

House Engrossed

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 92

HOUSE BILL 2010

AN ACT

AMENDING SECTION 11-1203, ARIZONA REVISED STATUTES; RELATING TO PROTECTED DEVELOPMENT RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-1203, Arizona Revised Statutes, is amended to
3 read:

4 11-1203. Duration of a protected development right; termination

5 A. A protected development right established under a protected
6 development right plan is valid for three years for a nonphased development,
7 five years for a phased development and ten years for a phased development
8 that contains at least one section of land as defined by 43 United States
9 Code SECTION 751 or has a gross acreage of more than six hundred forty acres.

10 B. A county may extend for a maximum of two additional years, ~~and~~ ten
11 years for a phased development that contains at least one section of land as
12 defined by 43 United States Code SECTION 751 or has a gross acreage of more
13 than six hundred forty acres AND THIRTY YEARS FOR A PHASED DEVELOPMENT THAT
14 HAS A GROSS ACREAGE OF MORE THAN ONE THOUSAND SIX HUNDRED ACRES, the duration
15 of a protected development right obtained through approval of a protected
16 development right plan, if a longer time period is warranted by all relevant
17 circumstances, including the size, type and phasing of the development on the
18 property, the level of investment of the landowner, economic cycles and
19 market conditions. The decision to extend the time period for a protected
20 development right is at the discretion of the county. However, a protected
21 development right shall not remain established for more than five years for a
22 nonphased development, seven years for a phased development, ~~or~~ twenty years
23 for a phased development that contains at least one section of land as
24 defined by 43 United States Code SECTION 751 or has a gross acreage of more
25 than six hundred forty acres OR FORTY YEARS FOR A PHASED DEVELOPMENT THAT HAS
26 A GROSS ACREAGE OF MORE THAN ONE THOUSAND SIX HUNDRED ACRES.

27 C. After the approval of a protected development right plan, the plan
28 may be subject to subsequent reviews and approvals by the county to ensure
29 compliance with the terms and conditions of the original approval if ~~such~~ THE
30 reviews and approvals are not inconsistent with the original approval. The
31 county may revoke its approval of the protected development right plan for
32 failure to comply with applicable terms and conditions imposed on the
33 approval.

34 D. A protected development right terminates at the end of the
35 applicable period established under this section. If a building permit has
36 been issued before the date of termination of a protected development right,
37 the protected development right remains valid until the building permit
38 expires, but in no event for longer than one year. On expiration, only
39 principal structures for which footings or foundations have been completed
40 may be finished under the protected development right. On the expiration of
41 a protected development right, development may continue based on a valid
42 building permit and according to standards in effect at that time. An
43 unexpired building permit issued for a property with a protected development
44 right does not expire or shall not be revoked merely because a protected
45 development right expires under the time limitations specified in this
46 section.

~~APPROVED BY THE GOVERNOR MARCH 30, 2015.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2015.~~

Passed the House March 4, 20 15

Passed the Senate March 23, 20 15

by the following vote: 47 Ayes,

by the following vote: 23 Ayes,

12 Nays, 1 Not Voting

5 Nays, 2 Not Voting

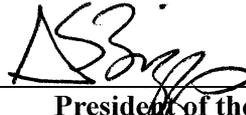


Speaker of the House

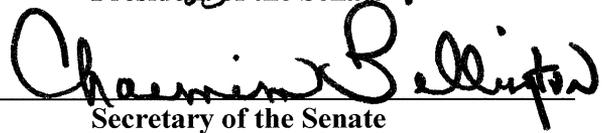
Pro Tempore



Chief Clerk of the House



President of the Senate



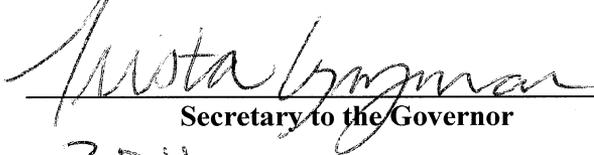
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

24th day of March, 20 15

at 12:16 o'clock P. M.

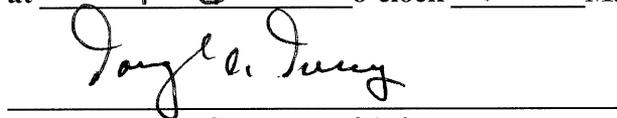


Secretary to the Governor

Approved this 30th day of

March

at 1:16 o'clock P. M.



Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 31st day of March, 20 15

at 10:00 o'clock A M.



Secretary of State

H.B. 2010