



Community Development Department
7501 E. Skoog Blvd.
Prescott Valley AZ 86314
Phone (928) 759-3050
Fax (928)759-5511
email: comdev@pvaz.net

FINAL DEVELOPMENT PLAN (FDP) - COMMERCIAL APPLICATION SUBMITTAL & CHECKLIST

We do not accept any application via facsimile. Also, no application will be accepted unless it is complete including, but not limited to, the following:

- Type of development plan:
 - Final Development Plan
 - Modification
- A mandatory pre-application meeting with the Development Assistance Coordinator or Planner
- Three (3)** copies and CD of: a) The Final Development Plan with electronic PDF
- Hearing application stating the request and the type of proposed development, the Assessor's Parcel #, signed and dated application and whether applicant is the owner or the agent. If agent, include the name and address of the property owner, phone number, and a letter of authorization.
- A legal description of the property identified on the application in **electronic word format**.
- A site layout, landscape plan, building elevations, and other pertinent data as requested (see requirements). **Electronic images are also required.**
 - Site Plan
 - Landscape Plan
 - Building Elevations
 - Signage
 - Traffic Impact Analysis
 - Other _____
- A filing fee in the amount of:
 - Commercial = \$401.25 plus \$21.40 per acre or portion of an acre
 - Minor Plan Modification (Less than 2 acres commercial) = \$267.50
 - Major Plan Modification (2 or more acres commercial) = \$321.00 plus \$37.45 per acre
- Permission to enter property statement signed and notarized
- Letter of intent detailing the proposed use(s) and time period requested (if applicable)
- Letter of Agency
-
- Proposition 207 Waiver Form Signed** (*On Page 5 of the attached Waiver document, the Owner, or Agent needs to just state their name, and title if applicable, and have the signature Notarized. Staff will complete the remainder of the Waiver.*)

Note: The applicant or his representative should be present at scheduled meetings to answer questions.



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PLANNING DIVISION - HEARING APPLICATION **COMMERCIAL**
FINAL DEVELOPMENT PLAN (FDP)

FDP – PAD Minor Modification Major Modification

Project Name: _____ **Assessor's Parcel #:** _____

Site Address: _____ **Legal: Unit:** _____ **Lot:** _____

<i>For Staff Use Only</i>	
Applicant/Owner: _____ _____ Mailing Address: _____ _____ Phone: _____ Fax: _____ Email: _____	Meeting Date: / / Application No.: _____ Township _____ Section _____ Range _____ Date Received: _____ Zoning: _____ Fees & Charges: _____ Receipt #/Date: _____ Assigned To: _____ Taken By: _____
Agent (If different than property owner. Agent letter must accompany submittal): _____ _____ Mailing Address: _____ _____ Phone: _____ Fax: _____ Email: _____	Subdivision: _____ Site Location/Address: _____ _____ _____ Total Acreage: _____ Total Lots: _____
Name _____	Signature _____
Date _____	



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AUTHORIZATION TO ENTER PROPERTY

APPLICATION #: _____ Parcel #: _____ Unit/Lot #: _____

Legal Description (see attached): _____

APPLICANT(s): _____

Address: _____ Phone No.: _____

I, the undersigned, hereby give permission to the Prescott Valley Zoning Inspector (or any Deputy Inspector) in the discharge of his/her duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the enumerated application made under the terms of the Prescott Valley Town Code, or for any investigation as to whether or not any portion of such property, building or other structure is being placed, erected, maintained, constructed or used in violation of the Prescott Valley Town Code; or for any investigations for conditions, compliance and stipulations under the terms of the Prescott Valley Town Code and public hearings concerning this parcel. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer or renewal of the application. Such entry shall be limited between the hours of 7 A.M. and 6 P.M. MST. I understand that this permission to enter property is **OPTIONAL** and **VOLUNTARILY GIVEN** and may be withdrawn or revoked (either in writing or verbally) at any time.

Applicant's Signature: _____ Date: _____

(check one)

- Owner
- Agent for _____

STATE OF ARIZONA)
) ss
COUNTY OF YAVAPAI)

On this _____ day of _____ 20__ before me, the undersigned Notary Public, personally appeared who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal,

Notary Public: _____

Date Commission Expires: _____



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A Planned Area Development Use District (PAD) is applied as an overlay zoning to both residential and commercial properties. The PAD zoning allows flexibility of design and development; however, sets development guidelines in the form of a plan proposed by the applicant and approved by the Planning and Zoning Commission and Town Council. After the PAD zoning is adopted, or if the PAD overlay zoning is already in effect, a Final Development Plan can be brought directly to Council for approval of each phase of development. The Final Development Plan must be completed and in conformance with all applicable Town Codes and requirements before being scheduled for Council review.

13-19-060(H). The Final Development Plan shall include all pertinent information relating to the proposed PAD and contained in the Preliminary Development Plan (as refined and revised) and as may be required by Community Development Department Procedures and policies, the Planning and Zoning Commission, Town Council, or the officer in charge of administering this Chapter as set forth.

1. Name of the development including the Title reading "Final Development Plan for..."
2. Boundaries of development clearly identified and copy of legal description for parcel.
3. North arrow with scales (both written and graphic).
4. Small scale vicinity map showing location of project.
5. Locations and heights of fences, walls or berm.
6. Site Landscape Plan per Article 13-26
7. Site Lighting Plans
8. Signage plans showing proposed locations, uses, sizes, and heights.
9. Structural footprints or building envelopes with setbacks from (a) property lines (or phase separation lines), (b) from rights-of-way (if any), (c) from streets/drives, pavement, washes or (d) open space boundaries.
10. Number of stories and heights of buildings.
11. In chart form provide the following: Total acreage, acreage for each use and each Phase; Percent building coverage by use, area and phase; Parking spaces (required and provided) by use and phase; Landscape area and percentage.
12. In addition to any previously submitted Traffic Engineering Concept Plan, the following MAY be required by the Town Engineer for review:
 - Detailed traffic analysis on access points to site and traffic generators within the site (turning movements, conflict points, etc) recommended speed limits and traffic control devices.
 - Complete construction engineering plans with enough detailed information in plan, profile and cross section to determine the road grades, cut and fill limits, drainage structures, intersections and lot access for a field review by the Town Engineer.
 - Geo-technical report by a Registered Engineer to determine slope stability and recommended slopes on cuts and fills and recommended roadway pavement structure.
 - Final Drainage Report.

13-19-060(M). With the approval of a Final Development Plan by Council, the PAD overlay zoning designation may be used to tailor the strict application of requirements of the underlying zoning district by providing flexibility in design, density and development requirements to meet the specific development representations of an applicant, and upon a determination by Council that such variations or modifications do not adversely affect the intent and purpose of the Comprehensive Plan of the Town of Prescott Valley, nor adversely affect surrounding property (including property values).

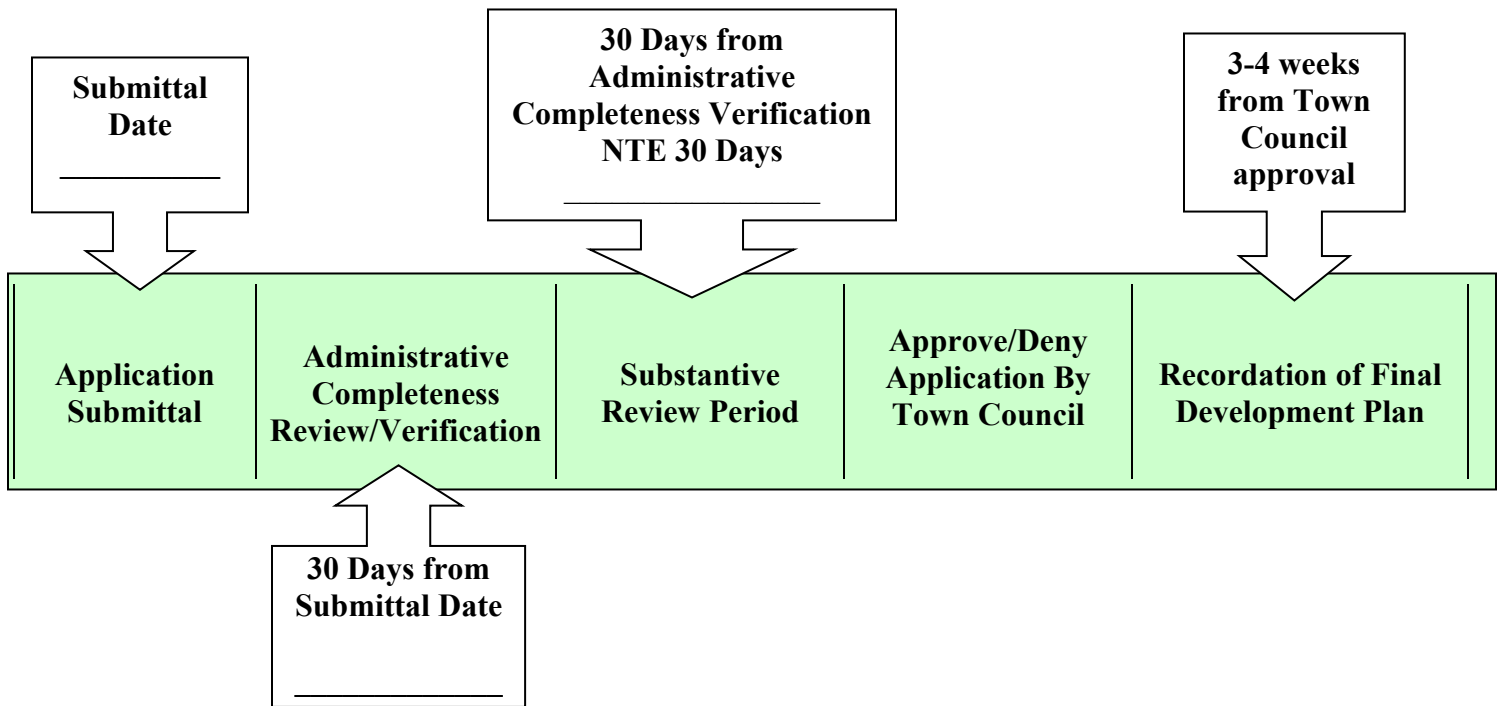
Once the Final Development Plan has been approved by the Council, it can be amended, changed or modified only through the procedures prescribed for application approvals. For purpose of implementation, building permits may be issued in accordance with the approved Final Development Plan, after approval of the required building plans and specifications

Review of the Final Development Plan

The Town Council meets on the second and fourth Thursdays of each month. The plan and application should be submitted at least sixty (60) days prior to the desired meeting date to allow for statutory review and scheduling deadlines. Applicants should allow 30 days for Completeness Review, which will determine if the application itself is complete and all required plans, diagrams, and related materials have been submitted. If it is determined that the application is not complete, the applicant will be notified in writing of the deficiency. Once a Notice of Deficiency is issued, the administrative review period is suspended until all materials are received.

Once staff has determined that the application is complete, the Substantive Review period begins. The applicant will receive one (1) written notice describing the deficiencies in the design of the plan and/or its component parts. Upon issuance of said notice, the Substantive Review period is suspended until corrections are received. If the mandatory project review determines that the plan complies with town standards it can be scheduled for the next Council meeting based on deadline dates.

FINAL DEVELOPMENT PLAN APPLICATION PROCESSING



I have been advised of the maximum timeframe for Completeness and Substantive Review, and understand that these may be extended if the application is determined to be incomplete or incorrect.

Printed Name

Date

Signat

Recorded at the request of:
Town of Prescott Valley
Town Clerk's Office
7501 East Skoog Boulevard
Prescott Valley, AZ 86314



**AGREEMENT
TO WAIVE CLAIM FOR DIMINUTION IN VALUE
REGARDING ACTION
PROPOSED BY TOWN OR REQUESTED BY PROPERTY OWNER**

This Waiver is related to Proposition 207 (Article 2.1 to Chapter 8, Title 12 of the Arizona Revised Statutes) dealing with eminent domain and regulatory takings. The Waiver is as an agreement between the Town and the owners in conjunction with the land use law actions requested by the property owners. Each owner of a fee interest in the subject property is asked to sign the waiver agreement and have the signatures properly notarized. Extra sheets for the Owners signature can be made for multiple owners involved in an application. A legal description should be attached by the applicant. The Town will complete the application number when the application is processed and attach a copy of the completed application.

This Agreement to Waive Claim for Diminution in Value Regarding Action Proposed by Town or Requested by Property Owner ("Agreement") made as of this ___ day of _____, 20___, by and between the Town of Prescott Valley, a municipal corporation of Arizona ("Town") and

_____ ("Owner(s)");

WITNESSETH:

WHEREAS, on December 4, 2006, the Governor of Arizona signed into law the Private Property Rights Protection Act (Proposition 207) approved by the voters on November 7, 2006; and

WHEREAS, Proposition 207 added a new Article 2.1 to Chapter 8, Title 12 of the Arizona Revised Statutes (comprising §§12-1131 through 12-1138) dealing with eminent domain and regulatory takings; and

WHEREAS, ARS §12-1134 permits an owner of private real property to seek just compensation from the state or a political subdivision thereof that enacts or applies a land use law which (subject to certain exceptions) reduces existing rights to use, divide, sell or possess said property and thereby reduces the fair market value of the property; and

WHEREAS, "land use law" includes any statute, rule, ordinance, resolution, or law enacted by the state or political subdivision that regulates the use or division of land or any interest in land; and

WHEREAS, ARS §12-1134(I) recognizes that the state or political subdivisions may reach agreements with private property owners to waive claims for diminution in value resulting from land use law actions proposed by the state or political subdivision or requested by the property owners; and

WHEREAS, Arizona courts have recognized the inherent authority of municipal corporations to enter into agreements within the scope of their legislative powers, the same as individuals and other corporations, in matters that appertain to said municipal corporations [see, *Town of Tempe v. Corbell*, 17 Ariz. 1 (1915)]; and

WHEREAS, the Town (through its Common Council) has, on the date first-above written, duly considered and approved this Agreement with the Owner(s) to waive any claims said Owner(s) may have for diminution in value that may result, now or in the future, from the land use law action(s) proposed by the Town or requested by the Owner(s) as more fully set forth herein;

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein (and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged), the parties hereto agree as follows:

SECTION ONE. This Agreement applies to that private real property described in Exhibit "A" attached hereto and expressly made a part hereof ("Property").

SECTION TWO. The land use law action(s) proposed by the Town or requested by the Owner(s) to which this Agreement applies have been designated as follows by the Town's Community Development Department:

and are based on certain application(s), copies of which ("Application(s)) are shown as Exhibit "B" attached hereto and expressly made a part hereof ("Action(s)").

SECTION THREE. By signing this Agreement, the Owner(s) expressly agree(s) and acknowledge(s) that the Owner(s) hereby waive(s) any right to claim diminution in value or claim just compensation for diminution in value of the Property under ARS §12-1134, now or in the future, in relation to the Action(s). This includes (but is expressly not limited to) agreement and consent by the Owner(s) to all conditions that may ultimately be imposed as part of the Action(s).

SECTION FOUR. It is expressly understood by the parties that this Agreement does not add to, detract from, or otherwise modify any discretion, right, power, authority, obligation, or duty of the Town under applicable law with respect to any legislative, administrative, or quasi-judicial action(s).

SECTION FIVE. This Agreement (including any exhibits attached hereto and any addendum) constitutes the entire understanding and agreement of the Owner(s) and the Town and shall supersede all prior agreements or understandings between the Owner(s) and Town regarding the Property. This Agreement may not be modified or amended except by written agreement of the Owner(s) and the Town.

SECTION SIX. This Agreement is made and entered into in Yavapai County, Arizona, and will be construed and interpreted under the laws of the State of Arizona.

SECTION SEVEN. The parties agree that this Agreement may be filed in the Official Records of the County Recorder's Office, Yavapai County, Arizona.

SECTION EIGHT. This Agreement runs with the land and is binding upon all present and future owners of the Property.

SECTION NINE. This Agreement is subject to the cancellation provisions of ARS §38-511.

SECTION TEN. The Owner(s) warrant(s) and represent(s) that the Owner(s) is/are the owner(s) of fee title to the Property, and that no other person(s) has/have any ownership interest(s) in the Property. The person(s) who sign(s) on behalf of the Owner(s) personally warrant(s) and guarantee(s) to the Town that he/she/they have the legal authority to bind the Owner(s) to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their authorized representatives the day and year first-above written.

TOWN OF PRESCOTT VALLEY,
a municipal corporation of Arizona, (Town)

Kell Palguta, Mayor

ATTEST:

Fatima Fernandez, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney

STATE OF ARIZONA)
) ss:
County of Yavapai)

The foregoing instrument was acknowledged before me this ___ day of _____, 20___, by Kell Palguta, Mayor of the Town of Prescott Valley, a municipal corporation of Arizona, on behalf of said municipal corporation.

Notary Public
Notary Signature

My Commission Expires:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their authorized representatives the day and year first-above written.

_____, (Owner(s))

Owner(s) Signature

Owner(s) Signature

STATE OF ARIZONA)

) ss:

County of Yavapai)

On this ___ day of _____, 20___, _____,
personally appeared before me,

_____ who is personally known to me,

_____ whose identity I verified on the basis of _____

_____ whose identity I verified on the oath/affirmation of _____

a credible witness,

to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.

Notary Public

Notary Signature

My Commission Expires:
