

MARANA ORDINANCE NO. 2024.027

RELATING TO DEVELOPMENT; AMENDING MARANA TOWN CODE TITLE 17 (LAND DEVELOPMENT), CHAPTER 17-3 (ADMINISTRATION AND ENFORCEMENT), SECTION 17-3-1 (AMENDMENT AND REZONING) TO ADD PROVISIONS ESTABLISHING TIME FRAMES FOR REVIEW OF ZONING APPLICATIONS; AND DECLARING AN EMERGENCY

WHEREAS the Arizona Legislature adopted Laws 2024, Chapter 141 (Senate Bill 1162), signed by Governor Katie Hobbs on April 23, 2024, and effective on September 14, 2024, requiring all Arizona municipalities to adopt an amendment to the municipality's zoning ordinance on or before January 1, 2025 establishing specified time frames for review of zoning applications; and

WHEREAS Senate Bill 1162 is now codified in the Arizona Revised Statutes at A.R.S. § 9-462.11; and

WHEREAS the Town Council finds this ordinance to be 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, Arizona, 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 through E]

F. Review time frames. The town shall review all zoning applications pursuant to the following time frames.

1. The town shall determine whether a zoning application is administratively complete within 30 days after receiving the application.
2. If the town determines that a zoning application is not administratively complete, the town will provide the applicant with a written notice that includes a comprehensive list of the specific

deficiencies. Upon issuance of the written notice, the administrative completeness review time frame and overall time frame contained in this section are suspended until the town receives the resubmitted application.

3. The town shall determine whether a resubmitted application is administratively complete within 15 days after receiving the resubmitted application. If the town determines that a resubmitted application is not administratively complete, the process set forth in subparagraph F.2 above shall repeat until the application is administratively complete.

4. After determining that a zoning application is administratively complete, the town council shall approve or deny the application within 180 days. The town may extend the time frame to approve or deny a zoning application beyond 180 days for either of the following reasons:

a. Town staff may grant a one-time extension of not more than 30 days for extenuating circumstances; or

b. Town staff may grant extensions in 30-day increments at the request of the applicant.

5. This section does not apply to zoning applications for any of the following:

a. Land that is designated as a district of historical significance pursuant to A.R.S. § 9-462.01(a).

b. An area that is designated as historic on the national register of historic places.

c. Land that is already zoned as a specific plan.

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. Since it is necessary for the preservation of the peace, health and safety of the Town of Marana that this ordinance become immediately effective, an

emergency is hereby declared to exist, and this ordinance shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 17th day of December, 2024.

Vice Mayor Jon Post

ATTEST:

APPROVED AS TO FORM:

David L. Udall, Town Clerk

Jane Fairall, Town Attorney