

# Abandonment

## Development Application Checklist



### Digital Submittal:

Please follow the plan and document submittal requirements below. **All files shall be uploaded in PDF format.** Provide one (1) full-size copy of each required plan document file. Application forms and other written documents or reports should be formatted to 8.5 x 11. A digital submittal Key Code is required to upload your documents and will be provided by your coordinator. Files should be uploaded **individually** and in **order** of how they are listed on this checklist.

Project No.: \_\_\_\_\_ -PA- \_\_\_\_\_ Key Code: J9914  
Submit digitally at: <https://eservices.scottsdaleaz.gov/bldgresources/Cases/DigitalMenu>

### Minimum Submittal Requirements:

At your pre-application meeting, your project coordinator will identify which items indicated on this Development Application checklist are required to be submitted. A Development Application that does not include all items indicated on this checklist may be deemed incomplete until all items have been submitted. A Development Application is not complete until it is verified that the application meets the minimum submittal requirements for review and the application fee has been processed.

In addition to the items on this checklist and to avoid delays in the review of your application, all Plans, Graphics, Reports and other additional information that is to be submitted shall be provided in accordance with the:

- The General Plan; and
- The Scottsdale Revised Code, including the Zoning Ordinance; and
- Stipulations of any Development Application approved before this application is submitted; and
- Scenic Corridor Design Guidelines; and
- Transportation Master Plan and related local plans; and
- The Design Standards & Policies Manual.

If you have any questions regarding the information above, or items indicated on this application checklist, please contact your project coordinator.

Name: \_\_\_\_\_ Phone Number: 480-312- \_\_\_\_\_ Coordinator e-mail: \_\_\_\_\_@scottsdaleaz.gov

Prior to application submittal, please research original zoning case history to find the original adopted ordinance(s) and exhibit(s) to confirm the zoning for the property. This will help to define your application accurately. Visit the city's Planning & Development Services Records Department for assistance: <https://www.scottsdaleaz.gov/planning-development/records>.

## SUBMITTAL REQUIREMENTS

Req'd	Rec'd	Documents required for a complete application. <b>No application shall be accepted without all items marked below.</b>
<input checked="" type="checkbox"/>		1. <b>Abandonment Development Application Checklist</b> (this checklist)
<input checked="" type="checkbox"/>		2. <b>Application Fee</b> \$ _____ (subject to change every July)
<input checked="" type="checkbox"/>		3. <b>Completed Development Application Form</b> (form provided) <ul style="list-style-type: none"> <li>• The applicant/agent shall select a review methodology on the application form (Enhanced Application Review or Standard Application Review).</li> <li>• If a review methodology is not selected, the application will be reviewed under the Standard Application Review methodology.</li> </ul>
<input checked="" type="checkbox"/>		4. <b>Application Narrative</b> <ul style="list-style-type: none"> <li>• Reason for request</li> <li>• Consideration for Abandonment</li> </ul>

## Planning and Development Services

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## Abandonment Development Application Checklist

<b>X</b>	<b>5. Affidavit of Authorization to Act for Property Owner</b> (required if the property owner is a corporation, trust, partnership, etc. and/or the property owner(s) will be represented by an applicant that will act on behalf of the property owner. (form provided)
	<del><b>6. Consideration for Abandonment Information</b> (valuation for area of abandonment)</del>
<b>X</b>	<b>7. Legal Description and Graphics</b> <ul style="list-style-type: none"> <li>• Legal description and graphic of area to be abandoned</li> <li>• Graphic of Parcel(s) affected by the Abandonment</li> <li>• Include required reservations on both legal description and graphic</li> <li>• Comply with all Maricopa County Recorder requirements, including minimum 10-point font, ½" clear borders and acid free paper</li> <li>• Document format: 8-1/2" x 11" page size</li> </ul>
<b>X</b>	<b>8. Title Insurance Commitment</b> (form provided - Requirements for Submitting Evidence of Title to the city of Scottsdale Planning Department) <ul style="list-style-type: none"> <li>• Include Schedule A and B</li> <li>• Commitment shall be dated no later than 30 days before application submittal.</li> </ul>
<b>X</b>	<b>9. Utility Consent Letters</b> (See the city website for <span style="border: 1px solid red; padding: 2px;">LETTER WILL BE PROVIDED ONCE WE RECEIVE RESPONSE FROM UTILITY COMPANIES</span> )
<b>X</b>	<b>10. Request to Submit Concurrent Development Applications</b> (form provided)
	<del><b>11. Photo Exhibit of Existing Conditions.</b></del>
	<ul style="list-style-type: none"> <li>• <u>See attached Existing Conditions Photo Exhibit</u> graphic showing required photograph locations and numbers.</li> <li>• Document format: 8-1/2" x 11" page size</li> </ul>
	<del><b>12. Aerial Photo with Proposed Site Plan Overlay</b> (all photos must be suitable for reproduction)</del>
	Photo shall be the most recent available, and should not be more than 1 year old. Site plan overlay shall show lot lines, tracts, easements, street locations and names, and surrounding zoning: 750-foot radius from site ¼-mile radius from site Other _____ radius from site
<b>X</b>	<b>13. Public Participation</b> <b>Step 1: Complete Neighborhood Notification</b> Mail Neighborhood Notification 1st Class Letter to property owners & HOAs within 750', the city's standard interested parties list, and to the city project coordinator at least 10 calendar days prior to formal application submittal (include the following information): <ul style="list-style-type: none"> <li>• Project request and description</li> <li>• Pre-application number (xx-PA-xxxx)</li> <li>• Project location (street address)</li> <li>• Size (e.g. Number of Acres of project, Square Footage of Lot)</li> <li>• Zoning</li> <li>• Legal graphic</li> <li>• Applicant and city contact names and phone numbers</li> </ul> <b>Step 2: City will post public hearing signs and provide other public notification including:</b> <ul style="list-style-type: none"> <li>• Mailing out postcards to property owners within 750 feet</li> <li>• Publishing legal ad in newspaper</li> <li>• Posting case information on the city website</li> <li>• Posting on social media</li> <li>• Sending to e-mail subscribers</li> </ul>

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## Abandonment Development Application Checklist

		<del>14. Request for Neighborhood Group/Homeowners Association (form provided)</del>
<b>X</b>		15. Request for Site Visits and/or Inspections (form provided)
<b>X</b>		16. ALTA Survey
<b>X</b>		17. Site Plan
<b>X</b>		<b>18. Applicable Dedication Legal and Graphic Exhibits</b> Drainage and Flood Control Easement and Provision for Maintenance Natural Area Open Space Easement Including Restored Desert <b>X</b> Public Right-of-Way Dedication <b>X</b> Public Non-Motorized Access Easement Public Motorized Access <b>X</b> Public Utility Easement Scenic Corridor Easement Sewer Line Easement Vehicular Non-Access Easement Waterline Easement Confirmation of Dedication Other Easement or Dedication
<b>X</b>		<b>19. Other:</b> _____ _____ _____

**18. If you have any questions regarding this application checklist, please contact your Project Coordinator.**

**Coordinator Name (print):** \_\_\_\_\_ **Phone Number: 480-312-** \_\_\_\_\_

**Coordinator e-mail:** \_\_\_\_\_ **@scottsdaleaz.gov** **Date:** \_\_\_\_\_

**Coordinator Signature:** \_\_\_\_\_

**If the Project Coordinator is no longer available, please contact the Current Planning Director at the phone number in the footer of this page if you have any question regarding this application checklist.**

### Required Notice

Pursuant to A.R.S. §9-836, an applicant / agent may request a clarification from the city regarding an interpretation or application of a statute, ordinance, code or authorized substantive policy, or policy statement. Requests to clarify an interpretation or application of a statute, ordinance, code, policy statement administered by the Planning and Development Services, including a request for an interpretation of the Zoning Ordinance, shall be submitted in writing to the One Stop Shop to the attention of the Planning and Development Services Director. All such requests must be submitted in accordance with the A.R.S. §9-839 and the city's applicable administrative policies available at the Planning and Development Services' One Stop Shop, or from the city's website:

<https://www.scottsdaleaz.gov/planning-development/forms>

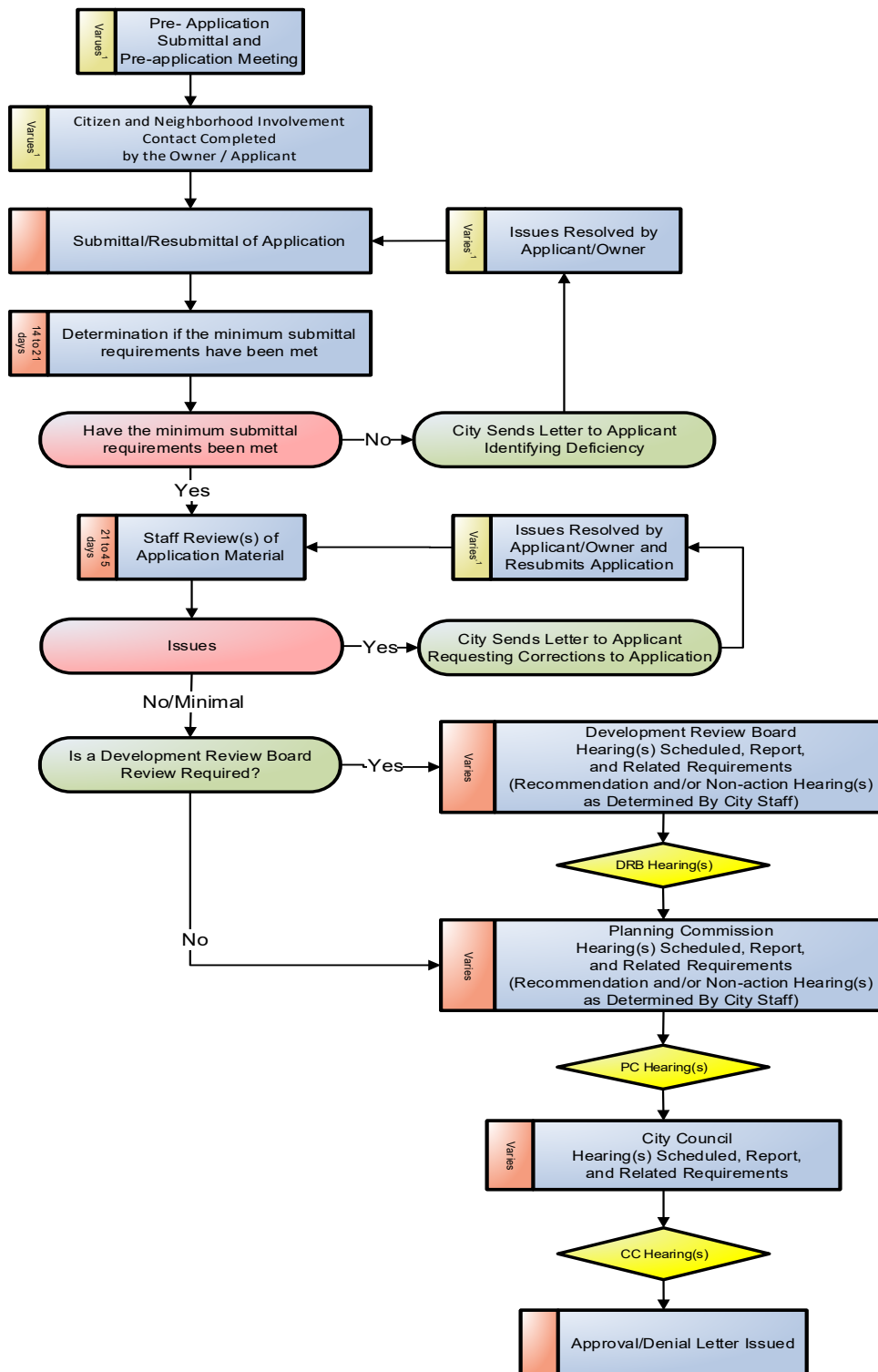
Planning and Development Services  
 One Stop Shop  
 Planning and Development Services Director  
 7447 E. Indian School Rd, Suite 105  
 Scottsdale, AZ 85251  
 Phone: (480) 312-7000

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# Development Application Process

Abandonment (AB), Municipal Use Master Site Plan (UP),  
Infill Incentive (II), & Zoning District Map Amendment (ZN)



Note:

1. Time period determined by owner/applicant.

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# Application Fee Schedule



Official Schedule of City of Scottsdale Rates and Fees at: [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov) - keyword "Fees".

<b>Pre-Application</b>	\$110
<b>Records Packet</b>	\$26
<b>Abandonment of Right of Way</b>	
Single Family Lot	\$2,960
All Other Abandonments, including Subdivisions	\$2,935
<b>Annexation / De-annexation</b>	\$2,550
<b>Board of Adjustment</b>	
Appeal	\$205
Residential Variance (Single Family Lot)	\$205
All Other Variances	\$1,600
<b>Building Advisory Board of Appeals</b>	
Commercial	\$405
Residential	No charge
<b>Conditional Use Permit</b>	
Major	\$3,125
Minor	\$800
<b>Development Agreement Application</b>	\$2,325
<b>Development Review (DRB)</b>	
Land Division	
Major Subdivision (Preliminary Plat)	\$3,125 + \$20 per lot
Minor Subdivision	\$1,560 + \$20 per lot
New Construction	\$1,975
Revision (includes Replat)	\$600
Time extension	\$400
<b>Development Review (Minor) – Staff Approval</b>	
Master Plan	\$1,165 per set
Major (includes new Master Sign Program/Community Sign District)	\$400
Minor	\$110
Amendment to Master Sign Program	\$110
Cuts/Fills	\$600
Wash Modification	\$600
Time extension	\$110
<b>General Plan Amendments</b>	
Major	\$5,100
Minor	\$2,550
<b>Hardship Exemption</b>	\$205

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# Application Fee Schedule



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<b>In-lieu Parking</b>	\$205
<b>Minor Amendment</b>	\$205
<b>Reasonable Accommodation</b>	
Residential	\$800
All Other Reasonable Accommodations	\$1,600
<b>Records Changes / Addressing Requests</b>	<b>*Compliant to MAG Standards</b>
Street Name Change*	\$325
Address Change or Request - Residential*	\$65
Address Change or Request - Commercial*	\$125
<b>Special Exception</b>	\$205
<b>Zoning District Map Amendment</b>	
Residential District	\$1,500 + per acre fee
Commercial District	\$2,780 + per acre fee
Industrial District	\$2,780 + per acre fee
Mixed-use District	\$7,225 + per acre fee
Historic Property	No fee
Supplementary District	
Parking P-1	\$2,780 + per acre fee
Parking P-2	\$2,780 + per acre fee
Western Theme Park	\$2,780 + per acre fee
Open Space	\$1,500 + per acre fee
Conservation Open Space	\$1,500 + per acre fee
ESL Amendments to Map	\$480
ESL Density Transfer	\$2,775 + per acre fee
ESL Density Incentive	\$1,490 + per acre fee
All other	Underlying district fees only
Time extension/revision	\$950
<b>Rezoning per acre</b>	
0-20	No additional fees
21-100	\$90
101-600	\$68
600+ acres	\$65
<b>Zoning Text Amendment</b>	
Major	\$3,120
Minor	\$1,145

**Note: This fee schedule is not all-inclusive and other fees may apply.**

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# Development Application



## Development Application Type:

Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Land Divisions
Rezoning (ZN)	Development Review (Major) (DR)	Subdivision (PP)
In-fill Incentive (II)	Development Review (Minor) (SA)	Subdivision (Minor) (MD)
Conditional Use Permit (UP)	Wash Modification (WM)	Land Assemblage
Text Amendment (TA)	Historic Property (HP)	<b>Other</b>
Development Agreement (DA)	<b>Wireless Communication Facilities</b>	Annexation/De-annexation (AN)
<b>Exceptions to the Zoning Ordinance</b>	Small Wireless Facilities (SW)	General Plan Amendment (GP)
Minor Amendment (MN)	Type 2 WCF DR Review Minor (SA)	In-Lieu Parking (IP)
Hardship Exemption (HE)	<b>Signs</b>	<input checked="" type="checkbox"/> Abandonment (AB)
Variance/Accommodation/Appeal (BA)	Master Sign Program (MS)	<b>Other Application Type Not Listed</b>
Special Exception (SX)	Community Sign District (MS)	Other:

**Project Name:** \_\_\_\_\_

**Project Address:** \_\_\_\_\_

**Property's Current Zoning District Designation:** \_\_\_\_\_

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the city regarding this Development Application. The agent/applicant shall be responsible for communicating all city information to the owner and the owner application team.

<b>Owner:</b>		<b>Agent/Applicant:</b>	
<b>Company:</b>		<b>Company:</b>	
<b>Address:</b>		<b>Address:</b>	
<b>Phone:</b>	<b>Fax:</b>	<b>Phone:</b>	<b>Fax:</b>
<b>E-mail:</b>		<b>E-mail:</b>	
<b>Designer:</b>		<b>Engineer:</b>	
<b>Company:</b>		<b>Company:</b>	
<b>Address:</b>		<b>Address:</b>	
<b>Phone:</b>	<b>Fax:</b>	<b>Phone:</b>	<b>Fax:</b>
<b>E-mail:</b>		<b>E-mail:</b>	

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- ☐ This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications<sup>1</sup> will be reviewed in a format similar to the Enhanced Application Review methodology.

**Enhanced Application Review:** I hereby authorize the city of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

**Standard Application Review:** I hereby authorize the city of Scottsdale to review this application utilizing the Standard Application Review methodology.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Agent/Applicant Signature

**Official Use Only:** Submittal Date: \_\_\_\_\_ Development Application No.: \_\_\_\_\_

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## **Review Methodologies**

The city of Scottsdale maintains a business and resident friendly approach to new development and improvements to existing developments. In order to provide for flexibility in the review of Development Applications, and Applications for Permitting, the city of Scottsdale provides two methodologies from which an owner or agent may choose to have the city process the application. The methodologies are:

### **1. Enhanced Application Review Methodology**

Within the parameters of the Regulatory Bill-of-Rights of the Arizona Revised Statutes, the Enhanced Application Review method is intended to increase the likelihood that the applicant will obtain an earlier favorable written decision or recommendation upon completion of the city's reviews. To accomplish this objective, the Enhanced Application Review allows:

- the applicant and city staff to maintain open and frequent communication (written, electronic, telephone, meeting, etc.) during the application review;
- city staff and the applicant to collaboratively work together regarding an application; and
- city staff to make requests for additional information and the applicant to submit revisions to address code, ordinance, or policy deficiencies in an expeditious manner.

Generally, the on-going communication and the collaborative work environment will allow the review of an application to be expedited within the published Staff Review Time frames.

### **2. Standard Application Review Methodology:**

Under the Standard Application Review, the application is processed in accordance with the Regulatory Bill-of-Rights of the Arizona Revised Statutes. These provisions significantly minimize the applicant's ability to collaboratively work with city Staff to resolve application code, ordinance, or policy deficiencies during the review of an application. After the completion the city's review, a written approval or denial, recommendation of approval or denial, or a written request for additional information will be provided.

The city is not required to provide an applicant the opportunity to resolve application deficiencies, and staff is not permitted to discuss or request additional information that may otherwise resolve a deficiency during the time the city has the application. Since the applicant's ability to collaboratively work with Staff's to resolve deficiencies is limited, the total Staff Review Time and the likelihood of a written denial, or recommendation of denial is significantly increased.

In addition to the information above, please review the Development Application, and/or the Application for Permitting flow charts. These flow charts provide a step-by-step graphic representation of the application processes for the associated review methodologies.

#### **Note:**

- <sup>1</sup> Please see the Current Planning Services and Long Range Planning Services Substantive Policy Statements and Staff Review Timeframes for Development Applications, number III.

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# Development Review (Minor)

## Administrative Staff Approval

### Arizona Revised Statutes Notice



#### §9-834. Prohibited acts by municipalities and employees; enforcement; notice

- A. A municipality shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition.
- B. Unless specifically authorized, a municipality shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable.
- C. This section does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes.
- D. A municipality shall not request or initiate discussions with a person about waiving that person's rights.
- E. This section may be enforced in a private civil action and relief may be awarded against a municipality. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against a municipality for a violation of this section.
- F. A municipal employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the municipality's adopted personnel policy.
- G. This section does not abrogate the immunity provided by section 12820.01 or 12820.02.

#### Notice

Pursuant to A.R.S. §9-836, an applicant may receive a clarification from the city regarding interpretation or application of a statute, ordinance, code or authorized substantive policy statement. A request to clarify an interpretation or application of a statute, ordinance, code, policy statement administered by the Planning and Development Services Division shall be submitted in writing to the One Stop Shop to the attention of the Planning and Development Services Director or designee. All such requests must be submitted in accordance with the A.R.S. §9-839 and the city's applicable administrative policies available at the Planning and Development Services Division's One Stop Shop, or from the city's website: <https://www.scottsdaleaz.gov/planning-development/forms>

Planning and Development Services  
One Stop Shop  
Planning and Development Services Director  
7447 E. Indian School Rd, Suite 105  
Scottsdale, AZ 85251

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# Request for Site Visits and/or Inspections

## Development Application (Case Submittals)



This request concerns all property identified in the development application.

Pre-application No: \_\_\_\_\_-PA-\_\_\_\_\_

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

### STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owner's agent: \_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

### City Use Only:

Submittal Date: \_\_\_\_\_ Case number: \_\_\_\_\_

### Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088



Current Planning Services  
Long Range Planning Services

**NOTICE OF INSPECTION RIGHTS**  
**A.R.S. § 9-833**

**You have the right to:**

- Have the City staff member present a photo ID.
- Have the City staff member state the purpose for the planning inspection and legal authority to conduct it.
- Know the amount of inspection fees if applicable.
- An on-site representative may accompany the City staff member during the inspection except during confidential interviews and may:
  - Receive copies of any documents taken during the inspection.
  - Receive a split of any samples taken during the inspection.
  - Receive copies of any analysis of the samples taken when available.
- Be informed if statements are being recorded.
- Be given notice that any statements may be used in an inspection report.
- Be presented with a copy of your inspection rights.
- Be notified of the due process rights pertaining to an appeal

**You are hereby notified and informed of the following:**

- The inspection is conducted pursuant to the authority of A.R.S § 9-462.05. and/or Scottsdale Revised Code, Appendix B, Article I. Section 1.203.
- Any statements made by anyone interviewed during this inspection may be included in the inspection report.
- Information on appeal rights related to this inspection is found under Scottsdale Revised Code, Appendix B, Article I. Section 1.801.
- There is no inspection fee associated with this inspection.

I acknowledge I have been informed of my inspection rights. If I decline to sign this form, the inspector(s) may still proceed with the inspection.

If I have any questions, I may contact the City staff member, \_\_\_\_\_  
at the following number \_\_\_\_\_.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

☐ Check box if signature refused

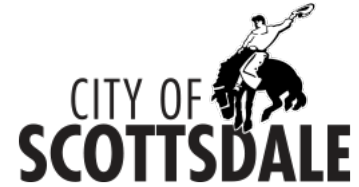
Copy of Bill of Rights left at: \_\_\_\_\_

A.R.S § 9-833. Inspections; applicability

- A. A municipal inspector or regulator who enters any premises of a regulated person for the purpose of conducting an inspection shall:
  - 1. Present photo identification on entry of the premises.
  - 2. On initiation of the inspection, state the purpose of the inspection and the legal authority for conducting the inspection.
  - 3. Disclose any applicable inspection fees.
  - 4. Except for a food and swimming pool inspection, afford an opportunity to have an authorized on-site representative of the regulated person accompany the municipal inspector or regulator on the premises, except during confidential interviews.
  - 5. Provide notice of the right to have:
    - (a) Copies of any original documents taken from the premises by the municipality during the inspection if the municipality is permitted by law to take original documents.
    - (b) A split or duplicate of any samples taken during the inspection if the split or duplicate of any samples, where appropriate, would not prohibit an analysis from being conducted or render an analysis inconclusive.
    - (c) Copies of any analysis performed on samples taken during the inspection.
  - 6. Inform each person whose conversation with the municipal inspector or regulator during the inspection is tape recorded that the conversation is being tape recorded.
  - 7. Inform each person interviewed during the inspection that statements made by the person may be included in the inspection report.
- B. On initiation of, or two working days before, an inspection of any premises of a regulated person, except for a food and swimming pool inspection that has up to one working day after an inspection, a municipal inspector or regulator shall provide the following in writing or electronically:
  - 1. The rights described in subsection A of this section.
  - 2. The name and telephone number of a municipal contact person available to answer questions regarding the inspection.
  - 3. The due process rights relating to an appeal of a final decision of a municipality based on the results of the inspection, including the name and telephone number of a person to contact within the municipality and any appropriate municipality, county or state government ombudsman.
- C. A municipal inspector or regulator shall obtain the signature of the regulated person or on-site representative of the regulated person on the writing prescribed in subsection B of this section indicating that the regulated person or on-site representative of the regulated person has read the writing prescribed in subsection B of this section and is notified of the regulated person's or on-site representative of the regulated person's inspection and due process rights. The municipality shall maintain a copy of this signature with the inspection report. Unless the regulated person at the time of the inspection is informed how the report can be located electronically, the municipality shall leave a copy with the regulated person or on-site representative of the regulated person. If a regulated person or on-site representative of the regulated person is not at the site or refuses to sign the writing prescribed in subsection B of this section, the municipal inspector or regulator shall note that fact on the writing prescribed in subsection B of this section.
- D. A municipality that conducts an inspection shall give a copy of, or provide electronic access to, the inspection report to the regulated person or on-site representative of the regulated person either:
  - 1. At the time of the inspection.
  - 2. Notwithstanding any other state law, within thirty working days after the inspection.
  - 3. As otherwise required by federal law.

- E. The inspection report shall contain deficiencies identified during an inspection. Unless otherwise provided by law, the municipality may provide the regulated person an opportunity to correct the deficiencies unless the municipality determines that the deficiencies are:
  - 1. Committed intentionally.
  - 2. Not correctable within a reasonable period of time as determined by the municipality.
  - 3. Evidence of a pattern of noncompliance.
  - 4. A risk to any person, the public health, safety or welfare or the environment.
- F. If the municipality allows the regulated person an opportunity to correct the deficiencies pursuant to subsection E of this section, the regulated person shall notify the municipality when the deficiencies have been corrected. Within thirty working days of receipt of notification from the regulated person that the deficiencies have been corrected, the municipality shall determine if the regulated person is in substantial compliance and notify the regulated person whether or not the regulated person is in substantial compliance, unless the determination is not possible due to conditions of normal operations at the premises. If the regulated person fails to correct the deficiencies or the municipality determines the deficiencies have not been corrected within a reasonable period of time, the municipality may take any enforcement action authorized by law for the deficiencies.
- G. A municipality's decision pursuant to subsection E or F of this section is not an appealable municipal action.
- H. At least once every month after the commencement of the inspection, a municipality shall provide the regulated person with an update, in writing or electronically, on the status of any municipal action resulting from an inspection of the regulated person. A municipality is not required to provide an update after the regulated person is notified that no municipal action will result from the municipality's inspection or after the completion of municipal action resulting from the municipality's inspection.
- I. This section does not authorize an inspection or any other act that is not otherwise authorized by law.
- J. This section applies only to inspections necessary for the issuance of a license or to determine compliance with licensure requirements. This section does not apply:
  - 1. To criminal investigations and undercover investigations that are generally or specifically authorized by law.
  - 2. If the municipal inspector or regulator has reasonable suspicion to believe that the regulated person may be or has been engaged in criminal activity.
  - 3. Inspections by a county board of health or a local health department pursuant to section 36-603.
- K. If a municipal inspector or regulator gathers evidence in violation of this section, the violation shall not be a basis to exclude the evidence in a civil or administrative proceeding, if the penalty sought is the denial, suspension or revocation of the regulated person's license or a civil penalty of more than one thousand dollars.
- L. Failure of a municipal employee to comply with this section:
  - 1. Constitutes cause for disciplinary action or dismissal pursuant to adopted municipal personnel policy.
  - 2. Shall be considered by the judge and administrative law judge as grounds for reduction of any fine or civil penalty.
- M. A municipality may adopt rules or ordinances to implement this section.
- N. This section:
  - 1. Shall not be used to exclude evidence in a criminal proceeding.
  - 2. Does not apply to a municipal inspection that is requested by the regulated person.

# Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: \_\_\_\_\_
- b. County Tax Assessor's Parcel Number: \_\_\_\_\_
- c. General Location: \_\_\_\_\_
- d. Parcel Size: \_\_\_\_\_
- e. Legal Description: \_\_\_\_\_

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Date

Signature

_____	_____, 20__	_____
_____	_____, 20__	_____
_____	_____, 20__	_____
_____	_____, 20__	_____

## Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • [scottsdaleaz.gov](http://scottsdaleaz.gov)

## Requirements for Submitting Evidence of Title to the City of Scottsdale Planning Department



The City of Scottsdale planning department requires applicants for various zoning applications, building permits and other approvals to provide evidence of land ownership. Unless city staff directs otherwise, the required evidence shall be a title insurance commitment meeting the following requirements:

1. The applicant shall instruct the title insurance company to prepare a normal title insurance commitment.
2. The title commitment must cover the whole project site, just as if the city were a commercial real estate developer who was going to buy the whole site from whoever owns it today.
3. The title insurance commitment must be in the same form and have the same wording that the title insurer usually uses when a sophisticated real estate purchaser is buying land from a sophisticated seller. For example, it must not have any extra notes, disclaimers or other language that is not in a normal title insurance commitment for a straightforward land purchase.
4. The City of Scottsdale must be listed as the proposed insured.
5. The proposed insurance amount must be a reasonable estimate of the actual dollar value of the whole site. (The price for the most recent arms-length sale of the whole site is usually an acceptable amount.)
6. The Schedule B requirements must call for:
  - a. A deed from the current owner to the city.
  - b. Releases of all liens, as if the city were going to pay cash for the land and not assume any liens or take subject to any liens.
  - c. Termination of all leases. (Leases with 24 or fewer months remaining in their term may be listed in the Schedule B exceptions instead.)
  - d. Any other specific payments or specific document recordings that the title insurer would normally call for (such as payment of delinquent property taxes).
7. The Schedule B exceptions must show any other specific title matters that may exist.
8. Title companies sometimes state in their title commitments that they will update the title search before issuing a title insurance policy. That's o.k. if the language is clear that the update will only include new title documents that are recorded after the title commitment date. For example, it is o.k. to have wording that says: "Additional items may be added based on new documents recorded before closing." But there must not be vague wording such as this: "Check with title examiner for additional items before closing."
9. The title search date on the title commitment must be less than 30 days old.
10. Both "standard coverage" and "extended coverage" title commitments are acceptable. (The title information on an extended coverage commitment must be identical to the title information that would be on a standard coverage commitment. The only difference is that the Schedule B requirements for an "extended coverage" commitment will call for a survey and will allow the title company to add Schedule B exceptions or requirements for any problems the survey reveals.)
11. There is no need to open an escrow to make a routine dedication. The city will record the dedication directly without sending it through the title company. Often, the city will not actually buy the title insurance described in the commitment or require the applicant to buy it. But, if the city decides to do it (or require the applicant to do it), then the city or the applicant will follow up with the title insurer to pay the insurance premium and satisfy the Schedule B requirements so that the title insurer will issue the policy.
12. The applicant shall inform city staff in writing of any and all title changes that occur after the title commitment is issued.
13. The city reserves the right for city staff to require additional evidence of title, including but not limited to an extended title insurance policy in favor of the city.



# Request To Submit Concurrent Development Applications

## Acknowledgment and Agreement



The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input checked="" type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input checked="" type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications; 4) to placing a development application on hold in order to continue processing a concurrent development application that is related to an another development application; and 5) that upon completion of the City review(s) of the development applications, one or more of the development application(s) may not be approved.

Property owner (Print Name): \_\_\_\_\_ Title: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

Signature

<b>Official Use Only:</b>		Submittal Date: _____
Request: <input type="checkbox"/> Approved or <input type="checkbox"/> Denied		
Staff Name (Print): _____		
Staff Signature: _____	Date: _____	

# Request for Neighborhood Group/ Homeowners Association



## For Staff Use Only

Time/Date Received \_\_\_\_\_

Time/Date Completed \_\_\_\_\_

### REQUESTOR'S INFORMATION

Requestor's Name: \_\_\_\_\_

Date of request: \_\_\_\_\_ Requestor's Phone #: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

#### Method to receive Group/Homeowner information (select one)

E-mail \_\_\_\_\_

Mail Address: \_\_\_\_\_, \_\_\_\_\_, AZ, \_\_\_\_\_

### SITE LOCATION/PROJECT INFORMATION

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

Project Parcel Number(s): \_\_\_\_\_

Radius around parcel(s) requested: ☐ 300' ☐ 750'

City Pre-application/Case#: \_\_\_\_\_ City Project Coordinator: \_\_\_\_\_

Notification Type? ☐ Citizen Review Plan ☐ Neighborhood Involvement

Any additional information that may be helpful to collect data: \_\_\_\_\_

\_\_\_\_\_

#### *Please note:*

This list is provided as a one-time use only for preparing a City Planning and Development Service Department application. Currently there is no charge for this service, however, this may change based on demand. Results provided are based only on registered neighborhood groups or associations with the City. All requests will be processed and returned to your attention as soon as possible; in most cases within two business days.

#### **To Submit your request, or for additional information, please contact:**

**Current Planning Services**  
7447 E. Indian School Rd Suite 105  
Scottsdale, AZ 85251

**Phone: (480) 312-7000**  
e-mail: [planninginfo@scottsdaleaz.gov](mailto:planninginfo@scottsdaleaz.gov)