

# CORRECTED

Senate Engrossed

counties; board; administrative review; approval

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

## CHAPTER 8

# SENATE BILL 1286

AN ACT

AMENDING SECTIONS 11-269.27, 11-822 AND 11-823, ARIZONA REVISED STATUTES;  
RELATING TO COUNTY PLANNING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-269.27, Arizona Revised Statutes, is amended  
3 to read:

4 11-269.27. Administrative review and approval;  
5 self-certification program; expedited approval;  
6 definitions

7 A. Notwithstanding any other law, the board of supervisors of a  
8 county may by ordinance do the following:

9 1. Authorize administrative personnel to review and approve site  
10 plans, development plans, land divisions, lot line adjustments, lot ties,  
11 ASSURANCES, preliminary plats, final plats and plat amendments without a  
12 public hearing HELD BY THE BOARD OF SUPERVISORS.

13 2. Authorize administrative personnel to review and approve design  
14 plans based on objective standards without a public hearing.

15 3. Adopt a self-certification program allowing registered  
16 architects and professional engineers to certify and be responsible for  
17 compliance with all applicable ordinances and construction standards for  
18 projects that the ordinance identifies as being qualified for  
19 self-certification.

20 4. Allow at-risk submittals for certain on-site preliminary grading  
21 and drainage work or infrastructure.

22 5. Allow applicants with a history of compliance with building  
23 codes and regulations to be eligible for expedited permit review.

24 B. Applications for a license pursuant to this section are subject  
25 to chapter 11, article 1 of this title.

26 C. For the purposes of this section: ~~—~~

27 1. "LICENSE" HAS THE SAME MEANING PRESCRIBED IN SECTION 9-831.

28 2. "Objective" means not influenced by personal interpretation,  
29 taste or feelings of a county employee and verifiable by reference to an  
30 adopted benchmark, standard or criterion available and knowable by the  
31 applicant or proponent.

32 Sec. 2. Section 11-822, Arizona Revised Statutes, is amended to  
33 read:

34 11-822. Subdivision approval; platting regulations;  
35 violation; classification; easement vesting

36 A. ~~NO~~ A plat of a subdivision of land within the area of  
37 jurisdiction of the county shall NOT be accepted for recording or recorded  
38 until it has been approved by the board OR A COUNTY EMPLOYEE WHO IS  
39 AUTHORIZED BY THE ADOPTED COUNTY ORDINANCE. The approval of the board OR  
40 A COUNTY EMPLOYEE WHO IS AUTHORIZED BY THE ADOPTED COUNTY ORDINANCE shall  
41 be endorsed in writing on the plat and shall also include specific  
42 identification and approval of the assurances, except those for hiking and  
43 equestrian trails required by this section. If a county planning and  
44 zoning commission exists, the plat may be referred to the commission for  
45 its consideration and the board may receive the recommendation of the

1 commission. If the subdivision is comprised of subdivided ~~land~~ LANDS, as  
2 defined in section 32-2101, and is within an active management area, as  
3 defined in section 45-402, the plat shall not be approved unless it is  
4 accompanied by a certificate of assured water supply issued by the  
5 director of water resources, or unless the subdivider has obtained a  
6 written commitment of water service for the subdivision from a city, town  
7 or private water company designated as having an assured water supply by  
8 the director of water resources pursuant to section 45-576 or is exempt  
9 from such a requirement pursuant to section 45-576. The board shall note  
10 on the face of the plat that a certificate of assured water supply has  
11 been submitted with the plat or that the subdivider has obtained a  
12 commitment of water service for the proposed subdivision from a city, town  
13 or private water company designated as having an assured water supply  
14 pursuant to section 45-576.

15 B. The ground of refusal or approval of any plat submitted,  
16 including citation of or reference to the rule or regulation violated by  
17 the plat, shall be stated on the record of the board.

18 C. Approval of a plat shall not be deemed to constitute or effect  
19 an acceptance by the county for designation of any street, highway,  
20 bicycle facility or other way or open space shown on the plat into the  
21 county maintenance system except for hiking and equestrian trails that are  
22 constructed and maintained by the county. However, at the time the  
23 streets, highways, bicycle facilities or other ways are fully completed in  
24 accordance with the approved plat and written specifications made by the  
25 county board OR A COUNTY EMPLOYEE WHO IS AUTHORIZED BY THE ADOPTED COUNTY  
26 ORDINANCE, the county shall accept the streets, highways, bicycle  
27 facilities and other ways into the county maintenance system within one  
28 year ~~of~~ AFTER completion.

29 D. Any person causing a final plat to be recorded without first  
30 submitting the plat and obtaining approval of the board OR A COUNTY  
31 EMPLOYEE WHO IS AUTHORIZED BY THE ADOPTED COUNTY ORDINANCE is guilty of a  
32 class 2 misdemeanor. A county recorder shall not accept for recording or  
33 record any plat that has not been approved as provided by this article.

34 E. On recording of a plat, the fee of the streets, alleys, avenues,  
35 highways, easements, parks and other parcels of ground reserved to the use  
36 of the public vests in trust in the county for the uses and to the extent  
37 depicted on the plat, including ingress and egress easements depicted on  
38 the plat. On annexation by any city or town the fee automatically vests  
39 in the city or town.

40 F. For any subdivision that consists of lots, tracts or parcels,  
41 each of which is of a size as prescribed by the board of supervisors, the  
42 board OR A COUNTY EMPLOYEE WHO IS AUTHORIZED BY THE ADOPTED COUNTY  
43 ORDINANCE may waive the requirement to prepare, submit and receive  
44 approval of a preliminary plat as a condition precedent to submitting a  
45 final plat and may waive or reduce infrastructure standards or

1 requirements except for improved dust-controlled access and minimum  
2 drainage improvements.

3 Sec. 3. Section 11-823, Arizona Revised Statutes, is amended to  
4 read:

5 11-823. Water supply; adequacy; exemptions

6 A. To protect the public health and safety, the general regulations  
7 adopted by the board pursuant to section 11-821, subsection B, if approved  
8 by unanimous vote of the board of supervisors, may provide that, except as  
9 provided in subsection C and subsection D, paragraph 1 of this section,  
10 the board **OR A COUNTY EMPLOYEE WHO IS AUTHORIZED BY THE ADOPTED COUNTY**  
11 **ORDINANCE** shall not approve a final plat for a subdivision composed of  
12 subdivided lands, as defined in section 32-2101, located outside of an  
13 active management area, as defined in section 45-402, unless one of the  
14 following applies:

15 1. The director of water resources has determined that there is an  
16 adequate water supply for the subdivision pursuant to section 45-108 and  
17 the subdivider has included the report with the plat.

18 2. The subdivider has obtained a written commitment of water  
19 service for the subdivision from a city, town or private water company  
20 designated as having an adequate water supply by the director of water  
21 resources pursuant to section 45-108.

22 B. If the board unanimously adopts the provision authorized by  
23 subsection A of this section:

24 1. The board may include in the general regulations an exemption  
25 from the provision for a subdivision that the director of water resources  
26 has determined will have an inadequate water supply because the water  
27 supply will be transported to the subdivision by motor vehicle or train if  
28 all of the following apply:

29 (a) The board determines that there is no feasible alternative  
30 water supply for the subdivision and that the transportation of water to  
31 the subdivision will not constitute a significant risk to the health and  
32 safety of the residents of the subdivision.

33 (b) If the water to be transported to the subdivision will be  
34 withdrawn or diverted in the service area of a municipal provider as  
35 defined in section 45-561, the municipal provider has consented to the  
36 withdrawal or diversion.

37 (c) If the water to be transported is groundwater, the  
38 transportation complies with the provisions governing the transportation  
39 of groundwater in title 45, chapter 2, article 8.

40 (d) The transportation of water to the subdivision meets any  
41 additional conditions imposed by the county.

42 2. The board shall promptly give written notice of the adoption of  
43 the provision to the director of water resources, the director of  
44 environmental quality and the state real estate commissioner. The notice  
45 shall include a certified copy of the provision and any exemptions adopted

1 pursuant to paragraph 1 of this subsection. Water providers may be  
2 eligible to receive monies in a water supply development fund, as  
3 otherwise provided by law.

4         3. The board shall not rescind the provision or amend it in a  
5 manner that is inconsistent with subsection A of this section. If the  
6 board amends the provision, it shall give written notice of the amendment  
7 to the director of water resources, the director of environmental quality  
8 and the state real estate commissioner. The board may rescind an  
9 exemption adopted pursuant to paragraph 1 of this subsection. If the  
10 board rescinds the exemption, it shall give written notice of the  
11 rescission to the director of water resources, the director of  
12 environmental quality and the state real estate commissioner, and the  
13 board shall not readopt the exemption for at least five years after the  
14 rescission becomes effective.

15         4. If the board **OR A COUNTY EMPLOYEE WHO IS AUTHORIZED BY THE**  
16 **ADOPTED COUNTY ORDINANCE** approves a subdivision plat pursuant to  
17 subsection A, paragraph 1 or 2 of this section, the board shall note on  
18 the face of the plat that the director of water resources has reported  
19 that the subdivision has an adequate water supply or that the subdivider  
20 has obtained a commitment of water service for the proposed subdivision  
21 from a city, town or private water company designated as having an  
22 adequate water supply pursuant to section 45-108.

23         5. If the board **OR A COUNTY EMPLOYEE WHO IS AUTHORIZED BY THE**  
24 **ADOPTED COUNTY ORDINANCE** approves a subdivision plat pursuant to an  
25 exemption authorized by paragraph 1 of this subsection or granted by the  
26 director of water resources pursuant to section 45-108.02 or 45-108.03:

27         (a) The board shall give written notice of the approval to the  
28 director of water resources and the director of environmental quality.

29         (b) The board shall include on the face of the plat a statement  
30 that the director of water resources has determined that the water supply  
31 for the subdivision is inadequate and a statement describing the exemption  
32 under which the plat was approved, including a statement that the board or  
33 the director of water resources, whichever applies, has determined that  
34 the specific conditions of the exemption were met. If the director of  
35 water resources subsequently informs the board that the subdivision is  
36 being served by a water provider that has been designated by the director  
37 as having an adequate water supply pursuant to section 45-108, the board  
38 shall record in the county recorder's office a statement disclosing that  
39 fact.

40         C. Subsection A of this section does not apply to:

41         1. A proposed subdivision that the director of water resources has  
42 determined will have an inadequate water supply pursuant to section 45-108  
43 if the director grants an exemption for the subdivision pursuant to  
44 section 45-108.02 and the exemption has not expired or the director grants  
45 an exemption pursuant to section 45-108.03.

1           2. A proposed subdivision that received final plat approval from  
2 the county before the requirement for an adequate water supply became  
3 effective in the county if the plat has not been materially changed since  
4 it received the final plat approval. If changes were made to the plat  
5 after the plat received the final plat approval, the director of water  
6 resources shall determine whether the changes are material pursuant to the  
7 rules adopted by the director to implement section 45-108. If the county  
8 approves a plat pursuant to this paragraph and the director of water  
9 resources has determined that there is an inadequate water supply for the  
10 subdivision pursuant to section 45-108, the county shall note this on the  
11 face of the plat.

12           D. If the subdivision is composed of subdivided lands as defined in  
13 section 32-2101 outside of an active management area and the board has not  
14 adopted a provision pursuant to subsection A of this section:

15           1. If the director of water resources has determined that there is  
16 an adequate water supply for the subdivision pursuant to section 45-108 or  
17 if the subdivider has obtained a written commitment of water service for  
18 the subdivision from a city, town or private water company designated as  
19 having an adequate water supply by the director of water resources  
20 pursuant to section 45-108, the board **OR A COUNTY EMPLOYEE WHO IS**  
21 **AUTHORIZED BY THE ADOPTED COUNTY ORDINANCE** shall note this on the face of  
22 the plat if the plat is approved.

23           2. If the director of water resources has determined that there is  
24 an inadequate water supply for the subdivision pursuant to section 45-108,  
25 the board **OR A COUNTY EMPLOYEE WHO IS AUTHORIZED BY THE ADOPTED COUNTY**  
26 **ORDINANCE** shall note this on the face of the plat if the plat is approved.

APPROVED BY THE GOVERNOR MARCH 25, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 25, 2025.