Senate Engrossed

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 30

SENATE BILL 1082

AN ACT

AMENDING SECTION 11-803, ARIZONA REVISED STATUTES; RELATING TO COUNTY PLANNING AND ZONING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 11-803, Arizona Revised Statutes, is amended to read:

11-803. County planning and zoning commissions; membership; terms; advisory officers

A. In the counties having three supervisorial districts, ~~the~~ EACH county planning and zoning commission shall consist of nine members who shall be qualified electors of the county. Three members shall be appointed from each supervisorial district by the supervisor from that district, and not more than one of the three may be a resident of an incorporated municipality. Members of the commission shall serve without compensation except for reasonable travel expenses.

B. Except as provided in subsection C of this section, in the counties having five supervisorial districts, ~~the~~ EACH county planning and zoning commission shall consist of ten members who shall be qualified electors of the county. Two members shall be appointed from each supervisorial district by the supervisor from that district. ~~and, if the district contains at least sixty per cent incorporated area, both members may be residents of the incorporated area. If the district is less than sixty per cent incorporated, one member may be a resident from the incorporated area but at least one member shall be a resident of the unincorporated area.~~ MEMBERS SHALL BE RESIDENTS OF THE DISTRICT FROM WHICH THEY ARE APPOINTED. Members of the commission shall serve without compensation except for reasonable travel expenses.

C. If any supervisorial district is at least ninety per cent Indian reservation and at least ninety per cent of the district is not subject to county zoning regulations, the supervisor from the district may appoint some or all of the members to the commission from any supervisorial district in the county if there is no appointee who is willing to serve within the supervisorial district. These appointments are subject to the limitations on residency required by subsections A and B of this section. Members appointed to the commission pursuant to this subsection require the approval of the board.

D. IN COUNTIES WITH A POPULATION OF ONE HUNDRED SEVENTY-NINE THOUSAND PERSONS OR LESS, AN ALTERNATE MEMBER MAY BE APPOINTED BY THE APPOINTING SUPERVISOR FOR EACH COMMISSION MEMBER APPOINTED PURSUANT TO SUBSECTIONS A, B AND C OF THIS SECTION TO SERVE IN THE ABSENCE OF THAT MEMBER. ALTERNATE MEMBERS MAY BE APPOINTED FROM ANY SUPERVISORIAL DISTRICT IN THE COUNTY. DURING ANY MEETING OF THE COMMISSION, IF THE REGULARLY APPOINTED MEMBER BECOMES AVAILABLE, THE ALTERNATE MEMBER SHALL CONCLUDE ANY ACTION ON THE AGENDA ITEM UNDER CONSIDERATION AND THE REGULARLY APPOINTED MEMBER SHALL BE SEATED FOR THE REMAINING ITEMS.

~~D.~~ E. The terms of the members of the commissions shall be for four years except for those initially appointed. Of those members initially appointed pursuant to subsection A of this section, five members shall be

appointed to a two year term and four members shall be appointed to a four year term. Of those members initially appointed pursuant to subsection B of this section, five members shall be appointed to a two year term and five members shall be appointed to a four year term. Thereafter, each term shall be four years. If a vacancy occurs otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of the term. Members of the commission may be removed by the board for cause.

~~E.~~ F. Upon a conversion from three to five supervisorial districts pursuant to section 11-212, the board of supervisors, upon expiration of the terms of members of the commission serving on the date of such conversion, shall make such appointments to fill such vacancies to conform to ~~the provisions of~~ subsection B of this section as soon as is practicable.

~~F.~~ G. The county assessor, county engineer, county health officer and county attorney shall serve in an advisory capacity to the commission and to the boards of adjustment.

APPROVED BY THE GOVERNOR APRIL 10, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2007.

Passed the House April 2, 20 07,

by the following vote: 55 Ayes,

0 Nays, 5 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate February 21, 20 07,

by the following vote: 24 Ayes,

5 Nays, 1 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

4th day of April, 2007,

at 1:43 o'clock P. M.

Secretary to the Governor

Approved this 10 day of

April, 20 07,

at 4:5 o'clock P M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 11 day of April, 2007,

at 9:04 o'clock A. M.

Janice K. Brewer

Secretary of State

S.B. 1082