Challenges to Managing Arizona’s Growth

– limiting wildcat development, conserving state trust lands, and the barriers created by Proposition 207
Arizona is #1 in Growth

<table>
<thead>
<tr>
<th>Year</th>
<th>Arizona</th>
<th>Nevada</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>6,166,318</td>
<td>2,495,529</td>
</tr>
<tr>
<td>2005</td>
<td>5,953,007</td>
<td>2,412,301</td>
</tr>
<tr>
<td>2004</td>
<td>5,745,674</td>
<td>2,332,484</td>
</tr>
<tr>
<td>2003</td>
<td>5,582,252</td>
<td>2,241,127</td>
</tr>
<tr>
<td>2002</td>
<td>5,445,333</td>
<td>2,169,202</td>
</tr>
<tr>
<td>2001</td>
<td>5,300,366</td>
<td>2,095,820</td>
</tr>
<tr>
<td>2000</td>
<td>5,166,693</td>
<td>2,018,456</td>
</tr>
<tr>
<td>Growth 2005-2006</td>
<td>3.6%</td>
<td>3.5%</td>
</tr>
<tr>
<td>Growth 2000-2005</td>
<td>15.2%</td>
<td>19.5%</td>
</tr>
</tbody>
</table>

SOURCE: US CENSUS BUREAU/RICH CLABAUGH - STAFF
Maricopa County Highest in Numerical Growth

<table>
<thead>
<tr>
<th>County</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maricopa, Ariz.</td>
<td>695,784</td>
</tr>
<tr>
<td>Harris, Texas</td>
<td>485,653</td>
</tr>
<tr>
<td>Riverside, Calif.</td>
<td>481,416</td>
</tr>
<tr>
<td>Los Angeles, Calif.</td>
<td>428,751</td>
</tr>
<tr>
<td>Clark, Nev.</td>
<td>401,801</td>
</tr>
<tr>
<td>San Bernardino, Calif.</td>
<td>289,898</td>
</tr>
<tr>
<td>Tarrant, Texas</td>
<td>225,121</td>
</tr>
<tr>
<td>Collin, Texas</td>
<td>207,076</td>
</tr>
<tr>
<td>Gwinnett, Ga.</td>
<td>168,656</td>
</tr>
<tr>
<td>Will, Ill.</td>
<td>165,950</td>
</tr>
<tr>
<td>Flagler, Fla.</td>
<td>66.7%</td>
</tr>
<tr>
<td>Kendall, Ill.</td>
<td>61.7%</td>
</tr>
<tr>
<td>Rockwall, Texas</td>
<td>60.5%</td>
</tr>
<tr>
<td>Loudoun, Va.</td>
<td>58.5%</td>
</tr>
<tr>
<td>Forsyth, Ga.</td>
<td>53.4%</td>
</tr>
<tr>
<td>Pinal, Ariz.</td>
<td>51.0%</td>
</tr>
<tr>
<td>Douglas, Colo.</td>
<td>50.0%</td>
</tr>
<tr>
<td>Henry, Ga.</td>
<td>49.2%</td>
</tr>
<tr>
<td>Paulding, Ga.</td>
<td>48.9%</td>
</tr>
<tr>
<td>Lyon, Nev.</td>
<td>48.5%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, Population Estimates

U.S. Census Bureau
Consequences of Rapid Growth
Poor Air Quality
Consequences of Rapid Growth

Traffic Congestion
Consequences of Rapid Growth

Loss of Wildlife Habitat
Consequences of Rapid Growth

Water supply and water quality issues
Consequences of Rapid Growth

- Undue burden on infrastructure including schools
- Higher taxes
"I was skeptical when I heard projections for Phoenix to grow to Prescott Valley. There are many issues, including land use and water, that need to be worked out. But based on current growth and commuting patterns, it will happen. Valley home builders are already there."

-- Grady Gammage, Jr. Arizona real estate attorney (The Arizona Republic)
Urban Expansion in Arizona
2000-2050
Wildcat Subdivisions
Definition of Subdivision

32-2101 (55). "Subdivision" or "subdivided lands":
(a) Means improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into six or more lots, parcels or fractional interests.
Subdivision of Land
Includes Requirements
Exceptions to Subdivision Definition

Does not include:

The division or proposed division of land located in this state into lots or parcels each of which is or will be thirty-six acres or more in area including to the centerline of dedicated roads or easements, if any, contiguous to the lot or parcel.
Comments on Wildcat Subdivisions

"The economic viability of rural Arizona is at risk if we don't do something." Rep. Tom O'Halleran, R-Sedona. (The Arizona Republic)

"In Arizona, it's buyer beware." Kenneth Spedding, director of community services for Yavapai County. (The Arizona Republic)
Impacts of Wildcat Subdivisions

- Dust
- Poor road conditions
- Flooding
- Poor emergency response
- Limited utility access
- Legal access often in question
- Health and safety regulations difficult to enforce
Can Arizona Conserve Its State Trust Lands?
Arizona State Trust Lands

- More than 9.2 million acres – held in trust
- Primary beneficiary public schools
- Produce economic benefit for the beneficiaries
- Most under grazing leases
State Trust Land Measures

• Arizona Preserve Initiative - 1996
• Growing Smarter Dollars - 1998
• Proposition 100 (included swaps) – 2000
• Propositions 105 and 106 - 2006
Conserving Arizona’s Future
Proposition 106
Proposition 106 included:

- Conservation of 332,757 acres plus potential for additional 360,999 acres
- Board of trustees for oversight of land issues
- Funds for land department from trust revenues
- Participation agreements for the developers
- Conveyance of rights-of-way without auction
- Requirement that the state land department plan in conjunction with cities, towns, and counties
Proposition 105 included:

- Conservation of 42,511 acres
- Any additional lands not already identified under the Arizona Preserve Initiative, be approved by laws
- Capped conservation at 400,000 acres
- Gave away pre-1968 rights-of-way for roads
Where do we go with state trust land conservation?

Diana Rhoades, Sonoran Institute
McDowell Sonoran Preserve Lands
Observatory Mesa
Walnut Canyon
State Trust Lands near Ironwood Forest National Monument
HCR2039

• Conserves 190,000 acres – must be acquired at fair market value.
• Includes time frames in which the lands must be acquired – two, four and six years.
• Allows for conveyance of lands without auction.
• Gives away the pre-1968 rights-of-way.
Proposition 207

Requires the government to pay land owners when regulations decrease the property's value.
OREGON MEASURE 37

“If we continue down this path, we will lose our quality of life and we will lose our ability to plan. It will end up hurting us economically by limiting Oregon as a place to do business. As every day goes by, more and more people are saying, 'This isn't what we thought we were voting for.'”

PROPOSITION 207 EXEMPTIONS

• Per federal law
• Public nuisance
• Pornography
• Public health and safety
• Already enacted
Reject the current vision of growth and development.
Question and reduce the rate of growth.
Repeal the provisions in Proposition 207 dealing with regulatory takings.
Change the Definition of Subdivision to four or more lots. Increase the acreage size for the 36 acre exemption.
Integrate land-use decisions with water use decisions.
Give local governments, particularly counties, the tools they need to manage for growth.
Develop a simple direct state trust land proposal that focuses on conservation.
Keep the public lands on the urban fringe and elsewhere as public lands.
Implement real regional planning