

REFERENCE TITLE: comprehensive plans; data centers; nuclear

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2452

Introduced by
Representative Wilmeth

AN ACT

AMENDING SECTION 11-804, ARIZONA REVISED STATUTES; RELATING TO COUNTY
COMPREHENSIVE PLANS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-804, Arizona Revised Statutes, is amended to
3 read:

4 11-804. Comprehensive plan; contents

5 A. The commission shall formulate and the board of supervisors
6 shall adopt or readopt a long-term comprehensive plan for the development
7 of the area of jurisdiction in the manner prescribed by this article. The
8 comprehensive plan, with the accompanying maps, plats, charts and
9 descriptive matter, shall show the commission's recommendations for the
10 development of the area of jurisdiction. The comprehensive plan shall be
11 made with the general purpose of guiding and accomplishing a coordinated,
12 adjusted and harmonious development of the area of jurisdiction pursuant
13 to the present and future needs of the county. The comprehensive plan
14 shall be developed so as to conserve the natural resources of the county,
15 to ensure efficient expenditure of public monies and to promote the
16 health, safety, convenience and general welfare of the public. The
17 comprehensive plan may include studies and recommendations relative to the
18 location, character and extent of highways, railroads, bus and other
19 transportation routes, bicycle facilities, bridges, public buildings,
20 public services, schools, parks, open space, housing quality, variety and
21 affordability, parkways, hiking and riding trails, airports, forests,
22 wildlife areas, dams, projects affecting conservation of natural
23 resources, air quality, water quality and floodplain zoning **AND ELECTRIC
24 POWER PRODUCTION AND DEMAND, INCLUDING SMALL MODULAR REACTORS AND DATA
25 CENTERS**. In the preparation of the comprehensive plan, the commission
26 shall make surveys and studies of the present conditions and prospective
27 future growth of the area of the jurisdiction. The comprehensive plan
28 shall be a public record, but its purpose and effect shall be primarily as
29 an aid to the county planning and zoning commission and to the board of
30 supervisors in the performance of their duties. The comprehensive plan
31 shall include provisions that identify changes or modifications that
32 constitute amendments and major amendments to the plan.

33 B. In addition to the other matters that are required or authorized
34 under this section and this article, for counties with a population of
35 more than one hundred twenty-five thousand persons, the comprehensive plan
36 shall include, and for other counties the comprehensive plan may include:

37 1. Planning for land use that designates the proposed general
38 distribution and location and extent of uses of the land for housing,
39 business, industry, **ENERGY, MINING**, agriculture, recreation, education,
40 public buildings and grounds, open space and other categories of public
41 and private uses of land appropriate to the county. The land use plan
42 shall include:

43 (a) A statement of the standards of population density and building
44 intensity recommended for the various land use categories covered by the
45 plan.

1 (b) Specific programs and policies that the county may use to
2 promote compact form development activity and locations where those
3 development patterns should be encouraged.

4 (c) Consideration of air quality and access to incident solar
5 energy for all general categories of land use.

6 (d) Policies that address maintaining a broad variety of land uses,
7 including the range of uses existing in the county at the time the plan is
8 adopted, readopted or amended.

9 (e) Currently identified sources of aggregates from maps that are
10 available from state agencies, information from the Arizona geological
11 survey on how to locate existing mines, consideration of existing mining
12 operations and suitable geologic resources, policies to preserve currently
13 identified aggregates sufficient for future development and policies to
14 avoid incompatible land uses, except that this subdivision does not affect
15 any permitted underground storage facility or limit any person's right to
16 obtain a permit for an underground storage facility pursuant to title 45,
17 chapter 3.1.

18 (f) DESIGNATION OF THE PROPOSED GENERAL DISTRIBUTION, LOCATION AND
19 EXTENT OF THE USES OF THE LAND FOR THE CONSTRUCTION AND OPERATION OF DATA
20 CENTERS AND DATA CENTER FACILITIES APPROPRIATE TO THE COUNTY. THE
21 DESIGNATIONS SHALL BE SUFFICIENT IN LOCATION AND EXTENT AS TO NOT PREVENT
22 OR PROHIBIT THE EFFECTIVE USE OF LAND FOR THE CONSTRUCTION AND OPERATION
23 OF DATA CENTERS AND DATA CENTER FACILITIES IN THE COUNTY.

24 2. Planning for circulation consisting of the general location and
25 extent of existing and proposed freeways, arterial and collector streets,
26 bicycle routes and any other modes of transportation as may be
27 appropriate, all correlated with the land use plan under paragraph 1 of
28 this subsection.

29 3. Planning for water resources that addresses:

30 (a) The known legally and physically available surface water,
31 groundwater and effluent supplies.

32 (b) The demand for water that will result from future growth
33 projected in the comprehensive plan, added to existing uses.

34 (c) An analysis of how the demand for water that will result from
35 future growth projected in the comprehensive plan will be served by the
36 water supplies identified in subdivision (a) of this paragraph or a plan
37 to obtain additional necessary water supplies.

38 4. Planning for energy use that:

39 (a) Encourages and provides incentives for efficient use of energy.

40 ~~(b) Identifies policies and practices for greater use of renewable~~
41 ~~energy.~~

42 (b) DESIGNATES OF THE PROPOSED GENERAL DISTRIBUTION, LOCATION AND
43 EXTENT OF THE USES OF THE LAND FOR CONSTRUCTION AND OPERATION OF THERMAL
44 AND NONTHERMAL ELECTRIC GENERATING UNITS APPROPRIATE TO THE COUNTY,
45 INCLUDING SMALL MODULAR REACTORS. THE DESIGNATIONS SHALL BE SUFFICIENT IN

1 LOCATION AND EXTENT TO NOT PROHIBIT OR PREVENT THE EFFECTIVE USE OF LAND
2 FOR THE CONSTRUCTION AND OPERATION OF SMALL MODULAR REACTORS IN THE
3 COUNTY.

4 C. In addition to the other matters that are required or authorized
5 under this section and this article, for counties with a population of
6 more than two hundred thousand persons, the comprehensive plan shall
7 include, and for other counties the comprehensive plan may include:

8 1. Planning for open space acquisition and preservation. The open
9 space plan shall include:

10 (a) A comprehensive inventory of open space areas, recreational
11 resources and designations of access points to open space areas and
12 resources.

13 (b) An analysis of forecasted needs, policies for managing and
14 protecting open space areas and resources and implementation strategies to
15 acquire additional open space areas and further establish recreational
16 resources.

17 (c) Policies and implementation strategies designed to promote a
18 regional system of integrated open space and recreational resources and a
19 consideration of any existing regional open space plan.

20 2. Planning for growth areas, specifically identifying those areas,
21 if any, that are particularly suitable for planned multimodal
22 transportation and infrastructure expansion and improvements designed to
23 support a planned concentration of a variety of uses, such as residential,
24 office, commercial, tourism and industrial uses. The mixed use planning
25 shall include policies and implementation strategies that are designed to:

26 (a) Make automobile, transit and other multimodal circulation more
27 efficient, make infrastructure expansion more economical and provide for a
28 rational pattern of land development.

29 (b) Conserve significant natural resources and open areas in the
30 growth area and coordinate their location to similar areas outside the
31 growth area's boundaries.

32 (c) Promote the public and private construction of timely and
33 financially sound infrastructure expansion through the use of
34 infrastructure funding and financing planning that is coordinated with
35 development activity.

36 3. An environmental planning element that contains analyses,
37 policies and strategies to address anticipated effects, if any, of plan
38 elements on air quality, water quality and natural resources associated
39 with proposed development under the comprehensive plan. The policies and
40 strategies to be developed under this element shall be designed to have
41 countywide applicability and shall not require the production of an
42 additional environmental impact statement or similar analysis beyond the
43 requirements of state and federal law.

4. A cost of development element that identifies policies and strategies that the county will use to require development to pay its fair share toward the cost of additional public facility needs generated by new development, with appropriate exceptions when in the public interest. This element shall include:

(a) A component that identifies various mechanisms that are allowed by law and that can be used to fund and finance additional public services necessary to serve the development, including bonding, special taxing districts, development fees, in lieu fees and facility construction, dedications and privatization.

(b) A component that identifies policies to ensure that any mechanisms that are adopted by the county under this element result in a beneficial use to the development, bear a reasonable relationship to the burden imposed on the county to provide additional necessary public facilities to the development and otherwise are imposed pursuant to law.

D. The water resources element of the comprehensive plan does not require:

1. New independent hydrogeologic studies.
2. The county to be a water service provider.

E. In applying an open space element or a growth element of a comprehensive plan, a county shall not designate private or state land as open space, recreation, conservation or agriculture unless the county receives the written consent of the landowner or provides an alternative, economically viable designation in the comprehensive plan or zoning ordinance, allowing at least one residential dwelling per acre. If the landowner is the prevailing party in any action brought to enforce this subsection, a court shall award fees and other expenses to the landowner. Each county shall incorporate this subsection into its comprehensive plan and provide a process for a landowner to resolve discrepancies relating to this subsection.

F. The policies and strategies to be developed under these elements shall be designed to have regional applicability.

G. For counties with territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, the commission shall also consider military airport or ancillary military facility operations and shall identify the boundaries of any high noise or accident potential zone as defined in section 28-8461 in its comprehensive plan for purposes of planning land uses in the high noise or accident potential zone that are compatible with the operation of the military airport or ancillary military facility pursuant to section 28-8481, subsection J.

H. For a county that contains any portion of the influence area of a military installation or range or Arizona national guard site, the commission shall also consider respective installation, range or site operations and shall identify the influence area boundaries in its

1 comprehensive plan for the purposes of planning land uses in the influence
2 area that are compatible with the operation of the ~~MILITARY~~ installation;
3 ~~OR~~ range or ARIZONA NATIONAL GUARD site. For the purposes of this
4 subsection, "influence area" and "military installation or range or
5 Arizona national guard site" have the same meanings prescribed in section
6 11-818.01.

7 Sec. 2. Comprehensive plans; amendment; counties

8 Each county that meets the population threshold prescribed by
9 section 11-804, subsection B, Arizona Revised Statutes, as amended by this
10 act, shall amend the county's comprehensive plan pursuant to section
11 11-805, Arizona Revised Statutes, to comply with the requirements of
12 section 11-804, Arizona Revised Statutes, as amended by this act, within
13 two years of the effective date of this act.