

## Chapter 72      Development Incentive Permits

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### 11-72-1:      **Purpose and Applicability**

This chapter is intended to provide incentives for the development of smaller tracts of land that would have difficulty meeting current development standards, having been bypassed by previous developments, and where land assembly either is not available, or is available only to a limited extent. Development Incentive Permits (DIPs) may be approved to allow incentives for the development of parcels that meet the following criteria:

- A.      **Area.**
  - 1.      Total area of the parcel does not exceed 2.5 net acres, and the parcel has been in its current configuration for more than 10 years; or
  - 2.      Total area of the site does not exceed 5 net acres and was created by the assembly of 2 or more individual, contiguous parcels.
- B.      **Utilities.** The parcel is served by, or has direct access to, existing utility distribution facilities.
- C.      **Surrounding Development.** The parcel is surrounded by properties within a 1,200 foot radius in which:
  - 1.      The total developable land area is not more than 25 percent vacant; and
  - 2.      Greater than 50 percent of the total numbers of lots or parcels have been developed 15 or more years ago.

**11-72-2: Incentives**

Development incentives that may be granted by the DIP shall be limited to modifications to building setbacks, landscaping design, onsite parking, building height, right of way dedication, and other site development provisions contained in this Ordinance.

**11-72-3: Required Findings**

A DIP shall not be granted unless the Zoning Administrator, acting at the Hearing Officer, or Board of Adjustment shall find upon sufficient evidence:

- A. The proposed development is consistent with the General Plan, any other applicable Council adopted plans and/ policies, and the permitted uses as specified in this Ordinance;
- B. The incentives do not allow development that is more intense than the surrounding neighborhood; commensurate with existing development within a 1200 foot radius of the by-passed property; and,
- C. The architectural elements, construction and landscape materials, and other site improvements of the proposed development meet the intent of the Design Standards of this Ordinance.

**11-72-4: Conditions of Approval**

After the conclusion of the hearing, the Board of Adjustment or Zoning Administrator Hearing Officer may approve, modify, approve with conditions or deny the proposed Development Incentive Permits. The Board or Hearing Officer may condition any approval, and such conditions may include, but are not limited to: review by the Design Review Board; conditions to assure implementation of the submitted plan in accordance with the Mesa General Plan, and other applicable policies and plans adopted by the City; conditions to achieve the purpose and intent of the requested zoning district; and conditions to achieve reasonable compatibility with the proposed use and adjacent land uses.

**11-72-5: Appeals; Expiration and Extensions; Modifications**

- A. DIPs are subject to the appeal provisions of [Chapter 77](#), Appeals.
- B. DIPs are subject to the expiration and extension provisions of [Section 11-67-9](#), Expiration and Extension.

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- C. A minor modification of a DIP granted pursuant to this Chapter may be approved under [Section 11-67-10\(A\)](#), Modifications of Approvals. Changed plans, including changes in conditions of approval of a DIP shall be treated as a new application; see [Section 11-67-10\(B\)](#), Changed Plan.

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