

ORDINANCE NO. 5997

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING MESA CITY CODE TITLES 2 AND 11, PERTAINING TO THE ORGANIZATION AND DUTIES OF THE PLANNING AND ZONING BOARD AND THE DESIGN REVIEW BOARD. THE AMENDMENTS INCLUDE, BUT ARE NOT LIMITED TO: MODIFYING THE MEMBERSHIP AND QUALIFICATIONS OF THE PLANNING AND ZONING BOARD; REPEALING IN ITS ENTIRETY SECTION 11-66-2: PLANNING AND ZONING BOARD AND ADOPTING A NEW “SECTION 11-66-2: PLANNING AND ZONING BOARD;” REPEALING IN ITS ENTIRETY SECTION 11-66-6: DESIGN REVIEW BOARD AND ADOPTING A NEW “SECTION 11-66-6: DESIGN REVIEW BOARD;” MODIFYING APPEAL BODIES; AND PRESERVING RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS WHICH HAVE ALREADY BEGUN THEREUNDER.

WHEREAS, the Planning and Zoning Board and the Design Review Board play an important role in reviewing land use, zoning, and design-related matters and making recommendations that support high-quality development and the long-term goals of the City.

WHEREAS, the City of Mesa periodically evaluates the structure, roles, and responsibilities of its advisory boards to ensure they effectively serve the needs of the community and the development review process.

WHEREAS, the addition of alternate members to the Planning and Zoning Board will strengthen continuity of operations, ensure meeting quorum, and maintain timely development review and public hearing processes.

WHEREAS, establishing three alternate positions on the Planning and Zoning Board will provide flexibility, support scheduling needs, and improve Board functionality during absences.

WHEREAS, the City Council finds that requiring certain members of the Planning and Zoning Board and Design Review Board to possess relevant professional qualifications—such as experience in planning, architecture, urban design, landscape architecture, engineering, or related fields—will enhance the quality of review, ensure informed decision-making, and support the City’s commitment to excellence in development.

WHEREAS, the proposed amendments clarify and update the duties and responsibilities of the Planning and Zoning Board and the Design Review Board to align with and implement administrative updates being made by separate ordinance in order to improve coordination and support a streamlined and predictable development review process.

WHEREAS, the City Council finds that these updates will promote consistency, improve customer service, and strengthen the City’s ability to guide high-quality development in accordance with the Mesa 2050 General Plan.

WHEREAS, pursuant to A.R.S. § 9-462 *et seq.*, the legislative body of any municipality by ordinance may establish planning agencies to carry out the municipality’s zoning powers, the City Council finds that the proposed amendments are in the best interest of the City, improve the development review process, and will thereby conserve and promote the public health, safety, and general welfare.

WHEREAS, on December 10, 2025, the Planning and Zoning Board recommended that the City Council adopt the proposed amendments to Title 11 (Zoning Ordinance).

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That Mesa City Code Title 2, Chapter 1 titled “Planning and Zoning Board” is hereby modified as follows:

2-1-1: - MEMBERSHIP

There is hereby created a Planning and Zoning Board to consist of seven (7) ~~representative citizens of the City~~ **REGULAR MEMBERS AND THREE (3) ALTERNATE MEMBERS**. Members of the Board shall hold no other City office, shall reside within the limits of the City, and shall be appointed as provided in Subsection (B) of Section 501 of the City Charter.

2-1-2: - TERM OF OFFICE

(A) ~~The~~**REGULAR** members of the Planning and Zoning Board shall serve ~~for staggered~~**A TERM OF** three—~~(3-)~~ years, ~~terms and until their successors are duly appointed~~**UNLESS THEY SUBMIT A WRITTEN RESIGNATION TO THE MAYOR AND CITY COUNCIL OR ARE REMOVED BY CITY COUNCIL**. At the time of the original appointment under this Chapter, the Mayor shall designate the length of the term of all of the members to provide for staggered terms. ~~Now~~ which in no event **REGULAR MEMBER** shall be **SERVE** more than ~~three~~ **TWO (32) years** **CONSECUTIVE FULL TERMS**.

(B) **ALTERNATE MEMBERS OF THE PLANNING AND ZONING BOARD SHALL SERVE A TERM OF THREE (3) YEARS, UNLESS THEY SUBMIT A WRITTEN RESIGNATION TO THE MAYOR AND CITY COUNCIL OR ARE REMOVED BY THE CITY COUNCIL. NO ALTERNATE MAY SERVE MORE THAN TWO (2) CONSECUTIVE FULL TERMS. HOWEVER, AN ALTERNATE MAY LATER BE APPOINTED BY THE MAYOR AND CITY COUNCIL TO SERVE AS A REGULAR MEMBER OF THE PLANNING AND ZONING BOARD, IN WHICH CASE THE TERM-LIMIT PROVISIONS OF SUBSECTION (A) SHALL APPLY.**

Section 2: That Mesa City Code Title 11, Chapter 66, Section 2 titled “Planning and Zoning Board” is hereby repealed in its entirety and replaced with a new Mesa City Code Title 11, Chapter 66, Section 2, titled “Planning and Zoning Board” as follows:

11-66-2: - PLANNING AND ZONING BOARD

A. **Establishment and Organization of the Planning and Zoning Board.** The Planning and Zoning Board is established by Section 406 of the Mesa City Charter and Section 2-1-1 of the Mesa City Code. The Board's organization and duties are described in Title 2 - Boards and Commissions, Chapter 1, Planning and Zoning Board, of the Mesa City Code.

1. **Board Membership.** The Planning and Zoning Board shall be composed of seven (7) regular members and three (3) alternates appointed by the City Council.
2. **Qualifications of Members.**

- a. *Regular Board Members.* The composition of the regular Board members shall include:
 - i. Two (2) design professionals (e.g., architect, landscape architect, engineer, urban planner, interior designer or similar design-related profession);
 - ii. One (1) contractor or developer; and
 - iii. Four (4) citizens selected at-large from the community.
- b. *Alternate Board Members.* At least one (1) alternate to the Planning and Zoning Board shall be a design professional (e.g., architect, landscape architect, engineer, urban planner, interior designer or similar design-related profession).

B. **Meetings.**

1. Meetings of the Board shall be open to the public and the minutes of its proceedings, showing the votes of each member and records of its examinations and other official actions shall be kept and filed in the Planning Division Office as a public record. The Secretary of the Board shall be the Planning Director, or a member of the Planning Division staff as designated by the Planning Director.
2. At least four (4) members shall be present to conduct a meeting. No matter shall be considered unless there are at least four (4) members present who are eligible and qualified to vote on the matter.
3. The concurring vote of a majority of the Board members present shall be necessary to pass a motion.
4. A chair and vice-chair shall be elected annually from among its regular members.
5. The Chair, or in the Chair's absence the Vice Chair, shall lead the meeting, maintain order, and be the final decision maker for all meeting management questions.

C. **Authority and Duties of the Planning and Zoning Board.** In addition to the powers and duties established in Title 2 - Boards and Commissions, Planning and Zoning Board of the Mesa City Code, the Planning and Zoning Board shall:

1. *Hear and Make Recommendations.* The Planning and Zoning Board shall hear and make recommendations to City Council on the following:
 - a. *Zoning Map, Zoning Ordinance, and General Plan Amendments.* Amendments to the Zoning Map, Zoning Ordinance, or amendments to the General Plan.
 - b. *Council Use Permits.* Requests for a Council Use Permit.
 - c. *PC District Matters.* Matters specified in an adopted Planned Community Plan for a PC District for action by City Council or amendments to a Planned Community Plan.
 - d. *Joint Public/Private Projects.* Joint public/private projects in designated redevelopment areas.
 - e. *Redevelopment Plans and Adopted Plans.* Proposed redevelopment plans or amendments to adopted plans.
 - f. *Redevelopment Actions.* Proposed redevelopment actions to the Council which are consistent with adopted plans and stated redevelopment goals.
 - g. *Design of Buildings, Structures, Landscaping, and Open Space.* Issues concerning exterior design of buildings, structures, landscaping, and open space.

- h. *Directed by City Council.* Other matters as directed by the City Council.
- 2. ***Hear and Take Action On.*** The Planning and Zoning Board shall hear and take action on the following:
 - a. *Special Use Permits.* Special Use Permits (SUP) when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board, as authorized by this Subsection C.
 - i. Any Planning and Zoning Board approval of an SUP that requires the associated request to be approved by the City Council shall be conditioned upon Council approval of the associated request.
 - ii. In the event the City Council denies the associated request, the SUP shall also be considered denied.
 - b. *Development Plan Review.* Development Plan Reviews as specified in Chapter 69: Development Plan Review.
 - c. *PC District Matters.* Matters specified in an adopted Community Plan for a PC District.
 - d. *Planning Director Appeals.* Appeals of the Planning Director, or designee's, decision on Development Plan Review requests.
 - e. *Conditioned Matters.* Matters specified by conditions of approval or stipulations on the property, whether adopted by ordinance, resolution, or otherwise; requiring Planning and Zoning Board approval.
 - f. *Board Business.* Rules for the conduct of Planning and Zoning Board business.

Section 3: That Mesa City Code Title 11, Chapter 66, Section 6 titled “Design Review Board” is hereby repealed in its entirety and replaced with a new Mesa City Code Title 11, Chapter 66, Section 6, titled “Design Review Board” as follows:

11-66-6: - DESIGN REVIEW BOARD

- A. **Establishment and Organization of the Design Review Board.** The Design Review Board is established by Title 2 - Boards and Commissions, Design Review Board of the Mesa City Code.
 - 1. ***Qualification of Members.*** The composition of the Board shall include:
 - a. Two (2) licensed architects;
 - b. Two (2) other design professionals (e.g., architect, landscape architect, engineer, urban planner, interior designer or similar design-related profession);
 - c. One (1) contractor or developer; and
 - d. Two (2) citizens selected at-large from the community.
 - 2. ***Rules of Conduct.*** The Board shall adopt rules for the conduct of its business. The Board may, in such rules, delegate certain responsibilities and/or tasks to be performed by a subcommittee or subcommittees of the Board.
- B. **Meetings.**
 - 1. Meetings of the Board are open to the public and the minutes of its proceedings are kept and filed in the Planning Division office as a public record. The Secretary of the Board is

the Planning Director or a member of the Planning Division staff designated by the Planning Director.

2. At least four (4) members of the Board shall be present to conduct a meeting and an affirmative vote of a majority of the quorum present and voting shall be required to pass a motion.
3. The concurring vote of four (4) of the Board members present is necessary to pass a motion to approve an appeal of a decision of the Planning Director.
4. The Chair, or in the Chair's absence the Vice Chair, shall lead the meeting, maintain order, and be the final decision maker for all meeting management questions.
5. The Board shall meet as needed.

C. **Authority and Duties of the Design Review Board.** In addition to the powers and duties established in Title 2 - Boards and Commissions, Design Review Board of the Mesa City Code, the Design Review Board shall:

1. ***Hear and Make Recommendations.*** The Design Review Board shall hear and make recommendations on the following:
 - a. *Alternative Compliance.* Requests for Alternative Compliance to the Site Planning and Design Standards of Chapters 5, 6, 7, and 8 of this Ordinance.
 - b. *Municipal Projects.* Municipal projects of the City of Mesa, including all fire stations, libraries, parking lots with over 50 spaces, and any municipal building or project of the City of Mesa that meets the applicability for Development Plan Review in Chapter 69 of this Ordinance.
 - c. *PC District Matters.* Matters specified in an adopted Planned Community Plan for a PC District.
 - d. *Planning Director Referral.* Projects referred by the Planning Director.
 - e. *Directed by City Council.* Other matters as directed by the City Council.
2. ***Hear and Take Action On.*** The Design Review Board shall hear and take action on the following:
 - a. *Planning Director Appeals.* Appeals of the Planning Director, or designee's, decision on Alternative Compliance requests.
 - b. *Conditioned Matters.* Matters specified by conditions of approval or stipulations on the property, whether adopted by ordinance, resolution, or otherwise; requiring Design Review Board approval.

Section 4: That Mesa City Code Title 11, Chapter 67, Section 12 titled "Appeals" is hereby modified as follows:

11-67-12: - APPEALS

A final decision is subject to appeal according to the standards in Chapter 77 - Appeals. Table 11-67-12 summarizes the appeal process for each body issuing a final decision.

Table 11-67-12: Appeal Bodies	
Initial Decision-Maker	Appeal Body
Historic Preservation Officer	Historic Preservation Board
Zoning Administrator	Board of Adjustment
Zoning Administrator <u>Alternative Landscape Plan</u>	Design Review Board
Zoning Administrator Hearing Officer	Board of Adjustment
Board of Adjustment	Superior Court, per A.R.S. § 9-462.06.K
Planning Director, Site Development Plan REVIEW Modification	Planning & AND Zoning Board
Planning Director, Design Review ALTERNATIVE COMPLIANCE	Design Review Board
Historic Preservation Board	City Council
Planning & AND Zoning Board	City Council
Design Review Board	City Council
Planning Hearing Officer	City Council
City Council	Superior Court, where applicable under state law

Section 5: RECITALS. The recitals above are fully incorporated in this Ordinance by reference, and each recital represents a finding of fact and determination made by the City Council.

Section 6: AMENDED LANGUAGE. In the sections of this Ordinance that modify the current language of the Mesa City Code (i.e., Sections 1 and 4), new language is shown in **BOLD ALL CAPS** and deleted language is shown in ~~strikethrough~~.

Section 7: PRESERVATION OF RIGHTS AND DUTIES. This Ordinance does not affect suits pending, rights and duties that matured or were existing, or penalties that were incurred or proceedings that were initiated prior to the effective date of this Ordinance.

Section 8: EFFECTIVE DATE. The effective date of this Ordinance is thirty (30) days after the adoption of this Ordinance.

Section 9: SEVERABILITY. If any term, provision, section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid, unenforceable, or unconstitutional by the decision of a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in effect.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA, this 26th day of January, 2026.

APPROVED:

Mark Freeman, Mayor

ATTEST:

Holly Moseley, City Clerk