



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2734: affordable housing; parking requirements; prohibition

S/E: public hearings; voting

Sponsor: Representative Ortiz, LD 24

Committee on Commerce

Summary of the Strike-Everything Amendment to HB 2734

Overview

Limits public hearings on any zoning ordinance to two hearings and changes the voting threshold required to enact a protested zoning ordinance amendment.

History

Statute authorizes municipalities to adopt zoning ordinances and codes to conserve and promote the public health, safety and general welfare and outlines zoning guidelines and requirements. Municipalities must adopt, by ordinance, a citizen review process that applies to all rezoning and specific plan applications that require a public hearing ([A.R.S. § 9-462.03](#)).

If a municipality has a planning commission or a hearing officer, the commission or officer must hold a public hearing on any zoning ordinance. After the hearing, the commission or office renders a written recommendation to the governing body of the municipality. The governing body may adopt the recommendations without holding a second public hearing provided there is no objection, request for public hearing or other protest.

If 20% or more of the owners of the property within the zoning area of the affected property file a written protest against a proposed amendment, the change can only become effective by a favorable vote of three-fourths of all members of the governing body. If any members of the governing body are unable to vote on such a question, then the required number of votes for passage of the question is three-fourths of the remaining membership of the governing body, provided that such required number of votes cannot be less than a majority of the full membership of the legally established governing body ([A.R.S. § 9-462.04](#)).

Provisions

1. Limits public hearings on zoning ordinance to two hearings. (Sec 1)
2. Lowers the number of votes required to enact a proposed zoning amendment that is protested by certain property owners from three-fourths of all members to a majority of all members of a governing body of a municipality. (Sec 1)
3. Changes the deadline to file a protest against a proposed amendment from no later than 12:00 noon *one business day* before the voting date to no later than 12:00 noon *three business days* before the voting date. (Sec. 1)
4. Makes technical changes. (Sec 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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