

REFERENCE TITLE: **planning; home design; restrictions; prohibition.**

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# **SB 1112**

Introduced by  
Senator Borrelli

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES, BY  
ADDING SECTIONS 9-461.18 AND 9-461.19; RELATING TO MUNICIPAL PLANNING.

(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,  
3 is amended by adding sections 9-461.18 and 9-461.19, to read:  
4 9-461.18. Planning; home design  
5 A. A MUNICIPALITY MAY NOT INTERFERE WITH A HOME BUYER'S RIGHT TO  
6 CHOOSE THE FEATURES, AMENITIES, STRUCTURE, FLOOR PLAN AND INTERIOR AND  
7 EXTERIOR DESIGN OF A HOME.  
8 B. NOTWITHSTANDING ANY OTHER LAW, A MUNICIPALITY MAY NOT REQUIRE  
9 ANY OF THE FOLLOWING:  
10 1. A HOMEOWNERS' ASSOCIATION, A CONDOMINIUM ASSOCIATION OR ANY  
11 OTHER ASSOCIATION. PROPERTY OWNERS MAY VOLUNTARILY FORM OR ESTABLISH A  
12 HOMEOWNERS' ASSOCIATION, A CONDOMINIUM ASSOCIATION OR ANOTHER ASSOCIATION.  
13 2. A SHARED FEATURE OR AMENITY THAT WOULD REQUIRE A HOMEOWNERS'  
14 ASSOCIATION, A CONDOMINIUM ASSOCIATION OR ANY OTHER ASSOCIATION TO  
15 MAINTAIN OR OPERATE THE FEATURE OR AMENITY, UNLESS NECESSARY FOR  
16 STORMWATER MANAGEMENT.  
17 3. SCREENING, WALLS OR FENCES.  
18 4. PRIVATE STREETS OR ROADS.  
19 C. THE PROVISIONS OF THIS SECTION DO NOT SUPERSEDE APPLICABLE  
20 BUILDING CODES, FIRE CODES OR PUBLIC HEALTH AND SAFETY REGULATIONS.  
21 9-461.19. Planning; applicability; lot size  
22 A. NOTWITHSTANDING ANY OTHER LAW, A MUNICIPALITY WITH A POPULATION  
23 OF MORE THAN FIFTY THOUSAND PERSONS THAT IS DESIGNATED IN WHOLE OR IN PART  
24 AS AN URBAN AREA BY THE UNITED STATES CENSUS BUREAU MAY NOT ADOPT OR  
25 ENFORCE ANY CODE, ORDINANCE, REGULATION, STANDARD, STIPULATION OR OTHER  
26 REQUIREMENT ESTABLISHING, DIRECTLY OR INDIRECTLY, ANY OF THE FOLLOWING:  
27 1. MAXIMUM OR MINIMUM LOT SIZES ON WHICH A SINGLE-FAMILY HOME MAY  
28 BE LOCATED.  
29 2. MINIMUM SQUARE FOOTAGE OR DIMENSIONS FOR A SINGLE-FAMILY HOME.  
30 3. MAXIMUM OR MINIMUM LOT COVERAGE FOR A SINGLE-FAMILY HOME AND ANY  
31 ACCESSORY STRUCTURES.  
32 4. MINIMUM BUILDING SETBACKS GREATER THAN FIVE FEET FOR A  
33 SINGLE-FAMILY HOME.  
34 5. DESIGN, ARCHITECTURAL OR AESTHETIC ELEMENTS FOR A SINGLE-FAMILY  
35 HOME.  
36 B. THE PROVISIONS OF THIS SECTION DO NOT SUPERSEDE APPLICABLE  
37 BUILDING CODES, FIRE CODES OR PUBLIC HEALTH AND SAFETY REGULATIONS.  
38 Sec. 2. Short title  
39 This act may be cited as the "Arizona Starter Homes Act".