

REFERENCE TITLE: middle housing; residential zoning

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

HB 2772

Introduced by
Representatives Austin: Aguilar, Hernandez M, Ortiz

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. Middle housing; residential zoning; definitions
5 A. A MUNICIPALITY SHALL ALLOW, IN ALL AREAS ZONED FOR RESIDENTIAL
6 USE, THE DEVELOPMENT OF MIDDLE HOUSING.
7 B. A MUNICIPALITY MAY REGULATE THE DESIGN OF MIDDLE HOUSING ALLOWED
8 PURSUANT TO THIS SECTION TO COMPLY WITH PROTECTIVE MEASURES ADOPTED
9 PURSUANT TO LAND USE PLANNING GOALS AND IF THE REGULATIONS DO NOT PROHIBIT
10 OR DISCOURAGE THE DEVELOPMENT OF MIDDLE HOUSING.
11 C. FOR THE PURPOSES OF THIS SECTION:
12 1. "COTTAGE CLUSTERS" MEANS GROUPINGS OF NOT FEWER THAN FOUR
13 DETACHED HOUSING UNITS PER ACRE WITH A FOOTPRINT OF LESS THAN NINE HUNDRED
14 SQUARE FEET EACH AND THAT INCLUDE A COMMON COURTYARD.
15 2. "MIDDLE HOUSING" INCLUDES:
16 (a) DUPLEXES.
17 (b) TRIPLEXES.
18 (c) QUADPLEXES.
19 (d) COTTAGE CLUSTERS.
20 (e) TOWNHOUSES.
21 Sec. 2. Title 11, chapter 6, article 2, Arizona Revised Statutes,
22 is amended by adding section 11-820.04, to read:
23 11-820.04. Middle housing; residential zoning; definitions
24 A. A COUNTY SHALL ALLOW, IN ALL AREAS ZONED FOR RESIDENTIAL USE,
25 THE DEVELOPMENT OF MIDDLE HOUSING.
26 B. A COUNTY MAY REGULATE THE DESIGN OF MIDDLE HOUSING ALLOWED
27 PURSUANT TO THIS SECTION TO COMPLY WITH PROTECTIVE MEASURES ADOPTED
28 PURSUANT TO LAND USE PLANNING GOALS AND IF THE REGULATIONS DO NOT PROHIBIT
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