

MARANA ORDINANCE NO. 2023.005

RELATING TO LAND DEVELOPMENT; REVISING MARANA TOWN CODE TITLE 17 (LAND DEVELOPMENT), CHAPTER 17-3 (ADMINISTRATION AND ENFORCEMENT), SECTION 17-3-1 (AMENDMENT AND REZONING) TO ADD PROVISIONS RELATING TO A CITIZEN REVIEW PROCESS FOR REZONING APPLICATIONS; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS A.R.S. §9-462.03 provides that the governing body of a municipality shall adopt by ordinance a citizen review process that applies to all rezoning and specific plan applications that require a public hearing and sets forth the minimum requirements for the citizen review process; and

WHEREAS the Mayor and Council of the Town of Marana find that revising Marana Town Code Chapter 17-3 to add a citizen review process as set forth in this ordinance is in the best interests of the Town and its residents.

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

SECTION 1. Marana Town Code Title 17 (Land Development), Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and rezoning) is hereby amended as follows (with additions shown with double underlining):

17-3-1 Amendment and rezoning

[No revisions to paragraphs A or B]

C. Citizen review process. After submission of an application for a rezoning to the town and before the planning commission holds a public hearing on the matter, the applicant and the town shall comply with the citizen review process set forth in this paragraph.

1. The applicant shall mail written notice of the application to all owners of property located within 300 feet of the subject property and to any other persons reasonably determined by the planning manager to be potentially affected citizens. All distances shall be measured from the property lines of the subject property.

a. The written notice shall provide a general explanation of the substance of the proposed rezoning, and shall provide notice of the date, time, and location of a neighborhood meeting to discuss the application.

- b. The applicant shall mail the written notice by first class mail at least 15 days prior to the neighborhood meeting.
2. The applicant shall hold the neighborhood meeting, noticed as provided in subparagraph 1, a minimum of 15 days prior to the planning commission public hearing.
3. Following the neighborhood meeting, the applicant shall submit to the planning manager a meeting summary that includes:
 - a. Copies of the written notice required by subparagraph 1 and of the mailing list for the notice
 - b. A list of the people in attendance at the meeting
 - c. A description of the issues that were raised and a summary of the discussion
4. The town shall post a sign on the subject property at least 15 days prior to the planning commission public hearing. The town will ensure that the sign complies with design standards specified by the town and is placed in a conspicuous location. The town will incorporate the costs associated with the sign posting into the town's fees for rezoning applications, as set forth in the comprehensive fee schedule approved by the council and amended from time to time.
5. The planning manager may authorize an alternative citizen review process for translational, non-site analysis rezoning applications, and other similar rezoning applications deemed appropriate for the alternative process by the planning manager, as long as the alternative process meets the requirements of A.R.S. §9-462.03.

[No revisions to existing paragraphs C and D which are hereby re-lettered as paragraphs D and E]

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. 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 4. 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 5. This ordinance shall be effective on July 1, 2023.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this 21st day of February 2023.



Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney

