

MARANA ORDINANCE NO. 2024.014

RELATING TO LAND DEVELOPMENT; ADOPTING REVISIONS TO MARANA TOWN CODE ("MTC") TITLE 17 - LAND DEVELOPMENT; REVISING MTC SECTION 17-4-2 (USE MATRIX) TO ADD 'SINGLE-FAMILY ATTACHED' AS A RESIDENTIAL LAND USE AND ESTABLISH AN ALLOWANCE STATUS FOR EACH OF THE ZONING CATEGORIES; REVISING MTC SECTION 17-4-2 (USE MATRIX) TO REVISE THE ALLOWANCE STATUS OF THE DUPLEX AND TOWNHOUSE RESIDENTIAL USES IN THE NEIGHBORHOOD COMMERCIAL (NC) AND VILLAGE COMMERCIAL (VC) ZONING DISTRICTS; REVISING MTC SECTION 17-4-3 (USE CONDITIONS MATRIX) TO ADD APPROPRIATE CONDITIONS TO THE DEVELOPMENT OF 'SINGLE-FAMILY ATTACHED', DUPLEX, AND TOWNHOUSE RESIDENTIAL USES IN THE NEIGHBORHOOD COMMERCIAL (NC) AND VILLAGE COMMERCIAL (VC) ZONING DISTRICTS CONSISTING OF THE REQUIREMENT FOR COMPLIANCE WITH THE DEVELOPMENT STANDARDS FOR THE R-3 (RESIDENTIAL) ZONE; REVISING MTC SECTION 17-4-7 (COMMERCIAL ZONING DISTRICTS) TO CLARIFY THAT NO MINIMUM LOT SIZE REQUIREMENT SHALL APPLY WITHIN THE NEIGHBORHOOD COMMERCIAL (NC) AND THE VILLAGE COMMERCIAL (VC) ZONING DISTRICTS; REVISING MTC SECTION 17-5-3 (SUBDIVISION REQUIREMENTS), SUBSECTION 17-5-3.B.15, TO CLARIFY THAT THE REQUIREMENT TO UNDERGROUND UTILITIES INCLUDES ALL NEW AND EXISTING UTILITIES WITHIN OR CONTIGUOUS TO THE SUBDIVISION; AND, REVISING MTC SECTION 17-5-3 (SUBDIVISION REQUIREMENTS), SUBSECTION 17-5-3.C.3.A, TO ADD AN OPTION TO THE GENERAL REQUIREMENT FOR LOT ACCESS TO A STREET AS, 'AN ACCESS EASEMENT PROVIDING INGRESS AND EGRESS TO A PARCEL OVER ANOTHER PARCEL THROUGH AN AREA DEDICATED FOR SUCH PERPETUAL USE'; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS A.R.S 9-462.01 provides that the governing body of a municipality may adopt zoning regulations in order to conserve and promote the public health, safety, and general welfare; and

WHEREAS the Mayor and Council of the Town of Marana have adopted Marana Town Code Title 17 (Land Development) to promote the health, safety, order, and general welfare of the present and future inhabitants of the Town; and

WHEREAS the Mayor and Council of the Town of Marana find that revising Marana Town Code Title 17 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. The revisions to Title 17 - Land Development of the Marana Town Code ("MTC"), including miscellaneous revisions to MTC Sections 17-4-2, 17-4-3, 17-4-7, and 17-5-3, 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. 2024-063 of the Town of Marana, Arizona, are hereby referred to, adopted and made a part of this ordinance as if fully set out here.

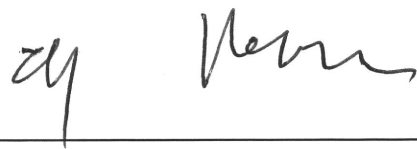
SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

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 18th day of June, 2024.



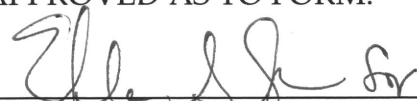
Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney



MARANA RESOLUTION NO. 2024-063

RELATING TO LAND DEVELOPMENT; DECLARING AS A PUBLIC RECORD FILED WITH THE TOWN CLERK THE AMENDMENT ADOPTED BY ORDINANCE NO. 2024.014, REVISIONS TO MARANA TOWN CODE ("MTC") TITLE 17 - LAND DEVELOPMENT; REVISING MTC SECTION 17-4-2 (USE MATRIX) TO ADD 'SINGLE-FAMILY ATTACHED' AS A RESIDENTIAL LAND USE AND ESTABLISH AN ALLOWANCE STATUS FOR EACH OF THE ZONING CATEGORIES; REVISING MTC SECTION 17-4-2 (USE MATRIX) TO REVISE THE ALLOWANCE STATUS OF THE DUPLEX AND TOWNHOUSE RESIDENTIAL USES IN THE NEIGHBORHOOD COMMERCIAL (NC) AND VILLAGE COMMERCIAL (VC) ZONING DISTRICTS; REVISING MTC SECTION 17-4-3 (USE CONDITIONS MATRIX) TO ADD APPROPRIATE CONDITIONS TO THE DEVELOPMENT OF 'SINGLE-FAMILY ATTACHED', DUPLEX, AND TOWNHOUSE RESIDENTIAL USES IN THE NEIGHBORHOOD COMMERCIAL (NC) AND VILLAGE COMMERCIAL (VC) ZONING DISTRICTS CONSISTING OF THE REQUIREMENT FOR COMPLIANCE WITH THE DEVELOPMENT STANDARDS FOR THE R-3 (RESIDENTIAL) ZONE; REVISING MTC SECTION 17-4-7 (COMMERCIAL ZONING DISTRICTS) TO CLARIFY THAT NO MINIMUM LOT SIZE REQUIREMENT SHALL APPLY WITHIN THE NEIGHBORHOOD COMMERCIAL (NC) AND THE VILLAGE COMMERCIAL (VC) ZONING DISTRICTS; REVISING MTC SECTION 17-5-3 (SUBDIVISION REQUIREMENTS), SUBSECTION 17-5-3.B.15, TO CLARIFY THAT THE REQUIREMENT TO UNDERGROUND UTILITIES INCLUDES ALL NEW AND EXISTING UTILITIES WITHIN OR CONTIGUOUS TO THE SUBDIVISION; AND, REVISING MTC SECTION 17-5-3 (SUBDIVISION REQUIREMENTS), SUBSECTION 17-5-3.C.3.A, TO ADD AN OPTION TO THE GENERAL REQUIREMENT FOR LOT ACCESS TO A STREET AS, 'AN ACCESS EASEMENT PROVIDING INGRESS AND EGRESS TO A PARCEL OVER ANOTHER PARCEL THROUGH AN AREA DEDICATED FOR SUCH PERPETUAL USE'

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. 2024.014, 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 18th day of June, 2024.

Ed Honea

Mayor Ed Honea

ATTEST:

David L. Udall

David L. Udall, Town Clerk

APPROVED AS TO FORM:

Jane Fairall

Jane Fairall, Town Attorney



*EXHIBIT A TO MARANA RESOLUTION NO. 2024-063
Amendments to Marana Town Code, Title 17 "Land Development" pursuant to Marana
Ordinance No. 2024.014*

SECTION 1. Section 17-4-2 (Use matrix) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining and deletions shown with ~~strikethrough~~):

17-4-2 Use matrix

[No revisions to paragraphs A through C]

Table 2. Use matrix (only amendments to Table 2 are shown; the remainder of Table 2 is unchanged)

Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Residential											
<u>Single-family attached</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>U</u>	<u>U</u>	<u>X</u>	<u>X</u>
Duplex	X	X	C	C	P	P	P	P <u>U</u>	P <u>U</u>	X	X
Townhouse	X	X	X	X	P	P	P	P <u>U</u>	P <u>U</u>	X	X

SECTION 2. Section 17-4-3 (Use conditions matrix) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining):

17-4-3 Use conditions matrix

The following table lists the conditions that apply to uses marked with a "U" in Table 2 (Use matrix). Where a zoning group is listed in the "zone(s)" column, the conditions apply to all zoning districts in that zoning group.

Table 3. Conditions per use (only amendments to Table 3 are shown; the remainder of Table 3 is unchanged)

	ZONE(S)	CONDITION(S)
Residential		
<u>Single-family attached</u>	<u>NC, VC</u>	<u>Must comply with the development standards for R-3 zone as set forth in section 17-4-5(B)(7) Table 4 (Development standards per residential zone)</u>
<u>Duplex</u>	<u>NC, VC</u>	<u>Must comply with the development standards for R-3 zone as set forth in section 17-4-5(B)(7) Table 4 (Development standards per residential zone)</u>
<u>Townhouse</u>	<u>NC, VC</u>	<u>Must comply with the development standards for R-3 zone as set forth in section 17-4-5(B)(7) Table 4 (Development standards per residential zone)</u>

SECTION 3. Section 17-4-7 (Commercial zoning districts) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining):

*EXHIBIT A TO MARANA RESOLUTION NO. 2024-063
Amendments to Marana Town Code, Title 17 “Land Development” pursuant to
Marana Ordinance No. 2024.014*

17-4-7 Commercial zoning districts

[No revisions to paragraphs A through D]

E. The following development standards apply in the commercial zones:

Table 6. Development standards per commercial zone (only amendments to Table 6 are shown; the remainder of Table 6 is unchanged)

Development standard	RR	NC*	VC‡
Site area	10 acres min.	1 acre min., 20-acre max. <u>(no minimum lot size)</u>	10 acres min. [√] <u>(no minimum lot size)</u>

‡ Notwithstanding anything to the contrary in this Table 6, single-family detached, single-family attached, duplex, and townhouse residential uses in the NC and VC zones must comply with the development standards for R-3 zone as set forth in section 17-4-5(B)(7) Table 4 (Development standards per residential zone)

SECTION 4. Section 17-5-3 (Subdivision requirements) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining and deletions shown with ~~strikethrough~~):

17-5-3 Subdivision requirements

[No revisions to paragraph A]

B. Improvement requirements. The following improvements shall be installed to town standards in every subdivision at no expense to the town:

[No revisions to subparagraphs 1 through 14]

15. Underground utilities. All new and existing utilities within or contiguous to the subdivision, including ~~E~~electric power (except electrical transmission lines carrying 48 kV or more), telephone lines, cable television, and fiber optics, shall be located underground, except where the subdivider can ~~show~~ demonstrate to the planning commission that underground installation is not technically feasible. For purposes of this subsection, economic feasibility is not considered. All underground installations shall be constructed prior to surfacing the street. Service stubs shall be placed in a way that avoids disturbance of street improvements when service connections are made. Aboveground transformers, cabinets, etc., shall be screened.

[No revisions to subparagraphs 16 and 17]

C. General requirements

1. Streets. All streets shall comply with the following requirements:

*EXHIBIT A TO MARANA RESOLUTION NO. 2024-063
Amendments to Marana Town Code, Title 17 “Land Development” pursuant to
Marana Ordinance No. 2024.014*

- a. Be dedicated for public use or designated as a private street to be maintained by the applicable association, ~~and~~

[no revisions to subparagraphs b through f]

[No revisions to subparagraph 2]

3. Lot access to street.

- a. Each lot of a subdivision shall abut on one of the following:
 - i. A public or private street dedicated by the subdivision plat.
 - ii. An existing dedicated street constructed to town standards.
 - iii. A street constructed to town standards that has become public by right of use.
 - iv. An access easement providing ingress and egress to a parcel over another parcel through an area dedicated for such perpetual use.
- b. Where a proposed subdivision abuts or contains an existing or proposed arterial or collector, the town may require limited access or reverse frontage with no-access easements or other restrictions along the arterial or collector.

[No revisions to subparagraphs 4 through 18]

[No revisions to paragraph D]