

Senate Engrossed House Bill

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 51

HOUSE BILL 2105

AN ACT

AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-254.05; RELATING TO COUNTY DEVELOPMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 2, article 4, Arizona Revised Statutes,
3 is amended by adding section 11-254.05, to read:

4 11-254.05. County infill incentive districts

5 A. THE BOARD OF SUPERVISORS MAY DESIGNATE AN INFILL INCENTIVE DISTRICT
6 IN ANY UNINCORPORATED AREA OF THE COUNTY THAT MEETS AT LEAST THREE OF THE
7 FOLLOWING REQUIREMENTS:

- 8 1. THERE IS A LARGE NUMBER OF VACANT, OLDER OR DILAPIDATED STRUCTURES.
9 2. THERE IS A LARGE NUMBER OF VACANT OR UNDERUSED PARCELS OF PROPERTY
10 THAT ARE OF SMALL OR INAPPROPRIATE SIZES OR THAT ARE ENVIRONMENTALLY
11 CONTAMINATED, THAT ARE OWNED BY DIFFERENT OWNERS AND THAT ARE LOCATED IN AN
12 AREA THAT LACKS THE PRESENCE OF DEVELOPMENT AND INVESTMENT ACTIVITY COMPARED
13 TO OTHER AREAS IN THE COUNTY.

14 3. THERE IS A LARGE NUMBER OF PARCELS OF PROPERTY OR BUILDINGS WHERE
15 NUISANCES EXIST OR OCCUR.

16 4. THERE IS A HIGH OCCURRENCE OF CRIME.

17 5. THERE IS A CONTINUING DECLINE IN POPULATION.

18 B. BEFORE ESTABLISHING AN INFILL INCENTIVE DISTRICT, THE BOARD OF
19 SUPERVISORS SHALL:

20 1. IDENTIFY THE BOUNDARIES OF THE PROPOSED DISTRICT.

21 2. NOTIFY THE OWNERS OF PRIVATE PROPERTY IN THE PROPOSED DISTRICT AND
22 PROPERTY MANAGERS OF FEDERAL AND STATE LAND IN THE PROPOSED DISTRICT BY FIRST
23 CLASS MAIL SENT TO THE ADDRESSES ON THE MOST RECENT TAX ROLL. THE NOTICE
24 SHALL BE MAILED AT LEAST FIFTEEN DAYS BEFORE THE HEARING HELD PURSUANT TO
25 PARAGRAPH 4 OF THIS SUBSECTION.

26 3. PUBLISH NOTICE OF THE PROPOSED DISTRICT IN A NEWSPAPER OF GENERAL
27 CIRCULATION IN THE COUNTY ONCE EACH WEEK FOR TWO CONSECUTIVE WEEKS BEFORE THE
28 HEARING HELD PURSUANT TO PARAGRAPH 4 OF THIS SUBSECTION.

29 4. HOLD AT LEAST ONE PUBLIC HEARING IN THE COUNTY SUPERVISORIAL
30 DISTRICT IN WHICH THE PROPOSED DISTRICT IS LOCATED TO PROVIDE INFORMATION AND
31 RECEIVE PUBLIC COMMENTS.

32 C. IF, AFTER THE HEARING, IT APPEARS TO THE BOARD THAT THE PUBLIC
33 INTEREST, CONVENIENCE AND WELFARE WILL BE SERVED BY ESTABLISHING A COUNTY
34 INFILL DISTRICT, THE BOARD MAY ESTABLISH THE DISTRICT BY ADOPTING A
35 RESOLUTION STATING THE REASONS FOR ESTABLISHING THE DISTRICT, THE SPECIFIC
36 CONDITIONS DESCRIBED IN SUBSECTION A OF THIS SECTION THAT QUALIFY THE AREA
37 FOR A DISTRICT AND PROVISIONS FOR THE ORDERLY AND BENEFICIAL REDEVELOPMENT
38 OF THE DISTRICT.

39 D. IF THE BOARD OF SUPERVISORS ESTABLISHES AN INFILL INCENTIVE
40 DISTRICT, IT SHALL ADOPT AN INFILL INCENTIVE PLAN TO ENCOURAGE REDEVELOPMENT
41 IN THE DISTRICT. THE PLAN SHALL EMPHASIZE VOLUNTARY INCENTIVES, INCLUDING,
42 IF APPROPRIATE, CONTINUING TRADITIONAL RURAL AND AGRICULTURAL
43 ENTERPRISES. THE PLAN MAY INCLUDE:

44 1. EXPEDITED ZONING OR REZONING PROCEDURES.

45 2. EXPEDITED PROCESSING OF PLANS AND PROPOSALS.

- 1 3. WAIVERS OF COUNTY AND COUNTY IMPROVEMENT DISTRICT FEES AND
2 ASSESSMENTS FOR DEVELOPMENT ACTIVITIES.
3 4. WAIVERS OF DEVELOPMENT STANDARDS AND PROCEDURAL REQUIREMENTS.
4 E. THE INFILL INCENTIVE PLAN SHALL NOT IMPAIR THE ABILITY OF UTILITIES
5 TO PROVIDE ELECTRICITY, WATER, NATURAL GAS OR OTHER SERVICES IN ACCORDANCE
6 WITH HEALTH, SAFETY AND INDUSTRY STANDARDS, INCLUDING MEETING ELECTRIC
7 SERVICE LOAD GROWTH DEMAND BY CUSTOMERS.
8 F. INFILL INCENTIVES ESTABLISHED PURSUANT TO THIS SECTION SHALL NOT
9 BE IN VIOLATION OF THE REQUIREMENTS OF THE COUNTY COMPREHENSIVE PLAN PURSUANT
10 TO SECTION 11-821.

APPROVED BY THE GOVERNOR APRIL 20, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 22, 2002.



Passed the House March 18, 2002,

by the following vote: 52 Ayes,

0 Nays, 8 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate April 3, 2002,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

H.B. 2105

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

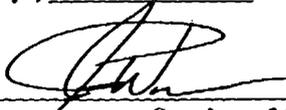
Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 15, 2002,

by the following vote: 51 Ayes,

5 Nays, 4 Not Voting



Speaker of the House



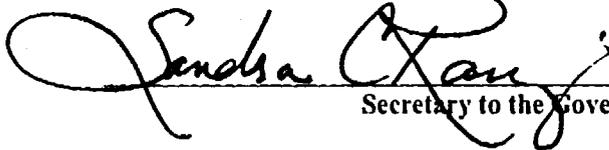
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

15 day of April, 2002,

at 3:13 o'clock P M.



Secretary to the Governor

Approved this 20 day of

April, 2002,

at 3:27 o'clock P M.



Governor of Arizona

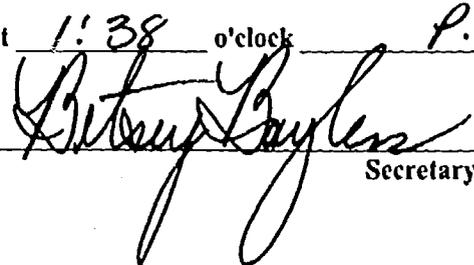
H.B. 2105

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 22 day of April, 2002

at 1:38 o'clock P M.



Secretary of State