

## COUNCIL MINUTES

January 8, 2026

The City Council of the City of Mesa met in the Study Session room at City Hall, 20 East Main Street, on January 8, 2026, at 7:30 a.m.

### COUNCIL PRESENT

Mark Freeman  
Scott Somers  
Rich Adams  
Jennifer Duff  
Alicia Goforth  
Francisco Heredia  
Doreen Taylor

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Scott Butler  
Holly Moseley  
Jim Smith

Mayor Freeman conducted a roll call.

### 1. Review and discuss items on the agenda for the January 12, 2026, Regular Council meeting.

All of the items on the agenda were reviewed among Council and the following was noted:

Conflict of interest: None

Items removed from the consent agenda: None

In response to a request from Councilmember Duff regarding agenda Item 8-a, **(Proposed amendments to Chapters 4, 5, 6, 7, 8, 10, 31, 86, and 87 of Title 11 of the Mesa City Code pertaining to Battery Energy Storage Systems. The amendments include, but are not limited to: adding definitions for Battery Energy Storage System, Battery Energy Storage System Facility, Augmentation, and Nameplate Capacity; modifying land use tables to add Battery Energy Storage System and Battery Energy Storage System Facility; establishing development and other standards specific to Battery Energy Storage System Facilities. (Citywide))**, on the Regular Council Meeting agenda, Planning Director Mary Kopaskie-Brown provided an update on ongoing efforts related to the Battery Energy Storage System (BESS) text amendments and confirmed that the 1,000-foot separation requirement in residential areas is moving forward for approval as discussed at the December Study Session. She reported that a pre-application for a BESS facility had been received and determined to be consistent with the proposed separation requirements, and that two additional compliant locations had also been identified.

City Manager Scott Butler stated that the proposed ordinance would allow both previously reviewed applications to move forward with their BESS facilities. He recognized Council's interest

in continuing to evaluate the separation distance requirements as BESS technology and safety standards evolve and advised that staff will continue working with utility providers and other stakeholders to better understand future needs.

In response to a question from Councilmember Duff, Ms. Kopaskie-Brown clarified that the BESS facility currently under construction near Signal Butte was approved prior to the interpretation that temporarily restricted BESS facilities within the City and therefore may proceed. She stated that all required approvals are in place and the project is moving forward. She noted that the applicant is also evaluating a second site at a different location.

Mr. Butler stated that any change in the separation distance would require Council legislative action. He noted that staff were directed by the majority of Council to proceed with the 1,000-foot separation requirement, as reflected in the proposed ordinance. He confirmed that Council may revisit and modify the requirement in the future as perspectives evolve or additional safeguards become available.

Councilmember Duff expressed opposition to the proposed 1,000-foot separation requirement which lacks supporting evidence for the proposed distance.

In response to a question from Mayor Freeman, City Attorney Jim Smith pointed out that once an ordinance is introduced, it cannot be amended and must be reintroduced if changes are proposed. He explained the Charter requirements related to the process of proposed ordinances, advising that Council may direct staff to introduce a new ordinance reflecting a different separation distance, if desired. He noted that the second site, currently under consideration, complies with the 1,000-foot requirement and that further delay would impact the applicant's ability to move forward. He explained that based on discussions with the applicant, the second site is further along in the review process than the third site, which could require up to three months for rezoning. He reported that based on meetings with Salt River Project (SRP), the first and second sites were more time-sensitive relative to SRP's project timelines. He advised that Council could adopt the 1,000-foot separation requirement at the upcoming meeting to allow the second site to proceed, and later direct staff to consider alternative separation distances, such as 400 feet, through a future ordinance while rezoning for the third site is underway.

Responding to a question from Councilmember Heredia, Ms. Kopaskie-Brown confirmed that the proposed ordinance was structured similar to the City's approach for data centers, requiring a Planned Area Development (PAD) process to locate a BESS facility, thereby providing Council with decision-making authority over siting. She noted that this requirement does not affect the two projects currently in pre-submittal and stated that any future BESS proposals, including those on the west side of the City, would be subject to the PAD process. She further stated that, consistent with the data center model, the development standards could not be modified through the PAD, meaning the 1,000-foot separation requirement would remain in effect as recommended by staff.

Discussion ensued regarding the number of sites potentially impacted by the proposed amendment and the site locations of the applications currently under review.

Assistant Planning Director Rachel Phillips presented the COM zoning map from the City of Mesa (COM) website and identified the zoning types of properties located near the proposed BESS sites. **(See Attachment 1)**

Vice Mayor Somers reiterated his support for the 1,000-foot separation distance and stated that the amendment balances current energy needs with public safety considerations.

Councilmember Adams stated his support for approving the ordinance as presented and indicated an interest in revisiting the issue as further data becomes available.

Councilmember Goforth expressed her support for the ordinance as presented.

Councilmember Taylor reflected on the proximity of residential uses near highway corridors and expressed uncertainty regarding whether the 1,000-foot separation distance was excessive, insufficient, or whether additional land use buffers such as light industrial or commercial zoning would be appropriate. She reiterated that Council retains the ability to take future legislative action to revisit the separation distance if additional information or policy considerations warrant a change and confirmed her support of the ordinance as presented.

Mayor Freeman discussed potential updates to the International Fire Code (IFC) related to BESS that would provide an additional framework for evaluating BESS safety. He expressed concern regarding the 1,000-foot separation distance, stated a preference for a smaller setback, and noted that Council would determine the appropriate standard through the upcoming vote on the ordinance.

In response to a request from Mayor Freeman regarding agenda Item 8-d, **(ZON24-00998 "623 S Mesa Dr" 0.6± acres located approximately 1,420 feet south of the southeast corner of East Broadway Road and South Mesa Drive. Rezone from Multiple Residence-2 (RM-2) to Multiple Residence-4 with a Bonus Intensity Zone overlay (RM-4-BIZ) and Site Plan Review for a 15-unit multiple residence development. 623 South Mesa LLC, owner; Tim Boyle, Atmosphere Architects, applicant. (District 4))**, on the Regular Council Meeting agenda, Principal Planner Evan Balmer displayed a PowerPoint presentation. **(See Attachment 2)**

Mr. Balmer provided an overview of the request to rezone a vacant infill property from Multiple Residence-2 (RM-2) to Multiple Residence-4 (RM-4) with a Bonus Intensity Zone Overlay and Site Plan Review to allow development of a 15-unit multiple residence project. He confirmed that the subject property is located on the east side of Mesa Drive, south of Broadway Road, and is designated as Urban Residential under the Mesa 2050 General Plan, which supports multi-family residential as a principal land use. (See Pages 2 through 4 of Attachment 2)

Mr. Balmer pointed out that the RM-4 zoning permits up to 30 dwelling units per acre and that the proposed development, at 25.9 dwelling units per acre, is within the allowable density. He explained that the proposed project includes three residential buildings, garage parking, pedestrian walkways, guest parking, and amenity areas. He stated that the Bonus Intensity Zone Overlay criteria emphasize high-quality design, environmental performance, open space, and amenities, all of which are addressed by the proposal, including a landscaped primary open space feature at the west end of the site utilizing condensate from air-conditioning units as a secondary water source. (See Pages 5 through 14 of Attachment 2)

Mr. Balmer reported that the applicant exceeds private open space requirements, has provided a well-landscaped site plan to buffer adjacent uses, and addressed comments received from the Design Review Board through revised building elevations. He discussed the community engagement efforts that resulted in one adjacent property owner expressing concerns regarding density and height. He verified that the proposal is consistent with the Mesa 2050 General Plan and meets the criteria for the Bonus Intensity Zone Overlay and Site Plan Review. He confirmed that staff recommended approval with conditions, and the Planning and Zoning Board also

recommended approval with conditions by a vote of 5-0. (See Pages 15 through 18 of Attachment 2)

Responding to a question from Mayor Freeman, Mr. Balmer commented that parking is a key consideration for infill development, particularly to avoid overflow where limited on-street or overflow parking is available. He explained that this site is a unique midblock infill parcel that requires certain concessions to be developable, and that the applicant exceeds parking requirements by providing two spaces per unit, including two-car garages, thereby exceeding the code standard. He acknowledged the limited opportunity for overflow parking but noted that the site's proximity to transit, including nearby bus stops, supports reduced reliance on on-street parking. He explained that the site is surrounded by a mix of zoning and the proposal furthers the goals of the Mesa 2050 General Plan by providing additional housing on a small, constrained infill parcel that would be difficult to develop for other uses. He added that the project provides social and economic benefits through the addition of housing and exceeds development standards, including the use of air-conditioning condensate as a secondary irrigation water source.

Mayor Freeman thanked staff for the presentation.

Responding to a request from Mayor Freeman regarding agenda Item 8-b, **(An ordinance amending and adopting Mesa City code park regulations sections 6-10-2, 6-10-4, 6-10-7, and 6-10-8 to allow the use of certain electric bicycles, electric scooters and other motorized and non-motorized vehicles in city parks and shared-use paths, subject to certain limitations. (Citywide))**, on the Regular Council Meeting agenda, Vice Mayor Somers stated that other local jurisdictions have recently made changes to their e-bike ordinances, noting that this amendment represents an initial step in addressing the issue. He stated his opinion that moving forward with the ordinance as introduced is appropriate, while continuing to review best practices and make future adjustments as needed. He added that he would be willing to continue examining the issue through the Public Safety Committee.

Councilmember Goforth expressed her support for moving forward with the proposed ordinance as presented.

Responding to a question from Mayor Freeman, Parks, Recreation and Community Facilities Recreation Management Assistant II Haylie Smith confirmed that the term shared-use path includes the canal paths, which provides consistency across the City Code as that terminology is already used in the Transportation Code to refer to the SRP canal system.

In response to a question from Councilmember Duff, Ms. Smith confirmed that the proposed state legislation related to e-bikes would amend the same section of the Arizona Revised Statutes. She explained that both bills propose a maximum speed limit of 15 miles per hour on multi-use paths, shared-use paths, and sidewalks, with a reduced speed of five miles per hour when passing pedestrians. She further noted that the proposed legislation would allow local jurisdictions to adopt more restrictive speed limits if desired, thereby establishing a maximum ceiling while preserving local authority.

Discussion ensued regarding proposed state legislation addressing e-bike definitions.

Responding to a question from Councilmember Taylor, Ms. Smith stated that the ordinance would not apply to Homeowners Association (HOA) neighborhoods or parks and added that the City will coordinate with HOAs to communicate the direction adopted by Council as they may choose to implement similar measures.



Mr. Smith added that many of the vehicles operating at high speeds in parks are not e-bikes but electric motorcycles, which are regulated under state statute. He noted that while such vehicles may be located within HOA areas, they may still be subject to state regulations and clarified that the ordinance under consideration is not intended to apply to private property.

Additional discussion ensued regarding the feasibility of separate lanes for pedestrian and bicycle use.

Councilmember Adams acknowledged the need to establish regulatory standards, including the proposed 15-mile-per-hour speed limit, but raised concerns regarding the City's ability to effectively enforce such regulations on shared-use paths. He voiced that while he does not oppose the ordinance, he views the issue as complex, evolving, and one that will require continued attention as usage increases.

Councilmember Duff added that the COM had previously installed cameras in parks that experience recurring issues and utilize the Real Time Crime Center to monitor conditions and deploy officers when necessary. She emphasized that establishing clear rules and standards increases awareness and encourages voluntary compliance among the majority of users.

Mr. Butler stated that a revised agenda will be published to reflect the recommendation to approve agenda Item 3-a as well as the request to approve the Charter Officer contract revisions.

Mayor Freeman reported that the Fire and Life Safety Department will be receiving two new hazardous materials (HazMat) trucks, identified as E-1 Cyclone units, at a cost of approximately \$2.7 million each. He noted that these specialized apparatuses are critical to emergency response and can be deployed both within the COM and to assist neighboring communities.

Mayor Freeman declared a recess at 8:36 a.m. The meeting reconvened at 8:43 a.m.

2-a. Hear a presentation, discuss, and provide direction on the proposed amendments to Title 2 (Boards and Commission) and Title 11 (Mesa Zoning Ordinance) related to the organization and duties of the Planning and Zoning Board and the Design Review Board.

Ms. Kopaskie-Brown displayed a PowerPoint presentation relating to proposed amendments to Title 2 and Title 11. **(See Attachment 3)**

Ms. Kopaskie-Brown stated that staff has heard ongoing concerns from City Council regarding voting outcomes and recommendations on key items, as well as declining attendance on the Planning and Zoning (P&Z) Board. She emphasized that the Board serves a critical role as the recommending body for many land use and development items coming before Council, and that maintaining a fully seated board is essential to avoiding delays, ensuring transparency, and maintaining quorums for both residents and the development community. (See Page 2 of Attachment 3)

Ms. Kopaskie-Brown presented the proposed changes related to the P&Z Board. She summarized the first recommendation to add three alternate members to ensure consistent quorum, provide continuity in decision-making, and create a pipeline for future board members through training and participation. She noted that alternates would rotate as needed and support meeting reliability. She reviewed the second recommendation which proposed modifying the composition of the P&Z Board to include three design professionals, one of whom would be a

contractor or developer, and four community representatives. She explained that of the proposed alternates, at least one would be a design professional to preserve technical expertise. She stated that this composition would more closely mirror the Design Review Board (DRB) and strengthen design expertise at the Planning and Zoning level. She verified that the recommended changes are in response to House Bill 2447 which requires jurisdictions to establish administrative review processes based on objective design standards. (See Pages 3 through 5 of Attachment 3)

Ms. Kopaskie-Brown explained that staff recommended simplifying the review process for the development community by combining the site plan and design review processes into a single application. She stated that this approach would allow staff to present all design-related issues to a single reviewing body and better align the roles and responsibilities of reviewing and approving authorities. She outlined the proposed review structure, noting that the Planning Director would be authorized to approve site plans and design reviews that meet all objective development and design standards required by state law, noting any exceptions that may apply. She explained that applications requesting alternative compliance with objective design standards would be reviewed by the DRB, which would also provide recommendations on municipal projects. She confirmed that final approval of municipal projects would be issued by the Planning Director based on the DRB's recommendation. She added that both Council and the Planning Director would retain the ability to refer projects to the DRB for additional input, particularly for large or complex projects, and that the DRB would serve as the appeal body for Planning Director design review decisions, according to state law. She also stated that in certain zoning districts or previously approved cases, the DRB may continue to act as the approving body where specifically required, but that its primary role under the proposed framework would be reviewing requests for alternative compliance and providing recommendations on municipal projects. (See Page 6 of Attachment 3)

Responding to a question from Councilmember Goforth, Ms. Kopaskie-Brown stated that staff had identified specific criteria within the proposed objective standards that would allow a project to be referred for additional review when it has the potential for significant economic or citywide impacts. She verified that these criteria would be codified, ensuring that referrals are based on defined standards rather than discretionary judgment by the Planning Director.

Ms. Kopaskie-Brown further explained that for applications involving rezoning such as a Planned Area Development (PAD), a Bonus Intensity Zone Overlay (BIZ), a Council Use Permit (CUP), or a Special Use Permit (SUP), design review would be conducted by the P&Z Board rather than the DRB. She stated that the P&Z Board would review site plans, building design, landscaping, and related elements and forward a comprehensive recommendation to City Council, streamlining the process by eliminating an additional layer of review. She emphasized that this change highlights the importance of the proposed P&Z Board composition, which includes design professionals to ensure adequate technical expertise. She confirmed that the final approval authority would rest with the Planning Director for administratively reviewed cases and with City Council for P&Z Board cases, with the Board continuing to serve in a recommending role, not approval. (See Page 6 of Attachment 3)

Ms. Phillips provided additional background, explaining that the proposed changes stem from recent state requirements, mandating that development review and approval be based on objective standards and she described how the law significantly changes the Board's role. She explained that the COM previously maintained two separate but overlapping processes, site plan review and design review, requiring applicants to submit two applications that followed parallel but not fully aligned review paths.

Ms. Phillips stated that consolidating development review into a single process would eliminate duplication and improve efficiency. She clarified that the DRB has historically functioned in a recommending role and that, with the transition to objective standards, the Board would only review requests for deviations or alternative compliance as outlined in the revised criteria of the proposed text amendments. She added that projects requiring the P&Z Board and City Council review would continue under the existing process, with the P&Z Board reviewing building elevations, landscaping, and design elements as part of site plan review.

Discussion ensued regarding the proposed approval structure.

Councilmember Adams stated his support for the proposed ordinance, emphasizing the importance of review by a full board.

Responding to a comment from Councilmember Adams, Mr. Smith stated that, in simplified terms, legislative actions involve a high level of discretion, while administrative actions are limited to compliance with objective standards. He agreed that when an application meets those objective standards, additional requirements cannot be imposed. He reflected on past development review experiences in which projects moved sequentially through staff review and the DR, often resulting in additional comments, plan revisions, added costs, and delays before reaching P&Z Board consideration. He stated that the proposed changes would reduce duplication, streamline approvals where appropriate, and improve efficiency for projects eligible for administrative review, which he identified as the overall objective of the ordinance.

Mayor Freeman thanked staff for the presentation and confirmed that the consensus of the Council is to proceed with approval of the ordinance as presented.

2-b. Hear a presentation, discuss, and provide direction on the proposed amendments to Title 11 (Mesa Zoning Ordinance) related to administrative reviews, including updated procedures site plan review, design review, site plan modifications, and objective design standards in compliance with A.R.S. § 9-500.49.

Ms. Phillips displayed a PowerPoint Presentation on proposed amendments to Title 11. **(See Attachment 4)**

Ms. Phillips stated that the proposed changes meet the requirements of House Bill 2447 and respond to feedback received from City Council and the development community regarding process improvement. She said that Council has consistently emphasized the need to improve the development review process by increasing efficiency, eliminating redundancies, strengthening interdepartmental coordination, using data to inform decisions, and creating a more predictable and supportive development environment. She noted that the development community has requested expanded administrative approvals, streamlined infill and redevelopment projects, clearer site plan amendment criteria, reduced uncertainty in design review, and greater transparency through published review schedules. (See Pages 2 and 3 of Attachment 4)

Ms. Phillips pointed out that House Bill 2447, signed by the Governor last spring, requires municipalities to allow administrative approvals without a public hearing for site plans and development plans, with reviews and approvals based solely on objective standards. She noted that Council has already approved the first phase of implementation through land division text amendments. She stated that the current proposal represents the second phase of implementation and focuses on establishing objective standards and revising the site plan and

design review processes. She explained that the amendments were organized around several key changes, including redefining criteria for major and minor site plan modifications, developing objective design standards, streamlining the development review process, and correcting inconsistencies to improve clarity and usability of the code. (See Pages 4 and 5 of Attachment 4)

Ms. Phillips explained that the first set of proposed changes responds directly to feedback from the development community. She stated that under the existing code, several thresholds, most commonly a change of 5,000 square feet or 10 percent of total building area, automatically classify a modification as major, often requiring the application to return to City Council for approval. She noted that while clear thresholds provide consistency, a one-size-fits-all approach does not account for differences in project scale and scope. She confirmed that staff is proposing to narrow the definition of major site plan modifications. She reported that under the proposal, a modification would be considered major if it involves a change in use shown on a site plan that was previously approved by City Council and incorporated into an ordinance, adding that such changes would be returned to City Council for review and action. She explained that changes in use can affect zoning standards and may also result in external impacts such as increased traffic. She emphasized that this approach ensures City Council retains oversight when proposed changes alter the fundamental characteristics of a project that were relied upon during the original legislative decision. (See Page 6 of Attachment 4)

Ms. Phillips confirmed that a change of use is defined in Chapter 86 of the Zoning Ordinance and refers to a change from one defined use classification to another, or to a use not currently defined in the code. She clarified that a major site plan modification requiring City Council approval would occur only when a site plan originally approved by Council is proposed to change both the approved site plan and the defined use and provided examples. (See Page 7 of Attachment 4)

Discussion ensued regarding the distinction between land use definitions and when a change of use would be applicable.

Responding to a question from Councilmember Taylor, Mr. Smith explained that the City's ability to limit or regulate changes in end users is extremely limited unless a development agreement specifically identifies and restricts the end user. He mentioned that the ordinance reflects current practice and is not intended to change how the COM presently operates. He added that a site plan change must occur before a change of use is evaluated; if the building footprint and exterior remain unchanged, and no site plan modification is triggered, the use change would not require additional review. He verified that increased regulation would generally require a development agreement, which cannot be applied retroactively to previously approved sites.

Additional discussion ensued regarding development agreement standards.

Ms. Phillips explained that existing design standards were reviewed and revised to ensure compliance with state requirements for objective standards and included converting discretionary language such as should to shall, adding measurable criteria, and codifying standards previously contained in qualitative design guidelines. She noted that design guidelines can no longer be used for approval decisions unless incorporated into the zoning ordinance. (See Page 8 of Attachment 4)

At 9:29 a.m., Mayor Freeman excused Councilmember Adams from the remainder of the meeting.

Ms. Phillips provided examples of newly codified objective standards, including minimum wall articulation requirements, clarification that changes in color or texture alone do not constitute

distinct building materials, landscaping diversity requirements, and residential amenity standards scaled to the size of the development. She stated that these changes are intended to ensure high-quality development and that amenities are proportional to the scope of the project. (See Page 8 of Attachment 4)

Additional discussion ensued regarding how the increased specificity could reduce flexibility in future development reviews.

Ms. Phillips outlined the proposed amendment to the development plan review process. She pointed out that staff recommended combining the site plan and design review processes to streamline review, reduce redundancy, and shorten timelines for applicants. She noted that applicants currently submit duplicative materials and receive overlapping comments through separate review tracks, which the proposed consolidation would eliminate. She added that the streamlined process would improve clarity for the public by reducing confusion about which boards have authority over land use, site plan, and design decisions, and ensure compliance with state law, and that the changes would reduce the number of sequential reviews by DRB, the P&Z Board, and City Council where not required. (See Pages 9 and 10 of Attachment 4)

Ms. Phillips provided details of the public outreach efforts made since September 2025. She confirmed that in response to feedback from the P&Z Board and the public regarding transparency, staff converted the proposed amendments into redline format by individual chapter and posted them online in early December for public feedback. She noted that the amendments were presented to the P&Z Board in December and that outreach efforts continued following that meeting. She said based on the feedback and requests received from the development community, staff is recommending delaying introduction of the ordinance and instead scheduling introduction for February 23, which would allow approximately 45 additional days for review, public comment, and coordination with stakeholders prior to returning to Council for consideration. (See Page 11 of Attachment 4)

Mr. Butler acknowledged some frustration with the timing of stakeholder feedback but noted that the proposed changes are part of a statewide effort, as all municipalities are required to comply with state law. He explained that the legislation was developed collaboratively among the Legislature, the Governor's Office, the League of Cities and Towns, and the development community, with the shared goal of streamlining and creating greater uniformity in development review processes across Arizona. He emphasized that the intent of the legislation is to make processes clearer and more predictable for the development community. He stated that given the recent feedback, staff will delay the item until February to allow continued internal discussion and stakeholder engagement, prioritizing a well-vetted and effective process.

Councilmember Goforth emphasized the importance of ensuring that required objective standards reflect community values, noting that while staff did not codify all design guideline standards, those selected represent key priorities. She expressed that Council input should guide mandatory standards, with flexibility maintained to avoid overregulation and unnecessary complexity.

Councilmember Heredia highlighted the importance of maintaining and strengthening technical assistance programs to help small businesses understand and comply with new requirements, particularly those that may not have the means to hire legal or consulting support. He encouraged staff to continue considering ways to support small businesses as these process changes are implemented.

Councilmember Duff expressed her support for the more streamlined process.

Responding to a question from Councilmember Taylor, Ms. Phillips confirmed that applications already in progress are given the option to proceed under the standards in effect at the time of submittal or to elect to comply with the new standards. She stated that this approach provides flexibility, allowing applicants to continue under prior requirements or transition to the new standards if doing so offers a benefit.

Additional discussion ensued regarding the public outreach for the proposed code amendments.

Mayor Freeman thanked staff for the presentation.

3-a. Appointments to Council Committees, Regional Boards, and other Committees.

It was moved by Councilmember Heredia, seconded by Councilmember Goforth, that the Council concur with the Mayor's recommendations and the appointments be confirmed. **(See Attachment 5)**

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Duff–Goforth–Heredia–Taylor

NAYS – None

ABSENT – Adams

Mayor Freeman declared the motion carried unanimously by those present.

4. Acknowledge receipt of minutes of various boards and committees.

4-a. Education and Workforce Development Roundtable meeting held on September 3, 2025.

4-b. Human Relations Advisory Board meeting held on October 22, 2025.

It was moved by Councilmember Goforth, seconded by Councilmember Taylor, that receipt of the above-listed minutes be acknowledged.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Duff–Goforth–Heredia–Taylor

NAYS – None

ABSENT – Adams

Mayor Freeman declared the motion carried unanimously by those present.

5. Current events summary including meetings and conferences attended.

Mayor Freeman and Councilmembers highlighted the events, meetings, and conferences recently attended.

6. Scheduling of meetings.

City Manager Scott Butler stated that the schedule of meetings is as follows:

Monday, January 12, 2026, 5:15 p.m. – Study Session

Monday, January 12, 2026, 5:45 p.m. – Regular Council

Thursday, January 15, 2026, 7:30 a.m. – Study Session

Thursday, January 15, 2026, 7:30 a.m. – Audit, Finance and Enterprise Committee

7. Adjournment.

Without objection, the Study Session adjourned at 10:03 a.m.

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MARK FREEMAN, MAYOR

ATTEST:

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HOLLY MOSELEY, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 8<sup>th</sup> day of January 2026. I further certify that the meeting was duly called and held and that a quorum was present.

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HOLLY MOSELEY, CITY CLERK

sr  
(Attachments – 5)

# Battery Energy Storage Systems (BESS) Public Meeting

Mary Kopaskie-Brown, Planning Director

Rachel Phillips, Assistant Planning Director





# Background

- Battery Energy Storage System (BESS) and BESS Facilities are not defined uses within the Mesa Zoning Ordinance (MZO)
- BESS are electrochemical devices that:
  - Charge or collect energy from the grid or generation facility
  - Store that energy so that it can be discharged later
  - Provide electricity or other grid services
- BESS includes battery cells; thermal, battery, and energy management systems; inverters; and related control and safety components
- BESS Facilities are the physical sites that store BESS and all associated equipment and infrastructure

# ackground

- BESS and BESS Facilities are an emerging and increasingly prominent land use
  - Provide grid stability by storing excess power for use during peak demand periods, outages, or emergencies
- They have unique public health and safety considerations, including but not limited to:
  - Fire and explosion risk
  - Electric shock hazard
  - Environmental impacts if improperly managed or disposed of
  - Emergency response challenges



# Purpose

- City of Mesa's Planning Division, Building Division, Fire & Medical, and Energy Resources Department are proposing Zoning and Fire Code amendments to:
  - Mitigate potential health, safety, and environmental impacts
  - Ensure land use compatibility and appropriate siting of BESS and BESS Facilities
  - Ensure high-quality design and address visual impacts
  - Support electric capacity and economic development in the city

# Proposed MZO Amendments

- Create land use definitions for BESS and BESS Facility
- Establish criteria for BESS and BESS Facility as either a principal or accessory use:
  - Principal Use - Nameplate capacity  $\geq 5,000$  kilowatts
  - Accessory Use - Nameplate capacity  $\leq 5,000$  kilowatts and exclusively serves the subject property
- Principal use permitted in the GI and HI Districts with approval of a Planned Area Development (PAD) Overlay District
  - Must comply with all BESS and BESS Facility standards
- Accessory use permitted in Agricultural, Residential, Commercial, Employment, and Downtown Districts
  - Doesn't have to comply with BESS and BESS Facilities standards



# Proposed MZO Amendments

## Additional Application Requirements

- Operational Plan which includes:
  - Compliance Statement - evidence of compliance with all applicable zoning, building, fire, and federal, state and local environmental laws
  - Preliminary Emergency Response Plan - procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions
  - Preliminary Decommissioning Plan - steps required for the complete physical removal of all BESS components
- Good Neighbor Policy - compliant response procedures
- Initial Sound Study - establish baseline levels at nearest residential zoning district, residential use, church, park, school, or other sensitive use

# Proposed MZO Amendments

## Development Standards

- Underground Utilities – if deemed necessary by the Development Services Department or the utility provider
- Site Screening
  - 1-ft above tallest piece of equipment
  - Opaque wall or fence with high quality materials
  - Articulated every 40 ft. with an offset or landscape pocket
- Separation Requirements
  - 1,000 ft. from residential zoning district and uses
    - Planning & Zoning Board recommended 400 ft. from residential zoning district and uses
  - 400 ft. from churches, parks, school, and other sensitive uses
  - 150 ft. from commercial or industrial buildings



# Separation vs Setback



## Setback -

- Fire Code
- Property line to BESS Equipment

## Separation -

- Zoning Code
- Site screen wall to either:
  - Property line of zoning district or use
  - Building



# Proposed MZO Amendments

- Substation Screening
  - 1-ft above the tallest piece of ground-mounted equipment
  - Opaque wall that matches the site wall
  - When 10-ft. tall or less - articulated every 40 ft. with an offset or landscape pocket
  - When greater than 10-ft. tall, consist of:
    - A 10-ft. masonry wall that matches the site wall; and
    - A decorate louvre, slated, or perforated upper screen, no more than 75% opaque, mounted on the masonry wall
  - When located internal to the site
    - Combination of 10-ft. masonry wall and louvres, slats, etc.; or
    - Fully decorate louvre, slated, or perforated screen



# Proposed MZO Amendments

## Operational Requirements

- On-Going Sound Studies
  - Within 30-days of receiving a Certificate of Occupancy
  - Annual Sound Study for 5 years thereafter
- Ownership or Operator Changes
  - Must notify the Development Services Department within 30 days
  - Approval remains in effect – new owner/operator assume all obligations
- Augmentation permitted if it complies with the approved Site Plan and Phasing Plan
  - Site Plan Modification or modification to phasing plan follows procedures in Ch. 69: Site Plan Review
  - Increase in Nameplate Capacity requires City Council approval

# Public Participation

- 2 Open Houses
  - In-person at the Mark @Eastmark on October 1<sup>st</sup>
    - 17 attendees
  - Zoom on October 13<sup>th</sup>
    - 24 attendees
  - Comments & Questions
    - Environmental impacts - setbacks from waterway & detention of water
    - Sound study levels
    - Zoning separation and Fire Code setbacks
    - Applicability to Eastmark



# Public Comment

- 11 people spoke at the Planning & Zoning Board hearing - Oct 22<sup>nd</sup>
  - Comments & Questions
    - The 1-megawatt threshold is too low; the nameplate capacity should be higher for accessory use
    - A 1,000-foot separation is too high; doesn't align with National Fire Protection Association (NFPA) standards
    - The ordinance is in conflict with Mesa's Energy and Climate goals which site the use of battery storage
    - How do we address projects already in development?
- Question & Answer Summary and public comments are included in the packet





# Questions?





# City Council

## ZON24-00998

Mary Kopaskie-Brown, Planning Director  
Evan Balmer, Assistant Planning Director

December 8, 2025



# Request

- Rezone from RM-2 to RM-4 with a BLZ Overlay
- Site Plan Review for a 15-unit multiple residence development





## 3





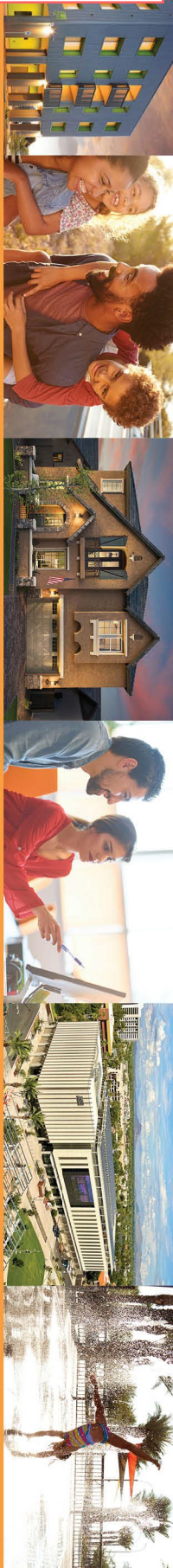
# General Plan

## Urban Residential

- Diverse mixture of uses where commercial, residential, and public/semi-public uses coexist
- Multi-family residential is a principal land use
- RM-4 is allowed in the Urban Residential Placetype







# Zoning

- Existing: RM-2
- Proposed: RM-4-BIZ
- Multiple Residences with a max. density of 30 dwelling units per acre (du/ac) are permitted in the RM-4 District.
- Proposed density: 25.9 du/ac





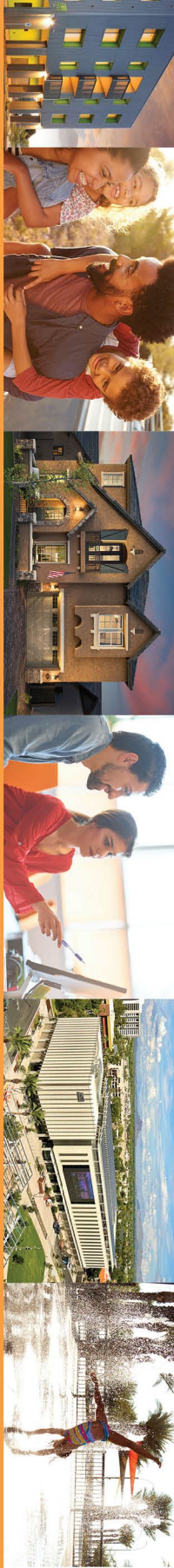


# Site Photo



Looking east from Mesa Drive





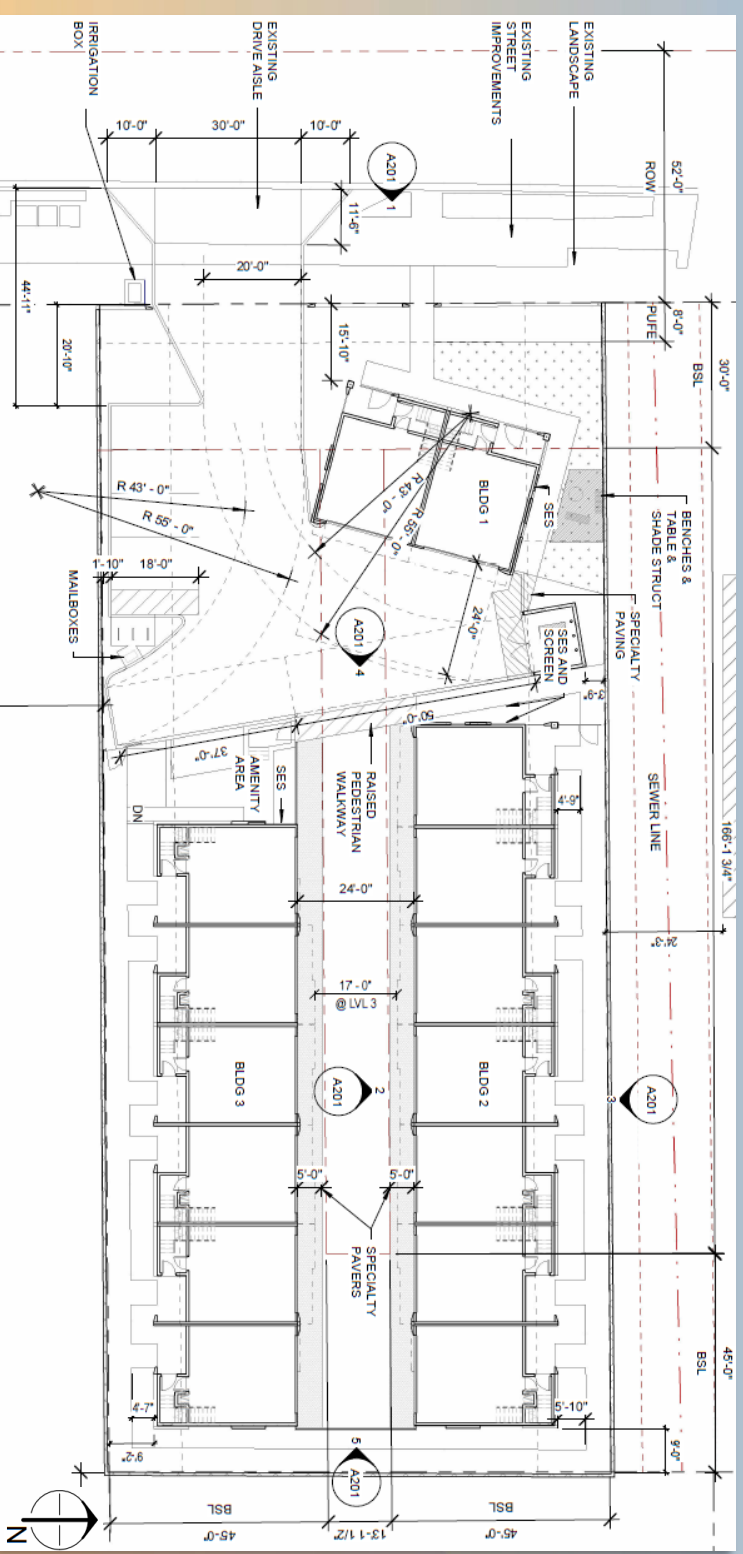
# Site Photo



Looking southeast from Mesa Drive

# Site Plan

- Three 3-story buildings
- 15 townhome units
- Access from Mesa Dr
- 24-ft-wide central drive provides access to garages
- Pedestrian walkways
- Amenity area
- 30 garage spaces + 4 guest spaces (32 required)







# Bonus Intensity Zone Overlay

## Criteria (MZO Ch. 21):

1. Provide distinctive, superior quality design
  - Distinctive & sustainable design, context, quality open space & exceeding standards
2. Environmental performance standards
  - Various site selection & site design criteria
3. Meet or exceed nationally recognized environmental standards (Green Globes, LEED, etc.)



# Bonus Intensity Zone Overlay

Development Standard		MZO Required	PAD Proposed
Maximum Lot Coverage (% of lot)		70%	79%
<u>Minimum Yards</u>  Front and Street Facing Side (6-lane arterial – S. Mesa Dr.)  - Interior Sides and Rear: 3 or more units on lot		30 feet  Multiple Story: 15 feet per story (45 feet total)	15'-10"  0' to shade structure; 3 feet per story for buildings (9 feet total)
<u>Minimum Separation Between Buildings on Same Lot</u>  - Three-Story building		35-feet	17-feet



# Bonus Intensity Zone Overlay

Development Standard		MZO Required	PAD Proposed
<u>Attached Garages</u> – MZO Section 11-5-5(B)(4)(f)(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.	When multiple garage doors are located within one (1) building, the maximum number of garage doors adjacent to one another shall be limited to seven (7), 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.
<u>Setback of Cross Drive Aisles</u> – MZO Section 11-32-4(A)		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.	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 20 ft from the property line abutting the street.

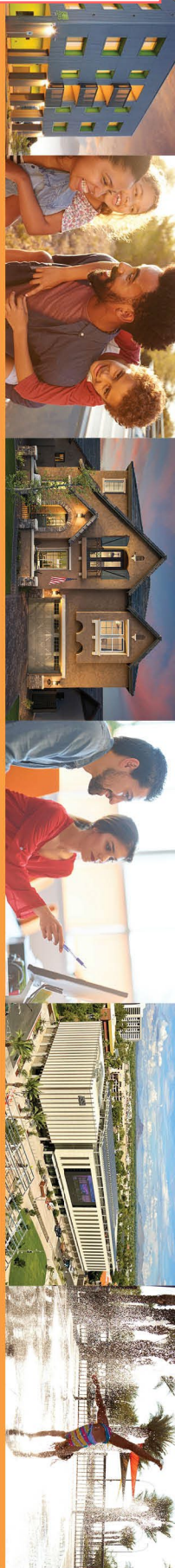




# Bonus Intensity Zone Overlay

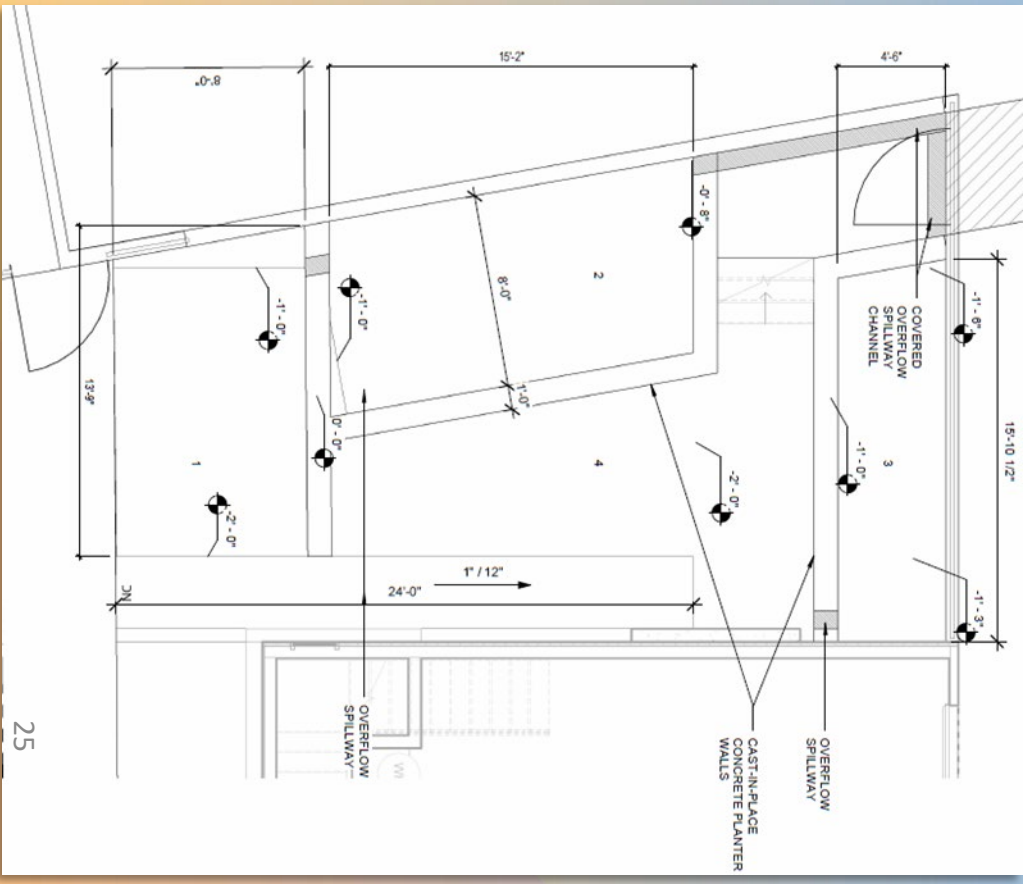
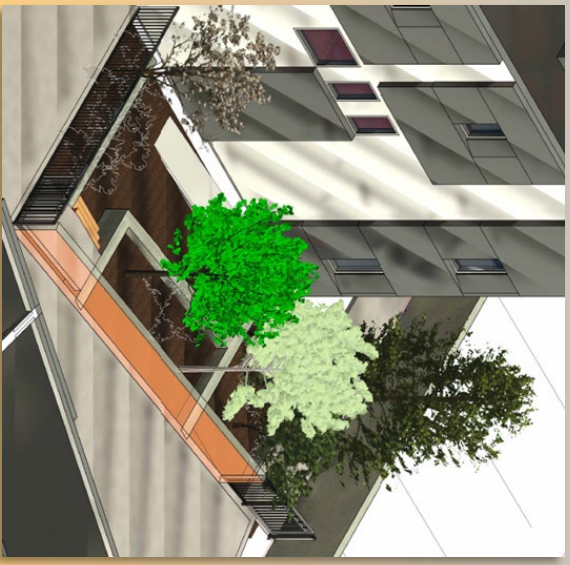
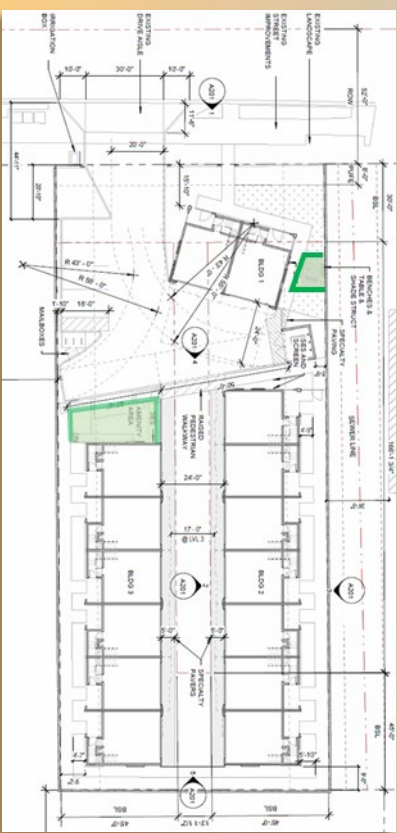
Development Standard		MZO Required	PAD Proposed
<u>Landscaping for Non-Single Residence Uses Adjacent to Other Non-Single Residence uses or districts – MZO Section 11-33-3(B)(2)(a)(ii)</u>		Properties that are not part of a group C-O-I Development, as defined in Chapter 87, must provide a 15-foot landscape yard except where a cross-access drive aisle occurs within the required landscape yard.	Properties that are not part of a group C-O-I Development, as defined in Chapter 87, must provide a 1'-10" landscape yard except where a cross-access drive aisle occurs within the required landscape yard.
<u>Plant Material within Foundation Base – MZO Section 11-33-5(B)(4)</u>		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.	Trees shall be in planters that are at least 4-1/2 feet wide. Other plant material shall be in planters that are at least 3 feet wide.





# Bonus Intensity Zone – Open Space / Amenities

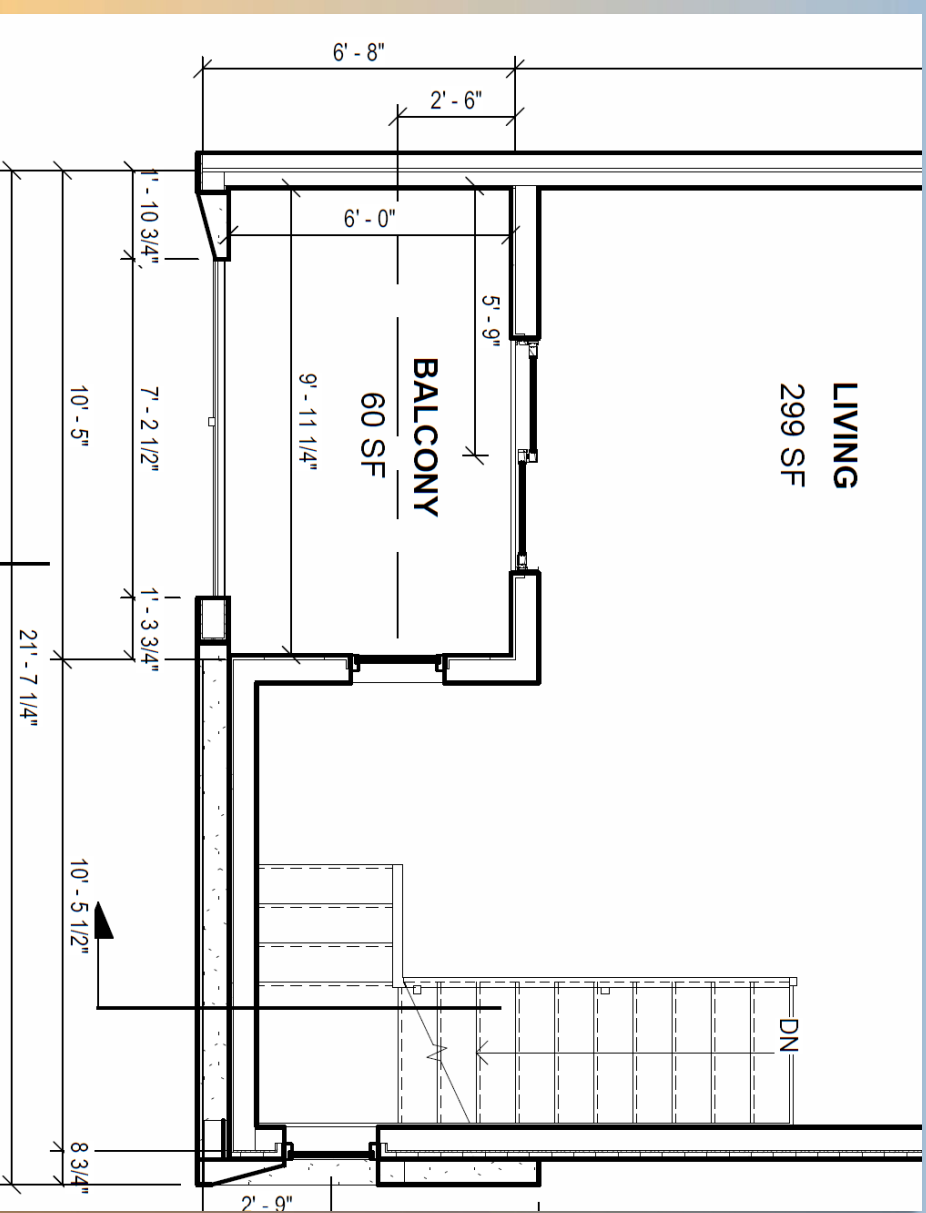
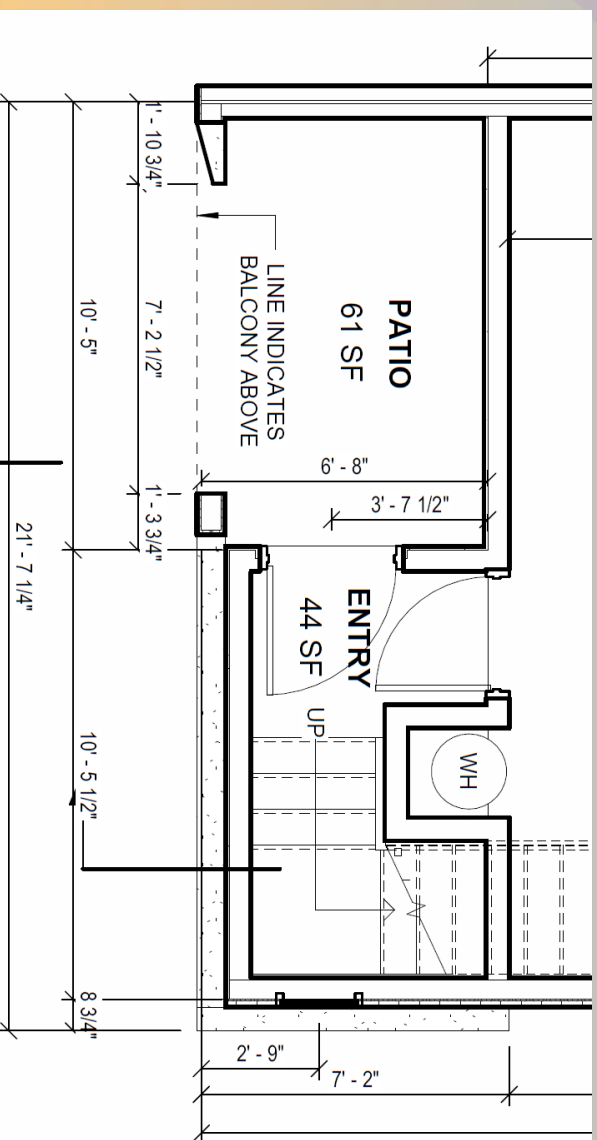
- Landscape materials in planters watered by a/c condensate
- Includes seating and shade



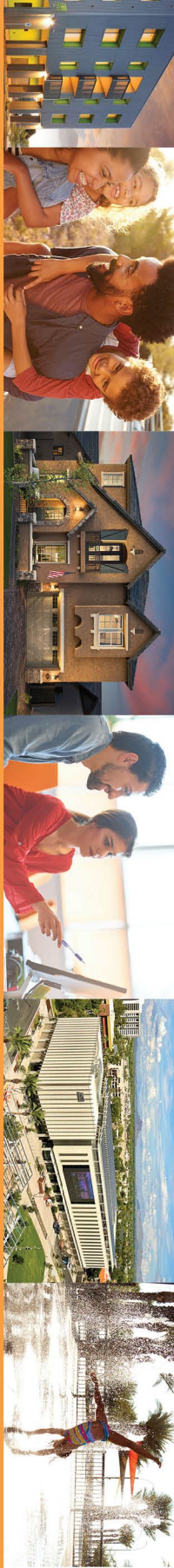


# Bonus Intensity Zone – Private Open Space

- 120 square feet of private open space (100 sq. ft. required)







# Elevations

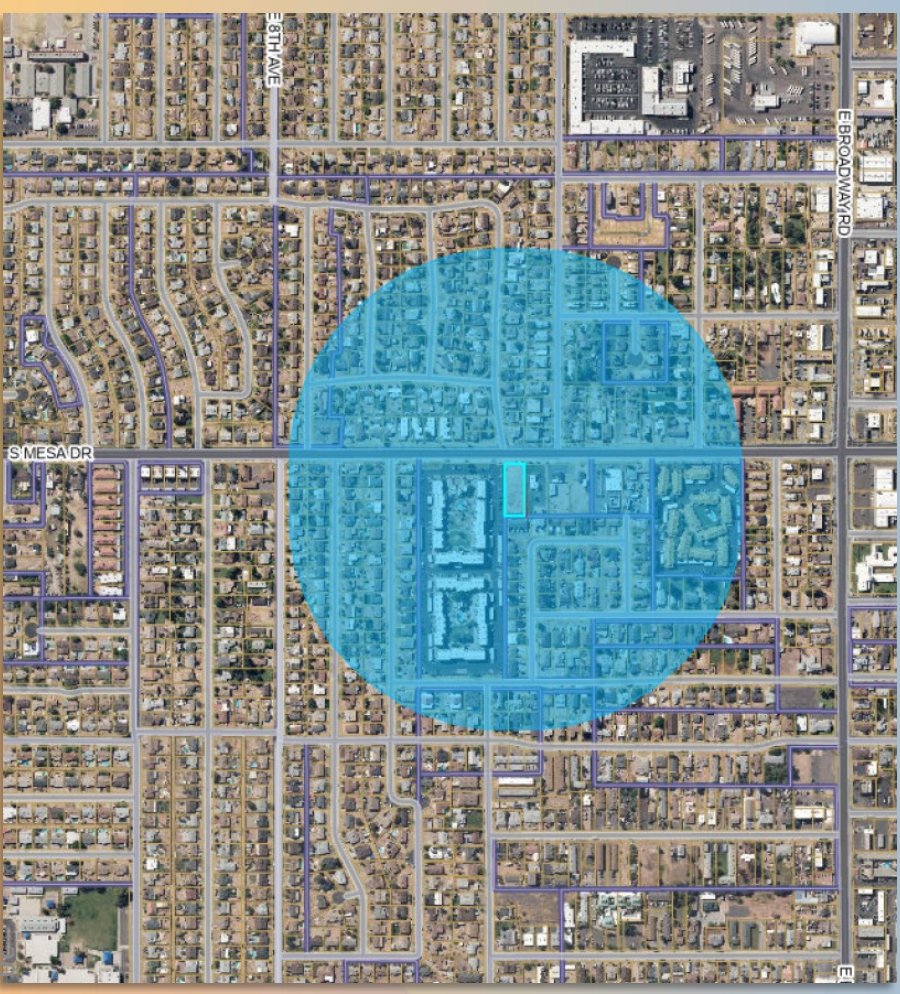






# Citizen Participation

- Notified property owners within 1,000', HOAs and registered neighborhoods
- Neighborhood meeting on January 16, 2025
  - No neighbors attended
- Staff received one phone call from adjacent neighbor expressing concerns about density and height





# Findings

- ✓ Complies with the 2050 Mesa General Plan
- ✓ Criteria in Chapters 21 & 69 for BIZ & Site Plan Review

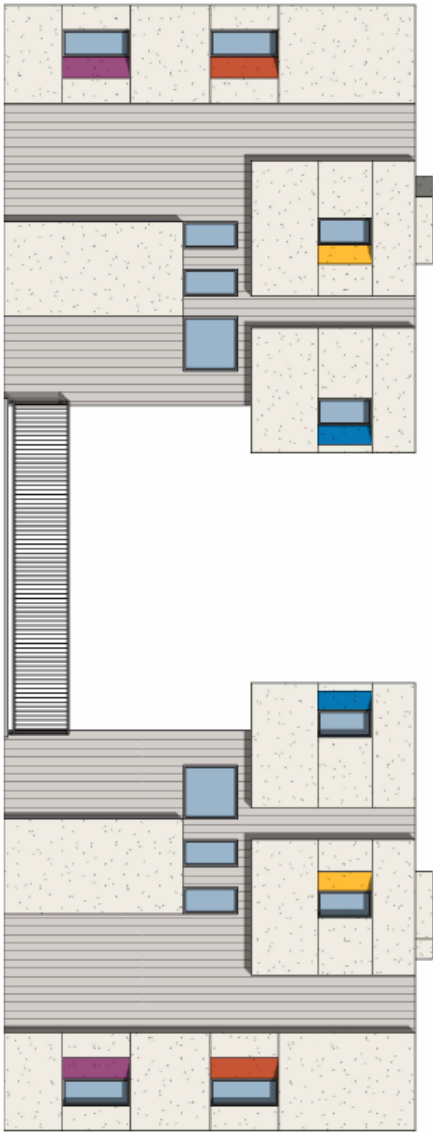
*Staff recommend Approval with Conditions*  
*Planning and Zoning Board recommends Approval with Conditions (5-0)*



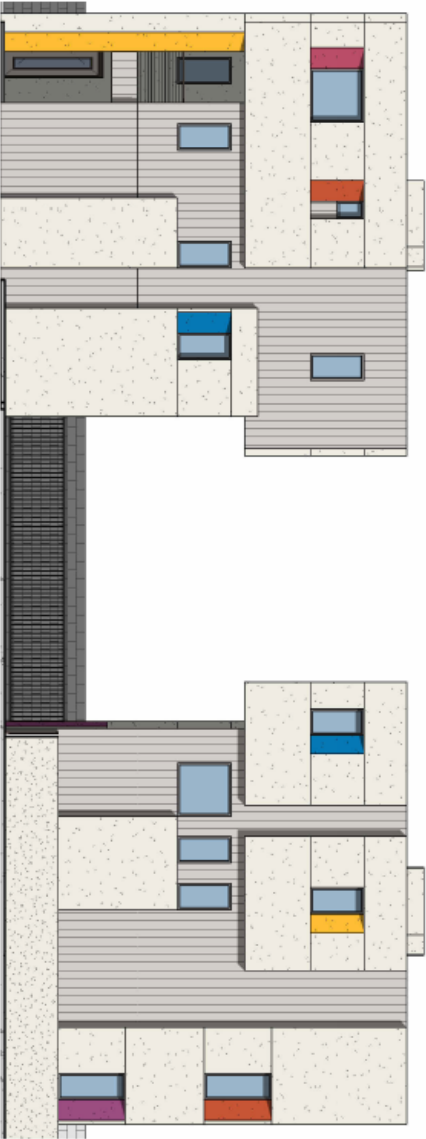




# Elevations



⑤ REAR ELEVATION  
1" = 10'-0"



④ DRIVE AISLE, WEST ELEVATION  
1" = 10'-0"



# Landscape Plan




## PLANT MATERIAL LEGEND

KEY SYMBOL BOTANICAL/Common Name SIZE (Height/Spread/Root Collar) QUANTITY



### EXISTING TREES

- 1  Picea a. 'Red Puh'  
Red Puh Picea  
Existing to remain  
W. Mature 25' 30' (70' S.F.)

### TREES

- 1  Picea a. 'Red Puh'  
Red Puh Picea  
W. Mature 25' 30' (70' S.F.)  
2  Picea lenticus  
W. Mature 25' 30' (70' S.F.)  
3  Eucalyptus populnea  
Ghost Gum Eucalyptus  
W. Mature 35' 25' (44' S.F.)  
24' Box 9' 24' 120' S.F.  
Double-Shoulder Typ.

### LARGE SHRUBS

- 4  Leucopodium lasatum  
Chilanthum Sage  
5 collen 37  
5  Olea europaea 'Little Ole'  
Little Ole  
5 collen 45  
6  Nerium o. 'Pete Pink'  
Pete Pink Oleander  
5 collen 17




### MEDIUM AND SMALL SHRUBS

- 7  Rosmarinus officinalis 'Prostratus'  
Dwarf Rosemary  
5 collen 10  
8  Callistemon c. 'Little John'  
Little John Bottle Brush  
5 collen 27  
9  Mahoeberia capillaris 'Regal Whit'  
Regal Whit Deer Grass  
5 collen 11

### GROUNDCOVERS

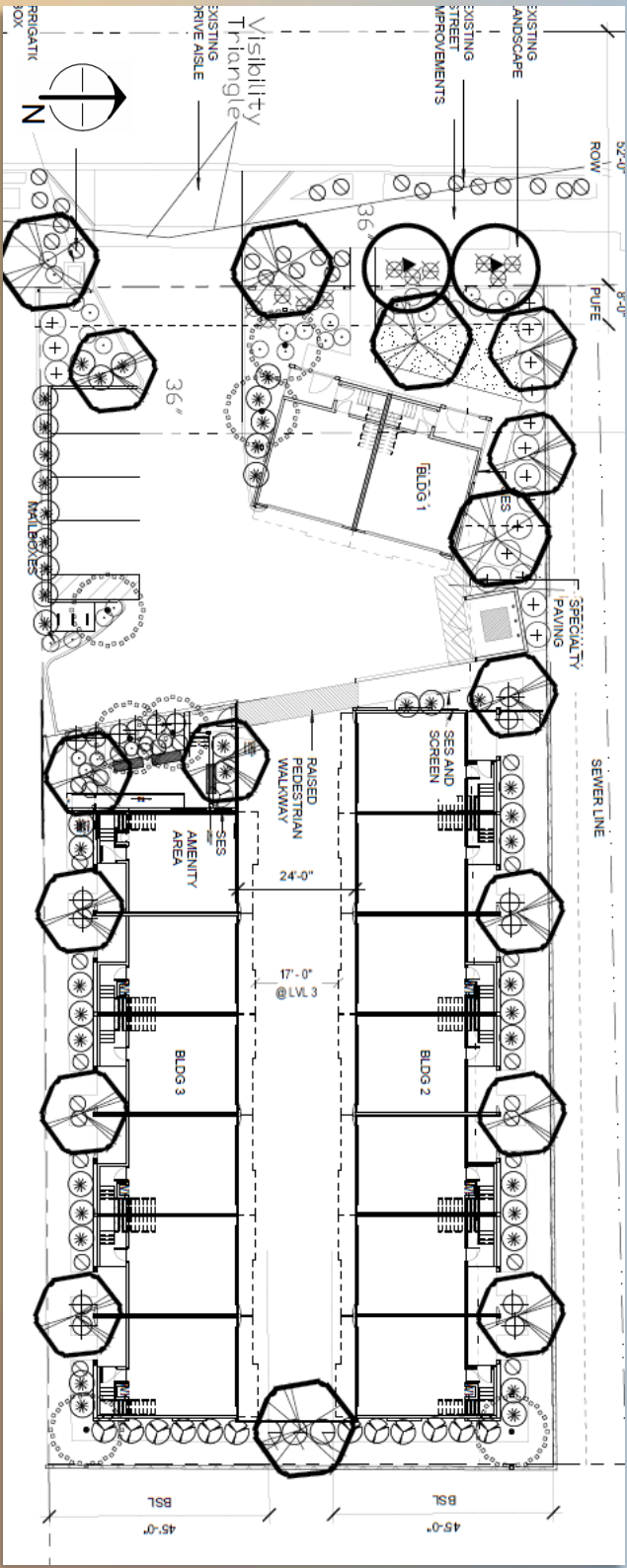
- 10  Lantana m. 'New Gold'  
New Gold Lantana  
1 collen 43  
11  Tecoma 'Orange Jubilee'  
Orange Jubilee  
5 collen 25

### ACCENTS

- 12  Nerium o. 'Pete Pink'  
Pete Pink Oleander  
5 collen 4  
13  Jatropha caroliniana  
Jatropha caroliniana  
5 collen 4  
14  Dianthus bicolor  
Dianthus bicolor  
5 collen 5

### LANDSCAPE MATERIALS

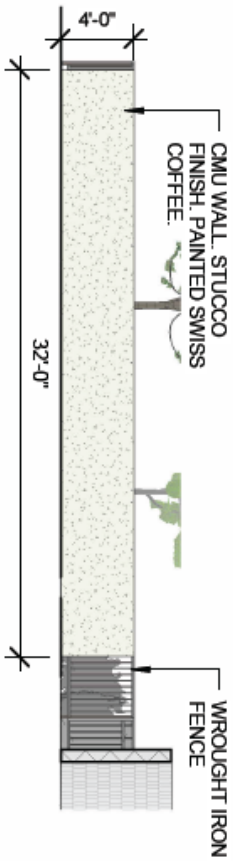
- 15  Decomposed Granite  
Dewett Gold  
1/2" deep  
2' Deep  
4' x 8' Curbstyle  
Sod 345 S.F.  
16  Concrete Header  
4' x 8' Curbstyle  
Sod 345 S.F.  
17  Median Barrier  
Sod 345 S.F.



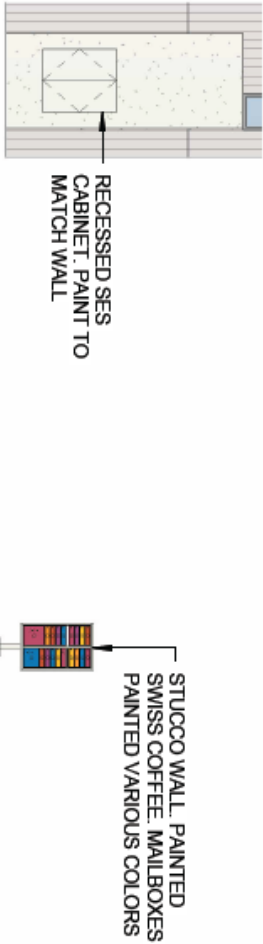




# Site Details



⑤ AMENITY WALL  
1/8" = 1'-0"



④ SES ELEVATION  
1/8" = 1'-0"

③ MAILBOXES  
1/8" = 1'-0"



# DRB Work Session Elevations





# Board Organization and Realigned Duties Proposed Text Amendments

January 8, 2026

Mary Kopaskie-Brown, Planning Director  
Rachel Phillips, Assistant Planning Director





# What we have heard...

## City Council

- Attendance at Planning and Zoning Board declining
- P&Z has an essential role
- Recommendations on significant land use Matters
- Need for a fully seated Board
- Respond to Development Advisory Forum requests for increased efficiency

# Staff Proposal – P&Z Alternates

- Addition of three alternates
  - Help ensure a full Board is seated to make key recommendations
  - Protect quorum at all meetings to provide schedule certainty for applicants and residents
  - Build a pipeline of trained candidates for future full appointments
  - Allow the Chair to seat alternates on rotating basis as needed

# Staff Proposal – P&Z Qualifications

- Modify composition of P&Z
- Recommend for P&Z
  - 3 design professionals including 1 contractor/developer
  - 4 community representatives
  - 3 alternates – at least 1 design professional or contractor/developer
- Mirror DRB composition



# Alignment with State Legislation

- HB 2447 signed by the governor on March 31, 2025
- Requires Legislative bodies
  - Establish administrative review processes for approval of design plans to be based on objective standards without public hearings

# Proposed Design Approval Structure

- 1) Combine Site Plan and Design Review Processes (“Development Plan Review”)
- 2) Align responsibilities of reviewing and approving bodies

## Planning Director

- Meet all development and design standards
- Not requesting a rezone, PAD, BIZ, CUP, SUP, or other deviation

## Design Review Board

- Alternative Compliance
- Municipal Projects (recommendation)
- As Directed by Council
- Planning Director Referral
- Planning Director Appeal
- PC District Matters
- Previous Approval Condition

## Planning & Zoning Board

- Rezone, PAD, BIZ, CUP, or SUP
- PC District Matters
- Project Specific Design Guidelines & Standards

# Questions?





# Administrative Review Modifications Proposed Text Amendments

January 8, 2026

Mary Kopaskie-Brown, Planning Director  
Rachel Phillips, Assistant Planning Director



# What we have heard...

## City Council

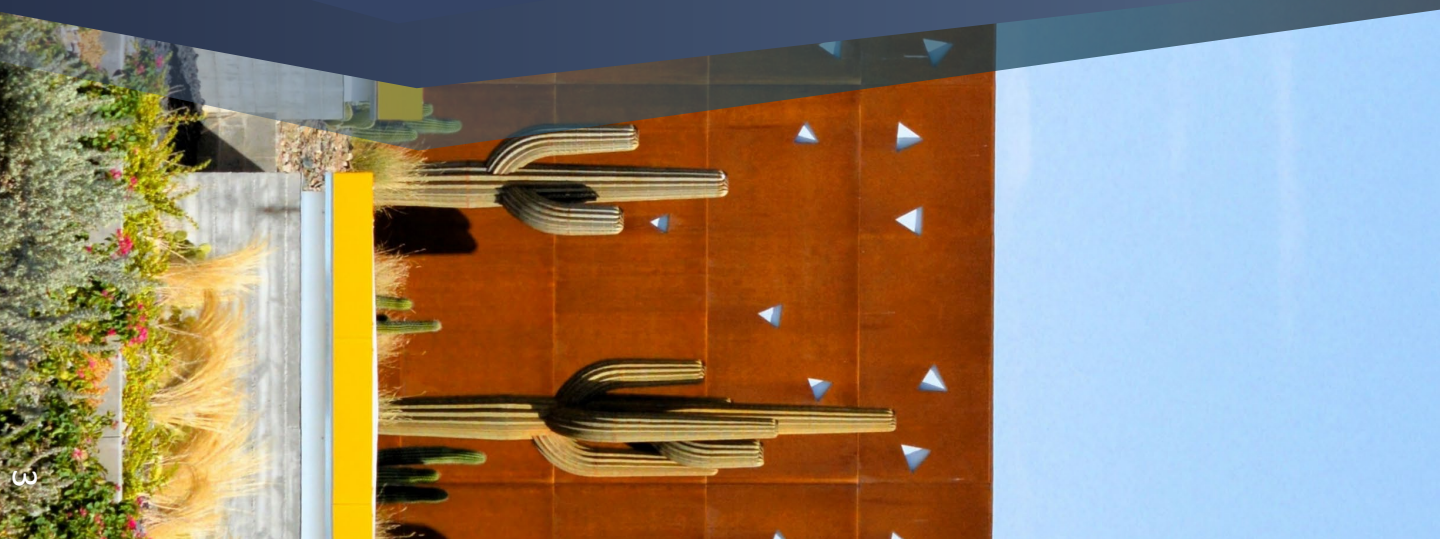
- Improve Development Review process and efficiencies
- Eliminate redundancies
- Improve internal coordination
- Use data for decision-making
- Improve the development environment in the City



# What we have heard...

## Development Community

- Improve and expand administrative approvals for site plans and plats
- Revise stringent standards on major and minor site plan amendment approval process
- Streamline and adopt flexible infill and redevelopment standards
- Allow administrative approval/flexibility
- Minimize uncertainty in the Design Review Process
- Continue to publish review schedule





# Changes to State Legislation

- HB 2447 signed by the governor on March 31, 2025
- Requires Legislative bodies establish administrative review processes (no public hearing) for:
  - Site plans and development plans
  - Review and approval of design plans based on objective standards
  - *Land Divisions (preliminary plats, final plats, lot splits, etc.) – Adopted by Council in July 2025*

# Proposed Amendments - Key Changes

- Redefine minor and major site plan modifications
- Develop additional objective design standards
- Streamline Development Plan Review Process
- Clean up discrepancies and inconsistencies to improve clarity

# Proposed Amendments

## Site Plan Modifications – Major vs. Minor

- Major Modification - Changes to a site plan that was approved by City Council AND involves a change in use
- Capture changes that can result in different:
  - Zoning standards (e.g., parking requirements)
  - Review procedures (e.g., Special Use Permit vs. by right)
  - Operational impacts (e.g., increased traffic generation)



# Proposed Amendments

## Site Plan Modifications – Major vs. Minor

- Major Modification – Example
  - Example 1: Full-Service Restaurant → Restaurant with drive-thru = change of use
  - Example 2: Kohls → Michael's = retail to retail = not a change of use
- Minor Modification- All other Site Plan modifications

# Proposed Amendments - Objective Design Standards

- Modify existing and add additional objective standards to ensure *high-quality development*
- Examples
  - Add minimum required depth for horizontal changes in a wall plane
  - Clarify that variations in color or texture are not a separate material
  - Add landscape diversity requirements (i.e., maximum % of plant species per tree, shrub, etc.)
  - Add requirement for residential amenities based on number of units

# Proposed Amendments - Development Plan Review Process

- Consolidate the Site Plan Review and Design Review processes
  - Reduce redundancy for applicants and staff
  - Shorten entitlement timelines by reducing number of public hearings
  - Create a clear public review process
  - Provide a more holistic and coordinated review of projects
  - Ensure compliance with updated state laws



# Proposed Amendments - Improve Clarity

- Modify expiration and extension provisions for all entitlements
  - Consistent across all application types (site plan, design review, Special Use Permits, Council Use Permits, etc.)
- Modify Alternative Compliance process
- Reorganize and reword text for clarity and consistency
- Modify and add definitions

# Public Outreach & Notification



# Questions?





**January 5, 2026**

**To:** City Councilmembers  
**From:** Mayor Mark Freeman  
**Subject:** Appointments to City Council, Regional and Other Boards and Committees

<b>City of Mesa</b>	
<b>AUDIT, FINANCE &amp; ENTERPRISE</b> Alicia Goforth, Chairperson Rich Adams Scott Somers	<b>PUBLIC SAFETY</b> Scott Somers, Chairperson Rich Adams Dorean Taylor
<b>SUSTAINABILITY &amp; TRANSPORTATION</b> Jenn Duff, Chairperson Alicia Goforth Dorean Taylor	<b>ECONOMIC DEVELOPMENT</b> Rich Adams, Chairperson Francisco Heredia Alicia Goforth
<b>COMMUNITY &amp; CULTURAL DEVELOPMENT</b> Francisco Heredia, Chairperson Jenn Duff Scott Somers	<b>CITY BENEFITS ADVISORY</b> Dorean Taylor Jenn Duff
<b>SELF INSURANCE BOARD OF TRUSTEES</b> Francisco Heredia	
<b>Regional Agency Board Assignments</b>	
<b>MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) - REGIONAL COUNCIL</b> Mark Freeman	<b>VALLEY METRO REGIONAL PUBLIC TRANSIT AUTHORITY (RPTA) / METRO RAIL</b> Francisco Heredia
<b>MAG TRANSPORTATION POLICY</b> Mark Freeman	<b>EAST VALLEY PARTNERSHIP</b> Mark Freeman
<b>GATEWAY AIRPORT AUTHORITY</b> Mark Freeman	<b>ARIZONA MUNICIPAL WATER USERS ASSOCIATION (AMWUA)</b> Mark Freeman
<b>Other Boards &amp; Committees</b>	
<b>DOWNTOWN MESA ASSOCIATION</b> Jenn Duff	<b>MESA CHAMBER OF COMMERCE</b> Scott Somers
<b>MESA UNITED WAY</b> Dorean Taylor	<b>VISIT MESA BOARD</b> Alicia Goforth
<b>ARIZONA MUSEUM OF NATURAL HISTORY</b> Rich Adams	<b>i.d.e.a. MUSEUM BOARD OF DIRECTORS</b> Francisco Heredia
<b>MESA ARTS CENTER FOUNDATION BOARD</b> Jenn Duff	<b>UNITED FOOD BANK</b> Dorean Taylor