



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
Second Regular Session

House: GOV DP 5-4-0-0

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## **HB 2721: municipal zoning; middle housing**

**Sponsor: Representative Carbone, LD 25**

**House Engrossed**

### **Overview**

Adopts requirements for middle housing development.

### **History**

Current statute enumerates the general powers of cities and towns. Municipalities have the authority to buy, sell and lease property, provide for the construction or rehabilitation of housing development projects or areas and issue building permits ([A.R.S. Title 9, Chapter 4](#)).

### **Provisions**

1. Stipulates that by January 1, 2026, a city or town with 75,000 or more people must authorize by ordinance and incorporate the development of duplexes, triplexes, fourplexes, fiveplexes and townhomes as a permitted use on all lots zoned for single-family residential use into its development regulations, zoning regulations and other official controls. (Sec. 1)
2. Prohibits a city or town from:
  - a) discouraging the development of middle housing through unreasonable costs, fees, or delays or other requirements and actions which individually or cumulatively make impracticable the permitting, siting or construction of middle housing;
  - b) restricting middle housing types to less than two floors or a floor area ratio of less than one;
  - c) setting restrictions or processes for middle housing that are more restrictive than single-family dwellings in the same zone;
  - d) requiring owner occupancy of structures on the lot; or
  - e) requiring structures to comply with commercial building codes or contain fire sprinklers. (Sec. 1)
3. Requires a city or town to allow a property owner to determine the location, number and form of off-street vehicle parking spaces. (Sec. 1)
4. Specifies that this Act does not prohibit a municipality governing body from allowing:
  - a) single-family dwellings in areas zoned for single-family dwellings; or
  - b) additional types of middle housing not required by this Act. (Sec. 1)
5. Exempts middle housing requirements from applying to:
  - a) unincorporated areas;
  - b) areas lacking sufficient urban services;
  - c) areas not serviced by municipal water and sewer services;
  - d) areas not zoned for residential use; and

- e) unincorporated areas zoned under an interim zoning designation that maintains the area's potential for planned urban development. (Sec. 1)
- 6. Declares that middle housing is allowed on all lots zoned for single-family residential use in a municipality without limitations if the city or town does not adopt required middle housing regulations by January 1, 2026. (Sec. 1)
- 7. Defines:
  - a) *duplex*;
  - b) *fiveplex*;
  - c) *floor area ratio*;
  - d) *fourplex*;
  - e) *household*;
  - f) *middle housing*;
  - g) *permitted use*;
  - h) *townhouses*; and
  - i) *triplex*. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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