



SOLUTIONS FOR THE FUTURE OF ARIZONA'S LAND

Land Use: Challenges + Choices for the 21st Century

**October 2007
Highlights of the
91st Arizona Town Hall**

As the “think tank” for Arizona’s business and community leaders, Arizona Town Hall has a proven record of creating solutions for critical issues facing Arizona. Participants in the 91st Town Hall, held at the Grand Canyon on October 28-31, 2007, brought high levels of energy and knowledge to complex conversations about the interface of land-use planning with transportation, education, water, energy, and state trust land.

Prior to the Town Hall session, more than 150 participants from throughout the state reviewed a comprehensive background report developed by Arizona State University’s College of Public Programs, Global Institute of Sustainability, Decision Center for a Desert City. Meeting in facilitated small groups for two days, the participants addressed a common set of discussion questions. Trained recorders captured points of consensus and the entire group gathered for a plenary session on the third day to adopt a report of findings and recommendations.

The final report and background research are published in a single volume and distributed to Arizona Town Hall members, the Arizona Legislature, other officials, public libraries, and the general public. Copies are available from Arizona Town Hall by calling 602-252-9600 and online at www.aztownhall.org.

▶ **State trust land reform must be enacted. The State Land Department must receive adequate funding and authority to become a true asset manager.**

Enhance and Preserve

Participants of the 91st Town Hall agreed that we must enhance and preserve each of Arizona's diverse landscapes in a way that allows for growth yet does not harm the features that draw people to our state. Arizona should balance preservation of natural, cultural, and historic landscapes with its various economic landscapes, including mining, ranching, farming, and agricultural industries.

Preserving land and the natural environment does not mean stopping growth; indeed, the state's population is expected to double within the next 45 years. The current systems of planning and land-use regulation are inadequate to address such growth. Collaborative planning among all levels of government—local, regional, state, tribal, and federal—is crucial, particularly in managing infrastructure, transportation, education, environmental concerns, energy, and natural and water resources.

A Snapshot of Land Use Issues in Arizona

- ▶ Arizona's population is projected to grow from just over six million residents in 2006 to almost **13 million by 2050**.
 - ▶ Metropolitan areas are growing together into **megapolitan** areas, challenging planners to consider land-use practices and transportation planning for trans-metropolitan development.
 - ▶ Arizona enacted **Growing Smarter** legislation in 1998 and **Growing Smarter Plus** in 2000, which required cities, towns, and counties to prepare long-range plans that included consideration of such issues as land use, transportation, water supplies, open space, and the environment. Local zoning was required to be consistent with these plans and, for larger cities and towns, the plans must be approved by residents in local elections.
 - ▶ The Arizona State Land Department has recently been able to bring only about 2,000 to 3,000 acres of **state trust land** to market for development use, out of the nearly one million acres within or adjacent to urban areas. Some trust parcels, because of their large size, have become barriers to urban growth, with development jumping over miles of state trust land to access privately owned lands beyond.
- The slow rate at which this land is brought to market and the challenges associated with providing for the conservation of trust lands stem from the unique legal restrictions that govern the management and disposal of these lands, as well as the extremely limited planning and development budget of the State Land Department. These restrictions also limit the value that the trust has been able to receive from the sale and development of trust lands.
- ▶ **Proposition 207**, the Arizona Private Property Rights Protection Act, passed in 2006, challenges longstanding principles of zoning and regulatory takings. Prop 207 stipulates that "...if any land-use law enacted after the date the property is transferred to the owner and such action reduces the fair market value of the property, the owner is entitled to just compensation from this State or the political subdivision of this State that enacted the land-use law."

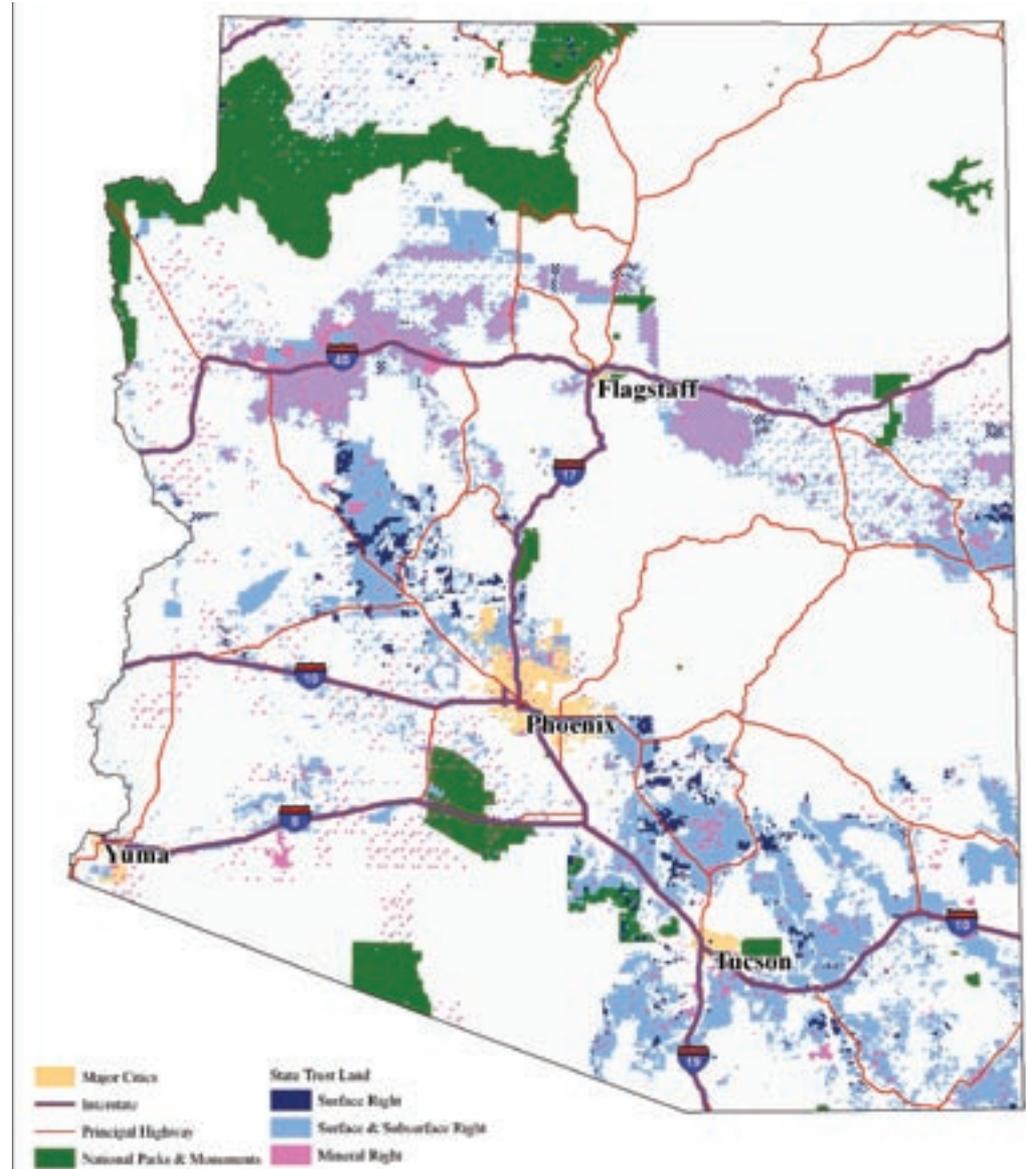
Two immediate consequences of Prop 207 are: slowing down cities that are attempting comprehensive revision of their zoning ordinances, and adding new layers of legal and planning review to consider Prop 207 implications.

1:

Enact State Trust Land Reform

- ▶ The State Land Department must receive adequate funding and authority to be a true asset manager. An enterprise fund should be created that would allow the Department to retain a portion of land sale and lease proceeds, including brokerage fees, and use those funds for state trust land planning, operations, and management.
- ▶ Reform should allow the State Land Department to increase the value of state trust lands. Through a constitutional amendment, the Department must be authorized to plan, engineer, design infrastructure, and entitle (which includes zoning changes with the local community) on state trust lands. Reform should include an adequately funded and timely process to dedicate rights-of-way and open spaces, and address conservation concerns.
- ▶ Constitutional reform should authorize public-to-public land exchanges, including exchanges between federal and state lands that are in Arizona's best interest.

State Trust Lands in Arizona



2:

Diversify Revenue Sources for Smart Growth

▶ Diversify revenue sources to support long-range smart growth planning and implementation. Revenue sources should be related to the end users, including developers and existing users.

3:

Harness the Power of Public/Private Partnerships

▶ Develop more public/private partnerships to support smart growth. The League of Arizona Cities and Towns and the County Supervisors' Association should: create a public/private task force to evaluate successes in the areas of smart growth and sustainability; inventory and assess industry best management practices in sustainability; consider appropriate local implementation time frames; and review potential incentives for voluntary incorporation of sustainable land use practices.

4:

Regulate Lot Splits

▶ Strengthen regulation of lot splits and unplanned development. The state should give additional authority and resources to counties to regulate and control development. Adequate public infrastructure must be a prerequisite for land use development.

5:

Collaborate Regionally

▶ Create regional long-term plans for transportation, water, energy, infrastructure, affordable and workforce housing, education, and open space. Enhance regional planning and cross-jurisdictional communications to ensure smart land use planning on issues that straddle jurisdictional boundaries.

▶ Increase collaboration on land use planning among Arizona's governments and tribal communities at the municipal, county, and statewide levels to better address the concerns of each community, to better account for and address cultural differences, and to better identify common expectations and goals.

Smart Growth Principles

- ▶ Mix land uses
- ▶ Take advantage of compact building design
- ▶ Create a range of housing opportunities and choices
- ▶ Create walkable neighborhoods
- ▶ Foster distinctive, attractive communities with a strong sense of place
- ▶ Preserve open space, farmland, natural beauty, and critical environmental areas
- ▶ Strengthen and direct development towards existing communities
- ▶ Provide a variety of transportation choices
- ▶ Make development decisions predictable, fair, and cost-effective
- ▶ Encourage community and stakeholder collaboration in development decisions

—Arizona State University Background Report

6:

Understand the Implications of Proposition 207

► Create a blue ribbon panel comprised of government officials, public and private stakeholders, and citizens to analyze the regulatory takings provision of Proposition 207 and address areas of concern.

Cities opposed Prop 207 out of fear that they would be unable to update and expand their zoning regulations in response to development pressure without paying compensation. This concern is particularly significant in rapidly growing cities where the net effect of Prop 207 may be to virtually “freeze” the rules in place on the measure’s effective date of December 7, 2006.

—Arizona State University Background Report

7:

Envision the Future

► Carry out a visioning process for the state’s growth, led by the governor, to determine where we want to be in 50 years. The Governor’s Growth Cabinet, in partnership with the Arizona Planning Association and the private development community, must develop a smart growth vision for Arizona and a training program for planners, local elected officials, planning and zoning commissions, and other volunteer boards.

► Create a comprehensive multi-modal statewide transportation plan that includes reserving transportation corridors for at least a 20-25 year planning horizon.

8:

Conduct Framework Studies

► Develop statewide framework studies of the natural, human, and cultural resources within the state to guide land use planning. Pay particular attention to water and energy resources, wildlife corridors, habitat areas, riparian habitat, and other natural and infrastructure corridor issues. Arizona’s universities, in collaboration with practitioners, should conduct studies that collect, analyze, and interpret data, and suggest practical applications.

9:

Engage Diverse Citizens

▶ Establish a broad-based, diverse citizen organization to provide a sustained presence in support of effective growth management. This organization should contribute technical expertise, educate the public, and encourage citizen involvement in land use issues.

10:

Identify Priorities

▶ Ask state and local governments to identify the top 20 land use planning, conservation, and environmental opportunities and to implement those priorities within the next five years.

How You Can Take Action

- ▶ Make your views on land use issues known to the governor (<http://azgovernor.gov/Contact.asp>) and your state legislators (<http://www.azleg.state.az.us/alisStaticPages/HowToContactMember.asp>).
- ▶ Use resources such as Project Vote Smart (<http://www.vote-smart.org/index.htm>) to find contact information for all of your elected officials, including U.S. Senators and Representatives.
- ▶ Keep up to date on relevant programs in your community and action you can take through the Arizona Town Hall Web site at www.aztownhall.org.
- ▶ Arrange a program in your community on land use in Arizona. Arizona Town Hall can provide resources, speakers, and printed materials.
- ▶ Be a change agent. Utilize the wealth of knowledge contained in the full report from the 91st Town Hall to develop partnerships and programs that will help maintain Arizona's unique resources in the face of rapid growth.



We welcome your involvement, questions, and perspectives.

Arizona Town Hall is a private, nonprofit civic organization created in 1962. It has served as a catalyst for conversations and recommendations that create solutions to significant public policy issues in Arizona, and has been cited by countless local, state, and national leaders as an important factor in educating Arizona citizens on important statewide issues.

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