

2026 ZONING CODE REFINEMENT TEXT AMENDMENTS

Text written in **BOLD ALL CAPS** indicates new language.
~~Strikethrough~~ fonts indicates deletions.

Section 1: That Mesa City Code Title 11, Section 11-5-4(A)(2) is hereby amended as follows:

11-5-4: - SITE PLANNING AND DESIGN STANDARDS FOR THE RS AND RSL DISTRICTS

...

A. **Neighborhood Character and Image.** Residential subdivisions of five (5) acres or more shall comply with the following requirements:

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2. **Entryway Monumentation Feature.** Provide ~~at least one (1)~~ **AN** entryway monumentation feature at ~~two (2)~~ neighborhood access points where a street intersects an arterial or collector street. **SUBDIVISIONS WITH TWO (2) OR MORE ACCESS POINTS SHALL PROVIDE MONUMENTATION AT A MINIMUM OF TWO (2) LOCATIONS. SUBDIVISIONS WITH ONLY ONE (1) ACCESS POINT SHALL PROVIDE AT LEAST ONE (1) ENTRYWAY MONUMENTATION FEATURE AT THAT LOCATION.** Each entryway monumentation feature shall include at least three (3) of the following:

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Section 2: That Mesa City Code Title 11, Section 11-5-4(G)(2) is hereby amended as follows:

11-5-4: - SITE PLANNING AND DESIGN STANDARDS FOR THE RS AND RSL DISTRICTS

...

G. **Materials.** Buildings and structures shall be constructed of durable, high-quality materials appropriate for the Arizona climate.

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2. **Minimum Use of Primary Materials.**
 - a. **Publicly Visible Façades.** Building façades facing a **PUBLIC OR PRIVATE** street, alley, open space, or park shall contain at least two (2) kinds of primary exterior building materials.
 - b. The use of any one (1) material shall not exceed 85% of each **PUBLICLY VISIBLE** façade.
 - c. **Primary Material Calculation.** Primary building material coverage shall be calculated by measuring the area of each façade, excluding fenestration,

pedestrian and vehicular openings, and other elements that are not part of the vertical façade plane. The percentage of each primary building material shall be calculated by dividing the area covered by that material by the resulting façade area.

Section 3: That Mesa City Code Title 11, Section 11-6-4(F)(1) is hereby amended as follows:

11-6-4: - SITE PLANNING AND DESIGN STANDARDS FOR THE COMMERCIAL AND MIXED-USE DISTRICTS

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F. Colors.

1. Buildings larger than 10,000 square feet shall use **AT LEAST** two (2) exterior colors on every façade that is publicly visible.

Section 4: That Mesa City Code Title 11, Table 11-7-2: Employment Districts is hereby amended as follows:

Table 11-7-2: Employment Districts					
Proposed Use	PEP	LI	GI	HI	Additional Use Regulations
...					
Commercial Use Classifications					
...					
Large Commercial Development	P (8, 2+2)	CUP (2+2)	—	—	Section 11-31-16, Large Commercial Development
...					
Retail Sales					
General	P (2+2)	P (2+2)	P (2+2)	—	
With Pick-Up Window Facilities	P	P	P	—	Section 11-31-18, Drive-Thru and Pick-Up Window Facilities
...					
Employment and Industrial Use Classifications					
...					
Warehousing and Storage					
Boat and Recreational Vehicle Storage	—	CUP	CUP	CUP	
Contractors' Yards	—	P (9)	P (9)	P (9)	

HAZARDOUS MATERIAL WAREHOUSING AND STORAGE	—	CUP	CUP	CUP	
Indoor Warehousing and Storage	P	P	P	P	
Outdoor Storage	—	—	—	P	Section 11-30-7, Outdoor Storage
Mini-Storage	CUP	CUP	CUP	—	
Wholesale	P	P	P	P	
...					

Section 5: That Mesa City Code Title 11, 11-7-3: Development Standards - Employment Districts is hereby amended as follows:

Table 11-7-3: Development Standards - Employment Districts					
Standard	PEP	LI	GI	HI	Additional Standards
Minimum Setback (ft.)					
Front and Street-Facing Side	Varies by street classification identified in the Mesa Transportation Plan: Arterial Street: 15 ft. Collector Street: 20 ft. Local Street: 20 ft. Freeways: 30 ft. for buildings; 15 ft. for parking structures/fields				Setbacks shall be landscaped according to Ch. 33, Landscaping
Interior Side and Rear: Adjacent to AG, DR, RS, RSL or RM Districts, AND ALL COMMERCIAL DISTRICTS	1 ft. of setback for each foot of building height with minimum 20 ft. setback.				
Interior Side and Rear: Adjacent to Employment Districts	15 ft.	15 ft.	15 ft.	15 ft.	
Minimum Separation between Buildings on Same Lot (ft.)					
Building height up to 20 ft.	25	N/A	N/A	N/A	
Building height between 20 and 40 ft.	30	N/A	N/A	N/A	

Building height over 40 ft.	35	N/A	N/A	N/A	
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Section 6: That Mesa City Code Title 11, Section 11-8-6(F)(1) is hereby amended as follows:

11-8-6: - SITE PLANNING AND DESIGN STANDARDS FOR THE DOWNTOWN BUSINESS AND DOWNTOWN CORE DISTRICTS

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F. Colors.

1. Buildings larger than 10,000 square feet shall have **AT LEAST** two (2) exterior colors on every façade that is publicly visible.

Section 7: That Mesa City Code Title 11, Section 11-30-6(G) is hereby amended as follows:

11-30-6: - LOTS AND LAND DIVISIONS

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- G. Street Frontage Required.** Every lot shall have frontage on a dedicated public street or private street unless the lot is a unit in a condominium subdivision **OR AN INTERNAL LOT IN A PLATTED GROUP C-O-I DEVELOPMENT WITH A RECORDED CROSS-ACCESS EASEMENT.**

Section 8: That Mesa City Code Title 11, Section 11-30-8(D) is hereby amended as follows:

11-30-8: - PEDESTRIAN CONNECTIONS

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- D. Separation.** Where a pedestrian walkway is parallel and adjacent to an auto lane, it must be raised and separated from the auto travel lane by a raised curb at least **SIX (6)** inches high, ~~decorative bollards, or other physical barrier.~~

Section 9: That Mesa City Code Title 11, Section 11-30-9(A)(4) is hereby amended as follows:

11-30-9: - SCREENING

A. Screening of Mechanical Equipment.

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4. **Ground-Mounted Equipment.**
 - a. Ground-mounted equipment shall be screened to a height of at least 12 inches above the tallest piece of equipment.
 - b. Screening devices shall consist of decorative walls and/or berms (2:1 maximum slope) with supplemental plant materials including trees, shrubs, and ground covers.

- c. Vegetative materials may be substituted for up to 50% of the screening devices when used in conjunction with screen walls that are three (3) feet in height or lower.
- D. ELECTRICAL TRANSFORMERS MAY BE SCREENED USING VINYL ARTISTIC WRAP IN LIEU OF PHYSICAL SCREENING (SUCH AS WALLS, LANDSCAPING, OR ENCLOSURES), SUBJECT TO THE APPROVAL OF THE PLANNING DIRECTOR OR DESIGNEE UPON A FINDING THAT THE PROPOSED DESIGN OF THE VINYL ARTISTIC WRAP PROVIDES EQUAL OR SUPERIOR DESIGN ELEMENTS THAN THE STANDARDS OF THIS SUBSECTION, AND OTHERWISE MEETS THE INTENT OF THE SCREENING REQUIREMENTS.**

Section 10: That Mesa City Code Title 11, Section 11-30-17(B) is hereby amended as follows:

11-30-17: - DETACHED ACCESSORY BUILDINGS OR STRUCTURES

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B. Building Height and Location.

1. ***Detached Accessory Buildings or Structure: Less than or equal to 200 Square Feet.*** Detached Accessory Buildings or Structures 200 square feet or less in Gross Floor Area shall comply with all of the following requirements:
 - a. May be located within the required rear, side, or Street Side Yards.
 - b. Shall not be located in the required Front Yard or between the front of the Primary Building and the Street.
 - c. On Corner Lots or parcels abutting a Key Lot, detached Accessory Buildings or Structures shall not be located closer to the Street than the Primary ~~Building~~**RESIDENCE** on the adjacent Key Lot.
 - d. Shall not be located closer than ~~six (6)~~ **FIVE (5)** feet to the Primary ~~Building~~**RESIDENCE, ADUS, OR OTHER DETACHED ACCESSORY BUILDINGS OR STRUCTURES.**
 - e. Shall not exceed eight (8) feet in height at the peak of the roof unless the detached Accessory Building or Structure complies with the height and location requirements in Subsection (B)(2)(d) or Subsection (B)(2)(e) below.
 - f. No portion of the Accessory Building or Structure shall overhang the property line or cause water to shed or drain from the roof of the Accessory Building or Structure onto a neighboring property.
2. ***Detached Accessory Buildings or Structures: Greater than 200 Square Feet.*** Detached Accessory Buildings or Structures greater than 200 square feet in Gross Floor Area shall comply with all of the following requirements:
 - a. Shall not be located in the required Front Yard or between the Primary Building and the Street.

- b. Shall not be located closer than ~~six (6)~~ **FIVE (5)** feet to the Primary ~~Building~~**RESIDENCE, ADUS, OR OTHER DETACHED ACCESSORY BUILDINGS OR STRUCTURES.**
- c. On Corner Lots or parcels abutting a Key Lot, detached Accessory Buildings or Structures shall not be located closer to the Street than the Primary Building on the adjacent Key Lot.
- d. Shall not exceed the maximum Building Height of the underlying Zoning District, or the height of the Primary ~~Building~~**RESIDENCE** as measured at the peak of the roof, whichever is less, unless approved by a Special Use Permit.
- e. In addition to the height maximum in Subsection (d), the **REQUIREMENTS** below ~~requirements~~ must be met for the detached Accessory Building or Structure, as applicable. If the height of the Accessory Building or Structure is:
 - i. Equal to or less than 15 feet in height at the peak of the roof, the detached Accessory Building or Structure may be located within the rear, side, or Street Side Yards but shall not be located closer than five (5) feet from the side, Street-side, and rear property lines.
 - ii. Over 15 feet in height at the peak of the roof, the detached Accessory Building or Structure shall not be located within any rear, side, or Street Side Yard, and shall adhere to the Setback requirements of the underlying Zoning District.

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Section 11: That Mesa City Code Title 11, Section 11-31-3 is hereby amended as follows:

11-31-3: - ACCESSORY DWELLING UNIT

The purpose of this Chapter is to provide opportunities for Accessory Dwelling Units (ADUs) while minimizing impacts to surrounding uses and properties.

A. Applicability.

- 1. One (1) attached ADU and one (1) detached ADU are permitted per lot or parcel in any of the following Zoning Districts where a Single Residence is allowed: Agricultural, Residential, Commercial and Mixed Use, and Downtown.
- 2. **NOTWITHSTANDING SUBSECTION (A)(1) ABOVE, A**any lot or parcel containing an existing Single Residence **AS THE PRINCIPAL USE** is permitted one (1) attached ADU and one (1) detached ADU ~~regardless of the Zoning District.~~
- 3. One (1) additional detached ADU is permitted on a lot or parcel that is one (1) acre or more in size ~~on a lot or parcel~~ that meets the requirements in Subsection (A)(1) ~~or (A)(2)~~ above if at least one (1) of the ADUs is used as a restricted-affordable Dwelling Unit, which is defined as a Dwelling Unit that either, through a private deed restriction or a Development Agreement with the City, is rented to households earning up to ~~eighty percent (80%)~~ of the area median income.

B. General Requirements.

- 1. There are no minimum lot size requirements to establish an ADU.

2. An ADU shall have a separate and independent entrance from the Primary Residence and may not have an internal connection to the primary residence.
3. An ADU may contain either a partial Kitchen or full Kitchen, but no more than one (1) Kitchen per ADU is allowed.
4. An ADU in a Historic District shall comply with Chapter 74 of the Zoning Ordinance.
5. An ADU shall comply with all applicable building code requirements for residential dwellings.
6. Manufactured Homes, Recreational Vehicles (RV), and trailers shall not be used as an ADU.
7. **ADUS MAY NOT BE USED AS A BOARDING HOUSE.**

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D. Setbacks.

1. *New Structures – Attached or Detached.*
 - a. A minimum side and rear Setback of five (5) feet shall be provided for all side and rear Setbacks.
 - b. Front and secondary front (Street side) Setbacks shall comply with the Primary Residence Setback requirements for the underlying Zoning District.
 - c. Any uninhabitable space (e.g., a garage, unconditioned storage room, workshop, and similar areas) attached to an ADU shall comply with the following:
 - i. *For Attached ADUs.* Uninhabitable space attached to the attached ADU shall comply with the setback requirements for the underlying zoning district.
 - ii. *For Detached ADUs.* Uninhabitable space attached to the detached ADU shall comply with the setback requirements for detached accessory buildings or structures in Section 11-30-17 of this Ordinance.

D. DETACHED ADUS SHALL BE SEPARATED FROM THE PRIMARY RESIDENCE, OTHER ADUS, AND DETACHED ACCESSORY BUILDINGS OR STRUCTURES BY A MINIMUM OF FIVE (5) FEET.

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Section 12: That Mesa City Code Title 11, Section 11-31-16(B) is hereby amended as follows:

11-31-16: - LARGE COMMERCIAL DEVELOPMENT

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- B. **Customer Entrances.** All **ANCHOR** building entries designed for general public and customer access to the building shall be clearly distinguishable from the remainder of the building and incorporate one (1) or more of the following design elements:

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Section 13: That Mesa City Code Title 11, Section 11-31-17 is hereby amended as follows:

11-31-17: - LIVE/WORK UNITS

Live-Work Units, as described in Section 11-86-4, shall be located, developed, and operated in compliance with the land use regulations in Article 2 and the following standards:

- A. **Establishment.** Live/Work Units may be established through new construction or through the conversion of existing commercial or industrial buildings that were designed, constructed and received an occupancy permit for such non-residential uses. ~~See Figure 11-31-17.A.~~
- B. **Allowable Uses.** Work activities in Live/Work Units are limited to uses as permitted in the base Zoning District in which the Live/Work Units are located.
- C. **Sale or Rental of Portions of Unit Prohibited.** No portion of a Live/Work Unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.
- D. **Floor Area Distribution.** At least 30% percent of the net Floor Area of a Live/Work Unit must be designated for work activities. An applicant shall submit a floor plan of all proposed units to the Planning Division to demonstrate compliance with this regulation.
- E. **Outdoor Living Area.** Common or private on-site Open Space shall be provided for the use of occupants at a rate of at least 150 square feet per Live/Work Unit. This space may be attached to individual units or located on the roof or adjoining the building in a Rear Yard.

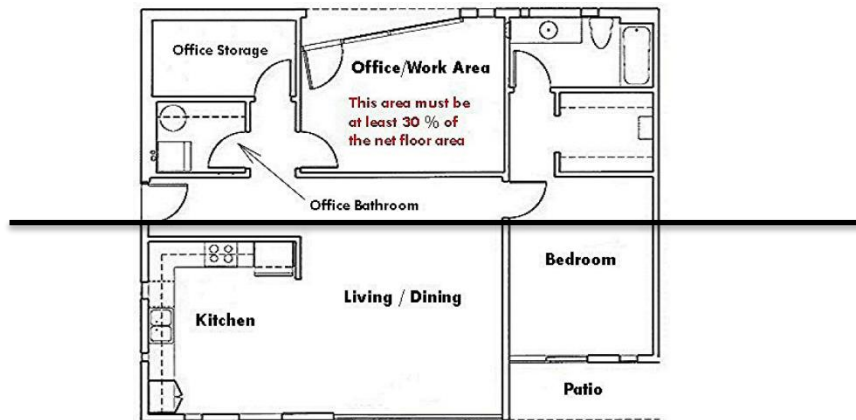


FIGURE 11-31-17.A: LIVE/WORK

Section 14: That Mesa City Code Title 11, Section 11-31-31(A) is hereby amended as follows:

11-31-31: - RESIDENTIAL USES IN COMMERCIAL DISTRICTS

- A. Residential uses are permitted in the NC, LC, GC, and MX Districts as provided in Section 11-6-2, if located, developed, and operated in compliance with the following standards:
1. **Commercial Floor Area Requirements.**
 - a. *Projects ~~with~~ ~~only~~ ~~single-story~~ ~~buildings~~.* A project that contains only single-story (1-story) buildings may include residential if a minimum of 60% percent of the gross Floor Area (GFA) of all the buildings for the project is reserved for commercial uses.
 - b. *Projects ~~with~~ ~~multiple-story~~ ~~buildings~~ or a ~~mixture of~~ ~~single-story~~ (1-story) and ~~multiple-story~~ ~~buildings~~.* A project that contains multiple-story buildings or a mixture of single-story and multiple-story buildings may include residential if:
 - (i). A minimum of 60% ~~percent~~ of the gross Floor Area (GFA) of all the buildings for the project is reserved for commercial uses; and
 - (ii). A minimum of 65% ~~percent~~ of the ground floor of each multi-story building is reserved for commercial uses.
 2. **Maximum Density.** Maximum residential density shall be no more than 15 Dwelling Units per acre in the NC District, and no more than 25 Dwelling Units per acre in the LC and GC Districts.
 3. **MX DISTRICT DEVELOPMENT STANDARDS. PROJECTS DEVELOPED WITH RESIDENTIAL USES SHALL COMPLY WITH THE MX DISTRICT DEVELOPMENT STANDARDS PER TABLE 11-6-3.A.**
 4. **PARKING. PROJECTS CONTAINING RESIDENTIAL USES SHALL PROVIDE PARKING PER THE MULTIPLE RESIDENTIAL MINIMUM PARKING REQUIREMENTS PER TABLE 11-32-3.A.**

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Section 15: That Mesa City Code Title 11, Section 11-31-36(F)(9) is hereby amended as follows:

11-31-36: - DATA CENTERS

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F. Development Standards.

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9. **Substation Screening.**

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- b. *Enclosure Design.* Substations, whether private or public, shall be screened using walls, fencing, berming, landscaping, or other alternative methods.
 - i. *Screen Walls 10 Feet in Height or Shorter.* Substation screen walls that are 10 feet in height or shorter shall comply with the development standards in Section 11-31-16(F)(7) and Section 11-30-4 for Fences and Freestanding Walls, and be designed to match any proposed publicly facing wall within the development.

- ii. *Screen Walls Greater than 10 Feet in Height.* Substation screen walls greater than 10 feet in height shall:
 - (1) Consist of a 10-foot solid masonry wall that uses materials and finishes that match any proposed publicly facing wall within the development; and
 - (2) A decorative louvered, slated, or perforated upper screen, no **LESS THAN 50% AND NO** more than 75% opaque, mounted above the masonry wall.

Section 16: That Mesa City Code Title 11, Section 11-31-37(F)(7) is hereby amended as follows:

11-31-37: - BATTERY ENERGY STORAGE SYSTEM (BESS) AND BESS FACILITIES

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F. Development Standards – BESS Facilities.

- 7. *Substation Screening.* All substations and related equipment, whether private or public, shall meet all of the following standards:

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- b. *Enclosure Design When Adjacent to Public Right-of-Way.* Substations that are adjacent to a public right-of-way shall be screened using walls, or alternative methods.
 - i. *Screen Walls 10 Feet in Height or Shorter.* Substation screen walls that are 10 feet in height or shorter shall comply with the development standards in Subsection 11-31-37(F)(6) and Section 11-30-4 for Fences and Freestanding Walls, and be designed to match any proposed publicly facing wall on the project site.
 - ii. *Screen Walls Greater than 10 Feet in Height.* Substation screen walls greater than 10 feet in height shall:
 - (1) Consist of a 10-foot solid masonry wall that uses materials and finishes that match any proposed publicly facing wall within the development; and
 - (2) A decorative louvered, slated, or perforated upper screen, **NO LESS THAN 50% AND** no more than 75% opaque, mounted above the masonry wall.
- c. *Enclosure Design When Located Internal to the Site.* Substations that are located internal to the project site shall be screened using walls, fencing, or other alternative methods.
 - i. Screen walls and fences shall be a maximum of 10 feet in height with a decorative louvered, slated, or perforated upper screen, no **LESS THAN 50% AND NO** more than 75% opaque, mounted above the masonry wall; or
 - ii. The enclosure may be a fully decorative louvered, slated, or perforated screen, no **LESS THAN 50% AND NO** more than

75% opaque.

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Section 17: That Mesa City Code Title 11, Table 11-33-2.G.4: Species Diversity Requirements By Plant Type is hereby amended as follows:

Table 11-33-2.G.4: Species Diversity Requirements By Plant Type		
Total Number of Plants (Per Plant Type) on Landscape Plan	Min. Number of Species Required	Max. Percentage of Any One (1) Species
1-4 plants	1 species	100%
5-10 plants	2 species	60%
11-15 plants	3 species	45%
16-75 plants	5 species	40%
76-100 plants	8 species	35%
101-1,000 plants	10 species	20%
1,000+ plants	15 species	15%

Section 18: That Mesa City Code Title 11, Section 11-33-7(B)(5) is hereby amended as follows:

11-33-7: - ALTERNATIVE LANDSCAPE PLAN

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B. **Allowable Modifications.** The following standards may be modified by an ALP:

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5. SPECIES DIVERSITY.

A. MINIMUM NUMBER OF SPECIES REQUIRED.

B. MAXIMUM PERCENTAGE OF ANY ONE (1) SPECIES.

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Section 19: 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:**

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3. Recreational Vehicle Accessory Structures, as defined in Chapter 87, Definitions are permitted if the accessory structure:

a. Is no more than one (1) story;

b. Is no greater in size than 100% of the floor area of the Recreational Vehicle or Recreational Vehicle Park Model, **EXCLUDING COVERED**

PARKING AREAS SUCH AS CARPORTS OR GARAGES;

...

B. Permitted Uses in Manufactured Home Parks:

...

- 3. 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;~~
 - e**B.** Is no greater in size than 100% of the Floor Area of the Manufactured Home, **EXCLUDING COVERED PARKING AREAS SUCH AS CARPORTS OR GARAGES;**
 - d**C.** Is removed within 60 days of removal of the Manufactured Home; ~~and~~
 - e**D.** Conforms to Title 4, Building Regulations; and
 - f**E.** Conforms to all other applicable development standards, including Setbacks and parking requirements.

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C. Permitted Uses in Manufactured Home Subdivisions:

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- 5. 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 no more greater in size than 100% of the floor area of the Manufactured Home, **EXCLUDING COVERED PARKING AREAS SUCH AS CARPORTS OR GARAGES;**

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Section 20: That Mesa City Code Title 11, Section 11-43-3(D) is hereby amended as follows:

11-43-3: - PERMANENT SIGN ALLOWANCES BY ZONING DISTRICT

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- D. The following four (4) Tables provide the attached and detached permanent sign allowances in NC, LC, GC, **MX**, PS, PEP, LI, GI, and HI.

Section 19: That Mesa City Code Title 11, Section 11-67-4(F) is hereby amended as follows:

11-67-4: - REVIEW OF APPLICATIONS

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- F. ~~Conditions Requiring Mandatory Supermajority Vote by City Council. In the event the City Council is asked to decide upon any proposed Rezoning Amendment, Council Use Permit, Development Unit Plan, Site Plan Review or Site Plan Modification, amendments to such proposals, or appeals of any such proposals, and upon evidence that all conditions~~

~~described in subsections 1. and 2. below, have been satisfied, then the proposal shall become effective only by favorable vote of three fourths (¾) of all members of the City Council. If any members of the City Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three fourths (¾) of the remaining membership of the City Council, provided that such required number of votes shall in no event be less than a majority of the full membership of the Council. For the purposes of this section, the required number of votes shall be rounded to the nearest whole number.~~

- ~~1. — A written protest, signed by the property owners opposing the proposal is filed by the owners of 20 percent or more of the area and number of lots, tracts, and condominium units within the zoning area, as defined in A.R.S. § 9-462.04.~~
- ~~2. Signed written protests must be filed in the office of the City Clerk by no later than 12:00 noon the Monday of the week prior to the City Council meeting at which the proposal is scheduled to be considered, unless City offices are closed on that Monday because of a local, State or national holiday, then the protest must be filed by 12:00 noon the next business day.~~

F. WRITTEN PROTEST; MANDATORY SUPERMAJORITY VOTE BY CITY COUNCIL. IF A WRITTEN PROTEST MEETS THE REQUIREMENTS OF A.R.S. § 9-462.04(H), APPROVAL OF ANY PROPOSED REZONING, COUNCIL USE PERMIT, DEVELOPMENT PLAN REVIEW, OR DEVELOPMENT PLAN MODIFICATION SHALL REQUIRE THE AFFIRMATIVE VOTE OF THREE-FOURTHS (¾) OF ALL MEMBERS OF THE CITY COUNCIL. FOR PURPOSES OF THIS SECTION, ANY FRACTIONAL VOTE SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER.

- 1. *CONFLICT OF INTEREST.* IF ONE (1) OR MORE MEMBERS OF THE CITY COUNCIL ARE UNABLE TO VOTE DUE TO A CONFLICT OF INTEREST, THE REQUIRED NUMBER OF VOTES SHALL BE THREE-FOURTHS (¾) OF THE REMAINING COUNCIL, PROVIDED THAT THE NUMBER OF AFFIRMATIVE VOTES REQUIRED SHALL IN NO EVENT BE LESS THAN A MAJORITY OF THE FULL MEMBERSHIP OF THE CITY COUNCIL.**
- 2. *WRITTEN PROTEST QUALIFICATIONS.* THE WRITTEN PROTEST SHALL BE VALID ONLY IF IT IS:**
 - A. SIGNED BY THE PROPERTY OWNERS REPRESENTING 20% OR MORE OF BOTH (I) THE AREA AND (II) THE NUMBER OF LOTS, TRACTS, AND CONDOMINIUM UNITS WITHIN THE ZONING AREA, AS DEFINED IN A.R.S. § 9-462.04(K), EXCLUDING GOVERNMENT-OWNED PROPERTY; AND**
 - B. FILED WITH THE CITY CLERK’S OFFICE NO LATER THAN 12:00 PM ON THE MONDAY OF THE WEEK PRIOR TO THE CITY COUNCIL MEETING AT WHICH THE PROPOSAL IS SCHEDULED FOR ACTION, UNLESS CITY OFFICES ARE CLOSED ON THAT MONDAY BECAUSE OF A LOCAL, STATE OR NATIONAL HOLIDAY, THEN THE PROTEST MUST BE FILED BY 12:00 NOON THE NEXT BUSINESS DAY.**

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Section 21: That Mesa City Code Title 11, Section 11-67-9(A)(3) is hereby amended as follows:

11-67-9: - EXPIRATIONS AND EXTENSIONS

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A. **Expirations.**

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3. An approved development plan, Initial Site Plan, Major Site Plan Modification, or Design Review expires and is no longer in effect if it is not exercised or extended within five (5) years of the date of approval. ~~AN MINOR ADMINISTRATIVE~~ Development Plan Modification, Minor Site Plan Modification is effective for a period of five (5) years from the date the Initial Development Plan, or Initial Site Plan associated with the ~~Minor ADMINISTRATIVE~~ Development Plan Modification or Minor Site Plan Modification was approved. An approved Initial Development Plan, Initial Site Plan, Site Plan Modification or Design Review is considered exercised by completion of one (1) of the following:

Section 22: That Mesa City Code Title 11, Section 11-81-7 is hereby amended as follows:

11-81-7: - APPEALS; EXPIRATION AND EXTENSIONS; MODIFICATIONS

- A. **Appeals.** Adaptive Reuse Permits are subject to the appeal provisions of Chapter 77, Appeals, in this Ordinance.
- B. **Expiration and Extensions.** An Adaptive Reuse Permit is not subject to the expiration and extension requirements of ~~Section 11-76-9~~ **CHAPTER 67, COMMON PROCEDURES** of this Ordinance.
- C. **Modifications to an Approved Adaptive Reuse Permit.** Proposed modifications to an approved Adaptive Reuse Permit, including change of use or modifications to approved plans, shall be submitted to the Planning Division for review to ensure conformance with the eligibility criteria in this Chapter and required processes.

Section 23: Mesa City Code Title 11, Chapter 86, Section 11-86-2, Residential Use Classifications, is hereby amended only to modify the use types “Boarding House” and “Home Occupation” and remove the use type “Skilled Nursing Facility.” All use types shall be arranged in alphabetical order within Section 11-86-2, and the remainder of Section 11-86-2 remains the same.

11-86-2: - RESIDENTIAL USE CLASSIFICATIONS

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Boarding House. A residential dwelling for five (5) or more unrelated individuals in which the owner(s) provides lodging for compensation. A boarding house is occupied by individuals where rent is charged separately for the individual rooms or partitioned areas and may or may not be equipped with kitchen facilities and congregate dining facilities. The term shall include similar congregate living arrangements but does not include community residences, hotels, motels, residential inns or bed and breakfasts. **AN ACCESSORY DWELLING UNIT (ADU) MAY NOT BE USED AS A BOARDING HOUSE.**

...

~~**Home Occupations:** An ancillary use in any Residence or Mixed Use district which:~~

- A. ~~Is clearly incidental to a residence use;~~
- B. ~~Is subordinate to the purpose of the residence use;~~
- C. ~~Contributes to the comfort, convenience, or necessity of occupants in the residence use;~~
- D. ~~Is located on the same lot or parcel as the residence use served;~~
- E. ~~Includes swimming lessons, babysitting, and fine arts instruction, each for 5 or fewer persons;~~
- F. ~~Includes door to door and telephone solicitation;~~
- G. ~~Includes uses and activities that can be conducted entirely indoors without negatively impacting the residential character of the neighborhood or health, safety, and welfare of neighbors; and~~
- H. ~~Excludes on site exchange of sold or bartered goods (exceptions made for occasional and infrequent exchanges), on site vehicle repair as a commercial use, commercial warehousing or storage indoor or outdoor, non-resident employees working in the home, or manufacturing of products using hazardous materials or equipment not typically found in household settings.~~

HOME OCCUPATIONS: A BUSINESS OR PROFESSIONAL ACTIVITY CONDUCTED ON THE SAME LOT OR PARCEL AS A RESIDENTIAL DWELLING UNIT, WHICH IS CLEARLY INCIDENTAL AND SECONDARY TO THE PRIMARY FUNCTION AS A RESIDENTIAL DWELLING UNIT. THE BUSINESS OR PROFESSIONAL ACTIVITY MUST NOT NEGATIVELY IMPACT THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD OR THE HEALTH, SAFETY, AND WELFARE OF NEIGHBORS.

PERMITTED HOME OCCUPATIONS MAY INCLUDE BUT ARE NOT LIMITED TO: ARTIST STUDIOS, PERSONAL SERVICES, THERAPY, CONSULTING, LAW OFFICE, REAL ESTATE, INSURANCE, PROFESSIONAL OFFICE, PROFESSIONAL DESIGN SERVICES, MUSIC AND FINE ARTS INSTRUCTION, SWIM LESSONS, AND SMALL-SCALE E-COMMERCE THAT SERVICE FIVE (5) OR FEWER INDIVIDUALS AT A TIME.

HOME OCCUPATIONS EXCLUDE THE ON-SITE EXCHANGE OF SOLD OR BARTERED GOODS (EXCEPTIONS MADE FOR OCCASIONAL AND INFREQUENT EXCHANGES), VEHICLE REPAIR COMMERCIAL WAREHOUSING OR STORAGE – INDOOR OR OUTDOOR, OR MANUFACTURING OF PRODUCTS USING HAZARDOUS MATERIALS OR EQUIPMENT NOT TYPICALLY FOUND IN HOUSEHOLD SETTINGS.

...

~~**Skilled Nursing Facility.** A health care institution other than a hospital, assisted living facility or nursing and convalescent home which provides resident beds or dwelling units, supervisory care services, personal care service, directed care services or health related services for persons on a temporary basis. Skilled nursing facilities do not emulate a family and normalization and community integration are not among their core goals. This classification does not include community residences, assisted living homes, assisted living centers, or social service facilities.~~

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Section 24: Mesa City Code Title 11, Chapter 86, Section 11-86-3, Public and Semi-Public Use Classifications, is hereby amended only to add the use type “Skilled Nursing Facility” which shall

be arranged in alphabetical order within Section 11-86-3, and the remainder of Section 11-86-3 remains the same.

11-86-3: - PUBLIC AND SEMI-PUBLIC USE CLASSIFICATIONS

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SKILLED NURSING FACILITY. A HEALTH CARE INSTITUTION OTHER THAN A HOSPITAL, ASSISTED LIVING FACILITY OR NURSING AND CONVALESCENT HOME WHICH PROVIDES RESIDENT BEDS OR DWELLING UNITS, SUPERVISORY CARE SERVICES, PERSONAL CARE SERVICE, DIRECTED CARE SERVICES OR HEALTH-RELATED SERVICES FOR PERSONS ON A TEMPORARY BASIS. SKILLED NURSING FACILITIES DO NOT EMULATE A FAMILY AND NORMALIZATION AND COMMUNITY INTEGRATION ARE NOT AMONG THEIR CORE GOALS. THIS CLASSIFICATION DOES NOT INCLUDE COMMUNITY RESIDENCES, ASSISTED LIVING HOMES, ASSISTED LIVING CENTERS, OR SOCIAL SERVICE FACILITIES.

...

Section 25: Mesa City Code Title 11, Chapter 86, Section 11-86-4, Commercial Use Classifications, is hereby amended only to modify the use type “Live/Work Unit” which shall be arranged in alphabetical order within Section 11-86-4, and the remainder of Section 11-86-4 remains the same.

11-86-4: - COMMERCIAL USE CLASSIFICATIONS

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~~**Live/Work Unit. A commercial or industrial unit with incidental residential accommodations that includes adequate working space reserved for office, commercial, or industrial use and regularly used for such purpose by ONE (1) or more persons residing in the unit and a cooking space and sanitary facilities in conformance with applicable building standards. Up to 67% percent of the gross floor area may be reserved for and primarily used as living space.**~~

A DWELLING UNIT OCCUPIED BY NO MORE THAN FOUR (4) UNRELATED INDIVIDUALS, THAT IS USED PRIMARILY FOR RESIDENTIAL PURPOSES AND WHERE OCCUPANT(S) OF THE UNIT MAY CONDUCT NON-RESIDENTIAL ACTIVITIES THAT ARE PERMITTED WITHIN THE ZONING DISTRICT IN WHICH THE UNIT IS LOCATED.

...

Section 26: Mesa City Code Title 11, Chapter 86, Section 11-86-5, Employment and Industrial Use Classifications, is hereby amended only to add the use type “Hazardous Material Warehousing and Storage” and modify the use type “Indoor Warehousing and Storage” which shall be arranged under the Warehousing and Storage classification in alphabetical order within Section 11-86-5, and the remainder of Section 11-86-5 remains the same.

11-86-5: - EMPLOYMENT AND INDUSTRIAL USE CLASSIFICATIONS

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Warehousing and Storage. Storage and distribution facilities with limited sales to the public on-site or restricted direct public access.

Contractor’s Yards. Outdoor storage of construction materials or equipment.

HAZARDOUS MATERIAL WAREHOUSING AND STORAGE. A BUILDING OR PORTION THEREOF USED FOR THE STORAGE, DISTRIBUTION OR HANDLING OF GOODS AND MATERIALS THAT EXCEED THE MAXIMUM ALLOWABLE QUANTITY FOR HIGH-HAZARD GROUP H-1 OR H-2 OCCUPANCIES OR CONTAINS MORE THAN THREE CONTROL AREAS AS DEFINED IN THE INTERNATIONAL FIRE CODE. SUCH FACILITIES SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS GOVERNING HAZARDOUS MATERIALS.

~~**Indoor Warehousing and Storage.** Storage within an enclosed building of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials including but not limited to automobiles, feed, and lumber. Also includes cold storage, draying or freight, moving and storage, and warehouses. This classification excludes Data Centers, the storage of hazardous chemical, mineral, and explosive materials.~~

A BUILDING OR PORTION THEREOF USED FOR THE STORAGE, DISTRIBUTION, OR HANDLING OF GOODS AND MATERIALS, INCLUDING HAZARDOUS MATERIALS, PROVIDED THAT SUCH HAZARDOUS MATERIALS DO NOT EXCEED THE MAXIMUM ALLOWABLE QUANTITY FOR HIGH-HAZARD GROUP H-1 OR H-2 OCCUPANCIES AS DEFINED BY THE INTERNATIONAL FIRE CODE. THE FACILITY SHALL NOT CONTAIN MORE THAN THREE (3) CONTROL AREAS AS DEFINED BY THE APPLICABLE FIRE CODES.

Outdoor Storage. Storage of vehicles or commercial goods (other than construction materials) in open lots.

Mini-Storage. Facilities offering storage for individual use. An on-site residence may be present for use by the site manager and family.

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Section 27: That Mesa City Code Title 11, Chapter 87, is hereby amended only to remove the definitions for “Lot Line,” “Lot Line, Front,” “Lot Line, Rear,” and “Lot Line, Side” and to add definitions for “Property Line,” “Property Line, Front,” “Property Line, Rear,” and “property Line, Side” which shall be inserted under Property Line Related Definitions and be arranged in alphabetical order.

CHAPTER 87 - DEFINITIONS

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LOT-RELATED DEFINITIONS:

Lot, Corner: A lot or parcel of land situated at the intersection of 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, Coverage: The area of a lot that is covered with impervious surfaces, such as buildings, patios or decks with roofs, carports, tennis courts, parking lots or any other type of structure. Swimming pools, exclusive of decking, are not considered impervious surfaces for the purposes of calculation.

Lot, Flag: A lot or parcel of land taking access by a strip, owner of which lot or parcel of land has fee-simple title to said strip extending from the main portion of the lot or parcel of land to the adjoining parkway, highway or street.

Lot, Interior: A lot or parcel of land other than a corner or flag lot.

Lot, Key: An interior lot adjoining the rear lot line of a corner lot.

Lot Line: A boundary line of a lot or of a parcel of land.

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 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, Through: A lot having frontage on 2 parallel or approximately parallel parkways, highways and/or streets.

PROPERTY LINE RELATED DEFINITIONS:

PROPERTY LINE: A BOUNDARY LINE OF A LOT OR OF A PARCEL OF LAND.

PROPERTY LINE, FRONT: THE PROPERTY LINE DIVIDING A LOT OR OF A PARCEL OF LAND FROM A PUBLIC OR PRIVATE STREET AND IN THE CASE OF A CORNER LOT, IT SHALL BE THE SHORTEST DIMENSION ON A PUBLIC OR PRIVATE STREET.

PROPERTY LINE, REAR: THE PROPERTY LINE DIVIDING ONE LOT OR OF A PARCEL OF LAND FROM ANOTHER AND ON THE OPPOSITE SIDE OF THE LOT FROM THE FRONT LOT LINE; AND IN THE CASE OF AN IRREGULAR OR TRIANGULAR SHAPED LOT, A LINE 10 FEET IN LENGTH WITHIN THE LOT, PARALLEL TO AND AT THE MAXIMUM DISTANCE FROM THE FRONT LOT LINE.

PROPERTY LINE, SIDE: ANY LOT BOUNDARY LINE WHICH IS NOT A FRONT LOT LINE OR A REAR LOT LINE.

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