

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

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2570

Introduced by
Representative Biasiucci

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".