



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, Second Regular Session*

FACT SHEET FOR S.B. 1112

planning; home design; restrictions; prohibitions

Purpose

Prescribes certain restrictions on municipalities relating to home design and minimum development standards for single-family homes.

Background

Current statute requires each municipality's planning agency and governing body to prepare and adopt, in coordination with the Arizona State Land Department, a comprehensive, long-range general plan for the development of the municipality. The general plan must include a statement of community goals and development policies, including maps and plan proposals ([A.R.S. § 9-461.05](#)).

After a municipality has adopted a general plan, or plan amendment, the planning agency must investigate and make recommendations to the governing body for putting into effect the general plan in order that it will serve as a pattern and guide for the orderly growth and development of the municipality. The measures recommended may include plans, regulations, financial reports and capital budgets ([A.R.S. § 9-461.07](#)). The planning agency may, and if so directed by the governing body must, prepare specific plans based on the general plan and drafts of such regulations, programs and legislation as may be required for the systematic execution of the general plan, including zoning ordinances and subdivision regulations ([A.R.S. § 9-461.08](#)). The planning agency of a municipality must not require as part of a subdivision regulation or zoning ordinance that a subdivider or developer establish an association. A municipality may require the establishment of an association to maintain private, common or community owned improvements that are approved and installed as part of a preliminary plat, final plat or specific plan. A municipality must not require that an association be formed or operated other than for the maintenance of the common areas or community owned property ([A.R.S. § 9-461.15](#)).

Statute authorizes municipalities to adopt zoning ordinances and codes to conserve and promote the public health, safety, convenience and general welfare and outlines zoning guidelines and requirements ([A.R.S. § 9-462.01](#)).

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

Provisions

1. Prohibits a municipality from interfering with a home buyer's right to choose the features, amenities, structure, floor plan and interior and exterior design of a home.

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2. Prohibits a municipality from requiring:
  - a) a homeowners' association (HOA), condominium association (COA) or any other association;
  - b) a shared feature or amenity that would require an HOA, COA or any other association to maintain or operate the feature or amenity, unless necessary for stormwater management;
  - c) screening, walls or fences; or
  - d) private streets or roads.
3. Specifies that property owners may voluntarily form or establish an HOA, COA or another association.
4. Prohibits a municipality with a population of more than 50,000 persons that is designated in whole or in part as an urban area by the U.S. Census Bureau from adopting or enforcing any code, ordinance, regulation, standard, stipulation or other requirement establishing:
  - a) maximum or minimum lot sizes on which a single-family home may be located;
  - b) minimum square footage or dimensions for a single-family home;
  - c) maximum or minimum lot coverage for a single-family home and any accessory structures;
  - d) minimum building setbacks greater than five feet for a single-family home; or
  - e) design, architectural or aesthetic elements for a single-family home.
5. Specifies that the prohibitions do not supersede applicable building codes, fire codes or public health and safety regulations.
6. Designates this legislation as the *Arizona Starter Homes Act*.
7. Becomes effective on the general effective date.

Prepared by Senate Research

January 31, 2024

JT/cs