



ARIZONA STATE SENATE
Fifty-Seventh Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1352

rezoning; administrative act; referral prohibited

Purpose

Deems the approval of an application for rezoning, by the legislative body of a municipality or county, an administrative act that is not subject to a referendum petition.

Background

Municipalities and counties may adopt zoning ordinances and codes to conserve and promote the public health, safety, convenience and general welfare (A.R.S. §§ [9-462.01](#) and [11-811](#)).

The governing body of a municipality or county must adopt by ordinance a citizen review process that applies to all rezoning applications. The citizen review process must include at least: 1) notifying adjacent landowners and other potentially affected citizens of the application; 2) informing adjacent landowners and other potentially affected citizens on the substance of the proposed rezoning; and 3) providing adjacent landowners and other potentially affected citizen an opportunity to express any issues or concerns regarding the rezoning before a required public hearing. All rezoning applications must be adopted following the citizen review and public hearing process as prescribed by statute (A.R.S. §§ [9-462.03](#); [9-462.04](#) and [11-814](#)).

The Arizona Constitution grants qualified electors the power of the referendum to approve or reject at the polls all matters on which a city, town or county is empowered by general laws to legislate. A person or organization may file a referendum petition against the rezoning of a parcel of property on the approval by the city or town council of the ordinance that adopts the rezoning or on the approval of that portion of the minutes of the city or town council that include the council's approval of the rezoning, whichever occurs first ([Ariz. Const. art. 4, pt. 1 § 1](#); [A.R.S. § 19-142](#)).

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

Provisions

1. Deems the approval of an application for rezoning, by the legislative body of a municipality or county, an administrative act.
2. Precludes the approval of an application for rezoning, by the legislative body of a municipality or county, from the filing of a referendum petition by a person or organization.

3. Specifies that the approval of an application for rezoning, by the legislative body of a municipality or county, is all of the following:
 - a) of a temporary and special character;
 - b) pursuing a plan already adopted by the municipality or county; and
 - c) of a specific and limited application.
4. Makes technical and conforming changes.
5. Becomes effective on the general effective date, retroactive to July 1, 2024.

Amendments Adopted by Committee

- Adds a retroactive date of July 1, 2024.

Senate Action

RAGE 2/5/25 DPA 5-2-0

Prepared by Senate Research

February 6, 2025

JT/ci