



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

AMENDED

FACT SHEET FOR S.B. 1409

zoning ordinances; property rights; costs

Purpose

Requires the legislative body of a municipality to consider and adopt an impact statement that includes specified information before adopting any zoning ordinance or zoning ordinance text amendment of general applicability.

Background

Statute requires the legislative body of a municipality to consider the individual property rights and personal liberties of the residents of the municipality before adopting any zoning ordinance ([A.R.S. § 9-462.01](#)). A *zoning ordinance* is a municipal ordinance regulating the use of the land or structures or both as specified in statute ([A.R.S. § 9-462](#)).

Statute prohibits a municipality from adopting or enforcing a land use regulation that requires the property on which a nongovernmental primary or secondary school operates to be larger than one acre ([A.R.S. § 9-462.01](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the legislative body of a municipality, before adopting any zoning ordinance or zoning ordinance text amendment of general applicability, to consider the probable impact of the proposed zoning ordinance or text amendment on the cost to construct housing for sale or rent.
2. Makes technical changes.
3. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Removes the prohibition against a municipality adopting or enforcing a land use regulation that unreasonably increases the cost to construct housing for sale or rent.
2. Removes the new proposed considerations a municipality must consider before adopting a zoning ordinance or zoning ordinance text amendment of general applicability except for the requirement that the legislative body must consider the probable impact on the cost to construct housing for sale or rent.

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Senate Action

JUD 2/11/21 DP 6-2-0

Prepared by Senate Research
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