

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1229

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 9, chapter 4, article 6, Arizona Revised Statutes,
3 is amended by adding section 9-461.19, to read:

4 9-461.19. Municipalities; starter homes; development;
5 restrictions; applicability; definitions

6 A. BEGINNING JANUARY 1, 2027, A MUNICIPALITY WITH A POPULATION OF
7 MORE THAN THIRTY THOUSAND PERSONS SHALL ADOPT ZONING REGULATIONS THAT
8 PROVIDE A THIRTY PERCENT DENSITY BONUS TO ANY NEW SINGLE-FAMILY RESIDENTIAL
9 DEVELOPMENT LARGER THAN FIVE CONTIGUOUS ACRES THAT DEDICATES AT LEAST
10 THIRTY PERCENT OF THE DEVELOPMENT FOR THE CONSTRUCTION OF STARTER
11 HOMES. THE DENSITY BONUS DOES NOT REQUIRE OR PROHIBIT A MUNICIPALITY FROM
12 APPROVING MORE THAN THIRTY PERCENT OF ANY DEVELOPMENT AS STARTER HOMES.

13 B. THE ZONING REGULATIONS OF A MUNICIPALITY WITH A POPULATION OF
14 MORE THAN THIRTY THOUSAND PERSONS MAY NOT REQUIRE FOR A STARTER HOME THAT
15 IS DEVELOPED PURSUANT TO SUBSECTION A OF THIS SECTION ANY OF THE FOLLOWING:

- 16 1. A MINIMUM LOT SIZE THAT IS THREE THOUSAND SQUARE FEET OR MORE.
- 17 2. A MINIMUM FRONT SETBACK THAT IS TWENTY FEET OR MORE.
- 18 3. A MINIMUM REAR SETBACK THAT IS TEN FEET OR MORE.
- 19 4. SIDE SETBACKS THAT HAVE A COMBINED TOTAL OF FIFTEEN FEET OR MORE,
20 EXCEPT AS NECESSARY TO COMPLY WITH PUBLIC HEALTH AND SAFETY STANDARDS.
- 21 5. REAR YARD PATIOS.
- 22 6. REAR YARD LANDSCAPING, NOT INCLUDING STORMWATER DRAINAGE
23 REQUIREMENTS AND WATER CONSERVATION REQUIREMENTS.

1 7. APPROVAL OF THE INTERIOR FLOORPLAN, EXCEPT FOR THE PURPOSE OF
2 ENSURING COMPLIANCE WITH ALL APPLICABLE BUILDING CODES AND FIRE CODES.

3 8. MINIMUM OR MAXIMUM LOT COVERAGE.

4 C. THE ZONING REGULATIONS OF A MUNICIPALITY WITH A POPULATION OF
5 MORE THAN THIRTY THOUSAND PERSONS MAY NOT REQUIRE FOR A NEW SINGLE-FAMILY
6 RESIDENTIAL DEVELOPMENT THAT IS DEVELOPED PURSUANT TO SUBSECTION A OF THIS
7 SECTION ANY OF THE FOLLOWING:

8 1. PRIVATELY OWNED COMMON IMPROVEMENTS OR COMMUNITY-OWNED FACILITIES
9 THAT INCLUDE:

10 (a) A MONUMENT ENTRY SIGN.

11 (b) A WATER FOUNTAIN.

12 (c) A COMMUNITY POOL, CLUBHOUSE, COMMUNITY CENTER OR SPORT COURT.

13 2. NONFUNCTIONAL TURF.

14 3. LANDSCAPING OF NONNATIVE PLANTS AND TREES.

15 4. A FREESTANDING SIDE WALL, EXCEPT TO PROVIDE SCREENING ALONG
16 ARTERIAL STREETS OR TO SEPARATE A NONRESIDENTIAL AREA OR AREAS OF
17 INCOMPATIBLE USE.

18 D. THIS SECTION DOES NOT APPLY TO LAND THAT IS LOCATED IN ANY OF THE
19 FOLLOWING:

20 1. AN AREA THAT IS DESIGNATED AS A DISTRICT OF HISTORICAL
21 SIGNIFICANCE PURSUANT TO SECTION 9-462.01, SUBSECTION A, PARAGRAPH 10.

22 2. AN AREA THAT IS DESIGNATED AS HISTORIC BY A MUNICIPALITY.

23 3. AN AREA THAT IS DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER
24 OF HISTORIC PLACES.

25 4. AN AREA THAT IS LOCATED IN THE VICINITY OF A MILITARY AIRPORT OR
26 ANCILLARY MILITARY FACILITY AS DEFINED IN SECTION 28-8461.

27 5. AN AREA THAT IS LOCATED IN THE VICINITY OF A FEDERAL AVIATION
28 ADMINISTRATION COMMERCIALY LICENSED AIRPORT OR A GENERAL AVIATION OR
29 PUBLIC AIRPORT AS DEFINED IN SECTION 28-8486.

30 6. A MASTER PLANNED COMMUNITY OR PLANNED AREA DEVELOPMENT THAT HAS
31 BEEN APPROVED BY ORDINANCE BEFORE THE EFFECTIVE DATE OF THIS SECTION.

1 7. AN AREA THAT IS DESIGNATED FOR THE PROTECTION OF NATURAL LAND
2 FEATURES.

3 8. LAND THAT IS IDENTIFIED BY THE MUNICIPALITY AS BEING IN A
4 WILDLAND URBAN INTERFACE OR IS AT AN ADVANCED FIRE RISK.

5 9. LAND IN A MUNICIPALITY WITH A POPULATION OF THIRTY THOUSAND
6 PERSONS OR LESS.

7 10. LAND LOCATED IN SINGLE-FAMILY RESIDENTIAL ZONES THAT ARE ZONED
8 FOR DENSITIES OF MORE THAN SIX DWELLING UNITS PER ACRE OR AN EQUIVALENT.

9 11. LAND THAT HAS BEEN DEVELOPED WITH MIDDLE HOUSING AS A PERMITTED
10 USE PURSUANT TO SECTION 9-462.13.

11 E. THIS SECTION DOES NOT PROHIBIT A MUNICIPALITY WITH A POPULATION
12 OF MORE THAN THIRTY THOUSAND PERSONS FROM REQUIRING ANY OF THE FOLLOWING:

13 1. THE SUBMISSION OF SITE PLANS AND PLATS.

14 2. THE DEVELOPER TO PROVIDE ADEQUATE INFRASTRUCTURE AND WATER
15 SERVICE FOR THE ENTIRE PROPOSED DEVELOPMENT.

16 3. PUBLIC DEDICATIONS AND SUBDIVISION IMPROVEMENTS, INCLUDING:

17 (a) GRADING.

18 (b) SEWER AND WATER UTILITIES.

19 (c) STREETS, SIDEWALKS AND STREETLIGHTS.

20 (d) EASEMENTS.

21 (e) TRAFFIC CONTROL DEVICES.

22 (f) SEPARATION WALLS ALONG STREETS OR NONRESIDENTIAL AREAS AND AREAS
23 OF INCOMPATIBLE USES.

24 4. A SPECIFIC DISTRIBUTION OR LOCATION OF THE STARTER HOMES IN A
25 SINGLE-FAMILY RESIDENTIAL DEVELOPMENT THAT IS DEVELOPED PURSUANT TO
26 SUBSECTION A OF THIS SECTION.

27 F. THIS SECTION DOES NOT SUPERSEDE ANY APPLICABLE MUNICIPAL BUILDING
28 CODES, MUNICIPAL FIRE CODES OR PUBLIC HEALTH AND SAFETY REGULATIONS.

29 G. FOR THE PURPOSES OF THIS SECTION:

30 1. "BUILDING CODE" HAS THE SAME MEANING PRESCRIBED IN SECTION
31 9-1301.

1 2. "NEW SINGLE-FAMILY RESIDENTIAL DEVELOPMENT" MEANS A PROPOSED
2 DEVELOPMENT OF DETACHED SINGLE-FAMILY RESIDENTIAL HOMES ON MORE THAN FIVE
3 CONTIGUOUS ACRES OF LAND WITHIN AREAS ZONED AS SINGLE-FAMILY RESIDENTIAL.

4 3. "STARTER HOME" MEANS A SINGLE-FAMILY DETACHED HOME FOR WHICH THE
5 MUNICIPALITY REQUIRES A DEED RESTRICTION THAT REQUIRES OWNER OCCUPANCY FOR
6 A PERIOD OF UP TO FIFTEEN YEARS FROM AND AFTER THE INITIAL SALE FOR THE
7 INITIAL BUYER OF THE HOME AND ALL SUBSEQUENT BUYERS.

8 Sec. 2. Delayed repeal

9 Section 9-461.19, Arizona Revised Statutes, as added by this act, is
10 repealed from and after December 31, 2035."

11 Amend title to conform

JANEEN CONNOLLY

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