

REFERENCE TITLE: affordable housing; parking; reduction

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2721

Introduced by
Representatives Ortiz: Austin, De Los Santos, Gutierrez, Sandoval, Sun

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-462.10; AMENDING TITLE 11, CHAPTER 6, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-820.04; RELATING TO PLANNING AND ZONING.

(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 6.1, Arizona Revised
3 Statutes, is amended by adding section 9-462.10, to read:

4 9-462.10. Affordable housing; parking reduction; definitions

5 A. NOTWITHSTANDING ANY OTHER LAW, A MUNICIPALITY SHALL ADOPT A
6 REGULATION OR GENERAL OR SPECIFIC PLAN PROVISION THAT REDUCES THE MINIMUM
7 PARKING REQUIREMENTS FOR ANY HOUSING DEVELOPMENT THAT MEETS ALL OF THE
8 FOLLOWING:

9 1. IS LOCATED WITHIN FIVE HUNDRED FEET OF A MAJOR PUBLIC TRANSIT
10 STOP.

11 2. IS SUBJECT TO A REGULATORY AGREEMENT WITH THE MUNICIPALITY THAT
12 RESTRICTS AT LEAST TWENTY PERCENT OF THE TOTAL NUMBER OF UNITS TO LOWER
13 INCOME HOUSEHOLDS AND ESTABLISHES ALL OF THE FOLLOWING:

14 (a) THE SIZE OF THE UNIT.

15 (b) THE LOCATION OF THE UNIT.

16 (c) THE TERMS AND CONDITIONS OF AFFORDABILITY OF THE UNIT.

17 (d) THE PRODUCTION SCHEDULES FOR THE UNIT.

18 3. THE DEVELOPER PROVIDES AN IMPACT STUDY TO THE MUNICIPALITY THAT
19 DEMONSTRATES THE PARKING REDUCTION WOULD NOT HAVE AN IMPACT ON EXISTING
20 RESIDENTIAL OR COMMERCIAL PARKING WITHIN ONE-HALF MILE OF THE HOUSING
21 DEVELOPMENT.

22 B. THE IMPACT STUDY PRESCRIBED IN SUBSECTION A, PARAGRAPH 3 OF THIS
23 SECTION SHALL BE PREPARED AND STAMPED BY A REGISTERED PROFESSIONAL
24 ENGINEER.

25 C. FOR THE PURPOSES OF THIS SECTION:

26 1. "AREA MEDIAN INCOME" MEANS THE MEDIAN FAMILY INCOME OF THE
27 COUNTY AS DETERMINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
28 DEVELOPMENT.

29 2. "HOUSING DEVELOPMENT":

30 (a) INCLUDES:

31 (i) A MULTIFAMILY BUILDING THAT CONTAINS MORE THAN FOUR DWELLING
32 UNITS.

33 (ii) A MIXED-USE BUILDING IN WHICH AT LEAST TWO-THIRDS OF THE
34 SQUARE FOOTAGE IS USED OR DESIGNATED FOR RESIDENTIAL DWELLING UNITS.

35 (iii) A MULTIFAMILY BUILDING WITH TRANSITIONAL HOUSING.

36 (iv) A MULTIFAMILY BUILDING WITH SUPPORTIVE HOUSING.

37 (b) DOES NOT INCLUDE A DEVELOPMENT IN WHICH ANY PORTION IS
38 DESIGNATED FOR USE AS A HOTEL, MOTEL, BED AND BREAKFAST, SHORT-TERM RENTAL
39 OR VACATION RENTAL AS DEFINED IN SECTION 9-500.39 OR OTHER TRANSIENT
40 LODGING.

41 3. "LOWER INCOME HOUSEHOLD" MEANS PERSONS AND FAMILIES WHOSE INCOME
42 DOES NOT EXCEED EIGHTY PERCENT OF THE AREA MEDIAN INCOME.

43 4. "MAJOR PUBLIC TRANSIT STOP" MEANS A SITE CONTAINING A PUBLIC
44 RAIL STATION OR THE INTERSECTION OF TWO OR MORE PUBLIC BUS ROUTES WITH A

1 SERVICE INTERVAL OF FIFTEEN MINUTES OR LESS DURING THE DAILY PEAK COMMUTE
2 PERIODS.

3 5. "SUPPORTIVE HOUSING" MEANS PERMANENT HOUSING IN WHICH HOUSING
4 ASSISTANCE AND SUPPORTIVE SERVICES ARE PROVIDED TO ASSIST FAMILIES WITH AT
5 LEAST ONE INDIVIDUAL WITH A DISABILITY IN ACHIEVING HOUSING STABILITY.

6 6. "TRANSITIONAL HOUSING" MEANS HOUSING TO FACILITATE THE MOVEMENT
7 OF HOMELESS INDIVIDUALS AND FAMILIES INTO PERMANENT HOUSING.

8 Sec. 2. Title 11, chapter 6, article 2, Arizona Revised Statutes,
9 is amended by adding section 11-820.04, to read:

10 11-820.04. Affordable housing; parking reduction; definitions

11 A. NOTWITHSTANDING ANY OTHER LAW, A COUNTY SHALL ADOPT A REGULATION
12 OR GENERAL OR SPECIFIC PLAN PROVISION THAT REDUCES THE MINIMUM PARKING
13 REQUIREMENTS FOR ANY HOUSING DEVELOPMENT THAT MEETS ALL OF THE FOLLOWING:

14 1. IS LOCATED WITHIN FIVE HUNDRED FEET OF A MAJOR PUBLIC TRANSIT
15 STOP.

16 2. IS SUBJECT TO A REGULATORY AGREEMENT WITH THE COUNTY THAT
17 RESTRICTS AT LEAST TWENTY PERCENT OF THE TOTAL NUMBER OF UNITS TO LOWER
18 INCOME HOUSEHOLDS AND ESTABLISHES ALL OF THE FOLLOWING:

19 (a) THE SIZE OF THE UNIT.

20 (b) THE LOCATION OF THE UNIT.

21 (c) THE TERMS AND CONDITIONS OF AFFORDABILITY OF THE UNIT.

22 (d) THE PRODUCTION SCHEDULES FOR THE UNIT.

23 3. THE DEVELOPER PROVIDES AN IMPACT STUDY TO THE COUNTY THAT
24 DEMONSTRATES THE PARKING REDUCTION WOULD NOT HAVE AN IMPACT ON EXISTING
25 RESIDENTIAL OR COMMERCIAL PARKING WITHIN ONE-HALF MILE OF THE HOUSING
26 DEVELOPMENT.

27 B. THE IMPACT STUDY PRESCRIBED IN SUBSECTION A, PARAGRAPH 3 OF THIS
28 SECTION SHALL BE PREPARED AND STAMPED BY A REGISTERED PROFESSIONAL
29 ENGINEER.

30 C. FOR THE PURPOSES OF THIS SECTION:

31 1. "AREA MEDIAN INCOME" MEANS THE MEDIAN FAMILY INCOME OF THE
32 COUNTY AS DETERMINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
33 DEVELOPMENT.

34 2. "HOUSING DEVELOPMENT":

35 (a) INCLUDES:

36 (i) A MULTIFAMILY BUILDING THAT CONTAINS MORE THAN FOUR DWELLING
37 UNITS.

38 (ii) A MIXED-USE BUILDING IN WHICH AT LEAST TWO-THIRDS OF THE
39 SQUARE FOOTAGE IS USED OR DESIGNATED FOR RESIDENTIAL DWELLING UNITS.

40 (iii) A MULTIFAMILY BUILDING WITH TRANSITIONAL HOUSING.

41 (iv) A MULTIFAMILY BUILDING WITH SUPPORTIVE HOUSING.

42 (b) DOES NOT INCLUDE A DEVELOPMENT IN WHICH ANY PORTION IS
43 DESIGNATED FOR USE AS A HOTEL, MOTEL, BED AND BREAKFAST, SHORT-TERM RENTAL
44 OR VACATION RENTAL AS DEFINED IN SECTION 9-500.39 OR OTHER TRANSIENT
45 LODGING.

- 1 3. "LOWER INCOME HOUSEHOLD" MEANS PERSONS AND FAMILIES WHOSE INCOME
2 DOES NOT EXCEED EIGHTY PERCENT OF THE AREA MEDIAN INCOME.
3 4. "MAJOR PUBLIC TRANSIT STOP" MEANS A SITE CONTAINING A PUBLIC
4 RAIL STATION OR THE INTERSECTION OF TWO OR MORE PUBLIC BUS ROUTES WITH A
5 SERVICE INTERVAL OF FIFTEEN MINUTES OR LESS DURING THE DAILY PEAK COMMUTE
6 PERIODS.
7 5. "SUPPORTIVE HOUSING" MEANS PERMANENT HOUSING IN WHICH HOUSING
8 ASSISTANCE AND SUPPORTIVE SERVICES ARE PROVIDED TO ASSIST FAMILIES WITH AT
9 LEAST ONE INDIVIDUAL WITH A DISABILITY IN ACHIEVING HOUSING STABILITY.
10 6. "TRANSITIONAL HOUSING" MEANS HOUSING TO FACILITATE THE MOVEMENT
11 OF HOMELESS INDIVIDUALS AND FAMILIES INTO PERMANENT HOUSING.