

## **ORDINANCE NO. 5943**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 34 AND 87 OF THE CITY OF MESA ZONING ORDINANCE. THE AMENDMENTS INCLUDE BUT ARE NOT LIMITED TO MODIFYING THE PERMITTED USES IN RECREATIONAL VEHICLE SUBDIVISIONS AND MANUFACTURED HOME SUBDIVISIONS TO ALLOW FOR DWELLING UNITS OF CONVENTIONAL CONSTRUCTION; MODIFYING LANGUAGE TO CLARIFY THE PERMITTED USES IN RECREATIONAL VEHICLE PARKS AND MANUFACTURED HOME PARKS; ADDING A MAXIMUM HEIGHT REQUIREMENT FOR DWELLING UNITS OF CONVENTIONAL CONSTRUCTION; MODIFYING HOW REQUIRED YARD SETBACKS IN RECREATIONAL VEHICLE AND MANUFACTURED HOME PARKS AND SUBDIVISIONS ARE MEASURED; MODIFYING THE DEFINITIONS OF MANUFACTURED HOME, MANUFACTURED HOME LOT, MANUFACTURED HOME PARK, MANUFACTURED HOME SUBDIVISION, RECREATIONAL VEHICLE ACCESSORY STRUCTURE, RECREATIONAL VEHICLE, RECREATIONAL VEHICLE LOT, RECREATIONAL VEHICLE PARK, AND RECREATIONAL VEHICLE SUBDIVISION; ADDING A DEFINITION OF RECREATIONAL VEHICLE, PARK MODEL; MINOR REVISIONS TO EMERGENCY PARKING WORDING; AND PRESERVING RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS WHICH HAVE ALREADY BEGUN THEREUNDER.

**WHEREAS**, the Zoning Ordinance regulates the location of residential buildings, structures, and land to conserve and promote the public health, safety and general welfare, pursuant to A.R.S. § 9-462.01, including the location and use of recreational vehicles and manufactured homes, the location and use of accessory structures, and sets standards for the permissible use of recreational vehicles and manufactured homes in recreational vehicle or manufactured home parks and subdivisions; and

**WHEREAS**, the City recognizes the importance of providing balanced housing options within an attractive living environment for all its residents; and

**WHEREAS**, in addition, from time to time, the Zoning Ordinance requires updates to better protect public health, safety, and welfare, to bring the Zoning Ordinance in line with current practices and procedures, or to provide for minor or technical revisions; and

**WHEREAS**, the City has been made aware of instances of individuals using conventional construction in recreational vehicle or manufactured home parks and subdivisions, which violates the current Zoning Ordinance. However, the City has considered that the use of conventional construction or accessory structures in certain instances can add to available local housing options by permitting the redevelopment of aging recreational vehicle or manufactured home parks and subdivisions, can create additional affordable avenues for residents of the community to modernize their properties, and may encourage owners to redevelop and in doing so to build residential structures to the updated Building Code and safety standards; and

**WHEREAS**, it has become apparent that the limitations on conventional construction and accessory structures in manufactured home and recreational vehicle subdivisions have placed a significant burden on

the homeowners and residents, and it is in the best interest of the City to permit conventional construction and accessory structures in manufactured home and recreational vehicle subdivisions; and

**WHEREAS**, it has become apparent that it is in the best interest of the City to bring the Zoning Ordinance in line with current practices and procedures, to make minor or technical revisions, and this Ordinance includes such revisions, updates, and additions to the land use tables, definitions, and/or other sections of the Zoning Ordinance as outlined herein; and

**WHEREAS**, the Planning and Zoning Board at their public hearing on April 23, 2025 recommended that the City Council adopt the proposed text amendments.

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

<p>Text written in <b>BOLD ALL CAPS</b> indicates additional or new language. Text written in <del>striketrough</del> indicates deletions.</p>
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**Section 1:** That Mesa City Code Title 11, Section 11-34-2 is hereby amended as follows:

**11-34-2: PERMITTED USES**

**A. Permitted Uses in Recreational Vehicle Parks and Subdivisions:**

1. ~~One recreational vehicle on each approved lot or space. No manufactured homes or dwelling units of conventional construction shall be permitted on a lot or space for living purposes, except as specified below.~~ **RECREATIONAL VEHICLE PARKS.**
  - A. **ONE (1) RECREATIONAL VEHICLE OR ONE (1) RECREATIONAL VEHICLE PARK MODEL IS PERMITTED ON EACH APPROVED SPACE.**
  - B. **MANUFACTURED HOMES AND DWELLING UNITS OF CONVENTIONAL CONSTRUCTION ARE PROHIBITED, EXCEPT AS PERMITTED FOR RECREATIONAL VEHICLE ACCESSORY STRUCTURES PER SECTION 11-34-2(12).**
2. **RECREATIONAL VEHICLE SUBDIVISIONS.**
  - A. **ONE (1) RECREATIONAL VEHICLE OR ONE (1) RECREATIONAL VEHICLE PARK MODEL IS PERMITTED ON EACH APPROVED LOT; OR**
  - B. **ONE (1) DWELLING UNIT OF CONVENTIONAL CONSTRUCTION IS PERMITTED ON EACH APPROVED LOT, SUBJECT TO THE FOLLOWING:**
    - I. **COMPLIANCE WITH TITLE 4, BUILDING REGULATIONS;**
    - II. **COMPLIANCE WITH TITLE 9, CHAPTER 6, SUBDIVISION REGULATIONS; AND**
    - III. **COMPLIANCE WITH THE REQUIRED YARD SETBACKS OUTLINED IN SECTION 11-34-3, UNLESS MODIFIED WITH A PLANNED AREA DEVELOPMENT OVERLAY.**
  - C. **ACCESSORY DWELLING UNITS SHALL BE PERMITTED IN ACCORDANCE WITH SECTION 11-31-3: ACCESSORY DWELLING UNIT.**

**D. MANUFACTURED HOMES ARE PROHIBITED, EXCEPT AS PERMITTED PER SECTION 11-34-2(A)(12).**

**2-3. Recreational Vehicle Accessory Structures, as defined in Chapter 87, Definitions ARE PERMITTED IF THE ACCESSORY STRUCTURE:**

- ~~a. Aggregate floor area, of all enclosed RV accessory structures shall be limited to 520 square feet, including storage rooms (attached or detached) and patio enclosures;~~
- ~~b. Additional requirements applying to patio enclosures:
  - ~~i. Parking spaces shall not be enclosed.~~
  - ~~ii. All roof materials shall be lightweight aluminum or other noncombustible material.~~
  - ~~iii. A smoke alarm shall be installed in each room within a patio enclosure.~~
  - ~~iv. Partitions may be used to accommodate laundry, bath, and toilet facilities.~~
  - ~~v. Convenience electrical outlets and air conditioning equipment may be installed.~~
  - ~~vi. Removal of sliding doors, windows, or other modification of the existing recreational vehicle enclosed by the patio enclosure is prohibited.~~
  - ~~vii. Walls may consist of conventional wood framing or modular (prefabricated) construction.~~
  - ~~viii. Glass located within 24" of a doorway or 18" of a floor must be tempered.~~
  - ~~ix. Openings may be covered with screen mesh, plastic panels, or mineral glass. The combined surface area of openings facing the front, including doors and windows, shall account for 33% of the surface area of the front elevation.~~
  - ~~x. The front wall may contain a solid knee wall not more than 32 inches above a finished floor.~~
  - ~~xi. An open area located within the front wall shall be a minimum of 36 inches in height.~~~~
- ~~c. Additional requirements applying to storage buildings or space, attached or detached, subject to:
  - ~~i. A maximum area of 120 square feet;~~
  - ~~ii. A maximum height of 10 feet above grade when detached or 10 feet above finished floor when attached;~~
  - ~~iii. Location within the buildable area unless placed in the rear quarter of the space or lot and separated from the recreational vehicle by at 6 feet.~~~~
- A. IS NO MORE THAN ONE (1) STORY;**
- B. IS DIRECTLY ACCESSIBLE THROUGH AN INTERNAL OPENING TO THE RECREATIONAL VEHICLE OR RECREATIONAL VEHICLE PARK MODEL;**
- C. IS NO GREATER IN SIZE THAN 100% OF THE FLOOR AREA OF THE RECREATIONAL VEHICLE OR RECREATIONAL VEHICLE PARK MODEL;**
- D. IS REMOVED WITHIN 60 DAYS OF REMOVAL OF THE RECREATIONAL VEHICLE OR RECREATIONAL VEHICLE PARK MODEL;**
- E. CONFORMS TO TITLE 4, BUILDING REGULATIONS; AND**

- F. **CONFORMS TO ALL OTHER APPLICABLE DEVELOPMENT STANDARDS, INCLUDING REQUIRED YARD SETBACKS AND PARKING REQUIREMENTS.**
- 4. **STORAGE BUILDINGS. STORAGE BUILDINGS, ATTACHED OR DETACHED, SUBJECT TO:**
  - A. **A MAXIMUM AREA OF 120 SQUARE FEET;**
  - B. **A MAXIMUM HEIGHT THAT SHALL NOT EXCEED THE HEIGHT OF THE RECREATIONAL VEHICLE OR RECREATIONAL VEHICLE PARK MODEL; AND**
  - C. **IS LOCATED WITHIN THE BUILDABLE AREA UNLESS PLACED IN THE REAR QUARTER OF THE SPACE OR LOT AND SEPARATED FROM THE RECREATIONAL VEHICLE OR RECREATIONAL VEHICLE PARK MODEL BY AT LEAST SIX (6) FEET.**
- 35. Manager's office and residence, which may be of conventional construction.
- 46. Recreation and social centers, which may be used for dancing, crafts, hobbies, games, childcare, meetings, banquets, theatrical performances, movie viewing, and similar entertainment uses which are intended and used primarily as a resident amenity. Such facility may be of conventional construction.
- 57. Outdoor recreation facilities such as parks, swimming pools, ramadas, playground equipment, shuffleboard and tennis courts, putting greens, and similar recreational uses intended for use by the residents of the park or subdivision.
- 68. Common-use laundry facilities, maintenance buildings, and security guard houses, which may be of conventional construction.
- 79. Designated areas for boat and recreational vehicle **OR RECREATIONAL VEHICLE PARK MODEL** storage which are used solely by the residents of the park or subdivision.
- 810. Recreation center parking lots and guest parking areas.
- 911. Accessory retail activities, as defined in Chapter 87, Definitions; provided:
  - a. All proprietors and vendors shall possess valid business licenses and permits as required by the Mesa City Code; and
  - b. All signs, flyers, and advertising that describe or relate to accessory retail activities shall not be visible from beyond the boundaries of the Recreational Vehicle Park or subdivision; and
  - c. Such activities shall not exceed more than **ONE (1)** every **SEVEN (7)** days; and
  - d. Each separate activity shall not exceed more than **FOUR (4)** consecutive hours.
- ~~1012.~~ **MANUFACTURED HOMES ALLOWED WITH SPECIAL USE PERMIT.** ~~Manufactured homes may be placed on designated recreational vehicle lots or spaces subject to the approval of a Special Use Permit in the RM-2-PAD, RM-4, and RM-4-PAD zoning districts, in accordance with the provisions contained in Chapter 70, provided the area of the RV park or RV subdivision is 10 acres or greater. The minimum area may include an abutting manufactured home park or subdivision which shares common development improvements, such as reciprocal access, circulation lanes, and recreation areas. The Special Use Permit shall only be approved upon a finding that the recreational vehicle park or subdivision is in substantial compliance with all of the following items:~~
  - A. **MANUFACTURED HOMES MAY BE USED ONLY IN THE RM-2-PAD, RM-4, AND RM-4-PAD ZONING DISTRICTS SUBJECT TO THE APPROVAL OF A SPECIAL USE PERMIT, IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN CHAPTER 70, PROVIDED THE**

**AREA OF THE RV PARK OR RV SUBDIVISION IS 10 ACRES OR GREATER.**

- B. THE MINIMUM AREA MAY INCLUDE AN ABUTTING MANUFACTURED HOME PARK OR SUBDIVISION WHICH SHARES COMMON DEVELOPMENT IMPROVEMENTS, SUCH AS RECIPROCAL ACCESS, CIRCULATION LANES, AND RECREATION AREAS.**
- C. THE SPECIAL USE PERMIT SHALL ONLY BE APPROVED UPON A FINDING THAT THE RECREATIONAL VEHICLE PARK OR SUBDIVISION IS IN SUBSTANTIAL COMPLIANCE WITH ALL OF THE FOLLOWING:**
  - ~~a. I.~~ The minimum area and minimum width of lots or spaces for recreational vehicle park or subdivision, as applicable, and
  - ~~b. II.~~ The minimum setbacks, and parking for recreational vehicle parks or subdivisions, as applicable; and
  - ~~c. III.~~ A minimum ratio of 100 square feet of open space or recreation area for each lot or space. Designated open space or recreation area in excess of the minimum required for an abutting manufactured home park or subdivision used to meet the minimum area requirement above may be included to satisfy the open or recreation space requirement. In the event that insufficient open space or recreation area exists upon initial approval, a phasing plan may be submitted and approved that will provide, over the course of time, the minimum open space or recreation area needed to comply with the specified ratio. Such a phasing plan shall show installation of all required additional open space or recreation area before installation of a manufactured home within the recreational vehicle park or subdivision that exceeds a threshold level of 66% of the lots or spaces within the recreational vehicle park or subdivision that contains manufactured homes; and
  - ~~d. IV.~~ Perimeter landscaping and perimeter screening walls; ~~and.~~
- eD.** The development requirements pertaining to the park or subdivision contained in this Subsection may be modified through approval of the Special Use Permit, provided the modifications will substantially comply with the intent of these provisions, as evidenced by lot or space size, lot or space area, or open space and recreation areas in excess of the minimum required. Such modification may not exceed a deviation of more than 10% below the required minimum. In no instance, shall the minimum separation between units be less than **SIX (6)** feet.
- ~~f.~~ ~~The maximum enclosed floor area of a manufactured home placed in a recreational vehicle park or recreational vehicle subdivision, including all enclosed space, storage rooms and building additions, shall be no larger than 1,100 square feet. Open patios, porches and carports shall not be included in the calculation of floor area of the manufactured home.~~
- E. A MANUFACTURED HOME ACCESSORY STRUCTURE, AS DEFINED IN CHAPTER 87, IS PERMITTED WHEN A SPECIAL USE PERMIT FOR A MANUFACTURED HOME IS APPROVED PROVIDED THAT IT IS DEVELOPED IN ACCORDANCE WITH THE DEVELOPMENT STANDARDS FOR A MANUFACTURED HOME ACCESSORY STRUCTURE.**

B. **Permitted Uses in Manufactured Home Parks:**

1. ~~One manufactured home on each approved space. No dwelling units of conventional construction shall be permitted on any space for living purposes, except as specified below.~~  
**ONE (1) MANUFACTURED HOME IS PERMITTED ON EACH APPROVED SPACE.**
2. **DWELLING UNITS OF CONVENTIONAL CONSTRUCTION ARE PROHIBITED.**
23. Manufactured ~~h~~Home ~~a~~Accessory ~~s~~Structures as defined in Chapter 87, Definitions, are permitted if the accessory structure:
  - a. Is no more than one (1) story;
  - b. Is directly accessible through an internal opening to the manufactured home;
  - ~~c. Does not contain a 220v cooking appliance;~~
  - ~~d.C.~~ Is no greater in size than 100% of the floor area of the manufactured home;
  - ~~e.D.~~ Is removed within **60** days of removal of the manufactured home;
  - E. CONFORMS TO TITLE 4, BUILDING REGULATIONS; AND**
  - f. Conforms to all other applicable development standards, including setbacks and parking requirements.
34. **STORAGE BUILDINGS.** Storage buildings, attached or detached, **ARE** subject to:
  - a. A maximum area of 150 square feet;
  - b. A maximum height of 10 feet;
  - c. Location within the buildable area unless placed in the rear quarter of the space ~~or lot~~ and separated from the manufactured home by at least six (6) feet.
45. Manager's office and residence, which may be of conventional construction.
56. Recreation and social centers, which may be used for dancing, crafts, hobbies, games, childcare, meetings, banquets, theatrical performances, movie viewing, and similar entertainment uses which are intended and used primarily as a resident amenity. Such facility may be of conventional construction.
67. Outdoor recreation facilities such as parks, swimming pools, ramadas, playground equipment, shuffleboard and tennis courts, putting greens, and similar recreational uses intended for use by the residents of the park.
78. Common-use laundry facilities, maintenance buildings, and security guard houses, which may be of conventional construction.
89. Designated areas for boat and recreational vehicle storage which are used solely by the residents of the park.
910. Recreation center parking lots and guest parking areas.
1011. Accessory retail activities provided:
  - a. All proprietors and vendors shall possess valid business licenses and permits as required by the Mesa City Code; and
  - b. All signs, flyers, and advertising that describe or relate to accessory retail activities shall not be visible from beyond the boundaries of the **MANUFACTURED HOME** Park; and
  - c. Such activities shall not exceed more than one every seven (7) days; and
  - d. Each separate activity shall not exceed more than four (4) consecutive hours.

C. **Permitted Uses in Manufactured Home Subdivisions:**

- ~~1. One manufactured home on each approved lot. No recreational vehicles or dwelling units of conventional construction shall be permitted on a manufactured home lot for living purposes, except as specified below~~
1. **ONE (1) MANUFACTURED HOME IS PERMITTED ON EACH APPROVED LOT; OR**
2. **ONE (1) DWELLING UNIT OF CONVENTIONAL CONSTRUCTION IS PERMITTED ON EACH APPROVED LOT, SUBJECT TO THE FOLLOWING:**
  - A. **COMPLIANCE WITH TITLE 4, BUILDING REGULATIONS;**
  - B. **COMPLIANCE WITH TITLE 9, CHAPTER 6, SUBDIVISION REGULATIONS; AND**
  - C. **COMPLIANCE WITH THE REQUIRED YARD SETBACKS OUTLINED IN SECTION 11-34-3, UNLESS MODIFIED WITH A PLANNED AREA DEVELOPMENT OVERLAY.**
3. **ACCESSORY DWELLING UNITS SHALL BE PERMITTED IN ACCORDANCE WITH SECTION 11-31-3: ACCESSORY DWELLING UNIT.**
4. **NO RECREATIONAL VEHICLE OR RECREATIONAL VEHICLE PARK MODEL SHALL BE PERMITTED ON A MANUFACTURED HOME LOT FOR LIVING PURPOSES.**
- ~~25.~~ Manufactured home accessory structures as defined in Chapter 87, Definitions, are permitted if the accessory structure:
  - a. Is no more than one (1) story;
  - b. Is directly accessible through an internal opening to the manufactured home;
  - ~~c. Does not contain a 220v cooking appliance;~~
  - ~~d.C.~~ Is no greater in size than 100% of the floor area of the manufactured home;
  - ~~e.D.~~ Is removed within 60 days of removal of the manufactured home;
  - E. **CONFORMS TO TITLE 4, BUILDING REGULATIONS; AND**
  - f. Conforms to all other applicable development standards, including setbacks and parking requirements.
- ~~36.~~ Detached accessory buildings in accordance with Section 11-30-17: Detached Accessory Buildings and Section 11-31-3: Accessory Dwelling Unit.
47. Recreation and social centers, which may be used for dancing, crafts, hobbies, games, childcare, meetings, banquets, theatrical performances, movie viewing, and similar entertainment uses which are intended and used primarily as a resident amenity. Such facility may be of conventional construction.
- ~~58.~~ Outdoor recreation facilities such as parks, swimming pools, ramadas, playground equipment, shuffleboard and tennis courts, putting greens, and similar recreational uses intended for use by the residents of the subdivision.
- ~~69.~~ Common-use laundry facilities, maintenance buildings, and security guard houses, which may be of conventional construction.
- ~~710.~~ Designated areas for boat and recreational vehicle storage which are used solely by the residents of the subdivision.
- ~~811.~~ Recreation center parking lots and guest parking areas.

**Section 2:** That Mesa City Code Title 11, Table 11-34-3: Development Standards for Recreational Vehicle and Manufactured Home Parks and Subdivisions is hereby amended as follows:

**TABLE 11-34-3: DEVELOPMENT STANDARDS FOR RV AND MANUFACTURED HOME PARKS AND SUBDIVISIONS**

Standard	Type of Development			
	Recreational Vehicle Park	Recreational Vehicle Subdivision	Manufactured Home Park	Manufactured Home Subdivision
Required Zoning	RM-4	RM-4-PAD RM-4-PAD	RM-4, RSL	RS-6 - PAD
Alternative Zoning for Infill Sites	—	—	—	ID-1, ID-2 (98)
Minimum Area	10 Acres	10 Acres	10 Acres	10 Acres (98)
Maximum Density (3)	22 spaces per net acre	15 spaces per net acre	10 spaces per net acre	7.26 spaces per net acre
<b>MAXIMUM HEIGHT – CONVENTIONAL CONSTRUCTION</b>	<b>N/A</b>	<b>1 STORY</b>	<b>N/A</b>	<b>1 STORY</b>
Minimum Space/Lot Size				
Required Yard Setbacks (5)				
...				
Side Min./Total (ft.)	3/6 (8)	5/10	5/10	5/15 (2)
...				

**Section 3:** That Mesa City Code Title 11, Table 11-34-3: Development Standards for Recreational Vehicle and Manufactured Home Parks and Subdivisions, Table 11-34-3 Footnotes is hereby amended as follows:

Table 11-34-3 Footnotes

1. Minimum space size 9' × 18': may be tandem but may not **BE LOCATED** in **THE** required front yard setback.
2. Minimum of 10' on one side for vehicle access and/or 10' on street side of corner lot or space.
3. Net acre means after deduction of existing and/or proposed rights-of-way.



4. Public or private streets, vehicle storage areas and exterior boundary landscaping shall not be located in this area.
5. Required yard setbacks are measured from any portion of the unit or accessory structures ~~except for rear yard storage buildings as specified in section 3(A) and 3(B) of this chapter~~ **TO THE SPACE LEASE LINE OR LOT LINE.**
6. Setbacks are measured from required screen walls.
7. Minimum width of 28' for spaces not designated for park trailers or manufactured homes.
8. ~~There shall be at least 6' between adjacent structures. This separation may be reduced by up to 3' for a patio enclosure with an exterior wall of not less than one hour fire resistive construction as required in the building code, or for the supporting structural elements of an open metal awning, provided no obstructions occupy this area. No reduction in separation between structures shall be permitted for manufactured homes in recreational vehicle parks or subdivisions approved by a Special Use Permit through the Board of Adjustment.~~
9. ~~8.~~ **Manufactured Housing HOME SUBDIVISIONS** may be approved for use as part of an infill site when approved in conjunction with an ID-1 or ID-2 zoning district, as per Chapter 12 of this Ordinance. When the ID-1 or ID-2 zoning is used to authorize a ~~m~~**Manufactured h**Home ~~s~~Subdivision, the project site may be less than 10 acres.

**Section 4:** That Mesa City Code Title 11, Section 11-34-5(B)(1) is hereby amended to modify the language of the one hour maximum for emergency parking. All other portions of 11-34-5(B) shall remain unchanged.

1. Emergency parking of a manufactured home, ~~or~~—recreational vehicle, **OR RECREATIONAL VEHICLE PARK MODEL** for a period of ~~not~~ **NO LONGER** than one (1) hour is permitted on any public thoroughfare subject to the provisions of the parking and traffic regulations of the City of Mesa.

**Section 5:** That Title 11, Chapter 87: Definitions is hereby amended to modify, remove, and add the following definitions which are arranged in alphabetical order under Manufactured Home (MH) Related Definitions and Recreational Vehicle (RV) Related Definitions, respectively. All the other definitions in Chapter 87 shall remain the same.

MANUFACTURED HOME (MH) RELATED DEFINITIONS:

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**Manufactured Home:** ~~A structure transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, is built on a permanent chassis, and is designed to be used as a dwelling, with or without a permanent foundation, when connected to utilities. This term does not include recreational vehicles or factory—built—buildings.~~ **A RESIDENTIAL DWELLING UNIT CERTIFIED AS A MANUFACTURED HOME PURSUANT TO THE FEDERAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS ACT OF 1974 AND THE ARIZONA OFFICE OF MANUFACTURED HOUSING STATUTES, A.R.S. §41-4001-4010, AND REGULATIONS. THIS TERM DOES NOT INCLUDE CONVENTIONALLY BUILT DWELLING UNITS, FACTORY BUILT DWELLING UNITS, MOBILE HOMES, RECREATIONAL VEHICLE PARK MODELS, OR RECREATIONAL VEHICLES.**

**Manufactured Home Lot:** A parcel of land within an approved ~~m~~**Manufactured h**Home ~~s~~Subdivision ~~which is AS shown in the records of the Maricopa County Recorder's Office and which was designed and intended for the accommodation of one (1) manufactured home.~~

**Manufactured Home Park:** An approved residential development, **OWNED BY ONE (1) ENTITY**, as shown in the records of the Planning Division in which individual **MANUFACTURED HOME** spaces are provided for the placement of a manufactured home for dwelling unit purposes, whether or not a charge is made for such accommodation.

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**Manufactured Home Subdivision:** AN APPROVED residential subdivision, as shown in the records of the Maricopa County Recorder's Office, **THAT IS** designed and approved in accordance with planned area development and subdivision regulations, in which individual **MANUFACTURED HOME LOTS ARE PLATTED** ownership of a lot is permitted for the placement of a manufactured home for dwelling unit purposes.

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#### RECREATIONAL VEHICLE (RV) RELATED DEFINITIONS:

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**Accessory Structure, Recreational Vehicle:** ~~Storage building, deck, awning, carport, patio, patio enclosure, and similar structures.~~ A SUBORDINATE BUILDING OR STRUCTURE THAT IS CUSTOMARILY INCIDENTAL TO A RECREATIONAL VEHICLE OR RECREATIONAL VEHICLE PARK MODEL AND IS LOCATED ON THE SAME LOT OR PARCEL OF LAND AS THE RECREATIONAL VEHICLE OR RECREATIONAL VEHICLE PARK MODEL, WHICH IS USED FOR LIVING PURPOSES, GARAGES, CARPORTS, RAMADAS, AWNINGS, PATIOS OR SIMILAR.

**Recreational Vehicle (RV):** ~~A vehicle type unit which is one of the following:~~

- ~~1. A portable camping trailer mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold for camping.~~
- ~~2. A motor home designed to provide temporary living quarters for recreational, camping, or travel use and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.~~
- ~~3. A park trailer built on a single chassis, mounted on wheels, and designed to be connected to utilities necessary for operation of installed fixtures and appliances, and having a gross trailer area of not less than 320 square feet and not more than 400 square feet when it is set up, except that it does not include fifth wheel trailers.~~
- ~~4. A travel trailer mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle and having a trailer area of less than 320 square feet. This type includes fifth wheel trailers.~~ A VEHICULAR PORTABLE STRUCTURE, WHICH CAN BE TOWED, HAULED OR DRIVEN, PRIMARILY DESIGNED AS TEMPORARY LIVING ACCOMMODATION FOR RECREATIONAL, CAMPING, AND TRAVEL USE AND NOT DESIGNED FOR PERMANENT RESIDENTIAL OR COMMERCIAL PURPOSES THAT: (1) CONTAINS ITS OWN MOTIVE POWER; (2) IS DRAWN BY ANOTHER VEHICLE; OR (3) IS MOUNTED ON ANOTHER VEHICLE. THIS TERM DOES NOT INCLUDE CONVENTIONALLY BUILT DWELLING UNITS, FACTORY BUILT DWELLING UNITS, OR MANUFACTURED HOMES.

**RECREATIONAL VEHICLE (RV), PARK MODEL:** A RECREATIONAL VEHICLE BUILT ON A SINGLE CHASSIS, MOUNTED ON WHEELS, WHICH HAS A GROSS TRAILER AREA NOT EXCEEDING FOUR HUNDRED (400) SQUARE FEET IN THE SET-UP MODE, AND IS

**CERTIFIED BY THE MANUFACTURER AS COMPLYING WITH THE ANSI A119.5 STANDARDS FOR RECREATIONAL PARK TRAILER. THIS TERM DOES NOT INCLUDE CONVENTIONALLY BUILT DWELLING UNITS, FACTORY BUILT DWELLING UNITS, OR MANUFACTURED HOMES.**

**Recreational Vehicle Lot:** A parcel of land within an approved recreational vehicle subdivision, ~~which is AS shown in the records of the Maricopa County Recorder's Office and which was designed and intended for the accommodation of one (1) recreational vehicle.~~

**Recreational Vehicle (RV) Park:** An approved residential development, **OWNED BY ONE (1) ENTITY**, ~~as shown in the records of the Planning Division~~ in which individual **RECREATIONAL VEHICLE** spaces are provided ~~for parking of 1 recreational vehicle per space for temporary portable housing purposes~~, whether or not a charge is made for such accommodation.

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**Recreational Vehicle (RV) Subdivision:** AN **APPROVED** residential subdivision, as shown in the records of the Maricopa County Recorder's Office, **THAT IS** designed ~~and approved~~ in accordance with ~~planned area development and~~ subdivision regulations, in which individual **RECREATIONAL VEHICLE** ~~ownership of a lot~~ **S ARE PLATTED** ~~is permitted for the placement of a recreational vehicle for temporary portable housing purposes.~~

**Section 6:** 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 7:** PRESERVATION OF RIGHTS AND DUTIES. This Ordinance does not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before 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.

**Section 10:** PENALTY.

CIVIL PENALTIES:

- A. Any owner, occupant or responsible party who is found responsible for a civil violation of this Ordinance, whether by admission, default, or after a hearing, shall pay a civil sanction of not less than \$150 or more than \$1,500, per citation. A second finding of responsibility within 24 months of the commission of a prior violation of this Chapter shall result in a civil sanction of not less than \$250 or more than \$2,500. A third finding of responsibility within 36 months of the commission of a prior violation of this Chapter shall result in a civil sanction of not less than \$500 or more than \$2,500. In addition to the civil sanction, the responsible party shall pay the applicable fees and charges set forth in the City's Development and Sustainability Department (Code Compliance) Schedule of Fees and Charges and may be ordered to pay any other applicable fees and charges.
- B. The 36-month provision of subsection (A) of this Section shall be calculated by the dates the violations were committed. The owner, occupant, or responsible party shall receive the enhanced sanction upon a finding of responsibility for any violation of this Chapter that was committed within 36 months of the commission of another violation for which the owner or responsible party was convicted or was otherwise found responsible, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.

- C. Each day in which a violation of this Ordinance continues, or the failure to perform any act or duty required by this Ordinance or by the Civil Hearing Officer continues, shall constitute a separate civil offense.

**HABITUAL OFFENDER:**

- A. A person who commits a violation of this Ordinance after previously having been found responsible for committing 3 or more civil violations of this Ordinance within a 24-month period — whether by admission, by payment of the fine, by default, or by judgment after hearing — shall be guilty of a class 1 criminal misdemeanor. The Mesa City Prosecutor is authorized to file a criminal class 1 complaint in the Mesa City Court against habitual offenders. For purposes of calculating the 24-month period under this paragraph, the dates of the commission of the offenses are the determining factor.
- B. Upon conviction of a violation of this Section, the Court may impose a sentence or incarceration not to exceed 6 months in jail; or a fine not to exceed \$2,500, exclusive of penalty assessments prescribed by law; or both. The Court shall order a person who has been convicted of a violation of this Section to pay a fine of not less than \$500 for each count upon which a conviction has been obtained. A judge shall not grant probation to or suspend any part or all of the imposition or execution of a sentence required by Subsection except on the condition that the person pay the mandatory minimum fines as provided in this Subsection.
- C. Every action or proceeding under this Section shall be commenced and prosecuted in accordance with the laws of the State of Arizona relating to criminal misdemeanors and the Arizona Rules of Criminal Procedure.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, this 2nd day of June 2025.

APPROVED:

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Mayor

ATTEST:

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City Clerk