ORDINANCE NO. 6023

AN ORDINANCE AMENDING SECTION 11-3-2, OFFICIAL ZONING DISTRICT MAP AND DISTRICT BOUNDARIES, OF THE MESA CITY CODE, CHANGING THE ZONING OF CERTAIN PROPERTY DESCRIBED IN ZONING CASE ZON25-00110 LOCATED AT 1609 WEST UNIVERSITY DRIVE. 0.4± ACRES. REZONE 0.4± ACRES FROM OFFICE COMMERCIAL (OC) TO LIMITED COMMERCIAL WITH A BONUS INTENSITY ZONE OVERLAY (LC-BIZ) AND SITE PLAN REVIEW FOR A 4,015 SQUARE FOOT MINOR AUTOMOBILE SERVICE AND REPAIR DEVELOPMENT AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA:

Section 1: That Section 11-3-2, Official Zoning Map and District Boundaries, of the Mesa Zoning Ordinance is hereby amended by adopting the Official Supplementary Zoning Map for Zoning Case ZON25-00110 signed by the Mayor and City Clerk, which accompanies and is annexed to this ordinance and declared a part hereof.

Section 2: The Official Supplementary Zoning Map attached hereto is adopted subject to compliance with the following conditions:

1. Compliance with the final site plan, landscape plan and elevations as submitted.
2. Compliance with the Good Neighbor Policy submitted.
3. All noise generating activities, including, but not limited to, tire installations and repairs, shall be conducted within the fully enclosed building.
4. All exterior lighting shall conform to Section 11-30-5 of the Mesa Zoning Ordinance.
5. Outdoor storage of goods and equipment shall not be permitted.
6. Compliance with all applicable City development codes and regulations, except the modifications to the development standards as shown in the following BIZ Overlay table:

Development Standards	BIZ Approved
Minimum Building and Parking Area Setbacks – *MZO Table 11-6-3.A* Front and Street-Facing Side Interior Side and Rear: Adjacent to RS District	**10' (east property line to building)** **14' (east property line to parking area)** **23' (west property line to building)** **5' (west property line to parking area)** **22' (south property line to building)**
Auto Service Bays – *MZO Section 11-30-9(F)(2)(d)*	**3' screen wall**
Parking Areas – *MZO Section 11-30-9(H)(7)*	**0'**
Automobile/Vehicle Repair – *MZO Section 11-31-6(A)*	**0.4± acres**
Size of Parking Spaces and Maneuvering Aisles – *MZO Section 11-32-2(J)*	**11'**
Required Parking Spaces by Use – *MZO Table 11-32.3.A*	**11 spaces (4 spaces may conditionally satisfy requirement per Condition of Approval No. 8.)**
Setback of Cross Drive Aisles – *MZO Section 11-32-4(A)*	**18'**
Perimeter Landscaping – *MZO Table 11-6-3.A* Front and Street-Facing Sides shall be Landscaped According to Ch. 33	**12' (minimum north property line)** **11' (minimum east property line)**
Required Number of Plants by Street Type – *MZO Table 11-33-3.A.4* 1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage	**Two 36-inch box trees and two 24-inch Ocotillo (east property line)**

Development Standards	BIZ Approved
Required Landscape Yards – *MZO Section 11-33—(B)(1)(a)(i)* Landscaping for Non-Single Residence Uses Adjacent to Single Residence Uses less than 5 Acres	**5' (minimum west property line)** **6' (minimum south property line)**
Landscape Islands – *MZO Section 11-33-4(B)(2)*	**One island 3 feet wide and 18 feet long**
Landscape Island Plant Material – *MZO Section 11-33-4(D)*	**0 trees**
Foundation Base – *MZO Section 11-33-5(A)* Exterior Walls with a Public Entrance Exterior Walls without a Public Entrance, not Adjacent to Parking Stalls	**5' minimum (north elevation)** **4' (west elevation)** **0' minimum (south elevation)**
Landscape Area in Foundation Base – *MZO Section 11-33-5(B)(1)* 1 Tree Per 50 Linear Feet or Less of Exterior Wall Length	**0 Trees**
Plant Material Within Foundation Base – *MZO Section 11-33-5(B)(3)* Exterior Walls Visible from Public Parking or ROW with Public Entrances	**0% (north elevation)**

7. Installation of all off-site improvements and street frontage landscaping during the first phase of construction.

8. On a conditional basis, four (4) parking spaces will be considered to satisfy the parking requirement, so long as: (a) the reduced on-site parking requirement does not create adverse parking impacts on surrounding streets, properties, or the adjacent neighborhood; or (b) services offered on-site do not result in customer vehicles queuing or waiting in the public right-of-way or adjacent property. A violation of subsection (a) or (b) may be shown by the City's Civil Hearing Officer entering a judgment finding a responsible party responsible for a civil violation of the Mesa City Code. If a violation of subsection (a) or (b) is established, four (4) parking spaces will not be considered to satisfy the parking requirement, and the property owner shall obtain the applicable alternative compliance permit, shared parking approval, off-site parking

approval, or other required parking approval within thirty (30) days, unless a longer period is approved by the Zoning Administrator. If the violation is based solely on subsection (b), the property owner may instead discontinue the service causing the off-site queuing, in which case four (4) parking spaces may continue to satisfy the parking requirement if the Zoning Administrator determines the discontinuance resolves the off-site queuing.

Section 3: 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 Ordinance 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 Ordinance 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 described above 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 three (3) or more civil violations of this Ordinance within a twenty-four (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 class 1 criminal misdemeanor complaint in the Mesa City Court against habitual offenders. For purposes of calculating the twenty-four (24) month period under this Subsection, the dates of the commission of the offenses are the determining factor.

B. Upon conviction of a violation of this Section, the Court may impose a sentence of incarceration not to exceed six (6) months in jail; or a fine not to exceed two thousand five hundred dollars ($2,500.00), exclusive of penalty assessments prescribed by law; or both such fine and imprisonment. The Court shall order a person who has been convicted of a violation of this Section to pay a fine of not less than five hundred dollars ($500.00) 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 this Subsection except on the condition that the person pay the mandatory minimum fines as provided in this paragraph.

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 City Council of the City of Mesa on July 27, 2026.

_____
Mark Freeman, Mayor

Attest:

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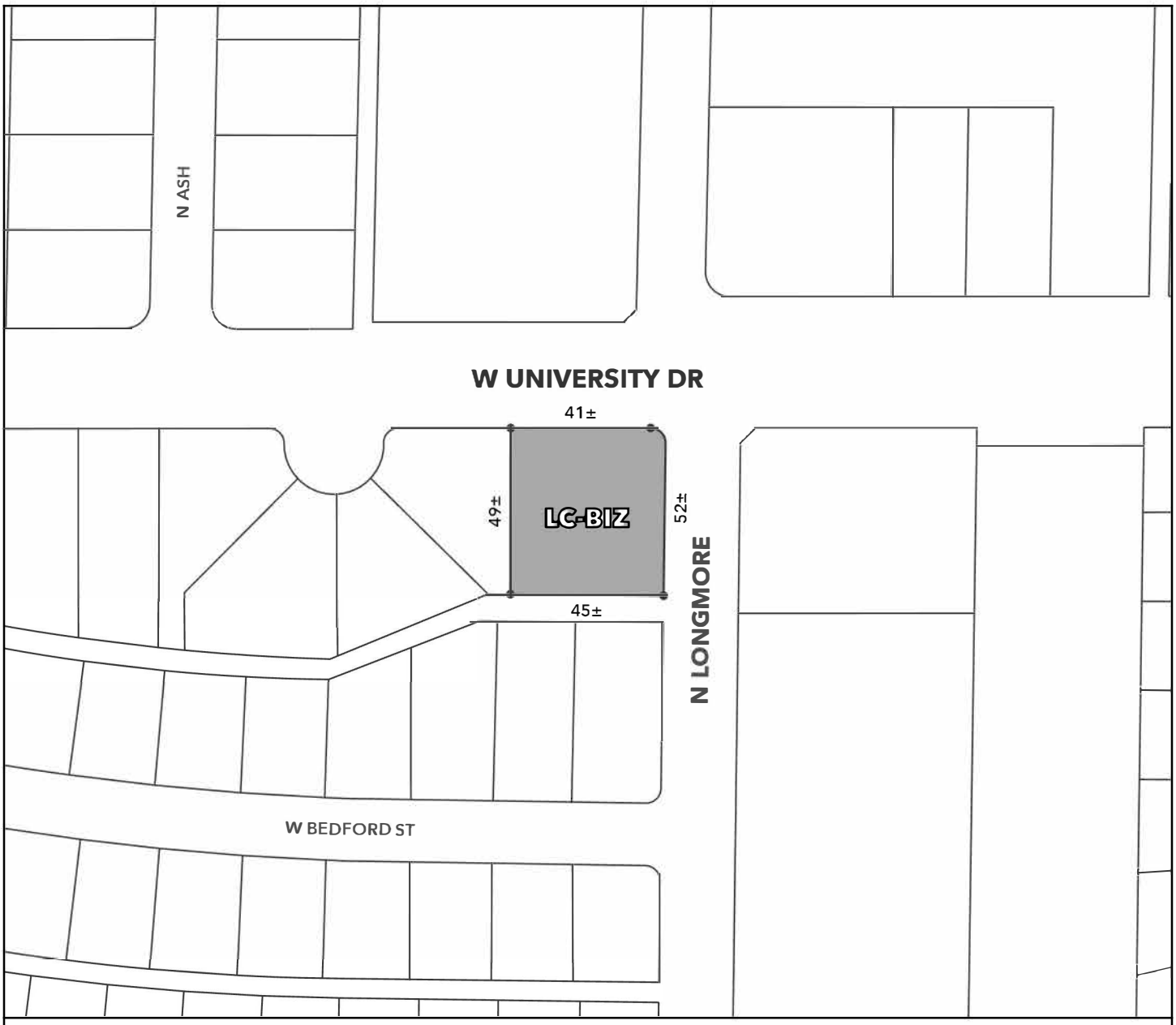
Holly Moseley, City Clerk

mesa·az

OFFICIAL SUPPLEMENTARY ZONING MAP
AMENDING THE CITY OF MESA ZONING MAP



CASE: ZON25-00110
ACREAGE: 0.4±
REQUEST: Rezone from Office Commercial (OC) to Limited Commercial with a Bonus Intensity Zone Overlay (LC-BIZ) and Site Plan Review. This request will allow for an approximately 4,015± square foot Minor Automobile Repair facility.

ORDINANCE: 6023

Please be advised that the attached zoning changes were approved by the Mesa City Council on July 27, 2026 by Ordinance #6023. If you have any questions concerning these changes, contact the City of Mesa Planning Division at 480-644-2385.

_____ ATTEST: _____ DATE: _____

MAYOR CITY CLERK