

REFERENCE TITLE: **planned communities; zoning; requirements**

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

SB 1239

Introduced by
Senator Murphy

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-461.15; AMENDING TITLE 11, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-810; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 6, Arizona Revised Statutes, is
3 amended by adding section 9-461.15, to read:

4 9-461.15. Requirement of planned community prohibited

5 THE PLANNING AGENCY OF A MUNICIPALITY IN EXERCISING ITS AUTHORITY
6 PURSUANT TO THIS TITLE SHALL NOT REQUIRE AS PART OF A SUBDIVISION REGULATION
7 OR ZONING ORDINANCE THAT A SUBDIVIDER OR DEVELOPER CONSTRUCT OR ENACT A
8 PLANNED COMMUNITY AS DEFINED IN SECTION 33-1802. A SUBDIVIDER OR DEVELOPER
9 SHALL NOT BE PENALIZED BECAUSE OF A LACK OF A PLANNED COMMUNITY AS PART OF
10 THE PRELIMINARY PLAT OR SPECIFIC PLAN OF A SUBDIVIDER OR DEVELOPER.

11 Sec. 2. Title 11, chapter 6, article 1, Arizona Revised Statutes, is
12 amended by adding section 11-810, to read:

13 11-810. Requirement of planned community prohibited

14 A COUNTY PLANNING AND ZONING COMMISSION IN EXERCISING ITS AUTHORITY
15 PURSUANT TO THIS TITLE SHALL NOT REQUIRE AS PART OF A SUBDIVISION APPROVAL OR
16 ZONING ORDINANCE THAT A SUBDIVIDER OR DEVELOPER CONSTRUCT OR ENACT A PLANNED
17 COMMUNITY AS DEFINED IN SECTION 33-1802. A SUBDIVIDER OR DEVELOPER SHALL NOT
18 BE PENALIZED BECAUSE OF A LACK OF A PLANNED COMMUNITY AS PART OF THE
19 PRELIMINARY PLAT OR SPECIFIC PLAN OF A SUBDIVIDER OR DEVELOPER.