

PROPOSED  
SENATE AMENDMENTS TO H.B. 2456  
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

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,

1 public buildings and grounds, open space and other categories of public  
2 and private uses of land appropriate to the county. The land use plan  
3 shall include:

4 (a) A statement of the standards of population density and building  
5 intensity recommended for the various land use categories covered by the  
6 plan.

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

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

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

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

24 (f) DESIGNATION OF THE PROPOSED GENERAL DISTRIBUTION, LOCATION AND  
25 EXTENT OF THE USES OF THE LAND FOR THE CONSTRUCTION AND OPERATION OF EXTRA  
26 HIGH LOAD FACTOR CUSTOMERS, INCLUDING DATA CENTERS AND DATA CENTER  
27 FACILITIES THAT ARE APPROPRIATE TO THE COUNTY.

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

33 3. Planning for water resources that addresses:

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

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

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

42 4. Planning for energy use that:

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

44 ~~(b) Identifies policies and practices for greater use of renewable~~  
45 ~~energy.~~

46 (b) DESIGNATES OF THE PROPOSED GENERAL DISTRIBUTION, LOCATION AND  
47 EXTENT OF THE USES OF THE LAND FOR CONSTRUCTION AND OPERATION OF THERMAL  
48 AND NONTHERMAL ELECTRIC GENERATING UNITS APPROPRIATE TO THE COUNTY,  
49 INCLUDING SMALL MODULAR REACTORS.

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

5 1. Planning for open space acquisition and preservation. The open  
6 space plan shall include:

7 (a) A comprehensive inventory of open space areas, recreational  
8 resources and designations of access points to open space areas and  
9 resources.

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

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

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

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

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

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

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

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

46 (a) A component that identifies various mechanisms that are allowed  
47 by law and that can be used to fund and finance additional public services  
48 necessary to serve the development, including bonding, special taxing

1 districts, development fees, in lieu fees and facility construction,  
2 dedications and privatization.

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

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

10 1. New independent hydrogeologic studies.

11 2. The county to be a water service provider.

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

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

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

34 H. For a county that contains any portion of the influence area of  
35 a military installation or range or Arizona national guard site, the  
36 commission shall also consider respective installation, range or site  
37 operations and shall identify the influence area boundaries in its  
38 comprehensive plan for the purposes of planning land uses in the influence  
39 area that are compatible with the operation of the **MILITARY**  
40 installation, ~~OR~~ range or **ARIZONA NATIONAL GUARD** site. For the purposes  
41 of this subsection, "influence area" and "military installation or range  
42 or Arizona national guard site" have the same meanings prescribed in  
43 section 11-818.01.

1           Sec. 2. Comprehensive plans; amendment; counties  
2           Each county that meets the population threshold prescribed by  
3 section 11-804, subsection B, Arizona Revised Statutes, as amended by this  
4 act, shall amend the county's comprehensive plan pursuant to section  
5 11-805, Arizona Revised Statutes, to comply with the requirements of  
6 section 11-804, Arizona Revised Statutes, as amended by this act, within  
7 four years of the effective date of this act."  
8 Amend title to conform

SHAWNNA BOLICK

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