

City files lawsuit regarding initiative on Western Gateway property zoning

Post Date: 03/31/2026 6:19 p.m.

SEDONA, Ariz. – The city of Sedona filed a lawsuit seeking clarity on whether a citizen initiative restricting development and prohibiting residential development of the 41-acre Western Gateway property can legally appear on the ballot as Proposition 403. The city contends that Arizona law prohibits zoning changes, including de-facto zoning changes, through ballot initiatives.

On March 19, 2026, proponents filed an initiative called the “Sedona Cultural Park Preservation Act” that would restrict development and prohibit residential development of the Western Gateway property. In response, the city filed a lawsuit asking the court to determine if the initiative violates Arizona’s prohibition on zoning changes through the initiative process. Since 1968, Arizona courts have consistently ruled that zoning measures cannot be enacted through the citizen initiative process. Such changes must go through the standard planning and zoning process required by the Sedona Land Development Code, which includes notice and public hearings. At the May 20, 2025 Planning and Zoning Commission meeting, attended by the initiative proponents, the city of Sedona’s City Attorney indicated that zoning by initiative is prohibited. This meeting occurred prior to beginning the official initiative process or circulating the petition for signatures.

This lawsuit is not about taking sides in a land use debate or telling residents what to think. It is about ensuring the city follows Arizona law regarding initiatives, zoning matters and the public’s right to notice and public hearings on land use matters.

The city’s decision to file a lawsuit:

- Does not approve or finalize any development at the Western Gateway property
- Does not end the city’s commitment to open communication and meaningful public participation
- Does ensure compliance with Arizona election and zoning laws

Regardless of the outcome of the lawsuit, any future land use decisions for the Western Gateway property will continue to occur through the public planning process, which includes opportunities for community engagement, notice and public hearings. While awaiting the court’s decision, the city has followed required procedures by issuing a call for written arguments about the initiative in case the court decides the initiative may appear on the ballot.

Additional information will be shared with the community as it becomes available. The lawsuit can be accessed via www.sedonaaz.gov/your-government/departments-and-programs/city-attorney/western-gateway-initiative-lawsuit.