



Data Center Law Waiver

PLEASE READ THE FOLLOWING CAREFULLY

- Ordinance No. 5957 (“Ordinance”) approved by the City Council on July 8, 2025, and effective August 8, 2025 (“Effective Date”) set forth the process by which a property owner may request a waiver of the land use laws applicable to Data Centers contained in Sections 1 and 2 of the Ordinance (i.e., a waiver of only the “Data Center Law” as defined by Section 12 of the Ordinance) (“Waiver”).
- A request for a Waiver must be submitted in writing, either by submitting this form or separate attachments to this form.
- A written request for a Waiver must be completed, signed, and submitted by the owner who legally owned the specific parcel of land for which the Waiver is being requested (“Property”) on the Effective Date (“Owner”) or by the legal representative of the Owner (please provide verification).
- A written request for a Waiver must be submitted to the City of Mesa Planning Division within three years of the Effective Date.
- Please submit a **hard copy of this waiver and support materials** to: Planning Division, P.O. Box 1466, Mesa, AZ 85211-1466.
- If a written request is not submitted within three years of the Effective Date, the Property is subject to the Ordinance in its entirety.
- Verification and evidence (e.g., a deed (may include an unofficial copy) of legal ownership of the Property on the Effective Date must be submitted with the written request for a Waiver.
- An Owner or their legal representative may only submit a written request for a Waiver for Property located in the Planned Employment Park (PEP), Light Industrial (LI), General Industrial (GI), Heavy Industrial (HI), or Downtown Business-2 (DB-2); or located within the Eastmark (Mesa Proving Grounds) Planned Community with an identified Land Use Group (LUG) of Village, District, Regional Center/Campus, or Urban Core on the Effective Date. If the Property was rezoned on or after the Effective Date, and such rezoning modifies the land uses allowed on the Property by either rezoning to a different base zoning district or to an overlay zoning district that modifies the land uses allowed, the Property is not eligible for a Waiver.
- If granted, a Waiver grants the Owner only the right to use the Property in compliance with the Zoning Ordinance or Community Plan, as applicable, as if the Data Center Law was not adopted. Please refer to Section 12 of the Ordinance for more detailed information.

PLEASE SUBMIT THE FOLLOWING INFORMATION

- ☐ Attach evidence (e.g., a deed [may include an unofficial copy]) that the Owner owned the Property on the Effective Date.
- ☐ The specific amount of just compensation demanded: _____.
- ☐ A statement that the rights to use, divide, sell, or possess, and that the fair market value of, the Property was reduced by the enactment or applicability of the newly enacted “Data Center Law” (as defined by Section 12 of the Ordinance):



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PLEASE COMPLETE THE FOLLOWING INFORMATION

Property Address: _____

Property Assessor's Parcel Number(s) (APNs): _____

Owner/Legal Representative Information (if individual)

Name: _____

Address: _____

Owner/Legal Representative Information (other than individual)

Legal Name: _____

Name and title of legal representative: _____

Address: _____

PLEASE COMPLETE THE OWNER VERIFICATION

The undersigned is, and was on August 8, 2025, the Owner(s) of the Property that is identified on this form or is the legal representative of the person(s) who owned the Property on August 8, 2025.

The undersigned has applied for and seeks the City's approval of a waiver of the "Data Center Law" as defined by Section 12 of Ordinance No. 5957 on the Property. The undersigned represents and warrants:

(1) To being the owner of fee title to the Property or to being a person who has legal authority to bind all fee title owners of the Property to this Waiver; and

(2) All information provided on this form and with the written request for a Waiver is true and correct.

The Owner or the legal representative of the Owner consents to the recordation of this Waiver with the City of Mesa.

OWNER/LEGAL REPRESENTATIVE:

OWNER/LEGAL REPRESENTATIVE:

Print Name

Print Name

Sign Name

Sign Name

Date

Date

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