

REFERENCE TITLE: parking requirements; affordable housing; prohibition

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

## **HB 2259**

Introduced by  
Representative Cano

### **AN ACT**

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-416.18; 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, Arizona Revised Statutes,  
3 is amended by adding section 9-416.18, to read:

4 9-416.18. Parking requirements; affordable housing;  
5 prohibition; definitions

6 A. NOTWITHSTANDING ANY OTHER LAW, A MUNICIPALITY MAY NOT ADOPT A  
7 LAND USE REGULATION OR GENERAL OR SPECIFIC PLAN PROVISION OR IMPOSE AS A  
8 CONDITION FOR APPROVING A BUILDING OR USE PERMIT ANY REGULATION THAT  
9 REQUIRES A SPECIFIC NUMBER OF PARKING SPACES PER RESIDENTIAL DWELLING UNIT  
10 IF THE RESIDENTIAL DWELLING UNIT IS DESIGNATED AS AFFORDABLE HOUSING.

11 B. FOR THE PURPOSES OF THE SECTION:

12 1. "AFFORDABLE HOUSING" MEANS A HOUSING DEVELOPMENT THAT IS  
13 DEVELOPED WITH THE USE OF ANY OF THE FOLLOWING:

14 (a) AFFORDABLE HOUSING TAX CREDITS PURSUANT TO SECTION 41-3954.

15 (b) FEDERAL LOW-INCOME HOUSING TAX CREDITS UNDER SECTION 42 OF THE  
16 INTERNAL REVENUE CODE.

17 (c) HOME INVESTMENT PARTNERSHIP PROGRAM MONIES.

18 (d) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MONIES.

19 (e) MONIES FROM THE HOUSING TRUST FUND ESTABLISHED BY SECTION  
20 41-3955.

21 (f) DEPARTMENT OF VETERANS' SERVICES GRANTS USED TO SERVE RESIDENTS  
22 WITH INCOMES OF LESS THAN EIGHTY PERCENT OF THE AREA MEDIAN INCOME.

23 2. "RESIDENTIAL DWELLING UNIT" MEANS A BUILDING OR STRUCTURE OR  
24 PART OF A BUILDING OR STRUCTURE THAT IS USED FOR A HOME OR RESIDENCE BY  
25 ONE OR MORE PERSONS WHO MAINTAIN A HOUSEHOLD.

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

28 11-820.04. Parking requirements; affordable housing;  
29 prohibition; definitions

30 A. NOTWITHSTANDING ANY OTHER LAW, A COUNTY MAY NOT ADOPT A LAND USE  
31 REGULATION OR GENERAL OR SPECIFIC PLAN PROVISION OR IMPOSE AS A CONDITION  
32 FOR APPROVING A BUILDING OR USE PERMIT ANY REGULATION THAT REQUIRES A  
33 SPECIFIC NUMBER OF PARKING SPACES PER RESIDENTIAL DWELLING UNIT IF THE  
34 RESIDENTIAL DWELLING UNIT IS DESIGNATED AS AFFORDABLE HOUSING.

35 B. FOR THE PURPOSES OF THE SECTION:

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40 INTERNAL REVENUE CODE.

41 (c) HOME INVESTMENT PARTNERSHIP PROGRAM MONIES.

- 1 (d) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MONIES.
- 2 (e) MONIES FROM THE HOUSING TRUST FUND ESTABLISHED BY SECTION
- 3 41-3955.
- 4 (f) DEPARTMENT OF VETERANS' SERVICES GRANTS USED TO SERVE RESIDENTS
- 5 WITH INCOMES OF LESS THAN EIGHTY PERCENT OF THE AREA MEDIAN INCOME.
- 6 2. "RESIDENTIAL DWELLING UNIT" MEANS A BUILDING OR STRUCTURE OR
- 7 PART OF A BUILDING OR STRUCTURE THAT IS USED FOR A HOME OR RESIDENCE BY
- 8 ONE OR MORE PERSONS WHO MAINTAIN A HOUSEHOLD.