

MARANA ORDINANCE NO. 2016.004

RELATING TO ANNEXATION; ANNEXING INTO THE CORPORATE LIMITS OF THE TOWN OF MARANA THAT TERRITORY KNOWN AS THE PIONEER LANDSCAPING MATERIALS ANNEXATION, APPROXIMATELY 8.4 ACRES OF LAND GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF TWIN PEAKS ROAD AND TIFFANY LOOP; AND ESTABLISHING ORIGINAL TOWN OF MARANA ZONING

WHEREAS petitions in writing, accompanied by a legal description and map of the real property sought to be annexed as part of the Pioneer Landscaping Materials Annexation, have been filed and presented to the Mayor and Council of the Town of Marana, Arizona, signed by the owners of more than 50% of the value of the real and personal property and more than 50% of the persons owning real and personal property that would be subject to taxation by the Town of Marana as shown by the last assessment of said property, said property being contiguous to the Town of Marana and not now embraced within its limits, asking that the property be annexed into the Town of Marana and to extend and increase the corporate limits of the Town of Marana so as to embrace same; and

WHEREAS the Mayor and Council of the Town of Marana, Arizona, desire to approve the Pioneer Landscaping Materials Annexation and extend and increase the corporate limits of the Town of Marana to include said territory, which is approximately 8.4 acres of property generally located near the southeast corner of Twin Peaks Road and Tiffany Loop, described and depicted in Exhibit A attached to and incorporated in this Ordinance by this reference; and

WHEREAS the Pioneer Landscaping Materials Annexation is an area within portions of Section 22, Township 12 South, Range 12 East, of the Gila and Salt River Meridian, Pima County, Arizona; and

WHEREAS the petitions set forth a true and correct description of all the exterior boundaries of the entire area of the proposed Pioneer Landscaping Materials Annexation and had attached thereto at all times an accurate map of the territory desired to be annexed; and

WHEREAS no alterations increasing or reducing the territory sought to be annexed have been made after the petition was signed by any owners of real and personal property in such territory; and

WHEREAS the Pioneer Landscaping Materials Annexation consists of three Pima County Assessor's parcel numbers—specifically, Assessor parcel numbers 226-15-018F, 226-15-019A, and 226-15-008B; and

WHEREAS Assessor parcel number 226-15-018F has a pre-annexation Pima County zoning classification of RH Rural Homestead; and

WHEREAS Assessor parcel number 226-15-019A has pre-annexation Pima County zoning classifications of RH Rural Homestead and CB-2 General Business; and

WHEREAS Assessor parcel number 226-15-008B has pre-annexation Pima County zoning classification of CI-2 General Industrial; and

WHEREAS the Mayor and Council of the Town of Marana desire to exercise their authority under Marana Land Development Code section 10.10, paragraph P (Conditional Uses Upon Annexation), to conditionally permit certain uses permitted within the Pioneer Landscaping Materials Annexation area by Pima County but not clearly allowed under the Town of Marana zoning classifications adopted for the Pioneer Landscaping Materials Annexation area by this ordinance; and

WHEREAS the original Town of Marana zoning classifications and zoning entitlements adopted for the Pioneer Landscaping Materials Annexation area by this ordinance permit densities and uses that are no greater than those permitted by Pima County immediately before annexation; and

WHEREAS the provisions of A.R.S. § 9-471 have been fully complied with; and

WHEREAS proper and sufficient proof of the foregoing facts are now on file in the office of the Town Clerk of the Town of Marana, together with true and correct copies of the signed annexation petition, the original of which has been recorded in the office of the Pima County Recorder.

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

Section 1. The territory known as the Pioneer Landscaping Materials Annexation, described and depicted in Exhibit A attached to and incorporated by this reference in this ordinance, is annexed into the Town of Marana, and the present corporate limits are extended and increased to include the described area.

Section 2. This Ordinance shall be forthwith filed and recorded in the office of the County Recorder of Pima County, Arizona.

Section 3. On the effective date of this Ordinance, the zoning of the Pioneer Landscaping Materials Annexation territory shall be as follows:

- A. All areas with a pre-annexation Pima County zoning classification of CI-2 General Industrial shall be zoned Town of Marana HI (Heavy Industry).
- B. All areas with a pre-annexation Pima County zoning classification of CB-2 General Business shall be zoned Town of Marana VC (Village Commercial).
- C. All areas with a pre-annexation Pima County zoning classification of RH Rural Homestead shall be zoned Town of Marana RD-180 (Rural Development).

Section 4. The following additional “Conditional Uses Upon Annexation” are hereby permitted by the Town Council pursuant to Marana Town Code section 17-3-2 (conditional use permits), paragraph P:

- A. To the extent not expressly permitted under the Town of Marana zoning designations adopted by this ordinance, the currently existing and established retail store, commercial

yard, and business office uses shall be permitted uses to the same extent they were permitted or legal nonconforming uses in Pima County immediately before this annexation.

B. In areas zoned Town of Marana HI (Heavy Industry) and Town of Marana VC (Village Commercial) by this ordinance, the following uses are expressly permitted:

(1) Motel or hotel, together with the following accessory uses located on the premises and having no exterior entrance closer than one hundred feet to a public street:

- (a) Retail shops,
- (b) Personal services,
- (c) Recreational facilities,
- (d) Restaurant,
- (e) Beverage service

(2) Auto parking lot (within or without a building) shall be permitted as an accessory use to a hotel or other permitted use, subject to compliance with all applicable landscaping, bufferyard, and off-street parking and loading requirements set forth in the Marana Land Development Code.

(3) Temporary uses of no longer than five years' duration may be permitted upon receiving a conditional use permit under Marana Town Code section 17-3-2 (conditional use permits) and in compliance with any requirements imposed as a condition of the conditional use permit.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 5th day of April, 2016.



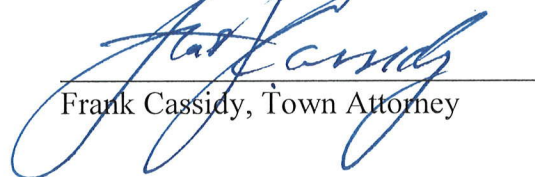
Mayor Ed Honea

ATTEST:



Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney

