

House Engrossed

homeowners' associations; shade structures

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2342

AN ACT

AMENDING TITLE 33, CHAPTER 16, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 33-1816.01; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 33, chapter 16, article 1, Arizona Revised
3 Statutes, is amended by adding section 33-1816.01, to read:

4 33-1816.01. Shade structures; reasonable restrictions;
5 municipal zoning; definition

6 A. NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY DOCUMENTS, AN
7 ASSOCIATION MAY NOT PROHIBIT THE BACKYARD INSTALLATION OR USE OF A SHADE
8 STRUCTURE.

9 B. AN ASSOCIATION MAY ADOPT REASONABLE RULES REGARDING THE SIZE,
10 PLACEMENT OR APPEARANCE OF A SHADE STRUCTURE IF THOSE RULES DO NOT PREVENT
11 THE INSTALLATION, IMPAIR THE FUNCTIONING, RESTRICT THE USE OR ADVERSELY
12 AFFECT THE COST OF THE STRUCTURE AND ARE NOT MORE RESTRICTIVE THAN THE
13 ZONING ORDINANCES REGARDING SHADE STRUCTURE HEIGHT AND SETBACKS FOR A
14 SINGLE-FAMILY HOME IN THE CITY OR TOWN IN WHICH THE PLANNED COMMUNITY IS
15 LOCATED.

16 C. FOR THE PURPOSES OF THIS SECTION, "SHADE STRUCTURE" MEANS A
17 COMMERCIALY PRODUCED OR PROFESSIONALLY MANUFACTURED MOVEABLE OR PERMANENT
18 STRUCTURE THAT IS DESIGNED TO PROTECT AN AREA FROM SUNLIGHT, INCLUDING AN
19 UMBRELLA OR A SHADE SAIL.