City Council Report

Date: December 1, 2025

To: City Council

Through: Marc Heirshberg, Assistant City Manager

From: Nana Appiah, Development Services Director
Mary Kopaskie-Brown, Planning Director
Rachel Phillips, Assistant Planning Director

Subject: Mesa Zoning Ordinance text amendment (**Middle Housing Amendments**)- Proposed amendments to Chapters 5, 8, 31, 32, 86, and 87 of the Mesa City Code. **(Citywide)**

Recommendation

Staff recommends that the City Council adopt the proposed Mesa Zoning Ordinance (MZO) Middle Housing text amendments.

On October 22, 2025, the Planning and Zoning Board voted to recommend (vote: 4-0) that the City Council adopt the proposed Mesa Zoning Ordinance (MZO) Middle Housing text amendments.

Purpose

House Bill 2721 (HB 2721), signed into law in May 2024, requires that on or before January 1, 2026, a municipality with a population of 75,000 persons or more adopt regulations to allow "Middle Housing" aka duplexes, triplexes, fourplexes, and townhomes as a permitted use on both of the following:

1. All lots zoned for single-family residential use within one mile of the municipality's central business district.
2. At least 20% of any new development of more than 10 contiguous acres.

In accordance with HB 2721, now codified as Arizona Revised Statutes (A.R.S.) §9-462.13, staff is proposing amendments to Chapters 5, 8, 31, 32, 86, and 87 of the Mesa Zoning Ordinance (MZO) to establish Middle Housing as a new land use regulated under a new section of the code called "Middle Housing".

Details of the proposed text amendments are attached in Exhibit 1 – Middle Housing Ordinance. Specifically, the proposed text amendments:

1. Add and modify definitions related to Middle Housing.
2. Add Middle Housing as a land use classification to the land use tables in Chapters 5 and 8 of the MZO.
3. Add new Section 11-31-38: Middle Housing, establishing eligibility requirements, development standards, and application procedures for Middle Housing projects.

4. Amend Table 11-32-3.A: Required Parking Spaces by Use to establish a new parking requirement for Middle Housing projects.

Discussion

1. **Add and modify definitions related to Middle Housing.**

   The proposed amendments add the following definition for Middle Housing to Section 11-86-2 (Residential Use Classifications) of the MZO.

   MIDDLE HOUSING: DUPLEXES, TRIPLEXES, FOURPLEXES, AND TOWNHOUSES THAT ARE COMPATIBLE IN SCALE, FORM AND CHARACTER WITH SINGLE RESIDENCE DWELLING UNITS AND THAT CONTAIN TWO OR MORE ATTACHED, DETACHED, STACKED OR CLUSTERED HOMES.

   The proposed amendments also add definitions for Duplex, Triplex, Fourplex, and Townhouse, which are not currently defined in the MZO. Pursuant to A.R.S. §9-462.13, Middle Housing types to be developed in attached, detached, or semi-detached configurations. Therefore, the proposed definitions specify that detached or semi-attached forms are permitted only for the purposes of Middle Housing. In all other cases, these housing types must be attached, either side-by-side or stacked vertically.

   Staff also proposes adding definitions for Attached Structure, Detached Structure, Semi-Detached Structure to clearly distinguish these configurations. Additionally, due to the nuances in the definition of Townhouse, staff recommends revising the existing land use definition of Single Residence, Attached, to remove the statement that an attached single residence is sometimes known as a townhome.

   DUPLEX: TWO (2) DWELLING UNITS ON THE SAME LOT OR PARCEL THAT ARE DESIGNED FOR RESIDENTIAL OCCUPANCY BY NOT MORE THAN TWO (2) FAMILIES LIVING INDEPENDENTLY FROM EACH OTHER, EACH WITH SEPARATE SLEEPING, COOKING, AND SANITARY FACILITIES. UNLESS OTHERWISE PROVIDED, A DUPLEX CONSISTS OF TWO (2) ATTACHED UNITS (SIDE-BY-SIDE OR STACKED). FOR THE PURPOSES OF MIDDLE HOUSING, THE DWELLING UNITS MAY BE ATTACHED, DETACHED, OR SEMI-DETACHED.

   TRIPLEX: THREE (3) DWELLING UNITS ON THE SAME LOT OR PARCEL THAT ARE DESIGNED FOR RESIDENTIAL OCCUPANCY BY NOT MORE THAN THREE (3) FAMILIES LIVING INDEPENDENTLY FROM EACH OTHER, EACH WITH SEPARATE SLEEPING, COOKING, AND SANITARY FACILITIES. UNLESS OTHERWISE PROVIDED, A TRIPLEX CONSISTS OF THREE (3) ATTACHED UNITS (SIDE-BY-SIDE OR STACKED). FOR THE PURPOSES OF MIDDLE HOUSING, THE DWELLING UNITS MAY BE ATTACHED, DETACHED, OR SEMI-DETACHED.

   FOURPLEX: FOUR (4) DWELLING UNITS ON THE SAME LOT OR PARCEL THAT ARE DESIGNED FOR RESIDENTIAL OCCUPANCY BY NOT MORE THAN FOUR (4) FAMILIES LIVING INDEPENDENTLY FROM EACH OTHER, EACH WITH SEPARATE SLEEPING, COOKING, AND SANITARY FACILITIES. UNLESS OTHERWISE PROVIDED, A FOURPLEX CONSISTS OF FOUR (4) ATTACHED UNITS (SIDE-BY-SIDE OR STACKED). FOR THE PURPOSES OF MIDDLE HOUSING, THE DWELLING UNITS MAY BE ATTACHED,

DETACHED, OR SEMI-DETACHED.

TOWNHOUSE: TWO (2) OR MORE ATTACHED DWELLING UNITS CONSTRUCTED IN A ROW (SIDE-BY-SIDE), EACH WITH SEPARATE SLEEPING, COOKING, AND SANITARY FACILITIES, EACH SHARING AT LEAST ONE (1) COMMON WALL WITH AN ADJACENT UNIT, AND EACH SERVED BY ITS OWN EXTERIOR ENTRANCE. NO DWELLING UNIT MAY BE STACKED (LOCATED ABOVE OR BELOW ANOTHER).

STRUCTURE, ATTACHED: A STRUCTURE THAT IS CONNECTED TO ANOTHER STRUCTURE AND DEPENDENT ON A DIVISION WALL(S) OR COMMON WALL(S) FOR STRUCTURAL SUPPORT OR ENCLOSURE. (SYN: DETACHED BUILDING)

STRUCTURE, DETACHED: A STRUCTURE WHICH IS PHYSICALLY SEPARATED FROM AND NOT DEPENDENT ON ANOTHER STRUCTURE FOR STRUCTURAL SUPPORT OR ENCLOSURE. (SYN: DETACHED BUILDING)

STRUCTURE, SEMI-DETACHED: A STRUCTURE THAT IS CONNECTED TO ANOTHER STRUCTURE BUT IS NOT DEPENDENT ON A DIVISION WALL(S) OR COMMON WALL(S) FOR STRUCTURAL SUPPORT OR ENCLOSURE.

Single Residence. A dwelling unit designed for occupancy by one family and located on a separate lot or parcel from any other unit (except accessory dwelling units, where permitted). This classification includes individual manufactured housing units and individual recreational vehicles when used as residences in RV parks and subdivisions. A Single Residence may also be referred to as a “Primary Residence” (see Chapter 87 of this Ordinance).

Attached. A single residence dwelling unit, located singly on a lot or parcel, but attached through common vertical walls to one or more dwellings on abutting lots or parcels. ~~An attached single residence dwelling unit is sometimes referred to as a "townhome" or a "rowhouse."~~

2. **Add Middle Housing as a land use classification to the land use tables in Chapters 5 and 8 of the MZO.**

   A.R.S. §9-462.13 requires that the city authorize Duplexes, Triplexes, Fourplexes, and Townhomes as a permitted use on all lots zoned for single-family residential use within one mile of the municipality's central business district and at least 20% of all new development of more than 10 contiguous acres. Therefore, staff proposes adding Middle Housing to Table 11-5-2 (Residential Districts) and as a permitted use in the Single Residence (RS) and Single Residence Small Lot (RSL) zoning districts and to Table 11-8-3 (Downtown Districts) as a permitted use in the Downtown Residential 1, 2, and 3 (DR-1, DR-2, and DR-3) zoning districts subject to conformance with additional standards proposed for Middle Housing in Section 11-31-38 of the MZO discussed below.

   Furthermore, Middle Housing in the RS and RSL Districts would be subject to the same Airport Overflight Area restrictions as Single Residence.

3. **Add new Section 11-31-38: Middle Housing, establishing eligibility requirements, development standards, and application procedures for Middle Housing projects.**

   The proposed amendments modify Chapter 31 (Standards for Specific Uses and Activities) to add a new Section 38 (Middle Housing) to the MZO. Section 11-31-38 establishes eligibility criteria for Middle Housing, specifying that such housing types are permitted:

On any lot or parcel zoned for Single Residence use within one mile of the Downtown Area; or

Within a new Single Residence Development greater than 10 acres, of which no more than 20% of the development may be used for Middle Housing.

Section 11-31-38 also outlines the applicable development standards, requiring Middle Housing projects to comply with the development standards of the underlying base zoning district, except that maximum building coverage may exceed the underlying base zoning district standard, but shall not exceed 50% of the lot or parcel of land. Additionally, no more than one parking spaces is required for a Middle Housing unit.

The section further specifies application requirements. For Middle Housing project located within one mile of downtown, applicants must submit a Middle Housing Application confirming eligibility, along with a plot plan demonstrating full compliance with all applicable development standards. For new single residence developments, applicants must submit the Middle Housing Application and a site plan as part of their zoning or Land Division application.

Finally, because A.R.S. §9-462.13 does not exempt Historic Districts or Historic Landmarks, Section 11-31-38 clarifies that Middle Housing projects located within an Historic District or Historic Landmark Overlay District, are also subject to all procedures and standards for HD (Historic District) and HL (Historic Landmark) Overlays as set forth in Title 11, Chapter 74.

4. **Amend Table 11-32-3.A: Required Parking Spaces by Use, to establish a new parking requirement for Middle Housing projects.**

   A.R.S. §9-462.13 restricts municipalities from requiring more than one parking space per Middle Housing unit. Therefore, modifications to Table 11-32-3.A (Required Parking Spaces By Use) specify that only one parking space per Middle Housing dwelling unit is required.

Citizen Participation

Open House:

The public was invited to a virtual open house on September 29, 2025, to discuss the proposed text amendments.

- 4 people attended the open house
- Attendees had the following questions and/or comments:
  - How did Mesa define the boundaries of its Central Business District (CBD)?
  - Does Mesa have language to restrict development in the historic districts downtown?
  - How were residents notified about this meeting and the approval of this bill?
  - How many Historic Districts are within one mile of the downtown?
  - How is the 10-acre requirement applicable to the eligibility?
  - Would a project with Multiple Residence Zoning benefit from these amendments?
- Staff provided the following response to the questions/comments:
  - Mesa defined its CBD using the Downtown Placetype as set forth by the Mesa 2050 General Plan. One mile would be measured from the edge of the Downtown Placetype boundary. A map of the eligible area will be added to the ordinance.

- The legislation does not specifically address historic districts, but the current processes still apply; they may require a COA or Demolition Permits. We are confident those districts will remain intact and protected.
- Residents were notified through our Long-Range Planning email list, the Development advisory forum, and through the public notices that go out via the news and social media.
- There are eight Historic Districts within a one-mile radius of the downtown area.
- There are two paths for eligibility: either any lot zoned for single residence within one mile of the CBD or new single resident developments over 10 acres. Ineligible projects must meet the density standards of the underlying zoning district.
- These standards developed for Middle Housing do not apply to the Multiple Residence Zoning Districts.

Public Comment:
Staff received three inquiries from the public, which are included in the packet material.

Planning and Zoning Board:
Staff responded to nine comments/questions from the Planning and Zoning Board at the October 22, 2025, Study Session. Those specific questions/comments and staff responses are included in the packet material.

- Generally, the board had questions and/or comments regarding the following topics:
  - Whether the state mandate would override HOA bylaws, CC&Rs, and deed restrictions.
  - Potential loss of local control and allowance for denser development with limited parking.
  - How the ordinance interacts with ADUs and lot configuration.
  - Platting, site plan, and replat requirements for new projects.
  - Applicability of the ordinance to redevelopment near downtown and large new developments, and how market demand will influence locations.

Implementation

Staff recommends that the ordinance approving the proposed text amendments become effective 30 days from the date of City Council approval.

Exhibits

Exhibit 1 – Middle Housing Ordinance
Exhibit 2 – Public Comment
Exhibit 3 – P&Z Board Comments and Questions