

CITY OF MESA - ZONING INTERPRETATION RECORD

Subject of Interpretation:

Applicability of zoning requirements on properties with multiple zoning districts

Zoning Ordinance Section Number:

11-31-2 Accessory Uses 11-87: Definitions
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Cause for Interpretation:

Appeal of a Planning and Zoning Board approval of an Initial Site Plan for the development of a property with multiple zoning districts

Interpretation:

A question was raised on how to apply zoning regulations to a property with multiple or split zoning districts.

For this interpretation, applicable definitions include (Chapter 11-87: Definitions of the MZO):

- Principal Use: A primary or dominant use established, or proposed to be established, on a lot or parcel of land.
- Accessory Use as, "A use customarily incidental to, related and clearly subordinate to a principal use established on the same lot or parcel of land, which accessory use does not alter said principal use nor serve property other than the lot or parcel of land on which the principal use is located. "Appurtenant use" means the same as accessory use."

Principal uses are subject to the land use requirements found in Articles 2, 3, and 6 of the Mesa Zoning Ordinance (MZO) and development standards found in Articles 4 and 6 of the MZO.

Section 11-31-2 of the MZO addresses Accessory Uses and states, "An accessory use shall be secondary to a primary use and shall be allowed only in conjunction with a principal use or building to which it relates, in any zoning district. Accessory use regulations are found in the use regulations tables in Article 2 and 3 of this Zoning Ordinance and are subject to the regulations of the primary use and specific standards found in this Chapter [Chapter 31]." Accessory uses customarily related to the principal use, such as parking or retention: 1) are permitted in conjunction with the primary use; 2) are allowed in zoning districts per the land use tables in Articles 2 and 3; and 3) are subject to the specific use standards for the primary use per Chapter 31.

On lots with multiple or split zoning, an accessory use that is located on the same lot as the principal use, may be an allowed and located in a zoning district other than the principal use.

Initials:	Date: 1/11/2023
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