PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2620

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:
2
3 "Section 1.  Section 15-189.01, Arizona Revised Statutes, is amended to read:
4
5 15-189.01.  Charter schools; zoning; development fees
6
7 A. Charter schools shall be classified the same as public schools that
8 are operated by a school district for the purposes of zoning and the
9 assessment of zoning fees, site plan fees and development fees, including any
10 required hearings or applications. Municipalities and counties shall allow a
11 charter school to be established and operate at a location or in a facility
12 for which the zoning regulations of the county or municipality cannot legally
13 prohibit schools operated by school districts, except that a county or
14 municipality may adopt zoning regulations that prohibit a charter school from
15 operating on property that is less than an acre in size and that is located
16 within an existing single family residence zoning district.
17
18 B. Except as provided in subsection D of this section, a charter
19 school is subject to the same level of oversight and the same rules, hearing
20 requirements, application requirements, ordinances, limitations and other
21 requirements, if any, that would be applied to and enforced against a school
22 that is operated by a school district. A municipality or county shall not
23 enforce, or attempt to enforce, any ordinance, procedure or process against a
24 charter school that cannot be legally enforced against a school district.
25 Voluntary compliance of a school district with the zoning regulations
26 of a municipality or a county does not result in the application of those
27 zoning regulations to a charter school.
28
29 C. The construction and development of the charter school facility
30 shall be subject to the building codes, including life and safety building
31 codes, of the municipality, county or state in which the charter school
32 facility is located.
33
34 D. Municipalities and counties shall adopt procedures to ensure that
35 hearings and administrative reviews involving charter schools are scheduled
and conducted on an expedited basis and that charter schools receive a final
determination from the municipality or county within thirty days after the
beginning of processes requiring only an administrative review and within
ninety days after the beginning of processes requiring a public hearing and
allowing an appeal to a board of adjustment, city or town governing body or
board of supervisors.

E. Except as provided in subsection SUBSECTIONS F, H AND I of this
section, no political subdivision of this state may enact or interpret any
law, rule or ordinance in a manner that conflicts with this section.

F. Notwithstanding subsections A and B of this section, a charter
school shall not be established or operated on commercial or residential
property in an age restricted community that is located in unorganized
territory.

G. A charter school may authorize a third party to apply to a
municipality or county as the representative of that charter school for any
application or action prescribed in subsections A through D of this section.

H. NOTWITHSTANDING SUBSECTIONS A, B, AND C OF THIS SECTION A
MUNICIPALITY OR COUNTY MAY:

1. PROHIBIT THE OPERATION OF A CHARTER SCHOOL WITHIN THE 65 OR HIGHER
DECIBEL NOISE CONTOUR OF A PUBLIC AIRPORT.

2. REQUIRE A CHARTER SCHOOL OPERATOR WITHIN THE 60 DECIBEL NOISE
CONTOUR DEPICTED ON THE MAP REQUIRED BY SECTION 28-8486 TO SIGN AN AIRCRAFT
NOISE DISCLOSURE STATEMENT AND AN AVIGATION EASEMENT AND WAIVER.

I. NOTWITHSTANDING SUBSECTIONS A, B AND C OF THIS SECTION, A CHARTER
SCHOOL FACILITY IN EXCESS OF A MAXIMUM STRUCTURED HEIGHT OF 40 FEET WITHIN
THE TERRITORY IN THE VICINITY OF A PUBLIC AIRPORT AS DEPICTED ON THE MAP
REQUIRED BY SECTION 28-8486 MUST RECEIVE APPROVAL FROM THE MUNICIPALITY OR
COUNTY."

Amend title to conform

DOUG COLEMAN

2620-se-coleman
2/13/15
3:50 PM
H:ajs