

ORDINANCE NO. 6031

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 ZON25-00891, LOCATED AT NORTHEAST CORNER OF SOUTH ELLSWORTH ROAD AND EAST WILLIAMS FIELD ROAD. 196.3± ACRES. REZONE 196.3± ACRES FROM LIGHT INDUSTRIAL (LI) TO PLANNED COMMUNITY (PC) DISTRICT TO ALLOW FOR THE DEVELOPMENT OF A MIXED-USE PLANNED COMMUNITY, APPROVING CERTAIN ALTERNATIVE ENGINEERING STANDARDS FOR THE PC DISTRICT, 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 ZON25-00891 signed by the Mayor and City Clerk, which accompanies and is attached to this ordinance as Exhibit A 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 Community Plan and any future amendments thereto, including to the:
  - a. Master Concept Sewer Report;
  - b. Master Concept Drainage Report;
  - c. Master Concept Water Report; and
  - d. Final Traffic Impact Study.
2. Compliance with all City development codes and regulations except as identified within the Community Plan.
  1. Compliance with the Community Plan and any future amendments thereto, including to the:
    - a. Master Concept Sewer Report;
    - b. Master Concept Drainage Report;
    - c. Master Concept Water Report; and
    - d. Final Traffic Impact Study.
  2. Compliance with all City development codes and regulations except as identified within the Community Plan.
  3. Dedication of the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision

plat, and at the time of the City's request for dedication.

4. On-site traffic mitigation measures identified in the final Traffic Impact Study, all off-site improvements, and street frontage landscaping shall be installed in the first phase of construction.
5. Traffic Impact Study. The applicant recognizes that the Traffic Impact Study submitted with the Plan is not the final, approved Traffic Impact Study. Prior to the issuance of any permit, the final Traffic Impact Study must be approved at the sole discretion of the City Engineer and City Traffic Engineer.
  - a. As an exception to this requirement, after conferring with the Building Official, Planning Director, City Engineer, and City Traffic Engineer, the Development Services Department Director may authorize certain work to proceed at the applicant's sole risk before such approval if the Director determines that the final Traffic Impact Study is unlikely to differ from the current draft in a manner that would require the work to be modified, relocated, or reperformed.
  - b. If the applicant proceeds with work at its sole risk and the final Traffic Impact Study requires revisions to previously approved documents or the modification, relocation, or reperformance of work that does not comply with the final Traffic Impact Study, the applicant shall complete such revisions or work at its sole cost and expense. The applicant shall also be responsible for any associated resubmittals, reviews, and fees.
  - c. If a final Traffic Impact Study requires any amendment to the Community Plan or modifications any City standards, including those approved in the Community Plan, such amendments and modifications are not subject to this administrative approval, and instead will be governed by the applicable amendment or modification process set forth in the Community Plan or MZO.
6. Install any mitigation required by ADOT at the intersection of Ellsworth Road and SR-24, Williams Field Road and SR-24, or both, except that the City Manager may determine, in their sole discretion, that installation of one or more specific mitigation measures is not required.
7. Execution and compliance with all requirements of Development Agreement DA26-02402, including the Legacy Project Maintenance Agreement, and any future amendments thereto.

Section 3. The Community Plan adopts specific alternatives to the City of Mesa Engineering and Design Standards. Those alternatives are approved for application in the area depicted on the Official Supplementary Zoning Map for Zoning Case ZON25-008091.

Section 4. The Community Plan adopts unique procedures and standards for requesting and approving modifications to the City of Mesa Engineering and Design Standards and Guidelines. The

alternative procedures and standards are approved for application in the area depicted on the Official Supplementary Zoning Map for Zoning Case ZON25-00891.

#### Section 5. 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 September 14, 2026.

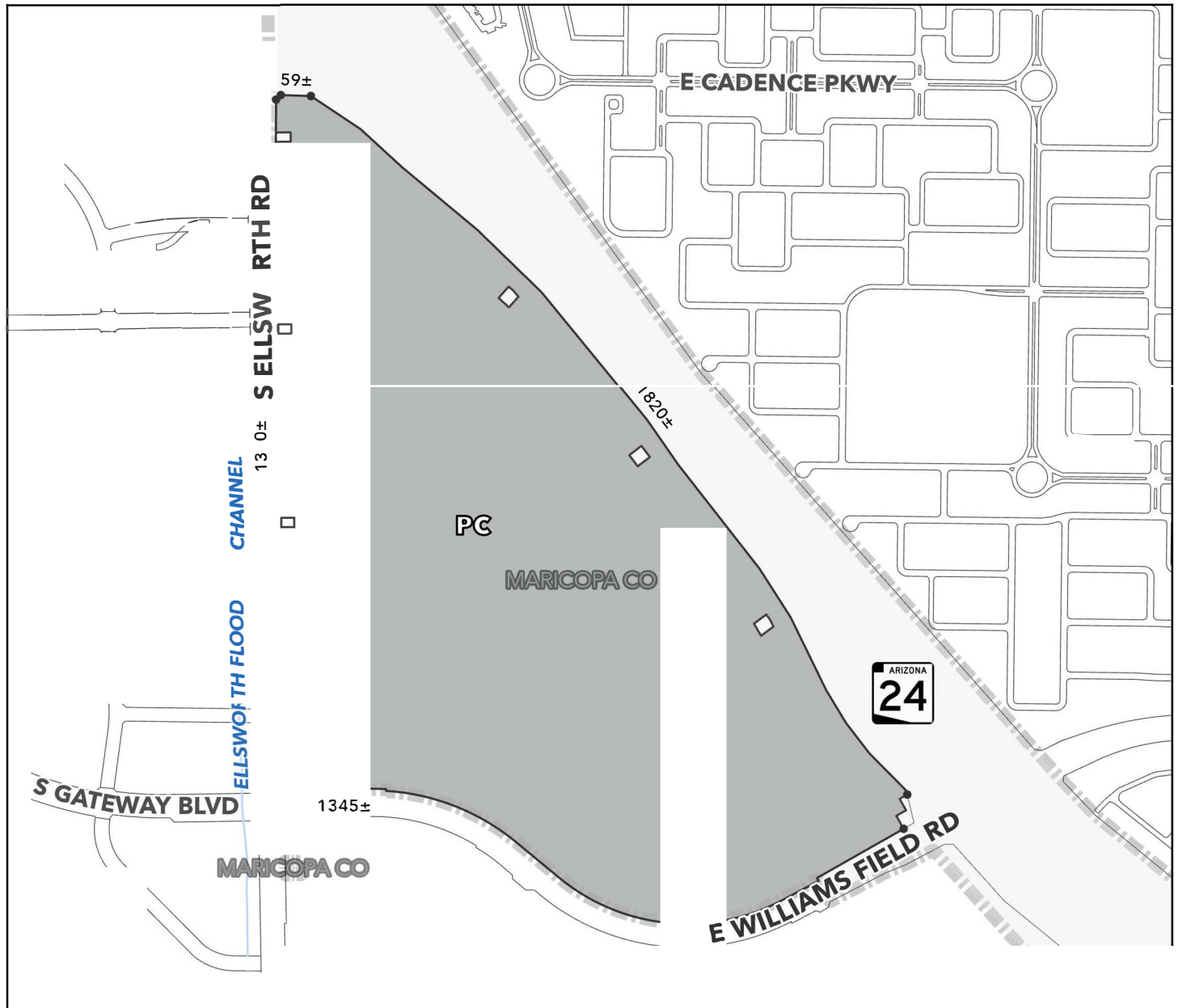
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Mark Freeman, Mayor

Attest:

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Holly Moseley, City Clerk



CASE: ZON25-00891

ACREAGE: 196.3±

REQUEST: Rezone from Light Industrial to Planned Community District (PC). This request will allow for the development of a mixed-use planned community.

ORDINANCE: 6031

Please be advised that the attached zoning changes were approved by the Mesa City Council on September 14 , 2026 by Ordinance # 6031 . If you have any questions concerning these changes, contact the City of Mesa Planning Division at 480-644-2385.

\_\_\_\_\_  
MAYOR

ATTEST: \_\_\_\_\_  
CITY CLERK

DATE: \_\_\_\_\_