

Exhibit 1

City of Mesa

Administrative Modifications to the Form-Based Code Standards

Section 11-56-4 Permit Processing, Rezoning and Administration

G. Administrative Modifications to the Form-Based Code Standards.

1. **Purpose and Intent.** The purpose of this Section is to provide an administrative process to allow minor Administrative Modifications to specific standards of Article 6: Form-Based Code (FBC). The intent of this Section is to allow relief when the application of specific FBC standards creates practical difficulties developing the property and to allow flexibility in order to create high quality development while maintaining the intent of the Form-Based Code which focuses on physical form rather than the separation of uses as an organizing principle.
2. **Process for Requesting Administrative Modification.** An applicant may only apply for an Administrative Modification under this Section concurrently with an application for Zoning Clearance, Administrative Use Permit, Special Use Permit or Council Use Permit. An Administrative Modification may be requested for a single building or for a specified area. An application for an Administrative Modification must include a narrative that specifically identifies and describes the Administrative Modification sought.
3. **Administrative Decision Process and Review Criteria.** After a submittal of a complete application for an Administrative Modification, the Planning Director will review the application in accordance with this Section and will either approve as submitted, approve with conditions or modifications, or deny the request. The specific basis for approval or denial shall be established in the written decision. An Administrative Modification shall only be granted if the Planning Director determines that the requested modification strictly complies with subsection (4) of this Section and conforms to all of the following findings:
 - a. Conforms to the purpose and intent of the City's General Plan and Zoning Ordinance;
 - b. Conforms to the intent of the transect zone for the proposed development;
 - c. Does not change the intended building types and form within a transect zone;
 - d. Results in a superior building design standard including pedestrian scale design; and
 - e. Is necessary for the proposed development.

If the Planning Director determines the requested modification does not strictly comply with subsection (4) of this Section and does not conform to all of the required findings, the request shall be denied.

4. **Administrative Modifications.** An Administrative Modification is limited to and must comply with the following limitations and requirements:
- No more than a 10% reduction or increase in the required lot depth.
 - No more than a 10% increase to the maximum Build-to-Line.
 - No more than a 10% reduction of a required side and/or rear setback if adjacent to public right-of-way or public open space.
 - No more than a 10% reduction to the required façade within the Façade Zone.
 - Location of the private open space so long as the alternative location meets the intent of the transect.
 - A reduction in the required ground floor building transparency if the project is located outside of the Pedestrian Overlay Area (POA). Any reduction in the required ground floor building transparency shall include pedestrian scale design, building articulations and fenestrations, and superior façade materials such as brick, stone, architectural precast concrete, etc.
 - No more than 10% increase or reduction of any other design feature not specifically stated above.

The Planning Director may refer a request for an Administrative Modification to the Design Review Board for review and recommendation. If referred to the Design Review Board, the applicant shall be required to address the recommendations of the Design Review Board. The Planning Director shall have the final authority to approve the request for administrative modifications. Any request for a modification other than those listed above are considered major and shall follow the processes established in the City's Zoning Ordinance.

5. **Appeals.**

a. **Process.** An applicant or property owner may appeal the Planning Director's decision to the Planning and Zoning Board in accordance with Section 11-77 of the Zoning Ordinance. If the Planning Director refers the request to the Design Review Board, an applicant or property owner may appeal the Design Review Board decision to City Council in accordance with Section 11-77 of the Zoning Ordinance.

b. **Evaluation of Administrative Modification Appeals.** Appeals of an Administrative Modification decision shall be evaluated based on the required findings and criteria in this Section.

Additional Text Amendments to Certain Sections of the FBC

Section 11-58-7 (C) : Form-Based Code: Building Form Standards: Lot Size

- **Add language to allow By-Passed Parcels to exceed the maximum lot size width and depth.**

Sections 11-59-5 (B), 11-59-6 (B), 11-59-7 (B), 11-59-8 (B), 11-59-9 (B), 11-59-10 (B), 11-59-11 (B), 11-59-12 (B), 11-59-13 (B), 11-59-14 (B), 11-59-15 (B) :

Form-Based Code: Building Type Standards: Lot Size

- **Add language to allow By-Passed Parcels to exceed the maximum lot size width and depth.**

11-59-14 (D) Form-Based Code: Building Type Standards: Mid-Rise, Building Size and Massing

- **Delete the maximum footprint width for floors 3 and above.**
- **Delete the requirement that the floorplate of any floor may not be larger than the floor below.**

11-59-15 (D): Form-Based Code: Building Type Standards: High-Rise, Building Size and Massing

- **Delete the requirement that the floorplate of any floor may not be larger than the floor below.**

11-59-5 (H), 11-59-6 (H), 11-59-8 (H), 11-59-9 (H), and 11-59-10 (H):Form-Based Code: Building Type Standards: Private Open Space

- **Delete the requirement that private open space must be located behind the main body of the house and replace with private open space may be allowed in locations to compatible with the development type and form.**

11-60-9 (B) Form-Based Code: Private Frontage Standards: Dooryard, Size

- **Add language to allow an increase in the distance between glazing for developments outside the Pedestrian Overlay Area through the provision of superior building design standards and alternatives.**

11-60-9 (B&C) Form-Based Code: Private Frontage Standards: Dooryard, Miscellaneous

- **Add language to allow a minimum of 50 percent in the ground floor transparency for Live/Work and Commercial Uses located outside the Pedestrian Overlay Area, if the reduction results in superior building wall articulation and design, with further reduction to 40 percent ground floor transparency if pedestrian-scale design is utilized, with changes in color, material and texture.**

11-60-10 (B) Form-Based Code: Private Frontage Standards: Shopfront, Size

- **Add language to allow an increase in the distance between glazing for developments outside the Pedestrian Overlay Area though the provision of superior design standards and alternatives.**

11-60-10 (D) Form-Based Code: Private Frontage Standards: Shopfront, Miscellaneous

- **Add language to allow a 50 percent ground floor transparency for developments outside the Pedestrian Overlay Area, if the reduction results in superior building wall articulation and design, with further reduction to 40 percent ground floor transparency if pedestrian-scale design is utilized, with changes in color, material and texture**

11-87 Clarify By-Passed Parcel definition

By-Passed Parcel: Any lot or parcel which meets all of the following:

1. Does not exceed 2.5 net acres, and has been in its current configuration for more than 10 years; or does not exceed 5 net acres and was created by the assembly of individual, contiguous parcels, each not more than 2.5 acres in area; and
2. Is served by, or has direct access to, existing utility distribution facilities; and
3. Is surrounded by properties within a 1,200-foot radius in which:
 - a. The total developable land area is not more than 25% vacant; and
 - b. Greater than 50% of the total number of lots or parcels have been developed 15 or more years ago.