



COUNCIL MINUTES

January 13, 2011

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on January 13, 2011 at 7:52 a.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

1. Convene an Executive Session.

It was moved by Councilmember Somers, seconded by Vice Mayor Jones, that the Council adjourn the Study Session at 7:53 a.m. and enter into an Executive Session.

Mayor Smith stated that the motion carried unanimously and an Executive Session was convened at 7:54 a.m.

- 1-a. Discussion or consultation with the City Attorney in order to consider the City's position and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A(4)) Discussion or consultation with designated representatives of the City in order to consider the City's position and instruct the City's representatives regarding negotiations for the purchase, sale, or lease of real property. (A.R.S. §38-431.03A (7))

1. Central Mesa Light Rail Extension

(The Executive Session adjourned at 9:13 a.m. and the Study Session reconvened at 9:15 a.m.)

2. Hear a presentation, discuss and provide direction on the Zoning Code Update.

Zoning/Civil Hearing Administrator Gordon Sheffield reported that today's presentation was to seek Council input relative to a number of housekeeping items related to the Zoning Code Update so that the process could move forward toward final adoption. He stated that the various aspects of the Code are designed to achieve a balance of land use, impact and form. Mr. Sheffield displayed a PowerPoint presentation (**See Attachment 1**) and outlined the topics to be covered. (See Page 3 of Attachment 1)

Mr. Sheffield briefly discussed a document titled "Notice and Hearing Schedule" (See Page 4 of Attachment 1). He explained that on January 11th, the final draft of the Zoning Code Update was posted on the City's website and noted that in mid-January, the legal "Notice of Hearing Date" would be mailed to over 131,000 property owners in Mesa to apprise them of the Update.

Mr. Sheffield summarized revisions that apply to Single Residence Districts. He referenced Accessory Living Quarters (ALQ) and noted that the current stipulation, that these facilities "shall not be leased or rented," would be deleted from the Code. Mr. Sheffield said that staff also proposes to delete a Special Use Permit (SUP) requirement for detached facilities as long as the location of an ALQ is maintained within the building setbacks for that particular zoning district.

Councilmember Finter acknowledged that the City currently has a permit process for an ALQ or "granny flat," as well as provisions in the Code for boarding houses. He expressed opposition to allowing duplexes in single-family neighborhoods and said that he was supportive of individuals getting the highest and best use of their property until it detracts from his highest and best use. Councilmember Finter added that if it was the City's goal to increase property values, he questioned whether this was the best direction in which to proceed.

Councilmember Kavanaugh and Councilwoman Higgins concurred with Councilmember Finter's comments.

In response to a question from Mayor Smith, Mr. Sheffield clarified that the existing ordinance allows for an ALQ, which would equate to a small apartment above a garage or behind the house, but not necessarily a full duplex. He stated that currently, the Code does not allow an ALQ to be leased or rented and noted that the quarters are meant to be used by family members or guests. Mr. Sheffield explained that the difficulty staff encounters is how to control the financial arrangements that take place between the person living in an ALQ and the owner of the primary residence.

Discussion ensued relative to the fact that in the 1980's, the Council determined that "granny flats" were an appropriate option, and in the mid-1990's, added an SUP requirement to allow an ALQ to be detached from the main home; that there was little controversy when these cases were presented to the Board of Adjustment unless there was some sort of encroachment into a setback; and that it was the opinion of staff that if an ALQ complied with the requirements the City has had in place for several years, it would not be necessary to take such cases to the Board of Adjustment.

Mayor Smith commented that normally granny flats or casitas are built in custom home subdivisions or larger tract subdivisions since they have larger lots to accommodate the detached structures.

Councilmember Finter clarified that he was not opposed to an ALQ for use by family members, but expressed concern that the same property could develop into "a commercial enterprise for profit," with dual rentals in a single-family residential area.

In response to a question from Mayor Smith, Mr. Sheffield explained that the issue becomes a problem when an ALQ is no longer needed for its original or intended purpose, such as for use by a mother-in-law, and the property owner wishes to rent the quarters in order to generate extra income. He stated that the City often becomes involved if a large number of people are residing in an ALQ that was meant for one or two individuals, which also creates parking problems.

Mayor Smith suggested that the City's regulations would be more effective addressing issues such as parking rather than attempting to control the number of people residing in an ALQ.

Mr. Sheffield responded that parking also becomes difficult to manage since it becomes applicable to all single-residence districts.

In response to a question from Councilmember Richins, Mr. Sheffield advised that the City currently does not have a parking requirement associated with the addition of an ALQ, but said that staff proposes to require one additional space to accommodate the quarters.

Councilmember Richins stated that the ALQ concept has been successful across the country and cited Austin, Texas as a community that has created additional value for older neighborhoods by allowing these quarters. He stated that he was uncomfortable with the idea of an individual purchasing a home with an ALQ and renting the primary residence to one family and the ALQ to another family.

Mr. Sheffield indicated that if the Council concurred with staff's proposal, he was seeking feedback relative to adding language to the Zoning Ordinance that rental of an ALQ would only be permitted if the property owner occupied the primary residence.

Mayor Smith commented that the City would become aware that there was a problem with dual rentals if staff received complaints from the neighbors and Code Compliance determined that the individuals living in the primary residence were not the property owners.

Mr. Sheffield said that there were certain legal issues that needed to be vetted with respect to this matter and suggested that staff bring back this item at a later date.

Mayor Smith remarked that he struggled with the concept of only allowing family members to reside in an ALQ. He stated, for instance, that the son of the property owner could reside in the quarters and generate noise and problems in the neighborhood, while a non-family member, who was quiet and well mannered, might not cause any problems whatsoever.

Councilmember Finter suggested that staff develop an upfront and streamlined process to address those individuals wishing to rent or lease an ALQ and said it would be important for the neighbors to have the opportunity to offer their input in this regard.

Vice Mayor Jones stated that it was unnecessary for the City to create a burdensome regulatory process with regard to an ALQ and dual rentals, but merely to ensure that if problems arose, staff would have the necessary tools to address such concerns.

Councilmember Somers stated that he was intrigued with the idea of older ALQs being renovated and brought up to Code in an effort to revitalize neighborhoods. He also suggested that there be designated parking on the driveway for such quarters.

Mayor Smith commented that it was the direction of Council that staff establish a regulatory process to prohibit "the duplex syndrome" (i.e., dual rental); that staff also establish a set of rules for individuals who want to lease/rent ALQs, which would include a heightened level of responsibility; and that staff bring back additional options for the Council to consider.

Deputy City Attorney Donna Bronski assured the Council that staff would bring back some new options for their consideration.

Mr. Sheffield reported that the next topic was related to single residence districts that face on to an arterial street. He advised that there were several houses that face arterial streets, which are no longer suitable for single residence uses, and said that the owners often have difficulty rezoning the properties to an alternative use. Mr. Sheffield noted that by utilizing an SUP, small retail shops, restaurants and offices would be allowed in these districts without rezoning. He said that the commercial activity area would be no more than 1,500 square feet for retail, personal services and restaurants; up to 2,000 square feet for general and medical offices; and the businesses would provide onsite parking. He added that the owner would go through a public review process with the Board of Adjustment.

Councilmember Finter stated that in District 2 along Southern Avenue, many homes have been converted into professional offices and he has never objected to such uses. He said that he no longer had the concerns which he expressed earlier and added that he was confident the public review process would address any issues expressed by neighbors.

(Mayor Smith excused Councilwoman Higgins and Councilmember Somers from the remainder of the Study Session at 9:45 a.m.)

Mr. Sheffield further reported that currently there is a requirement for a 10-foot wide vehicular access side yard in single residence districts, which allows for no encroachments such as pool equipment, chimneys and fireplaces. He noted that he became aware of a discussion, although he was not present, regarding Lehi Crossing and possibly deleting the vehicular access requirement from all lots. Mr. Sheffield stated that staff was seeking Council input as to whether this requirement should be deleted as mandatory unless a Planned Area Development (PAD) is approved.

Development and Sustainability Department Director Christine Zielonka advised that she was present for the discussion regarding Lehi Crossing and said that the direction provided by

Councilwoman Higgins was if it was good for the PAD at Lehi Crossing, as far as allowing that flexibility, why not just allow it for any development.

Responding to comments from Mayor Smith, Mr. Sheffield clarified that the reason staff was seeking Council input is that there were several provisions in the Code that, for example, if a person wanted to park an RV or boat or get mechanical equipment into the backyard to construct a pool, then the 10 foot area provides for that. He commented that with regard to a PAD, which is typically a larger site, there is generally a Homeowners Association involved and their CC&Rs prohibit the RV/boat parking in the side yard. Mr. Sheffield added that when there is a non-PAD condition, there are no CC&Rs that prohibit such activity.

Mayor Smith stated that it was the consensus of the Council to leave the requirement as it is and noted that if it becomes a problem, the Council could address it at that time.

Mr. Sheffield discussed the various elements of the Transition Policy (See Pages 7 through 9 of Attachment 1), which would take effect pending adoption of the Zoning Code Update. He stated that the Planning & Zoning Board (P&Z) generally agreed with the Transition Policy and said it was very similar to the policy utilized by the Town of Gilbert when it updated its Zoning Code several years ago.

Mayor Smith commented that the Council concurred with the Transition Policy and said that if problems arose, they would address them at a later date.

Mr. Sheffield highlighted the proposed revisions to the Technology Policy, which was last reviewed by the Council in 1997. (See Page 10 of Attachment 1) He reported that there have been significant changes both to the technology of telecommunications and case law since that time. Mr. Sheffield advised that the new policy would set a preference order of location and design and noted that most applications for cell towers require an SUP, which would be determined by the Zoning/Hearing Administrator or the Board of Adjustment. He added that staff proposes "by-right" options in industrial zones, which are the least controversial locations, and might encourage the industry to build more cell towers on those sites as opposed to residential areas.

Mayor Smith stated that he agreed with the "by-right" option, but said it did not address the issue of which corner on the property a cell tower would be built and its impact on adjacent neighbors and businesses.

Mr. Sheffield clarified that under the proposed option, staff would conduct a review of the proposed location of the cell tower and said the neighboring property owners would not be notified regarding the matter.

Mayor Smith suggested that staff develop an alternative process that solicits neighborhood input and feedback.

Responding to a question from Councilmember Finter, Mr. Sheffield clarified that the proposed policy would be the same process as currently exists with regard to cell towers on school property. He explained that schools receive income when cell towers are built on their property and noted that the City regulates that process since it is not a school function. Mr. Sheffield

added that the application goes through a public hearing process and staff notifies property owners within 600 feet of the site.

Mayor Smith commented that there should be some burden placed on the property owner and the industry to mitigate or reduce the interference of a cell tower with surrounding uses, especially in residential areas. He stated that it was unfair that a neighbor whose property backs up to an industrial area is forced to deal with the placement of a cell tower nearby when the industrial property owner elected not to locate it at the front of the property.

Mr. Sheffield responded that Phoenix has implemented an administrative review whereby prior to adoption of the proposed site plan, the applicant conducts a neighborhood meeting. He said that if there is opposition to the location of the cell tower, the neighbors would file a letter with staff and a hearing would be held regarding the specific case.

Councilmember Kavanaugh commented that staff has taken "a balanced approach" by acknowledging what Federal law requires the City to do by creating the location and design preferences and also providing "a clear pathway" for the applicants to exercise their right to locate the cell towers. He stated that if the applicants follow such preferences, it hopefully would minimize both the concern on behalf of the public and delays in the process.

Ms. Zielonka stated that in response to Mayor Smith's concerns, staff would go back and look at some mandatory setbacks with respect to industrial uses adjacent to non-industrial uses.

Mayor Smith commented that there are large areas of the community that do not have industrial zones and said that it was difficult to obtain good cell service without placing cell towers at schools, churches or commercial sites, which are ultimately near residential areas. He urged that staff convey to applicants that it was important to be sensitive with respect to the site selection of the cell towers.

Councilmember Richins expressed support for the City encouraging and rewarding creative and artistic designs for cell towers.

Additional discussion ensued relative to the fact that the City encourages multiple carriers to co-locate on an existing cell tower; and that the draft Update includes a separation requirement of 1,000 feet between cell towers, which would force co-location whenever possible.

Mr. Sheffield continued with his presentation and highlighted Location Preferences for cell towers (See Page 11 and 12 of Attachment 1) and Design Preferences. (See Pages 13, 14 and 15 of Attachment 1)

Mr. Sheffield further reported that with respect to Council Use Permits (CUPs), bars would require a CUP in the C-2 District, which under the new Code would be called the Limited Commercial (LC) District, and would continue to be a "by-right" condition in the C-3 District, or General Commercial (GC) District. He also highlighted the small scale commercial revisions in which a CUP would be required. (See Page 16 of Attachment 1)

Mr. Sheffield remarked that if a pool hall had a restaurant liquor license, it would be a "by-right" condition in the C-2 District and if the facility had a bar liquor license, it would be a CUP. He explained that with a beer/wine license, the business would not be subject to the 40% food

requirement that is necessary for a restaurant license, but it would also not serve hard liquor. Mr. Sheffield requested input from the Council as to whether it would be appropriate to add a beer/wine license as a "by-right" option for pool halls in the C-2 District that would allow a family-oriented pool hall to serve beer without necessarily meeting the 40% food requirement.

Councilmember Richins commented that it would be appropriate for the City to acknowledge that the "shooting pool lifestyle" has changed and is included with other recreational activities. He also inquired whether a CUP was necessary for a pool hall or bar in the LC District.

Mayor Smith stated that the Council concurred with Councilmember Richins' comments.

Mr. Sheffield noted that he would delete the CUP in C-2 for pool halls.

Mr. Sheffield briefly summarized the requirements for CUPs related to Schools (K-12) located in Commercial and Industrial Districts (See Page 17 of Attachment 1); Pawn Shops (See Page 18 of Attachment 1); and Tattoo and Body Piercing Salons. (See Page 19 of Attachment 1)

Mayor Smith suggested that with respect to tattoo and body piercing salons, that staff create minimum operational standards (similar to what they developed for massage parlors) that business owners would be required to meet before they could come before the Council requesting a CUP. He said that such standards would enable good businesses to thrive and discourage bad operators from coming to Mesa.

Councilmember Richins concurred with Mayor Smith's comments. He also stated that over the past few years, the public's perception of tattoo and body piercing salons has changed and noted that the acceptance of tattoos has become "fairly mainstream."

Mr. Sheffield clarified that the proposed revisions would remain as it, but staff would continue to work on operational standards with the idea of eliminating the CUP.

Mr. Sheffield further discussed auto-related uses in downtown that would require a CUP. (See Page 20 of Attachment 4) He said that staff anticipates the Downtown Code would be replaced by the Form-Based Code as part of the Central Main Street Plan. He stated that auto uses tend to interfere with pedestrian oriented design of urban areas.

Councilmember Richins commented that his auto mechanic was located near the Sycamore light rail station and stated that there was "a convenience factor" with respect to such uses. He stated that he was somewhat uncertain with regard to this item.

Mayor Smith questioned whether this "rises to the level" that the Council should be making decisions with respect to these issues.

Mr. Sheffield responded that another option would be to "downgrade" the requirement to an SUP and leave the decisions to the Board of Adjustment.

Mayor Smith stated that if the City is developing a Form-Based Code, the Council should focus more on the policy and vision for the downtown area and less on specific uses. He added that there was Council concurrence to leave this item alone until completion of the Form-Based Code.

Mr. Sheffield continued with his presentation and discussed the CUP requirements with respect to Residence Use In Commercial Districts. (See Page 21 of Attachment 1) He stated that such uses would be "by-right" in Neighborhood Commercial (NC), LC, GC, and OC Districts with a density range of 15 to 25 dwelling units per acre (du/ac); 40% gross floor area being commercial uses; and limited to 15 du/ac in NC and GC Districts. Mr. Sheffield also noted that the development standards are per the "Designator," which was a new concept that staff introduced. He explained that an Auto Designator would use the current Suburban Standards, while areas designated for Urban Standards would be more pedestrian oriented.

Further discussion ensued relative to the process that the City would undertake to transition an existing commercial property to residential uses; that P&Z would conduct a site plan review and approve the case without seeking Council input; that as a "by-right" condition, if the proposed development conformed to the parameters specified in the ordinance, a site plan review and design review would be required; that infrastructure impacts would be addressed through the Engineering Department; and that if it was a mixed-use project, the case would come to the Council for approval.

Councilmember Richins stated that he liked the concept proposed by staff, but expressed concern that there was a lack of public input in the process.

Mr. Sheffield responded that P&Z would hold a public hearing with respect to the site plan modification. He stated that if the Council wanted these cases to come before them for review, staff would replace the "by right" provision in the Code with the CUP.

Councilmember Richins inquired how the City could encourage a transition of uses, maintain Council oversight, and include public input in the process.

Mayor Smith inquired if the "by-right" provision could remain, but the site plan come to the Council for review.

Mr. Sheffield clarified that it would be necessary for staff to develop a new mechanism in order for site plans to come to the Council.

Mayor Smith commented that there were many vacant commercial properties in Mesa that the City would encourage be converted to mixed-use developments. He stated that such cases represent a significant change in land use and noted that he would prefer that the Council be involved in the process.

Ms. Zielonka stated that staff would review this issue further and bring back a proposal for the Council's consideration.

Mayor Smith further remarked that with respect to the number of dwelling units per acre, he would encourage development, but not on the low end of the density range.

Councilmember Richins suggested that if there was a high quality development that met the City's design standards and was, for instance, 10 du/ac, he would encourage such a use.

Mr. Sheffield clarified that a developer always has the ability to request a CUP to allow the density range to exceed the 15 du/ac or the 25 du/ac.

Ms. Bronski clarified that the Council was looking for by-right uses, with the ability to have control over site plans. She said that staff would come up with a process and recommendations in that regard.

In response to a question from Councilmember Richins, Mr. Sheffield stated that the Design Review Board would consider any developments over 15 du/ac.

Mayor Smith stated that the proposal for 40% gross floor area for commercial use is an industry standard and noted that if the use goes beyond that amount, it changes the nature of the site and should go through a rezone. He commented that in the future, if it creates monotony and barriers to reuse, he would like the option to revisit the matter.

Councilmember Richins suggested that any variations from the 40% gross floor area for commercial use be brought to the Council.

Mr. Sheffield stated that he received an e-mail from a Mesa resident who was interested in developing a Schnepf Farms "agri-tainment" business and said that the City currently did not have a mechanism that would allow such an enterprise. He noted that staff proposes to require an SUP in the Agriculture District to authorize such a use.

Mr. Sheffield further requested Council input as to whether to consider off track betting as part of the Zoning Code Update or to bring it back after the Zoning Ordinance is adopted. He advised that it would be easier if it was incorporated into the Update.

Mayor Smith stated that the Council concurred with Mr. Sheffield's suggestion.

Mayor Smith thanked everyone for the presentation.

3. Hear reports on meetings and/or conferences attended.

There were no reports on meetings and/or conferences attended.

4. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Saturday, January 15, 2011, 6:00 p.m. – MLK Reception and Dinner

Thursday, January 20, 2011, 7:30 a.m. – Study Session

5. Items from citizens present.

There were no items from citizens present.

6. Adjournment.

Without objection, the Study Session adjourned at 10:45 a.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 13th day of January 2011. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

pag
(attachment – 1)



Zoning Ordinance Update

Housekeeping Items

Presentation to

City Council Study Session

January 13, 2011

Land Use - Impact - Form

Balanced Emphasis Leads to More Predictable Results

Proposed Update	Current Ordinance		
<p style="text-align: center;">Land Use</p>	<p style="text-align: center;">Activities, Use, Res Density</p>	<p style="text-align: center;">Land Use</p>	<p style="text-align: center;">Land Use</p>
<p style="text-align: center;">Impact</p>	<p style="text-align: center;">Spacing, Buffering, Orientation</p>	<p style="text-align: center;">Impact</p>	<p style="text-align: center;">Impact</p>
<p style="text-align: center;">Form</p>	<p style="text-align: center;">Aesthetics, Bulk, Site Design</p>	<p style="text-align: center;">Form</p>	<p style="text-align: center;">Form</p>

Hearing/Adoption Topics

- Notice and Hearing Schedule
- Single Residence Items
 - Accessory Living Quarters
 - Limited-scale Commercial on Arterial Streets
- Transition Policy: Evolving from old to new
- Revisions to Telecommunications Policy
- Council Use Permits
 - Bars/Pool Halls
 - Schools
 - Tattoo Shops
 - Residential Uses in Commercial
 - Pawn Shops
 - Auto Uses in Downtown

Notice and Hearing Schedule

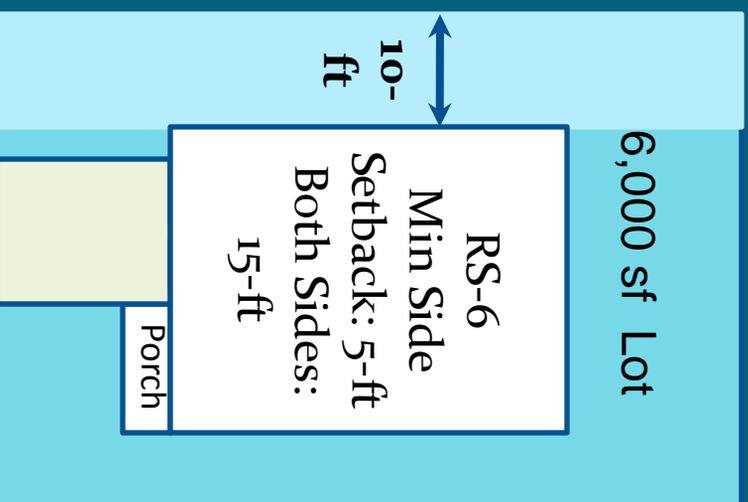
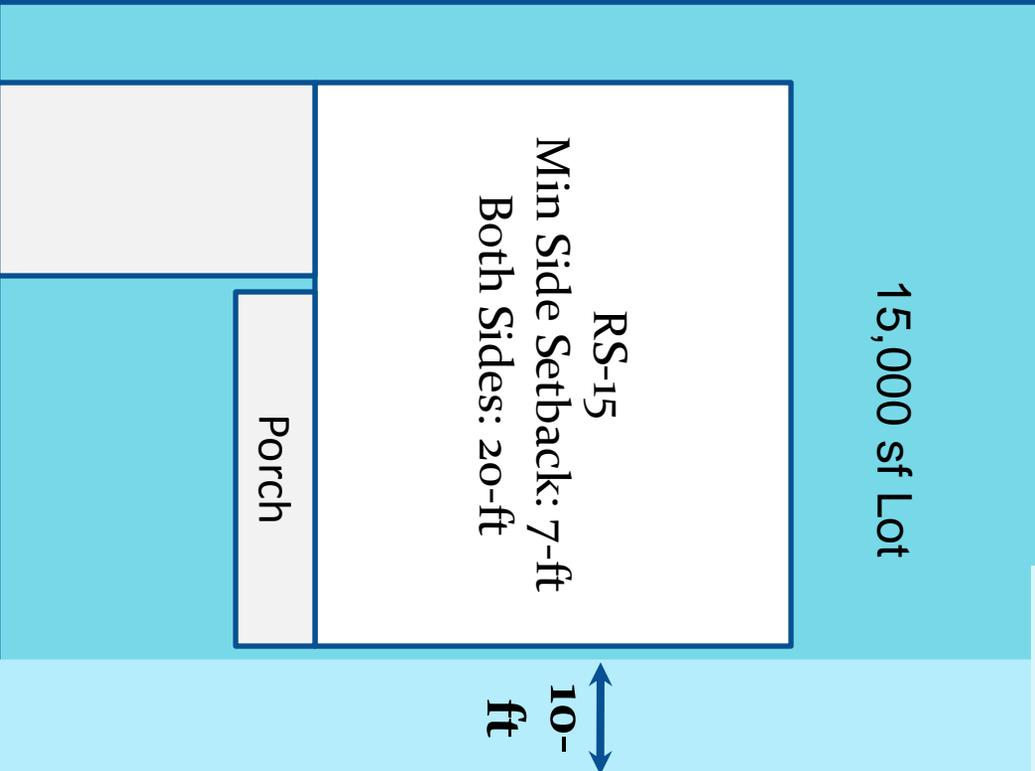
- January 11: Final Draft of Update is placed on website. Hard copies to be placed in all library branches, City Clerk's Office, and Planning Div Office
- Mid January: Legal Notice of Hearing Date is sent by First Class Mail to 131,000 plus Owners of property in Mesa.
- Ongoing: Press Release issued.
PSAs are running on Mesa Channel 11.
- Feb 16: P&Z Hearing Scheduled for Feb 16
- Apr 18: Tentative Date for Council Consideration

Revisions: Single Residence

1. Accessory Living Quarters (ALQ):
 - a. Delete SUP Requirement
 - b. Delete ALQ “Shall Not be Leased or Rented”
2. Allow Limited Scale Commercial Uses on Arterial Streets with Special Use Permit
 - a. Max 1500 sf – Retail, Personal Services, Restaurants.
 - b. Max 2,000 sf – General and Medical Offices
 - c. Req’d to Front on both Arterial & Local Streets

Revisions: Single Residence

Should the 10' wide Vehicular Access Side Yard be Deleted as Mandatory unless a PAD is approved?



Transition Policy

- Violations Continue (Old Code)
- Partially Constructed – Old Code unless Permit Expires after 3 years from effective date
- PC, BIZ, PAD or DMP Overlay: No change to approved plans
- Applications Filed After Effective Date:
New Code

Transition Policy

Applications filed after adoption but before effective date:

- A) May elect to use “old” or “new” ordinances
- B) If “Old Code”, approved plans required to be filed for permit within 3-years of date of approved application. Then New Code applies
- C) Approved Plans that have expiration dates required to be filed for permit before expiration date (1-yr for SUPs, Prelimin. Plats)

Transition Policy

Existing Approved Plans, Not Built

- A) 3-years to build approved plan
- B) After 3-years: Modify Plans to meet New Code
- C) Plans with Time Limits Comply with Time Limit
- D) Plans with Time Limit Requiring Design Review: File for DR within Time Limit, File for Permit within Time Limit dated from DR Approval

Telecommunications

- Existing Policy Adopted in 1997
- Significant Changes to Technology & Case Law
- Sets Preference Order of Location & Design
- Provides “By-right” options in Industrial Zones
- Design Preferences double up as criteria for review of Special Use Permits
- Incentives provided in terms of quicker processing time for voluntary compliance

Location Preferences

1. Existing non-residential structures located more than 300 feet from a residential zone,
2. Existing permanent poles located more than 300 feet from a residential zone.
3. Co-located with existing cell towers
4. Limited, General and Heavy Industrial Districts sites more than 300-feet from a residential zone.

Location Preferences

5. Camouflaged, stealth, or building-mounted facilities in LC, GC or PEP
6. Camouflaged, stealth or building-mounted facilities on non-residential structures, including monopoles, in AG or any Residential District.

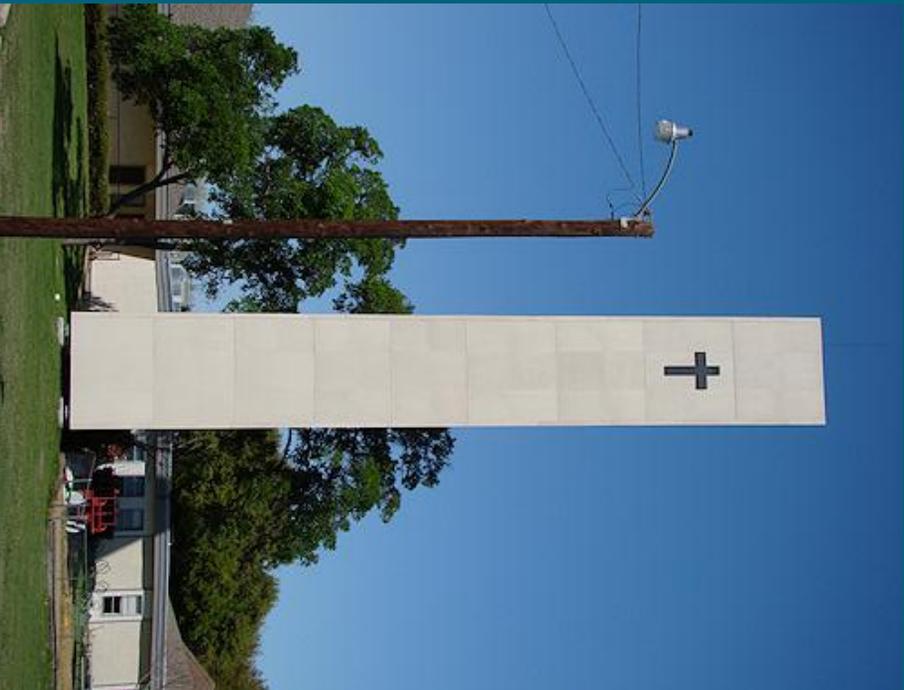
Design Preferences

1. Existing Steeples, Clock towers & Cupolas.
2. Faux penthouses & Parapet additions.
3. Antennas below existing roof-line (façade mount, pole mount) and painted to match.
4. Freestanding Steeples & Clock Towers.
5. Freestanding stealth tree, such as monopalm.
6. Freestanding monopoles or other antenna towers.

Design Preferences



Design Preferences



CUPS: Commercial Recreation

A. “Bars”: Council U.P. in LC, By-right in GC

B. **Small Scale Comm. Recreation (Indoors)**

- Bowling alleys and Billiard/Pool Halls*
< 50,000 sqft - “by right”, > 50,000 sqft - SUP
- *Pool halls w/ Rest liq license: by right in LC.
 - Add Beer - Wine License as By-right Option?
- *Pool halls w/ Bar liq license: CUP in LC district, By right use in GC
- Small Scale: Arcades, Card Rooms, Dance Studios

CUPs: Schools in Comm & Industrial

- Schools: Permitted “By right” in all Residence Districts
- Concern: Replacement of Tax/Job Producing Sites
- CUP in Commercial: NC, LC, GC, OC, MX,
- CUP in Industrial: PEP, LI, GI
- Not Permitted in HI (New Heavy Industrial)
- CUP in Any Downtown District

Pawn Shops

- CUP in NC, LC and GC
- Prohibited in PEP, LI, GI and HI
- Separation:
 - 1200-feet from another Pawn Shop
 - 1200-feet from a School
- Good Neighbor Policy Requirements
- Operational Standards

Tattoo & Body Piercing Salons

- CUP in LC and GC, and in LI and GI
- Prohibited in NC, OC, PEP, and HI
- Separation:
 - 1200-feet from another Pawn Shop
 - 1200-feet from a School
- Good Neighbor Policy Requirements
- Operational Standards

Auto-related Uses in Downtown

- CUP: Auto Sales, Rental, Repair, Wash or Gas in DC
- CUP: Drive-thru Windows in DB-1 or DC
- Anticipate Replacement of Downtown Districts with upcoming Form-based Code
- Auto Uses tend to interfere with Pedestrian oriented design of urban areas

Residence Use in Commercial

- CUP: Any residential use in any “C” district
- By-right in NC, LC, GC and OC with limits
 - Density Range: 15 to 25 du/ac
 - 40% Gross Floor Area : Commercial Uses
 - Limited to 15 du/ac in NC and GC
- Development Standards as per “Designator”
 - Urban Standards: Pedestrian Oriented
 - Auto Designator: Suburban Oriented

Does the Council Concur with these Revisions? Questions?

Planning.Info@MesaAZ.gov
www.MesaAZ.gov