ORDINANCE NO. 5326

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA AMENDING SECTION 9-6-5 OF THE MESA CITY CODE INCREASING REQUIRED SIDEWALK WIDTHS TO FIVE FEET WIDE WITHIN THE DESERT UPLAND DEVELOPMENT STANDARDS; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

THEREFORE BE IT ORDAINED by the City Council of the City of Mesa, Maricopa County, as follows:

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

Section 1: That Title 9, Chapter 6, Section 9-6-5 (B) of the Mesa City Code is hereby amended by modifying the required sidewalk width on local residential streets within the public right-of-way from 4 feet to 5 feet:

9-6-5(B)		LOCAL RESIDENTIAL STREETS - PUBLIC						
DIST.	**LOT SIZE, SF**	**R.O.W.**	**CL TO BC**	**PARKING**	**CURB**	**SIDEWALK**	**WATER MAIN**	**STREETLIGHT**
R1-6 to R1-9	6,000+ to 9,000+	53'	17.5'	Both Sides	2' Roll	**5'** ~~4'~~ Width, Detached 5'*	1' Behind Curb	4' Behind Curb
R1- 15	15,000+	47'	14.5'	One Side Only	2' Roll	**5'** ~~4'~~ Width, Detached 5'*	1' Behind Curb	4' Behind Curb
R1-35	35,000+	43'	12.5'	None	2' Roll	**5'** ~~4'~~ Width, Attached	1' Behind Curb	~~5'~~ Behind Curb **6'**
R1-43 to R1-90	43,560+	30'	12.0'	None	3' Ribbon	None	1' Behind Curb	None

*Landscaping shall consist of trees with limited canopies and shrubs selected from the Preferred Desert Uplands Plant List in accordance with Subsection (G)3 of this Section. Fifty percent (50%) of the trees are to be twenty-four-inch (24") box (new or salvage), within the five-foot (5') landscape strip between the curb and sidewalk. Street lighting for the area north of McDowell Road, east of Hawes Road, and west of Usery Mountain Regional Park shall be in accordance with Subsection (D)6 of this section.

Streetlighting for the area north of McLellan Road, west of Ellsworth Road/92nd Street Alignment, south of McKellips Road and east of a north/south line one-quarter mile west of Hawes Road, and the area north of McKellips Road, west of Ellsworth Road/92nd Street Alignment, south of Hermosa Vista Drive, and east of Hawes Road, shall be in accordance with Subsection (D)7 of this Section.

Section 2: PENALTIES:

(A) It is unlawful to develop land contrary to or in violation of any provisions of this Chapter or of any provisions designated as a condition of approval either by the plan review process or through an amendment, variance, or appeal by an office, board, commission, or the City Council as established by this Chapter.

(B) Any person, firm, or corporation violating any provision of this Chapter and any amendment to it shall be guilty of a Class 1 misdemeanor, punishable by a fine not to exceed two thousand five hundred dollars ($2,500.00) or by imprisonment in the City jail for a period not to exceed six (6) months, or by both such fine and imprisonment; and each day of violation continued shall be a separate offense, punishable as described.

PASSED AND ADOPTED by the City council of the City of Mesa, Maricopa County, Arizona, this 16th day of May, 2016.

CITY OF MESA CORPORATE SEAL MARICOPA COUNTY, AZ

APPROVED:

Mayor

ATTEST:

City Clerk