

## MARANA ORDINANCE NO. 2020.021

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RELATING TO DEVELOPMENT; AMENDING TOWN CODE CHAPTER 17-5 (SUBDIVISIONS), SECTION 17-5-3 (SUBDIVISION REQUIREMENTS) BY DELETING EXISTING SUBPARAGRAPH B.9 (RECREATIONAL AREA) AND REPLACING IT WITH REVISED SUBPARAGRAPH B.9 (RECREATIONAL AREA); AND ADOPTING THE TOWN OF MARANA SUBDIVISION RECREATIONAL AREA DESIGN MANUAL

WHEREAS residential subdivision recreation areas (i) ensure that recreation areas are available for the use and enjoyment of residents and (ii) protect and enhance community health and quality of life; and

WHEREAS the residential subdivision recreation area requirements adopted by this ordinance (i) ensure that new subdivision recreation areas meet minimum safety and amenity standards, (ii) implement the 2020-2030 Marana Parks & Recreation Master Plan, and (iii) encourage residential multi-modal opportunities and ensure connectivity among parks, schools, neighborhoods, and commercial areas; and

WHEREAS the Town Council finds that adoption of this ordinance is in the best interests of the Town and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Town Code Chapter 17-5 (subdivisions), section 17-5-3 (subdivision requirements), subparagraph B.9 (recreational area) is hereby deleted and replaced with a revised subparagraph B.9 (recreational area), one paper copy and one electronic copy of which are on file in the office of the Town Clerk of the Town of Marana, Arizona, and which was made a public record by and attached as Exhibit A to Resolution No. 2020-132 of the Town of Marana, Arizona, which is hereby referred to, adopted, and made a part of this ordinance as if fully set out here.

SECTION 2. The Town of Marana Subdivision Recreational Area Design Manual, one paper copy and one electronic copy of which are on file in the office of the Town Clerk of the Town of Marana, Arizona, and which was made a public record by and attached as Exhibit B to Resolution No. 2020-132 of the Town of Marana, Arizona, is hereby referred to, adopted, and made a part of this ordinance as if fully set out here.

SECTION 3. The provisions of Town Code section 17-5-3 B.9 shall control over and supersede any conflicting provisions of the Town of Marana Subdivision Recreational Area Design Manual.

SECTION 4. The Town Manager or one or more Town staff members designated by the Town Manager and acting on the Town Manager's behalf may make administrative revisions to the Town of Marana Subdivision Recreational Area Design Manual from time to time without the need for formal Council approval. For purposes of this paragraph, "administrative revisions" includes revisions addressing the form and contents of documentation submitted to show compliance with Town Code section 17-5-3 B.9 (recreational area), the administrative procedure associated with the review of that documentation, and administrative interpretations and explanations of the requirements of Town Code section 17-5-3 B.9. "Administrative revisions" shall not include changes to the substantive requirements of Town Code section 17-5-3 B.9 or of the Town of Marana Subdivision Recreational Area Design Manual as adopted by this ordinance.

SECTION 5. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 6. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 8. This ordinance is effective on the 31<sup>st</sup> day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this 15th day of December, 2020.

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Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

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Cherry L. Lawson, Town Clerk

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Jane Fairall, Town Attorney