Committee on Rural and Economic Development

House of Representatives Amendments to H.B. 2010

(Reference to printed bill)

Strike everything after the enacting clause and insert:

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

11-1203. Duration of a protected development right: termination

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

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

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

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

Amend title to conform and, as so amended, it do pass

THOMAS R. SHOPE, JR.
Chairman

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