

MARANA ORDINANCE NO. 2024.011

RELATING TO LAND DEVELOPMENT; ADOPTING REVISIONS TO TITLE 17 "LAND DEVELOPMENT" OF THE MARANA TOWN CODE, INCLUDING MISCELLANEOUS REVISIONS TO CHAPTER 17-5 "SUBDIVISIONS", SECTION 17-5-4 (PERFORMANCE GUARANTEE), CHAPTER 17-13 "STANDARDS FOR GRADING AND RELATED SITE WORK", AND CHAPTER 17-15 "FLOODPLAIN AND EROSION HAZARD MANAGEMENT CODE"; AND DESIGNATING AN EFFECTIVE DATE

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

SECTION 1. The revisions to Title 17 "Land Development" of the Marana Town Code, including miscellaneous revisions to Chapter 17-5 "Subdivisions", Section 17-5-4 (Performance guarantee), Chapter 17-13 "Standards for Grading and Related Site Work", and Chapter 17-15 "Floodplain and Erosion Hazard Management Code" one paper copy and one electronic copy of which are on file in the office of the Town Clerk, which were made a public record by and attached as Exhibit A to Resolution No. 2024-031 of the Town of Marana, Arizona, are hereby referred to, adopted and made a part of this ordinance as if fully set out here.

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of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.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 is effective on the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 16th day of April, 2024.



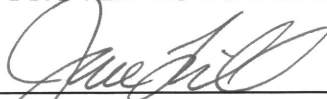
Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney

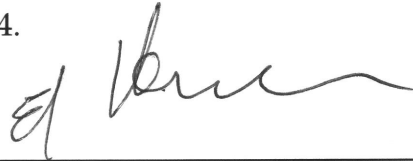


MARANA RESOLUTION NO. 2024-031

RELATING TO LAND DEVELOPMENT; DECLARING AS A PUBLIC RECORD FILED WITH THE TOWN CLERK THE AMENDMENTS ADOPTED BY ORDINANCE NO. 2024.011, REVISIONS TO TITLE 17 "LAND DEVELOPMENT" OF THE MARANA TOWN CODE, INCLUDING MISCELLANEOUS REVISIONS TO CHAPTER 17-5 "SUBDIVISIONS", SECTION 17-5-4 (PERFORMANCE GUARANTEE), CHAPTER 17-13 "STANDARDS FOR GRADING AND RELATED SITE WORK", AND CHAPTER 17-15 "FLOODPLAIN AND EROSION HAZARD MANAGEMENT CODE"

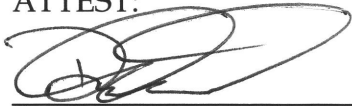
BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that the revisions to Title 17 "Land Development" of the Marana Town Code adopted by Marana Ordinance No. 2024.011, a copy of which is attached to and incorporated in this resolution as Exhibit A and one paper copy and one electronic copy of which are on file in the office of the Town Clerk, are hereby declared to be a public record and ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 16th day of April, 2024.



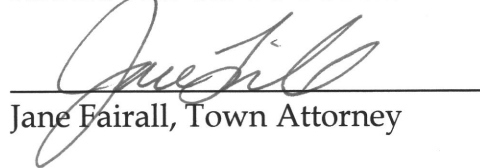
Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney



EXHIBIT A TO MARANA RESOLUTION NO. 2024-031
Amendments to Marana Town Code, Title 17 "Land Development" pursuant to Marana
Ordinance No. 2024.011

SECTION 1. Chapter 17-5 (Subdivisions) Section 17-5-4 (Performance guarantee) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining and deletions shown with ~~strikethrough~~):

17-5-4 Performance guarantee

[No revisions to paragraphs A and B]

C. Before release of assurances of or guarantees for construction or of improvements in existing or proposed public rights-of-way, the following listed documents shall be submitted, where applicable, to the town:

[No revisions to subparagraphs 1 through 4]

5. Certified landscape as-built plans for all irrigation meters, valves, and service lines within the town's right-of-way. ~~Certification by a registered landscape architect that all landscape work has been completed in substantial conformance with approved plans, specifications, and applicable town standards, together with certified as-built plans for all completed landscape installation.~~

SECTION 2. Chapter 17-13 (Standards for Grading and Related Site Work) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining and deletions shown with ~~strikethrough~~):

[No revisions to sections 17-13-1 through 17-13-6]

17-13-7 Submittals and procedures: major grading type 2

[No revisions to paragraphs A and B]

C. Soils report. The applicant shall submit a soil report.

1. The report shall contain all geotechnical engineering information and recommendations applicable to the project.
2. The civil engineer responsible for preparing the grading plan shall incorporate all report recommendations into the plan and reference the report on the improvement plan.
3. Approved report recommendations shall become conditions of the permit.
4. The geotechnical or civil engineer shall stamp and seal the report prior to submittal and the date of the seal must be within one year of the submittal, except that:

a. The town may accept a soils report signed and sealed more than one year prior to the submittal date, if it includes a letter from the geotechnical engineer addressing any changes that have occurred since the report was originally sealed, as well as a statement that the recommendations in the report are still valid for the project.

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b. The town may accept a soils report signed and sealed more than ten years prior to the submittal date, if it includes the information required in subparagraph a above, as well as at least one additional boring to confirm the recommendations of the original report.

[No revisions to sections 17-13-8 and 17-13-9]

17-13-10 Inspection and performance defaults

[No revisions to paragraphs A and B]

C. Close-out and town acceptance. Upon receipt from the EOR of the close-out documents required under the terms of the private improvement agreement, and approval by town staff, town staff will complete the final inspections of all improvements. After the close-out package is accepted by town staff and the improvements have passed the required inspections, the town engineer shall accept any public improvements and include them in the town’s maintenance program after completion of the warranty period ~~a resolution to accept the public improvements will be presented to the council for adoption.~~

[No revisions to sections 17-13-11 and 17-13-12]

SECTION 3. Chapter 17-15 (Floodplain and Erosion Hazard Management Code) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining and deletions shown with ~~striketrough~~):

[No revisions to section 17-15-1]

17-15-2 Abbreviations and definitions

A. Abbreviations. The following common abbreviations are used throughout this chapter:

[No revisions to subparagraphs 1 through 15]

16. RFE: Regulatory flood elevation

[No revisions to existing subparagraph 16 which is hereby renumbered as subparagraph 17 to conform]

B. Definitions. Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

1. Accessory Structure. A structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage that are less than 600 square feet.

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[No revisions to subparagraphs 2 through 42]

43. Manufactured home. See definition in section 17-1-6(A)~~(119)~~(116).

[No revisions to subparagraphs 44 through 67]

[No revisions to sections 17-15-3 through 17-15-8]

17-15-9 Administration

[No revisions to paragraphs A through D]

E. Establishment of floodplain use permit.

1. A floodplain use permit shall be obtained before construction or development begins, including placement of manufactured homes, upon any land to which this chapter applies as defined in subsection 17-15-3 A.

2. Application for a floodplain use permit shall be made on forms furnished by the floodplain administrator and shall include, but not be limited to, all of the following information:

[No revisions to subparagraphs a through i]

j. ~~Require~~ Base flood elevation data for all subdivisions and for any other development that includes more than 50 lots or more than five acres

[No revisions to subparagraphs k through m]

[No revisions to subparagraphs 3 through 6]

17-15-10 Provisions for flood hazard reduction

[No revisions to paragraph A]

B. Standards of construction in floodprone areas

[No revisions to subparagraphs 1 and 2]

3. Elevation and flood-proofing

[No revisions to subparagraphs a through c]

d. New construction and substantial improvement of any critical residential structure in a shaded zone X-500-~~alluvial fan~~ shall have the lowest floor, including basement, elevated at least 18 inches higher than the highest existing adjacent grade.

[No revisions to subparagraphs e through i]

C. Standards for storage of materials and equipment

[No revisions to subparagraph 1]

2. Storage of other material or equipment may be allowed if not subject to major damage by floods and if firmly anchored to prevent flotation,

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elevated at or above regulatory flood elevation, or if readily removable from the area within the time available after flood warning.

[No revisions to subparagraph 3]

[No revisions to paragraph D]

E. Standards for subdivisions and commercial developments

[No revisions to subparagraphs 1 through 11]

12. In lieu of the provisions of section 17-15-10, paragraph (E), subparagraphs (2), (3), (4), and (8), when submitting a plat for a subdivision for which a CLOMR has already been accepted by FEMA, the plat may include the following note to meet the requirements: THE PROPERTY SUBJECT TO THIS FINAL PLAT INCLUDES A SPECIAL FLOOD HAZARD AREA (SFHA) ASSOCIATED WITH THE PLATTED BOUNDARY. A CLOMR, CASE NUMBER _____ HAS BEEN ACCEPTED BY FEMA AND A LOMR HAS BEEN SUBMITTED TO FEMA. IF THE SUBMITTED LOMR IS NOT ACCEPTED BY FEMA AND DOES NOT BECOME EFFECTIVE, THEN THE PROPERTY OWNER SHALL SUBMIT AN AMENDED FINAL PLAT THAT INCLUDES THE INFORMATION REQUIRED IN MARANA TOWN CODE SECTION 17-15-10, PARAGRAPH (E), SUBPARAGRAPHS (2), (3), (4), AND (8) PRIOR TO ANY DEVELOPMENT WITHIN THE PLATTED BOUNDARY.

F. Standards for manufactured homes and manufactured home parks or subdivisions:

[No revisions to subparagraph 1]

2. All manufactured homes and substantially improved manufactured homes located within lands to which this chapter applies per subsection 17-15-3 A shall be required to comply with the following:

- a. Be elevated so that the bottom of the lowest structural frame member or the lowest point of any attached appliances, whichever is lower, is at or above the regulatory flood elevation; and

[No revisions to subparagraph b]

[No revisions to subparagraph 3]

4. Certification that the installation of a manufactured home meets all of the requirements of this section is required. Such certification shall be provided by the person installing the manufactured home, the owner, the developer of a manufactured home park or subdivision, or an agency regulating manufactured home placement, whichever is deemed appropriate by the floodplain administrator. Certification of lowest structural frame member finished floor elevation shall be in accordance with section 17-15-10 B. 3. i.

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[No revisions to paragraphs G through M]

[No revisions to section 17-15-11 or Appendix 1]