



City Council Report

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To: City Council

Through: Marc Heirshberg, Assistant City Manager

From: Nana Appiah, Development Services Director
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Subject: Mesa Zoning Ordinance text amendment **(Administrative Review Amendments)**- Proposed amendments to Title 11 Chapters 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 14, 20, 21, 22, 30, 31, 32, 33, 34, 35, 42, 46, 56, 63, 67, 69, 70, 71, 72, 73, 76, 80, 81, 86, and 87 to the Mesa City Code. **(Citywide)**

Recommendation

Staff recommends that the City Council adopt the proposed Mesa Zoning Ordinance (MZO) Administrative Review text amendments.

December 10, 2025, the Planning and Zoning Board voted to recommend (vote: 6-0) that the City Council adopt the proposed Mesa Zoning Ordinance (MZO) Administrative Review text amendments with the condition that staff clarify the meaning of “change of use” as it pertains to Section 11-69-5 and related sections.

Purpose

City Council, the development community, and City staff have engaged in discussions aimed at improving the development review process. These conversations have highlighted several shared priorities: increasing predictability for applicants, reducing redundancies, improving coordination across departments, and ensuring that the review process remains transparent, efficient, and aligned with Mesa’s long-term planning and design objectives.

Staff received consistent feedback requesting clearer procedures, more objective standards, and administrative pathways for routine applications - allowing City Council and the City’s Boards to focus policy development and community impact. The proposed text amendments, summarized in this report, reflect those discussions and will streamline the City’s development review framework while ensuring continued high-quality outcomes.

Recent changes in state law has resulted in a new mandate for administrative approvals. On March 3, 2023, Governor Hobbs signed Senate Bill 1103, authorizing municipalities to

administratively review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats, and plat amendments.

This authority became a requirement on March 31, 2025, when House Bill 2447 was signed into law, amending A.R.S. § 9-500.49 to require every municipality to adopt an ordinance authorizing administrative personnel to approve these actions without a public hearing. House Bill 2447 also required design review approvals to be based on clear, objective standards.

On July 1, 2025, City Council adopted amendments to the Mesa City Code authorizing the administrative approval of Land Division actions such as Preliminary Plats, Final Plats, Minor Plats, Land Splits, etc.

Staff is recommending certain modifications to Chapters 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 14, 20, 21, 22, 30, 31, 32, 33, 34, 35, 42, 46, 56, 63, 66, 67, 69, 70, 71, 72, 73, 76, 80, 81, 86, and 87 of the MZO. Details of the proposed text amendments are attached in Exhibit 1 – Administrative Review Ordinance, Exhibit 2 – Administrative Review – Replaced Sections and Chapters, Exhibit 3 – Administrative Review – Expiration and Extensions, and Exhibit 4 – Administrative Review – Development Standard Modifications. Specifically, the proposed text amendments:

1. Modify existing development standards to ensure they are objective, and add new development standards that promote consistent, high-quality design outcomes.
2. Retire obsolete zoning designations.
3. Add development standards for the Mixed-Use District.
4. Create Site Planning and Design Standards for the Downtown Districts.
5. Create a consolidated “Development Plan Review” process that combines and replaces the existing Design Review and Site Plan Review procedures.
6. Modify Chapter 76 (Amendments to Zoning Map) to explain “Ordinance Condition Modifications.”
7. Modify the expiration and extensions provisions for consistency across cases.
8. Modify approval criteria for Alternative Compliance.
9. Reorganize and reword text for clarity, consistency, and to reduce redundancy.
10. Modify and add definitions for new terms or previously undefined terms.

Discussion

1. **Modify existing development standards to ensure they are objective, and add new development standards that promote consistent, high-quality design outcomes.**

The proposed text amendments include revisions to existing development standards to ensure they are objective, clearly written, and consistently applied. Many current standards rely on discretionary terms such as “should” and “may,” or use subjective descriptions of intent

rather than specifying measurable requirements. This can result in inconsistent interpretation and unpredictable outcomes for applicants.

The proposed text amendments replace subjective language with objective, quantifiable criteria - such as minimum depths for horizontal wall articulation and minimum percentages of primary building materials to be used on both publicly visible and non-publicly visible facades. New development standards are also proposed to further support high-quality design. Examples include adding landscaping diversity requirements to prevent monoculture conditions that increase vulnerability to disease or extreme weather, and establishing minimum residential amenity standards tied to the number of dwelling units in a project.

The proposed text amendments reinforce the City's commitment to high-quality design, increase predictability for applicants - a key request from the development community - and ensure compliance with the objective-standards requirements of A.R.S. § 9-500.49 as amended by House Bill 2447.

2. Retire obsolete zoning designations.

In 2011, the City completed a major overhaul of the Zoning Ordinance with the adoption of a new Title 11. As part of that update, two Community Character Designators were established to provide character-specific development standards. The Urban (-U) designator was intended to support a more urban development pattern, with buildings placed close to the street and an active, pedestrian-oriented environment. The Auto-Oriented (-A) designator was created to guide development in areas where automobile-oriented uses are prevalent, helping to mitigate their impacts through tailored design standards.

These designators were optional and required a specific request from an applicant, followed by adoption through a City Council zoning action.

Since the 2011 update, the City has received only one rezoning request that included a Community Character Designator, and that designation was later removed in a subsequent zoning case before the property was developed. With limited use over more than a decade and the adoption of more effective zoning tools staff recommends retiring both Community Character Designators.

3. Add development standards for the Mixed-Use District.

As part of 2011 Zoning Ordinance overhaul, the Mixed Use (MX) zoning district was created and land use regulations were established. However, while development standards were adopted for the Mixed Use – Urban (-U) designator, no development standards were adopted for the base MX District itself.

In the years since, staff has relied on the MX-U standards to guide development within the MX District. As part of the proposed text amendment, staff is recommending that the City Council retire the Urban (-U) Community Character Designator and adopt a dedicated set of development standards for the MX base zoning district.

4. Create Site Planning and Design Standards for the Downtown Districts.

While Chapter 8 (Downtown Districts) includes development standards for the Downtown Residential, Downtown Business, and Downtown Core districts, it does not contain the Site

Planning and Design Standards that appear in Chapter 5 (Residential Districts), Chapter 6 (Commercial and Mixed-Use Districts), and Chapter 7 (Employment Districts). These standards play a critical role in guiding high-quality development.

To ensure consistency across zoning districts, and to support the continued evolution of Downtown with a well-designed, pedestrian-oriented environment, staff recommends adding Site Planning and Design Standards to Chapter 8 that align with the requirements applied to residential and commercial districts. The proposed text amendments combine the Design Review and Site Plan Review processes to create a new consolidated Development Review process.

5. Create a consolidated “Development Plan Review” process that combines and replaces the existing Design Review and Site Plan Review procedures.

The proposed text amendments establish a consolidated “Development Plan Review” process that replaces the existing Design Review and Site Plan Review procedures. This update is prompted in part by A.R.S. § 9-500.49, as amended by House Bill 2447, which requires design review plans to be approved administratively using objective standards. These statutory changes directly affect the role of the Design Review Board and create an opportunity to improve the development review process by evaluating whether a separate Design Review application remains necessary.

Currently, Design Review and Site Plan Review are processed through two separate processes with different recommending and approving authorities, despite substantial overlap in applicability, submittal requirements, and review criteria. This structure leads to duplicative reviews, repetitive comments, and multiple public hearing steps, resulting in avoidable delays for applicants. The overlap in project elements reviewed by each authority creates confusion for applicants, Board members, and the public regarding the respective roles and authority of the Design Review Board versus the Planning and Zoning Board.

A new consolidated Development Plan Review process streamlines these overlapping functions into a single, efficient review pathway focused on ensuring compliance with objective development standards, adopted design guidelines, and applicable conditions of approval. This restructuring improves predictability for applicants, and aligns the City’s procedures with modern zoning best practices and statutory requirements. By eliminating redundancy and clarifying review authority, the consolidated process creates a more user-friendly, consistent, and transparent framework for evaluating development proposals.

6. Modify Chapter 76 (Amendments to Zoning Map) to explain “Ordinance Condition Modifications.”

Staff recommends amending Chapter 76 (Amendments to Zoning Map) to clarify when a modification to a condition of approval constitutes a legislative act. The proposed amendments explain that conditions of approval adopted by the City Council as part of an ordinance establishing or modifying zoning classifications, rezonings, amendments to the zoning map, or Council-adopted development plans are considered “Ordinance Conditions Modifications.”

An Ordinance Condition Modification is a rezone and subject to the public notice and the public hearing process through City Council.

These amendments further explain existing practice and clarify the relationship between the Site Plan Modification process and circumstances in a proposed project requires City Council approval due to noncompliance with a Development Plan Condition.

7. Modify the expiration and extensions provisions for consistency across cases.

The Zoning Ordinance includes multiple Planning and Zoning review and entitlement processes designed to address a wide range of development scenarios. These processes - including Council Use Permits, Site Plan Review, Design Review, Variances, and Substantial Conformance Improvement Permits - serve distinct purposes, including authorizing uses with higher potential impacts, evaluating development plans for compliance with standards, and approving limited deviations from those standards.

In many cases, a single development proposal may require several of these processes, each with its own approving authority and timeline. Although each case includes expiration and extension provisions, these provisions currently vary across processes, which can result in one approval expiring while related approvals remain active.

To create consistency, reduce administrative complications, and ensure coordinated project timelines, staff recommends standardizing expiration and extension provisions across all applicable cases.

8. Modify approval criteria for Alternative Compliance.

In 2020, the City Council adopted Mesa's Quality Development Design Guidelines to promote high-quality development citywide. Concurrently, the City approved a comprehensive Zoning Ordinance text amendment that codified many of these guidelines into objective Site Planning and Design Standards. As part of that effort, the Alternative Compliance process was created to allow applicants to propose creative, context-sensitive alternatives that still meet the intent of the standards.

In recent years, however, the Alternative Compliance process has not always been used to provide solutions that are equivalent or superior in quality, but rather to deviate from required standards.

To address this, staff recommends revising the requirements and approval criteria to improve clarity, ensure appropriate use, and strengthen design outcomes. The proposed modifications place greater responsibility on the applicant to: (1) clearly identify the specific deviation requested, and (2) demonstrate how the alternative meets the intent of the General Plan, represents the minimum departure necessary, and provides either an equivalent level of design quality or meaningful public benefits (such as enhanced streetscape design, increased shade or canopy, improved open space, or similar community-oriented enhancements).

9. Reorganize and reword text for clarity, consistency, and to reduce redundancy.

The proposed text amendments include a reorganization of several sections of the Zoning Ordinance to group related concepts together, remove duplicative content, and ensure consistent terminology throughout the document. These edits do not change the intent or substance of the existing development standards but improve clarity, readability, and ease of use.

By streamlining and consolidating text, the proposed text amendments make the regulations easier for applicants, staff, and the public to locate, interpret, and apply. This reduces the potential for conflicting interpretations, improves consistency in administration, and supports a more efficient and predictable development review process.

10. **Modify and add definitions for new terms or previously undefined terms.**

The proposed text amendments add definitions for several terms - such as "Change of Use," "General Plan Amendment," "Good Neighbor Policy," and "Plan of Operation" that are currently used throughout the Zoning Ordinance but have never been formally defined.

At the December 10, 2025, Planning and Zoning hearing, the Board requested clarification on what constituted a "Change of Use." Staff explained that Chapter 86 (Use Types) provides the City's defined list of individual land uses, and that a "Change of Use" occurs when there is a change from one of these individually listed uses to another use (e.g. full service restaurant to limited service restaurant with a drive-thru). Staff further clarified that a Change of Use is not a change between the broader land use classifications (e.g. commercial use classifications to employment and industrial use classifications). The Board recommended that City Council adopt the proposed amendments with the condition that staff clarify the meaning of "Change of Use" before introduction to City Council. Staff revised the proposed definition as follows:

~~CHANGE IN USE(S) OR CHANGE OF USE(S): A MODIFICATION TO HOW A BUILDING, PORTION OF A BUILDING, OR SITE IS UTILIZED THAT RESULTS IN DIFFERENT ZONING STANDARDS, REVIEW PROCEDURES, OR APPROVAL REQUIREMENTS THAN PREVIOUSLY APPLIED. A CHANGE IN FROM ONE LAND USE DEFINED IN CHAPTER 86 (USE TYPES) TO ANOTHER DEFINED LAND USE, REGARDLESS OF MAY OCCUR EVEN WHEN THE NEW USE IS WITHIN THE SAME LAND USE CLASSIFICATION, OR CHANGE FROM A DEFINED USE TO A USE NOT LISTED IN CHAPTER 86.~~

The proposed text amendments introduce new definitions and refine existing ones to align with updated standards and procedures proposed elsewhere in the Ordinance.

- A definition for "Development Plan Review" is added to describe the consolidated process that will replace the current Design Review and Site Plan Review procedures.
- A definition for "Kitchen Area" is proposed to clarify the application of development standards related to Accessory Dwelling Units.
- Definitions for "Setbacks" are added to reflect terminology updates made throughout the Code, and the definition of "Yard" is revised to ensure consistency with these terms and common industry practice.

Citizen Participation

Developers Advisory Forum:

- On September 16, 2025, the main concepts of the proposed text amendments were presented to the Developer's Advisory Forum.

- One attendee commented and followed up with an email commending the City for working on the text amendments, which he saw as an improvement, and stating his support for more administrative approvals.

Open House:

The public was invited to a virtual open house on September 29, 2025, to discuss the proposed Administrative Review and the Middle Housing text amendments.

- 4 people attended the open house
- Attendees did not have any questions on the proposed Administrative Review text amendments.

Public Comment:

- One person requested to speak at the Planning and Zoning Board hearing on December 10, 2025.
- The speaker expressed concern with the lack of public engagement and stated that the proposed amendments were only posted two days before the hearing.
 - Staff clarified that 1) the proposed amendments were discussed with the Developer Advisory Forum; 2) an open house was held, which only four people attended; 3) the proposed amendments were posted in the Planning and Zoning Board packet the prior Thursday, per normal protocol; and 4) as a courtesy staff posted the redline versions of the documents on the Planning website the Thursday prior with the exception of one document which was posted on Monday when staff was alerted that it wasn't on the website.
- The speaker also expressed their opposition to a "change of use" being a criteria for a Major Development Plan Modification and warned of the litigative consequences.
 - In response, staff clarified that: 1) a change of use would only require legislative action when there was a Development Plan Modification in which City Council; and 2) such stipulations have been litigated in the past and upheld as a legislative act.
- On December 17, 2025, one person emailed staff with concerns about the timing of the proposed amendments and provided staff with redlines and comments on the amendments.
 - Staff met with the individual on December 23, 2025, to discuss their comments, many of which pertained to residential design standards and infill development.
 - Staff explained that several of the comments pertained to existing standards, that the development standards contained in the proposed text amendments are intended to guide overall development in the city, and that staff is continuing to work on infill and redevelopment specific text amendments which should address many of his comments.

Implementation

Staff recommends the ordinance approving the proposed text amendments become effective 30 days from the date of City Council approval.

Exhibits

Exhibit 1 – Presentation

Exhibit 2 – Administrative Review Ordinance

Exhibit 3 – Administrative Review – Replaced Sections and Chapters

Exhibit 4 – Administrative Review – Expiration and Extensions

Exhibit 5 – Administrative Review – Development Standard Modifications

Exhibit 6 – P&Z Minutes