Public Hearing and Action.**
1. **Public Hearing.** All General Plan amendments shall be subject to two public hearings by the Planning & Zoning Board in conformance with the requirements of A.R.S. § 9-461.06, and which shall be conducted in conformance with the provisions of Chapter 67, Common Procedures.
 2. **Action.** After the conclusion of the second hearing, the Planning & Zoning Board will forward a recommendation regarding the proposed General Plan amendment to the City Council for its consideration.
- C. **City Council: Public Hearing and Action.**
1. **Hearing.** The City Council shall conduct a public hearing in conformance with the provisions of A.R.S. § 9-461.06 and Chapter 67, Common Procedures.
 2. **Action.** After the conclusion of the hearing, the City Council may approve, modify, or disapprove the proposed amendment. Active applications may only be amended in compliance with Council adopted policy.

CHAPTER 76 - AMENDMENTS TO ZONING MAP

11-76-1: - PURPOSE AND APPLICABILITY

Any amendment to this Zoning Ordinance which changes any property from one zone to another, which imposes any regulation or which removes or modifies any regulation or condition of approval previously imposed in the City's zoning authority, is a rezoning and shall be adopted in the manner set forth in this Chapter. In addition to the requirements of this Chapter, amendments to the Zoning Map shall

conform to the requirements of Section 9-462.03 et seq. of Arizona Revised Statutes (Zoning Ordinance Amendment Procedure).

(Ord. No. 5591, § 4, 12-1-20)

11-76-2: - INITIATION OF AMENDMENTS

Application for amendment of the Mesa Zoning Map shall be made in the office of the Planning Division on an application form provided by the City. The application shall be accompanied by payment of the applicable fee.

11-76-3: - PUBLIC NOTICE, HEARING AND REVIEW PROCEDURES

Public notice of hearings by the Planning & Zoning Board and the City Council for Zoning Map Amendments shall be given as specified in Chapter 67, Common Procedures. A Citizen Participation Plan must be submitted and followed, and the results documented in the Citizen Participation Report required by Section 11-67-3, Citizen Participation.

11-76-4: - PUBLIC HEARING

All Zoning Map Amendments shall be subject to a minimum of one public hearing by the Planning & Zoning Board and to one public hearing by the City Council prior to adoption.

11-76-5: - PLANNING AND ZONING BOARD ACTION

- A. **Hearing.** The Planning & Zoning Board shall conduct a public hearing in conformance with the provisions of Chapter 67, Common Procedures.
- B. **Action.** After the conclusion of the hearing, the Planning & Zoning Board may approve, modify, approve with conditions or disapprove the proposed Zoning Map for City Council consideration.

11-76-6: - CITY COUNCIL ACTION

- A. **Hearing.** The City Council shall conduct a public hearing in conformance with the provisions of Chapter 67, Common Procedures.
- B. **Action.** After the conclusion of the hearing, the City Council may approve, modify, approve with conditions or disapprove the proposed Zoning Map. Conditions to approval may include, but are not limited to: future site plan review, conditions to assure implementation of the submitted plan in accordance with the Mesa General Plan, and other applicable policies and plans adopted by the City; conditions to achieve the purpose and intent of the requested zoning district; conditions to achieve reasonable compatibility with the proposed use and adjacent land uses, and additional or different approval processes than those normally required by this Ordinance.

CHAPTER 77 - APPEALS

Footnotes:

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Editor's note— Previously, Chapter 77 derived from Ord. No. 5472, 11-6-18.

11-77-1: - PURPOSE AND APPLICABILITY

This Chapter establishes uniform procedures for appeals of final decisions by the Historic Preservation Officer, Planning Director, Zoning Administrator, Zoning Administrator Hearing Officer, Board of Adjustment, Planning and Zoning Board, Planning Hearing Officer, Design Review Board, and the Historic Preservation Board.

11-77-2: - RIGHTS OF APPEAL

Appeals may be filed by the applicant, by the owner of property, or by any other person aggrieved by a decision that may be appealed under the provisions of this Ordinance.

11-77-3: - TIME LIMITS

Unless otherwise specified in State or federal law, all appeals except of Board of Adjustment decisions shall be filed in writing within 15 calendar days after the date of the action being appealed. Appeals of Board of Adjustment decisions shall be filed within 30 calendar days of the Board rendering its decision. Calendar days are inclusive of all business days, non-business days, weekends and holidays. In the event the

time limit for appeals ends on a non-business day, holiday or weekend, the time limit shall be extended to the close of business of the next business day.

11-77-4: - PROCEDURES

- A. **Proceedings Stayed by Appeal.** The timely filing of an appeal may stay all City-related proceedings in the matter appealed including, but not limited to, the issuance of demolition permits, building permits, and business licenses. Proceedings in which an appeal has been filed to County, State or Federal Courts or jurisdictions may only be stayed by action from those jurisdictions.
- B. **Filing of Appeals.**
1. ***Appeals of Specified Decisions.*** All decisions of the Historic Preservation Officer, Planning Director, Zoning Administrator acting in an administrative or Hearing Officer role, Planning and Zoning Board, Planning Hearing Officer, Design Review Board, and Historic Preservation Board may be appealed to the appropriate body as specified in Chapter 67 by filing a written notice of appeal. The notice of appeal shall set forth, in concise language, the following:
 - a. Date of appeal;
 - b. Name of person filing the appeal (appellant) and any individual representing appellant;
 - c. Address to which notices shall be sent;
 - d. Contact information such as telephone number and/or e-mail address of appellant or representative to be contacted regarding the appeal;
 - e. Action or decision being appealed and the date of such action or decision;
 - f. Description of requested outcome if the appeal is granted;
 - g. Grounds for appeal; and,
 - h. Address and case number involved.
 2. ***Appeals of Board of Adjustment Decisions.*** Any person aggrieved by the decision of the Board of Adjustment, or officer or department of the City of Mesa affected by a decision of the Board may, at any time within 30 days after the Board has rendered its decision, file a complaint of special action in Superior Court to review the Board's decision. Filing the complaint does not stay proceedings on the decision sought to be reviewed, but the court may, on application, grant a stay, and on final hearing, may affirm or reverse, in whole or in part, or modify the decision reviewed.
- C. **Public Notice.** Notice of an appeal heard by the City Council, Planning and Zoning Board, Board of Adjustment, or Design Review Board, shall be:
1. Provided in the same manner required in Chapter 67, for the appropriate hearing body, and
 2. Provided to all persons who spoke on the matter at any prior hearings on the same matter, if such persons provided their names and addresses at the time they spoke at the prior hearing.
- D. **Appeals to the Board of Adjustment.**
1. Appeals to the Board shall be made in conformance with A.R.S. § 9-462.06.
 2. ***Board of Adjustment Action.*** The Board of Adjustment shall conduct a public hearing de novo, and shall review all relevant information, including but not limited to the application, plans, related project materials that were the subject of the original decision, any additional materials as may be presented at the appeal hearing, and any written correspondence submitted after the appeal has been filed, information observed by a site visit if made, and may take one of the following actions:
 - a. Make a decision; or
 - b. Remand the matter to the Zoning Administrator to cure a deficiency in the record or proceedings.
 3. ***Board of Adjustment Decision.*** The Board of Adjustment may approve, approve with conditions, or deny an appeal, and may prescribe reasonable conditions in connection with its decision as may be necessary in order to fully carry out the purpose and intent of the provisions of this Zoning Ordinance.
- E. **Appeals to the Design Review Board.**
1. ***Design Review Board Action.*** The Design Review Board shall conduct a public meeting and review the appeal, the record, including the application, plans, related project materials that were the subject of the original decision, any additional materials as may be presented at the meeting, and any written correspondence submitted after the appeal has been filed, and may take one of the following actions:
 - a. Make a decision; or
 - b. Remand the matter to the Planning Director to cure a deficiency in the record or proceedings.

2. **Design Review Board Decision.** The Design Review Board may approve, approve with conditions, or deny an appeal, and may prescribe reasonable conditions in connection with its decision as may be necessary in order to fully carry out the purpose and intent of the provisions of this Zoning Ordinance.

F. Appeals to the Planning and Zoning Board.

1. **Planning and Zoning Board Action.** The Planning and Zoning Board shall conduct a public hearing, and review the appeal, the record, including the application, plans, related project materials that were the subject of the original decision, any additional materials as may be presented at the appeal hearing, and any written correspondence submitted after the appeal has been filed, and may take one of the following actions:
 - a. Make a decision; or
 - b. Remand the matter to the Planning Director to cure a deficiency in the record or proceedings.
2. **Planning and Zoning Board Decision.** The Planning and Zoning Board may approve, approve with conditions, or deny an appeal, and may prescribe reasonable conditions in connection with its decision as may be necessary in order to fully carry out the purpose and intent of the provisions of this Zoning Ordinance.

G. Appeals to the Historic Preservation Board.

1. **Historic Preservation Board Action.** The Historic Preservation Board shall conduct a public meeting and review the appeal, the record, including the application, plans, related project materials that were the subject of the original decision, any additional materials as may be presented at the appeal hearing, and any written correspondence submitted after the appeal has been filed, and may take one of the following actions:
 - a. Make a decision; or
 - b. Remand the matter to the Historic Preservation Officer to cure a deficiency in the record or proceedings.
2. **Historic Preservation Board Decision.** The Historic Preservation Board may approve, approve with conditions, or deny an appeal, and may prescribe reasonable conditions in connection with its decision as may be necessary in order to fully carry out the purpose and intent of the provisions of this Zoning Ordinance.

H. Appeals to the City Council. The City Council shall review the appeal, the record, and any written correspondence submitted after the appeal has been filed, and at the Council's discretion, review any additional materials that may be presented at the meeting. After the review, the Council may take one of the following actions:

1. Conduct a public hearing, after which it may affirm, reverse, or modify the previous decision; or
2. Remand the matter to the Planning and Zoning Board, Planning Hearing Officer, Design Review Board, or Historic Preservation Board (as deemed appropriate) for additional review and consideration, or to cure a deficiency in the record or proceedings.

11-77-5: - STANDARDS OF REVIEW

When reviewing any decision on appeal, the same standards and criteria shall apply as were required for the original decision.

CHAPTER 78 - ANNEXATIONS

11-78-1: - PURPOSE

This Chapter establishes uniform procedures for annexation of property not within the City limits and subsequent zoning of that property.

11-78-2: - INITIATION OF ANNEXATIONS

Applications for annexation shall be made in the office of the Planning Division on a form provided by the city and shall be accompanied by the required fee.

11-78-3: - PROCEDURES

A. Process.

1. Requests for annexation by any owner of property located outside the City limits shall be made in the Planning Division in accordance with Section 11-67-3, Application Forms, Supporting Materials and Fees.
- 2.

Upon compliance with State statutes and City regulations and processes, annexation applications shall be forwarded to the City Council for the public hearing required by A.R.S. § 9-471.A.3 prior to release of the annexation petition.

3. If the City Council accepts the request for annexation, official annexation petitions shall be prepared by staff to be circulated by the requesting property owners following the public hearing for the release of the petition.
4. When all provisions of A.R.S. § 9-471 et seq. have been complied with, the City Council shall hold the required public hearings to consider an ordinance authorizing annexation of the property into the City.

B. Zoning of Annexed Properties. Areas under consideration for annexation may be zoned at the time of annexation or within 6 months after the annexation to City zoning districts comparable to, but not greater in intensity than the County zoning applicable to the property immediately preceding annexation. In the event that City zoning is not established with annexation, the area shall be considered to be zoned as shown on the Official Maricopa County Geographic Information Systems (GIS) Portal Zoning Map of the Maricopa County Planning and Zoning Commission until City zoning is applied to the property.

C. Construction and Building Permits.

1. Maricopa County Building Permits validly issued pursuant to County requirements not more than 60 days prior to the effective date of annexation, shall be accepted by the Building Official as valid permits for a period of 60 days after the effective date of annexation. If construction has not commenced on or before the 60th day after the effective date of annexation, a City building permit shall be required.
2. For buildings under construction with a valid building permit issued by Maricopa County prior to the effective date of an annexation ordinance, a City building permit shall not be required, but the Building Official shall require that buildings constructed under such County building permit shall be structurally safe and shall conform to pertinent County zoning regulations in effect at the time the County permit was issued.

11-78-4: - EXISTING USES AND STRUCTURES

- A. Any use or activity conducted contrary to County zoning regulations at the effective date of annexation and not constituting a legal non-conforming use under the County zoning regulations shall not be considered a legal non-conforming use by the City.
- B. Any use or activity conducted in conformance with County zoning regulations at the effective date of annexation and not in conformance with this Ordinance shall be considered a legal non-conforming use by the City.
- C. Any use, activity or structure that is existing at the effective date of annexation, under a Maricopa County Use Permit with a time limit imposed, may continue for the remainder of the time limit. Any extension of this time limit requires City approval of a Conditional Use Permit pursuant to Chapter 70, Conditional Use Permits, of this Ordinance. The type of Conditional Use Permit required shall be determined according to the regulations for the City zoning district where the use is located. If, after the expiration of the Maricopa County Use Permit, no Conditional Use Permit is specified or approved for that activity, then the property shall require rezoning to a conforming zoning district permitting the activity, or the activity may continue only as a legal nonconforming use, subject to the requirements of Chapter 36, Nonconforming Uses, Structures, and Lots.
- D. Any legal lot or parcel of land duly recorded in the Maricopa County Recorder's Office prior to the effective date of this Ordinance and having an area, width, depth, or street frontage less than that required in the Zoning District regulations in which such lot or parcel is situated, shall be deemed to be a lot and may be used as a building site, provided that all other regulations for the City of Mesa Zoning District shall apply.
- E. Building setbacks established by Maricopa County overlay zoning or Special Use Permit, for residential developments including manufactured home parks and subdivisions, shall be enforced. Conventional residential developments without county overlay zoning or Special Use Permit shall have setbacks as specified in this Zoning Ordinance.

CHAPTER 79 - ENFORCEMENT

11-79-1: - PURPOSE

This Chapter establishes the responsibilities of various departments, officials and public employees of the City to enforce the requirements of this Title and sets forth the procedures the City will use to identify, abate, remove, and enjoin those uses, structures, or buildings that are deemed to be in violation of this Ordinance.

11-79-2: - COMMENCEMENT OF AN ACTION

- A. The City Manager or designee is authorized to commence an enforcement action under this Ordinance by issuing a citation for civil sanctions under this Chapter. They may also seek the issuance of a complaint by the Mesa City Prosecutor for criminal prosecution of habitual offenders as defined in this Chapter.
- B. Nothing in this Section shall preclude City employees from seeking voluntary compliance with the provisions of this Ordinance, or from enforcing this Ordinance through notices of violations, warnings or through other informal devices designed to achieve compliance in the most efficient and effective manner under the circumstances.
- C. Violations of this Ordinance are in addition to any other violation established by law, and this Ordinance shall not be interpreted as limiting the penalties, actions, or abatement procedures which may be taken by the City or other persons under other laws, ordinances, or rules.
- D. Any owner or occupant who causes, permits, facilitates, aids, or abets any violation of this Ordinance, or who fails to perform any act or duty required pursuant to this Ordinance, is subject to the enforcement provisions of this Ordinance. The owner, occupant, or responsible party may be individually and jointly responsible for the violations, the prescribed civil or criminal sanctions, and for abating the violations and for any associated costs and fees.

11-79-3: - CIVIL VIOLATIONS AND CITATION

- A. A civil action for violations of this Ordinance may be commenced by issuance of a citation.
- B. The citation will be substantially in the form established by the City Manager or Designee. It shall advise the responsible party of the violation(s) committed, either by written description of the violations or by designation of the City Code Section that was violated. The Civil Hearing Officer may permit amendments to the citation if substantial rights of the responsible party are not thereby prejudiced. The citation shall direct the responsible party to pay the civil sanction and all applicable fees as specified in Section 11-79-4 within the time period specified on the citation. The citation shall be served by personal service, or by serving the citation pursuant to A.R.S. § 9-500.21.
- C. The responsible party shall, within the time period specified on the citation, either pay the fine or appear in person or through an authorized representative before the Clerk of the Civil Hearing Officer and admit or deny the allegations contained in the citation. If the responsible party timely pays the fine and fees, either in person or by mailing payment to the City, the allegations in the citation shall be deemed admitted and such person shall be deemed responsible for having committed the offense(s) described in the citation. If the responsible party appears and admits the allegations, the Civil Hearing Officer shall enter judgment against the responsible party in the amount of the fine assessed. If the responsible party appears and denies the allegations contained in the citation, the Civil Hearing Officer shall set the matter for hearing.
- D. The responsible party shall, within 10 days of the issuance of the citation, either pay the civil sanction and the fees, or appear in person or through an attorney before the Civil Hearing Officer and admit or deny the allegations contained in the citation. If the responsible party pays the civil sanction and the fees, either in person or by mailing payment to the City, the allegations in the citation shall be deemed admitted and such person shall be deemed responsible for having committed the offense(s) described in the citation. If the responsible party appears and admits the allegations, the Civil Hearing Officer shall enter judgment against the responsible party in the amount of the civil sanction, plus any applicable fees designated in Section 11-79-4. If the responsible party appears and denies the allegations contained in the citation, the Civil Hearing Officer shall set the matter for hearing.
- E. If a person served with a citation fails to pay the fine and to appear on or before the time directed to appear or at the time set for hearing by the Civil Hearing Officer, the allegations in the complaint shall be deemed admitted and the Civil Hearing Officer shall enter a finding of responsible and a judgment for the City and impose the appropriate sanction.
- F. All proceedings before the Civil Hearing Officer shall be informal and without a jury, except that testimony shall be given under oath or affirmation. The technical rules of evidence do not apply, except for statutory provisions relating to privileged communications. If the allegations in the citation are denied, the City is required to prove violations of this Ordinance by a preponderance of the evidence. No pre-hearing discovery shall be permitted except under extraordinary circumstances, as determined by the Civil Hearing Officer. The Civil Hearing Officer is authorized to make such orders as may be necessary or appropriate to fairly and efficiently determine the truth and decide the case at hand.
- G. If, after hearing all evidence the Civil Hearing Officer determines the responsible party is responsible for the alleged violation, and after entering a judgment of responsible and setting a civil sanction as specified in section 11-79-4(A), the Civil Hearing Officer may order a compliance hearing and set a date for such hearing. Upon presentation of evidence and testimony by the Code Compliance Officer at the compliance hearing that the violation(s) specified in the complaint has been abated, the Civil Hearing Officer may reduce all or a portion of the civil sanction commensurate with the cost borne by the defendant to achieve compliance or the Civil Hearing Officer may vacate the previous judgment and dismiss the citation(s).
- H. An appeal from final judgments of the Civil Hearing Officer may be taken pursuant to the Arizona Rules of Procedure for Special Actions.

- I. Any civil fine or judgment for civil sanctions taken pursuant to this Article shall constitute a lien against the real property of the responsible party that may be perfected by recording a copy of the judgment with the Maricopa County Recorder. Any judgment for civil fines or penalties pursuant to this Chapter may be collected as any other civil judgment.

11-79-4: - CIVIL PENALTIES

- A. Any owner, occupant or responsible party who is found responsible for a civil violation of this Ordinance, whether by admission, default, or after a hearing, shall pay a civil sanction of not less than \$150 or more than \$1,500, per citation. A second finding of responsibility within 24 months of the commission of a prior violation of this Chapter shall result in a civil sanction of not less than \$250 or more than \$2,500. A third finding of responsibility within 36 months of the commission of a prior violation of this Chapter shall result in a civil sanction of not less than \$500 or more than \$2,500. In addition to the civil sanction, the responsible party shall pay the applicable fees and charges set forth in the City's Development and Sustainability Department (Code Compliance) Schedule of Fees and Charges, and may be ordered to pay any other applicable fees and charges.
- B. The 36 month provision of subsection (A) of this Section shall be calculated by the dates the violations were committed. The owner, occupant, or responsible party shall receive the enhanced sanction upon a finding of responsibility for any violation of this Chapter that was committed within 36 months of the commission of another violation for which the owner or responsible party was convicted or was otherwise found responsible, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.
- C. Each day in which a violation of this Ordinance continues, or the failure to perform any act or duty required by this Ordinance or by the Civil Hearing Officer continues, shall constitute a separate civil offense.

11-79-5: - HABITUAL OFFENDER

- A. A person who commits a violation of this Ordinance after previously having been found responsible for committing 3 or more civil violations of this Ordinance within a 24 month period — whether by admission, by payment of the fine, by default, or by judgment after hearing — shall be guilty of a class 1 criminal misdemeanor. The Mesa City Prosecutor is authorized to file a criminal class 1 complaint in the Mesa City Court against habitual offenders. For purposes of calculating the 24-month period under this paragraph, the dates of the commission of the offenses are the determining factor.
- B. Upon conviction of a violation of this Subsection, the Court may impose a sentence or incarceration not to exceed 6 months in jail; or a fine not to exceed \$2,500, exclusive of penalty assessments prescribed by law; or both. The Court shall order a person who has been convicted of a violation of this Section to pay a fine of not less than \$500 for each count upon which a conviction has been obtained. A judge shall not grant probation to or suspend any part or all of the imposition or execution of a sentence required by this Subsection except on the condition that the person pay the mandatory minimum fines as provided in this Subsection.
- C. Every action or proceeding under this Section shall be commenced and prosecuted in accordance with the laws of the State of Arizona relating to criminal misdemeanors and the Arizona Rules of Criminal Procedure.

11-79-6: - FAILURE TO PROVIDE EVIDENCE OF IDENTITY

A person who fails or refuses to provide evidence of his or her identity to a duly authorized agent of the City upon request, when such agent has reasonable cause to believe the person has committed a violation of this Ordinance, is guilty of a misdemeanor. Evidence of identity under this Section shall consist of a person's full name, residence address, and date of birth.

CHAPTER 80 - VARIANCES

11-80-1: - PURPOSE AND APPLICABILITY

Variances are authorized as set forth in Arizona Revised Statutes A.R.S. § 9-462.06 and as set forth in this Ordinance.

11-80-2: - PROCEDURES

Applications for variances shall be submitted, reviewed, and heard in accordance with the procedures described in Chapter 67.

11-80-3: - REQUIRED FINDINGS

A variance shall not be granted unless the Zoning Administrator, when acting as a Hearing Officer, or Board of Adjustment shall find upon sufficient evidence make a determination:

- A. There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, and
- B. That such special circumstances are pre-existing, and not created by the property owner or appellant; and
- C. The strict application of the zoning Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district; and
- D. Any variance granted will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

11-80-4: - USE VARIANCES PROHIBITED

No variance shall be granted to permit a use not otherwise permitted in the applicable zoning district.

11-80-5: - CONDITIONS OF APPROVAL

In approving a variance, the Zoning Administrator, acting as a Hearing Officer, or Board of Adjustment may impose reasonable conditions necessary to insure that the variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and the zoning district in which the subject property is located, including but not limited to the following:

- A. Ensure that the project conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City;
- B. Achieve the general purposes of this Ordinance and the specific purposes of the zoning district in which the site is located;
- C. Protect the public health, safety, and general welfare; or
- D. Ensure operation and maintenance of the use in a manner compatible with existing and potential uses in the surrounding area.

11-80-6: - APPEALS; EXPIRATION AND EXTENSIONS; MODIFICATIONS

- A. Variances are subject to the appeal provisions of Chapter 77, Appeals.
- B. Variances are subject to the expiration and extension provisions of Section 11-67-9, Expiration and Extensions.
- C. A minor modification of a variance granted pursuant to this Chapter may be approved under Section 11-67-10. Changed plans, including changes in conditions of approval of a variance shall be treated as a new application; see Section 11-67-10(B).

CHAPTER 81 - ADAPTIVE REUSE PERMIT

11-81-2: - PURPOSE

The purpose of the Adaptive Reuse Permit is to promote and facilitate the development and redevelopment of underutilized or abandoned buildings in accordance with A.R.S. § 9-462.10.

It is in the public interest to maximize efficiency of public services, infrastructure, and facilities as a means to achieve focused growth and provide a cost-effective method of municipal service delivery. The intent of the Adaptive Reuse Permit is to:

- A. Provide relief from certain development standards as incentives to stimulate re-investment and reuse of existing buildings.
- B. Reduce, simplify, or eliminate the processes otherwise required to modify existing buildings, structures, and sites.
- C. Permit flexibility in the use of buildings to expand their economic options.

(Ord. No. 5904, § 5, 12-9-24)

11-81-3: - APPLICABILITY

A. **Multiple Residence Reuse.**

1. All or part of an Existing Commercial, Office, or Mixed-Use Building, as defined in Chapter 87 of this Ordinance, that meets the eligibility requirements in this Section below may receive an Adaptive Reuse Permit for the building to be reused to provide for Multiple Residence Reuse.
2. Allows for the partial or complete demolition or renovation of an Existing Commercial, Office, or Mixed-Use Building.

B. **Adaptive Reuse.**

- 1.

All or a part of an Existing Commercial, Office, or Mixed-Use Building, as defined in Chapter 87 of this Ordinance that meets the eligibility requirements in this section below may receive an Adaptive Reuse Permit for the building to be reused to provide for Adaptive Reuse.

2. Allows for the partial, but not the complete, demolition of an Existing Commercial, Office, or Mixed-Use Building.

(Ord. No. 5904, § 5, 12-9-24)

11-81-4: - ELIGIBILITY

To qualify for an Adaptive Reuse Permit, a building must meet all of the following criteria:

- A. **Location.** The building must be located within an allowed area identified in Map 11-81-3.A below.

Map 11-81-3.A

- B. **Parcel Size.** The building must be located on a parcel or parcels of land that are at least one (1) acre but no more than 20 acres in size.
- C. **Building Use.** The building must be an Existing Commercial, Office, or Mixed-Use Building, as defined in Chapter 87 of this Ordinance.
- D. **Building Condition and Vacancy.** The building must be in a state of disrepair or have 50% vacancy in the total leasable square footage.
- E. **Affordable Housing.** Ten percent (10%) or more of the total dwelling units must be set aside for moderate-income housing, low-income housing, or any combination thereof for a period of at least 20 years from the issuance of a certificate of occupancy for the building. For the purposes of calculating the 10%, the required number of dwelling units will be rounded up to the next whole number.

(Ord. No. 5904, § 5, 12-9-24)

11-81-5: - APPLICATION CAP, TRACKING, AND REPORTING

- A. **Application Cap.** No more than 202 Existing Commercial, Office, or Mixed-Use Buildings may be redeveloped for Multiple Residence Reuse or Adaptive Reuse through an Adaptive Reuse Permit.
- B. **Tracking.** The City shall track the number of buildings redeveloped pursuant to this Chapter and shall stop accepting Adaptive Reuse Permit applications when the total number of the following equals 202 buildings:
 1. The number of buildings redeveloped using an Adaptive Reuse Permit; plus
 2. The number of buildings with approved Adaptive Reuse Permits that have not yet completed construction; plus
 3. The number of buildings with pending Adaptive Reuse Permit applications.
- C. **Affordable Housing Requirements and Reporting.**
 1. **Restrictions or Guarantees.** In order to ensure compliance with A.R.S. § 9-462.10, as a condition of final approval of an Adaptive Reuse Permit, the applicant shall provide to the City a deed restriction, restrictive covenant, or other restriction or guarantee that may be approved by the City, ensuring that 10% of the housing units shall be reserved for moderate-income housing, low-income housing, or any combination thereof for a period of at least 20 years from the issuance of a certificate of occupancy.

2. **Annual report.** To ensure continued compliance with A.R.S. § 9-462.10, for a period of twenty years, the property owner of a parcel with an Adaptive Reuse Permit shall annually provide the City with a report demonstrating that 10% of the units are reserved for moderate-income housing, low-income housing, or a combination thereof.
3. **Redevelopment.** In the event an Adaptive Reuse Permit building is approved for redevelopment to a different use through the City's normal processes and procedures, the requirements in this Subsection (C) shall no longer be applicable and the City shall, upon request of the property owner, acknowledge release of the restriction or guarantee required in Subsection (C)(1).

(Ord. No. 5904, § 5, 12-9-24)

11-81-6: - LAND USE REGULATIONS

- A. **Multiple Residence Reuse.** Multiple Residence Reuse does not have to comply with Section 11-31-31 (Residential Uses in Commercial Districts), shall be allowed in all zoning districts, and is not subject to any public hearing.
- B. **Adaptive Reuse: Permitted, Conditional, and Prohibited Land Uses.** Adaptive Reuse buildings are mixed-use buildings with non-residential and residential components. The permitted, conditional, and prohibited land uses for the non-residential component of an Adaptive Reuse building shall be based on the zoning district in which the building is located. The residential component of an Adaptive Reuse building:
 1. Does not have to comply with Section 11-31-31 (Residential Uses in Commercial Districts),
 2. Shall be allowed in all zoning districts, and
 3. Is not subject to any public hearing.

(Ord. No. 5904, § 5, 12-9-24)

11-81-7: - DEVELOPMENT STANDARDS FOR AN ADAPTIVE REUSE PERMIT

- A. **Multiple Residence Reuse Development Standards.**
 1. Development standards for Multiple Residence Reuses shall be based on the development standards for the highest density Multiple Residence Base Zoning District in the City of Mesa within one (1) mile of the project site in accordance with Article 2 and Article 4 of this Ordinance.
 2. If there are no Multiple Residence Base Zoning Districts in the City of Mesa within one (1) mile of the building being redeveloped, the development standards shall be based on the development standards for the geographically closest Multiple Residence Base Zoning District in the City of Mesa in accordance with Article 2 and Article 4 of this Ordinance.
 3. **Specific Height Restrictions.**
 - a. Except as allowed by Subsection (C) below, the maximum building height for a Multiple Residence Reuse building shall not exceed five stories; and
 - b. Multiple Residence Reuse projects, or portions of multiple residence projects, located within 100 feet of a single residence use or zoning district are limited to two (2) stories in height.
- B. **Adaptive Reuse Development Standards.** The development standards for Adaptive Reuses shall be based on the development standards for the underlying zoning district in accordance with Article 2 and Article 4 of this Ordinance.
- C. **Non-Conforming Structures - Multiple Residence Reuse and Adaptive Reuse.**
 1. **Non-conforming Building Height.** Existing buildings that exceed the maximum building height and receive an Adaptive Reuse Permit may remain at their existing height and the existing building may be expanded to the maximum allowable density for the proposed use.
 2. **Non-conforming Yards.** Existing buildings with a yard setback less than the minimum required yard for the proposed use may remain unless easements are located within the setback areas.

(Ord. No. 5904, § 5, 12-9-24)

11-81-8: - APPEALS; EXPIRATION AND EXTENSIONS; MODIFICATIONS

- A. **Appeals.** Adaptive Reuse Permits are subject to the appeal provisions of Chapter 77, Appeals, in this Ordinance.
- B. **Expiration and Extensions.** An Adaptive Reuse Permit is not subject to the expiration and extension requirements of Section 11-76-9 of this Ordinance.
- C. **Modifications to an Approved Adaptive Reuse Permit.** Proposed modifications to an approved Adaptive Reuse Permit, including change of use or modifications to approved plans, shall be submitted to the Planning Division for review to ensure conformance with the eligibility criteria in this Chapter and required processes.

ARTICLE 8 - LAND USE CLASSIFICATIONS AND DEFINITIONS

CHAPTER 86 - USE TYPES

11-86-1: - PURPOSE AND APPLICABILITY

Use classifications describe one or more uses of land having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The Zoning Administrator shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this Chapter. The Zoning Administrator may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification.

11-86-2: - RESIDENTIAL USE CLASSIFICATIONS

Assisted Living Center: An assisted living facility that provides resident rooms or dwelling units to 11 or more residents.

Assisted Living Facility: A residential care institution, including adult foster care, that is licensed by the State of Arizona to provide supervisory care services, personal care services or directed care services on a continuing basis.

Assisted Living Home: An assisted living facility that provides resident rooms for five (5) to ten (10) residents.

Boarding House. A residential dwelling for five (5) or more unrelated individuals in which the owner(s) provides lodging for compensation. A boarding house is occupied by individuals where rent is charged separately for the individual rooms or partitioned areas and may or may not be equipped with kitchen facilities and congregate dining facilities. The term shall include similar congregate living arrangements but does not include community residences, hotels, motels, residential inns or bed and breakfasts.

Community Residence. A community residence is a residential living arrangement for five to ten individuals with disabilities, excluding staff, living as a family in a single dwelling unit who are in need of the mutual support furnished by other residents of the community residence as well as the support services, if any, provided by the staff of the community residence. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides habilitative or rehabilitative services related to the residents' disabilities. A community residence seeks to emulate a biological family to foster normalization of its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment. Medical treatment is incidental as in any home. Supportive interrelationships between residents are an essential component. Community residence includes sober living homes and assisted living homes but does not include any other group living arrangement for unrelated individuals who are not disabled nor any shelter, rooming house, boarding house or transient occupancy.

Family Community Residence. A community residence is a relatively permanent living arrangement with no limit on the length of tenancy as determined in practice or by the rules, charter, or other governing documents of the community residence. The minimum length of tenancy is typically a year or longer.

Transitional Community Residence. A community residence that provides a relatively temporary living arrangement with a limit on length of tenancy less than a year that is measured in weeks or months, as determined either in practice or by the rules, charter, or other governing document of the community residence.

Comprehensive Youth Residence. A dwelling or dwellings maintained by an organization for the purpose of caring for ten (10) or more minor children, separated from their parents or legal guardians, through the use of on-site resident staff. Such staff are not related to the minor children by blood, marriage or adoption, and the children are not considered legal wards of the staff. The facility shall be licensed by the State of Arizona.

Correctional Transitional Housing Facility (CTHF). A supervised residential center where individuals who are completing a sentence, reside for a defined period of time for counseling, job placement assistance, and similar services that assist in transitioning from institutional to community living. A CTHF is not exempt from the tax imposed under Mesa City Code § 5-10-445. The term shall include any boarding house, dormitory, or apartment building or other dwelling when developed, promoted, advertised, or operated as a CTHF, but shall not include community residences, or any facility providing counseling or other services to individuals who do not reside on the premises. The maximum number of residents is limited to 30.

Day Care Group Home. A facility, the primary use of which is a residence, in which care of children through the age of 12 years is regularly provided for compensation for periods of less than 24 hours per day.

Small Day Care Group Home. Home daycare for less than 5 children full- or part-time.

Large Day Care Group Home. Home day care for not less than 5 children full-time and part-time but no more than 10 children full-time and part-time.

Group Foster Home. A home licensed by the State of Arizona as a group foster home that is maintained by an individual or individuals having the care or control of five (5) to ten (10) minor children who are not: (1) related to such individuals or to each other by blood, marriage, or adoption; or (2) legal wards of such individuals.

Home Occupations: An ancillary use in any Residence or Mixed-Use district which:

- A. Is clearly incidental to a residence use;
- B. Is subordinate to the purpose of the residence use;
- C. Contributes to the comfort, convenience, or necessity of occupants in the residence use;
- D. Is located on the same lot or parcel as the residence use served;
- E. Includes swimming lessons, babysitting, and fine arts instruction, each for 5 or fewer persons;
- F. Includes door-to-door and telephone solicitation;
- G. Includes uses and activities that can be conducted entirely indoors without negatively impacting the residential character of the neighborhood or health, safety, and welfare of neighbors; and
- H. Excludes on-site exchange of sold or bartered goods (exceptions made for occasional and infrequent exchanges), on-site vehicle repair as a commercial use, commercial warehousing or storage - indoor or outdoor, non-resident employees working in the home, or manufacturing of products using hazardous materials or equipment not typically found in household settings.

Manufactured Home Park. An approved residential development as shown in the records of the Planning Division in which individual spaces are provided for the placement of a manufactured home for dwelling unit purposes, whether or not a charge is made for such accommodation.

Manufactured Home Subdivision. A residential subdivision as shown in the records of the Maricopa County Recorder's Office, designed and approved in accordance with planned area development and subdivision regulations, in which individual ownership of a lot is permitted for the placement of a manufactured home for dwelling unit purposes.

Multiple Residence. Two or more primary dwelling units on a single lot. Types of multiple residence dwellings include duplexes, garden apartments, and multi-story apartment buildings. Each dwelling unit is designed for occupancy by one family.

Recreational Vehicle Park. An approved residential development as shown in the records of the Planning Division in which individual spaces are provided for parking of 1 recreational vehicle per space for temporary portable housing purposes, whether or not a charge is made for such accommodation.

Recreational Vehicle Subdivision. A residential subdivision as shown in the records of the Maricopa County Recorder's Office, designed and approved in accordance with planned area development and subdivision regulations, in which individual ownership of a lot is permitted for the placement of a recreational vehicle for temporary portable housing purposes.

Single Residence. A dwelling unit designed for occupancy by one family and located on a separate lot or parcel from any other unit (except Accessory Dwelling Units, where permitted). This classification includes individual manufactured housing units and individual recreational vehicles when used as residences in RV parks and subdivisions. A Single Residence may also be referred to as a "Primary Residence" (see [Chapter 87](#) of this Title).

Detached. A Single Residence dwelling unit that is not attached to any other dwelling unit (except accessory living quarters, where permitted).

Attached. A Single Residence dwelling unit, located singly on a lot or parcel, but attached through common vertical walls to one or more dwellings on abutting lots or parcels. An attached Single Residence dwelling unit is sometimes referred to as a "townhome" or a "rowhouse."

Accessory Dwelling Unit (ADU). An attached or detached Self-Contained living unit that is on the same lot or parcel as a Single-Family dwelling of greater square footage than the Accessory Dwelling Unit, that includes its own sleeping and sanitation facilities and that may include its own kitchen.

Skilled Nursing Facility. A health care institution other than a hospital, assisted living facility or nursing and convalescent home which provides resident beds or dwelling units, supervisory care services, personal care service, directed care services or health-related services for persons on a temporary basis. Skilled nursing facilities do not emulate a family and normalization and community integration are not among their core goals. This classification does not include community residences, assisted living homes, assisted living centers, or social service facilities.

(Ord. No. 5592, § 6, 12-1-20; Ord. No. 5632, § 5, 7-8-21; Ord. No. 5814, § 7, 10-16-23; Res. No. 12269, § 17, 9-23-24; Ord. No. 5883, § 3, 10-7-24)

11-86-3: - PUBLIC AND SEMI-PUBLIC USE CLASSIFICATIONS

Cemeteries. Land dedicated to burial of the dead, including mausoleums, crypts, and accessory sales, and maintenance facilities, but not including funeral parlors, mortuaries or crematories.

Clubs and Lodges. Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls and social clubs.

Colleges and Trade Schools, Public or Private. Post-secondary educational institutions providing curricula of a general, religious or professional nature, typically granting recognized certification of professional training and/or accredited degrees, including conference centers and academic retreats associated with such institutions. This classification includes business and computer schools, management training, technical and trade schools, but excludes personal instructional services, such as music lessons. Incidental training or instruction done in conjunction with an on-site business use permitted as a primary activity in the zoning district shall not be considered a business or trade school.

Colleges or Universities, Public or Private. A post-secondary institution of higher learning that grants associate and/or bachelor's degrees, and may also have research facilities and/or professional schools that grant master and/or doctoral degrees. This classification includes community colleges that grant associate degrees, and/or certificates of completion in business or technical fields.

Commercial Trade Schools, Public or Private. Schools established to provide teaching of clerical, managerial, or artistic skills, such as accounting, data processing, or computer repair. This classification excludes establishments providing training for activities that are not otherwise allowed in the zoning district.

Industrial Trade Schools, Public or Private. Schools offering training in industrial trades, such as welding or metal fabrication.

Community Center. Any noncommercial facility established primarily for the benefit and service of the population of the community in which it is located. Examples include youth centers and senior centers. This classification excludes community facilities operated in conjunction with an approved residential or commercial use that are not generally available to the public.

Community Garden. Area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation. The area may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Cultural Institutions. Public or non-profit institutions engaged primarily in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, dance, and events; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens.

Day Care Centers. Establishments providing non-medical care for persons on a less than 24-hour basis other than Day Care Group Homes. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of Arizona.

Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles. This classification excludes equipment service centers and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment (See Public Maintenance Facilities).

Hospitals and Clinics. Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including substance-abuse programs as well as training, research, and administrative services for patients and employees.

Clinics. Facilities other than hospitals where patients are admitted for examinations and treatment by one (1) or more physicians, on either a "walk-in" or "appointment" basis. Patients are treated on an outpatient basis and are not admitted for overnight treatment or observation. This classification includes emergency medical services offered exclusively on an out-patient basis, such as urgent care centers, as well as licensed facilities offering substance abuse treatment, blood banks and plasma centers.

Hospitals. Institutions providing medical and surgical care to the sick or injured, including operating facilities and beds for patients to stay overnight. These establishments may include nursing facilities, extended care facilities, physical therapy, gift shops, retail pharmacies, employee housing, temporary housing for patient families, cafeterias or restaurants, and related uses operated primarily for the benefit of patients, staff, and visitors.

Nursing and Convalescent Homes. Establishment that provide 24-hour medical, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the State of Arizona, including but not limited to, rest homes and convalescent hospitals, but not Residential Care, Hospitals, or Clinics.

Parks and Recreation Facilities, Public. Parks, playgrounds, recreation facilities, trails, wildlife preserves, and related open spaces, all of which are noncommercial. This classification also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, and golf courses, botanical gardens, as well as related food concessions or community centers within the facilities.

Places of Worship. A facility for religious worship and incidental religious education and offices, and may include private schools (Grades: Kindergarten through 12) for primary or secondary education, as defined in this section. This classification includes churches, temples, and other facilities used primarily for religious services or activities.

Public Safety Facilities. Facilities providing public-safety and emergency services, including police and fire protection and emergency medical services, with incidental storage, and maintenance facilities.

Public Maintenance Facilities. Facilities providing maintenance and repair services for vehicles and equipment and materials storage areas. This classification includes equipment service centers, and similar public facilities.

Schools, Public or Private. Facilities for primary or secondary education, including public schools, charter schools, and private institutions having curricula of general academic education consistent with the academic requirements of the State of Arizona, including kindergarten, elementary, junior high school, and high school, including accessory facilities traditionally associated with schools, such as athletic stadia, cafeterias and libraries.

Social Service Facility. A facility where the primary purpose is to provide either: 1) on-site food, clothing, shelter, employment or other related services, such as counseling for employment, or other services for individuals with limited ability for self care; or 2) alcohol, drug, or substance abuse or other treatment or medical programs or services, such as detoxification, where shelter is incidental and of limited duration. The term includes homeless shelters, charity dining facilities, rescue missions, day labor hiring centers, substance abuse and detoxification center, and similar facilities, but does not include care facilities such as community residence, group foster home, correctional transitional housing facilities, nursing and convalescent homes, or assisted living facilities.

(Ord. No. 5814, § 8, 10-16-23)

11-86-4: - COMMERCIAL USE CLASSIFICATIONS

Animal Sales and Services:

Small Animal Day Care. Facilities in which owners of small animals, principally dogs and cats, may contract with the operator for the keeping of pets for short, temporary periods, usually 1 day or less, but occasionally up to a week or so while the pet owner(s) are unable to care for the animals.

Boarding Stables. Facilities in which equines are kept for sale or hire to the general public. Breeding, boarding, or training of equines may also be conducted.

Kennels. Facilities for keeping, boarding, training, breeding or maintaining for commercial purposes, 4 or more dogs, cats, or other household pets not owned by the kennel owner or operator. This classification excludes pet shops and animal hospitals that provide 24-hour accommodation of animals receiving medical or grooming services.

Pet Stores. Retail sales of animals and/or services, including grooming, for animals on a commercial basis. This classification excludes dog walking and similar pet care services not carried out at a fixed location, and excludes pet supply stores that do not sell animals or provide on-site animal services.

Veterinary Services. Medical care for small and large animals on a commercial basis. This classification allows 24-hour accommodation of animals receiving medical or grooming services but does not include kennels. This classification includes animal hospitals and clinics providing services such as medical examinations, diagnosis, and procedures; dispensing of medications for animals; providing surgical procedures, and space for supervised recuperation from medical and surgical procedures.

Artists' Studios. Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft. There must be incidental retail sales of items produced on the premises. This category may also include incidental instruction.

Automobile/Vehicle Sales and Services:

Accessory Automobile Rentals. Rental and/or parking of automobiles or light-duty sport utility vehicles as an accessory use to a motel, hotel or resort, or an individual tenant space in a Group C-O-I Development with a limited number of on-site parking spaces available to the rental office. Incidental maintenance of vehicles takes place off site at another facility.

Automobile Rentals. Rental of automobiles, including storage and incidental maintenance.

Automobile/Vehicle Sales and Leasing. Sales or leasing of automobiles, motorcycles, trucks, and motor homes, including storage and incidental maintenance.

Automobile/Vehicle Repair, Major. Repair of automobiles, trucks, motorcycles, motor homes, and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto repair shops, body and fender shops, transmission shops, but excludes vehicle dismantling or salvaging and tire re-treading or recapping.

Automobile/Vehicle Service and Repair, Minor. The service and repair of automobiles, light-duty trucks, and motorcycles, including the sale, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, muffler shops, auto glass services, and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes establishments providing engine repair, body and fender work, vehicle painting, or towing. It also excludes repair of heavy trucks or construction vehicles.

Automobile/Vehicle Washing. Washing, waxing, vacuuming, or cleaning of automobiles or similar light vehicles, including automatic, self-serve and hand washing facilities.

Large Vehicle and Equipment Sales, Service, and Rental. Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for personal, construction, agricultural, or landscape gardening activities. Includes large vehicle operation training facilities. Sales of new or used automobiles or trucks are excluded from this classification.

Service Station. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing repair services; selling automotive oils, replacement parts, and accessories; and/or providing food services.

Towing and Impound. Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services (For automobile/dismantling, See Salvage and Wrecking).

Banks and Financial Institutions. Financial institutions providing retail banking services. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions and businesses offering check-cashing facilities, but excluding non-chartered financial institutions.

With Drive-Through Facilities. Establishments providing banking services to patrons remaining in automobiles.

Banquet and Conference Centers. Facilities that are rented for short-term events such as weddings, receptions, banquets, and conferences, as a principal business activity (not accessory to another use such as a Place of Worship or Community Center).

Bed and Breakfast Inns. Establishments providing not more than 5 guest rooms for lodging on a less than weekly basis typically in a converted single-residence or multi-residence dwelling, with incidental eating and drinking service provided from a single kitchen for lodgers and residents only.

Boat and recreational vehicle storage: The parking, keeping or placing of boats, recreational vehicles, and associated equipment, such as but not limited to, utility trailers, jet skis, snow mobiles, and all terrain vehicles.

Building Materials and Services. Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include hardware stores less than 10,000 square feet in floor area (See Retail Sales) or Contractors' Yards.

Business Services. Establishments that primarily provide goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, equipment rental and leasing, office security, custodial services, photo finishing, and model building.

Commercial Entertainment. Provision of spectator entertainment to the general public including live and motion picture theaters and concert halls. This category excludes cabarets, nightclubs, and similar establishments providing entertainment incidental to food or beverage sales.

Commercial Recreation. Provision of participant or spectator recreation to the general public, excluding public park and recreation facilities.

Small-Scale. This classification includes small, generally indoor facilities, that occupy less than 50,000 square feet of building area, such as billiard parlors, bowling centers, card rooms, dance studios, exercise studios, health clubs, yoga studios, dance halls, small tennis club facilities, poolrooms, and amusement arcades. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Large-Scale. This classification includes large, generally outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, driving ranges, golf courses (daily fee), as well as indoor facilities with more than 50,000 square feet in building area, including fitness centers, gymnasiums, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; archery or indoor shooting ranges; riding stables; campgrounds; stables, etc. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

Drive-Up ATM/Teller Window. Banking and financial institutions that provide a driveway approach for automobiles to serve patrons remaining in an automobile, including stand-alone automated teller machines, automated teller machines attached to a building or structure, and service windows on a building or structure.

Drive-Thru Facilities. Establishments providing goods, food, or beverage through a window to patrons remaining in an automobile, where an order menu board is present, and orders are placed on site via an order menu box or via an employee taking orders from patrons remaining in an automobile.

Eating and Drinking Establishments. Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.

Bars/Clubs/Lounges. Businesses serving beverages for consumption on the premises as a primary use including on-sale service of alcohol including beer, wine, or mixed drinks, and businesses that do not meet the definition of Full Service or Limited Service Restaurants.

Coffee Shops/Cafes. Establishments that primarily serve nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises, or a specialty snack, such as ice cream, frozen yogurt, cookies or popcorn.

Restaurants, Bar and Grill. Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may be provided, but a minimum of 30 percent of gross sales revenue must be from serving food to be classified as a Bar and Grill Restaurant.

Restaurants, Full Service. Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may be provided, but a minimum of 40 percent of gross sales revenue must be from serving food to be classified as a Full Service Restaurant.

Restaurants, Limited Service. Establishments where food and beverages may be consumed on the premises, taken out, or delivered, but where no table service is provided. This classification includes cafeterias, fast-food restaurants, carryout sandwich shops, limited service pizza parlors and delivery shops, self-service restaurants, snack bars and takeout restaurants. A minimum of 40 percent of gross sales revenue must be from serving food to be classified as a Limited Service Restaurant.

With Outdoor Eating Areas. Provision of outdoor dining facilities on the same property or in the adjacent right-of-way.

Farmer's Markets. Periodic outdoor sales activities involving the display and sale of fresh produce and locally produced food and beverage items, including baked goods, jams, jellies, and similar food products. The display and sale of hand-crafted artisan items may be considered as an accessory activity, provided the principal activity remains the sale of the food- or produce-related items.

Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, groceries, and retail bakeries.

Convenience Market. Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption and typically found in establishments with long or late hours of operation and a relatively small building of less than 5,000 square feet. This classification includes small retail stores located on the same parcel as or operated in conjunction with a service station.

General Market. Retail markets of food and grocery items for offsite preparation and consumption. Typical uses include supermarkets and specialty food stores, such as bakeries, candy, nuts and confectionary stores, meat or produce markets, vitamins and health food stores, cheese stores and delicatessens.

Funeral Parlors and Mortuaries. An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of the human dead and conducting memorial services. Typical uses include a crematory, columbarium, mausoleum, or mortuary.

Hotels and Motels. Establishments offering lodging to transient patrons. These establishments may provide additional accessory services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests and the general public. This classification includes motor lodges, motels, hostels, extended-stay hotels, and tourist courts, but does not include rooming houses, boarding houses, or private residential clubs. The lengths of stays for the majority of guests at these facilities are for 30 days or less.

Laboratories. Establishments providing medical, dental or optical laboratory services or establishments providing photographic, analytical, research and development or testing services.

Large Commercial Development. Commercial buildings over 25,000 square feet or commercial centers with four (4) or more buildings whose combined gross floor area exceeds 25,000 square feet.

Light Fleet-Based Services. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of 3 or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses. This classification does not include towing operations (See Automobile/Vehicle Sales and Service, Towing and Impound) or taxi or delivery services with 2 or fewer fleet vehicles on-site (See Business Services).

Live/Work Unit. A commercial or industrial unit with incidental residential accommodations that includes adequate working space reserved for office, commercial or industrial use and regularly used for such purpose by 1 or more persons residing in the unit and a cooking space and sanitary facilities in conformance with applicable building standards. Up to 67 percent of the gross floor area may be reserved for and primarily used as living space.

Maintenance and Repair Services. The on-site maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of vehicles or boats (See Automotive Sales and Services) and personal apparel (See Personal Services).

Non-chartered Financial Institution. A business, other than a state or federally chartered bank, credit union, mortgage lender or savings and loan association, that offers check cashing services and loans for payment of a percentage fee. Specifically included are check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and payday loan businesses that make loans upon assignment of wages received. Excluded are retail uses in which a minimum of 70 percent of the floor area of the store is devoted to the display or sale of merchandise.

Off-Track Betting Establishment. A facility in which simulcasting of horse or dog racing events held away from the facility are shown for the purpose of pari-mutuel wagering. Operated as an accessory use to an Eating and Drinking Establishment as defined by this Chapter, and authorized by issuance of an Off-site Teletrack Wagering Permit in accordance with ARS 5-112, and AAD R19-2-401 and following.

Offices:

Business and Professional. Offices of firms or organizations providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, and legal offices.

Medical and Dental. Offices where medical and dental services are provided by physicians, dentists, chiropractors, optometrists, and similar medical professionals. This classification also includes physical therapy, massage therapy, and counseling services related to medical conditions.

Parking, Commercial. Surface lots and structures offering parking to the public for a fee when such use is not incidental to another activity.

Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, seamstresses, tailors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, photocopying and photo finishing services, and travel agencies.

Pick-Up Window Facilities. Establishments providing goods, food, or beverage through a window to patrons remaining in an automobile, where orders are placed by patrons before reaching the establishment, and where no order menu board, order menu box, or employee taking orders from patrons remaining in an automobile are present. An establishment which uses parking spaces designated for pick up orders rather than a window are not included in this definition.

Plant Nurseries and Garden Centers. Establishments primarily engaged in retailing nursery and garden products - such as trees, shrubs, plants, seeds, bulbs, and sod - that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. This classification includes wholesale and retail nurseries offering plants for sale.

Retail Sales:

General. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, furniture stores, pet supply stores, small hardware stores (with 25,000 square feet or less of floor area), and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs. This classification includes secondhand and wholesale stores.

Pawn Shops. A business in which a principal business activity involves advancing money on the security of pledged goods or purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed or variable price within a fixed or variable period of time.

Swap Meets and Flea Markets. Occasional or periodic commercial activities held in an open area where: 1) groups of sellers rent space to display, barter or sell goods to the public; and/or 2) one or more sellers bring goods for auction to the public. A swap meet is composed of semi-enclosed or outdoor stalls, stands or spaces, and is distinguished from a farmer's market or craft fair in that the principal items sold, displayed or bartered at a swap meet are not fresh produce items, art items or handicrafts.

Tattoo and Body Piercing Parlors. Establishments whose principal business activity is one (1) or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or 2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. Exception: Piercing earlobes as an accessory or subordinate activity when done at a shop or store selling jewelry as primary activity.

(Ord. No. 5544, § 17, 12-9-19; Ord. No. 5593, § 12, 12-1-20; Ord. No. 5758, § 3, 12-8-22; Ord. No. 5813, § 3, 10-16-23)

11-86-5: - EMPLOYMENT AND INDUSTRIAL USE CLASSIFICATIONS

Airport and Aircraft Facilities:

Aircraft Refueling Stations. Any facility used for storing flammable liquids, combustible liquids, liquefied flammable gas, or flammable gas, and/or the location of equipment used for dispensing such fuels into the tanks of aircraft, or storing transportable equipment that delivers such fuels to be dispensed where the aircraft is parked.

Aircraft Light Maintenance. The replacement of a pre-manufactured part, or repair of any part of an existing aircraft, including incidental painting and body work, conducted entirely within an enclosed building.

Airport Transit Station. A facility designed to facilitate the transfer of passengers to, from or between transit-oriented transportation systems at an airport.

Airport-related Long Term Parking Lot. Commercial or non-commercial parking lots at airports intended for the storage of the personal vehicles of airport passengers or airport employees for periods of time longer than 24-hours.

Heliports. An area designed for take-off and landing of helicopters, and including support buildings intended to support and facilitate this function.

Cement Plants. A facility for the refinement or mixing of Portland cement, asphalt cement and cement-related products, including concrete, asphalt millings, and concrete batch plants.

Handicraft/Custom Manufacturing. Manufacture of crafts, art, sculpture, stained glass, jewelry, apparel, furniture, cabinet making, and similar items using hand tools and small mechanical devices.

Hazardous Waste Facility. All contiguous land and structures, other appurtenance, and improvements on the sites used for the treatment, transfer, storage, disposal or recycling of hazardous waste management units, or combinations of these units.

Incineration of Garbage or Organic Matter. Burning to ashes of carbon-based refuse or waste that is derived from materials produced during the life-cycle of plants or animals. Organic matter includes paper, wood, food and plastic, as well as the waste products of these and similar materials.

Light Assembly/Cabinetry. Putting together, fabricating, or making minor modifications to pre-manufactured items or pre-cut lumber as a last step for items intended to be sold as finished products. Includes assembling cabinets, furniture making and welding of pre-made parts, but excludes metal extrusion, sawmills, and manufacturing.

Manufacturing, General. Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes operations such as biomass energy conversion; food and beverage processing; textile mills; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; recycling materials processing facilities in which post-consumer materials are sorted, condensed, baled, or transformed; and automotive, ship, aircraft, and heavy equipment manufacturing.

Manufacturing, Limited. Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. This classification includes operations such as manufacturing finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; mobile home manufacturing; monument works; printing, engraving and publishing; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services.

Marijuana Cultivation Facility. A building, structure or premises used for the growing or storage of medical marijuana (*cannabis* spp.) and registered with the Arizona Department of Health Services (DHS) as related to a dispensary.

Marijuana: Dual Licensee Facility. An entity licensed by the Arizona Department of Health Services (ADHS) to operate both a medical marijuana dispensary and a marijuana establishment. The retail of recreational marijuana and medical marijuana must occur at the same location. Recreational marijuana sales may only occur in conjunction with medical marijuana sales regardless of the license held.

Marijuana Establishment. An entity licensed by the Arizona Department of Health Services to operate all of the following:

- A. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.
- B. A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
- C. A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

Marijuana Infusion Facility. A facility that incorporates medical marijuana (*cannabis* spp.) by the means of cooking, blending, or incorporation into consumable, edible or transdermal goods.

Meat Slaughterhouse or Packing Plant. A facility for the slaughtering and processing of animals and the refining of their by-products.

Medical Marijuana Dispensary. An entity registered, certified and authorized by ADHS as a "Nonprofit medical marijuana dispensary" that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to cardholders.

Metal Refining, Casting or Extrusion. An industrial facility engaged in the production of metal parts or components by use of dies, casts or other similar methods.

Metal Smelting, Industrial. An industrial facility engaged in the production of metal parts and components from metal ore or molten metal products.

Oil Refinery/Petroleum Distillation. Oil related industrial activities involving the processing or manufacture of substances; such as tar, asphalt, asphalt felt, fuels, lubricating oils and greases, paving blocks made of asphalt, creosoted lumber and wood products, other compositions of tar and asphalt with other materials, and roofing cements and coatings.

Recycling Facility. A center for the collection and/or processing of recyclable materials.

Small Collection Facility. A center where the public may donate, redeem or sell recyclable materials, which may include the following, where allowed by the applicable zoning district:

- a. Reverse Vending Machines;
- b. Small indoor collection facilities which occupy an area of 1,000 square feet or less;

Large Collection Facility. Large collection facilities that occupy an area of more than 1,000 square feet and/or include permanent structures.

Processing Facility. A structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, re-manufacturing and shredding. Processing facilities include the following types:

- a. A light Processing Facility occupies an area of under 45,000 square feet of collection, processing and storage area, and averages two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated recyclable materials. A light Processing Facility shall not shred, compact, or bale ferrous metals other than food and beverage containers; and
- b. A heavy Processing Facility is any Processing Facility other than a light Processing Facility.

Research and Development. Establishments primarily engaged in scientific research, and the design, development, engineering, and testing of high-technology electronic, industrial or scientific products in advance of product manufacturing. The production of products, plans, or designs may be part of this classification when the primary purpose of such production is research, development, or evaluation, rather than sale. Typical uses include biotechnology firms, electronic research firms, or pharmaceutical research laboratories.

Salvage and Wrecking. Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods including, but not limited to, used building materials, used containers or steel drums, used tires, and similar or related articles or property.

Tanneries. An industrial activity whose principal business is the conversion of rawhides into leather by use of chemical or other methods.

Warehousing and Storage. Storage and distribution facilities with limited sales to the public on-site or restricted direct public access.

Contractor's Yards. Outdoor storage of construction materials or equipment.

Indoor Warehousing and Storage. Storage within an enclosed building of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials including but not limited to automobiles, feed, and lumber. Also includes cold storage, draying or freight, moving and storage, and warehouses. This classification excludes the storage of hazardous chemical, mineral, and explosive materials.

Outdoor Storage. Storage of vehicles or commercial goods (other than construction materials) in open lots.

Mini-Storage. Facilities offering storage for individual use. An on-site residence may be present for use by the site manager and family.

Wholesale. Establishments engaged in the distribution and sale of items for resale by retail stores, or bulk sale of goods to other professional business, industrial, or institutional users. Such activities are characterized through sales of items in large or gross quantities and not as individual items, and such establishments are typically not open to the general public for the purpose of offering items for individual sale or consumption of goods.

11-86-6: - TRANSPORTATION, COMMUNICATIONS, AND UTILITIES USE CLASSIFICATIONS

Airports. Facilities for the takeoff and landing of airplanes, including runways, aircraft storage buildings, public terminal buildings and parking, and support activities such as airport operations and air traffic control.

Heliports. Facilities for the takeoff and landing of helicopters, as a primary use. Heliports typically contain one or more helipads and may have limited facilities, such as fuel, lighting, a windsock, or even hangars.

Communication Facilities:

Antenna and Transmission Towers. Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures designed to support one (1) or more reception/transmission systems. Examples of transmission towers include, but shall not be limited to, radio towers, television towers, telephone exchange/microwave relay towers, and cellular telephone transmission/personal communications systems towers.

Facilities within Buildings. Includes radio, television, or recording studios; telephone switching centers; excludes Antennae and Transmission Towers.

Freight/Truck Terminals and Warehouses. Facilities for local or worldwide freight, courier, local messenger, and postal services by truck or rail.

Solar Farms. A facility in which the principal activity is the production or conversion of energy from sunlight in the form of electricity or heat for distribution to uses, activities or facilities outside of the immediate location or vicinity.

Transportation Passenger Terminals. Facilities for passenger transportation operations. This classification includes rail stations, bus terminals, and scenic and sightseeing facilities, but does not include airports or heliports.

Utilities, Major. Generating plants, electric substations, solid waste collection, including transfer stations and materials recovery (recycling processing) facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities.

Utilities, Minor. Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, electric vehicle charging stations, reverse vending machines and underground water and sewer lines.

11-86-7: - AGRICULTURAL AND EXTRACTIVE USE CLASSIFICATIONS

Agriculture: Farming, including plowing, tillage, cropping and installation of best management practices, seeding, cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber harvesting).

Crop and Animal Raising. The raising of tree, vine, field, forage, and other plant crops intended to provide food or fibers, as well as keeping, grazing, or feeding of animals for animal products, animal increase, or value increase, and dairying as an accessory use on farms with dairy cattle. The classification excludes wholesale or retail nurseries (See Plant Nurseries and Garden Centers).

Mining and Quarrying. The extraction of nonmetallic minerals, including dredging and sand and gravel pit operations. This classification includes surface mining operations.

11-86-8: - MIXED-USE CLASSIFICATIONS

Mixed-Use Development: The development of a parcel(s) of land, building(s) or structure(s) with more than one (1) type of land use, such as residential, office, retail, public, or entertainment, where the different land uses on the parcel or parcels form a cohesive development with shared vehicular and pedestrian access and parking areas between the parcels, different land uses or both.

Horizontal Mixed-Use: A project that includes two (2) or more attached or detached single-story buildings with a combination of land uses (e.g., residential and commercial).

Vertical Mixed-Use: A project that includes one or more attached or detached multiple-story buildings containing both non-residential and residential dwelling units which are functionally integrated by the use of shared vehicular and pedestrian access and parking areas.

11-86-9: - TEMPORARY USE CLASSIFICATIONS

Temporary outdoor entertainment. A temporary use, occurring outside or in a temporary structure that provides entertainment or amusement through performance, attraction, or experiential exhibit, including but not limited to, concerts, haunted houses, corn mazes, circuses, carnivals, or similar uses.

Temporary outdoor sales. A temporary use involving the temporary, occasional, or periodic display and sale of goods held outdoors, or in semi-enclosed or outdoor stalls, or in temporary structures, including but not limited to, flea markets, swap meets, farmers markets, parking lot sales, art fairs, pop-up markets, Christmas tree lots, pumpkin lots, and firework stands. Temporary outdoor sales exclude garage and yard sales held at a private residence, sales not held at a stationary location, and mobile food vending.

CHAPTER 87 - DEFINITIONS

Accessory Building or Structure: A detached subordinate building or structure that is customarily incidental to the primary building and on the same lot or parcel of land with the primary building.

Accessory Structure, Manufactured Home: A subordinate building or structure that is customarily incidental to the main building and on the same lot or parcel of land with the main building for living purposes, garages, carports, ramadas, awnings, patios or similar floor area related definitions.

Accessory Use: A use customarily incidental to, related and clearly subordinate to a principal use established on the same lot or parcel of land, which accessory use does not alter said principal use nor serve property other than the lot or parcel of land on which the principal use is located. "Appurtenant use" means the same as accessory use.

Adaptive Reuse: Conversion of an Existing Commercial, Office, or Mixed-Use Building from the use for which it was constructed to a new use by maintaining some or all of the elements of the building and which must include a residential use component.

Adaptive Reuse Permit: Permit issued for an Existing Commercial, Office, or Mixed-Use Building for the building to be redeveloped as a Multiple Residence Reuse or Adaptive Reuse.

Adjoining: Two or more lots or parcels of land sharing a common boundary line, or 2 or more objects in contact with each other. Lots or parcels of land which touch at corners only shall not be deemed adjoining. "Abut" or "abutting" and "contiguous" means the same as adjoining.

Adult: A person who is 18 years of age or older.

Advertising For Hire Sign: A sign on which display space is made available to a person in exchange for rent, fee, or other consideration; does not include the owner of the sign, operator of the sign or the occupant of a parcel who rents tenant space on the same parcel or group C-O-I development as the sign.

Aggrieved Person: Any person who has concerns with or believes they will be negatively affected by a decision.

Airport-Related Definitions: See Section 11-19-3, Definitions Specific to Airfield Overlay Districts.

Alley: A public right-of-way used to provide secondary vehicular access to properties which abut it.

Alteration: Any addition or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

ANA Standards. Standardized plant nursery trade definitions of plant size, including container size, trunk caliper, plant height and canopy radius for trees and shrubs as determined by the Arizona Nurseryman's Association.

Apartment, One-Bedroom: A dwelling unit in an apartment house that contains a maximum of 3 habitable rooms, 1 of which shall be a kitchen.

Apartment, Two or More Bedroom: A dwelling unit in an apartment house that contains more than 3 habitable rooms, 1 of which shall be a kitchen.

Apartment House: A building, or a portion of a building, designed or used for occupancy by 3 or more families living independently of each other, and containing 3 or more dwelling units.

Area, Net: A portion of a lot, or parcel of land which is:

1. Not included as a proposed public or private facility such as an alley, highway or street, or other necessary public site within a proposed development project;
2. Subject to an easement where the owner of the underlying land has the right to use the entire surface except that portion where the owner of the easement may place utility poles or minor utility structures.

Arterial Street: See Street, Arterial.

Assisted Living Center: An assisted living facility that provides resident rooms or dwelling units to 11 or more residents.

Assisted Living Facility: A residential care institution, including adult foster care, that is licensed by the State of Arizona to provide supervisory care services, personal care services or directed care services on a continuing basis.

Assisted Living Home: An assisted living facility that provides resident rooms to 10 or fewer residents.

Automobile Display Space: Any permanently maintained space so located and arranged as to permit the display of a motor vehicle, including passenger vehicles, automobiles, trucks, motorcycles, scooters and self-propelled off-road equipment.

Automobile Parking Space, Compact: Any permanently maintained space, having a width of not less than 8 feet and a length of not less than 16 feet, so located and arranged as to permit direct access to and from the parking space without crossing an adjacent parking space, and the storage of a passenger automobile of compact size.

Automobile Parking Space, Standard: Any permanently maintained space, having a width of not less than 9 feet and a length of not less than 18 feet, so located and arranged as to permit direct access to and from the parking space without crossing an adjacent parking space, and the storage of a passenger automobile of standard size.

Automobile Storage Space: Any permanently maintained space so located and arranged as to permit the storage of a passenger automobile of standard size, without regard to how the parking space is accessed.

Bay Door or Bay Entry: Openings into a building wider than 6-feet, and designed for use principally by a vehicle to access a building, typically for vehicle parking, storage, repair or maintenance, or to access a building such as a warehouse or factory.

Bicycle Parking, Long-Term: Bicycle parking, designed to serve employees, students, residents, commuters, and others who generally stay at a site for four hours or longer.

Bicycle Parking, Short-Term: Bicycle parking designed to serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for a period of less than 4 hours.

Billboard: A permanent off-site sign or a portable off-site sign more than thirty-two (32) square feet or an advertising for hire sign.

Body Piercing: The creation of an opening in the human body for the purpose of inserting jewelry or other decoration, including the piercing of an ear, lip, tongue, nose, or eyebrow. "Body piercing" does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.

Buffer: To promote separation and compatibility between land uses of different intensities. The term buffer may also be used to describe the methods used to promote compatibility, such as a landscape buffer.

Building: Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, or property of any kind.

Building, Enclosed: A building composed of rigid walls on all sides, and a roof.

Building Height: The vertical distance from the natural mean ground elevation of the lot to the top of the parapet of a flat roof or the mean height between the plate line and the ridge of mansard, gable, hip, shed, or similar roof, excluding embellishment.

Building, Pre-Engineered Metal: An enclosed structure with siding consisting of large, modular metal panels, often available in standardized kit form from a manufacturer and assembled on-site.

Build-to Line: The maximum distance a building or other structure may be placed from an adjacent property line or future width right-of-way line.

By-Passed Parcel: Any lot or parcel which meets all of the following:

1. Does not exceed 2.5 net acres, and has been in its current configuration for more than 10 years or does not exceed 5 net acres and was created by the assembly of individual, contiguous parcels, each not more than 2.5 acres in area; and
2. Is served by, or has direct access to, existing utility distribution facilities; and
3. **Is surrounded by properties within a 1,200-foot radius in which:**
 - a. The total developable land area is not more than 25% vacant; and
 - b. Greater than 50% of the total number of lots or parcels have been developed 15 or more years ago.

Caretaker: A person residing on the premises of an employer and who is receiving meaningful compensation to assume the primary responsibility for the necessary repair, maintenance, supervision or security of the real or personal property of the employer which is located on the same or contiguous lots or parcels of land.

Carport: An accessory structure that is roofed but permanently open on at least 2 sides and maintained for the storage of motor vehicles.

Centerline: The centerline established by the city engineer for any proposed or dedicated public way.

Chapter: A chapter set out in this Ordinance, unless another ordinance or statute is mentioned.

Charitable Organization: Any benevolent, philanthropic, patriotic, not-for-profit, or eleemosynary group, association or corporation, or such organization purporting to be such, which solicits and collects funds for charitable purposes.

Child: A person under 18 years of age.

City Charter: The Mesa City Charter.

Commercial Vehicle: Any vehicle currently registered as such with the state Department of Motor Vehicles or equivalent out-of-state or federal agency and is used primarily in the conduct of a business as opposed to private family or individual use.

Condition of Use: A development standard determined to be necessary to permit harmonious classification of a use as listed in a zone and therefore a prerequisite to place, or for application to place, such use as classified.

Corral Fence: A structure consisting of vertical posts with horizontal connectors, so constructed that 66 percent or more of the vertical surface is open. Corral fences do not include chain link fences.

Cross-access: A driveway or drive aisle which connects two (2) or more adjacent parcels without using a roadway.

Density: The number of dwelling units per unit of land area.

Density Bonus: A density increase over the otherwise maximum allowable residential density provided in this Ordinance.

Desert Cobble: Refers to a process that re-creates the look of the rugged desert floor by salvaging and redistributing the top four inches of native soil and native "Desert Pavement" cobble. The desert cobble textures allow the establishment of plant communities by providing a protected place to take root.

Desert Uplands Area: Area described by Section 9-6-5(A) of the Mesa City Code, and generally bounded by the West line of the Central Arizona Project (CAP) Canal on the West, Tonto National Forest on the North, Pinal County on the East, and University Drive on the South.

Development: Any manmade change to improved or unimproved real estate, including but not limited to the division of a parcel of land into 2 or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; and any use or extension of the use of land.

Disability. (1) A physical or mental impairment that substantially limits one or more of an individual's major life activities or impairs an individual's ability to live independently; (2) having a record of such an impairment; or (3) being regarded as having such an impairment. A person with a disability does not include an individual who is currently using alcohol or illegal drugs (as defined in Section 102 of the Controlled Substances Act (21 United States Code 802)), or using legal drugs to which they are addicted nor individuals who constitute a direct threat to the health and safety of others. Disability and direct threat will be interpreted consistent with the Americans with Disabilities Act (42 United States Code 12101, et seq.), as amended, and the Federal Fair Housing Act (42 United States Code 3601—3619).

Domestic Animal: An animal which is commonly maintained in residence with man.

Dripline: A vertical line extending from the outermost portion of a tree canopy to the ground. Potential dripline is based on the average tree canopy diameter, as determined by the Arizona Nurseryman's Association.

Driveway: An access way that provides vehicular access between a street or alley and the on-site parking or loading facilities.

Dwelling Unit: A room or suite of rooms including permanent provisions for living, sleeping, eating, sanitation, and cooking, and designed or occupied as separate living quarters.

Easement: A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege or interest which one party has in the land of another.

Effective Date: The date on which a permit or other approval becomes enforceable or otherwise takes effective, rather than the date it was signed or circulated.

Emergency: A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

Equipment Cabinet or Enclosure: A cabinet or structure used to house equipment associated with any utility.

Existing Commercial, Office, or Mixed-Use Building: A building whose primary use is a: (i) club or lodge, day care center, government office, hospital, clinic; (ii) Commercial land use listed in Section 11-86-4; or (iii) Mixed-use land use listed in Section 11-86-8 of this Ordinance.

Façade: The exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

Factory-Built Building: Any building, including a dwelling unit or habitable room thereof, which is either wholly or in substantial part manufactured at an off-site location to be assembled on site, except that it does not include a manufactured home, recreational vehicle or mobile home. All factory built buildings shall be consistent with all requirements of the Arizona Department of Housing for factory built buildings.

Family. An individual or two (2) or more individuals related by blood, marriage or adoption, or a group of no more than four (4) unrelated individuals, living together as a single housekeeping unit. A family includes a couple in a domestic relationship and biological, adopted, and foster children of either partner. The term family includes unrelated persons with developmental disabilities (as defined in A.R.S. § 36-581) living together in compliance with A.R.S. § 36-582.

Feasible: Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Fence: An artificially-constructed barrier of any material or combination of materials erected to enclose or screen an area of land.

FLOOR AREA RELATED DEFINITIONS:

Floor Area, Gross (GFA): The sum of the gross horizontal area of each floor of a building or structure, measured from the exterior face of an exterior wall of a freestanding structure, or from the center of common walls of attached buildings, including carports, garages basements, mezzanines, interior balconies, and all upper stories or levels.

Floor Area (Net Floor Area, Habitable Area): The gross floor area (GFA) exclusive of garages, ventilation shafts, shafts, elevators, stairways, corridors, toilet rooms, mechanical rooms, carports, closets, storage and equipment storage rooms, open porches, balconies, courts, atriums, lobby areas, basements, and attics.

Floor Area Ratio (FAR): The numerical value obtained through dividing the aboveground gross floor area of a building or buildings located on a lot or parcel of land by the total area of such lot or parcel of land.

Foundation Base: The area adjacent to the exterior walls of a building containing hardscape, (entry plazas, covered walkways, sidewalks), ground cover, or landscaping.

Frontage, Building: The exterior building wall of a ground floor business establishment oriented toward a public street, highway or parkway.

Frontage, Street or Highway: That portion of a lot or parcel of land which borders a public street, highway or parkway.

Front Parking Area: The parking area located in front of a building's primary façade. Determined by drawing a line from the front corners of the building to the front property corners.

FIGURE 11-87-1.A: FRONT PARKING AREA

Future Width Right-of-Way Line: The planned maximum width of a public freeway, road, or street, determined by the City Traffic Engineer for local, collector and arterial streets, as determined by the applicable Transportation, Freeway or Major Street Plan adopted by the City, Maricopa County, and/or the State of Arizona for arterial streets and freeways.

Garage: A building or portion of a building that is enclosed and roofed and designed for the parking of motor vehicles.

General Development Standards: Design standards, parking requirements and other zoning related Development Standards specified in:

- A. A Community Plan and adopted with a particular Planned Community (PC) District, as specified in Chapter 11,
- B. An Infill Incentive Plan and adopted with a particular Infill Development (ID) District, as specified in Chapter 12, or
- C. An EO development plan and adopted with a particular Economic Opportunity (EO) District, as specified in Chapter 14.

These standards would include the type of standards and requirements specifically associated with land uses listed in [Article 2](#), or generally applicable as found in [Article 4](#), and/or [Article 5](#). The term includes building setbacks, maximum building heights, parking stall sizes, parking ratios, minimum building separation requirements, landscape setbacks, landscape planting ratios attached and detached permanent signs, and other similar requirements. The term does not include permitted land uses, prohibited land uses, and uses requiring a conditional use permit. As a general rule, dimensional General Development Standards include requirements which are characterized by minimum or maximum physical characteristics that can be measured as floor area, width, length, depth or height.

General Plan: The General Plan of the City of Mesa, and all elements thereof.

Glare: The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort or loss of visual performance and ability.

GRADE-RELATED DEFINITIONS:

Grade, Below: Location of any facility or part of a facility located underground or beneath ground level.

Grade, Existing: The elevation of a lot or parcel prior to approved demolition, excavation, fill, construction or modification.

Grade, Finished: The final elevation of the lot or parcel, paved or unpaved, when all construction and landscaping are complete. Grade refers to finished grade unless otherwise stated.

Grade, Finished Floor: The elevation of the ground floor of the building.

Grade, Natural: The elevation of a lot or parcel unaffected by construction techniques such as fill, excavation, landscaping or berming. Mean natural grade refers to the elevation midway between the highest and lowest elevations on the lot or parcel.

Group C-O-I Development: A commercial, office, or industrial master planned development containing three (3) or more businesses which share facilities such as driveways, parking, and pedestrian walkways and which is designed to provide a single area in which the public can obtain varied products and services.

Habitable (Area, Living Area Or Space): See Net Floor Area.

Hardscape: Part of a building's grounds consisting of structures, such as plazas, retaining walls and sidewalks, made with materials such as but not limited to, concrete and sidewalk pavers.

Hazardous Materials: Includes any substance characterized as flammable solids, corrosive liquids, radioactive materials, oxidizing material, highly toxic materials, poisonous gases, reactive materials, unstable materials, hypergolic materials and pyrophoric materials and any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means.

Height of Building or Structure: See Building Height.

Home Occupations: An ancillary use in any Residence or Mixed Use district which:

- A. Is clearly incidental to a residence use;
- B. Is subordinate to the purpose of the residence use;
- C. Contributes to the comfort, convenience, or necessity of occupants in the residence use;
- D. Is located on the same lot or parcel as the residence use served;
- E. Includes swimming lessons, babysitting, and fine arts instruction, each for 5 or fewer persons;
- F. Includes door-to-door and telephone solicitation;
- G. Includes uses and activities that can be conducted entirely indoors without negatively impacting the residential character of the neighborhood or health, safety, and welfare of neighbors; and
- H. Excludes on-site exchange of sold or bartered goods (exceptions made for occasional and infrequent exchanges), on-site vehicle repair as a commercial use, commercial warehousing or storage - indoor or outdoor, non-resident employees working in the home, or manufacturing of products using hazardous materials or equipment not typically found in household settings.

Illegal Use: Any use of land or building that does not have the currently required permits and/or was originally constructed and/or established without permits required for the use at the time it was brought into existence.

Initial Site Plan: A site plan for a property, or a portion thereof, that does not have a previously approved site plan, or the approved site plan has expired.

Kitchen: Any room or space used, or intended or designed to be used for cooking or the preparation of food.

Large Vehicle: Any vehicle with a gross vehicle weight rating (GVWR) exceeding 13,000 pounds and intended to be used primarily for commercial purposes rather than use as for private or personal individual trips.

Lamp: Any source created to produce optical radiation (i.e. "light"), often called a bulb or tube.

Land Use Group (LUG): A category, grouping or association of land uses and activities, arranged as permitted, conditional, and prohibited land uses, when used in association with an EO or PC district as a part of an adopted EO Development Plan (for EO Districts) or community plan (for PC Districts). In each case, the permitted and conditional land use activities shall be individually listed and grouped, together into specified categories (LUGS), assigned a name or title, and generally described with purpose and intent statements related to how the category or grouping of land uses relates back to the implementation and administration of the adopted EO Development Plan or community plan, as may be applicable. Further, each LUG may also provide specific standards associated with the land use and development of the assigned parcels. Such groups may be based in whole or in part on existing Mesa base zoning districts or may be new categories.

Landscape Yard: An area intended to provide buffering between land uses of different intensities through the use of setbacks, landscaping, berms, fences, walls or a combination thereof.

Landscaping: The planting, configuration and maintenance of trees, ground cover, shrubbery and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), earth patterning and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

Light Shelf: An exterior architectural element that allows reflective daylight to penetrate deep into a building.

Lighting, Exterior: Any equipment or fixture located or used to provide illumination of outdoor areas, objects or activities.

Lighting Fixture: Light fixtures include but are not limited to the lamp, pole, post, ballast, reflector, lens diffuser, shielding, electrical wiring, and other necessary or auxiliary components.

Lighting System: All exterior man-made lighting sources, associated infrastructure and controls on a site.

Light Trespass: Unwanted light that falls on neighboring properties or public right-of-ways. Light trespass also includes glare or distraction for observers away from the area for which the light is intended.

LOT-RELATED DEFINITIONS:

Lot, Corner: A lot or parcel of land situated at the intersection of 2 or more parkways, highways or streets, which parkways, highways or streets have an angle of intersection measured within said lot or parcel of land of not more than 135 degrees.

Lot, Coverage: The area of a lot that is covered with impervious surfaces, such as buildings, patios or decks with roofs, carports, tennis courts, parking lots or any other type of structure. Swimming pools, exclusive of decking, are not considered impervious surfaces for the purposes of calculation.

Lot, Flag: A lot or parcel of land taking access by a strip, owner of which lot or parcel of land has fee-simple title to said strip extending from the main portion of the lot or parcel of land to the adjoining parkway, highway or street.

Lot, Interior: A lot or parcel of land other than a corner or flag lot.

Lot, Key: An interior lot adjoining the rear lot line of a corner lot.

Lot Line: A boundary line of a lot or of a parcel of land.

Lot Line, Front: A line separating the front yard from the parkway, highway or street upon which the yard fronts; or, in the case of a flag lot where the front yard is oriented toward an adjoining lot, the line separating such front yard from the adjoining lot.

Lot Line, Rear: A lot line which is opposite and most distant from the front lot line. For a triangular shaped lot, the rear lot line shall mean a line 10 feet to the length within the lot which is parallel to the front lot line, or parallel to the chord of a curved front lot line, and the maximum distance from the front lot line.

Lot Line, Side: Any lot boundary line which is not a front lot line or a rear lot line.

Lot, Through: A lot having frontage on 2 parallel or approximately parallel parkways, highways and/or streets.

Low-income Housing: A housing unit available for sale or rent, the cost of which does not exceed 30% of the household income for a person(s) whose income is 80% or less than the area median income.

Maintenance and Repair: The repair or replacement of individual building components or paint, stucco or other exterior finishes that restores the character, scope, size or design of a structure to its previously existing, authorized, and undamaged condition. This definition shall not include replacement of primary structural elements or complete replacement of the building or structure.

MANUFACTURED HOME (MH) RELATED DEFINITIONS:

Accessory Retail Activity: An intermittent or periodic commercial event held at a recreation or social hall and characterized by the sale or barter of merchandise to residents of the recreational vehicle park, manufactured home park, or recreation vehicle subdivision specifically associated with said recreation or social hall.

Accessory Structure, Manufactured Home: A one (1) story habitable room, storage building, garage, carport, ramada, and awning. Patios and similar structures which may include window screens, knee walls, and other partial enclosures as specified in the Mesa Building Code (MBC), Chapter 4-2.

Manufactured Home: A residential dwelling unit certified as a manufactured home pursuant to the Federal Manufactured Housing Construction and Safety Standards Act of 1974 and the Arizona Office of Manufactured Housing Statutes, A.R.S. §41-4001-4010, and regulations. This term does not include conventionally built dwelling units, factory built dwelling units, mobile homes, recreational vehicle park models, or recreational vehicles.

Manufactured Home Lot: A parcel of land within an approved Manufactured Home Subdivision as shown in the records of the Maricopa County Recorder's Office.

Manufactured Home Park: An approved residential development, owned by one (1) entity, in which individual manufactured home spaces are provided whether or not a charge is made for such accommodation.

Manufactured Home Subdivision: An approved residential subdivision, as shown in the records of the Maricopa County Recorder's Office, that is designed in accordance with subdivision regulations, in which individual manufactured home lots are platted.

Manufacturing: The process of creating a finished product by fabrication or from raw materials, especially by means of a larger scale industrial operation.

MARIJUANA RELATED DEFINITIONS

Marijuana. All parts of the plant of the genus cannabis, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin.

A. Includes cannabis as defined in A.R.S. § 13-3401.

B. Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus cannabis, oil or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

Marijuana Concentrate. Resin extracted from any part of a plant of the genus cannabis and every compound, manufacture, salt, derivative, mixture or preparation of that resin or tetrahydrocannabinol. Marijuana concentrate does not include industrial hemp or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or other products.

Marijuana Cultivation. To propagate, breed, grow, prepare, and package marijuana.

Marijuana Establishment. An entity licensed by the Arizona Department of Health Services to operate all of the following:

A. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.

B. A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

C. A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

Marijuana Manufacturing. To compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

Marijuana Processing. To harvest, dry, cure, trim or separate parts of the marijuana plant.

Marijuana Products. Marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for consumption, including edible products, ointments, and tinctures.

Massage and Massage Services: Should include any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, manipulation, or stimulating the external parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations.

Massing: The volumetric design or three-dimensional form of a building or structure.

Minerals: Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat and bituminous rock, but excluding geothermal resources, natural gas and petroleum.

Moderate-income Housing: A housing unit available for sale or rent, the cost of which does not exceed 30% of the household income for a person(s) whose income is 130% or less than the area median income.

Multiple Residence Reuse: Conversion of an Existing Commercial, Office, or Mixed-Use Building from the use for which it was constructed to a "multi-family residential development" as that term is defined in A.R.S. § 9-462.10(H).

New Application: A "new application" or the phrase "subject to a new application" means the proposed development, modification to an approved permit, plan or approval, or other request or approval sought requires the applicant to start the process from the beginning in accordance with the applicable review and approval processes, and subject to approval by the appropriate decision-making body, as required by this Ordinance. By way of example, a request to modify an approved variance would require an application for a new variance for review and approval by the Board of Adjustment.

Occupancy, Change In: The discontinuance of an existing use and the substitution therefore of a use of a different occupancy category as defined in the International Building Code.

Occupant: The person occupying or having custody of a structure or premises as a lessee or other.

Occupant Load: The total number of persons that may occupy a building or structure, or portion thereof, at any one time as provided by the Building Code.

Occupiable Space: See Habitable (Area, Living Area or Space).

Off-Site Sign: A sign portraying information or directing attention to a business, activity, commodity, service, product, or entertainment which is not conducted, sold, or offered on the premises upon which the sign is located. Does not include portable signs thirty-two (32) square feet or less.

On-Site: Located on the lot that is the subject of discussion.

Open Space: The area or areas of a lot or parcel intended to provide light and air, and is designed for either scenic or recreational purposes, excluding buildings, parking, driveways and other vehicular surfaces.

Open Space, Common: An open space intended for the shared, common use of the occupants of a development.

Open Space, Private: An open space intended for the exclusive use of the occupants of a dwelling unit.

Ordinance: An ordinance of the City of Mesa.

Outdoor Display: The outdoor display or outdoor sale of goods which is conducted not entirely within a structure or enclosed area and is directly related to a business establishment with a permanent structure on the same parcel of property upon which the outdoor display is located. The business establishment with a permanent structure on the same parcel as the outdoor display is referred to as the "primary business".

Outside Storage: The storage of goods, equipment or materials outside of a building for any purpose other than outside display.

Owner: The person indicated on the records of the Maricopa County Assessor, or other official body, as the owner of record of the property in question.

Parcel of Land: A contiguous quantity of land, owned by or recorded as the property of a person.

Parking Lots or Parking Buildings: Readily accessible areas within structures or surface parking areas, inclusive of aisles, driveways, ramps and columns, maintained exclusively for the parking of vehicles, not including areas for the parking or storage of commercial vehicles.

Pedestrian Oriented Use: A land use intended to encourage walking customers and which, generally, does not limit the number of customers by required appointments or otherwise excluding the general public. A pedestrian-oriented use may suggest or require appointments for services when primarily for the convenience of the customer, such as reservations for restaurants, beauticians or opticians to avoid being turned away due to unavailability. Where feasible the pedestrian oriented use shall have external entrances directly accessible from public sidewalk space. At a minimum, the business shall be of those generally considered to be open typical business hours that can range from 4—10 hours a day, and 4—7 days a week.

Permit: Any Special Use Permit, Council Use Permit, Temporary Use Permit, license, certificate, approval, or other entitlement for development and/or use of property as required by any public agency.

Permitted Use: Any use allowed in a zoning district without a requirement for approval of a discretionary use permit, but subject to any restrictions applicable to that zoning district.

Person: Any individual, firm, co-partnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this and any other city, county, municipality, district or other political subdivision, or any other group or combination acting as a unit.

Plan Specific: The development standard described, such as a setback, landscaping plant ratio, parking ratio or a maximum building height requirement, is set by description noted graphically by the plans that have been approved/adopted during the entitlement review process required for that project.

Plasma Center: Any facility used in the collection, storage, or distribution of liquid blood plasma. **Porch:** Structure or appendage of a building adjacent to a building entrance, typically covered and/or elevated from adjacent grade, and open with no walls on at least one (1) side.

Portable Sign: A freestanding sign not permanently affixed, anchored or secured to a permanent foundation.

Portable Storage Containers (PSC): A device in the shape of a rectangular solid; constructed of metal, consisting of four vertical walls, a floor and a ceiling and in which at least one vertical end is designed as door (typically either as a side-hinged door, or as an overhead bay door). The dimensions of a PSC shall not exceed 102-inches (8-foot, 6-inches) in height and 96-inches (8-feet) in width. Lengths may vary in increments of 10-feet (10-feet, 20-feet...) but may not exceed nominal 40-feet in length. PSCs include devices initially designed to facilitate the shipping of containerized cargo and constructed entirely of steel in a manner consistent with ISO 6346, and are being reused to facilitate secure storage, and/or temporary offices or studios, but not habitable space as defined in the Mesa Building Code.

Principal Use: A primary or dominant use established, or proposed to be established, on a lot or parcel of land.

Primary Building: A building in which the main or dominant use of the lot or parcel is conducted.

Primary Residence: A Single Residence as defined in [Chapter 86](#), Section 11-86-2.

Private Street: See Street, Private.

Project: Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure that is subject to the provisions of this Title.

Public Street: See Street, Public.

RECREATIONAL VEHICLE (RV) RELATED DEFINITIONS:

Accessory Retail Activity: An intermittent or periodic commercial event, held at a recreation or social hall and characterized by the sale or barter of merchandise to residents of the recreational vehicle park, manufactured home park, or recreation vehicle subdivision specifically associated with said recreation or social hall.

Accessory Structure, Recreational Vehicle: A subordinate building or structure that is customarily incidental to a recreational vehicle or recreational vehicle park model and is located on the same lot or parcel of land as the recreational vehicle or recreational vehicle park model, which is used for living purposes, garages, carports, ramadas, awnings, patios or similar.

Recreational Vehicle (RV): A vehicular portable structure, which can be towed, hauled or driven, primarily designed as temporary living accommodation for recreational, camping, and travel use and not designed for permanent residential or commercial purposes that: (1) contains its own motive power; (2) is drawn by another vehicle; or (3) is mounted on another vehicle. this term does not include conventionally built dwelling units, factory built dwelling units, or manufactured homes.

Recreational Vehicle Lot: A parcel of land within an approved recreational vehicle subdivision, as shown in the records of the Maricopa County Recorder's Office.

Recreational Vehicle (RV) Park: An approved residential development, owned by one (1) entity, in which individual recreational vehicle spaces are provided whether or not a charge is made for such accommodation.

Recreational Vehicle (RV), Park Model: A recreational vehicle built on a single chassis, mounted on wheels, which has a gross trailer area not exceeding four hundred (400) square feet in the set-up mode, and is certified by the manufacturer as complying with the ANSI A119.5 standards for recreational park trailer. This term does not include conventionally built dwelling units, factory built dwelling units, or manufactured homes.

Recreational Vehicle Space: A site within an approved recreational vehicle park which is shown in the records of the Planning Division and which is designed and intended for the accommodation of one (1) recreational vehicle.

Recreational Vehicle (RV) Subdivision: An approved residential subdivision, as shown in the records of the Maricopa County Recorder's Office, that is designed in accordance with subdivision regulations, in which individual recreational lots are platted.

Renovation, Exterior Façade: A resurfacing of an existing building frontage.

Residential Care Institution: A health care institution other than a hospital or a nursing care institution which provides resident beds or dwelling units, supervisory care services, personal care service, directed care services or health-related services for persons who do not need inpatient nursing care.

Residential Zoning Application: A rezoning application to change a property from any zoning district to a residential zoning district or use; or an application that removes or modifies any regulation or condition of approval for a residential zoned property or use previously imposed by ordinance.

Responsible Party: A person who knows or has reason to know of the existence of any violation of this chapter on that person's property or property which that person occupies or controls, in whole or in part, including but not limited to an owner, occupant, lessor, lessee, manager, managing agent, licensee or any person who has legal care or control of the property.

Roof Area: That portion of a lot or parcel covered by the roof structure of all buildings, excluding the eaves and overhangs, but including covered porches, patios and carports.

Roof Profile: shape or form of the roof above residential dwelling units, such as gable, gambrel, hip, mansard, parapet, pitched and shed.

Room, Habitable: An enclosing subdivision in a building commonly used for sleeping, living, cooking or dining purposes, excluding closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage space, cellars, utility rooms, and similar spaces.

Screening: A wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street.

Section: A section of the ordinance codified in this [Title 11](#), unless some other ordinance or statute is mentioned.

Setback: The area between a property line and a building or structure which must be kept clear or open.

Sidewalk: A paved, surfaced, or leveled area used as a pedestrian walkway.

Single Housekeeping Unit. A person or group of persons jointly occupying a single dwelling unit that: (1) has access to and the joint use of all common areas such as the kitchen and eating areas of the dwelling unit; (2) shares household activities and responsibilities, such as meals, chores, or expenses; and (3) has no limits on length of tenancy, except for those imposed by a lease or rental agreement.

Site Plan Review: The process in which the City reviews a site plan which includes both an initial site plan and a site plan modification. In certain contexts, the term clearly applies only to initial site plan reviews and in other context only to site plan modifications.

Solid Fill: Any inorganic, noncombustible materials, insoluble in water, such as soil, rock, sand or gravel that can be used for grading land or filling depressions.

Special Event: A temporary activity that is conducted on property that is not specifically zoned, authorized, or otherwise approved for such use and which complies with all the following:

- A. The activity is intended for purposes of entertainment, education, commercial promotion, or cultural, religious, ethnic, or political expression.
- B. The activity occurs outside or in a temporary structure.
- C. Special event includes parades, sporting events, circuses, fairs, carnivals, festivals, religious revivals, political rallies, vehicle shows and displays, and similar recognized temporary activities.
- D. Special event does not include wedding and funeral ceremonies, elections, garage or yard sales held at a private residence, or charity car washes.

Special Event, City-sponsored: A Special Event produced and funded by the City.

Special Event, City-supported: A Special Event initiated by an outside or community group and supported by the City, in the City's sole discretion and based on available City resources.

Stand: A structure for the display and sale of products with no space for customers within the structure itself.

Story: Is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the roof above. "Story" includes a basement, but not a cellar.

Temporary Use Permit (TUP). A TUP is a discretionary permit issued by the Zoning Administrator in accordance with Sections 11-31-30 and 11-70-4 of the Zoning Ordinance for a temporary use that is conducted on property specifically zoned, authorized, or otherwise approved for such use.

STREET-RELATED DEFINITIONS:

Highway: Includes any expressway, freeway, or parkway.

Freeway: A restricted access highway.

Parkway: A road having park-like landscaping features, and may or may not have a central landscaped median, with a right-of-way width of not less than 80 feet.

Right-of-way: A strip of land intended to be used as a road, railroad, electric transmission line, oil or gas pipeline, water line, sanitary storm sewer or other similar use.

Road: An open way used for the passage of vehicles, and includes alleys, streets and highways.

Street: Any public street, avenue, boulevard, road, lane, parkway, place, viaduct, easement for access, or other way which is an existing state, county, or municipal roadway; or a street or way shown in a plat heretofore approved pursuant to law or approved by official action; or a street or way in a plat duly filed and recorded in the County Recorder's Office. A street includes the land between the right-of-way lines, whether improved or unimproved, and may be comprised of pavement shoulders, curbs, gutter, sidewalks, parking areas, and landscape areas.

Street, Arterial: A general term including section line and major streets and state or county highways providing a system for citywide through traffic movement.

Street, Collector: Provides the traffic movement within neighborhoods of the City, between major streets and local streets, and for direct access to abutting property.

Street, Cul-de-Sac: A short local street permanently terminated in a vehicular turnaround; provides direct access to a limited number of adjacent properties.

Street, Frontage: A local street parallel and adjacent to an arterial route which intercepts minor residential streets and controls access to an arterial route.

Street, Half: Any street improved to a width of less than 34 feet or with concrete curb and sidewalk on only one (1) side of said street.

Street, Local: Provides for direct access to residential, commercial, industrial, or other abutting land; primarily for local traffic movements with connections to collector and/or major streets.

Street, Private: Real property recorded as improved roadway for pedestrian and motor vehicle traffic, constructed and maintained by private parties.

Street, Public: Real property dedicated for, and recorded as, public right-of-way for pedestrian and motor vehicle traffic, having a minimum width of 30 feet. The term shall not include public right-of-way designated for limited access freeways or public alleys.

Structural Alteration: Any change of the supporting members of a building, such as bearing walls, columns, beams or girders, floor joists, ceiling joists, or roof rafters.

Structure: Anything constructed or erected which requires a fixed location on the ground, or is attached to something having a fixed location on the ground.

Suite, Guest: A combination of 2 or more guest rooms.

Swimming Pool: A contained body of water used for bathing or swimming purposes either above or below ground level with the container being 18 or more inches in depth at any point, and/or wider than 8 feet at any point measured on the long axis.

Tandem Parking. The placement of parking spaces one behind the other, or "end-to-end", such that the second space furthest from the access drive is accessed only by crossing the first space nearest the access drive.

Tattooing: To insert pigment under the surface of the human skin by pricking with a needle or otherwise to produce an indelible mark or figure visible through the skin.

TELECOMMUNICATIONS RELATED DEFINITIONS:

Alternative Tower Structure: Artificial trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: Any system of poles, panels, rods, reflecting discs, wires or similar devices used for the transmission or reception of electromagnetic signals, including but not limited to radio waves and microwaves. An antenna does not include the support structure the antenna(s) is mounted upon.

Antenna, Amateur Radio: A ground-, building-, or tower-mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service and as designated by the Federal Communications Commission (FCC).

Antenna, Building- or Structure-Mounted: Antenna mounted to the side of a building, or structure that transmits or receives electromagnetic signals.

Antenna, Direct Broadcast Satellite Service (DBS): An antenna, usually a small home receiving dish, designed to receive direct broadcast from a satellite.

Antenna, Ground-Mounted: Any antenna that is not mounted on a pole, a structure, or the roof or wall of a building.

Antenna, Multipoint Distribution Services (MDS): An antenna designed to receive video programming services via multi-point distribution services, including multipoint, multichannel distribution services, instructional television fixed services, and local multipoint distribution services.

Antenna, Roof-Mounted: An antenna directly attached or affixed to the roof of an existing structure.

Antenna, Satellite: Any antenna used to receive and/or transmit radio or television signals from orbiting communications satellites.

Antenna, Satellite Earth Station: An antenna designed to receive and/or transmit radio frequency signals directly to and/or from a satellite.

Antenna, Television Broadcast Service (TVBS): An antenna designed to receive only television broadcast signals.

Antenna Structure: An antenna array and its associated support structure, such as a mast or tower (not including a suspended simple wire antenna), that is used for the purpose of transmitting and/or receiving electromagnetic signals, including but not limited to radio waves and microwaves.

Antenna Structure, Freestanding: An antenna structure or mast that is not attached to any part of a building, fence, or other such structure. Freestanding antenna structures include communications towers, wooden utility poles, and concrete and steel monopoles. If the total height of the structure, including the antenna, is at least 17 feet high, it shall be treated as a monopole.

Antenna Structure, Monopole: An antenna structure, often tubular in shape, usually made of metal, reinforced concrete, or wood and which is at least 17 feet in height. A monopole may also be an alternative tower structure that is designed to replicate a tree or other natural feature.

Communication Equipment Building: A building housing operating electrical and mechanical equipment necessary for the conducting of a public utility communications business, with or without personnel.

Co-location: The location of two or more wireless communications facilities owned or used by more than one public or private entity on a single support structure or otherwise sharing a common location. Co-location shall also include the location of wireless communications facilities with other facilities such as buildings, water tanks, light standards, and other utility facilities and structures.

Distributed Antenna System (DAS): A system of small antennas installed on existing infrastructure such as telephone poles and streetlights throughout an area, which are interconnected by fiber optic cable to a central hub location, and are generally designed to support multiple wireless carriers.

Microcell Facility: A wireless communication facility serving a single carrier and consisting of an antenna no larger than 4 feet in height or, if tubular, no more than 6 feet long and 4 inches in diameter comprised of a networked set of antennas that are connected with each other and to a wireless service source, such that a one (1) or more high-power antennas that serve a given area are replaced by a group of lower-power antennas to serve the same geographic area.

Readily Visible: An object that can be identified as a wireless telecommunications facility when viewed with the naked eye.

Related Equipment: All equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include, but is not limited to, cable, conduit, and connectors.

Service Provider: Any authorized provider of wireless communications services.

Stealth Facility: Any commercial wireless communications facility that is designed to blend into the surrounding environment by means of screening, concealment, or camouflage. The antenna and supporting antenna equipment are either not readily visible beyond the property on which they are located, or, if visible, appear to be part of the existing landscape or environment rather than identifiable as a wireless communications facility. Stealth

Technically Feasible: In light of technical feasibility, radio signal transmitting and receiving requirements, aesthetics, electromagnetic fields, costs, landowner permission, facility owner permission, and all necessary approvals under this Chapter.

Tower: Means any structure that is designed or constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes, but is not limited to, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like.

Wireless communications facility: Personal wireless service facilities as defined by the federal Telecommunications Act of 1996 including, but not limited to, facilities that transmit and/or receive electromagnetic signals for cellular radio telephone service, personal communications services, enhanced specialized mobile services, paging systems, and related technologies. Such facilities include antennas, microwave dishes, parabolic antennas, and all other types of equipment used in the transmission or reception of such signals; telecommunication towers or similar structures supporting said equipment; associated equipment cabinets and/or buildings; and all other accessory development used for the provision of personal wireless services. These facilities do not include radio and television broadcast towers and government-operated public safety networks.

TRANSIT RELATED DEFINITIONS:

Bus-Rapid Transit (BRT): The use of regularly scheduled passenger bus service along a major transportation corridor, typically arterial streets, with limited stops or stations typically occurring at intersecting in proximity to arterial and/or collector streets.

Light-Rail: The use of regularly scheduled passenger service utilizing trains on fixed-rail along a major transportation corridor, typically arterial streets, with limited stops or stations typically occurring at street intersections in proximity to arterial and/or collector streets.

Station: The stopping place in a transportation system designed or intended to be used for the receiving or discharging of passengers and cargo, but shall not provide for the storage of the conveyance vehicle and shall not include any appurtenant facilities other than a shelter and ticketing facilities for passengers. Stations include train stations, bus stations, and similar transit stations.

Stop: Locations designated by the transit authority in which patrons may access or exit from regularly scheduled light rail, BRT or bus service.

Terminal: Means any facility designed or intended to be used for the receiving or discharging of passengers or cargo and providing for the temporary or permanent storage of the conveyance vehicle. Terminals include train terminals, airports, bus terminals, freight terminals, harbor terminals, or any combination of the above commonly referred to as multipurpose terminals.

Theater: An enclosed building used for public assembly and/or entertainment, including sports events, theatrical performances, concerts and recitals, circuses, stock shows and conventions. "Theater" includes auditoriums.

Transparent or non-opaque: Any surface, screen, window, wall, or other structural element through which objects can be clearly seen by the human eye.

Use: Includes construction, establishment, maintenance, alteration, moving onto, enlargement and occupation. Wherever this title prohibits the "use" of any premises for any purposes, such premises and any building, structure or improvement on such premises shall not be used, occupied, altered or improved for such purpose, and no building, structure or improvement on such premises shall be erected, constructed, established, maintained, allowed to remain, altered, moved onto or enlarged which is designed, arranged or intended to be occupied or used for such purpose.

Visible: Capable of being seen (whether or not legible) by a person of normal height and visual acuity.

Warehousing: A business in which goods and/or merchandise are stored as a principle activity, including shipping or distribution activities.

Wheel Stop: A physical barrier sufficient in size to prevent the movement of automobiles or other vehicles over or past such barrier.

Wild Animal: Any wild, exotic, dangerous or nondomestic animal, including but not limited to mammals, fowl, fish or reptiles.

YARD-RELATED DEFINITIONS:

Yard: An open space on the same lot or parcel of land, other than a court, unoccupied and unobstructed from the ground upward, except as otherwise permitted by this Title 11.

Yard, Front: A yard extending across the full width of the lot or parcel of land. On corner lots, the front yard shall be located across the narrower frontage of the lot.

Yard, Rear: A yard extending across the full width of the lot or parcel of land.

Yard, Side/Rear: That portion of a lot or parcel in which the rear and side yards extended overlap, typically occurring in the extreme rear corner(s) of the lot.

Yard, Side, Corner: A yard bounded by a highway or street, extending from the required front yard, or the highway line on which the property fronts where no front yard is required, to the required rear yard or to the rear lot line where no rear yard is required.

Yard, Side, Interior: A yard extending from the required front yard, or the highway line on which the property fronts where no front yard is required, to the required rear yard or to the rear lot line where no rear yard is required on other than a corner side yard.

Zone or Zoning District: A specifically delineated geographic area in the city within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

(Ord. No. 5514, § 2, 7-8-19; Ord. No. 5544, § 18, 12-9-19; Ord. No. 5591, § 5, 12-1-20; Ord. No. 5592, § 6, 12-1-20; Ord. No. 5632, § 6, 7-8-21; Ord. No. 5633, § 1, 7-8-21; Ord. No. 5759, § 12, 12-8-22; Ord. No. 5814, § 9, 10-16-23; Ord. No. 5847, § 6, 3-4-24; Ord. No. 5862, § 4, 7-8-24; Res. No. 12269, § 20, 9-23-24; Ord. No. 5883, § 3, 10-7-24; Ord. No. 5904, § 4, 12-9-24; Ord. No. 5905, § 2, 12-9-24; Ord. No. 5943, § 5, 6-2-25)