

# 2025 Amendments to Mesa City Code Title 9, Chapter 6: Land Division Regulations

## Chapter 6 – Land Division Regulations

### 9.6.1: - Purpose and Applicability

- A. **Purpose.** The purpose of these regulations is to provide for the orderly growth and harmonious development of the City of Mesa by:
1. Ensuring adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, and public facilities, including provisions for bicycle and pedestrian ways;
  2. Achieving individual lots of reasonable utility;
  3. Securing adequate provisions for water supply, drainage, wastewater collection/treatment, and other health requirements;
  4. Ensuring consideration for adequate sites for schools, recreation areas, and other public facilities;
  5. Ensure that proposed land development provides all infrastructure and easements to support that development and future development that relies on such infrastructure and easements;
  6. Promoting the accurate conveyance of land through legal descriptions; and
  7. Providing logical procedures for the achievement of this purpose.
- B. **Applicability.** The requirements of this Chapter apply to all divisions of improved or unimproved land for the purpose of financing, sale, or lease, whether immediate or future, with the following exceptions:
1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
  2. The creation of parcels or leases solely for the purpose of oil, gas, or minerals extraction or exploration, which does not involve the sale or lease of land for permanent residential, commercial, or industrial development.
  3. Leasing of apartments, offices, stores, or similar space within an apartment building, commercial building, industrial building, Recreational Vehicle Park, or Manufactured Home Park.
  4. The combination of parcels of land, the boundaries of which were created by metes and bounds descriptions.
  5. Creation or realignment of an easement.
- C. **Types of Land Division.**
1. **Minor Land Divisions.**
    - a. Land Split.
    - b. Minor Plat.
  2. **Major Land Divisions.**

- a. Preliminary Plat.
- b. Final Plat.
- c. Map of Dedication.

### 9.6.2: - Platting Procedures and Processes

A. **Minor Land Division Process.** The Minor Land Division process applies to Minor Plats and Land Splits.

1. ***Applications.***

- a. ***Pre-Submittal Conference.***
  - i. A Pre-Submittal Conference is required prior to submitting an application for a Minor Plat.
  - ii. A Pre-submittal Conference is not required prior to submitting an application for a Land Split.
- b. Complete applications shall be submitted and applicable fees paid to the Development Services Department in accordance with the Minor Land Division application guidelines.
- c. The Planning Director may require additional information and supporting materials needed to evaluate and reach a decision on an application. The Planning Director may also waive specific submittal requirements if they determine the information is not needed to complete a review or make a decision.
- d. The applicant is responsible for the accuracy and completeness of all information submitted to the City. The Planning Director may deny an application if the application is incomplete, the request does not comply with City Code requirements, or the applicant made erroneous, false, or misleading statements in the application or to City staff during the application process.

2. ***Zoning Compliance.***

- a. Minor Plats and Land Splits must comply with all applicable Zoning Ordinance requirements.
- b. If a rezoning is required for the Minor Plat or Land Split to comply with the Zoning Ordinance, the rezoning must be approved prior to approval of the Minor Plat or Land Split.

3. ***Limitations.***

- a. ***Minor Plat Limitation.*** No more than 10 lots, tracts, or parcels of land may be created using a Minor Plat from the original tract/parcel.
- b. ***Land Split Limitations.*** A property with boundaries established by a recorded plat may be divided into no more than two (2) lots, tracts, or parcels of land. Any further division shall require a Major Land Division.
- c. Minor Land Divisions shall not be used to circumvent or avoid Preliminary Plat or Final Plat procedures and requirements.
- d. If it is determined by the Planning Director, that the intent or effect of an application is to circumvent or avoid Preliminary Plat or Final Plat procedures, the application will be denied, and the applicant will be required to submit a Preliminary Plat application.

4. ***Dedication and Acknowledgment.***
  - a. Where rights-of-way or easements are required to be dedicated, the dedication shall be made:
    - i. On the recorded Minor Plat; or
    - ii. By a separate recorded instrument; and
    - iii. In either case, prior to the issuance of a building permit or right-of-way permit, whichever occurs first.
  - b. ***Dedication Statement.***
    - i. The Minor Plat or separately recorded instrument must include a dedication statement granting all streets, alleys, drainage retention basins and drainage ways, pedestrian/bicycle ways, and easements for public use, including sanitation, utilities, fire, and other emergency-related vehicles, executed by the person holding title of record, by persons holding titles as vendees under land contract, by spouse of said parties, lienholders, and all other parties having an interest in the property.
    - ii. If any of the dedicated land is mortgaged, the mortgagee shall also sign the Minor Plat or separately recorded instrument.
    - iii. The dedication statement shall include a written location by section, township, and range of the tract.
    - iv. If the Minor Plat contains private streets, the public easement shall include the right to install and maintain utilities in the private street, including refuse collections, fire, and other emergency services.
  - c. ***Acknowledgment of Dedication.*** Execution of dedication shall be acknowledged and certified by a notary public.
  - d. ***Public Improvements.***
    - i. The recordation of a Minor Plat, Land Split map, or separately recorded instrument does not constitute acceptance by the City of any public improvement.
    - ii. The process for acceptance of public improvements shall be established by the City Engineer.
5. ***Approval.*** If a Minor Plat or Land Split complies with all objectives and requirements of this Chapter and other applicable City Codes, the Planning Director shall approve the request and stamp a notation of approval on the copy retained in the permanent file.
6. ***Required Certifications.***
  - a. ***Registered Land Surveyor.*** All Minor Plats and Land Splits must contain the seal of a registered land surveyor, certifying that the Minor Plat or Land Split is correct and accurate, and the monuments described in it have either been set or located as described.
  - b. ***City Engineer.*** All Minor Plats are required to be certified by the City Engineer. The City Engineer has no obligation to certify a Minor Plat unless the requirements of this subsection are met:
    - i. For areas within the City's limits, the City Engineer will certify a Minor

Plat only upon finding the applicant has:

- (1) Obtained a written commitment of water service for the land division from the City or a private water company designated as having an assured water supply pursuant to A.R.S. §45-576; and
  - (2) Complies with all City engineering standards and requirements.
- ii. For areas outside the City's established domestic water service area, the City Engineer will certify a Minor Plat only upon finding the applicant has:
- (1) Obtained a certificate of assured water supply from the Director of the Arizona Department of Water Resources (ADWR) pursuant to A.R.S. §45-576; and
  - (2) Indicated the ADWR Permit Number which certifies that the land division lies within the domestic water service area of a specific, identified water service provider.

7. **Recordation.**

- a. All Minor Plats and Land Splits must be recorded in the Maricopa County Recorder's Office.
- b. A Land Split shall not be recorded until the Planning Director's certificate of approval is transcribed on the document.
- c. A Minor Plat shall not be recorded until all the following are met:
  - i. The Planning Director's certificate of approval has been transcribed on the plat;
  - ii. The City Engineer has certified that all the property has written commitment of water service from the City, a private water company, or a certificate of assured water supply from ADWR, as applicable;
  - iii. All lots have been staked by a registered land surveyor.
  - iv. Engineering Plans are approved by the City Engineer.
  - v. A Survey Closure Report is provided to the Development Services Department.

B. **Preliminary Plat Process.**

1. **Applications.**

- a. *Pre-Submittal Conference.* A Pre-Submittal Conference is required prior to submitting an application for a Preliminary Plat.
- b. Completed applications must be submitted and applicable fees paid to the Development Services Department in accordance with the Preliminary Plat application guidelines.
- c. The Planning Director may require additional information and supporting materials needed to evaluate and reach a decision on an application. The Planning Director may also waive specific submittal requirements if they determine the information is not needed to complete a review or make a decision.
- d. The applicant is responsible for the accuracy and completeness of all information

submitted to the City. The Planning Director may deny an application if the application is incomplete, the request does not comply with City Code requirements, or the applicant made erroneous, false, or misleading statements in the application or to City staff during the application process.

2. ***Zoning.***

- a. Preliminary Plats must comply with all applicable Zoning Ordinance requirements.
- b. If a rezoning is required for the Preliminary Plat to comply with the Zoning Ordinance, the rezoning must be approved prior to or concurrent with approval of the Preliminary Plat.

3. ***Sanitary Sewer and Water Supply.*** Prior to Preliminary Plat approval, the applicant must review preliminary design concepts with the City Engineering Department.

4. ***Approval.*** The Planning Director may take the following actions on a Preliminary Plat.

- a. If the Preliminary Plat complies with all objectives and requirements of this Chapter and other applicable City Codes, the Planning Director shall approve the request and stamp a notation of approval on the copy retained in the permanent file.
- b. If the Preliminary Plat only requires minor revision, the Planning Director may approve the Preliminary Plat with conditions identifying the minor revisions required prior to Final Plat submittal.
- c. If the Preliminary Plat requires major revisions, the plat must be revised to address the deficiencies and resubmitted for review and approval.

5. ***Terms of Preliminary Plat Approval.***

a. ***Expiration.***

- i. A Preliminary Plat is valid for a period of two (2) years from the date of Planning Director approval.
- ii. If the Preliminary Plat expires prior to approval of a Final Plat, a new Preliminary Plat application must be submitted for review and accompanied by the required fee.

b. ***Extension of Approval.***

- i. Preliminary Plat approval may be extended by a period of two (2) years by the Planning Director upon a formal request from the applicant.
- ii. A total of two (2) extensions may be requested.
- iii. A request for extension of Preliminary Plat approval must be submitted by the applicant prior to the approval expiration date.

c. ***Significance of Preliminary Plat Approval.***

- i. Preliminary Plat approval constitutes authorization for the applicant to proceed with preparation of the Final Plat, engineering plans, and specifications for public improvements.
- ii. Approval of the Preliminary Plat does not assure approval of the Final Plat or continuation of the existing zoning, and does not constitute authorization to record the plat.

- iii. Preliminary Plat approval does not constitute approval to clear, grade, remove trees, or perform other land or construction activity.

C. **Final Plat Process.** The Final Plat shall substantially conform to the approved Preliminary Plat and shall comply with all appropriate City standards, codes, specifications, and requirements.

1. ***Applications.***

- a. *Pre-Submittal Conference.* A Pre-Submittal Conference is not required prior to submitting an application for a Final Plat.
- b. Complete applications shall be submitted and applicable fees paid to the Development Services Department in accordance with the Final Plat application guidelines.
- c. The Planning Director may require additional information and supporting materials needed to evaluate and reach a decision on an application. The Planning Director may also waive specific submittal requirements if they determine the information is not needed to complete a review or make a decision.
- d. The applicant is responsible for the accuracy and completeness of all information submitted to the City. The Planning Director may deny an application if the application is incomplete, the request does not comply with City Code requirements, or the applicant made erroneous, false, or misleading statements in the application or to City staff during the application process.

2. ***Zoning.***

- a. Final Plats must comply with all applicable Zoning Ordinance requirements.
- b. If a rezoning is required for the Final Plat to comply with the Zoning Ordinance, the rezoning must be approved prior to or concurrent with approval of the Final Plat.

3. ***Preliminary Plat Conformance.*** The Final Plat shall substantially conform to the approved Preliminary Plat.

- a. Substantial conformance means that the overall layout, number of lots, circulation patterns, access points, open space, and general design intent remain consistent with the Preliminary Plat.
- b. Any changes that increase the number of lots, alters street circulation or access, reduces open space, or otherwise affects the intent or conditions of the original approval may be determined by the Planning Director to not be in substantial conformance.
- c. If the Final Plat is found not to be in substantial conformance with the Preliminary Plat, revisions to the Preliminary Plat and reapproval shall be required before the Final Plat can proceed.

4. ***Dedication and Acknowledgment.***

- a. Where rights-of-way or easements are required to be dedicated, the dedication shall be made (i) prior to the issuance of a building permit or right-of-way permit, and (ii) pursuant to the recording of a Final Plat.
- b. *Dedication Statement.*
  - i. The Final Plat must include a dedication statement granting all streets, alleys, drainage retention basins and drainage ways, pedestrian/bicycle

ways, and easements for public use, including sanitation, utilities, fire, and other emergency-related vehicles, executed by the person holding title of record, by persons holding titles as vendees under land contract, by spouse of said parties, lienholders, and all other parties having an interest in the property.

- ii. If any of the dedicated land is mortgaged, the mortgagee shall also sign the Final Plat.
  - iii. The dedication statement shall include a written location by section, township, and range of the tract.
  - iv. If the Final Plat contains private streets, the public easement shall include the right to install and maintain utilities in the private street, including refuse collections, fire, and other emergency services.
  - c. *Acknowledgment of Dedication.* Execution of dedication shall be acknowledged and certified by a notary public.
  - d. *Public Improvements.*
    - i. The recordation of the Final Plat does not constitute acceptance by the City of any public improvement.
    - ii. The process for acceptance of public improvements shall be established by the City Engineer.
5. ***Final Plat Approval.*** If the Final Plat complies with all objectives and requirements of this Chapter and other applicable City Codes, the Planning Director shall approve the Final Plat.
6. ***Required Certifications.***
- a. *Registered Land Surveyor.* All Final Plats must contain the seal of a registered land surveyor, certifying that the Final Plat is correct and accurate and that the monuments described in it have either been set or located as described.
  - b. *City Engineer.* All Final Plats are required to be certified by the City Engineer. The City Engineer has no obligation to certify a Final Plat unless the requirements of this subsection are met:
    - i. For areas within the City’s limits, the City Engineer will certify a Final Plat only upon finding that the applicant has:
      - (1) Obtained a written commitment of water service for the property from the City or a private water company designated as having an assured water supply pursuant to A.R.S. § 45-576; and
      - (2) Complies with all engineering standards and requirements.
    - ii. For areas outside the City’s established domestic water service area, the City Engineer will certify a Final Plat only upon finding that the applicant has:
      - (1) Obtained a certificate of assured water supply from the Director of the Arizona Department of Water Resources (ADWR) pursuant to A.R.S. § 45-576.

- (2) Indicated the ADWR File Number which certifies that the property lies within the domestic water service area of a specific, identified water service provider.

7. **Recordation.**

- a. All Final Plats must be recorded in the Maricopa County Recorder's Office.
- b. The Final Plat shall not be recorded until all the following are met:
  - i. The Planning Director's certificate of approval has been transcribed on the plat.
  - ii. The City Engineer has certified that all the property has written commitment of water service from the City, a private water company, or a certificate of assured water supply from ADWR, as applicable.
  - iii. All lots have been staked by a registered land surveyor.
  - iv. Engineering Plans are approved by the City Engineer.
  - v. A Survey Closure Report is provided to the Development Services Department.

D. **Map of Dedication.**

1. Maps of Dedication must comply with the Final Plat process.
2. A Preliminary Plat is not required for a Map of Dedication.

E. **Amendments to Previously Approved Plats.**

1. **Applicability.**

- a. A change to a recorded plat may be made through the Replat or Affidavit of Change/Correction process.
- b. These procedures do not authorize the abandonment of public roadways or easements. The abandonment of public roadways and easements requires conformance with all applicable statutes, rules, regulations, ordinances, plans and policies.

2. **Applications.**

- a. *Pre-Submittal Conference.* A Pre-Submittal Conference is required prior to submitting an application to change a recorded plat.
- b. Complete applications shall be submitted and applicable fees paid to the Development Services Department in accordance with the Replat or Affidavit of Change/Correction application guidelines.
- c. The Planning Director may require additional information and supporting materials needed to evaluate and reach a decision on an application. The Planning Director may also waive specific submittal requirements if they determine the information is not needed to complete a review or make a decision.
- d. The applicant is responsible for the accuracy and completeness of all information submitted to the City. The Planning Director may deny an application if the application is incomplete, the request does not comply with the City Code, or the applicant made erroneous, false, or misleading statements in the application or to City staff during the application process.

3. **Replat.** Replats shall be processed in accordance with Final Plat procedures, except that the requirement for a Preliminary Plat may be waived by the Planning Director if the Replat substantially conforms with the previously approved Preliminary Plat.
4. **Affidavit of Change/Correction.**
  - a. *Limitations.* An Affidavit of Change/Correction may only be used when three (3) or fewer minor changes are proposed. These changes may include lot line adjustments, lot combinations, bearing or distance changes, or minor corrections such as language of dedication, notes, or legal description.
  - b. *Registered Land Surveyor.* All Affidavits of Change/Correction must contain the seal of a registered land surveyor. Whenever possible, the Affidavit of Change/Correction should be prepared by the original surveyor responsible for the plat being amended or corrected.
  - c. *Affidavit of Change/Correction Approval.* If the Planning Director determines that an Affidavit of Change/Correction complies with all objectives and requirements of this Chapter and other applicable City Codes, the Planning Director shall approve the Affidavit of Change/Correction.
  - d. *Recordation.* Following the Planning Director's approval, an Affidavit of Change/Correction must be recorded in the Maricopa County Recorder's Office.

F. **Modifications to Development Standards.**

1. **General Requirements.** The City Manager may eliminate, reduce, defer, or approve alternatives to the requirements or specifications in this Chapter if all the following are true:
  - a. The City Manager determines that special conditions related to the impact the proposed development will have on the City's need for land division improvements exist, such as special conditions involving topography, land ownership, adjacent development, or parcel configuration.
  - b. The City Manager determines that the elimination, reduction, deferral, or alternative to the requirements or specifications of this Chapter meets all of the following:
    - i. Is consistent with the intent of these regulations.
    - ii. Results in improvements that meet the City's needs.
    - iii. Does not constitute a grant of special privilege.
    - iv. Is not contrary to the public interest.
2. **Dedication of Right-of-Way for Land Splits.** The City Manager may eliminate, reduce or approve alternatives to the requirements or specifications for dedicating rights-of-way for land splits if all the following are true:
  - a. The City Manager determines that extraordinary conditions related to the impact the proposed development will have on the City's need for the dedication of right-of-way exist, such as special conditions involving topography, land ownership, adjacent development, or parcel configuration.
  - b. The City Manager determines that the requirement or specification for dedicating right-of-way for land splits will substantially impair land uses existing on the subject property or the ability to develop the subject property.

3. **Agreements.** To ensure compliance with any elimination, modification, deferral, or alternative, the City Manager may require certain provisions, such as protective covenants, bonds, and/or development agreements, and may require the provisions to be recorded against the property.
4. **In-Lieu Payment.** When the deferral of right-of-way improvements is authorized by the City Manager the owner and/or developer shall remit to the City a payment in lieu of causing the actual design, installation, or construction of those certain right-of-way improvements.
  - a. The in-lieu payment shall be based upon a cost estimate prepared by a professionally registered civil engineer and approved by the City.
  - b. The in-lieu payment cost estimate shall include all design costs, labor and materials costs, plus 20% for future contingency costs.
  - c. All in-lieu payments shall be remitted to the City as a condition of and in conjunction with the issuance of any on-site construction permits and/or off-site rights-of-way permits associated with the development project.
  - d. The obligation to construct right-of-way improvements or make an in-lieu payment prior to the issuance of permits, including the determination of the amount of the in-lieu payment required, may be deferred to a future date if the following criteria are met:
    - i. The developer/owner provides financial assurances acceptable to the City Engineer and the City Attorney;
    - ii. The developer/owner and the City enter into a development agreement that provides adequate financial assurance for the future construction of the improvements; and
    - iii. The City Manager finds that such deferral meets all of the following criteria:
      - (1) The development is non-residential;
      - (2) The property is zoned as a commercial or industrial district;
      - (3) The deferred right-of-way improvements are not included in this City's Capital Improvement Plan for construction within five (5) years of the deferral; and
      - (4) The deferral is in the best interest of the City.

### **9.6.3:- Compliance with Applicable Laws and Regulations**

All land divisions shall comply with the following:

- A. All applicable federal, state, county, and local laws, ordinances, rules, and regulations, including Title 9, Public Ways and Property and Title 11, Zoning Ordinance of the City Code.
- B. The Mesa General Plan.
- C. Mesa's Engineering and Design Standards Manual.
- D. Where the tract, parcel, or lot proposed for division includes all or part of a site designated for a park, school, flood control facility, or other public use identified in any adopted City Plan, that portion of the property shall:
  1. Be dedicated to the City; or

2. Reserved for future acquisition within a specified timeframe.
3. An agreement shall be established between the applicant and the appropriate public agency specifying the timing, method, and cost of such acquisition.
4. City Plan means a comprehensive planning document adopted by the City Council.

#### **9.6.4: - Design Principles and Standards**

##### **A. Land Suitability.**

1. Land that is subject to periodic flooding, cannot be properly drained, or other land the Planning Director determines is unsuitable for residential use may not be divided.
2. In making a determination on the suitability of land, the Planning Director may consider steep topography, unusual soil conditions, drainage problems, special lot width or depth, or area standards.
3. The Planning Director may approve division of unsuitable land upon receipt of evidence from the Maricopa County Flood Control District, Maricopa County Health Department, or the City Engineer that the construction of specific improvements will render the land suitable. Construction is prohibited until the specific improvements plan(s) are approved.

##### **B. Block Design.**

1. **Block Length.** Maximum block length is 1,320 feet, measured along the street centerline between intersecting street centerlines. Exceptions may be granted by the Planning Director for developments where the average lot size is one-half acre or larger, or where site conditions justify longer block lengths.
2. **Block Arrangement.** Blocks shall be of sufficient width to accommodate two (2) rows of lots, each meeting the minimum lot depth and width requirements of the Zoning Ordinance. Where lots back onto a collector or arterial street, freeway, natural feature, land division boundary, or where lots face a loop road or cul-de-sac, the Planning Director may approve a block with a single row of lots.

##### **C. Lot Design.**

1. All land divisions shall result in the creation of lots which are capable of being lawfully built upon.
2. Lot width, depth, and area, and building setbacks shall comply with the minimum requirements of the City Code, including the Zoning Ordinance, and shall be appropriate for the character of development envisioned for the property in the General Plan. Additionally, lot dimensions shall be suitable for the type and extent of public improvements required to serve the property. In general, urban densities must be developed with corresponding urban street and utility improvements.
3. Where steep topography, unusual soil conditions, drainage problems, abrupt changes in land use, or heavy traffic on adjacent streets exist, the applicant may propose lot widths, depths, and areas that exceed the minimum requirements of the zoning district.
4. No land division shall create lots which are unsuitable for improvement due to size, shape, steepness of terrain, location of water courses, problems of sewage, driveway grades, or other natural physical conditions, unless the parcel or tract is preserved as open space.
5. Property required for private utility or public purposes may be divided if it does not conform to lot requirements.

6. Side lot lines shall be substantially aligned at right angles or radial to street lines.
7. Individual lots on curvilinear streets shall have straight rear lot lines, unless otherwise approved by the Planning Director. Curvilinear rear lot lines with a minimum radius of 800 feet may be permitted.
8. Corner residential lots shall be designed to accommodate increased setback requirements of the Zoning Ordinance.
9. The street-side, rear corner of corner lots adjacent to key lots shall be angled to provide a 10-foot by 10-foot cutoff. A key lot is an interior lot, adjoining the rear lot line of a corner lot.
10. Single residential lots extending through the block and having frontage on two (2) parallel local streets are not permitted.
11. Backing of residential lots onto collector streets shall be prohibited unless the Planning Director determines it is necessary to provide for separation of residential development from the collector street or where expressly permitted in accordance with the City Code.

**D. Easements.**

1. The width, location, and purpose of all easements shall be shown on all plats.
2. Utility easements shall be located to the front of lots where practicable.
3. For lots facing on curvilinear streets, utility easements shall consist of a curved line parallel to the front property line and a series of straight-line segments or a curved line parallel to the rear property lines as may be required to complete an existing easement system.
4. Where a stream or drainage course abuts or crosses a tract, lot, or parcel of land, dedication of a drainage easement with sufficient width to permit widening, deepening, relocating, protecting, or maintaining of the water course is required.
5. Land within a major drainage, flood, or transmission easement shall not be counted towards the minimum required lot area unless the lot exceeds one-half acre in area.

**E. Streets.** All public and private streets and alleys shall comply with the City of Mesa Standard Details and Specifications, the Engineering and Design Standards Manual, and the following standards.

1. ***Street Frontage.*** Every lot shall have frontage on a dedicated public street unless the lot is a unit in a condominium subdivision, or the lot has been approved to have frontage on a private street. Street frontage is defined as the linear distance that a lot, parcel, or development site abuts a public or private street, measured along the property line that directly borders the street right-of-way.
2. ***Coordination of Streets.***
  - a. Collector and local streets shall connect with surrounding streets where necessary to allow access for emergency vehicles and movement of traffic.
  - b. Connections will not be permitted where the effect would be to encourage the use of such streets by cut-through traffic.
  - c. When connections to surrounding streets are required by the City, public right-of-way shall be dedicated to the City and streets developed to paved, existing rights-of-way.
  - d. The City may require temporary turn-arounds to be constructed between

development phases. Temporary turn-arounds shall comply with the Engineering and Design Standards Manual.

- e. *Pedestrian/Bicycle Ways.*
  - i. Sidewalk widths up to 12 feet may be required for access to schools, playgrounds, shopping centers, community facilities, or along street corridors for pedestrian/bicycle enhancements.
  - ii. Pedestrian/bicycle ways may also be used for utility and drainage purposes and must be noted on the plat and approved by the Engineering Department.

3. ***Street Design.***

- a. Streets shall be arranged in relation to existing topography to produce lots of maximum utility, streets of reasonable gradient, and to facilitate adequate drainage.
- b. Where a proposed land division abuts or contains an existing or proposed arterial street, freeway, or expressway, the City may require frontage streets or reverse frontage with nonaccess easements along the arterial street or highway. The City may place additional requirements on these land divisions to protect residential properties from the nuisance and hazard of high-volume traffic and to preserve the traffic function of the arterial route, freeway, or expressway.
- c. Where a land division abuts or contains a railroad right-of-way, limited access highway, irrigation canal, or is adjacent to a commercial or industrial land use, the City may require a street to provide appropriate access and use of the intervening land. The required distance and design shall take into account factors such as approach grades, drainage, bridges, or future grade separations.
- d. *Half-streets.*
  - i. Half-streets are prohibited except where required to provide right-of-way to complete an existing street pattern.
  - ii. Where a half-street is necessary, additional right-of-way and street improvements may be required.
  - iii. Where a platted half-street is adjacent to a proposed land division, the remaining half-street must be platted within the proposed land division.
- e. All street intersections shall be designed to meet minimum sight distance visibility requirements per the Engineering and Design Standards Manual.

4. ***Private Streets.***

- a. Private streets shall conform to the same design standards as public streets.
- b. Where site conditions necessitate unique design solutions, modifications may be approved by the City Engineer and City Traffic Engineer.
- c. Where private streets are approved, the plat, deed restrictions, and the homeowners' association by-laws shall contain statements that the streets:
  - i. Are declared private;
  - ii. Are subject to a public utility and facilities easement (PUFE) authorizing access to said utility; and

- iii. Will remain the permanent responsibility of the homeowners' association.

5. ***Street Naming.***

- a. Established public street names shall be assigned to new streets that share a common alignment with existing streets within Mesa's corporate limits in accordance with the City's Address and Street Name Assignment Policy.
- b. New street names should not duplicate, in whole or in part, or be confused with existing names. New street names are subject to final approval by the City.
- c. ***Private Streets.***
  - i. Private streets shall be assigned names in accordance with the City of Mesa Address and Street Name Assignment Policy.
  - ii. Private drives and aisles in Manufactured Home and Recreational Vehicle Subdivisions, or townhome or condominium subdivisions shall not be named or numbered.
    - (1) The subdivision will receive a single master address based on the public street on which it fronts.
    - (2) Lots, buildings, and dwelling units within the subdivision will be assigned lot numbers, unit numbers, and building numbers by the City staff for mail delivery, emergency, or other service needs.

**9.6.5: - Public Improvements.**

The City Engineer is delegated authority to develop and apply engineering standards, specifications, and procedures for the design and construction of public improvements in alignment with the objectives of this Section that are necessary or appropriate to protect the public health, safety, and welfare.

A. **Responsibility.**

- 1. The developer is responsible for construction of all utility systems needed as a direct result of the development, such as wastewater, water, electric, phone, cable, gas, irrigation, and refuse.
- 2. The extent of public improvements required for a land division will be in accordance with City standards.
- 3. ***Oversize of Required Public Improvements.***
  - a. The developer may be required to oversize public improvements to ensure that the City of Mesa's public improvement standards for transportation, utility service, and infrastructure are maintained.
  - b. If requested the City may participate in the increased costs of oversize improvements through a "City Share" agreement, where applicable.
  - c. The City's commitment to participate in increased costs for improvements for oversized improvements will be formalized in a development agreement and recorded with the Maricopa County Recorder's Officer.

B. **Engineering Plans.**

- 1. A complete set of engineering plans for construction of all required improvements shall be prepared by an engineer registered in Arizona in conjunction with the Final Plat or Minor Plat.

2. No plat will be recorded until the engineering plans are approved by the City.

C. **Required Improvements.**

1. ***Streets and Alleys.***

- a. All streets and alleys within a land division, including perimeter streets and alleys or half-streets and partial alleys, shall be paved and include concrete curbs installed to lines, grades, and dimensions approved by the City Engineer and in conformance with City standards.
- b. Dead-end streets serving more than four (4) lots shall have a graded and surfaced turn-around.
- c. When improvement of a collector or arterial street is required, the City will pay for such extra width paving as may be deemed appropriate by the City.

2. ***Sidewalks.*** Concrete sidewalks shall be constructed along both sides of all streets within the land division and along one side of perimeter streets to a width and to lines and grades approved by the City Engineer and in conformance with City standards.

3. ***Water and Sewer Lines and Services.***

- a. Every lot within a development shall be served by a water supply system and sewer disposal system that will accommodate the reasonable needs of the principal use or development and that complies with all applicable health regulations.
- b. Water and sewer lines shall be installed to lines and grades, and of such sizes and lengths as approved by the City Engineer and in conformance with City standards.
- c. Water and sewer service lines shall be installed for each lot at locations approved by the City prior to paving the street and alleys.
- d. Service stubs to platted lots and tracts for underground utilities shall be placed at such length and size so no disturbance of street and utility improvements is necessary when future service connections are made.
- e. Where it is necessary to extend a water or sewer main from an existing adequate main, the developer will be required to pay the full cost of the line extension.
  - i. The City may participate in the oversize cost that may be formalized in an agreement that may include a development agreement.
  - ii. The City may enter into a “Utility Buy-in Program, Private Line Agreement” with the developer. A private line agreement requires subsequent users to pay a share of the cost of the line extension when they take service from the line extension, if the subsequent user takes service during the term of the agreement.

4. ***Fire Hydrants.*** Fire hydrants shall be installed within and along perimeter streets, at locations and to lines and grades approved by the City Engineer and Fire Department and in conformance with City standards.

5. ***Gas.*** Gas service may be furnished according to current available supplies as determined by the City or other franchised supplier for that area.

6. ***Irrigation Lines and Ditches.*** All irrigation and other ditches within the land division or within perimeter half-streets, alleys, or easements shall be titled or abandoned in

accordance with plans and specifications approved by the City Engineer and/or the respective irrigation district.

7. ***Storm Water Retention.***

a. The subdivider shall make provisions for the retention and subsequent bleed off of all storm water in accordance with plans approved by the City Engineer and in conformance with City standards.

i. The plans shall show the type, extent, location, and capacity of existing and proposed drainage and retention.

ii. Complete hydrology and hydraulic design computations shall accompany the plans and be approved prior to the recordation of the Final Plat or Minor Plat.

b. ***Retention Basins.***

i. Public retention basins are encouraged to provide additional land area (up to 25% of the basin size) above the minimum land area calculated to retain their specified volume of water to help ensure that public basins provide usable “flat” areas for recreational purposes. The design, amount, and location of the additional area provided should be considered in the initial design of the project. The need for additional open space and the design of the basin will be reviewed by City staff on a project-by-project basis to help ensure adequate recreational facilities are provided to serve the needs of the future residents of the proposed land division.

ii. Multiple small retention basins are not permitted for either public or private developments unless approved by the City Engineer and in conformance with City standards.

iii. Upon completion of an approved maintenance period for a public retention basin that will be maintained by the City, the developer shall provide, at no cost to the City, a clear title to the public retention basin.

iv. Once constructed by the developer and approved by the City, the retention facilities shall not be modified unless such modification is approved by the City Engineer.

8. ***Streetlights.*** Streetlights shall be installed along all streets within the land division and along all perimeter streets developed in conjunction with the land division.

a. Streetlights shall be LED (Light Emitting Diode) and must be installed by the developer in accordance with plans approved by the City and in conformance with the City Engineering and Design Standards Manual and Streetlight Technical Manual.

b. Streetlight illumination levels shall comply with the streetlight lumen level and City Engineering and Design Standards Manual and Streetlight Technical Manual. The streetlight lumen level is the standard lumen lighting levels of a streetlight required by Roadway Lighting ANSI/IES RP-8. LED lights shall have a correlated color temperature (degrees Kelvin) rating as specified in the City Engineering and Design Standards Manual and Streetlight Technical Manual.

c. ***Adaptive Lighting.*** Adaptive lighting consists of lighting with the ability to automatically adjust light level and spectral content based on environmental

conditions in order to optimize space, human, and building performance. Public streetlights may utilize adaptive lighting and may be dimmed in accordance with City Engineering and Design Standards, which shall allow street light power levels to be reduced as follows:

- i. To as low as 25% of maximum power level on arterial streets in lighting Zone 1, as identified in the Street Light Master Plan, a copy of which is on file with the City Transportation Department.
  - ii. As low as 45% of maximum power level on all other areas of, and streets within, the City.
- d. *Mesa Proving Grounds (Eastmark)*. To allow flexibility in lighting design to create a variety of unique neighborhoods and environments across the Mesa Proving Grounds Project, streetlighting on public local streets within the Mesa Proving Grounds, located in the area north of Williams Field Road, west of Signal Butte Road, south of Elliot Road and east of Ellsworth Road, shall be provided as specified below.
- i. In land use groups V-Village and D-District where continuous sidewalk and landscape/hardscape lighting are provided, and in land use groups OS-Open Space, CS Civic Space, E-Estate, R-Retreat and in service lanes irrespective of sidewalk and landscape/hardscape lighting, streetlighting shall be provided at locations specified below to the light level required by the City of Mesa Engineering and Design Standards:
    - (1) At all public street intersections and all locations where private commercial driveways with heavy nighttime use, as determined by the City Traffic Engineer, multi-family driveways serving 20 or more units, or service lanes intersect a public street.
    - (2) At all marked and unmarked pedestrian crosswalks.
    - (3) At all marked and unmarked pedestrian, bicycle, equestrian or multi-use pathway crossings.
    - (4) At the end of a cul-de-sac or hammerhead.
    - (5) At all driveway entrances to schools or civic buildings.
    - (6) Continuously along streets where adjacent major nighttime gathering locations are brightly lit and there is no fence or other physical barrier between the street and the outdoor facility that limits pedestrian access to specific crossing points, as determined by the City Traffic Engineer.
    - (7) At other locations specified by the City based on roadway design characteristics, land use, or anticipated public use.
    - (8) In service lanes, additional privately owned and maintained lighting shall be provided as specified at the Development Unit Plan level.
  - ii. In all other land use groups continuous streetlighting shall be provided in accordance with the City of Mesa Engineering and Design Standards.
- e. *Morrison Ranch*. In order to provide for creation of a unique neighborhood environment based on the agricultural heritage of the southeast valley and to

provide consistency throughout a 2,000-acre master planned community on the former Morrison Ranch properties, streetlighting on public local streets within the area south of Guadalupe Road, north of the power line easement approximately one-half (1/2) mile south of Guadalupe Road, west of Sossaman Road, and east of the East Maricopa Floodway shall be provided as specified below.

- i. A minimum of one (1) streetlight shall be placed at each intersection and at the end of each cul-de-sac that is more than 200 feet long.
- ii. A minimum of one (1) streetlight shall be placed at each marked and unmarked pedestrian crosswalk, and at each marked and unmarked pedestrian, bicycle, equestrian or multi-use pathway crossing unless such crosswalk or pathway crossing will be lighted by a streetlight at an intersection pursuant to Subsection (e)(i) above.
- iii. On street sections longer than 400 feet, streetlights shall be placed at a maximum spacing of one (1) per every 400 feet.
- iv. Streetlights may consist of decorative poles and decorative post top mounted fixtures as approved by the Transportation Department Director, with a typical mounting height of approximately 16 feet, but in no case lower than 16 feet or higher than 25 feet.
- v. Continuous lighting along sections of streets adjacent to school sites, public parks, or activity centers shall be provided in accordance with the City of Mesa Engineering and Design Standards.

f. *Pacific Proving Ground North (Cadence)*. In order to provide for creation of a unique neighborhood environment based on early American neighborhood character throughout the 484-acre Pacific Proving Ground North development, streetlighting on public local streets within the area south of Ray Road, and east of Ellsworth Road shall be provided as specified below.

- i. All local public street intersections shall be illuminated per the City standards.
- ii. One (1) light shall be installed at each elbow intersection.
- iii. Lights shall be installed at all marked or un-marked pedestrian, bicycle, equestrian or multi-use pathway street crossings (crosswalks) to meet City light level standards.
- iv. One (1) light shall be installed at all public driveway entrances to schools.
- v. Continuous lighting along sections of streets adjacent to school sites, parks, or activity centers shall be provided in accordance the City of Mesa engineering and design standards.
- vi. One (1) light shall be installed at the end of each cul-de-sac that is longer than 200 feet as measured from the centerline of the intersection at the beginning of the cul-de-sac to the face of curb at the farthest point of the cul-de-sac.
- vii. Streetlights may be decorative, post top style fixtures, as approved by the Transportation Department Director to meet the theme of the community. Light source shall be LED.

- viii. Streetlights will have an approximate 15-foot to 25-foot mounting height.
- g. *Mulberry*. In order to provide for creation of a unique neighborhood environment based on early American neighborhood character throughout the 172.5-acre Mulberry Development located north of Guadalupe Road and west of Signal Butte Road, street lighting on public local streets within phases one, two, three and four of Mulberry shall be provided as specified below.
  - i. All local public street intersections shall be illuminated per the City standards.
  - ii. One (1) light shall be installed at each elbow intersection.
  - iii. Lights shall be installed at all marked or un-marked pedestrian, bicycle, equestrian or multi-use pathway street crossings (crosswalks) to meet city light level standards.
  - iv. One (1) light shall be installed at all public driveway entrances to schools.
  - v. Continuous lighting along sections of streets adjacent to school sites, parks, or activity centers shall be provided in accordance with the City of Mesa engineering and design standards.
  - vi. One (1) light shall be installed at the end of each cul-de-sac that is longer than 200 feet as measured from the centerline of the intersection at the beginning of the cul-de-sac to the face of curb at the farthest point of the cul-de-sac.
- 9. ***Traffic Control Devices.***
  - a. Traffic control devices shall be provided or existing control devices shall be modified in conjunction with the development in accordance with designs approved by the Development Services Department Director, where required in accordance with the Mesa Transportation Department and City Traffic Engineer.
  - b. The Transportation Department may defer the installation of required traffic control devices. When the installation of required traffic control devices is deferred:
    - i. The developer shall pay the City an in-lieu payment for the deferral of the actual design, installation, and/or construction of the devices.
    - ii. This in-lieu payment shall be based upon a cost estimate prepared by a professionally registered engineer and approved by the City of Mesa.
    - iii. The in-lieu payment cost estimate shall include all design costs, labor and materials costs, plus 20% for future contingency costs.
    - iv. All in-lieu payments shall be remitted to the City of Mesa as a condition of and in conjunction with the issuance of any on-site construction permits and/or off-site rights-of-way permits associated with the development.
- 10. ***Street Name Signs.*** Street name signs shall be placed in all street intersections. The developer shall install signposts and signs per Mesa Standard Details with designs approved by the City Traffic Engineer.

11. ***Survey Monuments.***

- a. Survey monuments conforming to City standards, as established in the City of Mesa Engineering and Design Standards Manual, shall be installed at all corners, angle points, and points of curves and at all street intersections for streets within and around the perimeter of the land division and at such other locations as may be required by the City Engineer.
- b. Re-established section and quarter section monuments shall be as prescribed in A.R.S. §33-103 and a corner record filed with the Maricopa County Recorder per A.R.S. §33-106.
- c. After all improvements are installed, the developer's registered land surveyor shall verify and reset, if necessary, the location of all monuments. The registered land surveyor shall also record with the Maricopa County Recorder a record of survey, per Arizona Land Boundary minimum standards as adopted by the Arizona Board of Technical Registration in 2002, that shows the location and type of all monuments set or found with complete dimensions of all lots, tracts and parcels established. In the case of a recorded subdivision plat, no new parcels will be created without obtaining approval from the City. A copy of the recorded record of survey shall be submitted to the City prior to the issuance of any certificates of occupancy.

12. ***Parkway Landscaping.*** Landscaping located in the public right-of-way between the street paving and the right-of-way limit line.

- a. Parkway areas along arterial streets and other streets, as deemed necessary by the City Engineer, shall be landscaped in accordance with approved plans and standards set by the City Engineer.
- b. A statement shall be contained in both the deed restrictions and the owners' association by-laws that all landscaping, including that within the public right-of-way adjacent to the site, shall remain the responsibility of the owners' association to maintain in perpetuity.

13. ***Underground Utilities.***

- a. Electric lines and communication lines shall be constructed underground as required by the Arizona Corporation Commission.
- b. City ordinance also requires video services to utilize a common trench for undergrounding their facilities in new developments, and the developer must provide backfill under the same conditions as are extended to other trench users (e.g., electric, telephone, and communications).

D. **Construction and Inspection.**

1. All improvements and construction of improvements in the public right-of-way or in public easements shall be reviewed, inspected, and approved by the City Engineer.
  - a. Construction shall not commence until a permit is issued for such construction.
  - b. Work shall not be discontinued or suspended unless first approved by the City Engineer. Work will not be resumed prior to notification and approval of the Engineering Department.
2. All underground utilities to be installed in streets and alleys shall be constructed, inspected, and approved prior to the surfacing of such streets and alleys.



2. Due to the anticipated vehicular and pedestrian volumes normally associated with higher residential densities, developments within the RS-15 zone and higher-density residential and nonresidential uses shall generally comply with present City of Mesa ordinance requirements.
3. Standard City requirements for land division design, stormwater retention, right-of-way, pavement width, and street design shall apply except in the following areas where alternatives may be permitted to maintain the natural desert character of the area.
4. PADs and nonresidential developments will be reviewed at the time of zoning approval or building permit application review for compliance with applicable Desert Uplands Standards and for a southwestern design theme.
5. In lower-density residential areas (RS-35 and lower), development standards similar to those for suburban areas may be approved.
6. Prior to any development, a grading permit shall be obtained in accordance with the Mesa City Code.

**C. Local Streets.**

1. Local street standards may be modified to encourage better adjustment to the topography of the area.
2. Existing significant topographical features, such as washes, hillsides, boulders, and rock outcroppings, and established stands of native vegetation which cannot be revegetated may warrant the approval of alternative engineering designs. Modifications will be considered on an individual basis, with approval by the Mesa Planning Director, City Engineer, and City Traffic Engineer.

**D. Requirements and Design Alternatives.** The following are requirements and design alternatives for street construction in the Desert Uplands Area.

1. **Local Residential Streets - Public.** Table 9-6-6.D.1 below specifies the local residential public street standards for each residential zoning district.

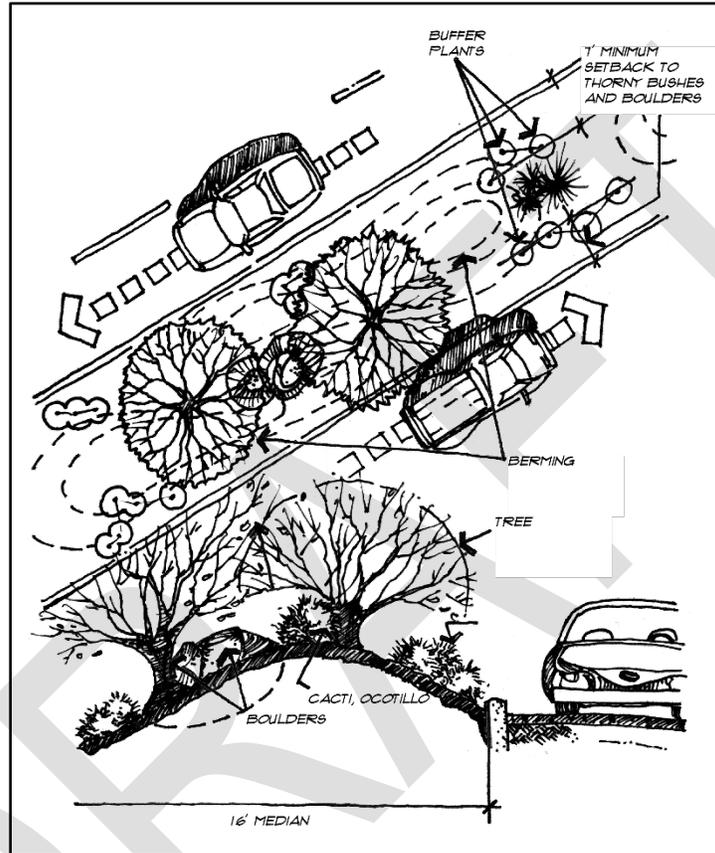
Table 9-6-6.D.1: Local Residential Streets - Public								
DIST.	LOT SIZE SF	R.O.W.	CL TO BC	PARKING	CURB	SIDEWALK	WATER MAIN	STREETLIGHT
RS-6 to RS-9	6,000+ to 9,000+	53'	17.5'	Both Sides	2' Roll	5' Width, Detached 5'*	1' Behind Curb	4' Behind Curb
RS-15	15,000+	47'	14.5'	One Side Only	2' Roll	5' Width, Detached 5'*	1' Behind Curb	4' Behind Curb
RS-35	35,000+	43'	12.5'	None	2' Roll	5' Width, Attached	1' Behind Curb	6' Behind Curb
RS-43 to RS-90	43,560+	30'	12.0'	None	3' Ribbon	None	1' Behind Curb	None

**Table 9-6-6.D.1: Local Residential Streets - Public**

DIST.	LOT SIZE SF	R.O.W.	CL TO BC	PARKING	CURB	SIDEWALK	WATER MAIN	STREETLIGHT
*Landscaping shall consist of trees with limited canopies and shrubs selected from the Preferred Desert Uplands Plant List in accordance with Table 9-6-6.D.5 of this Section. Fifty percent (50%) of the trees are to be 24-inch box (new or salvage), within the five (5) foot landscape strip between the curb and sidewalk.								
**Certain streets may have a reduced or no streetlighting requirement pursuant to Section 9-6-6(F).								

2. Homeowners' associations shall be responsible for maintenance of landscaping between the curb and sidewalk. To avoid damage to landscaping, the covenants, conditions, and restrictions are to require garbage/recycling barrels to be placed in the street adjacent to the curb, not in the landscaped area.
3. Where topographical conditions warrant, cul-de-sac lengths in excess of 400 feet may be approved by the City Engineer if an improved turning radius of 55 feet is provided to facilitate the turning radius of emergency vehicles. In such situations, however, the Fire Department may require installation of individual protection systems where appropriate. Cul-de-sacs should be designed to serve 12 to 14 homes maximum, regardless of length.
4. ***Radius and Speed Limits.***
  - a. With approval of the City Traffic Engineer and City Engineer, the minimum centerline radius may be reduced to 200 feet and the minimum curve length reduced to 75 feet with a 25-mile-per-hour (mph) street design.
  - b. Local street intersections may vary from 90° on short street segments, at cul-de-sacs, or at the termination of streets where the traffic speeds and volumes are lower. At "tee" intersections, the intersection tangent length may be reduced to 150 feet minimum.
  - c. For 25 mph streets terminating at the "tee" intersection, the center line radius shall be no less than a 200-foot radius.
  - d. For 30 mph streets terminating at the "tee" intersection, the center line radius shall be not less than a 300-foot center line radius.
5. ***Landscaping.***
  - a. Landscape medians are recommended at subdivision entrances and adjacent to open spaces.
  - b. Landscape islands are recommended within cul-de-sacs.
  - c. Landscape plans for the medians and islands shall utilize plants salvaged from the site or selected from the Preferred Desert Uplands Plant List Table 9-6-6.D.5.
  - d. Medians and islands cannot obstruct access to lots, impair visibility at sight triangles, or obstruct drainage, and are to be located pursuant to Fire Department and Development Services Department access requirements.
  - e. Boulders and trees, including large-diameter trees, may be placed in large-width median islands as design elements if berming is provided for protection (see Figure 2).

- f. Integral colored concrete and alternative sidewalk and pavement materials are encouraged subject to City review and approval.
- g. Homeowners' associations are to own the medians and islands, and be responsible for landscape, special concrete, and pavement section maintenance.



**FIGURE 2: BOULDERS, TREES, AND THORNY PLANTS IN LARGE WIDTH MEDIANS**

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<i>BOTANICAL NAME</i>	<i>COMMON NAME</i>
<b>Preferred Desert Uplands Plant List Recommended Local Sonoran Desert Native Plants</b>	
<b>PREFERRED TREES</b>	
Acacia Constricta	Whitethorn Acacia
Acacia Greggii	Catclaw Acacia
Acacia Farnesiana (Syn. Acacia Smallii and Syn. Acacia Minuta)	Sweet Acacia
Bursera Microphylla	Elephant Tree

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<b><i>BOTANICAL NAME</i></b>	<b><i>COMMON NAME</i></b>
Canotia Holacantha	Crucifixion Thorn
Celtis Pallida	Desert Hackberry
Celtis Reticulata	Netleaf Hackberry
Parkinsonia Florida	Blue Palo Verde
Parkinsonia Microphylla	Foothill Palo Verde
Chilopsis Linearis	Desert Willow
Olyneya Tesota	Ironwood
Prosopis Velutina (Syn. Prosopis Juliflora)	Velvet Mesquite
Prosopis Pubescens	Screwbean Mesquite
Quercus Turbinella	Scrub Oak
Frangula Californica (Syn. Rhamnus Californica)	California Buckthorn
Rhamnus Crocea	Hollyleaf Buckthorn
Rhus Ovata	Sugar Sumac
Vauquelinia Californica	Arizona Rosewood
<b>PREFERRED SHRUBS</b>	
Abutilon Parlmeri	Indian Mallow
Acacia Angustissima	Fern Acacia
Acacia Greggii	Catclaw Acacia
Aloysia Wrightii	Wright's Bee Brush
Ambrosia Ambrosioides	Canyon Ragweed
Ambrosia Deltoidea	Triangle Leaf Bursage
Ambrosia Dumosa	White Bursage
Anisacanthus Thurberi	Desert Honeysuckle
Aquilegia Chrysantha	Golden Columbine
Arctostaphylos Pungens	Pointleaf Manzanita
Asclepias Linaria	Pineleaf Milkweed
Asclepias Subulata	Desert Milkweed

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<i>BOTANICAL NAME</i>	<i>COMMON NAME</i>
Atriplex Canescens	Fourwing Saltbush
Baccharis Glutinosa	Seep-Willow
Bebbia Juncea	Sweet Bush
Berberis Haemotocarpa	Red Barberry
Brickellia Coulteri	Coulter's Brickellia
Calliandra Eriophylla	Fairy Duster
Celtis Pallida	Desert Hackberry
Cercocarpus Montanus	Mountain Mahogany
Coursetia Glandulosa	Baby Bonnets
Dodonaea Viscosa	Hopbush
Ephedra Viridis	Joint-Fire/Mormon Tea
Ericameria Laricifolia	Turpentine Bush
Eriogonum Fasciculatum	Flattop Buckwheat
Eriogonum Wrightii	Wright Buckwheat
Fouquieria Splendens	Ocotillo
Gutierrezia Sarothrae	Snakeweed
Hibiscus Coulteri	Desert Rose Mallow
Hyptis Emoryi	Desert Lavender
Justicia Californica	Chuparosa
Krameria Grayi	White Ratany
Larrea Tridentata	Creosote Bush
Lotus Rigidus	Deer-Vetch
Lycium Andersonii	Anderson Wolfberry (Thornbush)
Lycium Exsertum	Littleleaf Wolfberry
Lycium Fremontii	Fremont Wolfberry
Mimosa Biuncifera	Wait-A-Minute Bush
Nolina Microcarpa	Beargrass
Plumbago Scandens	Plumbago

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<i>BOTANICAL NAME</i>	<i>COMMON NAME</i>
Rhus Trilobata	Three Leaf Sumac
Simmondsia Chinensis	Jojoba
Trixis Californica	Trixis
Viguiera Deltoidea Var. Parishii	Golden Eye
Zizyphus Obtusifolia	Gray Thorn
<b>PREFERRED CACTI, SUCCULENTS, AND ACCENT PLANTS</b>	
Agave Toumeyana	Toumey Agave
Agave Chrysantha	Golden-Flowered Agave
Carnegiea Gigantea	Saguaro
Dasyilirion Wheeleri	Desert Spoon/Sotol
Echinocereus Engelmannii	Hedgehog Cactus
Ferocactus Cylindraceus	Compass Barrel Cactus
Ferocactus Wislizenii	Fishhook Barrel Cactus
Mammillaria Grahamii	Fishhook Pincushion Cactus
Opuntia Acanthocarpa	Buckhorn Cholla
Opuntia Bigelovii	Teddy Bear Cholla
Opuntia Fulgida	Chainfruit Cholla
Opuntia Leptocaulis	Desert Christmas Cactus
Opuntia Phaecantha	Prickly Pear
Yucca Baccata	Banana Yucca
Yucca Elata	Soaptree Yucca
<b>PREFERRED VINES</b>	
Cucurbita Digitata	Coyote Gourd Vine
Janusia Gracilis	Slender Janusia
<b>PREFERRED ANNUALS, PERENNIALS, GROUNDCOVERS, WILDFLOWERS</b>	
Argemone Pleiacantha	Prickly Poppy
Artemisia Ludoviciana	Prairie Sagebrush
Baileya Multiradiata	Desert Marigold
Caochortus Kennedyi	Desert Mariposa Lily

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<i>BOTANICAL NAME</i>	<i>COMMON NAME</i>
Chenactis Stevioides	Esteve's Pincushion
Datura Wrightii	Sacred Datura
Delphinium Parishii	Desert Larkspur
Dichelostemma Pulchellum	Blue Dicks
Eriastrum Diffusum	Woolstar/Prickly Stars
Erigeron Divergens	Native Fleabane
Eschscholzia Californica	California Poppy
Eschscholzia Mexicana	Mexican Gold Poppy
Hibiscus Denadatus	Paleface Rose-Mallow
Lasthenia Californica	Goldfields
Layia Glandulosa	White Tidy Tips
Lesquerella Gordonii	Bladderpod Mustard
Lesquerella Purpurea	Purple Bladderpod
Linum Lewisii	Blue Flax
Lupinus Sparsiflorus	Desert Lupine
Machaeranthera Asteroids	Purple Aster
Machaeranthera Gracilis	Yellow Splendor Aster
Melampodium Leucanthum	Blackfoot Daisy
Mentzelia Involucrata	Blazing Star
Mimulus Cardinals	Scarlet Monkey Flower
Mimulus Guttatus	Yellow Monkey Flower
Mirabilis Multiflora	Colorado Four O'clock
Oenothera Caespitosa	White Evening Primrose
Orthocarpus Purpurascens	Owl's Clover
Pectis Papposa	Chinchweed
Penstemon Barbatus	Scarlet Bugler
Penstemon Eatoni	Firecracker Penstemon
Penstemon Pseudospectabilis	Canyon Penstemon

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<i>BOTANICAL NAME</i>	<i>COMMON NAME</i>
Penstemon Subulatus	Beardtongue
Perityle Emoryi	Rock Daisy
Phacelia Campanularia	Desert Bluebells
Phacelia Crenulata	Scorpionweed
Phacelia Distans	Wild Heliotrope
Phlox Tenuifolia	Desert Phlox
Platystemon Californicus	Cream Cups
Proboscidea Parviflora	Devil's Claw
Psilostrophe Cooperi	Cooper's Paper Flower
Rafinesquia Neomexicana	Desert Chicory
Salvia Columbariae	Chia
Senna Covesii	Desert Senna
Sphaeralcea Ambigua	Desert Globe Mallow
Stachys Coccinea	Texas Betony
Stephanomeria Pauciflora	Desert Straw
Thymophylla Pentachaeta	Golden Dogweed
Zauschneria Latifolia	Hummingbird Flower
<b>PREFERRED GRASSES</b>	
Aristida Purpurea	Purple Threeawn
Muhlenbergia Dumosa	Bamboo-Muhly
Muhlenbergia Rigens	Deer Grass
Bouteloua Curtipendula	Sideoats Grama
Muhlenbergia Porteri	Bush Muhly
<b>ACCEPTABLE DESERT UPLANDS PLANT LIST ALLOWABLE DROUGHT-TOLERANT PLANTS - NOT NATIVE TO LOCAL AREA</b>	
<b>ACCEPTABLE TREES</b>	
Acacia Abyssinica	Abyssinian Acacia
Acacia Aneura	Mulga
Acacia Cavenia	Caven's Acacia

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<b><i>BOTANICAL NAME</i></b>	<b><i>COMMON NAME</i></b>
Acacia Millefolia	Santa Rita Acacia/Milfoil Wattle
Acacia Pennatula	Fernleaf Acacia
Acacia Occidentalis	Sonoran Catclaw Acacia
Acacia Schaffneri	Twisted Acacia
Acacia Stenophylla	Shoestring Acacia
Acacia Willardiana	White Bark Acacia/Palo Blanco
Caesalpinia Cacalago	Cascalote
Caesalpinia Platyloba	Curly Paela
Cassia Leptophylla	Gold Medallion Tree
Condalia Globosa	Bitter Condalia
Dalea Spinosa	Smoke Tree
Ebenopsis Ebano	Texas Ebony
Havardia Pallens	Apes-Earring/Tenaza
Leucaena Retusa	Goldenball Lead Tree
Lysiloma Microphylla Var. Thornberi	Fern of the Desert
Parkinsonia (Syn. Cercidium) Hybrid 'Desert Museum' or other Selections	Hybrid Palo Verde
Parkinsonia Praecox	Palo Brea
Pithecellobium Mexicanum	Mexican Ebony
Prosopis Alba	Argentine Mesquite
Prosopis Chilensis	Chilean Mesquite
Prosopis Glandulosa Var. Torreyana	Honey Mesquite
<b>ACCEPTABLE SHRUBS</b>	
Acacia Craspedocarpa	Leather Leaf Acacia
Acacia Rigens	Needle Wattle
Aloysia Gratissima Syn. Aloysia Lycioides	Bee Brush
Atriplex Hymenelytra	Desert Holly
Atriplex Lentiformis	Quail Brush

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<b><i>BOTANICAL NAME</i></b>	<b><i>COMMON NAME</i></b>
Atriplex Nummularia	Old Man Saltbush
Atriplex Polycarpa	Desert Saltbush
Atriplex Torreyi Var. Griffithsii	Griffith's Salt Bush
Baccharis Sarothroides	Desert Broom (Male)
Buddleja Marrubifolia	Woolly Butterfly Bush
Bursera Fagaroides	Fragrant Bursera
Caesalpinia Gilliesii	Yellow Bird Of Paradise
Caesalpinia Mexicana	Mexican Bird Of Paradise
Caesalpinia Pulcherrima	Red Bird Of Paradise
Caesalpinia Pumila	Copper Bird Of Paradise
Calliandra Californica	Red Fairy Duster
Cassia Goldmannii	Goldman's Cassia
Condalia Globosa	Bitter Condalia
Cordia Parvifolia	Littleleaf Cordia
Dalea Bicolor Var. Argylea	Silver Dalea
Dalea Formosa	Feather Dalea
Dalea Puchra	Bush Dalea
Dalea Versicolor Var. Sessilis (Syn., Dalea Wislizeni)	Weeping Dalea
Eysenhardtia Orthocarpa	Kidneywood
Fallugia Paradoxa	Apache Plume
Forestiera Neomexicana	Desert Olive
Jatropha Cariophylla	Limber Bush
Justicia Candicans	Hummingbird Bush
Justicia Spicigera	Mexican Honeysuckle
Lantana	Lantana or Shrub Verbenas
Leucophyllum Frutescens	Texas Sage
Leucophyllum Laevigatum	Chihuahuan Sage

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<i>BOTANICAL NAME</i>	<i>COMMON NAME</i>
Lycium Berlandieri	Berlandier's Wolfberry
Lysiloma Candida	Palo Blanco
Maytenus Phyllanthoides	Mangle Dulce
Mimosa Dysocarpa	Velvet Pod Mimosa
Pilosporum Phyllyraeoides	Weeping Pilosporum
Ruellia Californica	Ruellia
Ruellia Peninsularis	Desert Ruellia
Salvia Farinacea	Mealy Cup Sage
Salvia Greggii	Autumn Sage
Salvia Chamaedryoides	Mexican Blue Sage
Senecio Salignus	Willow Leaf Groundsel
Senecio Aarizonicus	Arizona Groundsel
Senna Artemisioides	Feathery Cassia
Senna Biflora	Two-Flowered Cassia
Senna Candoleana	New Zealand Cassia
Senna Nemophila	Desert Cassia
Senna Phyllodinea	Silver-Leaf Cassia
Senna Purpusii	Baja California Senna
Senna Sturtii	Sturt's Cassia
Senna Wislezenii	Shrubby Cassia
Sophora Secundiflora	Texas Mountain Laurel
Tecoma Stans Var. Angustata	Arizona Yellow Bells
Tetracoccus Hallii	Halls' Tetracoccus
<b>ACCEPTABLE CACTI, SUCCULENTS, AND ACCENT PLANTS</b>	
Agave Arizona	Arizona Agave
Agave Deserti	Desert Agave
Agave Species	Agave/Century Plants
Agave Murpheyi	Murphey Agave

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<i>BOTANICAL NAME</i>	<i>COMMON NAME</i>
Echinopsis Candicans	Argentine Giant
Hesperaloe Parviflora	Red Yucca
Opuntia Ficus-Indica	Indian Fig
Yucca Species	Yucca
<b>ACCEPTABLE ANNUALS, PERENNIALS, GROUNDCOVERS, WILDFLOWERS</b>	
Bahia Absinthifolia	Bahia
Swainsona Formosa	Sturt's Desert Pea
Dyssodia Pentachaeta	Golden Dyssodia
Erodium Texanum	Fillaree
Nolina Bigelovii	Bigelow Nolina
Penstemon Species	Penstemon
Plantago Insularis	Indian Wheat
Verbena Species	Verbena
Zinnia Acerosa	Desert Zinnia
<b>PROHIBITED PLANT LIST</b>	
Cedrus	Cedar
Chamaecyparis	False Cypress
Citrus	Citrus
Cupressus	Cypress
Encelia Farinosa	Brittlebush
Encelia Frutescens	Green Brittlebush
Juniperus	Juniper
Nerium Oleander	Oleanders
Olea Europaea	Olive Trees
Palmae	All Palms
Pennisetum Setaceum	Fountain Grass
Pinus	All Pines
Tamarisk	Salt Cedar

<b>Table 9-6-6.D.5 Desert Uplands Plant List</b>	
<i>BOTANICAL NAME</i>	<i>COMMON NAME</i>
Thevetia Species	Thevetia
NOTE: Protected Native Plants: The Arizona Department of Agriculture Plants Services Division has formulated a policy concerning protected native plants. A permit is required for the removal and transportation of protected native plants. All protected native plants shall be tagged by the Arizona Department of Agriculture.	

6. ***Street Grades.***

- a. Maximum street grades may be increased, provided adequate visibility and access for fire protection and refuse collection vehicles is maintained.
- b. Local street grades should not exceed 15%, and streets exceeding 12% should have a maximum length of 400 feet and must include vertical curve design considerations as detailed in the Engineering and Design Standards.

7. ***Exceptions require approval of the Traffic Engineer and City Engineer Restored Areas.***

- a. Where scarring occurs as a result of street or utility construction, revegetation and restoration shall be required of the subdivider.
- b. Restored areas shall be graded and landscaped to blend with the natural vegetation and terrain and stabilized to control erosion.
- c. Landscape plans for the areas to be restored shall utilize plants salvaged from the site or selected from the Preferred Desert Uplands Plant List Table 9-6-6.D.5.
- d. The plants shall be of the same species mix, and equivalent in size and density to the surrounding undisturbed area.
- e. Landscaping and stabilization shall occur concurrently with construction.

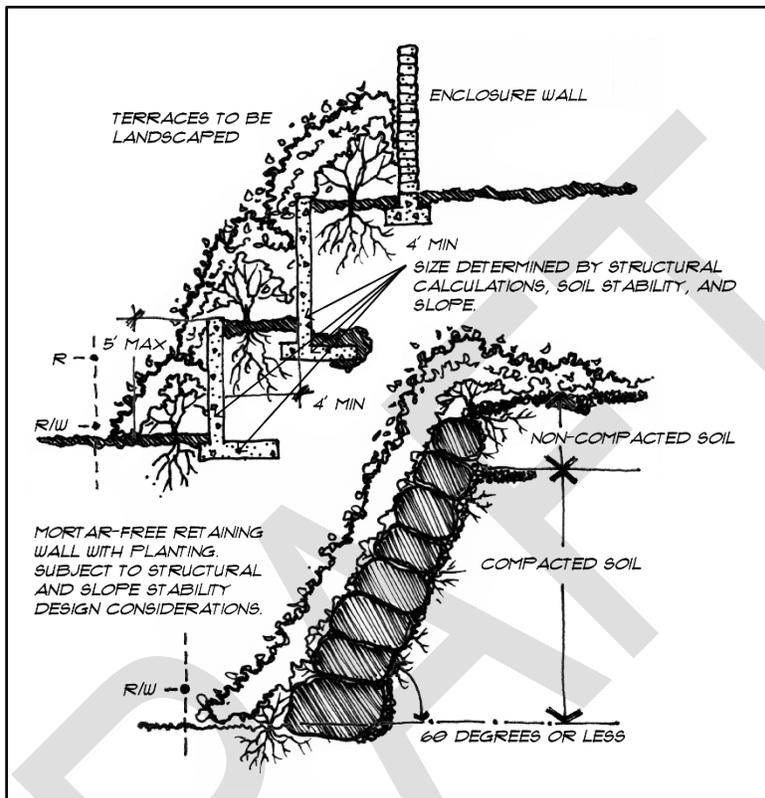
8. ***Grade Changes.***

- a. Grade changes that require retaining walls may be used only with the approval of the City Engineer.
- b. Where approved for use, vertical retaining walls shall have a maximum height of five (5) feet. For grade changes of more than five (5) feet, the use of multiple walls in a series of terraces is required (see Figure 3).
- c. Each terrace shall have a four (4) foot minimum width and shall be landscaped (see Figure 3).
- d. There shall be a four (4) foot landscaped strip between the top terrace and any freestanding enclosure wall used (see Figure 3).
- e. The finished surfaces of retaining walls shall blend into the natural setting by such means as texturing and the use of earth tone coloring.
- f. The use of native stone as a veneer is also possible.

9. ***Slopes 60° or less.***

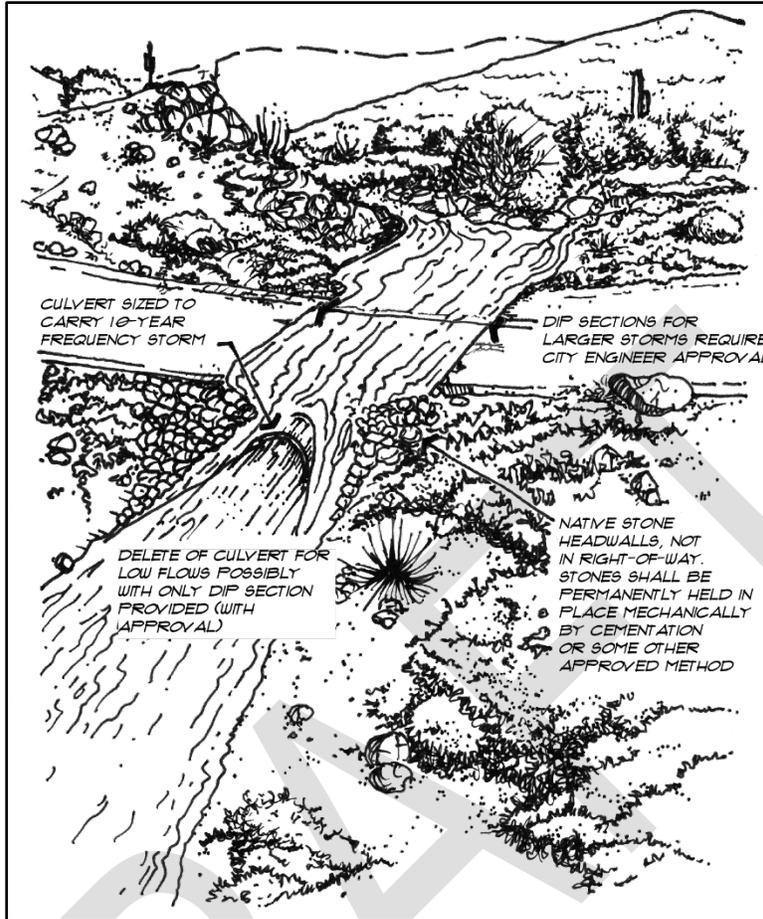
- a. Mortar-free stone retaining walls using irregularly shaped native boulders may be used, subject to structural and slope stability design considerations (see Figure 3).

- b. Landscaping of the slope shall be provided to produce a more natural appearance (see Figure 3).
- c. Modifications to these standards may be considered on an individual basis where unusual topographical conditions, parcel configurations, or other relevant factors are present.



**FIGURE 3: RETAINING WALL DESIGN**

- 10. **Excess Excavation Material.** All excess excavated material shall be removed or incorporated as an integral part of the site development so that a natural look is maintained.
- 11. **Low-Density Development Standards: One (1) Dwelling Unit Per Acre (RS-35) or Less.**
  - a. Where drainageways cross streets, culverts shall be installed to convey 10-year frequency storm flows under the pavement, with higher-volume storm flows being allowed to flow over the pavement in dip sections (see Figure 4).
  - b. For washes with low flows, deletion of the culvert may be permitted where a concrete dip section is provided when approved by the City Engineer (see Figure 4).
  - c. With approval of the City Engineer, the use of three (3) foot to five (5) foot roadside drainage swales with appropriate erosion protection to provide a natural appearance will be permitted.
  - d. The use of integral colored concrete for ribbon curbing is encouraged.



**FIGURE 4: DRAINAGEWAY CROSSING – CULVERT AND DIP SECTION**

**E. Collector Street - Public.**

1. Where no lot/home access is provided along a collector street, and the area served by the collector is not so large as to require a wider street, the collector street may be as follows: 80-foot right-of-way, 34-foot face-of-curb to face-of-curb, and six (6) foot sidewalks detached a minimum of nine (9) feet.
2. At intersections with major streets and adjacent to school sites, parks, or activity centers, the face-of-curb width shall be increased to a minimum width of 46 feet to accommodate additional/separate turn lanes. Requirements for additional street width are to be determined by the City Traffic Engineer.

**F. Streetlights.**

1. Full cutoff streetlight fixtures shall be required in the Desert Uplands Area.
2. Streetlighting in the Desert Uplands Area shall comply with the requirements and provisions of Section 9-6-5(C)(8), except as specified in Subsection (F) of this Section.
  - a. Streetlights shall not be installed in medians except as may be approved by the Transportation Department Director after considering potential light pollution impacts on adjacent residential property.
  - b. Mounting height shall be 35 feet to 40 feet.

3. On collector streets, as permitted under Subsection (E), street lighting shall use poles with a 30-foot or 35-foot maximum mounting height and an average 0.37 foot-candlelight level with a six-to-one (6:1) average-to-minimum ratio.
4. Lighting along the 46-foot-wide sections of these streets adjacent to school sites, parks, or activity centers shall comply with City standard illumination and spacing requirements for collector streets.
5. Streetlights on local streets shall be placed at all intersections and at the end of cul-de-sacs that are more than 200 feet long except as specified in Subsection (F)(9) and Subsection (F)(10).
6. On straight sections of roadway, spacing between streetlights may not exceed 400 feet. However, other factors must also be evaluated; e.g., horizontal, and vertical alignment.
7. Topographical conditions may require additional lighting. Mounting height on local streets shall be 25 feet with a fixture that emits between 2,900 and 4,000 lumens.
8. Pull box spacing for streetlighting shall not exceed 200 feet.
9. **Lighting.** For the area north of the Hermosa Vista Drive alignment and east of Hawes Road and west of Utery Mountain Regional Park along public streets (inclusive of Hawes Road, but exclusive of the Hermosa Vista Drive alignment and Ellsworth Road), the following lighting standards apply:
  - a. *Public Streetlights.* No street lights on public streets are required.
  - b. *Subdivision Lighting.*
    - i. The developer shall provide an area light fixture and pole at each entrance to a multi-unit subdivision.
    - ii. The area light fixture and pole shall be installed outside of the City right-of-way or public utilities and facilities easement and shall be installed adjacent to the edge of the driveway approach.
    - iii. The light pole shall be no less than eight (8) feet in height and no greater than 16 feet in height with a fixture that emits between 2,900 and 4,000 lumens and shall meet all applicable City standards.
    - iv. The area light fixture and pole shall be owned, operated and maintained by the owners of the property where the area light is installed. The City shall not be deemed to own, operate, maintain, or otherwise be responsible for such area light fixtures and poles.
10. Streetlighting on public collector and local streets located in the area north of McLellan Road, west of Ellsworth Road/92<sup>nd</sup> Street alignment, south of McKellips Road and east of a north/south line one-quarter (1/4) mile west of Hawes Road, and for the area north of McKellips Road, west of Ellsworth Road/92<sup>nd</sup> Street alignment, south of Hermosa Vista Drive, and east of Hawes Road, shall be provided at locations specified below to the light level required by City standards as set forth in the City of Mesa Engineering and Design Standards:
  - a. At all public street intersections and all locations where private driveways intersect a public street.
  - b. At all marked and unmarked pedestrian crosswalks.
  - c. At all pedestrian crossing points adjacent to parks or other activity centers.

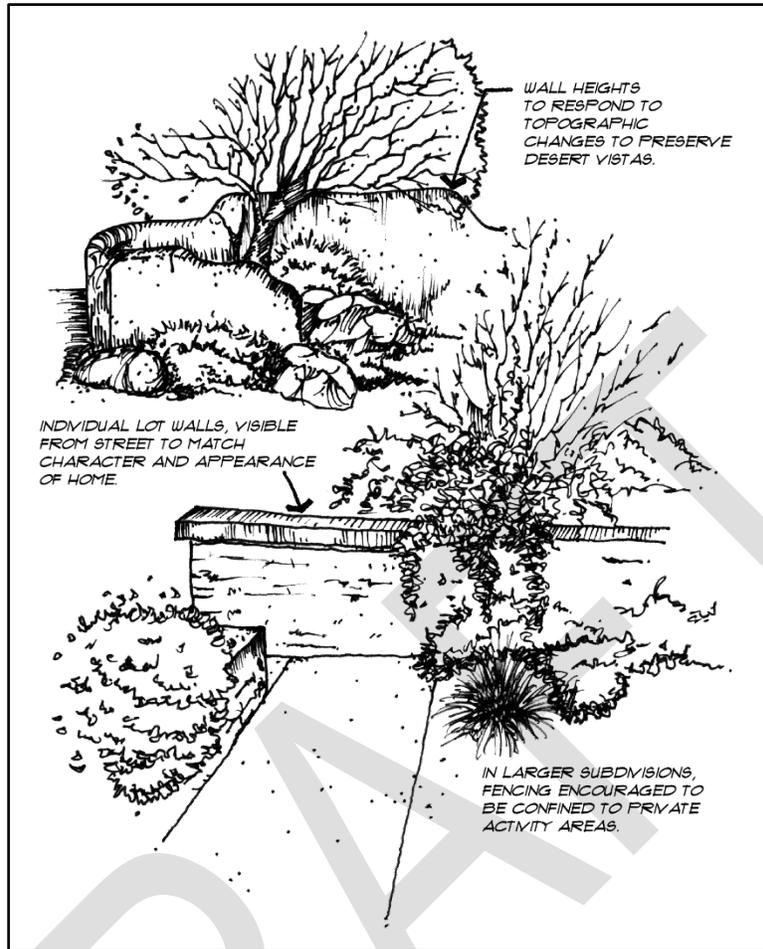
- d. At all pedestrian, bike, equestrian, or joint use pathway crossings where pathway lighting is provided.
- e. At locations adjacent to parks or other outdoor activity centers continuous streetlighting shall be provided where such locations provide lighting for nighttime use and there is no fence or other physical barrier between the street and park or outdoor facility that limits pedestrian access to specific crossing points.
- f. At the end of a cul-de-sac.

**G. On-Site Street Name Signs (Public Streets).**

1. Street name signs and posts shall be standard (green reflectorized sign with white reflectorized lettering and a steel pole) unless the applicant receives approval of a modification from the City Traffic Engineer.
2. Any approval of nonstandard street signpost materials shall be conditional upon the development's homeowners' association assuming responsibility for the installation, future maintenance, and liability relating to the signs.
3. Nonstandard street name signposts which are installed and maintained by a homeowners' association shall have reflective letters and background.

**H. Walls and Fences.**

1. Perimeter subdivision walls shall be designed to reflect a southwestern design theme and be constructed to reflect changes in the topography (see Figure 5).
2. Perimeter subdivision walls shall be designed and constructed in a height and style which preserves desert vistas and environment to the extent possible. Perimeter walls along arterial or collector streets should not extend over 250 linear feet without a one (1) foot vertical or three (3) foot horizontal variation. Walls shall include clear ground-level openings no smaller than 18 inches high to permit wildlife passage.
3. The height of walls shall be measured from the original grade.
4. Walls or fences on individual lots which are visible from the street shall be designed to match the character and appearance of the home (see Figure 5).
5. The use of chain link as a permanent fencing material is prohibited in the Desert Uplands Area.
6. ***Low-Density Development Standards: One (1) Dwelling Unit Per Acre (RS-35) or Less.***
  - a. As a means of preserving the natural desert character, views, wildlife corridors, and habitat, developers of low-density residential developments are encouraged to only utilize entry features and not utilize subdivision perimeter walls.
  - b. In larger-lot developments, the developer shall confine fencing to the residential private activity areas on each lot, with the balance of the lot to remain open and unwallled (see Figure 5).
  - c. Walls on individual lots shall be designed to match the character and appearance of the home (see Figure 5).



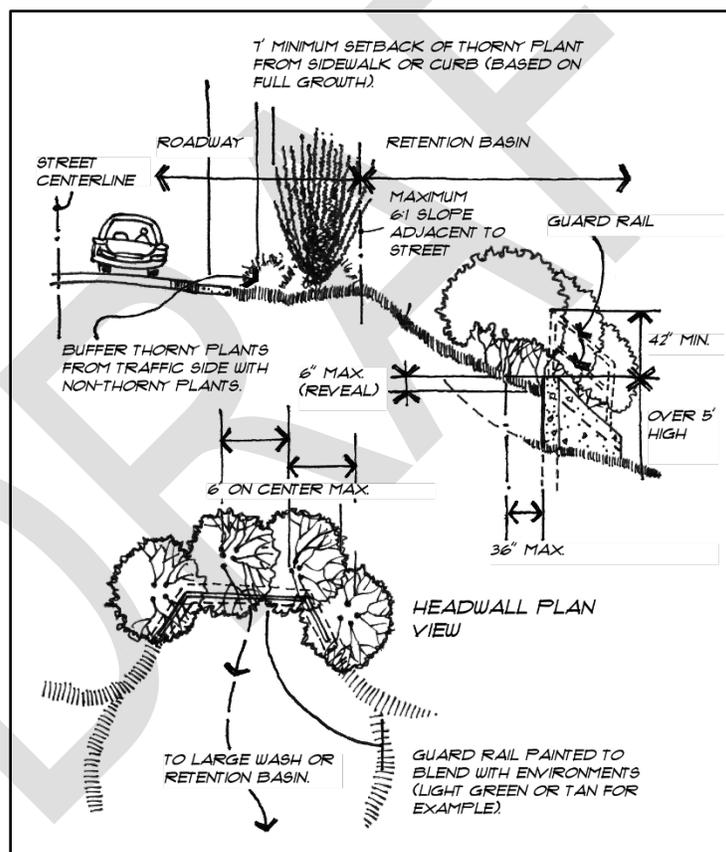
**FIGURE 5: DESERT UPLANDS AREA PERIMETER WALLS**

I. **Native Plant Preservation.** The Desert Uplands Area is an Upper Sonoran Desert community with unique plants, washes, and landforms which create its own identity and character. To preserve and maintain its unique character, proposed developments shall either retain desert landscaping or revegetate desert landscaping according to the following standards:

1. **Retained Desert Landscaping:** Natural, undisturbed open spaces, common areas, and washes which should be subject to no grading and no additional plant materials, except where stabilization of washes is needed to accommodate flows.
2. **Revegetated Desert Landscaping:** Reconstructed desert landscaping, including both retained and revegetated plant materials, shall be in accordance with the Preferred Desert Uplands Plant List in accordance with Table 9-6-6.D.5 of this Section, and are to be of the same species mix, and equivalent in size and density to the surrounding undisturbed area.
3. **Plant Material.** A minimum of 50% of the plant material used for common area, parkway, and median landscaping shall be selected from the Preferred Desert Uplands Plant List, and the remainder selected from the Acceptable Desert Uplands Plant list. Developers are encouraged to select at least 90% of the plant material used for common area, parkway, and median landscaping from the Preferred Desert Uplands Plant List.
4. **Turf.** The use of turf is discouraged to retain the desert character and conserve water

resources.

5. **Front and Rear Private Yards/Gardens.** Plant materials for front and rear private yards/gardens are left to the choice of the individual homeowners and their homeowners' association. Homeowners are encouraged to use plants from the Preferred Desert Uplands Plant List.
6. **Cactus Substitution.** Retained or transplanted cactus and ocotillo may be substituted to achieve up to 50% of the required number of trees to be planted in the street right-of-way.
7. **Thorny Plants, Cactus, and Ocotillo.** Thorny plants, cactus, and ocotillo shall:
  - a. Maintain a minimum setback of seven (7) feet from sidewalks and/or vehicular roadways. Such plants will be allowed in a curbed median island, provided a minimum of three (3) feet is maintained from curbs as a clear zone (measured from the nearest part of the plant) (see Figures 2 and 6); and
  - b. Have a minimum of three (3) buffer shrubs in front of such plants (pedestrian/street side) (see Figures 2 and 6). Examples of buffer shrubs are creosote, chuparosa, fairy duster, and desert lavender.



**FIGURE 6: THORNY PLANT BUFFERING REQUIREMENTS**

8. **Re-established Vegetation.** Vegetation shall be re-established by the developer on all graded areas and exposed cut and fill slopes. Desert grasses, shrubs, trees, and cacti from the Preferred Desert Uplands Plant List shall be used to prevent erosion and permit natural revegetation.

9. ***Landscaping Maintenance.***

- a. *Healthy Trees and Cacti to be Preserved.* Existing healthy trees (4" caliper and larger) and all healthy cacti shall be preserved in place where possible. When retention of trees and cacti is not possible due to lot sizes, location, or fire mitigation, removal and replanting on other areas of the site is required.
- b. *Dead or Dying Vegetation.*
  - i. Dead or dying vegetation shall be removed and cleared from the site to reduce potential fire fuel and maintain a safe and healthy ecosystem.
  - ii. Transplanted native plants that die within one (1) year are to be replaced within 30 days of removal. Replacements are to be indigenous plant material selected from the Preferred Desert Uplands Plant List. A bubbler or emitter irrigation system shall be extended to new or transplanted plants.
  - iii. Vegetation that is required by an approved landscape plan shall be replaced within 30 days of removal by a species identified on the Desert Uplands Plant List.
- c. *Vertical and Horizontal Separation Between Vegetation.* Vegetation should be pruned to maintain a five (5) foot clearance under tree canopies, and, where feasible, a 10-foot spacing between trees and shrubs.
- d. *Invasive Species.* Regular inspections should be conducted, and any identified invasive plant species should be promptly removed to prevent their spread and maintain the health of native vegetation.

J. **Low-Density Lot Development Standards: One (1) Dwelling Unit Per Acre (RS-35) or Less.**

- 1. ***Building Envelope Requirements.*** All improvements shall be located within a building envelope, occupying not more than 50% of the total lot area. The building envelope is the specified area on a lot within which all areas of disturbance, including structures, driveways, walkways, patios, pools, walls, construction work access, grading, slopes, and riprap are located.
  - a. *Protective Fencing.*
    - i. A building envelope protective fencing permit shall be obtained prior to any plant removal or disturbance activities.
    - ii. The building envelope protective fencing shall be installed on the disturbance line as identified on the approved plans.
    - iii. The building envelope fence line shall be established and staked by an Arizona registered engineer or land surveyor.
    - iv. The fencing is to display appropriate warning signs posted every 100 linear feet in English and Spanish, indicating "Protected Area - Do Not Remove Fence."
    - v. A zoning inspection is required to ensure compliance with the fencing permit and shall occur prior to the issuance of the building/grading permit for the lot.
    - vi. The fencing and signage shall be maintained in place throughout the grading/construction process and shall only be removed after a final

- inspection is approved.
- vii. Failure to maintain the fencing as permitted may result in stop work orders or other penalties as provided in this Chapter and Title 4 of this Code.
  - viii. The Planning Director may authorize the partial or total removal of the temporary fence to facilitate final grading, revegetation, and installation of site flat work or hardscape.
- b. *Work Access Areas.*
- i. To accommodate the redirection of existing drainage/washes around structures and to provide area for sufficient work access during construction, the maximum disturbed area may be increased, subject to plan approval, to 60% of the total lot area.
  - ii. All disturbed areas beyond the 50% building envelope shall be enclosed within the protective fencing during construction and shall be fully revegetated using plant material salvaged from the same lot, which, if necessary, may be supplemented with plants from the Preferred Desert Uplands Plant List.
  - iii. The revegetation plan shall provide plant materials designed to blend with or exceed the existing surrounding plant densities.
- c. *Minimum Setback.* There shall be a minimum 10-foot setback from any property line for the building envelope that shall remain undisturbed except for the allowed driveway, utility trenching, approved drainage improvements, and approved work access area.
- d. *Driveway Exception.* The area of a single-access driveway extending beyond the first 30 feet of lot depth may be excluded from the building envelope disturbance calculation provided that the driveway is a maximum width of 16 feet, that all disturbance associated with the construction of the driveway is minimized to the greatest extent possible, and that all disturbed area resulting from the driveway construction is fully revegetated using plant material salvaged from the same lot or supplemented with plants from the Preferred Desert Uplands Plant List.
- e. *Utility Exception.* The area for utility trenching may be excluded from the building envelope disturbance calculation provided that disturbance associated with the installation of utilities is minimized to the greatest extent possible, that all disturbance as a result of the trenching is fully revegetated using plant material salvaged from the same lot or supplemented with plants from the Preferred Desert Uplands Plant List, and that the utility trench is located adjacent to or under the driveway or at alternative locations as approved by the Planning Director.
- f. *Limitation on Driveway and Utility Exceptions.* The building envelope exclusions relating to driveways and utility trenches are limited to a combined, maximum exclusion of 10% of the total lot area.
- g. *Compliance.* Occupancy or other utilization of any structure shall not commence until all requirements of the Desert Uplands Development Standards and the requirements of Title 4 of this Code have been fulfilled and a final inspection has been completed.

2. ***Building Envelopes with Natural Area Open Space Preservation.*** Variations to the building envelopes may be approved as part of an approved Planned Area Development (PAD) that preserves Natural Area Open Space (NAOS) in compliance with the following requirements:
- a. *Intent.* This Subsection is intended to allow variations to the building envelope requirements in Section 9-6-6(J)(1) with the approval of a PAD when NAOS is preserved in common tract and on-lot areas.
  - b. *NAOS Location.* The location of NAOS on a Preliminary Plat or Minor Plat shall be based on the following considerations:
    - i. Preservation of natural washes;
    - ii. Preservation of significant features and vegetation, including rock outcroppings and significant concentrations of native vegetation in relation to the surrounding development project;
    - iii. Continuity of open space within the development project and with adjacent developments;
    - iv. Continuity of on-lot open spaces on adjoining lots; and
    - v. Provision for unimpeded wildlife access and movement between open space areas.
  - c. *NAOS Design.*
    - i. NAOS shall be designed to preserve environmental features with consideration of the surrounding environment in order to connect with existing or planned open space of adjacent lots or common areas so that continuous areas of meaningful NAOS are formed.
    - ii. The minimum contiguous area for NAOS shall be 4,000 square feet with a minimum horizontal dimension of 30 feet, except along roadways, where the minimum shall be 20 feet.
    - iii. NAOS shall be undisturbed areas or a combination of undisturbed and revegetated areas.
    - iv. Land Divisions designed with a combination of undisturbed NAOS and revegetated open space shall have at least 70% of the required NAOS as undisturbed NAOS.
    - v. This minimum applies to both common tract and on-lot NAOS. Revegetated areas shall not exceed 30% of the NAOS.
    - vi. The 50% building envelope limitation, Section 9-6-6(J)(1), may be increased in direct proportion to the percentage of NAOS preserved within common tracts controlled by a homeowners' association, land trust, or similar entity; or located on-lot within designated easements, as indicated in Table 11-6-6.J.2.
  - d. NAOS shall be identified on Land Splits, Minor Plats, Preliminary Plats, and Final Plats.
  - e. The driveway and utility trench exceptions specified in Section 9-6-6(J)(1)(d) and (e) are not permitted if increased building envelopes are approved as part of a Planned Area Development with NAOS.

- f. The work access area exception specified in Section 9-6-6(J)(1)(b) is permitted as part of a Planned Area Development with NAOS.

<b>Table 11-6-6.J.2: NAOS and Building Envelope Modifications</b>	
<b>NAOS Preserved In The Subdivision</b>	<b>Maximum Building Envelope Per Lot</b>
10—10%	50—60%
10—25%	60—75%
25—35%	75—85%
35—49%	85—99%
50% and above	100% subject to envelopes or easements that may be required to preserve environmental features
Example 1: If 25% of the overall land division were preserved as NAOS, then building envelopes could be increased by 25% to a maximum of 75% per lot.	
Example 2: If 32% of the overall land division were preserved as NAOS, then building envelopes could be increased by 32% to a maximum of 82% per lot.	

3. If any part of the approved building pad is to be built above natural mean grade, the applicant shall provide a pad height certification statement that is prepared, stamped, and signed by an Arizona registered engineer or land surveyor. The pad certification statement shall be submitted prior to the approval of the footing inspection.
4. Easements for NAOS, open space, or drainage shall be provided for those lot areas with slopes of 15% or greater or natural area washes that carry significant drainage as determined by the City Engineer.
5. Where easements are provided, the balance of the lot or the "buildable area" must have a usable shape and size and provide adequate street access.

**K. Building Height/Density.**

1. Densities shall be determined by the underlying zoning district.
2. Building height shall be limited to two (2) stories or 30 feet, whichever is the less; or the maximum height permitted by the underlying zoning district.
3. Building height for flat roof buildings shall be measured as the vertical distance from the natural mean ground elevation of the lot to the top of the parapet. Building heights for all other roofs shall be measured as the vertical distance from the natural mean ground elevation of the lot to the mean height between the plate line and the ridge, excluding embellishment.
4. All buildings shall be located below the ridge line (see Figure 7).



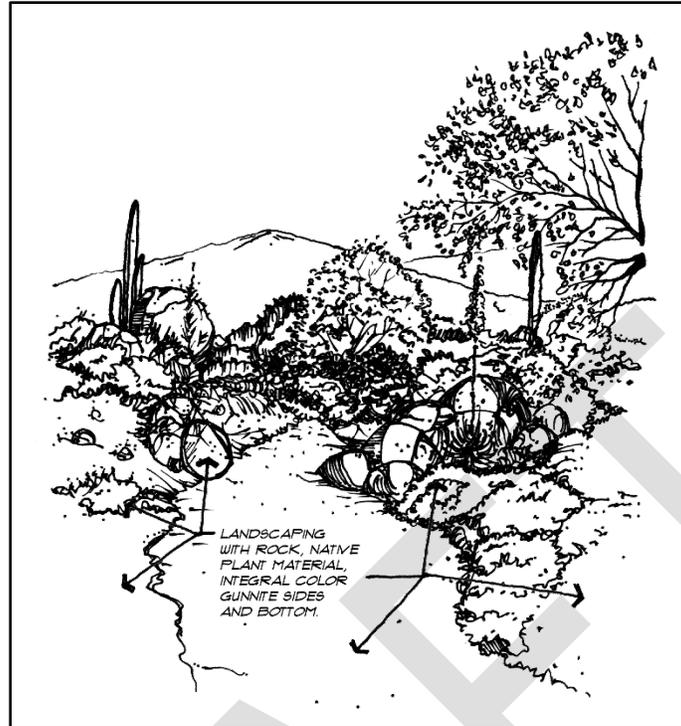
**FIGURE 7: RIDGE LINE RESTRICTIONS – CURVE RADII AND LENGTH, STREET GRADES**

**L. Fifteen Percent (15%) Slope/Open Space.**

1. Slopes of 15% or greater shall remain in undeveloped NAOS.
2. The open space within the lots, common open space areas with slopes of 15% or greater, or natural area washes that carry significant drainage as determined by the City Engineer shall be identified and secured by an open space and/or drainage easement and be maintained by the lot owner or homeowners' association.
3. Preserved natural washes, undisturbed NAOS, and sensitive areas as identified in approved Land Splits, Minor Plats, Preliminary Plats, Final Plats, and construction drawings are required to be fenced prior to and during construction. Fencing is to be installed and inspected prior to any site preparation, grading, plant removal, or construction. Fencing is to display signage indicating, "Protected Area - No Access."
4. Ridge lines shall remain as undeveloped NAOS.

**M. Washes/Drainage.**

1. Retained washes and new drainage channels shall maintain a "natural" desert character. Requirements include landscaping with native rock and plant materials, use of integral colored alternative material, contouring and preservation of existing natural features (see Figure 8).

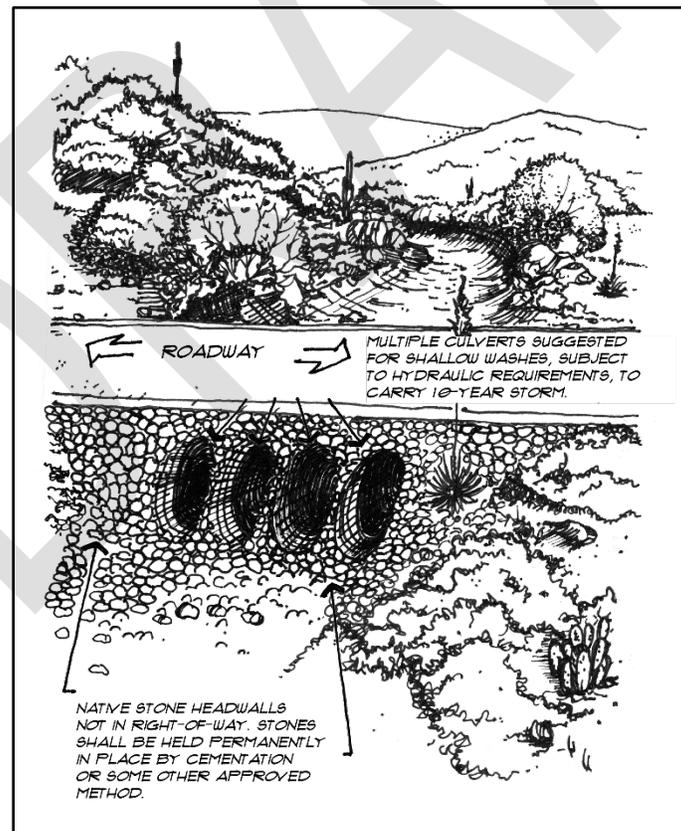


**FIGURE 8: NATURAL DESERT CHARACTER FOR DRAINAGE CHANNELS**

2. Man-made channels and existing natural washes conveying flows from adjacent properties shall remain separate from retention basins storing on-site drainage.
3. To preserve riparian zones, undisturbed areas shall extend, as determined by the City, beyond the banks of significant washes, including those regulated by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act.
4. Natural drainage patterns shall be maintained onto and off development sites, as determined by the City Engineer, in such a manner that existing vegetation along natural washes continues to receive runoff water. Water collection structures and retention basins shall be installed so that water from significant storm events flows into the same offsite downstream flow paths that existed prior to development, as determined by the City Engineer.
5. Storm water retention basin design layouts shall be incorporated with the overall site landscaping plan including amenities, access, and plantings. Landscaping shall be provided in all areas of the basin (slope, top, and bottom). A transitional area shall be introduced between the top of the retention basin slope and the edge of sidewalks, street curbs, parking spaces, driveways, or parking screen walls. A variety of side slopes and contouring shall be utilized, and radii shall be varied between top and bottom of slope for a smooth transition. Incorporate major horizontal and/or vertical slope changes every 100 feet of linear slope length.
6. Where retention basins occur along arterial streets, berms shall be along 50% of the basin frontage. Berms shall be four-to-one (4:1) (horizontal-to-vertical) maximum slope, and no more than two (2) feet above adjacent street grade.
7. With approval of the City Engineer, basin side slopes which are adjacent to streets (public

or private) and pedestrian walkways, may be steeper than a six-to-one (6:1) slope if a five (5) foot transition area, no steeper than a six-to-one (6:1) slope, is provided. Side slopes over five (5) feet away from the street/walkway may be permitted as steep as four-to-one (4:1).

8. Vertical walls will be considered subject to aesthetic and engineering review and may be used for up to 25% of the perimeter of the basin. Walls retaining over two (2) feet of soil require structural design. Walls with over two (2) feet of drop-off require railing. Walls retaining water require waterproof design.
9. Storm water retention basins shall be landscaped/revegetated with existing or salvage vegetation and native plant materials selected from the Preferred Desert Uplands Plant List in accordance with this Section.
10. Random-sized rock (six [6] inches and larger) may be utilized to create a natural-appearing desert wash within the basin bottom. Basins are encouraged to provide up to 25% more land area than the minimum area necessary to retain their specified volume of water in order to allow for the creation of peninsulas, more "natural" contouring, and the placement of boulders and rock outcroppings.
11. Native materials shall be utilized in the construction of headwalls, flow-retardant structures and devices, culverts, and drainage channel bottoms in the Desert Uplands Area. Headwall designs are required to blend in color, surface treatment, and shape with surrounding landscaping (see Figure 9). Headwalls shall be flared or sloped to follow the contours of the basin or channel.



**FIGURE 9: MULTIPLE CULVERTS FOR LARGER DRAINAGEWAYS**

12. Safety rails shall utilize alternative designs such as wrought iron to match theme walls, boulders, and pilasters and shall be a minimum 42 inches high. Inlet/outlet grates or gates utilizing alternative designs are required on 24 inch and larger diameter pipes.
13. ***Low-Density Development Standards: One (1) Dwelling Unit Per Acre (RS-35) or Less.***
  - a. Non-turfed drainage swales are encouraged in the Desert Uplands Area.
  - b. Erosion protection of drainage swales will be encouraged through the use of native rocks and native plant materials. Where runoff velocities necessitate additional erosion protection, the use of integral colored gunite or alternative material may be approved by the City Engineer.

#### **9.6.7: - APPEALS OF DISCRETIONARY DECISIONS**

- A. **Appealable Decisions.** Discretionary decisions of the Planning Director, Development Services Director, or their designees may be appealed to the Hearing Officer by the developer or owner of the property proposed for development that is affected by the discretionary decision. Appeals are limited to discretionary decisions involving one (1) or more of the following:
  1. Any requirement that exceeds or is in addition to the minimum development requirements as defined in this Chapter.
  2. Any requirement not specified in the Mesa City Code or other legislative act of the City of Mesa.
  3. Any requirement resulting from a discretionary act of an administrative official of the City of Mesa.
- B. **Appeal Deadline.** The appeal shall be submitted within 30 days of the discretionary decision. The appellant shall submit a notice of appeal to the Development Services Department using the form provided by the City for such appeals.
- C. **No Fee.** No fee is required for filing an appeal under this Section.
- D. **Appeal Transmittal.** The Planning Director or Development Services Director shall transmit to the Hearing Officer all documents and records that form the basis of the discretionary decision being appealed.
- E. **Hearing Scheduled.** The Hearing Officer shall schedule a time for the appeal to be heard, which shall be no later than 30 days from receipt of the appeal.
- F. **Hearing Notice.** The appellant shall be given at least 10 days prior notice of the date and time set for the hearing.
- G. **Hearing Officer Decision.**
  1. The Hearing Officer shall decide the appeal within five (5) working days from the date the appeal hearing concludes.
  2. For determination of the appeal, it shall be the responsibility of the City to establish that there is a nexus between the requirement and a legitimate governmental interest and that the requirement is roughly proportional to the impact of the proposed use, improvement, or development. If more than a single parcel is involved, this requirement applies to the entire property that is subject to the approval.
  3. If the appeal is upheld, the Hearing Officer shall modify or delete the requirement. If the appeal is denied, the appellant may at any time within 30 days of the decision of the Hearing

Officer file a complaint for a trial de novo in the Superior Court on the facts and the law regarding the issues of the requirement.

### 9.6.8: - PENALTIES AND CIVIL HEARING PROCESS

- A. **Criminal Penalty.** The following acts are unlawful and any person who commits any of the following acts will be charged with a Class 1 misdemeanor.
1. Recording or attempting to record a Plat, Land Split, or Affidavit of Change/Correction with the Maricopa County Recorder that does not have all required approvals from the City.
  2. Developing or attempting to develop land contrary to or in violation of any provision of this Chapter or any condition or stipulation designated on an approval issued pursuant to this Chapter.
- B. **Civil Penalty and Hearing Process.** A violation of any provision of this Chapter, other than the acts designated as unlawful, is a civil code offense which may be adjudicated and enforced by the following civil hearing process.
1. A person issued a civil penalty pursuant to this Chapter may appeal the civil penalty by requesting a hearing within 10 days of issuance of the civil penalty. The appeal must be in writing, state the grounds for the appeal, and be sent to the Development Services Director. The failure of an appeal to meet the requirements of this Section will entitle the Development Services Director to deny the appeal without further review.
  2. If an appeal meets the requirements of this Section, the Development Services Director will schedule a hearing with the Hearing Officer.
  3. All proceedings before the Hearing Officer will be informal and without a jury, except that testimony must be given under oath or affirmation. The technical rules of evidence do not apply, except for statutory provisions relating to privileged communications. Prehearing discovery will not be permitted, unless the Hearing Officer determines good cause exists otherwise. The Hearing Officer is authorized to make such orders as may be necessary or appropriate to fairly and efficiently determine the truth and decide the appeal.
  4. If either party to the appeal is aggrieved by the decision of the Hearing Officer, the aggrieved party may file a complaint of special action in an Arizona Superior Court with the proper jurisdiction to review the Hearing Officer's decision within 30 days after a final decision of the Hearing Officer has been rendered. Failure to bring the action within 30 days will constitute a waiver of any right to judicial review of the Hearing Officer's decision.
- C. **Separate Offense.** Each day a violation of any provision of this Chapter continues will be a separate offense.

### 9.6.9: - Definitions

The definitions in this Section 9-6-9 apply only to Title 9 of the City Code unless expressly stated.

**Affidavit of Change/Correction:** A document to effect a minor change or correction to a recorded plat such as lot line adjustments, lot combinations, bearing or distance changes, minor corrections to language of dedication, notes, or legal description.

**Alley:** A public or private right-of-way used to provide secondary vehicular access to abutting properties.

**Applicant:** An individual, firm, corporation, partnership, association, syndicate, trust, or other legal entity who submits an application to the City for review or approval under the provisions of Title 9 of the City Code.

**A.R.S.:** The Arizona Revised Statutes, as amended and supplemented.

**Berm:** A mound of soil, either natural or man-made.

**Block:** A piece or parcel of land or group of lots entirely surrounded by public or private streets, streams, railroads, parks, or a combination thereof.

**Channel:** The bed and banks of a natural or man-made stream which convey the constant or intermittent flow of the stream.

**City Engineer:** The person designated by the City as its City Engineer, or their designee.

**City Manager:** The person designated by the City as its City Manager, or their designee.

**Common Open Space:** Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. It may include complementary structures and improvements.

**Dedication:** the transfer of private property to the city for public use.

**Density:** The number of dwelling units per unit of land area.

**Desert Uplands Area:** The area of Mesa, Arizona that is bounded by the Central Arizona Project Canal on the west, Meridian Road and Utery Mountain Regional Park on the east, University Drive on the south, and the Tonto National Forest boundary on the north.

**Developer:** An individual, firm, corporation, partnership, association, syndicate, trust, or other legal entity that initiates and carries out the division, construction, or improvement of land, including the installation of infrastructure, buildings, or other site improvements, whether for personal use or for sale, lease, or other disposition.

**Drainage, One Hundred- (100-) Year Storm (Peak Discharge):** Local drainage resulting from a storm which has a 1% chance of occurring annually, based upon a "design storm" within a defined area. A design storm is a rainfall event of specific frequency and duration which produces the design flow.

For the purpose of this definition, local drainage is water that accumulates as a result of local storms and flows over land not included in a delineated floodplain, including sheet flow and such flow as may be concentrated in local drainage systems, with or without defined channels, but excluding delineated floodplains.

#### **EASEMENT RELATED DEFINITIONS:**

**Easement:** A grant by the owner of any parcel of land to a public agency, a corporation, or persons for specific uses and purposes and so designated and recorded.

**Easement, Drainage:** An area designed and used for conveyance or retention of runoff in which nothing can be placed which will impede, divert, or cause the runoff to have an adverse effect on adjoining property.

**Public Utility and Facilities Easement:** An easement for overhead and underground utility facilities provided, including water, storm drainage, sewage, electricity and communication, owned and operated by any person, firm, corporation, municipal department, or board duly authorized by state or municipal regulations

**Electric Service Area:** The area of Mesa, Arizona that receives electric utility service from the City of Mesa, commonly referred to as the City of Mesa Electric Service Area.

**Engineering Plans:** Plans, profiles, cross sections, and other required details for the construction of public improvements, prepared by a civil engineer registered in the State of Arizona, in accordance with the approved preliminary plat and in compliance with standards of design and construction approved by the City Engineering Department.

**Engineering and Design Standards Manual:** Requirements formulated by the City Engineer and available from the Engineering and Development Services Departments for the planning and design of public improvements.

**Exception:** Any parcel of land within the boundaries of the subdivision which is not owned by the subdivider.

**Exposed Fill:** All of the face of a fill slope resulting from development, from the toe to the top of the fill, whether the surface treatment is retaining wall, rip-rap, natural vegetation, or other treatment.

**Fill:** The deposit of soil, rock, or other material placed by man.

#### **FLOOD RELATED DEFINITIONS:**

**Flood:** A general and temporary overflow of water onto normally dry land areas.

**Flood, Regulatory:** The 100-year flood as determined by criteria established by the City Engineering Department.

**Flood, Fifty- (50-) Year:** A flood that has a 2% chance of occurring annually, based upon the criteria established by the City Engineering Department.

**Flood, One Hundred- (100-) Year:** A flood that has a 1% chance of occurring annually, based upon the criteria established by the City Engineering Department.

**Floodplain, Delineated:** That area delineated and mapped as a floodplain, as approved by the Planning & Zoning Board and as shown on the National Flood Insurance Program, flood insurance rate maps, and floodway maps.

**Floodplain, Regulatory:** That portion of the natural water course that would be inundated by the regulatory flood and in which land use is regulated by the Floodplain Regulations.

**Full Cutoff Streetlight Fixture:** Streetlight fixtures where no light is emitted by the fixture above an angle of 90 degrees above nadir (no light emitted above the horizontal).

**General Plan:** A comprehensive plan, or parts thereof, providing for the future growth and improvement of the City of Mesa, including the general location and coordination of streets and highways, schools and recreation areas, public building sites, and other physical development, including general land use patterns.

**Grade:** The vertical difference (in feet) between two (2) points on the ground divided by the length of horizontal distance (in feet) between the same two (2) points, multiplied by 100. (Example:  $2'/100 = .02 \times 100 = 2\%$  grade.)

**Grading:** Any excavating, filling, or combination thereof, including the conditions resulting from any excavation or fill, involving changes to the natural drainage pattern.

**Gunite:** Concrete or mortar conveyed through a hose and pneumatically projected at a high velocity onto a surface.

**Hearing Officer:** The City staff person responsible for hearing appeals under this Chapter, or other such individual contracted with the City to hear appeals under this Chapter.

**Highway:** Includes any expressway, freeway, or parkway.

**Irrigation Facilities:** Includes canals, laterals, ditches, conduits, pipes, gates, pumps, and allied equipment necessary for the supply, delivery, and drainage of irrigation water and the construction, operation, and maintenance of such.

#### **LAND DIVISION RELATED DEFINITIONS:**

**Land Division:** The act or process of dividing a parcel, lot, or tract of land into two or more parts for the purpose of sale, lease, transfer of ownership, or development, whether immediate or future. A land division may include the subdivision of land into lots or parcels, the creation of easements that affect property boundaries, or the adjustment of existing lot lines.

**Land Division, Minor:** The land division process for Minor Plats and Land Splits.

**Land Division, Major:** The land division process for Preliminary Plats, Final Plats, and Maps of Dedication.

**Land Split:** The division of improved or unimproved land whose area is 2.5 acres or less into two (2) or three (3) tracts or parcels of land for the purpose of sale or lease.

**LED:** Light Emitting Diode.

**Loop Road:** A local or minor collector street that begins and ends on the same roadway or within the same development, forming a continuous loop. A loop road provides internal circulation while limiting through traffic. It may connect to the same or different points on a perimeter street but does not function as a through-arterial.

#### **LOT RELATED DEFINITIONS:**

**Lot:** A piece or parcel of land separated from other pieces or parcels by description, as in a subdivision, or on a record survey map or by metes and bounds for purposes of sale, lease, or separate use.

**Lot Combination.** The merger of two (2) or more adjacent lots, tracts, or parcels of land into a single, unified lot, tract, or parcel for the purpose of development, sale, or lease.

**Lot, Corner:** A lot or parcel of land situated at the intersection of two (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 Length:**

- A. If the side property lines are parallel, the length of the lot shall be determined to be the average length of the two (2) sides.
- B. If the side property lines are not parallel, then a line bisecting the angle formed by the two (2) sides between the front and the rear lot lines shall be determined to be the lot length.

**Lot Line Adjustment.** Process by which land is taken from one (1) parcel and added to an adjacent parcel without creating a new lot.

**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 ten (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 Lines:** Those lines, either straight or curved, that define the front, rear, and sides of a lot, parcel, or tract of land.

**Lot Width:** The width of a lot shall be:

- A. If the side property lines are parallel, the distance between these side lines.
- B. If the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the required front or rear building setback line, whichever is the lesser. The axis of a lot shall be a line generally perpendicular to the fronting street which divides the lot into two (2) equal parts.

**Map of Dedication:** A legal document that sets the location and gives the dimensions of rights-of-way and easements. Used to dedicate land to the City of Mesa or to grant an easement to the city for roadway, drainage, flood control, wet or dry utilities, emergency or service vehicle access, other public uses or the granting of an easement for a utility line.

**Natural Area Open Space (NAOS):** Within the Desert Uplands Area, that open space which consists of undisturbed natural area open space and revegetated open space. NAOS shall contain no more than thirty percent (30%) revegetated open space. NAOS shall be located within common tracts controlled by the homeowners' association, land trust, or similar entity created to preserve the NAOS; or may be located on-lot within designated easements. NAOS shall be identified on the subdivision plat and restricted as necessary to preclude future development. Trails or paths for nonmotorized use, such as hiking, equestrian, or mountain biking are permitted.

**Open Space:** The area or areas of a lot or parcel intended to provide light and air, and designed for either scenic or recreational purposes, excluding buildings, parking, driveways and other vehicular surfaces.

**Owner:** The person or persons holding title by deed to land, holding title as vendees under land contract, or holding any other title of record.

**Park:** An area dedicated to recreational use and generally characterized by its natural, historic, and landscape features. It is used for both passive and active forms of recreation and is designed to serve the residents and visitors of a neighborhood, community, or city.

**Peak:** A point of maximum elevation on a major or minor hill as indicated by the USGS topographic maps.

**Pedestrian/Bicycle Way:** A public way dedicated entirely through a block from street to street and/or providing access to a school, park, recreation area, shopping center, etc. and which excludes vehicles or other motorized transportation.

**Planned Area Development (PAD):** A zoning overlay and development process that allows for flexibility in the application of zoning standards—such as setbacks, height, and lot size—in order to accommodate innovative design, mixed-use development, and coordinated master planning of larger or more complex sites.

**Planning Director:** The person designated by the City as its Planning Director, or their designee.

**Planning & Zoning Board:** The Planning and Zoning Board of the City of Mesa.

#### **PLAT RELATED DEFINITIONS:**

**Plat:** A map of a land division.

**Plat, Amended:** See Replat.

**Plat, Minor:** The division of land that creates ten (10) or fewer lots, tracts, or parcels of land.

**Plat, Preliminary:** A preliminary map, including supporting data, indicating a proposed land division, prepared in accordance with these regulations.

**Plat, Final:** A final map of all or part of a land division providing substantial conformance to an approved preliminary plat, prepared by a registered land surveyor in accordance with these regulations.

**Plat, Recorded:** A plat bearing all of the certificates of approval required by and duly recorded in the Maricopa County Recorder's Office.

**Plat, Replat:** An amendment to a recorded plat to: modify the number or location of lots, tracts, or easements; adjust lot lines; change roadway alignments; or provide for modifications to dedicated easements, rights-of-way, or tracts.

**Pre-Submittal Conference:** A meeting between the applicant and City staff held prior to the formal submission of a development application. The purpose of the conference is to review preliminary project concepts, identify applicable regulations, procedures, and submittal requirements, and provide initial feedback to help ensure a complete and efficient application review process.

**Public Improvement Standards:** A set of regulations setting forth the details, specifications, instructions, and procedures to be followed in the planning, design, and construction of certain public improvements in the City of Mesa, formulated by the City Engineer, the County Health Department, and other City departments.

**Recreational Vehicle Park:** An approved residential development, designed in accordance with the zoning ordinance, that is owned by one entity as shown in the records of the Planning Division in which individual spaces are provided for parking of one recreational vehicle per space for temporary portable housing purposes, whether or not a charge is made for such accommodation.

**Recreational Vehicle Subdivision:** An approved residential subdivision, as shown in the records of the Maricopa County Recorder's office, in which individual ownership of a recreational vehicle lot is permitted, that is designed in accordance with the Zoning Ordinance and approved in accordance with planned area development and subdivision regulations.

**Retaining Wall:** A wall or terraced combination of walls used solely to retain more than 18 inches of earth, but not to support or to provide footing for a structure.

**Retention Basin:** A water collection facility designed to collect storm water runoff and release it at a controlled rate after the storm. A retention basin and park may be joined to serve both recreational needs and as a water collection facility.

**Revegetated Open Space:** Within the Desert Uplands Area, open space disturbed either before or during development that has been revegetated in the following manner: revegetated with plants from the preferred Desert Uplands plant list; revegetated with plants that are the same species mix as the adjacent undisturbed area; and revegetated with plants that are at least equal in size and sufficient in number to be at least the same density as the adjacent undisturbed area. The developer should create provisions for maintaining healthy plants until they are established and shall replace any revegetated plants that die within one (1) year of planting. Subdivision improvements such as storm water retention and detention basins, drainage structures, and utility corridors, may be included in this category if revegetated in the approved manner. Excluded from the revegetated open space are those areas revegetated for the utility exception Section 9-6-5(J)1(e), driveway exception Section 9-6-5(J)1(d), and the work access areas Section 9-6-5(J)1(b).

**Reverse Frontage:** A lot having frontage on two (2) nonintersecting streets. The front of the lot shall be considered facing the interior street.

**Ridge:** The defined topographical line connecting a series of major and minor hills, peaks, or mountains.

**Ridge Line:** A ground line located at the highest elevation of the ridge running parallel to the long axis of the ridge.

**Right-of-Way (ROW)** An area of land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved or dedicated to the City for purposes, including streets, highways, alleys, public utilities, pedestrian walkways, bikeways, or drainage. Within rights-of-way, the City of Mesa coordinates the locations of public or private improvements, underground or overhead; including electricity, gas, steam, communication, telecommunications, data transmission, cable TV, water, storm drainage, sewage, sidewalks, landscaping, traffic signals, streetlights, flood control, pedestrian, roadway purposes, etc. owned and operated by any person, firm, company, corporation, municipal department, or board duly authorized by federal, state or municipal regulations.

**Right-of-Way Improvements:** Construction in the public right-of-way or in easements, including streets, alleys, medians, bicycle lanes, curbs and gutters, stormwater facilities, water and sewer lines and services, fire hydrants, gas lines and services, sidewalks, driveways, streetlights, traffic control devices, street name signs, landscaping, underground and overhead utilities as required by the City Engineer. Right-of-way improvements do not include right-of-way land dedications.

**Slope:** See Grade.

**Storm Water Retention:** Provision for storage of storm water runoff during and after a flood or storm and the controlled release of such runoff after a flood or storm.

#### **STREET RELATED DEFINITIONS:**

**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, 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.

**Streetlight Lumen Level:** Standard lumen lighting levels of a streetlight required by Roadway Lighting ANSI/IES RP-8.

**Subdivider:** An individual, firm, corporation, partnership, association, syndicate, trust, or other legal entity that files the application and initiates the division of land pursuant to these regulations. The subdivider is not required to be the owner of the property as defined by this Ordinance.

**Subdivision:** Improved or unimproved land or lands divided or proposed to be divided for the purpose of financing, sale, or lease, whether immediate or future, into four (4) or more lots, tracts, or parcels of land; or if a new street is involved, any such property which is divided into two (2) or more lots, tracts, or parcels of land; or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two (2) parts.

Subdivision also includes any condominium, cooperative, community apartment, townhouse, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon; however, plats of such projects need not show the

buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.

**Survey Closure Report:** A technical report prepared and certified by a registered land surveyor that verifies the accuracy and completeness of a legal description by confirming that all boundary segments mathematically close to form a single, contiguous parcel.

**Survey Monument:** A physical marker established by a land surveyor to accurately identify a point on the ground that corresponds to a legal boundary, property corner, control point, or other survey reference.

**Transportation Director:** The person designated by the City as its Transportation Director, or their designee.

**Undisturbed Natural Area Open Space:** Within the Desert Uplands Area, that open space that is completely undisturbed from its original natural state by any residential development on the site. Any pre-existing damage within such areas, such as old jeep roads, off-road vehicle trails, or dumping sites, shall be restored with plants from the preferred desert uplands plant list that are the same species mix, that are at least equal in size, and that are sufficient in number to be the same density as the adjacent undisturbed area. Natural features, such as washes, significant rock outcroppings, and concentrations of native vegetation, shall be maintained in their natural state. Trails or paths for nonmotorized use, such as hiking, equestrian, or mountain biking, are permitted. Undisturbed natural areas shall constitute a minimum of seventy percent (70%) of the required natural area open space. This minimum applies to both common tract and on-lot natural area open space.

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