

## MARANA ORDINANCE NO. 2017.027

RELATING TO DEVELOPMENT; AMENDING TITLE 5, SECTION 05.11.03.E OF THE MARANA LAND DEVELOPMENT CODE TO INCLUDE MICRO-HOSPITAL AS A CONDITIONAL USE WITHIN THE VILLAGE COMMERCIAL (VC) ZONING DISTRICT; AMENDING TITLE 17 (LAND DEVELOPMENT) SECTION 17-1-4 (DEFINITIONS) OF THE MARANA TOWN CODE TO ADD A DEFINITION OF MICRO-HOSPITAL; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS the revisions adopted by this ordinance were the subject of a November 29, 2017 Marana Planning Commission public hearing and received a recommendation of approval by a vote of seven in favor and none opposed, with the recommendation that the micro-hospital use be allowed in the VC Village Commercial zone as a conditional use rather than as an outright permitted use; and

WHEREAS the Mayor and Council of the Town of Marana find that the revisions adopted by this ordinance are in the best interest of the Town of Marana and the general public.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Marana, Arizona, as follows:

**Section 1.** Paragraph E (Conditional Uses) of Title 5 (Zoning), Section 05.11.03 (VC Village Commercial) of the Marana Land Development Code is hereby amended as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

E. Conditional Uses.

The following may be permitted subject to the conditional use permit procedure set forth in Town Code Section 17-3-2 Conditional use permits 40.10 if the indicated criteria and limitations are satisfied:

[No changes in subparagraph 1]

2. Micro-hospitals

3. Upon annexation and translation of county zoning, any use or uses and densities that were permitted on the annexed property under the county zoning at the time of annexation (see Town Code Section 17-3-2 Conditional use permits 40.10, paragraph P).

**Section 2.** Title 17 (Land Development) Section 17-1-4 (Definitions) of the Marana Town Code is hereby amended by adding the following definition of micro-hospital as new subparagraph A.98, with the existing subparagraphs A.98 through 182 re-numbered to conform:

98. Micro-hospital: A medical facility providing services offered by a traditional full-service hospital but located in a smaller-scale facility of 15,000 to 50,000 square feet.

**Section 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed as of the effective date of this ordinance; provided, however, that this repeal shall not affect the rights and duties that matured or penalties that were incurred and proceedings that were begun before the effective date of the repeal.

**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 is effective on January 5, 2018.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 5<sup>th</sup> day of December, 2017.



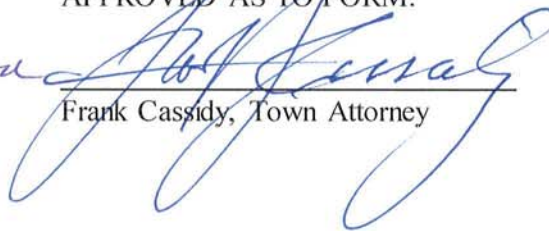
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Mayor Ed Honea

ATTEST:



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Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:



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Frank Cassidy, Town Attorney

