

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTERS 2, 5, 6, 7, 31, 33, 50, AND 86 OF TITLE 11, THE ZONING ORDINANCE OF THE MESA CITY CODE BY MAKING MODIFICATIONS TO RESIDENTIAL, COMMERCIAL AND EMPLOYMENT LAND USE TABLES AND RESIDENTIAL AND COMMERCIAL DEVELOPMENT STANDARDS; MODIFYING RESIDENTIAL USE REQUIREMENTS IN COMMERCIAL DISTRICTS, CLARIFYING EXISTING ORDINANCE PROVISIONS; REMOVING PROVISIONS THAT NO LONGER APPLY; AND MAKING MINOR REVISIONS TO WORDING AND FORMATTING WITHIN VARIOUS CHAPTERS; PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF; AND PRESERVING RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS WHICH HAVE ALREADY BEGUN THEREUNDER.

**WHEREAS**, it has become apparent that it is in the best interest of the City, to make numerous technical updates to Title 11 Mesa Zoning Ordinance; and

**WHEREAS**, such technical updates include corrections to Chapters 2, 5, 6, 7, 31, 33, 50, and 86 of Title 11 Mesa Zoning Ordinance; and

**WHEREAS**, the proposed changes may be classified into four different categories: 1) modifications affecting land use and development standards, 2) clarifications of existing ordinance provisions, 3) removing provisions that no longer apply, and 4) minor revisions to wording and formatting.

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

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

**Section 1:** That Title 11, Chapter 2, Section 11-2-3(J) is hereby amended as follows:

- J. Determining ~~Lot~~ **BUILDING** Coverage. ~~Lot~~ **BUILDING** coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The **TOTAL** footprint of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, **IS USED** ~~shall be summed in order to calculate lot~~ **BUILDING** coverage; **EXCEPT** ~~±~~ The calculation excludes the following **AREAS** structures:
1. Decks, patio slabs, ~~porches~~, landings, balconies and stairways (less than 6-feet in height), when unenclosed, unroofed, and/or uncovered;
  2. Eaves and roof overhangs projecting up to two-and-a-half feet from a building wall;
  3. Trellises and similar structures that do not have solid roofs;
  4. Swimming pools and hot tubs that are not enclosed in roofed structures or decks; and

5. One small, non-habitable accessory structure under 120 square feet and under seven feet high. **ALL OTHER ACCESSORY STRUCTURES ARE above quantity of one shall be included in BUILDING lot coverage.**

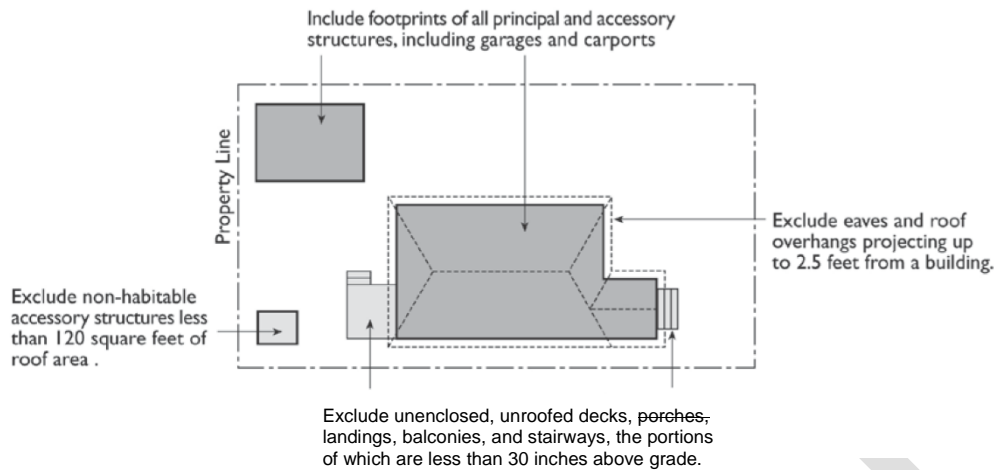


FIGURE 11-2-3.J: DETERMINING ~~LOT~~ **BUILDING** COVERAGE

**Section 2:** That Title 11, Chapter 5, Table 11-5-2: Residential Districts is hereby amended as follows:

Table 11-5-2: Residential Districts				
<i>Proposed Use</i>	<i>RS</i>	<i>RSL</i>	<i>RM</i>	<i>Additional Use Regulations</i>
<b>Residential Use Classifications</b>				
Single Residence	P (13,14)	P (13,14)	P (12,13, 14)	
Multiple Residence	--	--	P (13, 16)	
Assisted Living	--	--	CUP (13, 14)	See Section 11-31-28, Assisted Living Facilities, Nursing and Convalescent Homes
<b>Day Care Group Home</b>				
Small Day Care Group Home (up to 5-4)	P (13, 14)	P (13, 14)	P (13, 14)	Section 11-31-13, Day-Care Group Homes
Large Day Care Group Home (6 5 to 10)	P (13, 14)	P (13, 14)	P (13, 14)	<b>SECTION 11-31-13, LARGE DAY CARE GROUP HOMES</b>
<b>Group Residential</b>				
Boarding House	--	--	P (13, 14)	
Comprehensive Youth Residence	SUP (4, 13, 14)	—	—	Section 11-5-8, Comprehensive Youth Residence
Group Home for the Handicapped (up to 10 residents)	P (13, 14)	P (13, 14)	P (13, 16)	Section 11-31-14, Group Homes for the Handicapped
Group Home for the Handicapped (greater than 10 residents)	--	--	SUP (13, 16)	

Table 11-5-2: Residential Districts				
Proposed Use	RS	RSL	RM	Additional Use Regulations
Group Housing	--	--	SUP (2, 13, 16)	
Home Occupations	P/SUP (17)	P	P	Section 11-31-33, Home Occupations
Manufactured Home Parks	--	P (13, 14)	P (1, 13, 14)	PAD Overlay Required Chapter 34, Manufactured Home/ Recreational Vehicle Regulations
Manufactured Home Subdivisions	P (13, 14)	P (13, 14)	P (1, 13, 14)	
Recreational Vehicle Subdivisions	—	—	P (1, 13, 14)	
Public and Semi-Public Use Classifications				
Clubs and Lodges	--	--	SUP (9, 13, 14)	
Community Center	SUP (13, 16)	SUP (13, 16)	SUP (9, 13, 16)	
Community Gardens	P	P	P	Section 11-31-10, Community Gardens
Cultural Institutions	P (13, 16)	P (13, 16)	P (9, 13, 16)	
Day Care Centers	SUP/P (10, 13, 14)	P (8, 13, 14)	P (13, 14)	Section 11-31-9, Commercial Uses in Residential Districts
Hospitals and Clinics				
Clinics	—	—	SUP (2, 9, 13, 14)	Section 11-31-15, Hospitals and Clinics
Hospitals	—	—	SUP (2, 9, 13, 14)	
Nursing and Convalescent Homes	—	—	CUP (9, 13, 14)	See Section 11-31-28, Assisted Living Facilities, Nursing and Convalescent Homes
Parks and Recreation Facilities, Public	P	P	P (9)	
Places of Worship	P (13, 16)	P (13, 16)	P (9, 13, 16)	Section 11-31-22, Places of Worship
Athletic Facilities When Accessory to a Church	SUP (13, 16)	--	SUP (9, 13, 16)	
Day Care When Accessory to a Church	SUP (13, 16)	--	SUP (9, 16)	
Schools	P (13, 14)	—	P (9, 13, 14)	Section 11-31-24, Schools
Social Services Facility	--	--	CUP (9, 13, 16)	Section 11-31-26, Social Service Facilities
Animal Sales and Services	SUP	--	--	RS-90 and RS-43 Only
ANIMAL SALES AND SERVICES				
BOARDING STABLES	SUP (3, 13, 16)	--	--	RS-90 AND RS-43 ONLY
Bed and Breakfast Inns	SUP (13, 14, 15, 16)	--	P (9, 15, 16)	Section 11-31-8, Bed and Breakfast Inns
Eating and Drinking Establishments				
Restaurants, Full Service	SUP (11)	SUP (11)	SUP (11)	

Table 11-5-2: Residential Districts				
<i>Proposed Use</i>	<i>RS</i>	<i>RSL</i>	<i>RM</i>	<i>Additional Use Regulations</i>
Restaurants, Limited Service	SUP (11)	SUP (11)	SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts
Offices				
Business and Professional	SUP (10)	SUP (10)	SUP (10)	Section 11-31-9, Commercial Uses in Residential Districts
Medical and Dental	SUP (10)	SUP (10)	SUP (10)	
Personal Services	SUP (11)	—	SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts
Plant Nurseries and Garden Centers	SUP (7, 13, 16)	—	—	SUP option available only in RS-43 and RS-90 districts
Retail Sales				
General	SUP (11)	SUP (11)	SUP (11)	Section 11-31-9, Commercial Uses in Residential Districts
Recreational Vehicle Storage Yard	SUP (20)	—	—	Section 11-31-35 Storage Yards in Residential Districts
Transportation, Communications, and Utilities Use Classifications				
Utilities, Minor	P	P	P	
Specific Accessory Uses				
Animal Keeping	P (3)	—	—	Section 11-31-4, Animal Keeping
Accessory Dwelling Unit	P/SUP (13, 14)	—	P (9, 13, 14)	Section 11-31-3, Accessory Dwelling Unit
Accessory Uses	P	P	P	Section 11-31-2
Farm Stands	SUP (5)	—	—	RS-43 and RS-35 Only
Medical Marijuana Patient and Caregiver Cultivations	P (13, 18)	P (13, 18)	P (13, 18)	Section 11-31-34, Medical Marijuana Facilities
<b>HOME OCCUPATIONS</b>	<b>P/SUP (17)</b>	<b>P</b>	<b>P</b>	<b>SECTION 11-31-33, HOME OCCUPATIONS</b>
<b>PORTABLE STORAGE CONTAINERS</b>	<b>P (21, 22)</b>	<b>P (21)</b>	<b>P (21)</b>	<b>SECTION 11-30-16</b>
<ol style="list-style-type: none"> <li>1. Permitted in the RM-4 District only with approval of a Planned Area Development.</li> <li>2. Only permitted or conditionally permitted in the RM-4 district; prohibited in the other RM sub-designations.</li> <li>3. Riding and boarding stables are permitted in the RS-43 and RS-90 districts with approval of a SUP on sites of 10 acres or more. Other Large-Scale Commercial Recreation uses are not permitted.</li> <li>4. Comprehensive Youth Residence permitted in RS-90 district with approval of a SUP.</li> <li>5. Stands are permitted for the sale of agricultural or horticultural products produced on the premises in the RS-35, RS-43 and RS-90 zoning districts with approval of a Special Use Permit. Farm stands are prohibited in the remaining RS sub-designations.</li> <li>6. Reserved.</li> <li>7. Plant Nurseries may be located in the RS-43 and RS-90 districts with approval of a Special Use Permits. Criteria include that specified for the AG district, Sec Section 11-4-4(C). Plant Nurseries are prohibited in the remaining RS sub-designations.</li> <li>8. Day Care Centers permitted only as an accessory activity when provided as an amenity by homeowner's association (HOA) for the principal benefit of residents of that same HOA.</li> </ol>				

Table 11-5-2: Residential Districts				
Proposed Use	RS	RSL	RM	Additional Use Regulations
<p>9. Not permitted in RM-5 district.</p> <p>10. Permitted only with approval of a Special Use Permits, and if the location is coterminous to an intersection of an arterial street with a local or collector street, and the aggregate maximum gross floor area is less than 2,000 square feet in floor area, exclusive of any residential uses.</p> <p>11. Permitted only with approval of a Special Use Permits, and if the location is coterminous to an intersection of an arterial street with a local or collector street, and the aggregate maximum gross floor area is less than 1,500 square feet in floor area, exclusive of any residential uses. No drive-through window services are permitted.</p> <p>12. Detached Single Residence is not permitted in RM-5 district.</p> <p>13. Use not permitted when the property is subject to the AOA 1 overflight area, see Sec. 11-19-2, Runway Protection Zones and Airport Overflight Areas.</p> <p>14. Use not permitted when the property is subject to the AOA 2 overflight area, see Sec. 11-19-2, Runway Protection Zones and Airport Overflight Areas.</p> <p>15. Use permitted with approval of a (CUP) Council Use Permits when the property is subject to the AOA 1 overflight area, see Sec. 11-19-2, Runway Protection Zones and Airport Overflight Areas.</p> <p>16. Use permitted with the approval of a (CUP) Council Use Permits when the property is subject to the AOA 2 overflight area, see Sec. 11-19-2, Runway Protection Zones and Airport Overflight Areas.</p> <p>17. Special Use Permit options for expanded Home Occupations are allowed only in the RS-90 and RS-43 districts.</p> <p>18. Required to be a minimum distance of 25-miles from closest Medical Marijuana Dispensary.</p> <p>19. <del>Use is Permitted. Special Use Permit is required if Accessory Dwelling Unit is leased or rented as a secondary apartment.</del> <b>RESERVED</b></p> <p>20. Also requires previous establishment of a PAD Overlay District.</p> <p><b>21. TEMPORARY USE OF PORTABLE STORAGE CONTAINERS DURING CONSTRUCTION AND FOR LOADING AND UNLOADING IS PERMITTED IN ACCORDANCE WITH SECTION 11-30-16.</b></p> <p><b>22. PERMANENT USE OF PORTABLE STORAGE CONTAINERS IS LIMITED TO RS-43 AND RS-90 ZONING DISTRICTS IN ACCORDANCE WITH THE SECTION 11-30-16.</b></p>				

**Section 3:** That Title 11, Chapter 5, Section 11-5-3(A)(3) is hereby amended as follows:

3. *Yards.*

- a. *Rear Yard Adjacent to Arterial Street.* A rear yard adjacent to an arterial street shall be at least 30 feet in depth. If a landscape tract, stormwater retention basin or privately owned and maintained recreation open space separate, any of which is a minimum of ten (10) feet deep from the street, separates the residential lot from the arterial street, this requirement shall not apply.
- b. *Rear Yard Adjacent to Alley or Canal.* Rear yard setbacks adjacent to a 16-foot or wider alley or canal right-of-way may be measured from the centerline of the alley, up to a maximum of ten (10) feet.

- e. ~~Side Yards for Vehicular Access. Unless otherwise modified by approval of a PAD (or DMP under a previous zoning ordinance) overlay zone, interior lots with no access to an alley shall maintain one (1) side yard with a minimum width of ten (10) feet to allow access to the rear yard.~~
- dC. *Zero-Lot-Line Developments.* Zero-lot-line developments are permitted in the RS-6, RS-7, and RSL Districts.
- i. In a zero-lot-line development, no interior side yard need be provided on one (1) side of a lot if the minimum aggregate setback stated in Table 11-5-3, or ten (10) feet, whichever is greater, is provided on the opposite side of the same lot.
  - ii. Where a zero-side yard is used, the abutting property must be held under the same ownership at the time of initial construction, or the owner of the property abutting the zero-side yard must sign an agreement that permanently grants consent in writing to such zero setback. Additionally, owners of zero-lot-line developments must provide a permanent access and maintenance easement providing the owner of the zero-lot-line structure with access to the adjacent lot with the side yard to maintain the structure. A copy of the easement shall be provided to the City prior to recording the document in the Maricopa County Recorder's Office.
- eD. *Setback Adjacent to RS District.* Where a lot in the RSL District is adjacent to a lot in the RS District, the minimum interior side yard (for a single side) that is required on the RS-zoned lot shall also be provided on the lot in the RSL District.
- fE. *Limitation on Paving of Street-Facing Yards.* No more than 50 percent (50%) of any required front or street-facing side yard may be covered with a paved surface.

**Section 4:** That Title 11, Chapter 5, Table 11-5-3.A.2: Development Standards - RSL Residential Small Lot Single Dwelling District is hereby amended as follows:

Table 11-5-3.A.2: Development Standards - RSL Residential Small Lot Single Dwelling Districts					
Standard	RSL-4.5	RSL-4.0	RSL-3.0	RSL-2.5	Additional Standards
<b>Lot Standards</b>					
Minimum Average Lot Area of Subdivision (sq. ft.)	4,500	4,000	3,250	2,500	
Minimum Individual Lot Area (sq. ft.)	4,000	3,500	2,750	2,000	<del>"Tandem" parking may be allowed. See Table 11-32-3(A).</del>
Minimum Lot Width -Interior Lot (ft.)	40	35	30	25	
Minimum Lot Width - Corner Lot (ft.)	45	40	35	30	
Minimum Lot Depth (ft.)	90	85	80	75	

Maximum Lot Coverage (% of lot)	70%	75%	80%	80%	
<b>Building Form and Location</b>					
Maximum Height (ft.)	30	30	30	30	
Maximum Number of Stories	2	2	2	2	A third story may be permitted if meets specific standards. See 11-5-43(A)(4)
<b>Minimum Yards (ft.)</b>					
Front - Building Wall	15	15	15	12	
Front - Garage	20	20	20	20	
Front - Porch	10	10	10	7	
Street Side	10	10	10	10	
Interior Side: Minimum each side	4.5	4	4	3	
Interior Side: Minimum aggregate of 2 sides	10	10	9	8	
Rear	20	20	20	15	
Rear or Side - Garage, Accessed by Alley or Common Drive Shared by 3 or More Lots; Measured to Construction Centerline of Alley or Drive	13	13	13	13	
Minimum Useable Open Space (sq. ft.) per unit	400	400	400	400	See 11-5-43(A)(5)
<b>Additional Standards</b>					
Accessory Structures	Section <del>11-5-7(B)</del> <b>11-30-17</b>				
Driveways	Section 11-5-3(B)(5)				
Fences and Walls	Section 11-30-4				
Landscaping	Chapter 33, Landscaping				
Limitation on Paving of Front and Street-Facing Side Yards	Section 11-5-3(B)(5)				
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation				
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits				
Projections into Required Yards	Section <del>11-5-7(B)(2)</del> <b>11-5-3(B)(2)(A)(III) &amp; 11-30-2</b>				
Screening	Section 11-30-9, Screening				
Signs	Article 5, Signs				
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas				

**Section 5:** That Title 11, Chapter 5, Table 11-5-5: Development Standards – RM Residential Multiple Dwelling Districts is hereby amended as follows:

Table 11-5-5: Development Standards - RM Residential Multiple Dwelling Districts							
Standard	RM-2 (R-2)	RM-3 (R-3)	RM-4 (R-4)	RM-3U	RM-4U	RM-5	Additional Standards
Minimum Lot Area (sq. ft.)	7,200	6,000	6,000	6,000	6,000	6,000	Reduced lot sizes may be approved with a PAD overlay.
Minimum Lot Width (ft.)							
Single-Residence	36	30	25	25	25	25	

Detached											
Single-Residence Attached	36	25	25	60	25	—					
Multiple-Residence	60	60	60	60	60	60					
Minimum Lot Depth (ft.)											
Single-Residence or Multiple-Residence	94	94	94	75	65	65					
Single-Residence Attached	94	94	75	20	75	75					
Maximum Density (dwelling units/net acre)	15	20	30	20	30	43					
Minimum Density (dwelling units/net acre)	-	-	-	12	15	20					
Minimum Lot Area per Dwelling Unit (sq. ft.)	2,904	2,183	1,452	2,183	1,452	1,000					
Maximum Height (ft.)	30	40	40	50	50	50					
Maximum Lot Coverage (% of lot)	70%	70%	70%	70%	70%	70%					
Minimum Yards (ft.)											
Front and Street-Facing Side	Varies by General Plan Street Classification: 6-lane arterial: 30 ft. 4-lane arterial: 20 ft. Collector: 25 ft. Local Street: 20 ft. Freeways: 30 ft.			See NC-U standards in Table 11-6-3(B)							
Interior Side and Rear: 3 or more units on lot	Single Story: 20 ft. Multiple Story: 15 ft. per story							Street-facing setbacks shall be landscaped according to standards in Chapter 33, Landscaping.			
Interior Side: 2 units on lot	10	10	10					Additional setback required if adjacent to an RS district. See 11-5-5(A).			
Interior Side: Single-Residence Detached (ft.)	5	5	5					Zero-lot-line development permitted as alternative. See 11-5-5(A)(3).			
Interior Side: Single-Residence Attached (ft.)	0	0	0								
Rear: 1 or 2 units on lot	15	15	15								
Minimum Separation Between Buildings on Same Lot						See 11-5-5(A)					
One-story building	25	25	25	None required							
Two-story building	30	30	30								
Three-story building	N/A	35	35								



Detached covered parking canopies	20	20	20				
Maximum Building Coverage (% of lot)	45	50	55	65			
Minimum Open Space (sq. ft./unit)	200	175	150	150	120	120	See 11-5-5(A); in RM-4U and RM-5, roof areas used for common benefit of development residents may be counted towards up to 50% of min. open space requirement.
<b>Additional Standards</b>							
Fences and Walls	Section 11-30-4						
Landscaping	Chapter 33, Landscaping						
<del>Limitation on Paving of Front and Street-Facing Side Yards</del>	<del>Section 11-5-7(A)(1)(d)</del>						
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation						
Pedestrian Connections	Section 11-30-8						
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits						
Projections into Required Yards	Section 11-5-5(B)(2)(v)						
Screening	Section 11-30-9						
Signs	Article 5, Signs						
Trash Storage and Screening	Section 11-30-12						
Visibility at Intersections	Section 11-30-14						

**Section 6:** That Title 11, Chapter 6, Table 11-6-2: Commercial Districts is hereby amended as follows:

Table 11-6-2: Commercial Districts						
<i>Proposed Use</i>	<i>NC (C-1)</i>	<i>LC (C-2)</i>	<i>GC (C-3)</i>	<i>OC (O-S)</i>	<i>MX</i>	<i>Additional Use Regulations</i>
<b>Residential Use Classifications</b>						
Single Residence - Attached	CUP/P (4, 19, 20)	CUP/P (4, 19, 20)	CUP/P (4, 19, 20)	<del>CUP (4, 19, 20)</del>	CUP/P (16, 19, <del>22</del> 20)	Section 11-31-31, Residential Uses in Commercial Districts
Multiple Residence	CUP/P (4, <del>21</del> 19, 22)	CUP/P (4, <del>21</del> 19, 22)	CUP/P (4, <del>21</del> 19, 22)	--	P (21, 22)	
Assisted Living	CUP (19, 22)	CUP (19, 22)	--	CUP (19, 22)	--	See Section 11-31-28, Assisted Living Facilities, Nursing and

Table 11-6-2: Commercial Districts						
<i>Proposed Use</i>	<i>NC (C-1)</i>	<i>LC (C-2)</i>	<i>GC (C-3)</i>	<i>OC (O-S)</i>	<i>MX</i>	<i>Additional Use Regulations</i>
						Convalescent Homes
Group Residential						
Group Home for the Handicapped (up to 10 residents)	--	--	--	--	P (19, 22)	Section 11-31-14, Group Homes for the Handicapped
Group Home for the Handicapped (greater than 10 residents)	SUP (19, 22)	--	--	SUP (19, 22)	SUP (21, 22)	
Group Housing	P (19, 22)	P (19, 22)	P (19, 22)	--	P (21, 22)	
Home Occupation	P (23)	P (23)	P (23)	P (23)	P (23)	Section 11-31-33, Home Occupations
Public and Semi-Public Use Classifications						
Clubs and Lodges	P (19, 22)	P (19, 22)	P (19, 22)	--	P (19, 22)	
Colleges and Trade Schools, Public or Private						
Colleges and Universities	--	P (19, 20-21, 22)	P (19, 20-21, 22)	--	P (19, 20-21, 22)	
Commercial Trade Schools	--	P (19, 20-21, 22)	P (19, 20-21, 22)	--	P (19, 20-21, 22)	
Industrial Trade Schools	--	--	P (4, 19, 20-21, 22)	--	--	
Community Center	P (19, 22)	P (19, 22)	P (19, 22)	--	P (19, 22)	
Community Gardens	P	P	P	P	P	Section 11-31-10, Community Gardens
Cultural Institutions	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	P (24, 19, 22)	
Day Care Centers	P (19, 20-22)	P (19, 20-22)	P (19, 20-22)	P (19, 20-22)	P (19, 22)	
Government Offices	P (2)	P	P	P	P (2)	
Hospitals and Clinics						
Clinics	P (3, 19, 20)	P (3, 19, 20)	P (3, 19, 20)	—	P (19, 22 20)	Section 11-31-15, Hospitals and Clinics
Hospitals	P (19, 20)	P (19, 20)	P (19, 20)	—	—	
Nursing and Convalescent Homes	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	—	See Section 11-31-28, Assisted Living Facilities, Nursing and Convalescent Homes
Parks and Recreation Facilities, Public	P	P	P	P	P	
Places of Worship	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	P (19, 22)	Section 11-31-22, Places of Worship
Public Safety Facilities	P	P	P	P	P	
Schools, Public or Private	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	CUP (19, 20)	Section 11-31-24, Schools

Table 11-6-2: Commercial Districts						
<i>Proposed Use</i>	<i>NC (C-1)</i>	<i>LC (C-2)</i>	<i>GC (C-3)</i>	<i>OC (O-S)</i>	<i>MX</i>	<i>Additional Use Regulations</i>
Social Service Facilities	CUP (19, 22)	CUP (19, 22)	CUP (19, 22)	--	--	Section 11-31-26, Social Service Facilities
<b>Commercial Use Classifications</b>						
<b>Animal Sales and Services</b>						
Small Animal Day Care	SUP (4)	SUP (4)	P (4)	—	SUP (4, 7)	
Kennels	SUP (4)	SUP (4)	P (4)	—	—	
Pet Stores	P (4)	P (4)	P (4)	—	SUP (4, 7)	
Veterinary Services	P (4)	P (4)	P (4)	P (4)	P (4, 7)	
Artists' Studios	P	P	P	P	P	
Automobile/Vehicle Sales and Services						
Accessory Automobile Rentals	—	SUP	P	—	SUP	
Automobile Rentals	—	SUP	P	—	—	Section 11-31-5, Automobile Rentals; Automobile/Vehicle Sales and Leasing
Automobile/Vehicle Sales and Leasing	—	—	P	—	—	
Automobile/Vehicle Repair, Major	—	—	P	—	—	Section 11-31-6, Automobile/Vehicle Repair; Major and Minor
Automobile/Vehicle Service and Repair, Minor	—	P	P	—	—	
Automobile/Vehicle Washing	SUP	SUP	SUP	—	—	Section 11-31-7, Automobile/Vehicle Washing
Large Vehicle and Equipment Sales, Services, and Rental	—	—	P	—	—	Section 11-31-5, Automobile Rentals; Automobile/Vehicle Sales and Leasing
Service Station	SUP	SUP	SUP	—	—	Section 11-31-25, Service Stations
Banks and Financial Institutions	P	P	P	P	P	
With Drive-Thru Facilities	SUP	P	P	SUP	SUP	Section 11-31-18, Drive-thru Facilities
Banquet and Conference Center	P	P	P	P	P	
Building Materials and Services	—	P (11)	P	—	—	Section 11-31-16 if GFA exceeds 25,000 sq. ft.
Business Services	P	P	P	P	P	
Commercial Entertainment	--	P (19, 22)	P (19, 22)	--	P (19, 22)	
<b>Commercial Recreation</b>						

Table 11-6-2: Commercial Districts						
<i>Proposed Use</i>	<i>NC (C-1)</i>	<i>LC (C-2)</i>	<i>GC (C-3)</i>	<i>OC (O-S)</i>	<i>MX</i>	<i>Additional Use Regulations</i>
Small-Scale	--	P	P	--	SUP	
Large-Scale	--	SUP	P (19)	--	--	
Eating and Drinking Establishments						
Bars/Clubs/Lounges	—	P	P	—	P	
Coffee Shops/Cafes	P	P	P	P (5)	P	
Restaurants, Bar and Grill	—	P	P	—	P	
Restaurants, Full Service	P	P	P	—	P	
Restaurants, Limited Service	P	P	P	P (5)	P	
With Drive-Thru Facilities	SUP	P	P	—	SUP	Section 11-31-18, Drive-thru Facilities
With Outdoor Seating Areas	SUP (21, 22)	P (21, 22)	P (21, 22)	SUP (5, 21, 22)	P (21, 22)	Section 11-31-19, Outdoor Eating Areas
With Live Entertainment	—	P (4, 26)	P (26)	—	P (4, 26)	
Farmer's Market	TUP/SUP (27)	TUP/SUP (27)	TUP/SUP (27)	—	TUP/SUP (27)	
Food and Beverage Sales						
Convenience Market	P/SUP (12)	P/SUP (12)	P/SUP (12)	P (5, 13)	P (13)	Section 11-31-11, Convenience Markets
General Market	P (14)	P	P	—	P	Section 11-31-16 applies if GFA exceeds 25,000 sq. ft.
Funeral Parlors and Mortuaries	—	P (18)	P	—	P (18)	
Accessory Crematorium	—	SUP	P	—	—	
Hotels and Motels	--	P (21, 22)	P (21, 22)	--	P (21, 22)	
Large Commercial Development	—	P	P	—	CUP (7)	Section 11-31-16, Large Commercial Development
Light Fleet-Based Services	—	—	P	—	—	
Live-Work Unit	SUP (19, 20)	SUP (19, 20)	SUP (19, 20)	—	P (7, 19, 22 20)	Section 11-31-17, Live Work Units
Maintenance and Repair Services	P	P	P	—	—	
Non-chartered Financial Institutions (Payday Lenders)	—	CUP (10)	CUP (10)	—	—	
Offices						
Business and Professional	P	P	P	P (15)	P	
Medical and Dental	P	P	P	P	P	
Parking, Commercial	—	—	P	—	CUP	
Personal Services	P	P	P	P (5)	P	
Plant Nurseries and Garden Centers	—	SUP	P	—	P/SUP (6, 7)	
Retail Sales						

Table 11-6-2: Commercial Districts						
<i>Proposed Use</i>	<i>NC (C-1)</i>	<i>LC (C-2)</i>	<i>GC (C-3)</i>	<i>OC (O-S)</i>	<i>MX</i>	<i>Additional Use Regulations</i>
General	P (8, 9)	P	P	—	P (7)	
Pawn Shops	CUP (10)	CUP (10)	CUP (10)	—	—	Section 11-31-21, Pawn Shops
Tattoo and Body Piercing Parlors	—	P	P	—	P	
Employment Use Classifications						
Handicraft/Custom Manufacturing	—	—	P	—	—	
Light Assembly/Cabinetry	—	—	P	—	—	
Research and Development	—	—	P	—	P	
Recycling Facilities						
Reverse Vending Machine	P	P	P	—	P (7)	Section 11-31-23
Small Indoor Collection Facility	—	SUP	P	—	SUP (7)	Section 11-31-23
Warehousing and Storage						
<b>BOAT AND RECREATIONAL VEHICLE STORAGE</b>	—	—	<b>CUP</b>	—	—	
Mini-Storage	—	<b>P CUP</b>	<b>P CUP</b>	—	<b>SUP CUP (7)</b>	
Wholesale	—	—	CUP	—	—	
Transportation, Communication, and Utilities Use Classifications						
Communication Facilities						
Antenna and Transmission Towers	See Chapter 35					
Facilities within Buildings	See Chapter 35					
Transportation Passenger Terminals	P	P	P	P	P	
Utilities, Minor	P	P	P	P	P	
Heliports	—	CUP (24)	CUP (24)	—	CUP (24)	
Specific Accessory Uses						
Caretakers' Residences	SUP	SUP	SUP	SUP	P	
Garden Center	—	SUP	P		SUP (6, 7)	
Outdoor entertainment or activities	SUP	SUP	SUP	SUP	SUP	
Outdoor display, not specified by other classifications	—	—	SUP	—	SUP (19)	
<b>PORTABLE STORAGE CONTAINERS</b>	<b>P (28)</b>	<b>P/SUP (28, 29)</b>	<b>P/SUP (28, 29)</b>	<b>P (28)</b>	<b>P (28)</b>	<b>SECTION 11-30- 16</b>
Notes: 1. <del>Multi Family Residential is permitted for density range between minimum 15 du/ac to maximum 25 du/ac, a minimum of 40% of the Gross Floor Area shall be reserved for commercial land use classifications, as otherwise permitted in the district. In all other cases, Attached Single Family Dwellings and/or Multi Family Residential are permitted with approval of a CUP when part of a mixed-use development, with commercial uses in the same building and/or on the same site. See Section 11-31-31, Residential Uses in Commercial Districts.</del> <b>RESERVED.</b>						

Table 11-6-2: Commercial Districts						
<i>Proposed Use</i>	<i>NC (C-1)</i>	<i>LC (C-2)</i>	<i>GC (C-3)</i>	<i>OC (O-S)</i>	<i>MX</i>	<i>Additional Use Regulations</i>
<p>2. Permitted if occupying less than 5,000 square feet; greater floor area requires approval of an SUP.</p> <p>3. A CUP is required for plasma centers and substance abuse detoxification and treatment centers; other Clinics are permitted by right.</p> <p>4. Must be confined to completely enclosed, sound-attenuated facilities.</p> <p>5. Permitted if located within an office building or other commercial building and occupying no more than 1,500 square feet.</p> <p>6. Permitted if floor area is no more than 5,000 square feet. Special Use Permit required if floor area is greater than 5,000 square feet.</p> <p>7. All activities must be conducted entirely within an enclosed building, with no outside storage or display.</p> <p>8. No individual retail store may exceed an area of 10,000 square feet. No group commercial development shall exceed an aggregate area of 50,000 square feet.</p> <p>9. May not include drive-through facilities.</p> <p>10. Must be at least 1,200 feet from any use in the same classification, and at least 1,200 feet from any school.</p> <p>11. Accessory Outdoor Retail Display, limited to display of landscape and building materials only, requires approval of a SUP.</p> <p>12. SUP is required only if accessory fuel sales are present, otherwise use permitted by right.</p> <p>13. Accessory fuel sales are not permitted in OC or MX districts.</p> <p>14. Maximum size for one store is 10,000 square feet.</p> <p>15. Retail and restaurant uses are limited to no more than 1,500 square feet each, and no more than 3% of the aggregate gross floor area of the project.</p> <p>16. Attached single residences shall have a minimum density of 15 dwelling units per acre in MX zones.</p> <p>17. Reserved</p> <p>18. Accessory crematories allowed in the LC District with approval of a SUP; accessory crematories not permitted in the MX District.</p> <p>19. Use not permitted when the property is subject to the AOA 1 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.</p> <p>20. Use not permitted when the property is subject to the AOA 2 overflight area, see Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.</p> <p>21. Use permitted with approval of a CUP when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.</p> <p>22. Use permitted with the approval of a CUP when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.</p> <p>23. Home Occupations permitted as ancillary activity where and when a residence use is authorized.</p> <p>24. Heliports in Commercial Districts shall be set a minimum of 2 full stories above the natural grade, unless associated with a hospital.</p> <p>25. Subject to approval by the City Council and the State Racing Commission of a Tele-track Betting Establishment Permit per AAC R19-2-401 and following.</p> <p>26. Permitted only when accessory to a Eating or Drinking establishment.</p> <p>27. Special Use Permit is required for continuation of Farmer's Market at expiration of Temporary Use Permit Period.</p> <p><b>28. TEMPORARY USE OF PORTABLE STORAGE CONTAINERS DURING CONSTRUCTION IS PERMITTED IN ACCORDANCE WITH SECTION 11-30-16.</b></p> <p><b>29. TEMPORARY OR PERIODIC COMMERCIAL STORAGE IS PERMITTED WITH A SUP IN ACCORDANCE WITH SECTION 11-30-16.</b></p>						

**Section 7:** That Title 11, Chapter 6, Table 11-6-3.A: Development Standards – Commercial Districts is hereby amended as follows:

Table 11-6-3.A: Development Standards - Commercial Districts					
Standard	NC (C-1)	LC (C-2)	GC (C-3)	OC (O-S)	Additional Standards
Lot and Density Standards					
Minimum Lot Area (sq. ft.)	5,000	10,000	5,000	10,000	
Minimum Lot Width (ft.)	50	100	50	100	
Minimum Lot Depth (ft.)	100	100	100	100	
<b>MAXIMUM LOT COVERAGE (% OF LOT)</b>	<b>80%</b>	<b>80%</b>	<b>80%</b>	<b>80%</b>	
Building Form and Location					
Maximum Height (ft.)	30	30	30	30	
Minimum Setback along Property Lines or Building and Parking Areas (ft.)					
Front and Street-Facing Side:	Varies by classification of adjacent street: 6-lane arterial: 15 ft. 4-lane arterial: 15 ft. Major/Midsection Collector: 15 ft. Industrial/Commercial Collector: 20 ft. Local Street: 20 ft. Freeways: 30 ft. for buildings; 15 ft. for parking structures				Setbacks shall be landscaped according to Ch. 33, Landscaping.
Interior Side and Rear: Adjacent to RS District:					Setbacks shall be landscaped according to Ch. 33, Landscaping.
1-story building	25	25	25	25	
2-story building	50	50	50	50	
3-story building	75	75	75	75	
Interior Side and Rear: Adjacent to RM District:					Setbacks shall be landscaped according to Ch. 33, Landscaping.
1st story	20	20	20	20	
Each additional story	15	15	15	15	
Interior Side and Rear: Adjacent to Non-residential District: Each story	15	15	15	15	Setbacks shall be landscaped according to Ch. 33, Landscaping.
Setback at Street Intersections for Buildings and Patios (covered or uncovered) - Minimum radius (ft.)	Arterial with Arterial: 25 ft. Arterial with Major/Midsection Collector: 25 ft. Arterial with Collector/Commercial/Industrial: 25 ft. Major/Midsection Collector with Major/Midsection Collector: 15 ft. Major/Midsection Collector with Collector/Industrial/Commercial: 15 ft. Collector/Industrial/Commercial with Collector/Industrial/Commercial: 15 ft.				
Minimum Separation between Buildings on Same Lot (ft.)					
Building height up to 20 ft.	25	25	25	25	
Building height between 20 and 40 ft.	30	30	30	30	
Building height over 40 ft.	35	35	35	35	

Ground-Floor Transparency Requirement Applies	Yes	Yes	Yes	Yes	
Main Building Entrance Orientation Requirement Applies	Yes	Yes	Yes	Yes	
Additional Standards for Residential Development					
Minimum Residential Density (dwelling units/net acre)	NA	NA	NA	NA	CUP per Table 11-6-2
Maximum Residential Density (dwelling units/net acre)	15	25	<del>45</del> 25	25	
Minimum Outdoor Living Area (sq. ft./unit)	100	100	150	100	Section 11-5-5(C), (A)(3) Standards for Required Open Space.
Supplemental Standards					
<del>Building Form</del>	<del>Section 11-6-3(B)</del>				
<del>Building and Roofing Materials</del>	<del>Section 11-6-3(B)(5)</del>				
Corner Setbacks and Landscape Areas	Section 11-30-10, Setbacks at Intersections				
Fences and Walls	Section 11-30-4, Fences and Freestanding Walls				
Landscaping	Chapter 33, Landscaping				
Lighting and Illumination	Section 11-30-5, Lighting and Illumination				
Lots and Subdivisions	Mesa City Code, Title 9, Chapter 6, and Section 11-30-6				
Off-Street Parking and Loading	Chapter 32, On-Site Parking, Loading, and Circulation				
Outdoor Storage	Section 11-30-7, Outdoor Storage				
Pedestrian Connections	Section 11-30-8, Pedestrian Connections				
Projections above Height Limits	Section 11-30-3, Exceptions to Height Limits				
Supplemental Standards					
Projections into Required Yards	<del>Section 11-6-3(B)(2)</del> 11-30-2				
Solar Panels and Alternative Energy	Section 11-30-15, Solar Panels and Other Energy Production Facilities				
Screening	Section 11-30-9, Screening				
Signs	Article 5, Signs				
Swimming Pools and Contained Bodies of Water	Section 11-30-11, Swimming Pools				
Trash Storage and Screening	Section 11-30-12, Trash and Refuse Collection Areas				
Truck Docks, Loading, and Service Areas	Section 11-30-13, Truck Docks, Loading, and Service Areas				
Visibility at Intersections	Section 11-30-14, Visibility at Intersections				

**Section 8:** That Title 11, Chapter 7, Table 11-7-2: Employment Districts is hereby amended as follows:

Table 11-7-2: Employment Districts					
Proposed Use	PEP	LI (M-1)	GI (M-2)	HI	Additional Use Regulations



Residential Use Classifications					
Correctional Transitional Housing Facility (CTHF)	—	CUP (10, 12)	CUP (10, 12)	—	Section 11-31-12, Correctional Transitional Housing Facilities
Public and Semi-Public Use Classifications					
Clubs and Lodges	P (10, 13)	P (10, 13)	--	--	
Colleges and Universities Colleges and Trade Schools, Public or Private					
Colleges and Universities	P (10, 11-12, 13)	P (10, 11-12, 13)	--	--	
Commercial Trade Schools	P (10, 11-12, 13)	P (10, 11-12, 13)	P (10, 11-12, 13)	--	
Industrial Trade Schools	P (10, 11-12, 13)	P (10, 11-12, 13)	P (10, 11-12, 13)	--	
Cultural Institutions	CUP (10, 13)	SUP (10, 13)	SUP (10, 13)	--	
Day Care Centers	SUP (10, 11)	P (10, 11)	SUP (10, 11)	SUP (10, 11)	
Government Offices	P	P	P	P	
Hospitals and Clinics					
Clinics	SUP (10, 11)	SUP (10, 11)	SUP (10, 11)	—	Section 11-31-15, Hospitals and Clinics
Hospitals	P (10, 11)	P (10, 11)	—	—	
Places of Worship	P (10, 13)	P (10, 13)	—	—	Section 11-31-22, Places of Worship
Public Safety Facilities	P	P	P	P	
Public Maintenance Facilities	P	P	P	P	
Schools, Public or Private	CUP (10, 11)	CUP (10, 11)	CUP (10, 11)	--	Section 11-31-24, Schools
Commercial Use Classifications					
Animal Sales and Services					
Kennels	—	P	P	—	
Pet Stores	—	P	P	—	
Veterinary Services	P	P	P	—	
Artists' Studios	P	P	P	P/SUP (6)	
Automobile/Vehicle Sales and Services					
Automobile Rentals	SUP	P	P	—	Section 11-31-5, Automobile Rentals;
Automobile/Vehicle Sales and Leasing	—	P	P	—	Automobile/Vehicle Sales and Leasing
Automobile/Vehicle Repair, Major	—	P	P	—	Section 11-31-6, Automobile/Vehicle Repair; Major and Minor
Automobile/Vehicle Service and	—	P	P	—	

Repair, Minor					
Automobile/Vehicle Washing	SUP	P	P	—	Section 11-31-7, Automobile/Vehicle Washing
Large Vehicle and Equipment Sales, Services, and Rental	—	P	P	—	Section 11-31-5, Automobile Rentals; Automobile/Vehicle Sales and Leasing
Service Station	SUP	SUP	SUP	—	Section 11-31-25, Service Stations
Towing and Impound	—	SUP	SUP	CUP	
Banks and Financial Institutions	P	P	P	—	
With Drive-Thru Facilities	SUP	P	P	—	
Building Materials and Services	—	P	P	—	
Business Services	P	P	P	P/SUP (6)	
Commercial Recreation					
Small-Scale	P (10, 12)	P (10, 12)	--	--	
Large-Scale	SUP (10, 12)	P (10, 12)	--	--	
Eating and Drinking Establishments					
Bars/Clubs/Lounges	P	P	P	—	Section 11-31-19, Outdoor Eating Areas
Coffee Shops/Cafes	P	P	P	P/SUP (6)	
Restaurants, Bar and Grill	P	P	P	P/SUP (6)	
Restaurants, Full-Service	P	P	P	P/SUP (6)	
Restaurants, Limited Service	P	P	P	P/SUP (6)	
With Drive-Thru Facilities	P	P	P	SUP	
With Outdoor Seating Areas	P (10, 11)	P (10, 11)	P (10, 11)	SUP	
Off-track Betting	P (14, 15, 16)	P (14, 15, 16)	--	--	
With Live Entertainment	P	P	—	—	
Farmer's Market	TUP/SUP	—	—	—	Section 11-31-30, Temporary Uses
Food and Beverage Sales					
Convenience Market	P/SUP (1)	P (1,7)	P (1,7)	P/SUP (6)	Section 11-31-11, Convenience Markets
Funeral Parlors and Mortuaries	SUP	P	P	P	
Hotels and Motels	P (12, 13)	P (12, 13)	P (12, 13)	--	
Laboratories	P	P	P	P	
Large Commercial Development	P (8)	CUP	—	—	Section 11-31-16, Large Commercial Development

Light Fleet-Based Services	—	P	P	P	
Live-Work Units	SUP (10, 11)	SUP (10, 11)	SUP (10, 11)	—	Section 11-31-17, Live Work Units
Maintenance and Repair Services	—	P	P	—	
Medical Marijuana Dispensaries	—	P	P	—	Section 11-31-34
Medical Marijuana Cultivation Facilities (Accessory to Medical Marijuana Dispensaries—DISPENSARIES)	--	P	P	--	
Medical Marijuana Cultivation Facilities	—	P	P	—	
Offices					
Business and Professional	P	P	P	—	
Medical and Dental	P	P	P	—	
Parking, Commercial	—	P	P	P	
Personal Services	P (2)	P	P	P/SUP (6)	
Plant Nurseries and Garden Centers	SUP	P	P	SUP	
Retail Sales					
General	P	P	P	—	
Swap Meets and Flea Markets	—	CUP	CUP	—	Section 11-31-30, Temporary Uses: Swap Meets and Farmer's Markets
Tattoo and Body Piercing Parlors	—	P	P	—	
Employment and Industrial Use Classifications					
Cement Plants	—	—	—	P	
Handicraft/Custom Manufacturing	P (4)	P (5)	P	P	
Hazardous Waste Facility	--	--	--	CUP (10)	
Hazardous Waste Disposal Facility	—	—	—	—	
Incineration of Garbage or Organic Matter	—	—	—	CUP	
Light Assembly/Cabinetry	P (4)	P (5)	P	P	
Manufacturing, General	—	P (5)	P	P	
Manufacturing, Limited	P (4)	P (5)	P	P	
Meat Slaughterhouse or Packing Plant	—	—	—	P	
Metal Refining, Casting or Extrusion	—	—	CUP	P	
Metal Smelting, Industrial	—	—	—	P	
Oil Refinery/Petroleum Distillation	—	—	—	CUP	
Research and Development	P (4)	P (5)	P	P	
Recycling Facilities					
Reverse Vending Machines	SUP	P	P	—	Section 11-31-23
Small Indoor Collection Facilities	SUP	P	P	—	
Large Collection Facilities	—	CUP	SUP	P	

Processing Facilities	—	—	CUP	P	
Salvage and Wrecking	—	—	CUP	SUP	
Tanneries	—	—	—	P	
Warehousing and Storage					
<b>BOAT AND RECREATIONAL VEHICLE STORAGE</b>	<b>—</b>	<b>—</b>	<b>CUP</b>	<b>CUP</b>	
Contractors' Yards	—	P (9)	P (9)	P (9)	
Indoor Warehousing and Storage	P	P	P	P	
Outdoor Storage	—	—	—	P	
Mini-Storage	<del>P</del> CUP	<del>P</del> CUP	<del>P</del> CUP	—	
Wholesale	P	P	P	P	
Airport Land Use Classifications					
Aircraft Refueling Stations	—	P	—	—	
Aircraft Light Maintenance	—	P	—	—	
Airport Transit Station	—	P	—	—	
Airport Related Long-term Parking Lots	—	P	—	—	
Heliports	SUP (4314)	SUP (4314)	SUP (4314)	SUP (4314)	
Transportation, Communication, and Utilities Use Classifications					
Communication Facilities					
Antenna and Transmission Towers	See Chapter 35				
Facilities within Buildings					
Transportation Facilities					
Freight/Truck Terminals and Warehouses	—	P	P	P	
Transportation Passenger Terminals	P	P	P	P	
Utility Classifications					
Solar Farms	SUP	SUP	P	P	Section 11-30-15, Solar Panels and Other Energy Production Facilities
Utilities, Major	—	CUP	CUP	CUP	
Utilities, Minor	P	P	P	P	
Agricultural and Extractive Use Classification					
Mining and Quarrying	—	—	—	P	
Specific Accessory Uses and Facilities					
Outdoor Storage	—	P (5)	P	P	
Caretakers' Residences	—	P (10, 11)	P (10, 11)	P (10, 11)	
Outdoor entertainment or activities as an accessory use	SUP (10, 44-13)	P (10, 44-13)	P (10, 44-13)	--	

Outdoor Display	—	P	P	P	
<b>PORTABLE STORAGE CONTAINERS</b>	<b>SUP (17)</b>	<b>P/SUP (17)</b>	<b>P</b>	<b>P</b>	<b>SECTION 11-30-16</b>
<ol style="list-style-type: none"> <li>1. Permitted if located within an office building or other commercial building and occupying no more than 1,500 square feet, and Accessory Fuel Sales are not present.</li> <li>2. Permitted if floor area is no more than 10,000 square feet.</li> <li>3. Must be at least 1,200 feet from any use in the same classification, and at least 1,200 feet from any school.</li> <li>4. Permitted if all activities pertaining to the manufacturing or processing of the products are conducted entirely within an enclosed building, with no outside storage or display.</li> <li>5. Permitted only if all activities pertaining to the manufacturing or processing of the products are conducted entirely within an enclosed building. Accessory outdoor storage permitted only if confined to the rear one-half of the lot.</li> <li>6. Permitted if floor area is no more than 1,500 square feet. SUP required if greater than 1,500 square feet.</li> <li>7. Granting of a SUP is required if Accessory Fuel Sales are present.</li> <li>8. Permitted only if floor area is no more than 50,000 square feet.</li> <li>9. Permitted only if fully screened by a minimum 7-foot high masonry screen wall composed of masonry blocks utilizing varying colors and textures arranged in an attractive design.</li> <li>10. Use not permitted when the property is subject to the AOA 1 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Area.</li> <li>11. Use not permitted when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.</li> <li><b>12. USE PERMITTED WITH THE APPROVAL OF A CUP WHEN THE PROPERTY IS SUBJECT TO THE AOA 1 OVERFLIGHT AREA, SEE SECTION 11-19-2, RUNWAY PROTECTION ZONES AND AIRPORT OVERFLIGHT AREAS.</b></li> <li><del>42.</del> <b>13.</b> Use permitted with the approval of a CUP when the property is subject to the AOA 2 overflight area, See Section 11-19-2, Runway Protection Zones and Airport Overflight Areas.</li> <li><del>43.</del> <b>14.</b> Heliports in Employment Districts shall be set a minimum of 2 full stories above the natural grade, unless associated with a hospital.</li> <li><del>44.</del><b>15.</b> Subject to approval by the City Council and the State Racing Commission of a Tele-track Betting Establishment Permit per AAC R19-2-401 and following.</li> <li><del>45.</del><b>16.</b> Permitted only when accessory to a n Eating or Drinking establishment.</li> <li><b>17. TEMPORARY OR PERIODIC USE OF PORTABLE STORAGE CONTAINERS IS PERMITTED WITH A SUP IN ACCORDANCE WITH SECTION 11-30-16.</b></li> </ol>					

**Section 9:** That Title 11, Chapter 31, Section 11-31-31 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:**

~~A. Residential uses are permitted in the NC, LC and GC districts, provided:~~

- ~~1. A minimum of 40 percent of the Gross Floor Area of the entire project is reserved for non-residential uses.~~
- ~~2. A minimum of 65 percent of the ground floor of each building remains reserved for non-residential uses.~~

3. ~~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.~~

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.**

B. ~~Accessory Residential Uses~~ **LIVE-WORK UNITS ARE** permitted in the NC, LC and GC districts, subject to approval of a Special Use Permit. A maximum of one **(1) Accessory Residential Use LIVE-WORK UNIT** is permitted per parcel.

C. **CARETAKERS' RESIDENCES ARE** permitted in the NC, LC, ~~and GC,~~ **AND OC** districts, subject to approval of a Special Use Permit. A maximum of one **(1) Accessory Residential Use CARETAKERS' RESIDENCE** is permitted per parcel.

CD. ~~Developments~~ **PROJECTS THAT in compliance COMPLY** with the residential density maximums specified in Table 11-6-3A, and ~~in compliance with~~ **THE** commercial floor area requirements in **SECTION 11-31-31(A)(1) ABOVE** Paragraph A shall require Site Plan Review, as described in Chapter 69. ~~Site Plan Review for such requests shall be decided by the City Council after the Planning & Zoning Board holds a public hearing and forwards a recommendation.~~

DE. **MODIFICATIONS TO DEVELOPMENT STANDARDS.**

1. **MAXIMUM DENSITY. PROJECTS** ~~Developments~~ **THAT** exceeding the residential density maximums specified in ~~Table 11-6-3A~~ **SECTION 11-31-31(A)(2) ABOVE** and in compliance with commercial floor area requirements specified in Paragraph A shall require approval of a Council Use Permit **(EVEN IF THE DEVELOPMENT COMPLIES WITH THE COMMERCIAL FLOOR AREA REQUIREMENTS IN SECTION 11-31-31(A)(1))**.
2. **COMMERCIAL FLOOR AREA REQUIREMENTS. MODIFICATION TO THE COMMERCIAL FLOOR AREA REQUIREMENTS IN SECTION 11-31-31(A)(1) ABOVE REQUIRE APPROVAL OF A COUNCIL USE PERMIT.**

**EF.** Criteria for Review of Council Use Permit. When required, the review of the Council Use Permit shall include a review and determination regarding the following items:

1. The use is found to be in compliance with the General Plan, Sub Area Plans and other recognized development plans or policies, and will be compatible with surrounding uses; and
2. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and
3. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses; including measures to assure that commercial activity will remain as a viable activity on this site; and
4. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City development standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.
5. **THE OVERALL PROJECT CONFORMS TO THE INTENT AND CHARACTER OF THE ZONING DISTRICT AND IS PART OF A WELL INTEGRATED MIXED-USE PROJECT.**

**Section 10:** That Title 11, Chapter 33, Section 11-33-3(B)(2) is hereby amended as follows:

2. Landscaping for Non-Single Residence Uses Adjacent to Other Non-Single Residence.
  - a. Width. Non-single residence uses **ADJACENT TO NON-RESIDENTIAL DISTRICTS AND/OR USES SHALL PROVIDE A 15-FOOT LANDSCAPE YARD.** ~~Landscaping width shall conform to minimum yard and setback requirements as established for each zone in Chapters 4 through 10.~~

**Section 11:** That Title 11, Chapter 50 – Definitions of terms used in the sign ordinance is hereby amended by modifying the following definition. All other definitions in Chapter 50 shall remain the same.

Mural: A painted work of visual art or pictorial representation applied to or incorporated into a structure or wall, **WITH THE EXCEPTION OF A WINDOW**, that can be viewed from public places, alleys, rights-of-way. **A PAINTED WORK OF VISUAL ART OR PICTORIAL REPRESENTATION APPLIED TO OR INCORPORATED INTO A WINDOW IS A WINDOW SIGN.**

**Section 12:** That Title 11, Chapter 86, 11-86-4 Commercial Use Classifications is hereby amended by adding the following definition. The definitions in this section are arranged in alphabetical and include subcategories that are also arranged in alphabetical order. All the other definitions in Chapter 87 shall remain the same.

**BOAT AND RECREATIONAL VEHICLE STORAGE: THE PARKING, KEEPING OR PLACING OF BOATS, RECREATIONAL VEHICLES, AND ASSOCIATED EQUIPMENT, SUCH AS BUT NOT LIMITED TO, UTILITY TRAILERS, JET SKIS, SNOW MOBILES, AND ALL TERRAIN VEHICLES.**

**Section 13:** That Title 11, Chapter 86 Use Types, is hereby amended by adding Section 11-86-8 - Mixed-use Classifications, which will add the mixed-use land use classification and related definitions:

#### **11-86-8: - MIXED-USE CLASSIFICATIONS**

**MIXED-USE DEVELOPMENT: THE DEVELOPMENT OF A PARCEL(S) OF LAND, BUILDING(S) OR STRUCTURE(S) WITH MORE THAN ONE (1) TYPE OF LAND USE, SUCH AS RESIDENTIAL, OFFICE, RETAIL, PUBLIC, OR ENTERTAINMENT, WHERE THE DIFFERENT LAND USES ON THE PARCEL OR PARCELS FORM A COHESIVE DEVELOPMENT WITH SHARED VEHICULAR AND PEDESTRIAN ACCESS AND PARKING AREAS BETWEEN THE PARCELS, DIFFERENT LAND USES OR BOTH.**

**HORIZONTAL MIXED-USE: A PROJECT THAT INCLUDES TWO (2) OR MORE ATTACHED OR DETACHED SINGLE-STORY BUILDINGS WITH A COMBINATION OF LAND USES (E.G., RESIDENTIAL AND COMMERCIAL).**

**VERTICAL MIXED-USE: A PROJECT THAT INCLUDES ONE OR MORE ATTACHED OR DETACHED MULTIPLE-STORY BUILDINGS CONTAINING BOTH NON-RESIDENTIAL AND RESIDENTIAL DWELLING UNITS WHICH ARE FUNCTIONALLY INTEGRATED BY THE USE OF SHARED VEHICULAR AND PEDESTRIAN ACCESS AND PARKING AREAS.**

**Section 14:** REPEAL OF CONFLICTING ORDINANCES.

That any sections of the Mesa Zoning Ordinance or parts of such sections in conflict herewith, are hereby repealed; provided that such repeal shall not:

- A. Affect suits pending, rights and duties that matured or were existing, penalties that were incurred or proceedings that were initiated prior to the effective date of this Ordinance;



- B. I Impair or otherwise affect any site plan or development agreement approved prior to the effective date of this Ordinance that permits residential uses in commercial zoning districts to exceed the maximum density or required commercial floor area, or both, under the existing repealed sections.

**Section 15:** The recitals above are fully incorporated in this Ordinance by reference.

**Section 16:** The effective date of this Ordinance shall be January 1, 2021.

**Section 17:** 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 18:** 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 Subsection, 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 1st day of December, 2020.

APPROVED:

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Mayor

ATTEST:

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City Clerk

EFFECTIVE DATE: January 1, 2021.