

MARANA ORDINANCE NO. 2025.002

RELATING TO LAND DEVELOPMENT; ADOPTING AMENDMENTS TO MARANA TOWN CODE TITLE 17 "LAND DEVELOPMENT"; AMENDING SECTIONS 17-4-2 (USE MATRIX) AND 17-4-3 (USE CONDITIONS MATRIX) TO ALLOW UP TO 6 CHICKENS TO BE KEPT ON A SINGLE-FAMILY DETACHED RESIDENTIAL LOT THAT IS ONE-HALF ACRE OR LESS IN SIZE AND PRESCRIBING DEVELOPMENT REGULATIONS RELATED TO THE KEEPING OF CHICKENS; AMENDING SECTION 17-6-7 (ANIMAL-KEEPING) TO ADD ADDITIONAL ANIMAL-KEEPING REQUIREMENTS FOR CHICKENS; APPROVING THE HOUSING IMPACT STATEMENT PERTAINING TO THIS ORDINANCE; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Arizona Legislature adopted Laws 2024, Chapter 192 (House Bill 2325), signed by Governor Katie Hobbs on May 21, 2024, and effective on September 14, 2024, prohibiting a municipality from adopting any law, ordinance, or other regulation that prohibits a resident of a single-family detached residence on a lot one-half acre or less in size from keeping up to six fowl in the backyard of the property; and

WHEREAS House Bill 2325 is now codified in the Arizona Revised Statutes at A.R.S. § 9-462.10; and

WHEREAS it is necessary for the Town's zoning code to be amended to conform with the requirements of A.R.S. § 9-462.10; and

WHEREAS A.R.S. § 9-462.01 paragraph J requires the Town to consider a housing impact statement regarding the impact of the zoning ordinance or zoning ordinance text amendment; and

WHEREAS the housing impact statement for this ordinance is on file with the Marana Town Clerk and in the Council's agenda backup materials accompanying this ordinance, and has been considered as part of the record of this ordinance; 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, as follows:

SECTION 1. The revisions to Title 17 "Land Development" of the Marana Town Code, amending sections 17-4-2 (Use matrix) and 17-4-3 (Use conditions matrix) to allow up to 6 chickens to be kept on a single-family detached residential lot that is one-half acre or less in size and prescribing development regulations related to the keeping of chickens; amending section 17-6-7 (Animal-keeping) to add additional animal-keeping requirements for chickens kept on a single-family detached residential lot of one-half acre or smaller, 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. 2025-002 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 housing impact statement for this ordinance on file with the Marana Town Clerk and in the Council's agenda backup materials accompanying this ordinance is hereby approved.

SECTION 3. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 4. 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 5. 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 6. 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 7th day of January, 2025.

ATTEST:



David L. Udall, Town Clerk



Vice Mayor Jon Post

APPROVED AS TO FORM:



Jane Fairall, Town Attorney




MARANA RESOLUTION NO. 2025-002

RELATING TO LAND DEVELOPMENT; DECLARING AS A PUBLIC RECORD FILED WITH THE TOWN CLERK THE AMENDMENTS ADOPTED BY ORDINANCE NO. 2025.002, REVISIONS TO TITLE 17 "LAND DEVELOPMENT" OF THE MARANA TOWN CODE, INCLUDING AMENDING SECTIONS 17-4-2 (USE MATRIX) AND 17-4-3 (USE CONDITIONS MATRIX) TO ALLOW UP TO 6 CHICKENS TO BE KEPT ON A SINGLE-FAMILY DETACHED RESIDENTIAL LOT THAT IS ONE-HALF ACRE OR LESS IN SIZE AND PRESCRIBING DEVELOPMENT REGULATIONS RELATED TO THE KEEPING OF CHICKENS; AND AMENDING SECTION 17-6-7 (ANIMAL-KEEPING) TO ADD ADDITIONAL ANIMAL-KEEPING REQUIREMENTS FOR CHICKENS

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. 2025.002, 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 7th day of January, 2025.



Vice Mayor Jon Post

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney



*EXHIBIT A TO MARANA RESOLUTION NO. 2025-002
Amendments to Marana Town Code, Title 17 "Land Development" pursuant to Marana
Ordinance No. 2025.002*

SECTION 1. Marana Town Code Title 17 (Land Development), Chapter 17-4 (Zoning), section 17-4-2 (Use matrix), Table 2 (Use matrix) is hereby amended as follows (with deletions shown with ~~strikethrough~~ and additions shown with double underlining and with all other existing table rows remaining unchanged):

Table 2. Use matrix											
Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Chickens	U	U	U	U	<u>UX</u>	<u>UX</u>	<u>UX</u>	<u>UX</u>	<u>UX</u>	X	X

SECTION 2. Marana Town Code Title 17 (Land Development), Chapter 17-4 (Zoning), section 17-4-3 (Use conditions matrix), Table 3 (Conditions per use) is hereby amended as follows (with deletions shown with ~~strikethrough~~ and additions shown with double underlining and with all other existing table rows remaining unchanged):

Table 3. Conditions per use

Use	Zone(s)	Condition(s)
Chickens; roosters; other fowl	AG RA	<p>No more than 40 animals per acre</p> <p>Structures shall be set back a minimum of 60 feet from any property whose zoning does not allow roosters or other fowl, and a minimum of 30 feet from any property line</p> <p><u>Must comply with all applicable animal-keeping standards, as set forth in section 17-6-7</u></p>
Chickens	ER NR	<p>One chicken permitted for every 1,000 square feet of lot area</p> <p>Chickens and associated structures prohibited in the area extending the full width of the lot between the main building and the front street lot line</p> <p>Structures six feet or less in height and 16 square feet or less in area are not required to be set back from the side or rear property line, but must be behind the main building</p> <p>Structures more than six feet in height or larger than 16 square feet in area are subject to accessory building setback requirements</p> <p>All structures must be at least 20 feet from any offsite dwelling unit</p> <p>A setback is not required from property lines abutting alleys, rights-of-way, access easements, or</p>

*EXHIBIT A TO MARANA RESOLUTION NO. 2025-002
Amendments to Marana Town Code, Title 17 "Land Development" pursuant to
Marana Ordinance No. 2025.002*

Use	Zone(s)	Condition(s)
		<p>nonresidential uses, or with the consent of the adjacent property owner</p> <p><u>Structures must be shorter than the fence line of the lot; in no event shall the The maximum permitted height of a structure is exceed 12 feet</u></p> <p><u>Must comply with all applicable animal-keeping standards, as set forth in section 17-6-7</u></p>
	<u>GR</u>	<p><u>Up to six chickens permitted per lot</u></p> <p><u>Chickens must be kept in an enclosure located in the rear or side yard</u></p> <p><u>Enclosures shall be set back at least 20 feet from any neighboring property line</u></p> <p><u>Enclosures shall be a maximum of 200 square feet in size</u></p> <p><u>Enclosures must be shorter than the fence line of the lot; in no event shall the height of an enclosure exceed eight feet</u></p> <p><u>Must comply with all applicable animal-keeping standards, as set forth in section 17-6-7</u></p>
	<u>MR RR</u>	<p><u>When developed as single-family detached residential pursuant to a CUP, up to six chickens permitted per lot, with same conditions as listed for the GR zone</u></p>
	<u>NC VC</u>	<p><u>When developed as single-family detached residential, up to six chickens permitted per lot, with same conditions as listed for the GR zone</u></p>

EXHIBIT A TO MARANA RESOLUTION NO. 2025-002
Amendments to Marana Town Code, Title 17 "Land Development" pursuant to Marana
Ordinance No. 2025.002

SECTION 3. Marana Town Code Title 17 (Land Development), Chapter 17-6 (General and Miscellaneous Development Regulations), section 17-6-7 (Animal-keeping) is hereby amended as follows (with additions shown with double underlining):

17-6-7 Animal-keeping

[No revisions to paragraphs A through C]

D. When chickens are kept on a single-family detached residential lot of one-half acre or smaller, the following regulations shall apply:

1. Enclosures shall be maintained and manure picked up and disposed of or composted at least twice weekly.
2. Composted manure shall be kept in a way that prevents migration of insects.
3. Water sources shall have adequate overflow drainage.
4. Feed shall be stored in insect-proof and rodent-proof containers.