



# TOWN OF FLORENCE

## **DEVELOPMENT AGREEMENT Process, Application and Checklist**

Community Development Department  
P.O. Box 2670  
224 W. 20th Street  
Florence, Arizona 85132  
(520) 868-7575  
[www.florenceaz.gov](http://www.florenceaz.gov)

## **PURPOSE AND INTENT**

This section is adopted pursuant to Section 9-500.05 et seq. of the Arizona Revised Statutes, authorizing municipalities to enter into development agreements with applicants for development projects. The purpose of this section is to establish procedures and requirements for consideration of development agreements by the Town consistent with Arizona State Law.

## **Development Agreement**

Means an agreement between a municipality and a landowner or any other person having an interest in real property that may specify or otherwise relate to any of the following:

- (a) The duration of the development agreement.
- (b) The permitted uses of property subject to the development agreement.
- (c) The density and intensity of uses and the maximum height and size of proposed buildings within such property.
- (d) Provisions for reservation or dedication of land for public purposes and provisions to protect environmentally sensitive lands.
- (e) Provisions for preservation and restoration of historic structures.
- (f) The phasing or time of construction or development on property subject to the development agreement.
- (g) Conditions, terms, restrictions and requirements for public infrastructure and the financing of public infrastructure and subsequent reimbursements over time.
- (h) Conditions, terms, restrictions and requirements for annexation of property by the municipality and the phasing or timing of annexation of property by the municipality.
- (i) Conditions, terms, restrictions and requirements of deannexation of property from one municipality to another municipality and the phasing or timing of deannexation of property from one municipality to another municipality.
- (j) Conditions, terms, restrictions and requirements relating to the governing body's intent to form a special taxing district pursuant to title 48.
- (k) Any other matters relating to the development of the property.

## **REQUIREMENTS FOR SUBMISSION**

After initial informal and formal discussions on the potential need for a development agreement and a basic understanding of items that might be considered within a development agreement, a boilerplate or model development agreement may be provided to the applicant(s) by the Town that meets the Town Attorney's standards and Town Council's expectations. It is noted that negotiations for a Pre-Annexation and Development Agreement (PADA) shall not occur until officially authorized by the Town Council. At that point that a development agreement application can proceed forward, negotiations will proceed between Town staff and the developer. The following represents application submittal requirements.

1. A completed Development Agreement Application (attached).
2. Payment of deposit fee per the most current adopted Town Fee Schedule.
3. A completed Applicant's Environmental Information Form (if requested).
4. ALTA Survey and Title Report prepared within the past 90 days.
5. A public notification map and two (2) sets of mailing labels of all property owners within 300 feet of the project site (only where applicable per code/State statutes).
6. Submittal of a term sheet that may include any of the following items:

- a) Vicinity Map (8 ½ x 11)
- b) Development plan that includes the following:
  - An 8 ½ x 11 diagram of the project site containing:
    - The project name, north point, scale and sufficient description to define location and boundaries of the project site;
    - Acreage to the nearest tenth of an acre;
    - The locations and names of all new streets, highways and driveways;
    - The location, names, and widths of all existing adjoining and contiguous streets, highways driveways, and physical features and structures;
    - If the project involves the subdivision of the property, the diagram will indicate a conceptual lot layout, including dimensions and size of the lots (in square feet);
    - A written summary describing the project, identification (legal names(s)) of the principal parties, and any special circumstances which may be involved in its development.
- c) Other or alternative information may be required by the Community Development Director upon preliminary review of the above submittals.
- d) A proposed development agreement may include such additional conditions, terms, restrictions, or requirements as determined by the Town Council to be in the public interest of the Town of Florence.

## **GENERAL PROCESS**

Upon direction of the Town Council, Town staff and applicant, as well as applicable legal representatives for all parties, will work together in incorporating agreed upon matters of concern into the boilerplate or model development agreement in an effort to produce a draft development agreement that can be presented for formal reviews, discussions and actions. In some cases, the proposed development agreement may require a formal recommendation from an advisory Board or Commission. Ultimate action on the development agreement is required by the Town Council. If the development agreement is approved by Resolution, the Resolution and development agreement shall be recorded by the Town of Florence at the Pinal County Recorder's Office.

An application may receive a clarification from an interpretation or application of a statute, ordinance, code or authorized substantive policy statement as provided in A.R.S. section 9-839.

This application must be executed by the owner(s) of the subject property or provide an authorization letter executed by the owner(s) of the subject property stating that the Applicant is authorized to represent the property owner(s) in this application.

**DISCLAIMER:** No guarantee of incentives, be they rebates, waivers, credits, deferrals, or other similar items, is created or conveyed by the completion of this application. Incentives may be awarded only through formal action by the Florence Town Council.

# Development Agreement Application

Case Number \_\_\_\_\_

Property Owner's Name\* \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

Applicant's Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

Representative/Attorney \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

## PROPERTY INFORMATION

Assessor's Parcel Number(s) \_\_\_\_\_

Legal Tract/Lot (Parcel Numbers) \_\_\_\_\_

General Location \_\_\_\_\_

Street Address \_\_\_\_\_

Lot Dimensions/Acreage \_\_\_\_\_

\*Note: If there is more than one person involved in the ownership of the property that this application is prepared for, a separate page must be attached to this application in which lists the names and address of all persons having an interest in the ownership of the property along with their notarized signatures.

**GIVE A DESCRIPTION/EXPLANATION OF THE PROJECT FOR WHICH THE DEVELOPMENT AGREEMENT IS PROPOSED:**

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Signature of Applicant \_\_\_\_\_

**I HEREBY CERTIFY**, under the penalty of perjury, that I am the owner of the property for which this application is made, and in that capacity, have given authority to the above applicant to act on my behalf.

Dated: \_\_\_\_\_

STATE OF ARIZONA)  
  : §  
County of Pinal                  )

SUBSCRIBED AND SWORN TO BEFORE me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

Stamp Rec'd	Amount Received _____
	<input type="checkbox"/> Cash
	<input type="checkbox"/> Credit, Last 4-digits: MC/Visa
	<input type="checkbox"/> Check; number: _____
Initials	Receipt Number Case Number