



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, February 24, 2021, at or after 6:30 PM

Thomas Schnee, Chairman
Ronald Hill, Vice Chair
Don Duncan, Commissioner
Terry Fehrmann, Commissioner
John Flint, Commissioner
Richard Miller, Commissioner
Sharon Tyson, Commissioner

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Marana Planning Commission and to the general public that the Planning Commission will hold a meeting open to the public on February 24, 2021, at or after 6:30 PM located in the Council Chambers of the Marana Municipal Complex, 11555 W. Civic Center Drive, Marana, Arizona.

ACTION MAY BE TAKEN BY THE COMMISSION ON ANY ITEM LISTED ON THIS AGENDA.

Revisions to the agenda can occur up to 24 hours prior to the meeting. Revised agenda items appear in *italics*.

Marana Planning Commission

Welcome to this public meeting of the Marana Planning Commission. The Commission consists of seven citizens who are appointed by the Town Council and serve without pay. For the most part, the Commission acts in an advisory capacity to the Town Council on matters related to land use planning and zoning. Citizens are encouraged to address the Commission with their concerns on agenda items during the public testimony portions of the meeting, or other issues at the Call to the Public.

Meeting Times

Regular Commission meetings are usually held on the last Wednesday of each month at 6:30 PM at the Marana Municipal Complex, although the date or time may change and additional meetings may be called at other times and/or places.

Speaking at Meetings

If you are interested in speaking to the Commission during the Call to the Public or Public Hearings, you must fill out a speaker card (located in the lobby outside the Council Chambers) and deliver it to the Planning Commission Secretary prior to the convening of the meeting.

All persons attending the Commission meeting, whether speaking to the Commission or not, are expected to observe the Commission rules, as well as the rules of politeness, propriety, decorum and good conduct. Any person interfering with the meeting in any way, or acting rudely or loudly will be removed

from the meeting and will not be allowed to return.

Accessibility

To better serve the citizens of Marana and others attending our meetings, the Council Chambers are wheelchair and handicapped accessible. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Town Clerk at (520) 382-1999. Requests should be made as early as possible to arrange the accommodation.

Agendas

Copies of the Agenda are available the day of the meeting in the lobby outside the Council Chambers or online at www.maranaaz.gov.

This Notice and Agenda posted no later than 24 hours prior to the meeting, at the Marana Municipal Complex, 11555 W. Civic Center Drive, the Marana Operations Center, 5100 W. Ina Road, and at www.maranaaz.gov.

Meetings may be viewed online by clicking the link below:

<http://maranaaz.swagit.com/live>

The Town of Marana also encourages individuals to submit public comments to tbyler@maranaaz.gov. Any submitted comments from the public will be provided to the Commission and included within the Commission packet file and a summary of the comments submitted will be reflected in the official Commission meeting minutes of that meeting. All emailed comments must be received by the Town no later than 12:00 p.m. (noon) on the day of the meeting to be included.

REGULAR COMMISSION MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION/MOMENT OF SILENCE

ROLL CALL

CALL TO THE PUBLIC

At this time, any member of the public is allowed to address the Planning Commission on any issue within the jurisdiction of the Planning Commission, except for items scheduled for a Public Hearing at this meeting. The speaker may have up to three (3) minutes to speak. Any persons wishing to address the Commission must complete a speaker card (located at the rear of the Commission Chambers) and deliver it to the Commission Secretary prior to this agenda item being called. Pursuant to the Arizona Open Meeting Law, at the conclusion of Call to the Public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, and may ask staff to review the matter, or may ask that the matter be placed on a future agenda. However, members of the Commission shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

APPROVAL OF AGENDA

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

- A. Approval of the January 27, 2021 Meeting Minutes**
- B. Public Hearings**
 - 1. CUP2101-003 Arizona Golden Leaf Wellness, LLC, dba Nature Med.** A request for approval of a modification to an existing conditional use permit, which currently allows operation of a non-profit medical marijuana dispensary, to operate a retail marijuana establishment, in a shared location with the existing medical marijuana dispensary currently located at 5390 W. Ina Road and permitted to relocate to 5370 W. Ina Road. (Cynthia Ross)
- C. Commission Action**

Opening remarks by an applicant should not exceed ten minutes. Comments by others should not exceed three minutes.
- D. Informational Items/Possible Action Items**

1. **Relating to the Land Development Code;** update and discussion regarding potential revisions to the Marana Town Code, including migration of the remaining separate titles of the Land Development Code (LDC) to Title 17 (Land Development) of the Marana Town Code and replacement of those separate titles of the LDC with new chapters in Title 17; discussion regarding the replacement of LDC Title 5 (Zoning) by Chapter 17-4 (Zoning) in the Marana Town Code, and other proposed modifications (Steve Cheslak)

FUTURE AGENDA ITEMS

EXECUTIVE SESSIONS

Pursuant to A.R.S. 38-431.03, the Planning Commission may vote to go into executive session, which will not be open to the public, to discuss certain matters.

Executive Session pursuant to A.R.S. §38-431.03 (A), Planning Commission may ask for discussion or consideration, or consultation with designated Town representatives, or consultation for legal advice with the Town Attorney, concerning any matter listed on this agenda for any of the reasons listed in A.R.S. §38-431.03 (A).

ADJOURNMENT

Planning Commission - Regular Meeting

Meeting Date: 02/24/2021

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: February 24, 2021

Subject: **Approval of the January 27, 2021 Meeting Minutes**

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Attachments

2021.1.27 Planning Commission Summary Minutes



MARANA PLANNING COMMISSION

REGULAR COMMISSION MEETING

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, January 27, 2021, at or after 6:30 P.M.

Thomas Schnee, Chairman
Ronald Hill, Vice Chair
Don Duncan, Commissioner
Terry Fehrmann, Commissioner
Richard Miller, Commissioner
Sharon Tyson, Commissioner
Vacant, Commissioner

SUMMARY MINUTES

CALL TO ORDER

Chairman Schnee called the meeting to order at 6:30 PM.

PLEDGE OF ALLEGIANCE AND INVOCATION/MOMENT OF SILENCE: led by **Chairman Schnee**.

ROLL CALL

Chairman Schnee directed the Commission Secretary to call the roll. Commissioner Duncan was in attendance via phone. Commissioners Fehrmann and Miller were absent. A quorum was present.

CALL TO THE PUBLIC

Chairman Schnee opened the meeting to receive public comment.

APPROVAL OF AGENDA

Commissioner Tyson moved and **Vice Chair Hill** second the motion approving the agenda as presented. Motion passes, 4-0.

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

Commissioner Duncan moved and **Commissioner Tyson** second the motion approving the Regular Planning Commission Meeting Minutes of December 16, 2020. Motion passed, 4-0.

PUBLIC HEARINGS

1. CUP2101-001 Copper State Herbal Center, Inc. dba Botanica. A request for approval of a modification to the existing Copper State Herbal Center, Inc. dba Botanica conditional use permit, which currently allows operation of a non-profit medical marijuana dispensary, to operate a retail marijuana establishment, in a shared location with the existing medical marijuana dispensary at 6205 N. Travel Center Drive. (Cynthia Ross)

Senior Planner Cynthia Ross provided an overview of this item. Copper State Herbal Center, doing business as Botanica, is requesting approval of a modification to its existing conditional use permit to operate a retail marijuana establishment, in a shared location with the existing medical marijuana dispensary at 6205 N. Travel Center Drive.

Town Code 11-9-5 stipulates that the operation of a marijuana establishment is prohibited except when it is authorized as a “dual licensee,” which is an entity that holds both a medical marijuana dispensary registration and marijuana establishment license, issued by the Arizona Department of Health Services, in a shared location subject to the provisions and regulations of Town Code 17-6-14, which regulates the operation and location of medical marijuana dispensaries.

Copper State was approved to operate a medical marijuana dispensary in 2013 and is one of two medical marijuana dispensaries authorized to operate in the town with approved conditional use permits. Requests to modify or expand an approved conditional use permit requires the approval the Planning Commission.

The Copper State Conditional Use Permit application is comprised of the conditional use permit requirements outlined in Town Code 17-3-2H and the medical marijuana dispensary requirements outlined in Town Code 17-6-14. Staff has reviewed the application materials and finds that the conditional use permit application is complete. Staff recommends approval of Case No. CUP2101-001: an amendment to CUP1304-001 to allow Copper State Herbal Center, doing business as Botanica, to operate a retail marijuana establishment in a shared location with the existing non-profit medical marijuana dispensary as a dual licensee at 6205 N. Travel Center Drive, subject to the conditions listed in the staff report.

Rory Juneman, Lazarus & Silvyn, stated that they agree to the conditions in the staff report. There will be very little change if the request is approved; the operation and security will remain the same.

Seeing there were no speaker cards, **Chairman Schnee** opened and closed the public portion of the hearing.

Chairman Schnee had no concerns with the request. There were no other comments by the Commission.

*Motion to approve, subject to the recommended conditions, by **Chairman Schnee**, seconded by **Commissioner Tyson**. Motion passed unanimously, 4-0.*

2. CUP2101-001 Wild Burro Desert Retreat RV Camping Space. Approving and authorizing a conditional use permit allowing hosting of one RV space via Hipcamp.com at 13350 N. Wild Burro Road, APN 21844046A (Anita McNamara)

Senior Planner Anita McNamara noted this is a request for a conditional use permit for a single RV space camping through Hipcamp.com. The use is similar to Airbnb or VRBO. The code interpretation determines this use as similar to a Bed and Breakfast use. A B&B use requires a conditional use permit in the Agricultural Zone. When renting this space, guests must abide by rules set forth by the applicants. These rules, outlined in the narrative, have been added as conditions in the staff report. The rules include; limit to one RV space, quiet hours from 10pm to 8 am, no more than two vehicles are allowed at site, no more than 6 guests per stay, no wood fires, no tents, 2-pet limit, and pets must be leashed.

Seeing there were no speaker cards, **Chairman Schnee** opened and closed the public portion of the hearing.

Commissioner Duncan felt this is a good fit for the area. No other comments by the Commission.

*Motion to approve, subject to the recommended conditions, by **Commissioner Tyson**, seconded by **Vice Chair Hill**. Motion passed unanimously, 4-0.*

3. PCZZ2012-001 Phil's Sheds Rezoning; A request for a recommendation to the Marana Town Council for approval to rezone approximately 1.84 acres of land from R-36 (Residential) to Village Commercial (VC). The property is generally located on the south side of West Ina Road, 0.10 mile east of Interstate 10, in a portion of Section 6, Township 13S, Range 13E. (Anita McNamara)

Senior Planner Anita McNamara stated applicants, Phil and Tom Toole, are requesting a recommendation to the Town Council for approval to rezone their property located at 4535 W. Ina Road. The property was annexed by the Town in 1993 as part of the Ina/Thornsdale Annexation. Prior to the annexation, the property was zoned Suburban Homestead (Pima County) to R-36 (Town of Marana zoning.) The request is to rezone the property to Village Commercial due to the fact that the surrounding property is currently zoned Village Commercial. This zoning is consistent with the 2040 General Plan.

Seeing there were no speaker cards, **Chairman Schnee** opened and closed the public portion of the hearing.

Chairman Schnee felt the request made sense for the area. No further comments by the Commission.

*Motion to approve, subject to the recommended conditions, by **Chairman Schnee** seconded by **Commissioner Duncan**. Motion passed unanimously, 4-0*

4. PCZ2011-001 Tangerine 40 Rezoning; A request for a recommendation to the Marana Town Council for approval to rezone approximately 40 acres of land from Zone C - Large Lot Zone to Heavy Industry (HI). The property is generally located south of Tangerine Road and west of Breakers Road in a portion of Section 5, Township 12S, Range 12E. (Brian D. Varney)

Senior Planner Brian Varney stated this is a request to rezone approximately 40 acres; the former Breakers Water Park site as well as 2 10-acre parcels to the north, from Zone C – Large Lot Zone to Heavy Industry. The 20 acres to the north will be used for indoor/outdoor RV storage and the 20 acres to the south will be used as contractor storage yards. Two points of access are proposed off of Breakers Road. One access will serve the RV and indoor storage section. A second access will be provided for the contractor storage yards. The applicant will improve Breakers Road to the Town's standards, as well as dedicate 30' of right-of-way. The utilities will be provided by Marana Water, Trico, and SW Gas.

Paul Oland, Paradigm Land Design, reiterated that the RV storage to the north will be a combination of outdoor/indoor RV storage. The contractor storage yards will be fenced and will have security.

Seeing there were no speaker cards, **Chairman Schnee** opened and closed the public portion of the hearing.

Noting that the proposed land use is consistent with the 2040 General Plan, **Commissioner Tyson** felt it would be a good fit for the area. No further comments by the Commission.

*Motion to approve, subject to the recommended conditions, by **Commissioner Duncan**, seconded by **Commissioner Tyson**. Motion passed unanimously, 4-0.*

5. SLU2008-001 Welding Shop Operations. A request for approval of a significant land use change allowing a commercial welding shop located at the southwest corner of Wentz Road and Hardin Road. (Justin Currie)

Senior Planner Justin Currie noted the applicant, Joe Parsons; Hardin and Wentz LLC, is requesting a significant land use change to allow a welding shop operation located at 15131 N. Wentz Road (SWC of Wentz Road and Hardin Road.) The current zoning is B – Medium Lot Zone. The existing land uses are an equestrian facility (an SLUC was approved in January of 2015) and on-site agriculture. The proposal is to use 6 acres of the 16-acre site as a commercial welding shop. The remaining 10 acres will remain agriculture. 10-15 staff will be on site and the hours of operation will be from 7:00 am – 5:00 pm Monday through Friday and occasional Saturday hours from 7:00 am – 5:00 pm.

Zone B requires an SLUC for any land use change. Property owners within a ½-mile radius of the subject property were notified. Staff received 3 letters of protest; 2 are immediately adjacent to the subject property and one (Randy Bury; representative of Sanders Grove Specific Plan) is to the east of the subject property.

Tom Parsons; on behalf of Hardin Wentz (no relation to the Parsons) stated during the discussions they have reached a written agreement of concessions with Brad and Carly Labanow; one of the property owners to the south. A copy of this written agreement was presented at the meeting and will be included as part of the final meeting packet.

The agreement addresses concerns raised by the neighbors, such as enclosing the south side of the building, closing in the paint shop near the west end of the building, the agricultural field will remain as a buffer between the residence and the building, and any major changes to the plan are to be communicated with the residents to eliminate issues. Tom Parsons noted Randy Bury is one of three owners of Sanders Grove and the only one who protested, (Mr. Burys' interest was a minor protest.) Mr. Parsons stated he reached an agreement with Mr. Bury such that he agreed not appear at the meeting in protest.

Mr. Parsons noted a request was submitted to staff that summer hours be allowed to start at 6:00 am (due to the heat.) and asked that request be included as part of the SLUC. Mr. Parsons noted this proposal is allowed within the B – Medium Lot Zone and fits with the 2040 General Plan.

Commissioner Tyson asked how many jobs are planned when the business is operational. **Joe Parsons** noted there would be approximately 60 positions; 10-15 working on-site, plus 10 office staff and 40+ in the field.

Commissioner Tyson asked Jason Angell if the request is compatible with the 204 General Plan.

Development Services Director Jason Angell noted that it does fall within the Employment Area, as depicted on the map, but keep in mind that those are general diagrams that are placed and are not to fall along property lines. This request can be interpreted as being on the border.

Chairman Schnee opened the public portion of the hearing.

Clay M. Parsons and Carly Labanow spoke in opposition of the request, stating the close proximity to the steel business is not an ideal situation, however both Mr. Parsons and Ms. Labanow have opened a line of communication; see agreement of concessions, and are willing to keep discussions and conversations open as situations may arise. Both wish nothing but the best for the business.

Shawn Woodard, Tate Wyly, and Shawn Pate spoke in support of the request stating close proximity to work and a good family name.

Chairman Schnee closed the public portion of the hearing.

Chairman Schnee felt his noise abatement concerns have been addressed with the conditions and agreement of concessions. He noted that the Sanders Grove northern boundary is well south of the proposed project and with the addition of the concession letter he is inclined to recommend approval.

Commissioner Duncan felt that the concerns from Sanders Grove have been mitigated. He does have concerns with the number of homes that are adjacent to the proposed business and hopes the business will work with the homeowners to mitigate any concerns. **Commissioner Tyson and Vice Chair Hill** agreed with **Chairman Schnee and Commissioner Duncan** and were inclined to recommend approval; noting the agreement of concessions made a big difference.

*Motion to approve, subject to the recommended conditions, by **Chairman Schnee**, seconded by **Commissioner Tyson**. Motion passed unanimously, 4-0.*

6. SLU2010-001: Significant Land Use Change for Head to Tail Riding School; A request by property owner, Sheryl Gonnissen, for approval of a Significant Land Use Change to allow for the operation of a horseback riding school offering horseback riding instruction, horse training, and stabling of school horses and horses in training on the property located at 5880 W. Cortaro Farms Road. The property is generally located east of Interstate 10, north of Cortaro Farms Road, west of Hartman Lane, and south of Linda Vista Boulevard in a portion of Section 23, Township 12S, Range 12E. (Brian D. Varney)

Senior Planner Brian Varney clarified that this request was not for the ability to have horses on the property (horses are allowed on Zone C property,) the request is specifically for the business aspect of the use.

Mr. Varney specified the request is for a SLUC to allow the operation of a horseback riding school and training facility at 5880 W. Cortaro Farms Road. The property is currently zoned C - Large Lot Zone and is approximately 9.3 acres. The existing use is single-family residential with horse facilities. The proposed use is a horseback riding school, horse training, and stabling of school horses/horses in training. The hours of operation: spring/summer – 7:00 am – 11:00 am and 5:00 pm – 7:30 pm, fall/winter: 8:00 am to 6:00 pm. Two on-site staff are anticipated, as well as occasional volunteers from the U of A and youth 4-H. There are two access points to the property; via Camino Horizontante and Joplin Lane. Legal access is currently undetermined and in the legal process.

One of the conditions in the staff report is it must be demonstrated that legal access to the property exists and the appropriate documentation establishing such access shall be provided to the Town of Marana Development Services prior to use of the property as a riding school.

A public notice was mailed to all property owners within a ½ mile radius of the subject property. Staff received 23 letters/emails protesting the request and two letters of support within the 35-day comment period.

There are 4 conditions in the staff report:

- It must be demonstrated that legal access to the property exists, and the appropriate documentation establishing such access shall be provided to the Town of Marana Development Services Department prior to use of the property as a riding school.
- A formal site plan or development plan must be submitted to, reviewed, and approved by the Marana Development Services Department that complies with all development standards and regulations applicable to the approved use including, but not limited to, those pertaining to animal keeping.
- Compliance with all development standards and regulations pertaining to the approved use including, but not limited to, Section 17-6-12 Animal Keeping and Related Structures of the Marana Land Development Code, shall be maintained by the property owner in perpetuity.
- Any significant expansion of the facility, as determined by the Town of Marana Development Services Director, shall require additional review and approval by the Town of Marana Development Services Department and/or the Marana Planning Commission.

Applicant **Sheryl GonnSEN** noted she feels her business is suitable to the other business in the area; including Hope Animal Shelter, Douglas Automotive, and Cortaro Equestrian Center. Her business will be strictly for riding instruction and horse training purposes only. There will be no public boarding, renting out horses or offering trail rides. With regard to legal access, Ms. GonnSEN stated judgement in the case is pending.

Ms. GonnSEN stated that she would be open to decreasing the number of livestock permitted on the property from 36 horses to 24. In doing so, it will lessen the amount of manure and the frequency of feed deliveries. She noted she is last on the list for feed deliveries, purposely so the weight load is less.

Town Attorney Jane Fairall explained who has the right to appeal the Commissions' decision on this item: the applicant (if dissatisfied), any member of the Town Council who requested this public hearing, or any immediate adjacent property owner.

Chairman Schnee opened the public portion of the hearing.

Brit Ebel, Cindy Hanson, Denise Santos, Jessica Cusack, Alan Harris, Deb Wood, Audra Winters, Michael Squires, Denise Angerhofer, Raymond Hudson, Kelle Maslyn, Kris Walker, Sally and Carey Dunford, Diane and Daniel Gordon, Sharon and Dave Heaps, Amanda Gracie, Joan Farkas, and Luanne Leslie all spoke in support of the request; attesting to Ms. GonnSEN's integrity and professionalism and the cleanliness of the business.

Fred Richmond, Guillermo Travares, Lee Camarnta, Doug Patton, and Jeremy Thompson spoke in opposition of the request; noting odors, dust, decrease in property values, and increase in traffic as concerns.

Chairman Schnee closed the public portion of the hearing.

Chairman Schnee stated the biggest concern he has is the access easement. He asked if the Town of Marana could do anything to help the situation. **Jason Angell** specified the easement is an agreement between private property owners. The town getting involved with any sort of maintenance would not be an appropriate position for the town to be in.

Commissioner Duncan felt the majority of traffic creating the issues on Joplin Lane was not generated by Ms. GonnSEN's business.

Commissioner Tyson asked about the timeline of the judicial process. **Ms. Fairall** stated they are taking depositions and everything is still preliminary. **Ms. GonnSEN** noted that to her understanding the case is to be heard at the beginning of May 2021, unless matters are resolved before that.

Vice Chair Hill had all of his questioning answered. He had no concerns. No further comments from the Commission.

*Motion to approve, subject to the recommended conditions in the staff report and one added condition; to limit the number of horses allowed to 24, by **Chairman Schnee**, seconded by **Commissioner Duncan**. Motion passed unanimously, 4-0.*

7. PCM2101-002: Amendment to the Marana Town Code, Title 17 (Land Development Code), Chapter 17-3 (Administration and Enforcement). A request for a recommendation to the Town Council for approval of amendments to Marana Town Code Title 17 (Land Development), revising chapter 17-3 (Administration and Enforcement) to revise provisions related to the issuance of conditional use permits, including findings for approval; to rewrite provisions regarding the issuance of temporary use permits; and to revise provisions related to the classification and enforcement of violations of Title 17 (David Udall)

Assistant Town Attorney David Udall specified the proposed revisions to the Marana Town Code, Title 17 are to update the Conditional Use Permit and Temporary Use Permit sections to reflect recent case law, as well as, process improvements and to change the classification for Marana Town Code Title 17 violations from criminal to civil, unless otherwise indicated.

Mr. Udall noted the conditional use permit revisions account for recent case law. There was a 9th Circuit case that found similar provisions to our findings for approval for the conditional use permit unconstitutional. The language was too general and needed to be more specific and detailed. The revisions put forward in this item provide that specificity. The revisions provide more detail; specifying different types of temporary uses with appropriate zones for each use, outline specific application procedures that need to be followed; providing detail-approval criteria for staff and the public. The proposed revisions in Title 17-3 will allow for violations to be civil rather than criminal, unless otherwise designated and will allow the planning director to delegate enforcement.

Seeing there were no speaker cards, **Chairman Schnee** opened and closed the public portion of the hearing.

There were no comments or concerns from the Commission.

*Motion to approve by **Chairman Schnee**, seconded by **Vice Chair Hill**. Motion passed unanimously, 4-0.*

COMMISSION ACTION

1. PRV2009-003 Gladden Farms Blocks 31 & 33 Preliminary Plat and PRV2010-002 Gladden Farms Block 37 Preliminary Plat. A request for a recommendation to the Town Council for approval of a preliminary plat for Gladden Farms Blocks 31 & 33 lots 1-235, Common Areas A-1 - A-11 (Landscape, Utilities, Drainage and Grading) and B-1 - B-5 (Recreation, Landscape, Utilities, Drainage and Grading) north of the Midfield Rd. and Mike Etter Blvd. intersection; and for approval of a preliminary plat for Gladden Farms Block 37 Lots 1-275, A-1- A-14 (Landscape, Utilities, Grading and Drainage) and B-1 - B-7 (Recreation, Landscape, Utilities, Drainage and Grading) at the southeast corner of Midfield Rd and Mike Etter Blvd.(Justin Currie)

Senior Planner Justin Currie noted the request is to approve two preliminary plats in Gladden Farms: Block 31/33 - consisting of 57 acres and 235 residential lots and common areas, and Block 37 – consisting of 52 acres and 275 residential lots and common areas. The zoning for Block 31/33 is “F” Specific Plan with the land use designation as Single Family Detached-6. The zoning for Block 37 is “F” Specific Plan with the land use designation as High Density Residential. No comments or questions from the Commission.

*Motion to approve by **Vice Chair Hill**, seconded by **Commissioner Tyson**. Motion passed unanimously, 4-0.*

2. PCM2012-001 Waiver of Subdivision Requirements for the Summerstone subdivision. A request for a waiver of subdivision requirement to underground existing electrical utilities adjacent to a proposed residential development (Brian D. Varney)

Senior Planner Brian Varney stated this is a request from Perry Engineering to seek a waiver from the requirement to underground a portion of an existing 13.8 kV overhead electrical line along the east side of the proposed Summerstone subdivision.

The Marana Town Code requires affected overhead lines on-site and adjacent to the subject site to be undergrounded. It also gives the option for the Planning Commission to waive the requirements if determined that it is not feasible. The existing overhead electrical line along the Coachline frontage will be undergrounded. The existing line on the eastern boundary of the Summerstone subdivision is the portion requested to be waived from undergrounding. The portion is approximately 2500 linear feet and includes 15 pole locations. One reason for the request is the eastern corridor will be utilized for drainage conveyance. An underground electric corridor in the same location would likely represent incompatible uses.

Chairman Schnee wanted to know what the concern was with the water flow.

Ken Perry; Perry Engineering noted one of the main concerns are the electrical lines in close proximity to water. If you look at the drainage pattern on the site, a lot of the water congregates on the east side, also the Sunflower detention basin discharges onto the site.

*Motion to approve by **Chairman Schnee**, seconded by **Commissioner Duncan**. Motion passed unanimously, 4-0.*

INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS

FUTURE AGENDA ITEMS

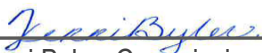
ADJOURNMENT

Chairman Schnee asked for a motion to adjourn the meeting.

Commissioner Duncan, moved and **Commissioner Tyson** second the motion to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 10:10 PM.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on January 27, 2021. I further certify that a quorum was present.



Terri Byler, Commission Secretary

Planning Commission - Regular Meeting

Meeting Date: 02/24/2021

To: Planning Commission

From: Cynthia Ross, Senior Planner

Date: February 24, 2021

Strategic Plan Focus Area:

Not Applicable

Subject: **CUP2101-003 Arizona Golden Leaf Wellness, LLC, dba Nature Med.** A request for approval of a modification to an existing conditional use permit, which currently allows operation of a non-profit medical marijuana dispensary, to operate a retail marijuana establishment, in a shared location with the existing medical marijuana dispensary currently located at 5390 W. Ina Road and permitted to relocate to 5370 W. Ina Road. (Cynthia Ross)

Discussion:

Summary

An application submitted by Arizona Golden Leaf Wellness, LLC, dba Nature Med, requesting approval of a modification to its existing conditional use permit, which currently allows operation of a non-profit medical marijuana dispensary, to operate a retail marijuana establishment, in a shared location with the existing medical marijuana dispensary at 5390 W. Ina Road and permitted to relocate to 5370 W. Ina Road. A request to modify, expand, or otherwise change an approved conditional use permit requires the approval of the Planning Commission.

Pursuant to Marana Town Code 11-9-5, a dual licensee who holds both a valid nonprofit medical marijuana dispensary registration and a marijuana establishment license may operate the two businesses cooperatively at a shared location subject to the provisions and regulations of Town Code section 17-6-14, which regulates the operation and location of nonprofit medical marijuana dispensaries.

Location

The existing dispensary is generally located on the north side of West Ina Road, between Star Commerce Drive and Silverbell Road.

Background

On November 17, 2020, the Marana Town Council adopted Ordinance No. 2020.019, creating new Chapter 11-9 of the Marana Town Code (MTC), regulating recreational marijuana in the Town. MTC Section 11-9-5 provides that operation of a recreational marijuana establishment is prohibited in the town, except when a recreational marijuana establishment is authorized for a "dual licensee" who operates both a non-profit medical marijuana dispensary and marijuana establishment cooperatively in a shared location, subject to the provisions and regulations of MTC Section 17-6-14.

Medical marijuana dispensaries in the Town are allowed in certain zoning districts with a conditional use permit (CUP). CUPs are issued pursuant to the provisions of MTC section 17-3-2. Paragraph H of this section provides that requests to modify, expand, or otherwise change an approved conditional use permit, not in substantial conformance with the approved permit, shall be processed as a new application. The Marana Zoning Administrator has determined that the desire to become a "dual licensee" recreational marijuana establishment constitutes a change not in substantial conformance with the original CUP for a medical marijuana dispensary, and a CUP amendment is required.

Marana Medical Marijuana Dispensaries

Section 17-6-14 of the Land Development Code (as incorporated in the Town Code) allows for and regulates medical marijuana dispensaries in the Town. Section 17-6-14(F) limits the number of medical marijuana dispensaries permitted within the Town to two and allows for an increase of one additional medical marijuana dispensary for each Marana population increase of 50,000 over and above the official 2010 census figure for Marana. There are two medical marijuana dispensaries in the town, both operating since 2013: Arizona Golden Leaf Wellness, dba Nature Med, and Copper State Herbal Center, Inc. dba Botanica located at 6205 N. Travel Center Drive.

CUP Application Compliance

The Arizona Golden Leaf Wellness d.b.a. Nature Med CUP application is comprised of the conditional use application requirements outlined in MTC 17-3-2B and all the medical marijuana dispensary material requirements outlined in MTC 17-6-14. Medical Marijuana Dispensary requirements include a request letter/narrative with exhibits, property owner authorization, Arizona Golden Leaf Operating Procedures and board member listings and attestations. Staff has reviewed the application materials and finds that the CUP application is complete and that the operation meets the requirements for a medical marijuana dispensary and, thus, a dual licensee.

Arizona Golden Leaf Wellness, dba Nature Med

Arizona Golden Leaf currently operates a dispensary with indoor cultivation in a 6,483 s.f. building at 5390 W. Ina Road, under Marana case #CUP1301-001, which was granted to Nature Med Inc. on January 30, 2013. In the fall of 2017, the Nature Med Inc. license moved to Guadalupe, Arizona and the Arizona Golden Leaf License moved to the site. Two additional CUPS were granted to Golden Leaf for facility expansions: Marana case #CUP1801-001 approved on September 26, 2018 permitting the expansion at 5390 W. Ina Road, and Marana case #CUP1801-001A approved on March 27, 2019 permitting further expansion onto the adjacent site at 5370 W. Ina Rd. Expansion to this site was approved by a Development Plan Package on January 13, 2021 (Marana case #DPP2006-002) and a tenant improvement application for the new location of the dispensary is currently under review.

Hours of Operation

Arizona Golden Leaf currently operates from 8:00 a.m. to 8:00 p.m. daily and may extend those hours to 7:00 a.m. to 10:00 p.m. to keep up with demand. The anticipated extended hours of operation comply with MTC 17-6-14-C.7 and all cultivation activities will occur during normal business hours only.

Number of Employees and Shifts

Arizona Golden Leaf currently employs a total of 42 full-time employees in its cultivation site and dispensary. At any given time, there can be up to 25 employees working at the facility. Shift scheduling is programmed so that only two or three employees arrive to or leave the facility at the same time during business hours.

The new facility at 5370 W. Ina Road will have a higher capacity for customers and require additional staff. Arizona Golden Leaf anticipates adding approximately 25+ employees in the dispensary building and an estimated 75+ employees in the cultivation building. The timeline for this employment increase is based on the construction process of this phased project. In total, Arizona Golden Leaf expects to bring more than 100 new jobs to the town.

Operation Process, Materials, Safety and Security

Arizona Golden Leaf will be a dual licensee who operates both a nonprofit medical marijuana dispensary and marijuana establishment cooperatively in a shared location, subject to the provisions and regulations of MTC 17-6-14. The medical side of its operations will continue to follow the same operating procedures mandated by the Arizona Department of Health Services (ADHS). Under the new laws adopted by Arizona's Proposition 207, Arizona Golden Leaf will dispense the same product to adults 21 and older, but with a few exceptions in dosage and package size. All current security procedures shall remain in place and additional security measures will be implemented.

Arizona Golden Leaf will employ the services of a private security company that will be on site 24 hours a

day and have two security guards present during business hours. There will also be an upgrade to the camera/digital video recording devices to allow for 4k video capture throughout the interior and exterior of the building. Arizona Golden Leaf believes that these additional security measures will not only dissuade any illegal activity in the area but also increase all customer safety during their visits.

Safety and security plans are reviewed and audited internally on a semi-annual basis. This review and audit process will continue as recreational operations are implemented. As Arizona Golden Leaf transitions to the adjacent property, the new building will include increased security and safety measures.

Types of Traffic and Volume Generated

Arizona Golden Leaf currently serves an average of 8,500 customers per month, approximately 23 customers per hour of operation. An increase in customer traffic is anticipated when adult use sales begin. Arizona Golden Leaf will employ multiple resources and strategies to limit the effects of the anticipated traffic increase. For instance, Arizona Golden Leaf will expand its medical marijuana delivery program (only to patients with an active medical marijuana card). It will also implement a new online ordering software that will schedule customer pickups in time slots to decrease transaction times and reduce traffic throughout the day. A new temporary parking lot will also be constructed on the north end of 5390 W. Ina Road for employees, to ensure there is sufficient parking for customers.

Arizona Department of Health Service's Recreational Marijuana Establishment License

ADHS began accepting applications for marijuana establishments for adult use for early applicants on January 19, 2021. Arizona Golden Leaf received their Marijuana Establishment License for adult use on January 22, 2021. The license expires on January 21, 2023.

Public Notice

The public hearing for this request was appropriately noticed in the Daily Territorial. Notice was mailed to all owners of property within 300 feet of the subject property, informing them of the request as well as the date and time of the public hearing.

Recommended Findings of Fact

Staff finds that this proposal is consistent with the intent of the Town of Marana 2040 General Plan, the Town of Marana Land Development Code, and complies with the requirements of a conditional use permit. Staff finds the following:

1. The applicant has demonstrated that the proposed use is appropriate to the specific location.
2. The proposed use does not appear to be detrimental to the immediate area and to the health, safety, and general welfare of the inhabitants of the area and the Town of Marana.
3. The proposed use will not adversely affect the orderly development of property within the Town.
4. The proposal will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the Town of Marana.
5. The proposed use is consistent with the objectives, policies, general land uses and programs specified in the Town of Marana General Plan.
6. The proposed use is not anticipated to create a nuisance or enforcement problem within the neighborhood.
7. The proposed use will not encourage marginal development within the neighborhood.
8. The proposed use is not anticipated to create a demand for public services with the Town beyond that of the ability of the Town to meet in the light of taxation and spending restraints imposed by law.
9. The proposed use does not conflict with the Town's approved funding priorities.
10. The proposed site is adequate in size and shape to accommodate the intended use and all requirements for the zone district including but not limited to setbacks, walls, landscaping and buffer yards.

Case Review:

1. Ability to comply with Findings 1 through 10 of the Town of Marana Town Code pertaining to Conditional Use Permits, Section 17.3.2.D.

Staff Recommendation:

Staff finds that the proposed development complies with MTC 17-3-2, pertaining to Conditional Use Permits, with the applicable requirements of Marana Town Code section 17-6-14 pertaining to Medical Marijuana Dispensaries, and with Chapter 11-9 pertaining to the regulation of recreational marijuana establishments.

Staff recommends approval of the conditional use permit with the following condition:

1. Compliance with all applicable provisions of the Town of Marana codes and ordinances current at the time of development including, but not limited to, MTC 17-6-14 and MTC 11-9-5.

Suggested Motion:

I move to approve Case No. CUP2101-003: an amendment to CUP1301-001, CUP1801-001, and CUP1801-001A to allow Arizona Golden Leaf Wellness, LLC, dba Nature Med to operate a retail marijuana establishment in a shared location with the existing medical marijuana dispensary as a dual licensee at 5390 W. Ina Road and permitted to relocate to 5370 W. Ina Road subject to the conditions listed in the staff report.

Attachments

Application
Location Map
Applicant Narrative & Exhibits
Property Owner Authorization Letters
Board Member Information and Attestation
ADHS Marijuana Establishment License



Development Services / maranaplanning@maranaAZ.gov

11555 West Civic Center Drive / Marana, AZ 85653

Ph (520) 382-2600 / Fax (520) 382-2641 / maranaAZ.gov

PROJECT APPLICATION

APPLICATION TYPE

- | | | | |
|--|--|--|--|
| ☐ Annexation | ☐ Development Plan | ☐ Development Plan Package | ☐ General Plan Amendment |
| ☐ Rezone | ☐ Minor Land Division | ☐ Significant Land Use Change | ☒ Conditional Use Permit |
| ☐ Specific Plan | ☐ Landscape Plan | ☐ Native Plant Plan/Exception | ☐ SWPP |
| ☐ Variance | ☐ Hydraulic Model | ☐ Sewer Capacity Assurance | ☐ Sign Program |
| ☐ Plat | ☐ Improvement Plan | ☐ Report (Type): _____ | ☐ Other: _____ |

PROJECT INFORMATION

Project Name: Arizona Golden Leaf Wellness, LLC. dba Nature Med

Description of Project: CUP Amendment - Med Marijuana Dual License

Number of Lots: 6

Parcel No.(s): 226-35-006Y, 226-32-012D, 226-35-075A, 226-35-0760, 226-35-075B, 226-35-006X

Gross Area (Acres): 14.59

Project Address: 5390 W Ina Rd, Tucson, AZ 85743

Ref. Project No.: CUP1301-001

CONTACT INFORMATION

Owner: James Boyd (JPEL Properties LLC)

Contact Name: Jim Boyd

Address: 5602 N Royal Cir

City: Paradise Vall

State: AZ

Zip: 85253

Email:

Phone No.:

Applicant: Arizona Golden Leaf Wellness, LLC

Contact Name: Charles Remme

Address: 5390 W Ina Rd

City: Tucson

State: AZ

Zip: 85743

Email: charles@naturemedinc.com

Phone No.: (520) 331-2635

Consultant/Engineer:

Contact Name:

Address:

City:

State:

Zip:

Email:

Phone No.:

OWNER/APPLICANT AUTHORIZATION

I hereby certify that the information set forth in this application are true and correct to the best of my knowledge and that I am either the owner of the property or that I have been authorized in writing by the owner to file this application. (If applicant is not the owner, attach written authorization from the owner.)

Charles Remme

02/03/2021

Applicant Name (PRINT)

Signature

Date

FOR OFFICIAL USE ONLY

Revision Date 03/29/2019

Project No. _____

Date Received _____



**Arizona Golden Leaf Wellness
dba Nature Med Conditional Use Permit**
5390 & 5370 W. Ina Road
CUP2101-003



**An application submitted by Arizona Golden Leaf Wellness, LLC.
dba Nature Med, requesting approval of a modification to its
existing conditional use permit located at 5390 W. Ina Road and
permitted to relocate to 5370 W. Ina Road.**

Data Disclaimer: The Town of Marana provides this map information

"As Is" at the request of the user with the understanding that it is not guaranteed to be accurate, correct or complete and conclusions drawn from such information are the responsibility of the user. In no event shall The Town of Marana become liable to users of these data, or any other party, for any loss or direct, indirect, special, incidental, or consequential damages, including but not limited to time, money, or goodwill, arising from the use or modification of the data.



February 3, 2021

Project Narrative for Arizona Golden Leaf Wellness, LLC. d.b.a. Nature Med

INTRODUCTION

Arizona Golden Leaf Wellness d.b.a. Nature Med ("Arizona Golden Leaf") is an Arizona licensed Medical Marijuana Dispensary operating in a 6483 ft² building at 5390 W Ina Rd, Tucson, AZ 85743 (APN: 226-35-006Y). Arizona Golden Leaf currently operates under CUP 1301-001, which was granted by the Town of Marana in 2013, originally granted to Nature Med Inc. In the Fall of 2017, the Nature Med Inc. license moved to Guadalupe, Arizona and the Arizona Golden Leaf License moved to the site. Arizona Golden Leaf also has concurrent CUPs, 1801-001 and 1801-001A, allowing for further development of 248,149 ft² for cultivation and retail space on the adjacent property 5370 W Ina Rd. Arizona Golden Leaf intends to be a license holder under the newly created adult use marijuana program established by the passing of Arizona's Proposition 207. In accordance with the Marana Town Code ("MTC") § 17-3-2(H), Arizona Golden Leaf seeks to amend CUP1301-001 to become a "dual licensee" recreational marijuana establishment.

OPERATIONS OVERVIEW

Arizona Golden Leaf will be one of the two dual licensee recreational marijuana establishments allowed by the Town of Marana. The dispensary will be in the front 1/3 of the building located at 5390 W Ina Rd. The building is a brick skirted metal building. MTC § 17-6-14(C)(1). There will be no drive-through service provided. MTC § 17-6-14(C)(2). The dispensary has taken every precaution, from filtered exhaust fans to air curtains, to mitigate any odor, dust, fumes, or vapors from emitting into the environment. MTC § 17-6-14(C)(3). Arizona Golden Leaf will be employing the services of a state licensed security company for the safety of the customers and staff and to ensure there is no consumption of marijuana on the premises. MTC § 17-6-14(C)(4). To reduce the possibility of customer consumption on premises, there will be no outdoor seating areas. MTC § 17-6-14(C)(5). Arizona Golden Leaf holds and has held a Marana business license applicable to a medical marijuana dispensary since 2017. MTC § 17-6-14(C)(6). The hours of operation will not begin earlier than 7:00 a.m. and will not run later than 10:00 p.m. in accordance with MTC § 17-6-14(C)(7).

SEPARATION REQUIREMENTS

Per MTC § 17-6-14(D), the existing and proposed Medical Marijuana Dispensary & Cultivating Facility meets the minimum separation from the following existing uses:

	Existing Use	Minimum Separation (feet)	
1.	Any other medical marijuana dispensary or cultivation location	2,000	Approximately 2¼ miles in direct line

2.	Residential Substance Abuse Diagnostic and Treatment or Rehabilitation Facility	2,000	Greater than 2,000 feet
3.	Public, Private, Parochial, Charter, dramatic, Dancing, Music, Learning Center, or similar school or educational facility that caters to children	1,000	Approx. 1.1 miles to nearest school
4.	Childcare Center	1,000	Greater than 1,000 feet
5.	Public Library	1,000	1.1 miles to nearest Library,
6.	Public Park	1,000	Approx. 3,700 feet to Crossroads Park
7.	Church	1,000	Greater than 1,000 feet
8.	Facility devoted to Family Recreation or Entertainment	1,000	Greater than 1,000 feet

The existing medical marijuana project meets all the location and minimum separation requirements under MTC § 17-6-14(D). The Santa Cruz Linear River Park is less than 1,000 feet away, but notably, the Development Services Director has interpreted the provision requiring a setback of "1,000 feet from a public library or public park" to apply only to established public parks with playgrounds, fields, and the like.

NEIGHBORHOOD IMPACT

Arizona Golden Leaf prides itself on having a positive impact on the community. Arizona Golden Leaf actively gives back to the community and implements all measures necessary to avoid being a nuisance to its surrounding neighbors. In the past two years, Arizona Golden Leaf has collected and donated over 3500 LBS of food to the Marana Food Bank. It has also made several monetary donations. These community contributions will continue to grow as Arizona Golden Leaf starts its recreational operations.

With the expansion of the current facility, Arizona Golden Leaf will develop a parcel of land that has previously been used for green waste recycling. Although an important business in the community, the 24 acres of brush piles were not the most aesthetically pleasing for Marana residents. Arizona Golden Leaf has worked diligently with the Town of Marana and with a highly skilled architecture firm to design a beautiful complex that is currently under construction. The buildings will complement other industrial complexes on Ina Road (Waste Management and Pima County Waste Water Reclamation Facility) and bring a refreshed look to the industrial side of Ina Road.

Arizona Golden Leaf has operated at 5390 W Ina Rd for eight years without causing any negative impacts to the surrounding neighborhood or community. The ownership and management team look forward to continuing and expanding their contributions to the Town of Marana community.

HOURS OF OPERATION & WHEN THEY MAY VARY

Arizona Golden Leaf currently operates from 8:00 a.m. to 8:00 p.m. daily. Nonetheless, it may extend those hours to 7:00 a.m. – 10:00 p.m. if deemed necessary to keep up with demand. The extended hours of operation comply with MTC § 17-514(C)(7) and all cultivation activities will occur during normal business hours only.

Arizona Golden Leaf operates under the hours above year-round, with the following exceptions: Thanksgiving (8:00 a.m. – 3:00 p.m.), Christmas Eve (8:00 a.m. – 3:00 p.m.), and Christmas Day (Closed).

NUMBER OF SHIFTS AND EMPLOYEES

Arizona Golden Leaf currently employs a total of 42 full-time employees in its cultivation site and dispensary. At any given time, there can be up to 25 employees working at the facility. Our shift scheduling is programmed so that only two or three employees arrive to or leave the facility at the same time during business hours. This has no significant impact on traffic in the area.

The new facility at 5370 W Ina Road will have a higher capacity for customers, therefore requiring additional staff. Arizona Golden Leaf is excited to add another 25+ jobs in the dispensary, as well as 75+ jobs in the new cultivation site. The timeline for this employment increase is based on the construction process. In total, Arizona Golden Leaf expects to bring more than 100 new jobs to the Town of Marana. The architects and designers working on the project have continually worked with the Town of Marana's planning team to ensure there are no significant impacts to Ina Road's traffic. Arizona Golden Leaf will also continue to work closely with the Town of Marana to mitigate any significant impacts.

OPERATION PROCESS AND MATERIALS

Arizona Golden Leaf will be a dual licensee who operates both a nonprofit medical marijuana dispensary and marijuana establishment cooperatively in a shared location, subject to the provisions and regulations of MTC § 17-6-14. The medical side of its operations will continue to follow the same operating procedures mandated by the Arizona Department of Health Services ("ADHS"). Under the new laws adopted by Arizona's Proposition 207, Arizona Golden Leaf will dispense the same product to adults 21 and older, but with a few exceptions in dosage and package size. All current security procedures shall remain in place and additional security measures will be implemented.

Arizona Golden Leaf will employ the services of a private security company (company to be determined through management review process) that will be on site 24 hours a day. Arizona Golden Leaf will have two security guards present during business hours. There will also be an upgrade to the camera/Digital Video Recording devices to allow for 4k video capture throughout the interior and exterior of the building. Arizona Golden Leaf believes that these additional security measures will not only dissuade any illegal activity in the area but also increase all customer safety during their visits.

Safety and security plans are reviewed and audited internally on a semi-annual basis. This review and audit process will continue as recreational operations are implemented.

As Arizona Golden Leaf transitions to the adjacent property, the new building will include increased security and safety measures. The new structure allowed architects and designers to integrate features such as a vault room and sally port. The new complex will also employ additional armed and unarmed guards as the cultivation building begins to operate.

TYPE OF TRAFFIC AND VOLUME GENERATED

Arizona Golden Leaf currently serves an average of 8500 customers per month, which works out to roughly 23 customers per hour of operation. An increase in customer traffic is anticipated when adult use sales begin. Arizona Golden Leaf is committed to employing multiple resources and strategies to limit the effects of the anticipated traffic increase. For instance, Arizona Golden Leaf will expand its medical marijuana delivery program (only to patients with an active medical marijuana card). It will also implement a new online ordering software that will schedule customer pickups in time slots to decrease transaction times and reduce traffic throughout the day. A new temporary parking lot will also be constructed on the north end of 5390 W Ina Road for employees, to ensure there is sufficient parking for customers.

Attachments:

Exhibit 1: Aerial Property Map

Exhibit 2: Aerial Site Plan

Exhibit 3: Use Separation

Exhibit 4: Floor Plans

Exhibit 5: External Renderings of 5370 W. Ina Rd Expansion

300ft Properties List

Exhibit 1 – Aerial Property Map



LEGEND:

- Current Dispensary Fencing
- - - Future Complex Fencing
- - - Santa Cruz River Linear Park

Site Notes:

Zoning: E - Transportation Corridor

Exhibit 2 – Aerial Site Plan Map

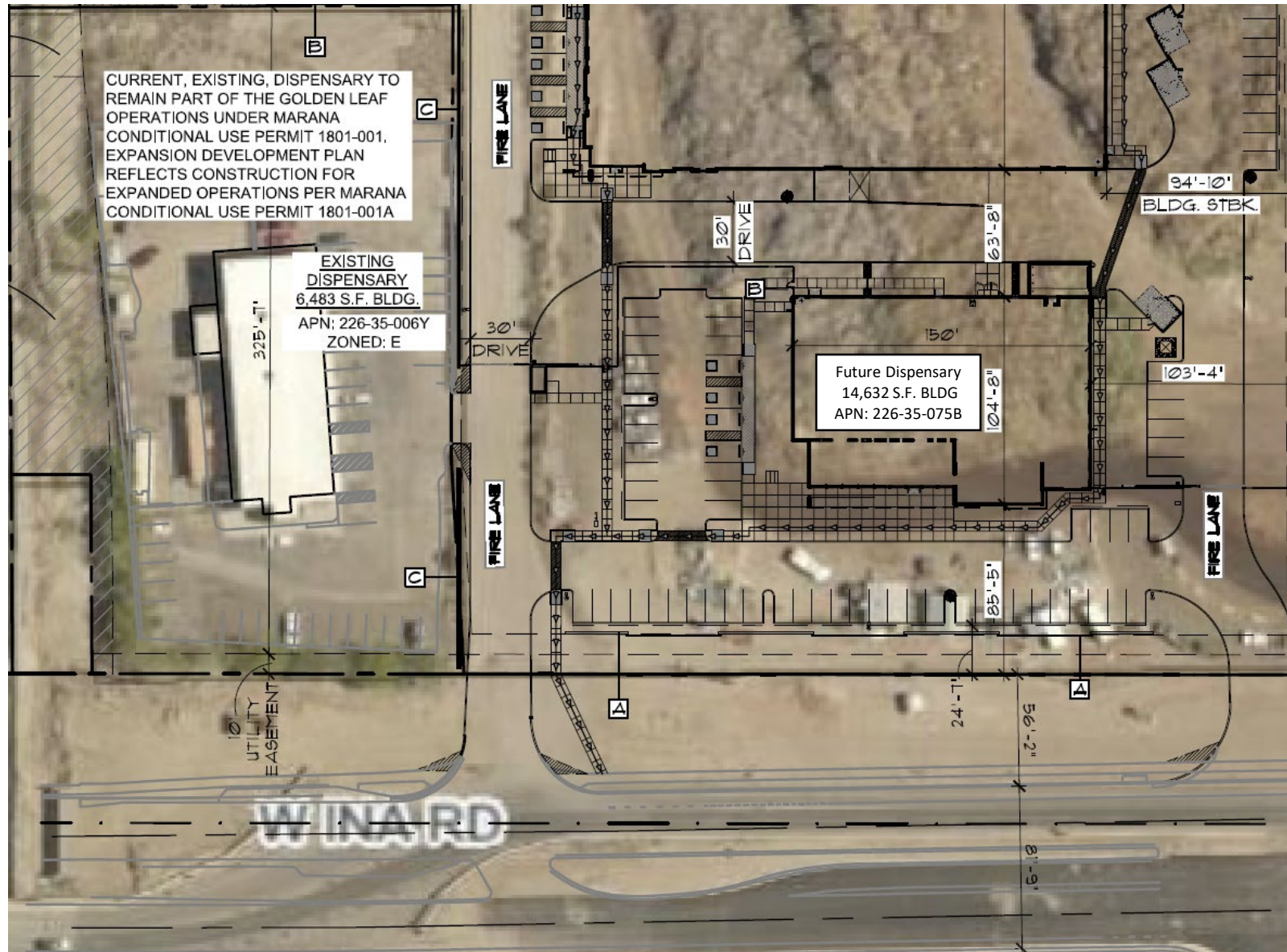
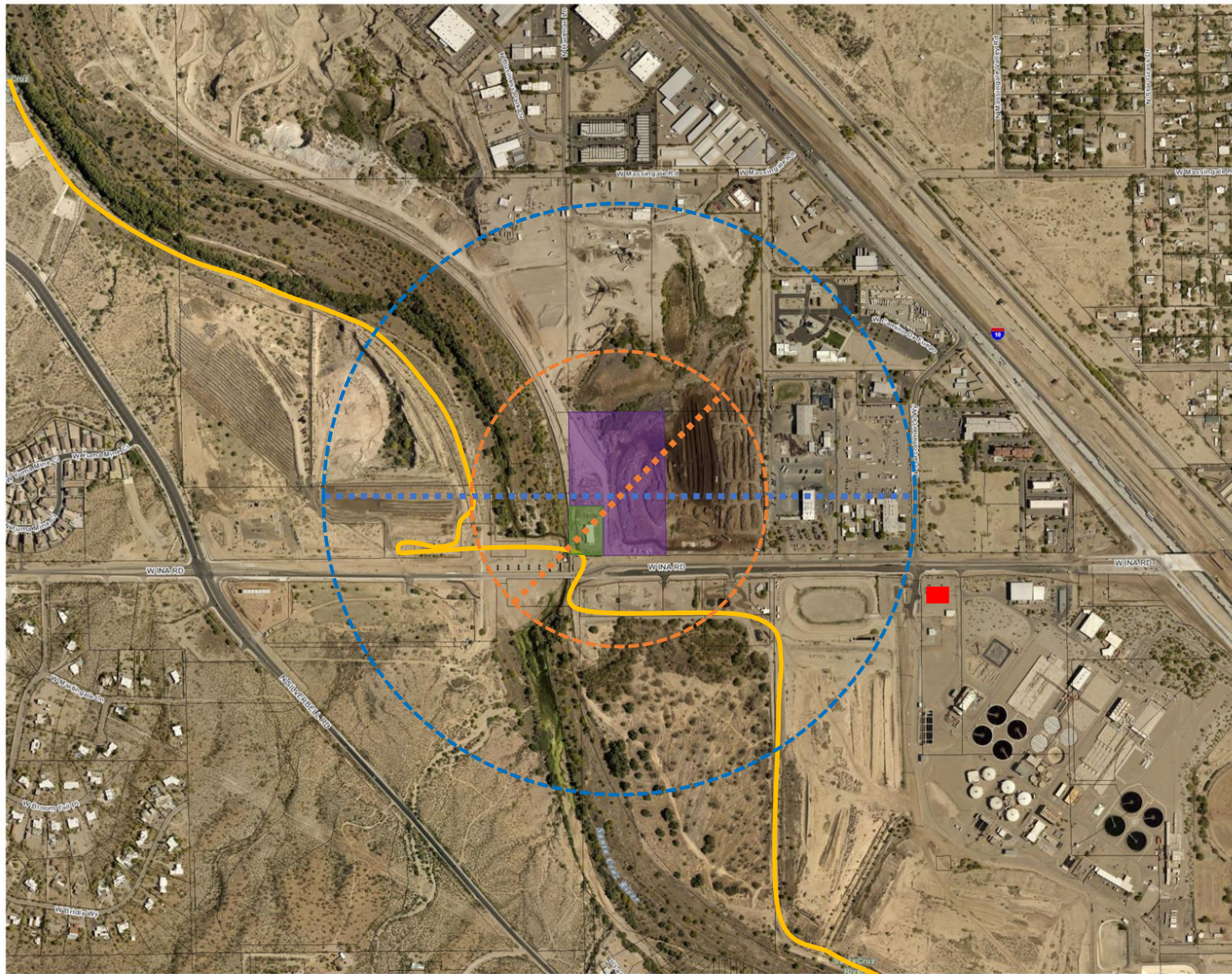
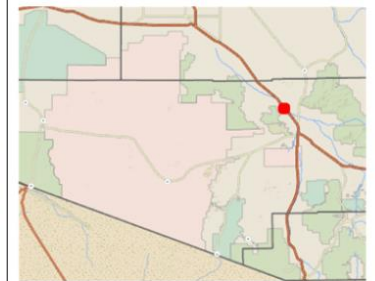


Exhibit 3 – Use Separation



Legend

- 2000ft Buffer
- 1000ft Buffer
- Santa Cruz River
- Linear Park ("The Loop")
- Pima Vocational High School
- Current Dispensary Site
- Approved Expansion Site
- N/A Medical Marijuana Dispensary
- N/A Medical Marijuana Dispensary
- N/A Family Recreation/Activity Center
- N/A Substance Abuse & Treatment Facility
- N/A Church



Notes:



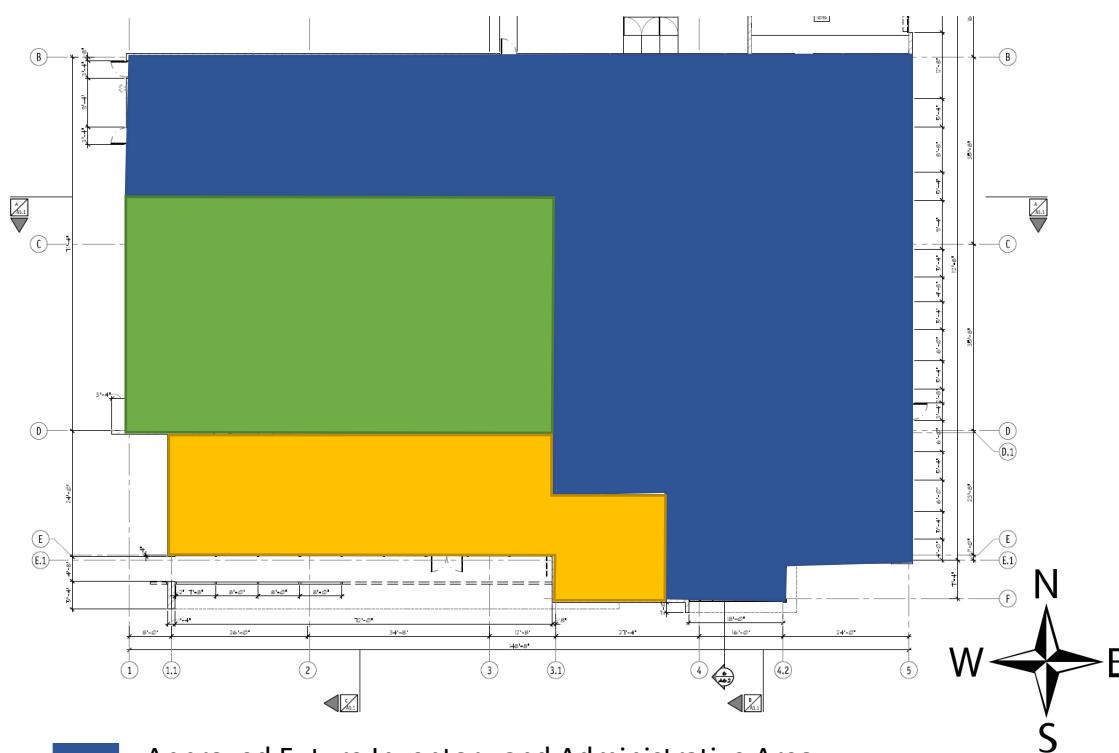
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Exhibit 4 – Floor Plans (Current and Future)



Current Dispensing and Inventory Area (~2200 sqft)

Current Cultivation Area (~4200 sqft)



Approved Future Inventory and Administrative Area

Approved Future Dispensing Area

Approved Future Lobby/Waiting Area

Exhibit 5 – External Renderings of 5370 W. Ina Rd Expansion



Dispensary Building
(Facing NE)



Dispensary Building
(Facing NW)

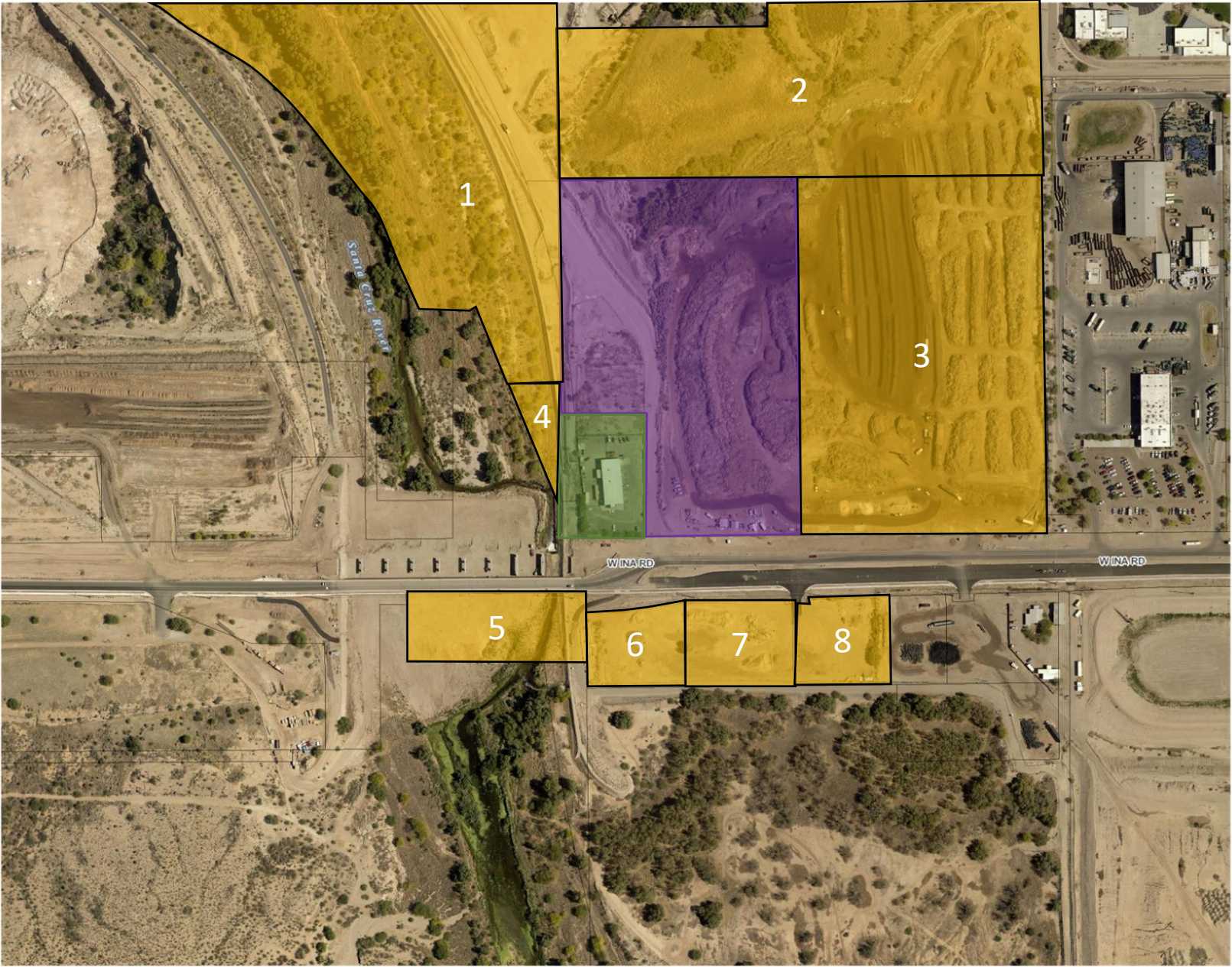


Dispensary and Cultivation Building
(Facing NE)



Cultivation Building
(Facing NE)

5390/5370 W Ina Rd - 300ft Properties

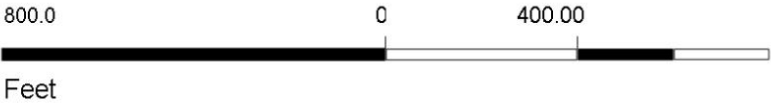


Legend

- Approved Dispensary/Cultivation Expansion
- Current Dispensary and Cultivation
- Properties within 300 feet (Details to follow)



Notes:



This map is static output from an internet mapping site and no warranty is expressed or implied as to the accuracy, reliability, currency or completeness of the data, and is for reference only

Indicator	Parcel	Site Address	Owner	Address	City	State	Postal Code	Current Use
1	226-32-012C	Santa Cruz River	PIMA COUNTY FLOOD CONTROL DISTRICT	130 W CONGRESS ST	Tucson	AZ	85701-1332	Flood Plain
2	226-35-006P	5400 W Massing	GALLAS-KENTON PROPERTIES CO LLC ATTN: THE FAIRFAX COMPANIES \	1360 N KOLB RD	Tucson	AZ	85715-4922	Green Waste Recycling Center
3	226-35-075C	5300 W Ina Rd, T	HARLAN OPERATIONS CO LLC ATTN: THE FAIRFAX COMPANIES	1360 N KOLB RD	Tucson	AZ	85715-4922	Green Waste Recycling Center
4	226-32-0140	Santa Cruz River	PIMA COUNTY FLOOD CONTROL DISTRICT	130 W CONGRESS ST	Tucson	AZ	85701-1332	Flood Plain
5	214-04-1160	Santa Cruz River	PIMA COUNTY FLOOD CONTROL DISTRICT	130 W CONGRESS ST	Tucson	AZ	85701-1332	Flood Plain
6	214-01-017F	5385 W INA RD,	PIMA COUNTY REAL PROPERTY	130 W CONGRESS ST	Tucson	AZ	85701-1332	No Current Use
7	214-01-017E	5355 W INA RD,	PIMA COUNTY REAL PROPERTY	130 W CONGRESS ST	Tucson	AZ	85701-1332	No Current Use
8	214-01-016A	53853 W INA RD	PIMA COUNTY REAL PROPERTY	130 W CONGRESS ST	Tucson	AZ	85701-1332	No Current Use

Property Owner Authorization

Arizona Golden Leaf Wellness, LLC

5390 W Ina Rd, Tucson, AZ 85743

Assessor's Parcel No. 22635006Y

JPEL Properties LLC, the owner of the above reference property. I authorize Charles Remme and Arizona Golden Leaf Wellness, d.b.a. Nature Med to be the agent of JPEL Properties for the sole purpose of amending the CUP. I consent to Charles Remme submitting to the Town of Marana, an application to amend the Conditional Use Permit (CUP1301-001) that adds adult-use sales to the medical marijuana dispensary.

Signature: _____

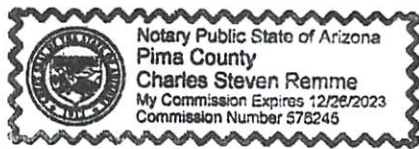
Name: _____

Address: _____

Date: _____

James Boyd
Elizabeth Boyd
James Boyd
Elizabeth Boyd
5602 North Royal Circle
Paradise Valley AZ 85253
1-21-21

On this 21 day of JANUARY, 2021, before me personally appeared JAMES BOYD whose identity was proven to me based on satisfactory evidence to be the person who he claims to be and acknowledged and signed the above document.



Remme

Notary Public Signature

Property Owner Authorization

Arizona Golden Leaf Wellness, LLC

5370 W Ina Rd, Tucson, AZ 85743

Assessor's Parcel No. 22635075D

5370 West Ina Rd LLC, the owner of the above reference property. I authorize Charles Remme and Arizona Golden Leaf Wellness, d.b.a. Nature Med to be the agent of JPEL Properties for the sole purpose of amending the CUP. I consent to Charles Remme submitting to the Town of Marana, an application to amend the Conditional Use Permit (CUP1301-001) that adds adult-use sales to the medical marijuana dispensary.

Signature: Klaus Axen

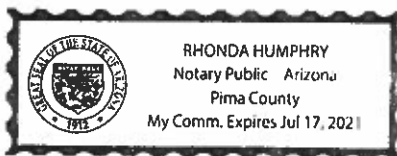
Name: Klaus Axen

Address: 5370 W Ina Rd

Tucson, AZ 85743

Date: 1/20/2021

On this 20th day of January, 2021, before me personally appeared Klaus Axen whose identity was proven to me based on satisfactory evidence to be the person who he claims to be and acknowledged and signed the above document.



Rhonda Humphrey
Notary Public Signature

Arizona Golden Leaf Wellness, LLC

Board Member Attestation

To Whom It May Concern:

This is a certification regarding the Board of Directors and Officers for Arizona Golden Leaf Wellness, LLC. d.b.a Nature Med ("AZGLW") is in compliance with the Marana Town Code § 17-6-14(B)(5), (6), (10), Medical Marijuana Dispensaries.

I, nor any board member of AZGLW or officer of AZGLW has ever been convicted of a violent crime as defined in A.R.S. § 13.901.03(B) that was classified as a felony in the jurisdiction of the conviction.
Code § 17-6-14(B)(5)

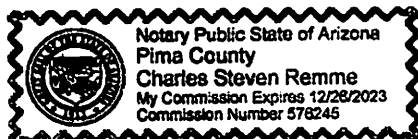
I, nor any board member of principal officer of AZGLW have ever been convicted of violating a state of federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted except an offence for which the sentence, including any term of probation, incarceration or supervised release, was completed ten or more years earlier or an offense involving conduct that would be immune from arrest, prosecution or penalty under A.R.S. § 36-2811 except that the conduct occurred before the effective date of that statute or was prosecuted by an authority other than the State of Arizona
Code § 17-6-14(B)(5)

I attest that none of the nonprofit medical marijuana dispensary officers or board members of AZGLW has served as an officer or board member for a medical marijuana dispensary that has had its dispensary registration certificate revoked.
Code § 17-6-14(B)(6)

I acknowledge the requirements of Pima County Code Chapter 8.80, Medical Marijuana.
Code § 17-6-14(B)(10)

Signature: Pradip Patel
Name: Pradip Patel
Date: 1-19-2021

On this 19 day of JANUARY, 2021, before me personally appeared PRADIP PATEL whose identity was proven to me based on satisfactory evidence to be the person who he claims to be and acknowledged and signed the above document.



Notary Public Signature

Arizona Golden Leaf Wellness, LLC. d.b.a. Nature Med

Officers and Board Members

Pradip Patel
President/Board Member
DOB: 12/18/1973
9780 N Camino Del Plata
Tucson, AZ 85742

Reena Patel
Board Member
DOB: 06/16/1976
9780 N Camino Del Plata
Tucson, AZ 85742



ARIZONA DEPARTMENT
OF HEALTH SERVICES

Arizona Golden Leaf Wellness, Llc
5390 W Ina Rd , Marana, AZ 85743

The establishment listed above has been issued a Marijuana Establishment License. This certificate has been issued under the authority of Title 36, Chapter 28.2, Arizona Revised Statutes and pursuant to the Arizona Administrative Code Title 9, Chapter 18 Department of Health Services' rules and regulations.

THIS CERTIFICATE IS NOT TRANSFERABLE

Establishment License Number: 00000067ESBS89254298

Effective Date: January 22, 2021

Expiration Date: January 21, 2023

APPROVED TO:

Retail - Cultivate

Retail - Sell

An Establishment License issued by the Arizona Department of Health Services pursuant to A.R.S. Title 36, Chapter 28.2 and A.C.C. Title 9, Chapter 18 does not protect the holder from legal action by local, city, state, or federal authorities, including possible criminal prosecution for violations of federal law for the sale, manufacture, distribution, use, dispensing, possession, etc. of marijuana. The acquisition, possession, cultivation, manufacturing, delivery, transfer, transportation, supplying, selling, distributing, or dispensing medical marijuana under state law is lawful only if done in strict compliance with the requirements of the State Medical Marijuana Act ("Act"), A.R.S Title 36, Chapter 28.2 and A.A.C. Title 9, Chapter 18. Any failure to comply with the Act may result in revocation of the Registration Certificate issued by the Arizona Department of Health Services, and possible arrest, prosecution, imprisonment, and fines for violation of state drug laws. The State of Arizona, including but not limited to the employees of the Arizona Department of Health Services, is not facilitating or participating in any way with my acquisition, possession, cultivation, manufacturing, delivery, transfer, transportation, supplying, selling, distributing, or dispensing medical marijuana.

Recommended By: Megan Whitby
Bureau Chief

Issued By: Colby Bower on January 22, 2021
Assistant Director

Planning Commission - Regular Meeting

Meeting Date: 02/24/2021

To: Planning Commission

From: Steven Cheslak, Principal Planner

Date: February 24, 2021

Strategic Plan Focus Area:

Not Applicable

Subject: Relating to the Land Development Code; update and discussion regarding potential revisions to the Marana Town Code, including migration of the remaining separate titles of the Land Development Code (LDC) to Title 17 (Land Development) of the Marana Town Code and replacement of those separate titles of the LDC with new chapters in Title 17; discussion regarding the replacement of LDC Title 5 (Zoning) by Chapter 17-4 (Zoning) in the Marana Town Code, and other proposed modifications (Steve Cheslak)

Discussion:

In the coming months, staff will come before the Planning Commission and Town Council with updates to several sections of the Town Code. The purpose of this presentation is to provide an update to the Planning Commission regarding the Land Development Code (LDC) update process, including an update on the work that has been done thus far, and on the remaining steps that will be taken before beginning the official adoption process.

In 2015, staff began the migration of the LDC to the Marana Town Code and has continued that process as chapters have been updated and are ready for adoption. A summary of the history of the migration follows.

- Ordinance 2014.011 CHAPTER 17-17 DEVELOPMENT IMPACT FEE ORDINANCE
- Ordinance No. 2015.021
 - CHAPTER 17-1 TITLE, INTENT, PURPOSE, AND DEFINITIONS
 - CHAPTER 17-2 ADMINISTRATIVE BODIES AND OFFICERS
 - CHAPTER 17-3 ADMINISTRATION AND ENFORCEMENT
 - CHAPTER 17-5 SUBDIVISIONS
 - CHAPTER 17-6 GENERAL DEVELOPMENT REGULATIONS
 - CHAPTER 17-15 FLOODPLAIN AND EROSION HAZARD MANAGEMENT CODE
 - CHAPTER 17-16 STORMWATER MANAGEMENT
- Ordinance 2018.002 CHAPTER 17-18 WIRELESS COMMUNICATION FACILITIES
- Ordinance 2018.010 CHAPTER 17-4 ZONING (BU, DO, DN, and DT zones established and regulated; remaining zoning regulations remained in Title 5 of Land Development Code)
- Ordinance 2019.004 CHAPTER 17-10 SIGNS
- Ordinance 2019.018 CHAPTER 17-9 PARKING

Staff has been working over the past couple of years to clean-up and update the remaining portions of the existing Land Development Code in preparation for final migration of the LDC to Title 17 (Land Development) of the Town Code, and to revise the already-migrated chapters if and as needed. Proposed updates largely consist of a general clean-up and utilizing a table format for zoning requirements that not only reduces the overall size of the document but also helps make it more user-friendly. Additional changes are recommended to reflect compliance with State statutes and general legal parameters and to implement process improvements.

Staff will also discuss a proposal for the rezoning of "alphabet zoning", refining a concept that were

originally presented to the Planning Commission and Town Council in past presentations.

Staff Recommendation:

Presentation and discussion only, no recommendation.

Suggested Motion:

Presentation and discussion only, no motion is necessary.

Attachments

Presentation

Draft Updated LDC



Proposed Town Code Updates

Steve Cheslak, Principal Planner

February 24, 2021

Land Development Code (LDC)

Migration to Town Code Highlights

- **All remaining LDC chapters move to Town Code**
- **General clean-up**
 - New definitions
 - In compliance with State statutes
 - Corrected chapter cross-references
 - Removed duplicate text
- **Process improvements**
 - Temporary Use Permit & Conditional Use Permit
 - Preliminary plat approval

Land Development Code Update - Zoning

- **Existing Zoning Code**
- **Proposed Zoning Code**
- **Proposal for Alphabet Zoning**

Existing Zoning Code

- **Ordinance No. 77-06**
 - Adopted August 29th, 1977
 - Established A, B, C, D, E zones
 - 5 revisions by ordinance
- **Ordinance No. 93-05**
 - Adopted April 6th, 1993
 - Established existing zones
 - 25 revisions by ordinance
- **32 Zoning Districts**
 - 1 Agriculture zone
 - 16 Residential zones
 - 7 Commercial zones
 - 2 Industrial zones
 - 6 Alphabet zones

Existing Zoning Code

Current Zoning Districts			
AG	Agricultural	RV	Recreational Vehicle
RD-180	Rural Development	CO	Commercial (Office)
R-144	Residential	NC	Neighborhood Commercial
R-80	Residential	VC	Village Commercial
R-36	Residential	RC	Regional Commercial
R-20	Residential	RR	Resort and Recreation
R-16	Residential	MU-1	Mixed Use
R-12	Residential	CBC	Campus Business Center
R-10	Residential	LI	Light Industrial
R-8	Residential	HI	Heavy Industry
R-7	Residential	F	Specific Plans
R-6	Residential	E	Transportation Corridor
R-3.5	Residential	D	Flood Plain
MR-2	Multi-Family (Med/High)	C	Large Lot
MR-1	Multi-Family (High)	B	Medium Lot
MH	Manufactured Housing	A	Small Lot



R-36 Residential

05.10.05 R-36 Residential

A Purpose Purpose

The R-36 single-family residential zone is primarily intended as a district for single-family homes, with not more than one dwelling and customary accessory building upon an individual lot, with a variety of housing sizes and contain a quality design. Except as specifically provided elsewhere in the Land Development Code, any and every building and premises or land in the R-36 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-36 zone, exclusively and only in accordance with the regulations set forth in this Section.

B Permitted Uses Permitted Uses

The following shall be permitted in the R-36 single-family residential zone, subject to the Development Standards contained in this section.

1. One single-family residential detached home of a permanent character placed in a permanent location;
2. Churches, synagogues, and other places of worship;
3. Public parks and playgrounds;
4. Public schools; and,
5. Uses similar to those listed above in this section, as determined by the Planning Administrator.

C Accessory Uses Accessory Uses

Accessory Uses -- The following accessory buildings and uses may be located on the same lot with a permitted dwelling, provided that any permanent building or structure shall be harmonious with the architectural style of the main building and further provided that all residential accessory uses are compatible with the residential character of the neighborhood:

1. Detached accessory structures, such as tool sheds, patios and cabanas, non-commercial hobby shops, guest house, children's playhouses, etc.;
2. Swimming pools, spas, and related structures;
3. Garage, carport or enclosed storage;
4. Sports courts, unlighted;
5. Fences and walls;
6. Home occupations, with an approved Home Occupation Permit;
7. Community recreation uses, including sports courts, swimming pools, spas, recreation buildings, patio shelters and other community facilities common to a homeowner's association, for a specific subdivision;
8. Community identification, entry monuments, community design elements, and other enhancements common to a homeowner's association, and designed for a specific subdivision;

9. Model homes, within an approved subdivision;
10. Keeping of large and small livestock on parcels one acre or greater;
11. Stables, private; and,
12. Riding arena, rodeo grounds (private, unlighted).

D Conditional Uses Conditional Uses

The following may be permitted subject to Conditional Use Permits provided for in Section 10.10 of the Land Development Code.

1. Day care center;
2. Private schools and other ancillary uses in connection with churches, synagogues, and other places of worship;
3. Group homes;
4. Residential facilities for non-permanent occupancy including only bed and breakfast establishments;
5. Aviaries;
6. Riding arena, rodeo grounds (private, lighted);
7. Keeping of rodents and fowl; and
8. Upon annexation and translation of county zoning, any use or uses and densities that were permitted on the annexed property under the county zoning at the time of annexation (see Section 10.10, paragraph P).

E Temporary Uses Temporary Uses

The following may be permitted for a specified time period, subject to Section 09.01;

Temporary sales trailer, within an approved subdivision;

F Prohibited Uses Prohibited Uses

Uses prohibited in the R-36 district are as follows:

1. All commercial and business uses, except those specifically permitted; and,
2. Industrial uses.

G Property development standards—Generally. Property Development Standards

The property development standards set forth in this section shall apply to all land, structures and buildings in the R-36 zone.

1. **Lot area.**
The minimum lot size shall be thirty-six thousand (36,000) square feet.
2. **Lot dimensions.**
 - a. Width. Lots shall have a minimum width of one hundred (100) feet.
 - b. Depth. Lots shall have a minimum depth of one hundred (100) feet.

3 Minimum Front, Side and Rear Yards (Setbacks)

- a. **The required front yard (setback)** shall be a minimum of thirty (30) feet.
- b. **The required side yard (setback)** shall be a minimum of fifteen (15) feet, with a street side yard (setback) having a minimum of twenty (20) feet.
- c. **The required rear yard (setback)** shall be a minimum of forty (40) feet.

4. Building Separation (Distance Between Structures/Buildings)

- a. The minimum distance between principal (main) buildings shall be twenty (20) feet.
- b. The minimum distance between a principal (main) building and an accessory building or two accessory buildings shall be ten (10) feet.

5. Building Heights.

- a. Buildings and structures erected in this zone shall have a height not greater than two-stories or twenty-five (25) feet, except as otherwise permitted.
- b. Building heights may be permitted to increase a maximum of twenty percent (20%) to provide a maximum building height of thirty (30) feet subject to the review and approval of the Town Council, subject to the process and requirements found in Section 8.05.

6. Building Mass.

Any structure over two-stories must meet reduced massing requirements for the floors above the first level. The Gross Floor Area (GFA) of each floor above the first floor must not exceed eighty percent (80%) of the GFA of the previous floor.

7. Lot Coverage.

The maximum allowable lot coverage by buildings and structures shall not exceed forty percent (40%) of the total lot area.

8. Underground Utilities.

All on-site utilities shall be placed underground on the site.



Proposed Zoning Code

1. Eliminated unused districts

- R-20 Residential
- R-12 Residential
- RC Regional Commercial
- CBC Campus Business Center

2. “Legacy Zones” created

- A, B, C, D, E Alphabet zoning
- R-3.5 Residential
- MH Manufactured Housing
- RV Recreation Vehicle
- CO Commercial Office
- MU-1 Mixed-use

3. New Code design

- Simplified four-part organization
 1. Zone Districts and Zoning Groups Table
 2. Use Matrix Table
 3. Use Conditions Matrix Table
 4. Lot Development Standards

Proposed Code Part 1

Zone Districts and Zoning Groups Summary Table

- Consolidation of similar residential zoning districts into zoning groups
- Zoning groups combine zones that:
 - Allow same uses in Use Matrix (Table 2)
 - Same regulation in Conditions Per Use Matrix (Table 3)

Table 1. Zone districts and zoning groups summary

Agricultural zone

AG	Agricultural
----	--------------

Ranchette residential zoning group (RA)

R-180	R-180 rural development
-------	-------------------------

R-144	R-144 residential
-------	-------------------

R-80	R-80 residential
------	------------------

Estate residential zoning group (ER)

R-36	R-36 residential
------	------------------

Neighborhood residential zoning group (NR)

R-16	R-16 residential
------	------------------

R-10	R-10 residential
------	------------------

R-8	R-8 residential
-----	-----------------

R-7	R-7 residential
-----	-----------------

R-6	R-6 residential
-----	-----------------

Garden residential zoning group (GR)

R-5	R-5 residential
-----	-----------------

R-4	R-4 residential
-----	-----------------

R-3	R-3 residential
-----	-----------------

Multi-family residential zoning group (MR)

MR-1	Multi-family residential (medium density)
------	---

MR-2	Multi-family residential (high density)
------	---

Commercial zones

RR	Resort and recreation
----	-----------------------

NC	Neighborhood commercial
----	-------------------------

VC	Village commercial
----	--------------------

Industrial zones

LI	Light industrial
----	------------------

HI	Heavy industry
----	----------------

Mixed-use zones

DMO	Downtown Marana overlay
-----	-------------------------

DT	Downtown
----	----------

DN	Downtown neighborhood
----	-----------------------

BU	Blended-use
----	-------------

Specific plan zone

SP	Specific plan
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Use Matrix Table

- **Identifies permissiveness of uses in zoning groups and zoning districts**
 - **“P”** - permitted
 - **“A”** - permitted as accessory use
 - **“C”** - allowed upon approval of CUP
 - **“U”** - allowed with Table 3 conditions
 - **“T”** - allowed upon approval of TUP
 - **“X”** - use prohibited
- **Any change affects all zones**
- **North American industry classification system (NAICS) used to determine new use allowance**

[illegible]

Proposed Code Part 3

Conditions Per Use Table

- Lists special conditions for uses marked “U” in Use Matrix (table 2)

Table 3. Conditions per use		
USE	ZONE(S)	CONDITION(S)
Residential		
Duplex	NC	Density shall be no less than eight residences per acre
Townhouse	NC	Density shall be no less than eight residences per acre
Manufactured home	RA ER NR GR NC	Shall be skirted on both sides and ends unless placed at ground level
Modular home	ER NR GR NC	Architectural similarity and compatibility for the purpose of blending into the existing neighborhood
Child care home	AG RA ER NR GR MR RR	Must be conducted in a single-family dwelling by a full time occupant of the dwelling During operating hours, the entire property may be devoted to the use An opaque five-foot fence or wall shall screen outdoor activity and equipment areas from any adjacent residential use
	AG RA ER NR GR	Shall not employ more than one nonresident of the premises All parking shall be on site and shall not include commercial parking features such as wheel stops, parking lanes or striping Shall maintain the required residential off-street parking Any new structure or proposed changes to an existing single-family dwelling used as a child care home must be consistent with the residential character of the single-family dwelling as it appeared before operation of the child care home
Guest quarters	GR MR	Must be located within the principal residence
	NR	Must be located within the principal residence on lots smaller than 16,000 square feet
Home occupation	AG RA ER NR GR MR RR NC VC	Must be conducted by a full time occupant of the dwelling Shall not exceed 25% of the gross floor area of a dwelling Shall not employ more than one nonresident of the premises Exterior public display of stock-in-trade, external evidence of the home occupation, and outdoor storage of equipment or material associated with the home occupation are prohibited

Proposed Code Part 4

Development Standards- Zone Tables

- Lot width
- Lot depth
- Setbacks
- Building separation
- Building height
- Lot coverage
- Additional information

Table 4. Development standards per zone

Development standard	Zone R-____											
	180	144	80	36	16	10	8	7	6	5	4	3
Minimum lot width (feet)	175	175	120	100	80	70	65	55	50	45	40	35
Minimum lot depth (feet)	275	200	200	100	100	95	90	85	80	77	74	70
Minimum lot boundary setbacks (feet) – Main building† –												
Front	40	40	30	30	20	16	16	16	16	10	10	10
Front-loading garage	40	40	30	30	25	20	20	20	20	20	20	20
Side abutting a street	30	30	30	20	15	10	10	10	10	10	10	10
Side	30	30	30	15	10	5	5 ^Δ	5 ^Δ	5 ^Δ	B	B	B
Rear	50	50	40	30	20	15	15	15	15	10	10	10
Rear and side – covered patio structure open on at least three sides	20	20	20	10	5	5	5 ^Δ	5 ^Δ	5 ^Δ	5 ^Δ	5 ^Δ	5 ^Δ
Accessory building	30	30	30	20	10	5	5 ^Δ	5 ^Δ	5 ^Δ	B	B	B
Minimum building separation (in feet) be- tween –												
Principal buildings	20	20	20	20	15	10	10	10	10	B	B	B
Principal and accessory building	10	10	10	10	10	5	5	5	5	B	B	B
Accessory buildings	10	10	10	10	10	5	5	5	5	B	B	B
Maximum building height (feet) –												
Main building	30	30	30	30	30	30	30	30	30	30	30	30
Accessory building†	30*	30*	30*	25	25	25	25	25	25	25	25	25
Maximum lot coverage (percent of total lot area)	40	40	40	40	50	50	50	50	50	75	75	75

† In subdivisions containing one or more lots 16,000 square feet or smaller, the residential design guidelines allow smaller setbacks in certain situations.

Proposal for Rezoning Alphabet Zones

A, B, C, D, E Zoning

- **Started at incorporation**
 - Ordinance No. 77-06
- **Based on lot size & use**
- **Years of lot splits**
 - Legal non-conforming lots
 - Illegal lots created
- **Years of Significant Land Use Change (SLUC)**

Alphabet Zones

Zone A – Small Lot Zone

- Lot no larger than 2.5 acres
- Residential, commercial, industrial, and quasi-public land uses

Zone B – Medium Lot Zone

- Lot larger than 2.5 acres but no larger than 25 acres
- Residential, commercial, industrial, and quasi-public land uses

Zone C – Large Lot Zone

- Lot no smaller than 25 acres
- Residential, commercial, industrial, and quasi-public land uses

Zone D – Designated Flood Plain Zone

- Residential, commercial, industrial, and quasi-public land uses
- All uses require a floodplain use permit

Zone E – Transportation Corridor Zone

- No residential use
- Commercial, industrial, and quasi-public land uses

Translation Rezoning of A, B, C, D, E Zones

- **Simplified rezoning offer**
 - In lieu of SLUC
 - Application made on case by case basis
 - Flexible application requirements
 - External and internal review
 - Public hearing process with notification
 - Reduced fee incentive
- **Rezoning based on:**
 - Proposed use
 - General Plan land use
 - Current use
 - Surrounding use

Land Development Code Adoption Timeline

- **60 day public review begins March 1st**
- **Planning Commission and Town Council public hearings**
 - **April 28th - Planning Commission**
 - **May 18th - Town Council**

DISCUSSION

CHAPTER 17-4. ZONING

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17-4-1 Zone districts and zoning groups established

- A. The zones and zoning groups listed in [table 1 \(zone districts and zoning groups summary\)](#) are established by this section.
- B. [Table 1](#) also shows the consolidation of certain residential zoning districts into zoning groups as of the effective date of this chapter. These zoning groups combine zones that allow the same uses in the [use matrix](#) table ([table 2](#)) and the [conditions per use](#) table ([table 3](#)). In some cases, a zoning group label is used for ease of reference in table headings and cross-references (for example, “ER” in place of “R-36”).
- C. Official zone map. The location and boundaries of each of the zones are shown on the official zone map of the town, and the map is a part of this code. Whenever amendments or changes are made in zone boundaries, the amendments or changes must be made by ordinance and recorded on the official zone map. The official zone map data layer maintained by and located in the office of the

technology services department is the final authority in determining current zoning status.

D. Zone districts and zoning groups summary table. The following table shows the town's zone districts and zoning groups.

Table 1. Zone districts and zoning groups summary	
Agricultural zone	
AG	Agricultural
Ranchette residential zoning group (RA)	
R-180	R-180 residential
R-144	R-144 residential
R-80	R-80 residential
Estate residential zoning group (ER)	
R-36	R-36 residential
Neighborhood residential zoning group (NR)	
R-16	R-16 residential
R-10	R-10 residential
R-8	R-8 residential
R-7	R-7 residential
R-6	R-6 residential
Garden residential zoning group (GR)	
R-5	R-5 residential
R-4	R-4 residential
R-3	R-3 residential
Multi-family residential zoning group (MR)	
MR-1	Multi-family residential (high density)
MR-2	Multi-family residential (medium density)
Commercial zones	
RR	Resort and recreation
NC	Neighborhood commercial
VC	Village commercial
Industrial zones	
LI	Light industrial
HI	Heavy industrial
Mixed-use zones	
DMO	Downtown Marana overlay
DT	Downtown
DN	Downtown neighborhood
BU	Blended-use
Specific plan zone	
SP	Specific plan

17-4-2 Use matrix

A. [Table 2 \(use matrix\)](#) identifies the permissiveness of uses in all residential zoning groups and zoning districts other than the mixed-use districts and the SP zone. (Uses for the mixed-use districts are

set forth in the [mixed-use zoning district use matrix](#) found at [table 8.](#))

B. The notations in [table 2](#) have the following meanings:

1. "P" means the use is permitted subject to design standards.
2. "A" means the use is permitted as an accessory use located on the same lot with a permitted use.
3. "C" means the use is allowed upon approval of a conditional use permit (see section [17-3-2](#)).
4. "U" means the use is allowed upon meeting the conditions set forth in [table 3 below](#).
5. "T" means the use is allowed upon approval of a temporary use permit (see section [17-3-3](#)).
6. "X" means the use is prohibited.

C. Uses not mentioned.

1. General presumption. Uses not listed shall be presumed to be prohibited, unless the planning director determines that the use is materially similar to a listed use.
2. Planning director determination. If a use is not listed in [table 2](#) and is not otherwise prohibited by law, the planning director shall determine whether the use is materially similar to a use listed in [table 2](#), using as a guide the type of business, industry, or governmental activity as classified and defined by the two-digit sector number of the most recently published north American industry classification system (NAICS) as established by the United States census bureau.
3. Materially similar uses. If the planning director finds that the use is materially similar, the regulations governing that use shall apply to the use not listed and the planning director's decision shall be filed in the office of the town clerk.
4. Not materially similar uses. If the planning director determines that a materially similar use does not exist, the planning director may consider submitting an amendment to this section to establish a specific listing for the use in question by legislative action of the town council upon recommendation by the planning commission.

Table 2. Use matrix

Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Residential											
Single-family detached	P	P	P	P	P	C	C	P	P	X	X
Duplex	X	X	C	C	P	P	C	P	P	X	X
Townhouse	X	X	X	X	P	P	P	P	P	X	X
Multi-family	X	X	X	X	X	P	P	P	P	X	X

Table 2. Use matrix

Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Manufactured home	P	U	U	X	X	X	X	X	X	X	X
Modular home	P	P	U	U	U	X	X	X	X	X	X
Accessory structure	A	A	U	U	A	A	A	A	A	A	A
Assisted living home	P	P	P	C	C	C	C	C	C	X	X
Adult foster care home	P	P	P	C	C	C	C	C	C	X	X
Caretaker quarters	A	A	A	X	X	A	A	A	A	A	A
Carport	A	A	A	X	X	A	A	A	A	A	A
Child care home	U	U	U	U	U	U	U	X	X	X	X
Community recreation	P	P	P	P	P	P	P	P	P	X	X
Fences or walls	A	A	A	A	A	A	A	A	A	A	A
Foster home	P	P	P	P	P	C	C	C	C	X	X
Garage	A	A	A	A	A	A	A	A	A	A	A
Guest quarters	A	A	A	U	U	U	X	X	X	X	X
Home occupation	U	U	U	U	U	U	U	U	U	X	X
Model home	A	A	A	A	A	A	A	A	A	X	X
Real estate sales trailer	T	T	T	T	T	T	T	T	T	T	T
Single-family dwelling in temporary structure	T	T	T	T	T	T	T	T	T	T	T
Sports court	A	A	A	A	A	A	A	A	A	A	A
Swimming pool or spa	A	A	A	A	A	A	A	A	A	A	A
Transitional housing	C	C	C	C	C	C	C	C	C	X	X
Agricultural											
Apiary	U	U	U	X	X	X	X	X	X	X	X
Aviary	U	U	U	X	X	X	X	X	X	U	U
Chickens	U	U	U	U	X	X	X	X	X	X	X
Community garden	P	P	P	P	P	P	P	P	P	P	P
Composting facility	A	X	X	X	X	X	A	X	X	X	C
Corral or barn	P	A	A	X	X	X	A	X	C	X	X
Dairy farm	C	X	X	X	X	X	X	X	X	X	X
Farming	P	A	X	X	X	X	X	X	X	X	X
Feedlot	C	X	X	X	X	X	X	X	X	X	X
Roosters and other fowl, ratites, or rodents	U	U	X	X	X	X	X	X	X	X	X
Greenhouse	P	A	A	A	A	A	A	P	P	P	P
Household pets	P	P	P	P	P	P	P	P	P	P	P
Livestock auction yard	C	X	X	X	X	X	X	X	X	X	X
Livestock	U	U	X	X	X	X	U	X	X	X	X
Medical marijuana dispensary offsite cultivation	X	X	X	X	X	X	X	X	X	X	X
Nursery	P	C	X	X	X	X	X	P	P	P	P
Riding arena	P	U	U	X	X	X	A	X	X	X	X
Rodeo grounds	C	C	C	X	X	X	A	X	X	X	X
Stable, private	U	U	U	X	X	X	U	X	X	X	X
Stable, public	P	C	X	X	X	X	C	C	C	C	C
Swine	U	C	X	X	X	X	X	X	X	X	X
Lodging											
Bed and breakfast	P	P	P	C	C	X	P	P	P	X	X
Campground	C	X	X	X	X	X	P	X	X	X	X

Table 2. Use matrix

Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Hotel	X	X	X	X	X	X	P	C	P	P	P
Resort	C	C	X	X	X	X	P	C	P	C	X
RV park	C	X	X	X	X	X	P	C	P	X	X
Vacation rental	P	P	P	P	P	P	P	P	P	X	X
Entertainment											
Amusement, indoor	X	X	X	X	X	X	A	U	P	P	P
Amusement, outdoor	C	X	X	X	X	X	A	C	P	P	P
Golf course	P	P	P	P	P	P	A	X	X	X	X
Sexually oriented business	X	X	X	X	X	X	X	X	U	U	U
Shooting range, indoor	C	X	X	X	X	X	C	C	C	C	C
Shooting range, outdoor	C	X	X	X	X	X	X	X	X	X	X
Special event venue	C	X	X	X	X	X	A	X	C	P	P
Zoo; petting zoo	C	X	X	X	X	X	C	X	X	X	X
Service											
Adult day health care facility	X	X	X	X	X	X	A	P	P	X	X
Assisted living center	X	X	X	X	X	X	P	P	P	X	X
Automobile paint or body shop	X	X	X	X	X	X	X	X	X	P	P
Automobile service facility	C	X	X	X	X	X	X	C	P	P	P
Automobile fuel station	X	X	X	X	X	X	A	P	P	P	P
Bar	X	X	X	X	X	A	A	P	P	P	P
Car wash	X	X	X	X	X	X	X	C	P	P	P
Child care facility	C	C	C	C	X	X	A	P	P	C	C
Commercial vehicle service facility	A	X	X	X	X	X	X	X	X	P	P
Donation bin	X	X	X	X	X	X	X	T	T	T	T
Financial institution	X	X	X	X	X	X	X	P	P	P	P
Fitness center	X	X	X	X	X	X	A	U	P	P	P
Helistop	X	X	X	X	X	X	C	X	A	P	P
Laundry or dry cleaner	X	X	X	X	X	X	X	U	U	P	P
Kennel	C	X	X	X	X	X	X	X	U	U	U
Medical clinics	X	X	X	X	X	X	A	P	P	P	P
Parking lot	A	A	A	A	A	A	A	P	P	P	P
Personal service	X	X	X	X	X	X	A	P	P	P	P
Public horse track	C	X	X	X	X	X	X	X	X	X	X
Restaurant	C	X	X	X	X	A	A	P	P	P	P
Mobile food vendor	X	U	U	U	U	U	U	U	U	U	U
Truck stop	U	X	X	X	X	X	X	X	U	U	U
Veterinary clinic	C	X	X	X	X	X	X	P	P	P	P
Office											
Office	A	X	X	X	X	A	A	P	P	P	P
Television, radio, or film studio	X	X	X	X	X	X	C	U	U	P	P
Retail											
Agricultural, industrial, or commercial vehicle sales or lease	C	X	X	X	X	X	X	X	X	P	P
Auto/vehicle sales	X	X	X	X	X	X	X	X	P	P	P
Farmers market	P	X	X	X	X	X	P	P	P	P	P

Table 2. Use matrix

Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Medical marijuana dispensary/marijuana establishment (dual licensee)	X	X	X	X	X	X	X	X	C	C	C
Package liquor store	X	X	X	X	X	X	X	P	P	P	P
Retail establishment, under 30,000 sq. ft., no open storage	X	X	X	X	X	A	A	P	P	P	P
Retail establishment, 30,000 sq. ft. and larger, no open storage	X	X	X	X	X	X	X	X	P	P	P
Retail establishment with open storage	X	X	X	X	X	X	X	X	C	P	P
Temporary retail	T	X	X	X	X	T	T	T	T	T	T
Open space											
Public park or playground	P	P	P	P	P	P	P	P	P	P	P
Institutional											
Cemetery or mausoleum without crematory	P	C	X	X	X	X	X	C	P	P	P
Cemetery or mausoleum with crematory	C	X	X	X	X	X	X	X	C	C	P
Hospital	X	X	X	X	X	X	X	C	C	C	C
Indoor assembly	C	X	X	X	X	X	A	U	P	P	P
Long-term care facility	X	X	X	X	X	X	C	P	P	P	P
Place of worship	P	P	P	P	P	P	P	P	P	P	P
Private school	C	C	C	C	C	C	A	P	P	P	P
Utilities											
Power plant	C	C	X	X	X	X	X	X	X	C	C
Utility facility	C	C	C	C	C	C	C	P	P	P	P
Wireless communication facility	U	U	U	U	U	U	U	U	U	U	U
Industrial											
Batching plant	C	X	X	X	X	X	X	X	X	X	C
Construction equipment sales, service, storage or distribution	X	X	X	X	X	X	X	X	X	C	P
Contractor's yard	X	X	X	X	X	X	X	X	X	P	P
Dog and cat food processing	X	X	X	X	X	X	X	X	X	X	X
Explosive materials manufacturing or storage	X	X	X	X	X	X	X	X	X	X	C
Fertilizer plant	X	X	X	X	X	X	X	X	X	X	X
Food processing facility	C	X	X	X	X	X	X	C	C	C	P
Foundry	X	X	X	X	X	X	X	X	X	X	C
Heavy manufacturing	X	X	X	X	X	X	X	X	X	C	C
Junkyard	X	X	X	X	X	X	X	X	X	X	C
Laboratory	X	X	X	X	X	X	X	A	C	P	P
Light manufacturing	X	X	X	X	X	X	X	X	X	P	P
Mineral extraction or borrow pit	C	X	X	X	X	X	X	X	X	X	C
Rendering plant	X	X	X	X	X	X	X	X	X	X	X
Rubber reclaiming or processing	X	X	X	X	X	X	X	X	X	X	X
Self storage, indoor	X	X	X	X	X	X	X	C	P	P	P
Self storage, outdoor	X	X	X	X	X	X	X	X	X	P	P
Slaughterhouse	X	X	X	X	X	X	X	X	X	X	X
Tar or asphalt processing (excluding batching plant)	X	X	X	X	X	X	X	X	X	X	X
Warehouse	X	X	X	X	X	X	X	X	X	P	P

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

USE	ZONE(S)	CONDITION(S)
Residential		
Manufactured home	RA ER	Shall be fully skirted unless placed at ground level
Modular home	ER NR GR	Architectural similarity and compatibility for the purpose of blending into the existing neighborhood
Accessory structure	ER	Shall consist of a maximum of 2,500 total square feet per parcel
	NR	Shall consist of a maximum of 1,500 total square feet per parcel
Child care home	AG RA ER NR GR MR RR	Must be conducted in a single-family dwelling by a full time occupant of the dwelling During operating hours, the entire property may be devoted to the use An opaque five-foot fence or wall shall screen outdoor activity and equipment areas from any adjacent residential use
	AG RA ER NR GR	Shall not employ more than one nonresident of the premises All parking shall be on site and shall not include commercial parking features such as wheel stops, parking lanes or striping Shall maintain the required residential off-street parking Any new structure or proposed changes to an existing single-family dwelling used as a child care home must be consistent with the residential character of the single-family dwelling as it appeared before operation of the child care home
Guest quarters	GR MR	Must be located within the principal residence
	NR	Must be located within the principal residence on lots smaller than 16,000 square feet
Home occupation	AG RA ER NR GR MR RR NC VC	Must be conducted by a full time occupant of the dwelling Shall not exceed 25% of the gross floor area of a dwelling Shall not employ more than one nonresident of the premises Exterior public display of stock-in-trade, external evidence of the home occupation, and outdoor storage of equipment or material associated with the home occupation are prohibited All parking shall be on site and shall not include commercial parking features such as wheel stops, parking lanes or striping Shall maintain the required residential off-street parking Shall not create more parking demand or vehicular or pedestrian traffic than a typical residential use No more than one vehicle shall be used in conjunction with the home occupation

Table 3. Conditions per use

USE	ZONE(S)	CONDITION(S)
		Shall not cause any sustained, unpleasant, or unusual noises or vibrations; noxious fumes or odors; or other nuisances in the immediate neighborhood Shall serve no more than five clients per day Shall serve no more than two clients at a time Any new structure or proposed changes to an existing structure used in conjunction with the home occupation must be consistent with the residential character of the dwelling Prohibited home occupations include auto repair and service; veterinarian service, kennels, and pet grooming; commercial food preparation; mortuary or embalming service; tattoo parlor; welding service; and any commercial use not customarily incidental to a residential use Does not include specific uses regulated by other provisions of this title
Agricultural		
General	All	Lot area and fenced area for one type of animal shall not also be counted for any other type of animal Minimum fenced area is included in minimum lot area
Apiary	AG RA ER	Colonies shall be maintained in movable-frame hives Hives shall be erected using a hive stand which separates the hive's bottom boards from directly contacting the ground Colonies shall be maintained to reasonably prevent undue swarming or aggressive behavior Four colonies shall be permitted for every 10,000 square feet of parcel area Shall be set back a minimum of 100 feet from any adjacent residential property line and a minimum of 60 feet from all other property lines
Aviary	AG RA ER LI HI	No more than 40 birds permitted on any property within a residential district or adjacent to a residential district Must be set back a minimum of 60 feet from any property line and 20 feet from any residential structure or aviary Length or width shall not exceed 50 linear feet except in the AG zone Shall not exceed the maximum building height of the applicable zoning district Shall not exceed 2,000 square feet
Chickens; roosters; other fowl	AG RA	No more than 40 animals per acre 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
Chickens	ER NR	One chicken permitted for every 1,000 square feet of lot area 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

Table 3. Conditions per use

USE	ZONE(S)	CONDITION(S)
		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 Structures more than six feet in height or larger than 16 square feet in area are subject to accessory building setback requirements All structures must be at least 20 feet from any offsite dwelling unit A setback is not required from property lines abutting alleys, rights-of-way, access easements, or nonresidential uses, or with the consent of the adjacent property owner The maximum permitted height of a structure is 12 feet
Livestock, large or small	AG RA RR	Animals shall be confined within a stock-tight fence or corral Animal structures shall be set back a minimum of 60 feet from all property lines Corrals shall be set back a minimum of 30 feet from the front property line No barn, shed, corral, fence, or other structure for the housing or confinement of one or more large livestock or more than three small livestock, shall be erected, constructed, or moved to within 100 feet of a human residence, except the on-site residence of the owner of the animals
Livestock, large	AG RA RR	One animal shall be permitted for every 10,000 square feet of lot area A minimum of 400 square feet of fenced area shall be provided for each animal
Livestock, small	AG RA RR	One animal shall be permitted for every 5,000 square feet of lot area A minimum of 200 square feet of fenced area shall be provided for each animal
Ratites	AG RA	One permitted for every 10,000 square feet of lot area Animals shall be confined within minimum six-foot-high stock-tight fenced corrals Structures shall be set back a minimum of 60 feet from any property line Corrals shall be set back a minimum of 30 feet from any property line
Riding arena	RA	Allowed only with a conditional use permit, except that a private and unlighted riding arena is allowed as an accessory use if it is set back a minimum of 100 feet from any adjacent residential property line and a minimum of 60 feet from all other property lines
	ER	A private and unlighted riding arena is allowed as an accessory use if it is set back a minimum of 100 feet from any adjacent residential property line and a minimum of 60 feet from all other property lines

Table 3. Conditions per use

USE	ZONE(S)	CONDITION(S)
		A private and lighted riding arena is allowed only with a conditional use permit
Rodents	AG RA	A maximum of 40 animals permitted per acre Structures shall be set back a minimum of 60 feet from any property line
Stable, private	AG	Unlighted only
	RA ER RR	Allowed only as an accessory use Unlighted only
Swine	AG	Minimum lot size shall be one acre One swine per acre shall be permitted for a parcel smaller than five acres The minimum setback for a swine related structure and or pen on a lot less than five acres shall be 100 feet from any property line On a parcel five acres or greater, all swine related structures and or pens shall be located on the half of the property opposite of the highest classified street adjacent to the subject property The minimum required setback for any pen or structure on a lot containing five or more swine shall be 300 feet from any property line No barn, shed, corral, fence, or other structure for the housing or confinement of one or more swine shall be erected, constructed, or moved to within 100 feet of a human residence, except the on-site residence of the owner of the animals
Entertainment		
Amusement, indoor	NC	Shall not exceed 30,000 sq. ft.
Sexually oriented business	VC LI HI	Shall meet all of the setbacks and other requirements set forth in A.R.S. § 13-1422 as it may be amended from time to time
Service		
Fitness center	NC	Shall not exceed 10,000 sq. ft.
Laundry or dry cleaner	NC	Shall not exceed 10,000 sq. ft.
Laundry or dry cleaner	VC	Shall not exceed 30,000 sq. ft.
Kennel	VC LI	Boarding allowed only in fully enclosed building Not permitted within 1,000 feet of any existing residence
Kennel	HI	Not permitted within 1,000 feet of any existing residence
Mobile food vendor	RR NC VC LI HI	Shall comply with the requirements of chapter 9-13
	RA NR ER GR MR	Shall comply with the requirements of chapter 9-13 A mobile food vendor selling only ice cream may operate on public rights-of-way in residential zoning districts

Table 3. Conditions per use

USE	ZONE(S)	CONDITION(S)
		May operate on private property in a residential zoning district with a separate agreement with the property owner; maximum of six hours within a 24 hour period
Truck stop	AG VC LI HI	Only permitted with a conditional use permit (see section 17-3-2) near an interstate highway interchange
Office		
Television, radio, or film studio	NC VC	Shall not exceed 10,000 sq. ft. except upon issuance of a conditional use permit (see section 17-3-2)
Institutional		
Indoor assembly	NC	Shall not exceed 30,000 sq. ft.
Utilities		
Wireless communication facility	All	See chapter 17-18

17-4-4 Agricultural (AG)

- A. Properties in the agricultural (AG) zoning district are regulated based on their primary use as set forth in the use matrix set forth in section 17-4-2.
- B. The purpose of the AG zone is to accommodate agricultural, rural, and open space uses and related activities. This zone will minimize adverse impacts on rural and agricultural lands from development of incompatible land uses and urban encroachment.
- C. Development standards:

Lot area (minimum)	5 acres
Setbacks (minimum)	Front – 40 ft.
	Side – 40 ft.
	Rear – 60 ft.
Building height (maximum)	30 ft.
	Accessory building, not for agricultural use – 30 ft.
	Accessory buildings, for agricultural use – 50 ft.
Lot coverage (maximum)	40% of the total lot area

17-4-5 Residential zoning districts R-180, R-144, R-80, R-36, R-16, R-10, R-8, R-7, R-6, R-5, R-4, and R-3

- A. The R-180, R-144, R-80, R-36, R-16, R-10, R-8, R-7, R-6, R-5, R-4, and R-3 residential zones consist primarily of single-family homes, with one dwelling and accessory buildings on an individual lot.
- B. The following development standards apply in the R-180, R-144, R-80, R-36, R-16, R-10, R-8, R-7, R-6, R-5, R-4, and R-3 zones:

1. Minimum lot sizes for each zone are determined by the number following the dash multiplied by one thousand square feet. For example, the minimum lot size of the R-180 zoning district is 180,000 square feet.
2. Properties are regulated based on their primary use as set forth in the use matrix set forth in section 17-4-2.
3. Only one primary use is permitted.
4. No accessory buildings may be located within the minimum front setback.
5. Lot widths and depths.
 - a. Each lot must have a width-to-depth ratio of between 3.0 and 0.33. Therefore, the average depth of the lot must be at least one-third its average width, and the average width of the lot must be at least one-third its average depth.
 - b. When the ratio set forth in the preceding paragraph provides a lot width or depth less than the minimum lot widths and depths set forth in table 4 (development standards per residential zone), the minimum lot widths and depths set forth in table 4 apply.
6. Utilities. All utilities must be undergrounded.
7. Table 4 (development standards per residential zone) establishes the site development standards of the residential zones (with the column headings deleting the "R-" portions of the zone designations, and where "B" signifies that the item is governed by minimum building code requirements only):

Table 4. Development standards per residential zone

Development standard	Zone R-__											
	180	144	80	36	16	10	8	7	6	5	4	3
Minimum lot width (feet) ^o	175	175	120	100	80	70	65	55	50	45	40	35
Minimum lot depth (feet)	275	200	200	100	100	95	90	85	80	77	74	70
Minimum lot boundary setbacks (feet) –												
Main building [‡] –												
Front	40	40	30	30	20	16	16	16	16	10	10	10
Front-loading garage	40	40	30	30	25	20	20	20	20	20	20	20
Side abutting a street	30	30	30	20	15	10	10	10	10	10	10	10
Side	30	30	30	15	10	5	5 ^Δ	5 ^Δ	5 ^Δ	B	B	B
Rear	50	50	40	30	20	15	15	15	15	10	10	10
Rear and side – covered patio structure open on at least three sides	20	20	20	10	5	5	5 ^Δ	5 ^Δ	5 ^Δ	5 ^Δ	5 ^Δ	5 ^Δ
Accessory building	30	30	30	20	10	5	5 ^Δ	5 ^Δ	5 ^Δ	B	B	B
Minimum building separation (in feet) between –												
Principal buildings	20	20	20	20	15	10	10	10	10	B	B	B
Principal and accessory building	10	10	10	10	10	5	5	5	5	B	B	B

Table 4. Development standards per residential zone

Development standard	Zone R-__											
	180	144	80	36	16	10	8	7	6	5	4	3
Accessory buildings	10	10	10	10	10	5	5	5	5	B	B	B
Maximum building height (feet) –												
Main building	30	30	30	30	30	30	30	30	30	30	30	30
Accessory building [†]	30*	30*	30*	25	25	25	25	25	25	25	25	25
Maximum lot coverage (percent of total lot area) [√]	40	40	40	40	50	50	50	50	50	75	75	75

[△] Corner lots shall be at least five feet wider than the minimum lot width of the zone to permit conformance with the required street side yard requirements and sight visibility triangles.

[‡] In subdivisions containing one or more lots 16,000 square feet or smaller, the residential design guidelines allow smaller setbacks in certain situations.

^Δ Side setbacks of individual lots in these zones may be reduced so long as the total separation between buildings on adjacent lots is not less than ten feet.

[†] Accessory building height shall be the lesser of the actual height of the main building or the accessory building height shown here. This does not apply to accessory buildings used for agricultural purposes in the R-180, R-144, and R-80 zones.

^{*} Accessory buildings used for agricultural purposes shall be limited to 50 feet in height.

[√] In subdivisions containing one or more lots 16,000 square feet or smaller, the residential design guidelines allow greater lot coverage in certain situations.

17-4-6 Multi-family residential (MR) zoning group

- A. Description. The MR zoning group consists of the MR-1 and MR-2 zones.
- B. Density. Undevelopable areas such as washes and slopes over 15% shall be excluded when calculating density in the MR zoning group net developable area.
- C. Design standards. All pertinent requirements of chapter 17-8 (multi-family, commercial, and industrial design standards) apply in the MR zoning group.

D. The following development standards apply in the MR zones:

Table 5. Development standards per MR zone

Development standard	MR-1	MR-2
Density	14 units per acre minimum	14 units per acre maximum
Site setbacks (minimum)	Front – 20 ft.	Front – 20 ft.
	Side – 20 ft.	Side – 20 ft.
	Rear – 20 ft.	Rear – 20 ft.
Building height (maximum)	50 ft.	35 ft.
Lot coverage (maximum)	70% of the total lot area	55% of the total lot area
Recreational or active common area (minimum)	20% of site excluding parking, circulation, and drainage areas	15% of site excluding parking, circulation, and drainage areas
Private patio, balcony, or combination (minimum)	N/A	75 sq. ft. per unit

17-4-7 Commercial zoning districts

A. General. The commercial zoning districts are the RR, NC, and VC zones.

1. Properties are regulated based on their primary use as set forth in the use matrix set forth in section [17-4-2](#).
2. A single parcel may have multiple permitted uses.

B. Purpose.

1. Resort and recreation zone (RR). The resort and recreation zone provides for the development and operation of temporary lodging, recreation opportunities and associated specialized guest facilities while protecting adjacent land uses from inappropriate and adverse impacts.
2. Neighborhood commercial (NC) zone. The neighborhood commercial (NC) zone accommodates businesses serving neighborhood residential needs including retail sales and professional services and ensures compatibility with adjacent residential uses.
3. Village commercial (VC) zone. The village commercial (VC) zone is a community level commercial zone intended to provide for business serving the town and surrounding communities providing the sale of goods and services and a variety of commercial and professional activities as well as higher-density residential opportunities.

C. Landscaping: See section 17-11-7 (landscape requirements) and the landscaping provisions of chapter 17-8 (multi-family, commercial, and industrial design standards).

- D. Design standards. See chapter 17-8 (multi-family, commercial, and industrial design standards).
- E. The following development standards apply in the commercial zones:

Table 6. Development standards per commercial zone

Development standard	RR	NC	VC
Site area	10 acres min.	1 acre min., 20-acre max.	10 acres
Floor area ratio (maximum)	0.25	0.5	0.5
Density	4.36 units per acre	10 dwelling units per acre	15 dwelling units per acre
Site setbacks (minimum)	Arterial or collector – 40 ft. Other roads – 25 ft. Side – 25 ft. Rear – 25 ft.	Front – 20 ft. Street side – 20 ft. Side – 20 ft. Rear – 20 ft. Abutting residential zone property line – 25 ft.	Front - 30 ft. Street side – 30 ft. Side – 20 ft. Rear – 20 ft.
Building height (maximum)	50 ft. Accessory buildings – 40 ft. 50% height increase may be approved with a conditional use permit (see section 17-3-2, conditional use permits) Height must match adjacent parcel permitted height within 75 ft. of site property line	30 ft. Accessory buildings – 25 ft.	50 ft. (commercial) 40 ft. (residential) Accessory buildings – 30 ft.
Lot coverage (maximum)	40% of the total lot area	40% of the total area (commercial) 50% of the total area (residential)	55% of the total area
Landscape area requirements (minimum; site)	25 ft. front, street side, and abutting residential zones Street frontages require trees planted at no more than 40 ft. on center with 25% in a 24-inch box or greater Landscaping must cover at least 15% of the site Landscaping and trees must cover at least 15% of, and be evenly distributed throughout, parking areas Must provide one tree for every six parking stalls	N/A	N/A

17-4-8 Industrial zoning districts

- A. The industrial zoning districts are the LI and HI zones. Properties in industrial zoning districts are regulated based on their primary use as set forth in the use matrix set forth in section 17-4-2.
- B. Purpose.
1. Light industrial (LI). The light industrial (LI) zone provides for manufacturing, processing, research, science, engineering, wholesale trade, services, general commercial, institutional and retail sales.
 2. Heavy industrial (HI). The heavy industrial (HI) zone provides for manufacturing, processing, research, science, engineering, and wholesale trade.
- C. Design standards. See chapter 17-8 (multi-family, commercial, and industrial design standards).
- D. Storage: Outdoor storage must be screened on all sides by opaque fencing and solid gates. In the LI zone, outdoor storage areas are only permitted as an accessory use and the total area may not exceed 20% of the floor area of the parcel's buildings.
- E. The following development standards apply in the industrial zones:

Table 7. Development standards per industrial zone

Development standard	LI	HI
Site area (minimum)	One acre (no minimum lot size)	One acre (no minimum lot size)
Floor area ratio (maximum)	0.75	1.00
Site setbacks (minimum)	Residential street – 50 ft.	Residential street – 50 ft.
	Non-residential street – 20 ft.	Non-residential street – 20 ft.
	Where abutting a residentially-zoned parcel – 30 ft. or the height of the building, whichever is greater, and the entire setback shall be landscaped	Abutting a residentially-zoned parcel – 30 ft. or the height of the building, whichever is greater
	All other situations – 15 ft.	All other situations – 15 ft.

Table 7. Development standards per industrial zone

Development standard	LI	HI
Building height (maximum)	50 ft.	55 ft.
Lot coverage	No maximum	No maximum

17-4-9 Mixed-use zoning districts

- A. General. The mixed-use zoning districts are the BU, DO, DT, and DN zones. Properties in mixed-use zoning districts are regulated primarily on the physical form, intensity, character, and size of buildings and uses. Use restrictions in the mixed-use zoning districts are found in the use matrix set forth in [table 8 below](#).
- B. Purpose. The mixed-use zoning districts promote walkable, compact, downtown and neighborhood development. The zones will vary the intensity of land use, variety of land uses, scale and size of buildings, and other factors according to the context.
1. The BU zone is implemented through a blended-use plan, approved with the rezoning to BU, comprised of a combination of the three intensities described below and regulated by section [17-4-11](#).
 - a. Low intensity: Consists of single-family residential areas, with some mix of uses, home occupations, and accessory buildings.
 - b. Medium intensity: Consists of a mix of uses but is primarily blended density residential. It contains a wide range of building types—houses, courtyard housing, townhouses, duplexes, triplexes, small apartment buildings, and live-work units.
 - c. High intensity: Consists of higher density mixed-use buildings that accommodate retail, offices, institutions, and apartments or condominiums.
 2. The DT and DN zones are implemented through a downtown implementation plan, submitted by one or more owners of land located in the DO district. Until submission and approval of a downtown implementation plan, the underlying zoning entitlements remain in place. Upon town approval of a downtown implementation plan, the underlying zoning entitlements are replaced with the zoning entitlements set forth in the DT and DN zones.
- C. Use. Mixed-use districts are subject to the requirements of [table 8 below](#), where the notations have the following meanings:
1. “P” means the use is permitted subject to design standards.
 2. “A” means the use is permitted as an accessory use located on the same lot with a permitted use.

3. "C" means the use is allowed upon approval of a conditional use permit (see section 17-3-2).
4. "U" means the use is allowed upon meeting the conditions set forth in [table 9 below](#).
5. "T" means the use is allowed upon approval of a temporary use permit (see section 17-3-3).
6. "X" means the use is prohibited.

D. Uses not mentioned.

1. General presumption. Uses not listed in Table 8 and not otherwise prohibited by law shall be presumed to be permitted subject to the conditions and restrictions that apply to the most similar use, as determined by the planning director. A use shall be prohibited only if the planning director determines that the use is not similar to any listed use.
2. Planning director determination. In making the determination required by paragraph [17-4-9 D. 1](#) above, the planning director shall use as a guide the most recently published north American industry classification system as established by the United States census bureau.
3. Notice of determination. The planning director's determination under paragraph [17-4-9 D. 1](#) above shall be filed in the office of the town clerk, with copies provided to the council and manager.
4. Ratification or modification. The planning director's determination may be ratified or modified by legislative action of the town council upon recommendation by the planning commission.
5. No similar uses. If the planning director determines that a similar use does not exist, the planning director may submit an amendment to this section to establish a specific listing for the use in question by legislative action of the town council upon recommendation by the planning commission.

Table 8. Mixed-use zoning district use matrix

Use	Blended use zone (BU) intensity			Downtown overlay (DO)	
	Low	Medium	High	DN	DT
Residential					
Single-family detached	P	P	X	P	X
Two-family	P	P	X	P	X
Three-family	X	P	P	P	P
Townhouse	X	P	P	P	P
Multi-family	X	U	P	U	P
Live-work	X	P	P	P	P
Accessory dwelling	P	P	P	P	P

Table 8. Mixed-use zoning district use matrix

Use	Blended use zone (BU) intensity			Downtown overlay (DO)	
	Low	Medium	High	DN	DT
Detached accessory structure	A	A	A	A	A
Group home	C	C	C	C	C
Home occupation	A	A	A	A	A
Model home	A	A	A	A	A
Modular home	C	X	X	X	X
Sales office	T	T	P	T	P
Sports court, unlighted	A	A	A	A	X
Civic space					
Park	P	P	U	P	U
Green	P	P	U	P	U
Square	P	P	P	P	P
Plaza	X	P	P	P	P
Multipurpose field	P	P	X	P	X
Playground	P	P	P	P	P
Community garden	P	P	P	P	P
Agricultural					
Corral, barn, or other animal-keeping structure	A	X	X	X	X
Greenhouse	P	U	U	U	U
Kennel	A	X	X	X	X
Stables	A	X	X	X	X
Lodging					
Bed and breakfast	U	U	X	U	P
Hotel	X	X	P	U	P
Resort	X	X	P	U	X
Entertainment					
Adult entertainment	X	X	X	X	X
Bowling center	X	X	P	X	P
Theater, excluding drive-in	X	X	P	X	P
Automotive					
Automobile service facility	X	X	C	X	X
Automobile fuel station	X	X	C	X	X
Auto sales	X	X	X	X	X
Car wash	X	X	C	X	X
Drive-thru facility	X	X	C	X	X
Office					
Live-work	U	U	P	U	P
Office	U	U	P	U	P
Service					
Business service	X	U	U	U	U

Table 8. Mixed-use zoning district use matrix

Use	Blended use zone (BU) intensity			Downtown overlay (DO)	
	Low	Medium	High	DN	DT
Commercial laundry	X	X	U	U	X
Child care home provider	P	P	P	P	X
Day care center	C	C	C	C	C
Donation bin	X	X	X	X	X
Financial institution	X	X	U	U	U
Hospital	X	X	P	X	X
Medical clinic	X	U	U	U	C
Medical marijuana dispensary	X	X	C	X	C
Mini-storage	X	X	X	X	X
Personal service	X	P	P	P	P
Veterinary clinic	X	X	U	C	C
Retail					
Bar, pub, tavern, micro-brewery	X	U	U	U	U
Live-work	X	P	P	P	P
Package liquor store	X	X	U	X	U
Restaurant	X	U	U	U	U
Retail facility	X	U	U	U	U
Institutional					
Cemetery or mausoleum	U	U	X	U	X
Club or meeting hall	X	U	U	X	X
Funeral home	X	U	U	U	U
Museum	X	U	U	U	U
Place of worship	U	U	U	U	U
Education					
Elementary or middle school	U	U	U	U	X
High school	X	U	U	U	X
Utilities					
Communications facility	C	C	C	C	C
Utility facility	C	C	C	C	C

6. Multiple uses. Multiple uses within a single site or building are permitted in all mixed-use districts and areas.
7. Conditional uses. Conditional uses listed in [table 8 above](#) are limited for size or intensity per [table 9 below](#).

Table 9. Conditions per area

	BU low intensity	BU medium intensity; DN	BU high intensity; DT
Civic space	None	None	Parks and greens permitted along the perimeter
Agricultural	Not applicable	On-site parking may not exceed 20 spaces	On-site parking may not exceed 30 spaces
Residential	Not applicable	Six dwelling units maximum	No maximum
Lodging	Six rooms maximum	12 rooms maximum	No maximum
Office	600 sq. ft. maximum	6,000 sq. ft. per floor maximum	No maximum
Service & retail	Not applicable	10,000 sq. ft. maximum; no open storage	30,000 sq. ft. maximum; no open storage
Institutional	On-site parking may not exceed 20 spaces	On-site parking may not exceed 30 spaces	On-site parking may not exceed 50 spaces
Education	Not applicable	Childcare facilities may have no more than four parking spaces; elementary schools may not exceed five acres unless playground has 24-hour access	

E. Civic space. The purpose of civic space is to ensure civic amenities are appropriate in type and location. Civic space is required per the standards below.

1. At least 5% of the net developable area of all blended-use plans and of downtown implementation plans five acres or larger must be dedicated to civic space.
2. Civic spaces are identified and located in the blended-use plan or downtown implementation plan, and are permitted by location per [table 8 above](#).
3. Each blended-use plan or downtown implementation plan 40 acres or more in area must have at least one green, square, or plaza (see 2, 3, or 4 of [table 1010](#)). The main civic space must be located within 800 feet of the geographic center of the plan and may be adjusted up to 25% in length from the center by the

planning director for topographical conditions, or existing street alignment.

4. A square or plaza (3 and 4 of [table 1010](#)) must have a minimum of 50% of its perimeter bounded by streets.
5. Civic spaces are designed per [table 1010](#).

Table 10. Civic space types

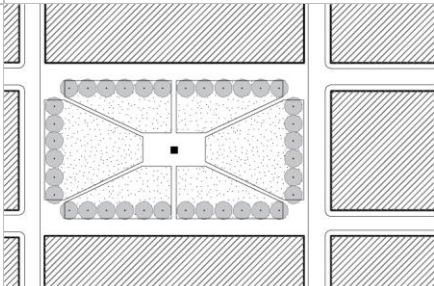
1. Park

Area	Three acres, minimum
Standard: A space independent of surrounding buildings. Landscape must consist of paths and trails, fields, and open shelters, all naturalistically disposed.	

2. Green

Area	One to five acres
Standard: An open space spatially bounded by landscaping rather than buildings. Character consists of landscaping and trees, naturalistically disposed.	

3. Square

Area	One-half to five acres
Standard: An open space spatially bounded by buildings. Landscape consists of paths, landscaping and trees, formally disposed. Squares are located at the intersection of major streets.	

4. Plaza

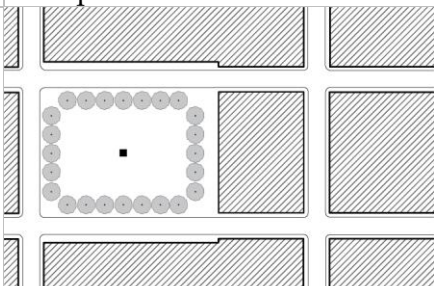
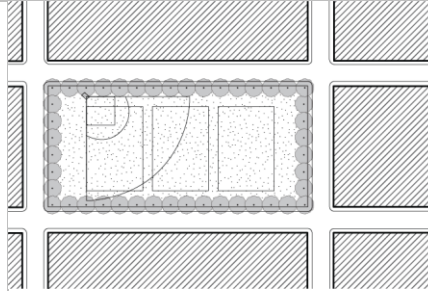
Area	One-quarter to four acres
Standard: A plaza is formed by building fronts. Landscape consists primarily of pavement. Shade is required for 30% of the space. Plazas must be located at the intersection of major streets.	

Table 10. Civic space types

5. Neighborhood multipurpose field

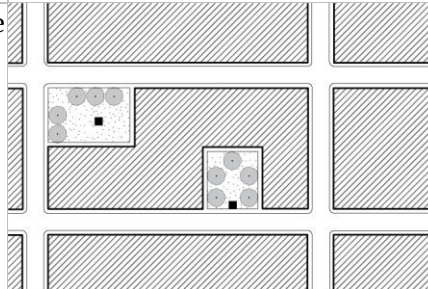
Area	One and a half to three acres
------	-------------------------------

Standard: There must be a 20-ft. clear zone at the perimeter landscaped with canopy trees. If adjacent to a street, the street trees may provide the required shade. The multipurpose field may also serve as a stormwater basin.

**6. Playground**

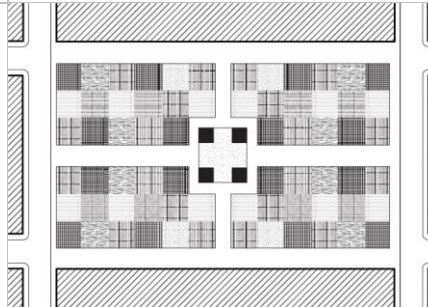
Area	Varies
------	--------

Standard: A playground must be fenced and may include an open shelter or shade structure. Playgrounds are located within residential areas and may be placed within a block or as part of another civic space.

**7. Community garden**

Area	Varies
------	--------

Standard: Community gardens consist of land used for the cultivation of fruits, vegetables, plants, flowers, or herbs by multiple users.

**F. Development standards.****1. Site standards.**

- a. Setbacks. Buildings must be set back from parcel boundaries according to [table 16](#), [table 17](#), [table 188](#), [table 199](#), and [table 20 below](#).
- b. Lot coverage. Lot coverage by buildings is limited to the maximum percentage specified in to [table 166](#), [table 177](#), [table 188](#), [table 199](#), and [table 20 below](#).
- c. Yards. Yard types must be assigned according to [table 11 below](#).
- d. Landscaping. Landscaping is subject to the requirements of [table 1111](#), [table 166](#), [table 177](#), [table 188](#), [table 199](#), and [table 20 below](#). Where the minimum number of required trees

cannot be reasonably planted in a yard, they may be accommodated with additional streetscape improvements.

- e. Buffers are not required within blended-use plans or downtown implementation plans, except as specifically required by [table 166](#), [table 177](#), [table 188](#), [table 199](#), and [table 20 below](#). Street frontage buffers are not required in blended-use plans or downtown implementation plans.

Table 11. Yard types

1. Common

Illustration
(BU low
intensity)

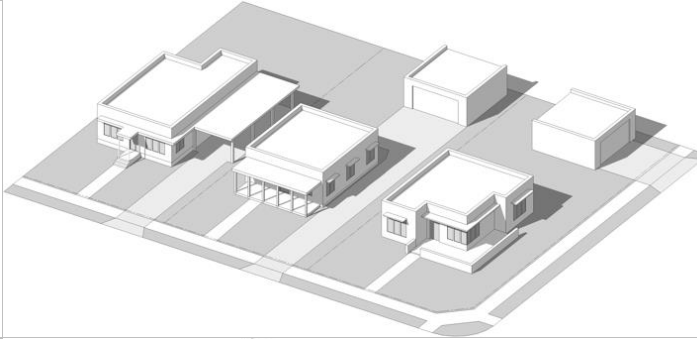
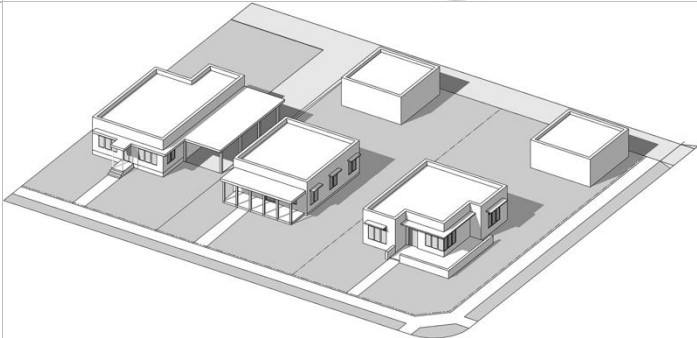


Illustration
(BU
medium
intensity;
DN)



Planting	See table 166 , table 177 , table 188 , table 199 , and table 200 ; trees should shade the sidewalk
Surface	70% minimum must be landscaped; paving is limited to sidewalks and driveways
Walkways	One per street frontage; must access building entries
Fencing	Not permitted

Table 11. Yard types

2. Fenced

Illustration
(BU low
intensity)

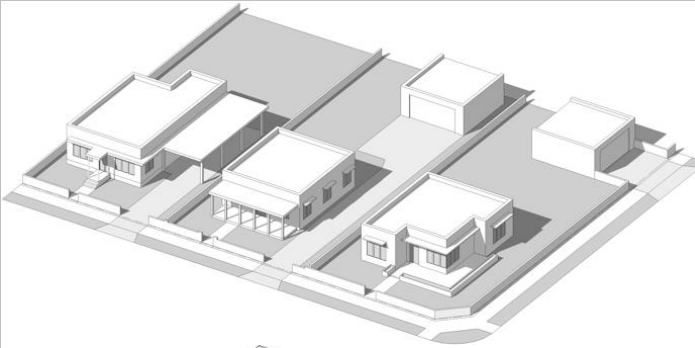
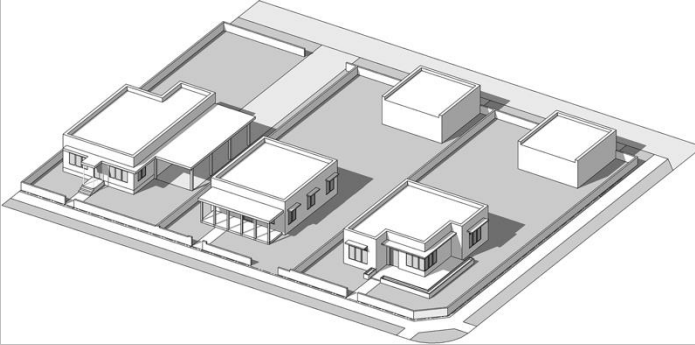


Illustration
(BU
medium
intensity;
DN)



Planting	See table 166 , table 177 , table 188 , table 199 , and table 200 ; trees should shade the sidewalk
Surface	50% minimum must be landscaped; paving is limited to sidewalks and driveways
Walkways	One per street frontage; must access building entries
Fencing	Required at or along all property lines; three feet minimum and four feet maximum in height

3. Shallow

Illustration



Planting	See table 166 , table 177 , table 188 , table 199 and table 200
Surface	Landscaped in BU medium and DN; paved in BU high and DT (vegetation is permitted in raised containers)
Walkways	One per building entry
Fencing	Permitted at building setback line or at outdoor seating areas; three feet maximum in height

Table 11. Yard types

4. Urban

Illustration



Planting Not applicable

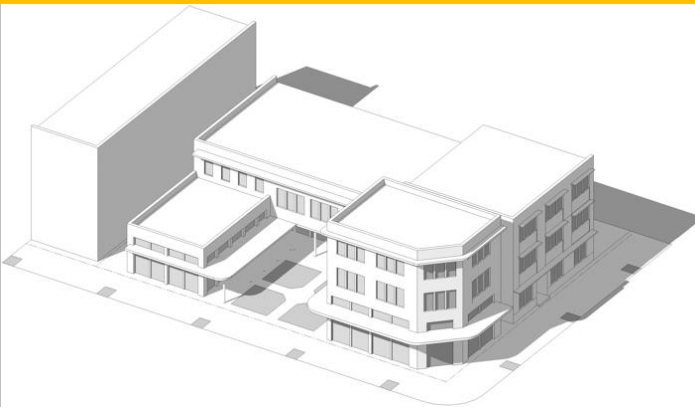
Surface Must be paved; vegetation is permitted in raised containers

Walkways Not applicable

Fencing Permitted outdoor seating areas only; three feet maximum in height

5. Pedestrian forecourt

Illustration



Planting Not applicable

Surface Must be paved; vegetation is permitted in courtyard or containers

Fencing Permitted outdoor seating areas only; three feet maximum in height

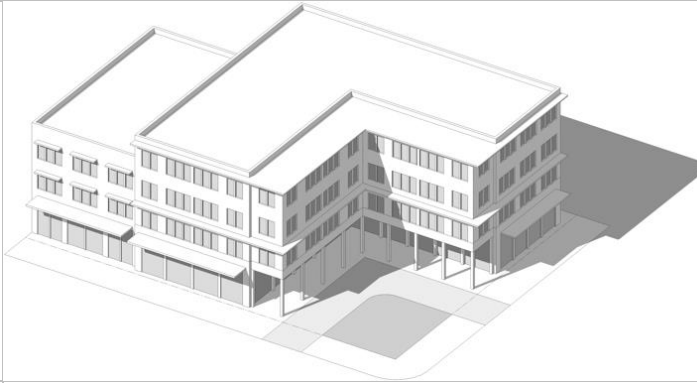
Area 1,800 sq. ft. maximum

Activation Must be bordered by habitable spaces on three sides, or on two sides at corner sites

Table 11. Yard types

6. Vehicular forecourt

Illustration



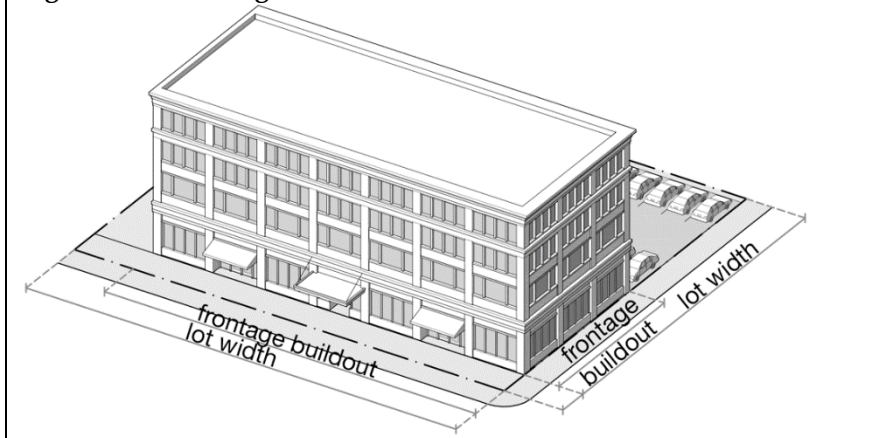
Planting	Not required
Surface	Driveway must be paved; the remainder of the yard may be paved or landscaped
Fencing	Permitted outdoor seating areas only; three feet maximum in height
Area	3,000 sq. ft. maximum
Activation	Must be bordered by habitable spaces on three sides, or on two sides at corner sites

f. Parking location. Parking on the site must comply with the following:

- i. Parking is required to be behind the building.
 - ii. Parking must be accessed from an alley or rear lane in the BU medium and high intensity areas and in the DN and DT zones.
 - iii. Open parking areas must be screened from the street by a building or streetscreen.
 - iv. A streetscreen must have openings no wider than the driveway or sidewalk, plus a setback of 18 inches at driveway intersections.
 - v. A streetscreen shall be no less than 42 inches and no more than six feet in height.
- g. Parking requirements. No minimum parking requirements apply in the mixed-use zones. Maximum parking requirements apply to certain uses (see [table 99](#)).

2. Building standards.

- a. Minimum frontage buildout. Building facades must be built along the prescribed length of each street frontage as regulated by [table 166](#), [table 177](#), [table 188](#), [table 199](#), and [table 2020](#) and as illustrated in [figure 17-a](#).

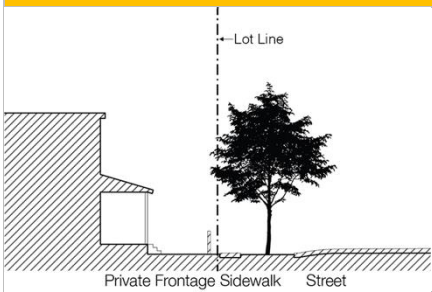
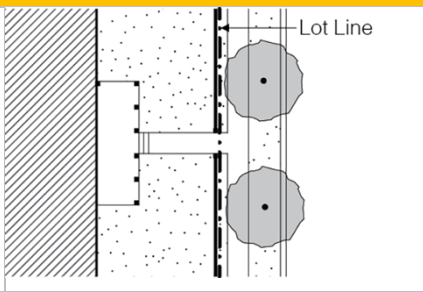
Figure 17-A. Frontage buildout

- b. Height. Building heights are measured in stories with the following restrictions:
 - i. Stories are measured from finished floor to finished ceiling.
 - ii. Stories may not exceed 14 feet in height, except that a commercial use on the first floor has a minimum height of 12 feet and a maximum height of 25 feet.
 - iii. Height limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads.
 - iv. Edge conditions. Height is limited to adjacent parcel zoning height within 50 feet of the lot line in all mixed-use zones.
- c. Equipment screening. All outdoor electrical, plumbing, and mechanical equipment must be located behind the front facade, or concealed from street view with a screen or wall.
- d. Accessory dwelling. The habitable area of an accessory dwelling may not exceed 800 sq. ft. or 30% of a principal dwelling, whichever is greater. Garages are not considered habitable area.
- e. Facades
 - i. The facade must conform to [table 1212](#) and is permitted as specified by [table 166](#), [table 177](#), [table 188](#), [table 199](#), and [table 2020](#).
 - ii. Building entries must be provided as follows:
 - a) The main entrance to the principal building must be located on the primary facade.
 - b) One entry must be provided for every 80 feet of facade leading to habitable space.

- 1) Buildings on corner lots are exempt from entry frequency requirements if the facade is under 50 feet in length.
- iii. Glazing.
- a) At least 15% of each story of each facade must be glazed with clear glass.
 - b) At least 50% of the first story of buildings facing Marana Main Street must be glazed with clear glass.
 - c) Additional glazing requirement apply to shopfronts per [table 1212](#).
- iv. Buildings may include multiple facade types along their length, each type no less than 30 feet in width.
- v. A shopfront is required for all ground floor commercial uses in the BU high intensity area and in the DT zone except for lodging and office.

Table 12. Facade types

1. Porch

	
Requirement	Minimum depth of six feet

2. Stoop

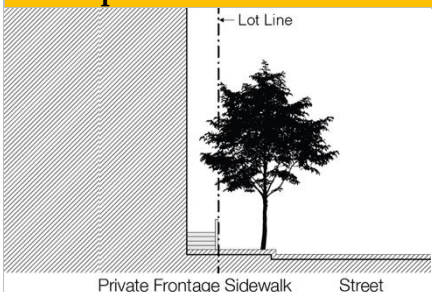
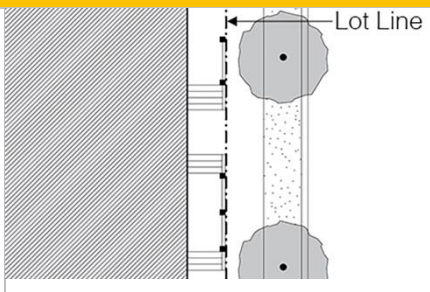
	
Requirement	Minimum of one foot above highest adjacent sidewalk grade

Table 12. Facade types

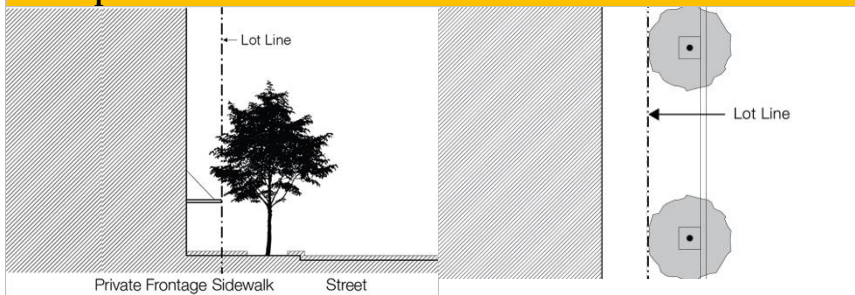
3. Common entry

Awnings and canopies should encroach into the right-of-way

4. Terrace

Requirement

Minimum eight inches above highest adjacent sidewalk grade

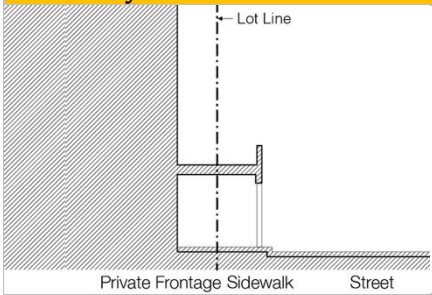
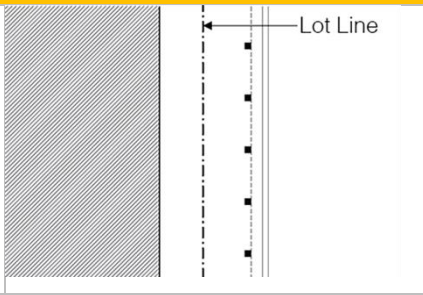
5. Shopfront

Requirement

At least 50% of each ground floor facade must be glazed with clear glass

Table 12. Facade types

6. Gallery

 Private Frontage Sidewalk Street	 Lot Line
Requirements	• At least 50% of each ground floor facade must be glazed with clear glass • Must be at least eight feet deep with at least ten feet of vertical clearance

17-4-10 Mixed-use streets

The requirements of this section, rather than the town's subdivision street standards manual, apply within the BU, DN, and DT zones.

- A. Centerlines of offset thoroughfares entering onto a collector or arterial must be at least 300 feet apart.
- B. Streets must connect to other streets, forming a network. The planning director is authorized to permit a deviation to this requirement, thereby allowing a dead-end street terminating in a cul-de-sac, consistent with the following requirements:
 1. The planning director, in consultation with the town engineer, makes one or more of the following determinations:
 - a. The physical terrain will make connection to other streets cost-prohibitive or unsafe.
 - b. Existing development physically blocks connection to other streets.
 - c. Access restrictions or standard traffic engineering considerations make connection impossible or unsafe.
 2. Connectivity for bicycles and pedestrians should be created and maintained whenever possible, even when there is no vehicular connectivity.
 3. No cul-de-sac may exceed the greater of 300 feet to the center of the bulb or one-half block in length.
- C. Block standards.
 1. Blocks consist of lots surrounded by streets.
 - a. Lengths of block faces may not exceed the maximum length of a block face, measured along lot lines, per [table 133](#), except

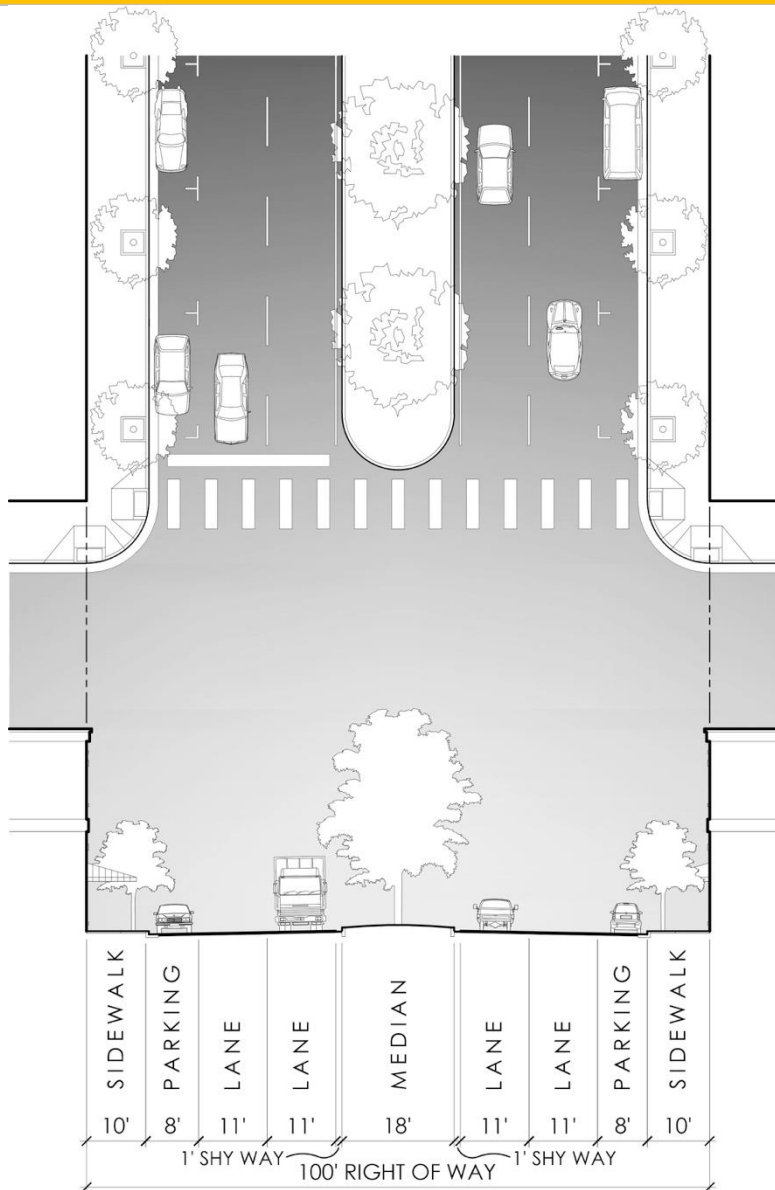
the planning director may increase the maximum length by up to 10% to accommodate specific site conditions.

Table 13. Maximum block face length

Zone or Intensity	Length in feet
BU low intensity	500
BU medium intensity	400
BU high intensity	300
DT	300
DN	400

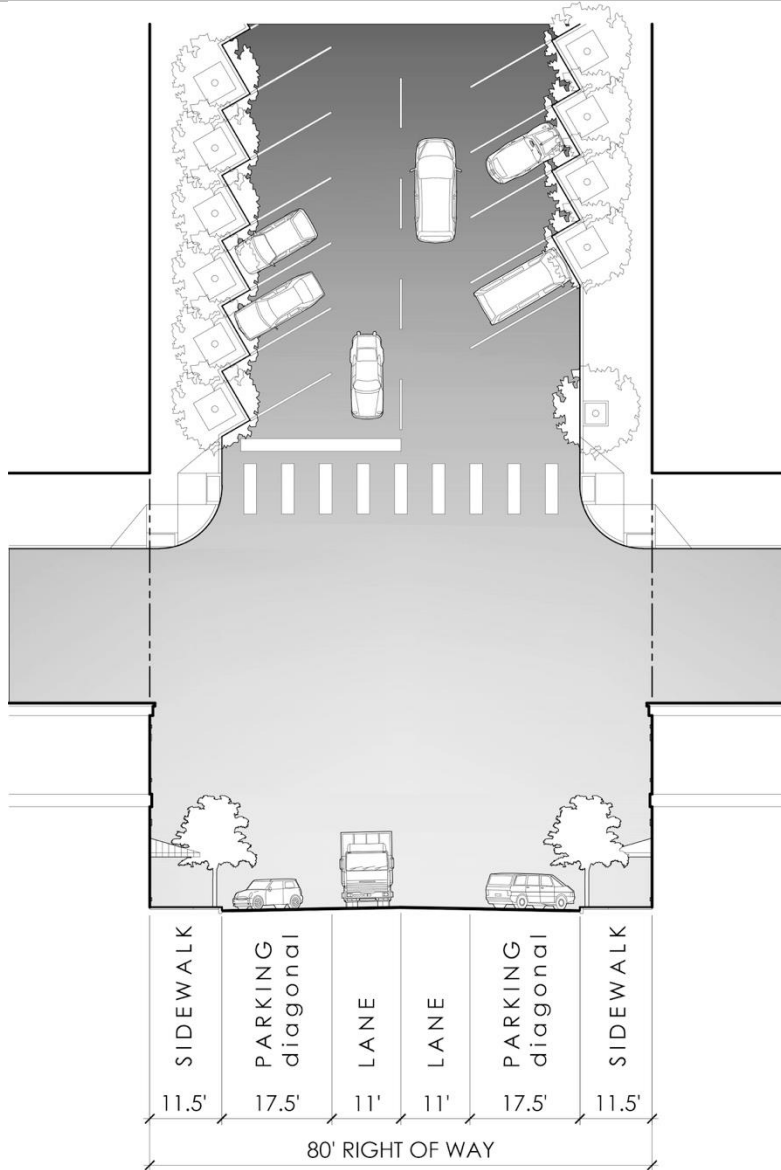
- b. Where two or more zones or intensities occur on the same block face, the block face length may not exceed the shortest required length.
 2. The planning director may exempt blocks adjacent to undeveloped land, areas unsuitable for development, or pre-existing incomplete blocks from a limitation on block length.
 3. Block faces exceeding 500 feet must be subdivided with a sidewalk extending through the block that is 12 feet wide, minimum.
 4. Rear alleys are required for medium and high intensity areas in the BU zone and in DT and DN zones. Rear alleys are not mandatory where the rear lot lines are at the edge of the site to be subdivided or where the block has been previously subdivided.
- D. Intersection sight visibility distances are determined based on the subdivision street standards, except that sight visibility zones are not required for mixed-use zone intersections controlled by a traffic signal or stop sign.
- E. Streets in mixed-use zones must be designed as follows:
1. Streets classified as arterials shall use the avenue street cross section ([table 144](#), cross section 1)
 2. Streets classified as collectors shall use the avenue or street cross section ([table 144](#), cross section 1, 2, 3, or 4).
 3. Streets classified as local roadways shall use the street cross section ([table 144](#), cross section 2, 3, or 4).
 4. As an alternative to the above, streets in the BU high intensity area and in the DT zone may use the commercial street – mixed parking or parking plaza street cross sections ([table 144](#), cross section 7 or 8).
 5. The alley cross section ([table 144](#), cross section 5) may be used for secondary, service, or parking access.

Table 14. Mixed-use street cross sections

1. Avenue

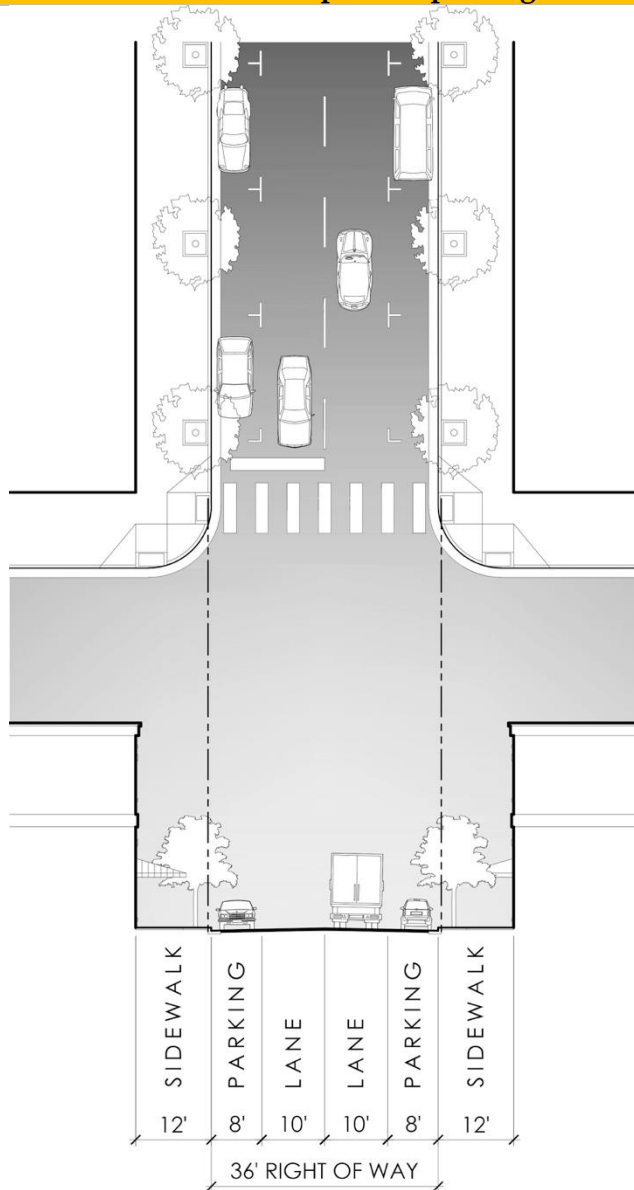
Street type	Avenue
Right-of-way width	100 feet
Pavement width	62 feet total (31 feet each)
Movement	Free movement, inner lanes
Travel lanes	Four
Parking lanes	Parallel both sides, eight feet
Curb radius, effective	Ten feet
Walkway type	Sidewalk, ten feet
Planter type	Four-foot by seven-foot tree well
Curb type	Vertical, with gutter
Street trees	Maximum 30 feet on center

Table 14. Mixed-use street cross sections

2. Commercial street with diagonal parking

Street type	Commercial street with diagonal parking
Right-of-way width	80 feet
Pavement width	57 feet
Movement	Free movement
Travel lanes	Two
Parking lanes	Diagonal both sides, 17.5 feet
Curb radius, effective	Ten feet
Walkway type	Sidewalk, 11.5 feet
Planter type	Four foot by seven foot tree well
Curb type	Curb with gutter and/or ribbon gutter
Street trees	Maximum 30 feet on center

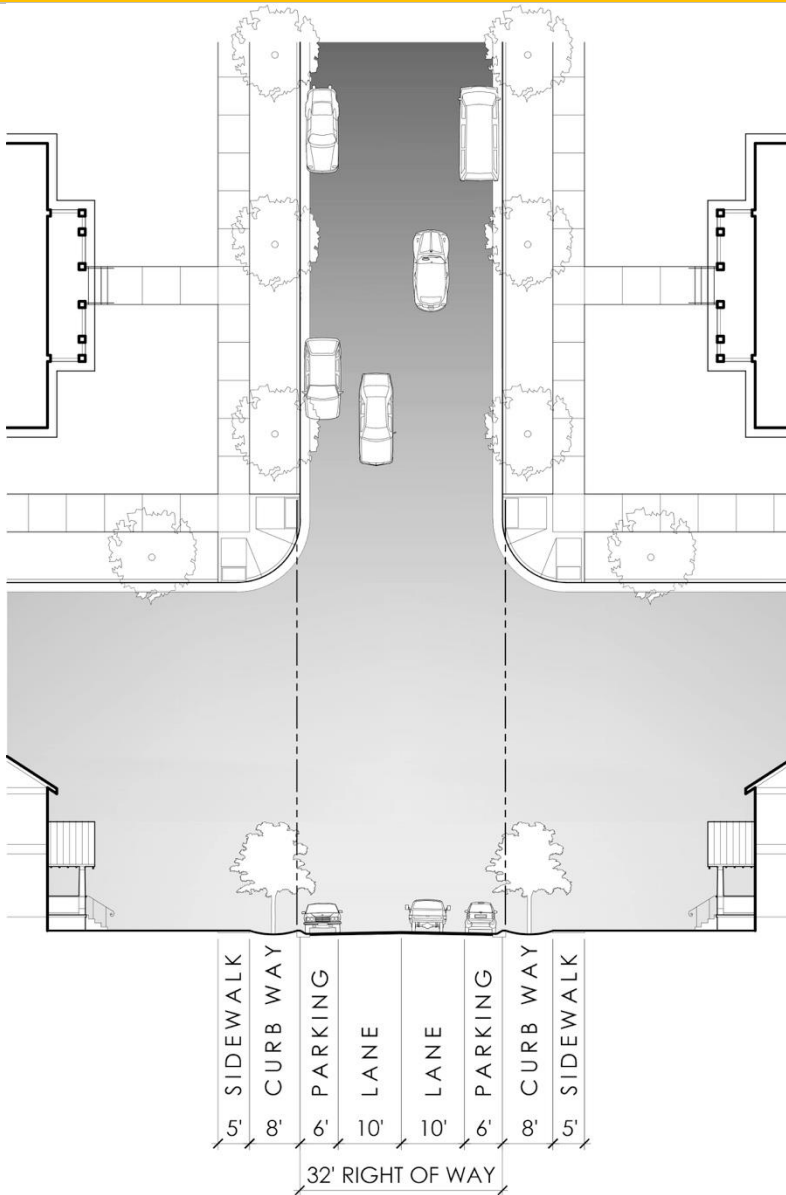
Table 14. Mixed-use street cross sections

3. Commercial local street with parallel parking

Street type	Commercial local street with parallel parking
Right-of-way width	36 feet; utility and access easement in the sidewalks
Pavement width	36 feet
Movement	Free
Travel lanes	Two
Parking lanes	Parallel both sides, eight feet
Curb radius, effective	Ten feet
Walkway type	Sidewalk, 12 feet
Planter type	Four-foot by seven-foot tree well
Curb type	Vertical, with gutter
Street trees	Maximum 30 feet on center

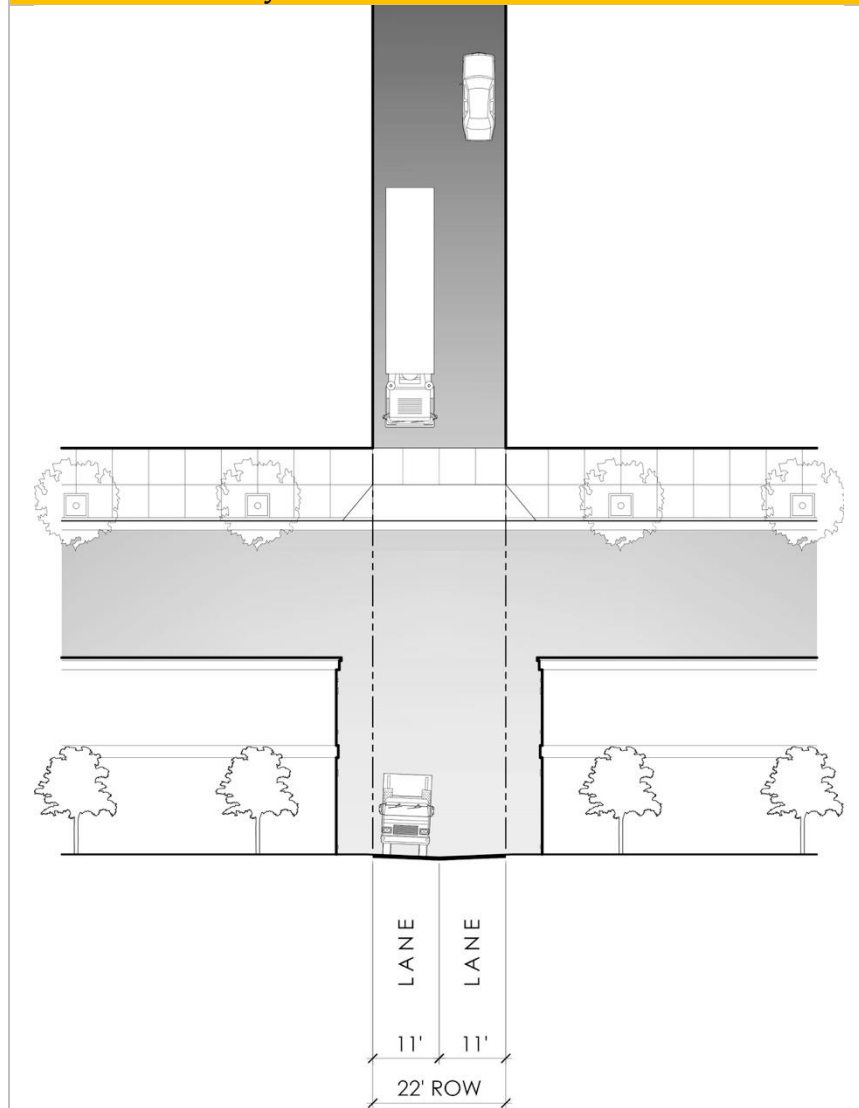
Table 14. Mixed-use street cross sections

4. Street



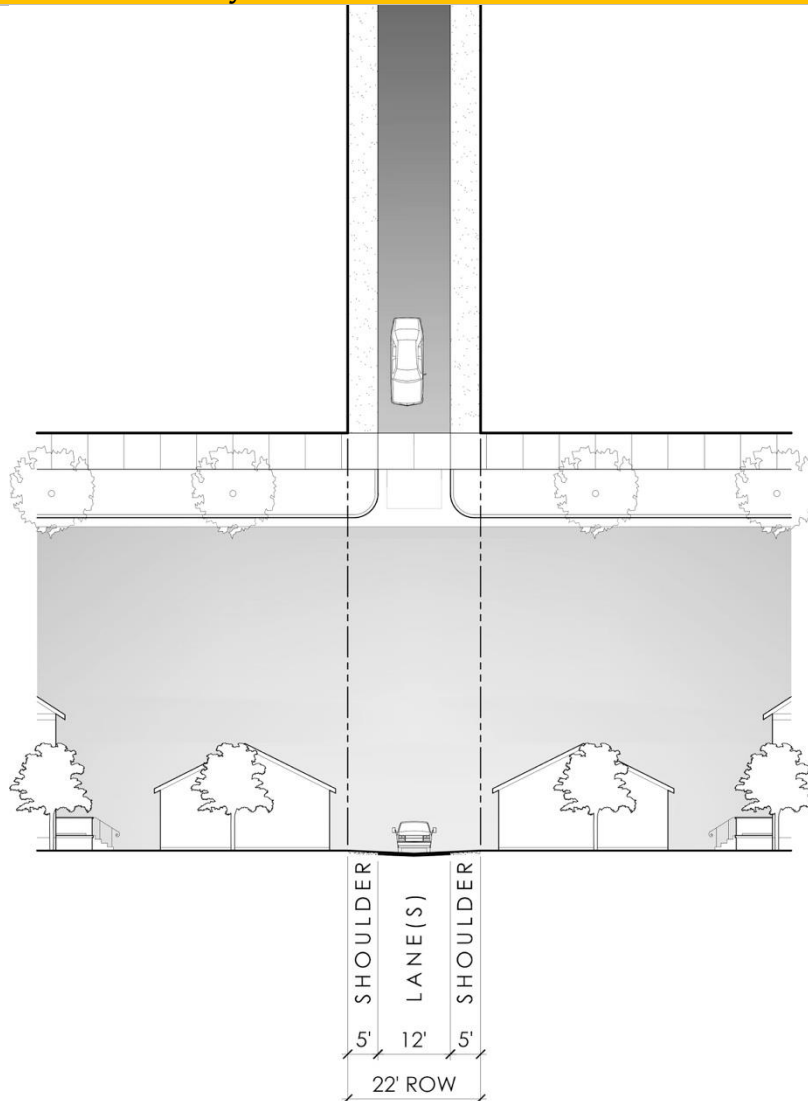
Street type	Street
Right-of-way width	32 feet; utility and access easement in curb ways
Pavement width	32 feet
Movement	Slow
Travel lanes	Two
Parking lanes	Parallel both sides, six feet. Omit mid-block for 40 foot long staging area.
Curb radius, effective	Ten feet
Walkway type	Sidewalk, five feet
Planter type	Curbside, eight feet landscaped
Curb type	Mountable, with gutter
Street trees	Maximum 40 feet on center

Table 14. Mixed-use street cross sections

5. Commercial alley

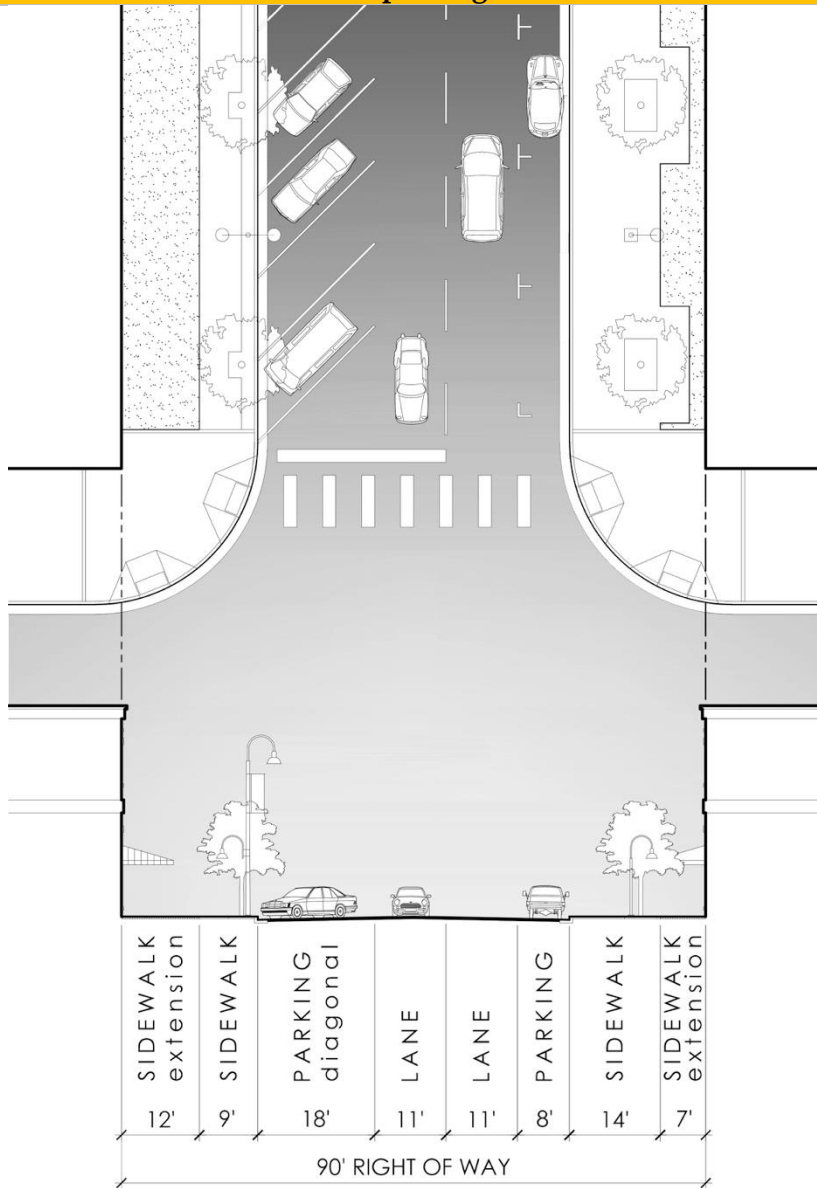
Street type	Commercial alley
Right-of-way width	22 feet
Pavement width	11 feet
Movement	Slow
Travel lanes	Two
Parking lanes	None
Curb radius	Four feet chamfer
Walkway type	Not applicable
Planter type	Not applicable
Curb type	Not applicable
Landscape	Not applicable

Table 14. Mixed-use street cross sections

6. Residential alley

Street type	Residential alley
Right-of-way width	22 feet
Pavement width	12 feet
Movement	Yield
Travel lanes	One
Parking lanes	None
Curb radius	Four feet
Walkway type	Not applicable
Planter type	Not applicable
Curb type	Not applicable
Landscape	Not applicable

Table 14. Mixed-use street cross sections

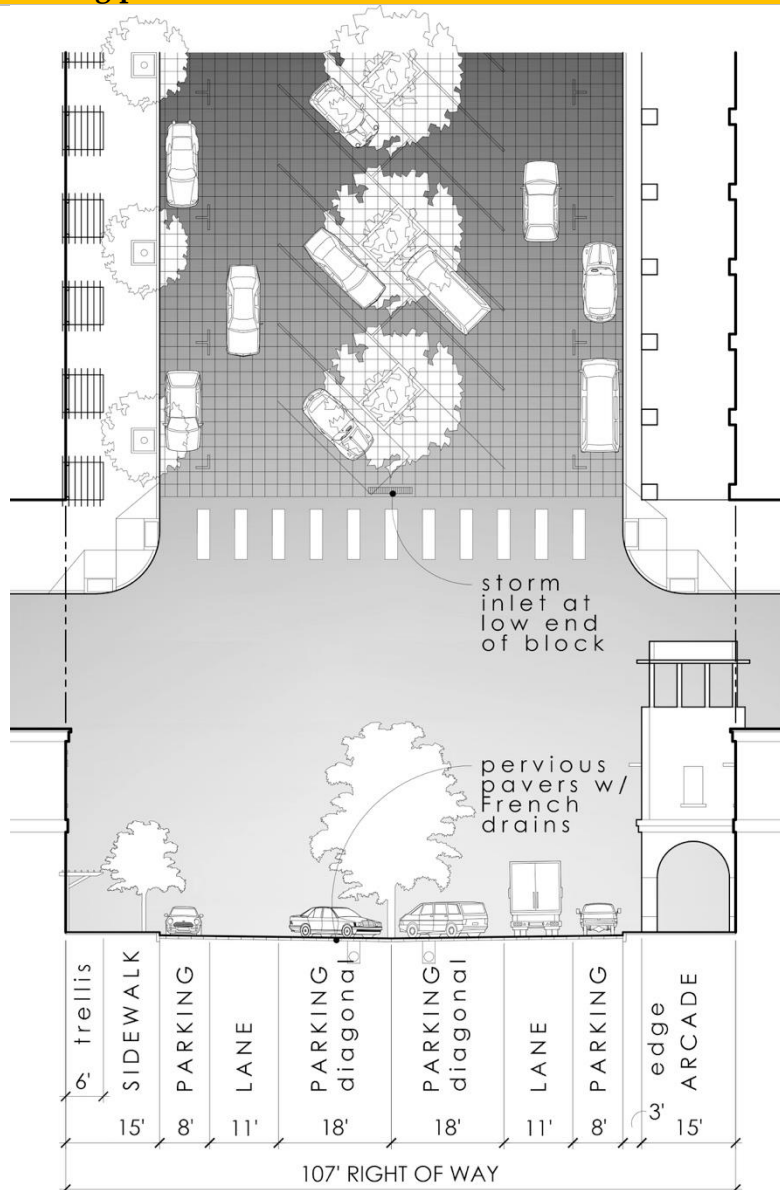
7. Commercial street – mixed parking


The diagram illustrates a street cross-section with a total width of 90 feet. From left to right, the components are: a 12-foot sidewalk extension, a 9-foot sidewalk, an 18-foot diagonal parking area, two 11-foot travel lanes, an 8-foot parallel parking area, a 14-foot sidewalk, and a 7-foot sidewalk extension. The total width of the paved area (from the first sidewalk to the last extension) is 48 feet. The diagram also shows trees, a street light, and vehicles in the various sections.

Street type	Commercial street – mixed parking
Right-of-way width	90 feet
Pavement width	48 feet
Movement	Free
Travel lanes	Two
Parking lanes	Diagonal, 18 feet; parallel, 8 feet
Curb radius, effective	Ten feet; 25 feet at existing intersections
Walkway type	Sidewalk, 21 feet
Planter type	Tree well, varies
Curb type	Vertical, with gutter
Street trees	Maximum 40 feet on center

Table 14. Mixed-use street cross sections

8. Parking plaza street



Street type	Parking plaza street
Right-of-way width	107 feet
Pavement width	74 feet pervious pavers
Movement	Free
Travel lanes	Two
Parking lanes	Diagonal, 18 feet center; parallel, eight feet sides
Curb radius, effective	Ten feet; 25 feet at existing intersections
Walkway type	Sidewalk, 15 feet
Planter type	4 ft. x 4 ft. tree well, 6 ft. x 9 ft. center wells
Curb type	Vertical
Street trees	Maximum 40 feet on center

17-4-11 Blended-use (BU)

The blended-use zoning district may be applied by process of rezoning to any parcel 40 acres or greater. The approval of rezoning to BU adopts the blended-use plan submitted by the applicant in conformance with this section and section 17-4-99 ([mixed-use zoning districts](#)).

A. Blended-use neighborhood types.

1. Aldea. This blended-use neighborhood type consists of no less than 40 acres and no more than 80 acres.
2. Pueblo. This blended-use neighborhood type has no less than 80 acres, and no more than 200 acres.

B. Multiple neighborhoods must be developed under a single application on properties larger than 200 acres.

C. Intensities. Aldeas and pueblos are comprised of land assigned to intensities rather than uses. The minimum and maximum percentage of the blended-use plan's total land area to be assigned to each intensity is given in [table 15 below](#).

Table 15. Neighborhood areas			
	Low intensity	Medium intensity	High intensity
Aldea	0 – 45%	25 – 75%	0 – 35%
Pueblo	0 – 30%	40 – 70%	0 – 30%

D. Development standards per intensity area.

Table 16. Low intensity	
Lot width	60 feet minimum, 120 feet maximum
Frontage buildout	Not applicable
Lot coverage	50% maximum
Setbacks	Front, primary – 20 feet minimum Front, secondary – 15 feet minimum Side – ten feet minimum Rear – 12 feet minimum, five feet minimum for accessory buildings Parking or enclosed storage – 20 feet behind front facade
Building height	Two stories maximum
Yard	Common Fenced
Facades	Porch Stoop
Encroachments	Porch or patio – 40% of setback maximum, but no more than 8 feet Balcony or bay window – 20% of setback maximum, but no more than four feet

Table 16. Low intensity

Landscaping	Two trees required for every 60 feet of lot width
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Table 17. Medium intensity

Lot width	24 feet minimum, 96 feet maximum
Frontage buildout	60% minimum at setback
Lot coverage	70% maximum
Setbacks	Front, primary – six feet minimum, 18 feet maximum
	Front, secondary – six feet minimum, 18 feet maximum
	Side – none
	Rear – three feet minimum
	Parking or enclosed storage – 20 feet behind front facade, with access from alley or rear lane (see paragraph 17-4-9 F. 1. f above)
Buildings height	Three stories maximum
Yard	Fenced
	Shallow
Facades	Porch
	Stoop
	Terrace
	Common entry
Encroachments	Porch, patio or stoop – 60% of actual setback, but no more than eight feet
	Balcony or bay window – 20% of actual setback, but no more than four feet
Landscaping	Minimum ten-foot landscaped buffer abutting non-mixed-use residential zones Minimum of one tree for every 40 feet of lot width (in addition to street trees)
Parking lots	Must have a minimum of 15% landscaped area, evenly distributed throughout the parking lot and adjacent to buildings Landscaped islands must provide one tree for every six parking stalls

Table 18. High intensity

Lot width	18 feet minimum, 180 feet maximum
Frontage buildout	80% minimum at setback
Lot coverage	80% maximum
Setbacks	Front, primary – no minimum, 12 feet maximum

Table 18. High intensity

	Front, secondary – no minimum, 12 feet maximum
	Side – no minimum, 24 feet maximum
	Rear – three feet minimum
	Parking or enclosed storage – 20 feet behind front facade, with access from alley or rear lane (see paragraph 17-4-9 F. 1. f above)
Buildings height	Four stories maximum
Yard	Shallow Urban Pedestrian forecourt Vehicular forecourt
Facades	Stoop Common entry Terrace Shopfront Gallery
Encroachments	Awnings and galleries may encroach the sidewalk to within two feet of the curb Balcony or bay window – 100% of setback maximum
Landscaping	Minimum 20-foot landscaped buffer abutting non-mixed-use residential zones
Parking lots	Must have a minimum of 10% landscaped area, evenly distributed throughout the parking lot and adjacent to buildings Landscaped islands must provide one tree for every ten parking stalls

17-4-12 Downtown Marana overlay (DO)

- A. Purpose. The DO is an overlay designation identifying geographic areas where owners of land may opt to replace their underlying zoning entitlements with the DN and DT zone designations.
- B. Application. To obtain DN and DT zoning in the DO district, one or more property owners must submit a downtown implementation plan, showing (at a minimum) the requested locations of DN and DT zone designations on their property.
- C. Administrative approval. The planning director is authorized and directed to approve a downtown implementation plan that conforms to the requirements of sections 17-4-9 (mixed-use zoning districts), 17-4-12 (Downtown Marana overlay (DO)), 17-4-13 (Downtown neighborhood (DN)), and 17-4-14 (Downtown (DT)), and meets the following minimum requirements:

1. The DT designation includes all land within 100 feet of the Marana Main Street right-of-way line.
 2. The DN designation includes all land within 100 feet of the property line of all properties containing existing single-family residences, excluding any such property for which the property owner consents in writing.
 3. The DN designation must be used for land that meets both of the previous two paragraphs.
- D. Council approval. Any downtown implementation plan not approved pursuant to paragraph C of this section may be submitted as an application for rezoning, which shall be reviewed through the normal rezoning process.

17-4-13 Downtown neighborhood (DN)

- A. Purpose. The DN zone implements the Marana general plan by providing a transition from the DT to surrounding areas. This zone consists of a mix of uses but is primarily medium density residential. It may contain a wide range of building types: houses, courtyard housing, townhouses, duplexes, triplexes, apartment buildings, and live-work units.
- B. Development standards.

Table 19. Downtown neighborhood (DN)

Lot width	24 feet minimum, 96 feet maximum
Frontage buildout	60% minimum at setback
Lot coverage	70% maximum
Setbacks	Front – six feet minimum, 18 feet maximum
	Side – no minimum
	Rear – three feet minimum
	Parking or enclosed storage – 20 feet behind front facade
Buildings height	Three stories maximum
Yard	Fenced Shallow
Facades	Porch Stoop Terrace Common entry Shopfront
Encroachments	Porch, patio or stoop – 60% of actual setback, but no more than eight feet
	Balcony or bay window – 20% of actual, but no more than four feet

Table 19. Downtown neighborhood (DN)

Landscaping	Minimum ten-foot landscaped buffer abutting non-mixed-use residential zones One tree required for every 40 feet of lot width (in addition to street trees)
Parking lots	Must have a minimum of 15% landscaped area, evenly distributed throughout the parking lot and adjacent to buildings Landscaped islands must provide one tree for every six parking stalls

17-4-14 Downtown (DT)

A. Purpose. The DT zone implements the Marana general plan by providing a mixed-use center for town. This zone consists of higher density mixed-use buildings that accommodate retail, offices, institutions, and apartments. It has a network of walkable streets that create blocks along Marana Main Street with wide sidewalks, street trees, awnings or galleries for shade, and buildings set close to the sidewalks.

B. Development standards.

Table 20. Downtown (DT)

Lot width	18 feet minimum, 180 feet maximum
Frontage buildout	80% minimum at setback
Lot coverage	80% maximum
Setbacks	Front – no minimum, 12 feet maximum Side – no minimum, 24 feet maximum Rear – three feet minimum
Buildings height	Four stories maximum
Yard	Shallow Urban Pedestrian forecourt Vehicular forecourt
Facades	Common entry Terrace Shopfront Gallery
Encroachments	Awnings and galleries may encroach the sidewalk to within two feet of the curb Balcony or bay window – 100% of setback maximum
Landscaping	Minimum 20-foot landscaped buffer abutting non-mixed-use residential zones

Table 20. Downtown (DT)

Parking lots	Must have a minimum of 10% landscaped area, evenly distributed throughout the parking lot and adjacent to buildings Landscaped islands must provide one tree for every ten parking stalls
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17-4-15 Specific plan (SP)

- A. General. Properties in each specific plan (SP) zoning district are regulated based on site-specific regulations prepared by or on behalf of the master property owner of the particular specific plan area. Each specific plan is adopted through the rezoning process.
- B. Applicability. The owner or owners of one or more contiguous parcels of land totaling five acres or larger in size may apply for a specific plan.
- C. Contents of specific plan. At a minimum, a specific plan shall include the elements described below.
1. The map elements of the specific plan shall illustrate and identify all of the following located in or within 150 feet of the plan boundaries:
 - a. North arrow and scale (written and graphic).
 - b. All existing land uses and zoning designations.
 - c. All proposed land uses and zoning designations within the specific plan.
 - d. All existing lots and structures.
 - e. All existing and proposed open space, recreational facilities, parks and trails.
 - f. Public, educational, health care, and religious facilities.
 - g. Water courses and drainage facilities.
 - h. Name, location, and attributes of existing and proposed arterials and collectors:
 - i. Located within the specific plan area, or
 - ii. Needed to serve the specific plan area.
 - i. Location and attributes of existing or proposed provisions for sewage disposal, effluent use, storm water drainage, solid waste disposal, and public utilities.
 2. The text elements for the specific plan shall describe and contain all of the following:
 - a. The name by which the specific plan shall be known, including the words “specific plan” in its title.
 - b. The names of all of the following:

- i. The owner or owners of all land in the specific plan.
- ii. The holder or holders of any lien on any of the land in the specific plan.
- iii. The developer of the specific plan.
- iv. The applicant for approval of the specific plan.
- v. The firm or person who prepared the specific plan.
- c. How and to what extent the specific plan is to supplement or supersede the provisions of town code title 17 (land development).
- d. The legal description and accompanying depiction of the land included within the proposed specific plan.
- e. The specific plan preparation dates and subsequent revision dates.
- f. The objectives of the specific plan.
- g. The compatibility of the specific plan with existing and entitled adjoining land uses.
- h. A comparison of existing zoning requirements to the zoning entitlements proposed under the application.
- i. Specific development standards for all proposed development within the specific plan.
- j. An explanation of the type, provider, and adequacy of existing and proposed utilities and services, including sewer, water, electric, telephone, police, fire, schools, and solid waste disposal.
- k. A comparison of existing applicable roadway standards with all proposed rights-of-way and pavement widths for each type of street proposed (arterials, collectors, residential collectors and residential).
- l. A description and schedule of development phasing.
- m. Drainage and hydrology analysis supporting development and implementation of the specific plan.
- n. Standards for the phasing, construction, and maintenance of arterials and collectors proposed for the specific plan area or needed to serve the specific plan.
- o. Standards for the phasing, construction, and maintenance of sewage disposal, effluent use, storm water drainage, solid waste disposal and public utilities.
- p. Standards for the conservation, development, or use of natural resources, including surface water, soils, vegetation, and wildlife.

- q. Landscaping standards and requirements for development and implementation of the specific plan.
 - r. Copies of correspondence with federal, state, local, semi-private, or private agencies or organizations relating to the proposed specific plan.
- D. Waiver of specific submissions. The planning director may waive the requirement to provide any information required under this section by making a written finding specifying the reasons the information is not needed for a thorough review of the proposed specific plan. The waiver shall be included in the materials submitted to the planning commission.
- E. Findings required. Before approval of a specific plan, the planning commission and the mayor and council shall find that the specific plan conforms to the following general criteria:
- 1. That the location, design and size of the development proposed by the specific plan:
 - a. Can be well integrated with the surroundings and will be in harmony with any existing or entitled development on nearby property; or
 - b. Will not be detrimental to existing or entitled development on nearby property.
 - 2. That the existing and proposed transportation infrastructure is suitable and adequate to serve the traffic anticipated to be generated by the proposed development.
 - 3. That the existing and proposed utility infrastructure, public facilities, and public services are suitable and adequate to serve the ultimate build-out of the development proposed by the specific plan.

17-4-16 Legacy zones

The zoning districts set forth in sections 17-4-17 through 17-4-26 below are legacy zones. The legacy zones consist of zoning districts that currently exist within the town limits, but that are intended to be phased out over time. Each of these zoning designations is intended to be deleted when no land in the town has that zoning designation. The town will not rezone land to any of these legacy zone districts.

17-4-17 Zone A – small lot zone

- A. Permitted uses. Within zone A, residential, commercial, industrial, and quasi-public land uses shall be permitted so long as each such land use is conducted on a lot no larger than 2.5 acres. Rezoning is not required to establish a use permitted in the neighborhood commercial (NC) zone, within an existing building or suite in a designated commercial area if the use can be accommodated within the existing building or suite without requiring a new retail commercial building permit. This is not, however, to be construed

to permit any land use that may be specifically prohibited within the town by this or any other ordinance of the town or by state or federal law.

- B. Density requirements. There shall be no maximum density of land use per se, except that density of land use on any parcel of land within zone A shall be determined in part by prior density of land use and by setback requirements defined in this and other titles of this code or as may be determined by other applicable federal, state and local regulations.
- C. Setbacks.
 - 1. The required front yard (setback) shall be a minimum of 20 feet.
 - 2. The required side yard (setback) shall be a minimum of five feet, with a street side yard (setback) having a minimum of ten feet.
 - 3. The required rear yard (setback) shall be a minimum of 20 feet.
- D. Building heights. Buildings and structures erected in this zone shall have a height not greater than 30 feet.
- E. Manufactured home. A manufactured home may be placed on any lot within zone A provided the following conditions are met:
 - 1. There is an existing manufactured home on the lots adjacent to the lots in which the new manufactured home is to be placed. Adjacent, for the purposes of this section, means on either side, and means directly across the street, if one exists, and to the rear across an alley, if one exists.
 - 2. Where the provisions of subparagraph 1 above do not exist, then a manufactured home may be placed on a lot with the issuance of a conditional use permit pursuant to the procedure set forth in section 17-3-2 (conditional use permits).

17-4-18 Zone B - medium lot zone

- A. Permitted uses. Within zone B, any residential, commercial, industrial, or quasi-public land use is permitted so long as each separate land use is conducted on a lot larger than 2.5 acres but no larger than 25 acres. This is not to be construed, however, to permit any land use that may be expressly prohibited within the town by other ordinances of the town, by other provisions of this code, or by state or federal law.
- B. Density requirements. There shall be no maximum density of land use per se in this zone, except as may be dictated by prior density of land use and by setback requirements defined elsewhere in this code.
- C. Setbacks. The setback requirements for zone B shall be the same as for zone A.
- D. Manufactured home. A manufactured home may be placed on any lot within zone B provided the following conditions are met:

1. There is an existing manufactured home on the lots adjacent to the lots in which the new manufactured home is to be placed. Adjacent, for the purposes of this section, means on either side, and means directly across the street, if one exists, and to the rear across an alley, if one exists.
2. Where the provisions of subparagraph 1 above do not exist, then a manufactured home may be placed on a lot with the issuance of a conditional use permit pursuant to the procedure set forth in section 17-3-2 (conditional use permits).

17-4-19 Zone C - large lot zone

- A. Permitted uses. Within zone C, any residential, commercial, industrial, or quasi-public land use shall be permitted, so long as each separate activity is conducted on a lot no smaller than 25 acres. This is not to be construed, however, to permit any land use that may be expressly prohibited within the town by other sections of this code other ordinances of the town, or state or federal law.
- B. Density requirements. The maximum density allowed shall be one dwelling unit or one commercial, industrial, or quasi-public establishment per 25 acres.
- C. Setbacks. No building or structure, except a fence or wall that is not part of a building and not over six feet in height shall be constructed closer than ten feet to any side property line or closer than 40 feet plus one foot for each foot of building height in excess of ten feet above ground level to any front or rear property line. Where a lot is situated on the corner of two dedicated streets, each of the property lines along the right-of-way line of a dedicated street shall be considered to be a front property line, and each other property line shall be considered to be a side property line in determining allowable setbacks.
- D. Manufactured home. A manufactured home may be placed on any lot within zone C provided the following conditions are met:
 1. There is an existing manufactured home on the lots adjacent to the lots in which the new manufactured home is to be placed. Adjacent, for the purposes of this section, means on either side, and means directly across the street, if one exists, and to the rear across an alley, if one exists.
 2. Where the provisions of subparagraph 1 above do not exist, then a manufactured home may be placed on a lot with the issuance of a conditional use permit pursuant to the procedure set forth in section 17-3-2 (conditional use permits).

17-4-20 Zone D - designated flood plain zone

The permitted uses, density requirements, and setbacks are the same as zone B, but the property owner's attention is drawn to the fact that this

is an area at high risk of flooding and flood hazards. All uses require a floodplain use permit.

17-4-21 Zone E – transportation corridor zone

- A. Permitted uses. Within zone E, no residential land use shall be permitted except one single-family residence. Any commercial, industrial, or quasi-public land use shall be permitted which is consistent in its location with the land use element of the town's general plan. This is not to be construed, however, to permit any land use that may be expressly prohibited within the town by other sections of this code, by other ordinances of the town, or by state or federal law.
- B. Density requirements. There shall be no maximum or minimum density requirements in zone E, except as may be required by the setback requirements of this code or by other applicable federal, state and local regulations.
- C. Setbacks. The setback requirements for zone E shall be the same as for zone A.

17-4-22 Recreation vehicle (RV)

- A. Purpose. The purpose of the recreational vehicle (RV) zone is to provide for the development of parks which rent spaces or which provide subdivided lots for sale, catering to the special needs of recreational vehicle environments and lifestyles within the town.
- B. Location. All recreational vehicle developments shall comply with the town's general plan. In addition, recreational vehicle developments shall abut a major arterial paved all-weather street meeting town standards.
- C. Permitted uses. The following uses are permitted within the recreational vehicle (RV) zone:
 - 1. Recreational vehicle parks with one recreational vehicle per rental space.
 - 2. Recreational vehicle subdivisions with one recreational vehicle per lot.
- D. Accessory uses.
 - 1. Accessory uses appurtenant to recreational vehicle parks include community recreation buildings, facilities, and areas, laundry facilities, manager's office and apartment, child care facilities, and similar accessory uses for the exclusive benefit of the park or subdivision residents.
 - 2. Accessory uses appurtenant to individual recreational vehicles include carports, ramada, cabana, covered patio, storage room and similar uses. Accessory buildings shall not be used for regular occupancy or for sleeping.

3. Other customary accessory uses and buildings as may be determined by the planning director which are incidental to the principal use and do not include any activity commonly conducted as a business. However, the occasional sale of a recreational vehicle, motor vehicle, or trailer on a lot on which the seller resides shall not be considered a business.

E. Conditional Uses. The following may be permitted subject to the issuance of a conditional use permit pursuant to the procedure set forth in section 17-3-2 (conditional use permits):

1. A boat, auto, or trailer storage area, provided they are in a completely enclosed area surrounded by not less than a six-foot fence or wall, completely screened from view from all sides.
2. Recreational uses intended primarily for the occupants of the park or subdivision, including golf courses and related facilities.
3. Model sales area, provided not more than five spaces are devoted to this use, and not to exceed 12 months, unless an extension is granted by the planning commission. The planning commission may allow an additional sales area where the park or subdivision occupies more than 100 acres.
4. Convenience market.
5. Restaurant, provided the recreational vehicle park or subdivision contain not less than 500 recreational vehicle spaces or lots.
6. Vehicle wash.
7. Mini-storage area, not to exceed one storage unit per 20 recreational vehicle spaces or lots.
8. One recreational vehicle may be installed per lot on a commercial or industrial parcel or lot, provided a minimum set back of at least 20 feet from all other structures is provided. This provision is principally intended to allow for a caretaker on a commercial or industrial complex. When provided, the unit shall be entirely screened, and meet all development standards, as applicable, listed below. The planning commission shall approve the final site plan.
9. Any use not appearing in this section which may be permitted by the planning director, and which shall be primarily for the residents of the park or subdivision.
10. Upon annexation and translation of county zoning, any use or uses and densities that were permitted on the annexed property under the county zoning at the time of annexation (see section 17-3-2 (conditional use permits), paragraph P).

F. Temporary uses. Temporary construction buildings and yards during the actual construction and development of the recreational vehicle park or subdivision, and sales offices, not to exceed 18

months, unless active construction is ongoing, in which case the planning director may grant additional six month increments upon finding that active construction is still on-going and necessary.

G. Prohibited uses (reserved).

H. Site development standards.

1. Minimum project size: five acres
2. Minimum project setback: 20 feet from all street frontages measured from the right-of-way line. This setback shall be fully landscaped and screened, and may include a perimeter masonry decorative wall and which shall contain a minimum of 15 gallon trees per 40 lineal feet of street frontage, with 65% vegetative cover in shrubs and groundcover on the exterior of the wall. The landscape and screening plan shall be approved by the planning director. Refer to section 17-11-7 for further requirements.
3. Parks or subdivisions:
 - a. Minimum lot size per rental unit: 1,750 sq. ft., with a minimum average lot size of 2,000 sq. ft.
 - b. Maximum density: 15 units per net acre, excluding streets and drives.
 - c. Minimum common recreation area per unit: 150 sq. ft.
 - d. Minimum width per space: 35 feet
 - e. Minimum depth per space: 50 feet
 - f. Minimum distance between units (exterior of all structures, drives and accessory structures): seven feet
 - g. Minimum front yard: seven feet
 - h. Minimum rear yard: five feet
 - i. Setbacks declared a minimum. No encroachment or variance shall be allowed within five feet of the front, side or rear lot or space line required setbacks unless the building, structure, or other appurtenance meets the currently-applicable international building code requirements for a minimum two-hour fire wall rating. Setbacks established above are determined the minimum necessary for the public health, safety and general welfare.
 - j. Detached storage buildings not exceeding 120 square feet in area are permitted on each recreational vehicle space. All storage buildings shall be located in the rear of the recreational vehicle space. Detached storage buildings shall not encroach into the required setbacks without a variance, and subject to the fire wall requirements set forth above.
 - k. Certain accessory structures, which are complimentary to individual recreational vehicles and park models (i.e. covered carports, patio awnings, ramadas, storage

buildings, and room additions) which are made an integral part of and are architecturally compatible with the recreational vehicle or park model itself may be permitted by the planning director, after review of plans assuring the required compatibility, and provided, further, that the owner/developer of the park or subdivision has provided sufficient setbacks to meet the requirements of paragraph "i" above.

4. Common recreation area shall be provided both in recreational vehicle parks and subdivisions. Common recreation areas shall be owned and maintained by a property owner's association where a recreational vehicle subdivision is developed. Plans for the common recreation areas shall be approved by the town, and shall include facilities and equipment for both adults and children. Public or private streets, vehicle storage areas, exterior boundary landscaped areas and other areas shall not be included when calculating required recreational areas.
5. Access to all lots or spaces shall be from the interior of the park or subdivision.
6. Private streets shall be a minimum paved width of 28 feet including required curbs when flush with the surface of the paving. Concrete sidewalks at least two feet in width shall be provided on each side of interior private streets. The planning director may permit a four foot sidewalk on one side of an interior street where deemed desirable.
7. The maximum height of any habitable structure shall not exceed 20 feet. All other structures shall not exceed 15 feet in height.
8. All structures that are located on non-manufactured home spaces or lots shall not exceed 35 feet in height from grade to the highest point on the roof.
9. All utility lines shall be placed underground within the park or subdivision. Each lot shall be provided with water, sanitary sewer, electric lines, telephone lines and gas lines, as needed, in compliance with applicable town codes. Fire hydrants shall be installed as required by the building official.
10. All parks or subdivisions shall have street lighting provided along private or public streets for the safety of pedestrians, and as required by the town engineer.
11. All parks or subdivisions shall have refuse collection areas approved by the planning director. All such refuse collection areas shall be screened from public view.
12. All parks or subdivisions shall have a minimum of two vehicular entrances. One entrance may be kept closed to the general public, but is required to meet public safety standards.

13. All parks and subdivisions shall improve, to town standards, and dedicate any abutting public street and shall dedicate all interior easements and drives for utilities and public service vehicles where required by the town engineer.

17-4-23 Manufactured housing (MH)

- A. Purpose. The purpose of the manufactured housing (MH) zone is to provide for the development of parks and subdivided lots for sale that cater to the special needs of the manufactured home environment and lifestyle within the Town of Marana.
- B. Location. All manufactured housing developments shall comply with the town's general plan. In addition, manufactured housing developments shall not be placed within the airport environs of any airport within the town. All manufactured home developments shall be served by paved all-weather roads meeting town standards.
- C. Permitted uses. The following uses are permitted within the MH zone:
 1. Manufactured housing parks with one manufactured home per rental space.
 2. Manufactured housing subdivisions with one manufactured home per lot.
- D. Accessory uses.
 1. Accessory uses appurtenant to manufactured housing parks include community recreation buildings and areas, accessory parking areas, laundry facilities, manager's office and apartment, child care facilities and other similar accessory uses for the exclusive benefit of the park or subdivision residents.
 2. Accessory uses appurtenant to the individual manufactured home, include carports, ramada, cabana, covered patio, storage room and similar uses. Accessory buildings shall not be used for regular occupancy or sleeping.
 3. Other customary uses and buildings as may be determined by the planning director, which are incidental to the principal use and do not include any activity commonly conducted as a business. However, the occasional sale of a manufactured home, motor vehicle or trailer on a lot on which the seller resides shall not be considered a business.
- E. Conditional uses. The following may be permitted with the issuance of a conditional use permit pursuant to the procedure set forth in section 17-3-2 (conditional use permits):
 1. A boat or trailer storage area, provided they are in a completely enclosed area surrounded by not less than a 6 foot fence or wall, and completely screened from view from all sides, and only for the residents of the park or subdivision. Chain link fences with

slat inserts are not acceptable in fulfilling this fencing requirement.

2. Recreational uses intended primarily for the occupants of the park or subdivision, including golf courses and related facilities.
3. Model home area of up to five manufactured homes, but only as part of a manufactured home subdivision, and provided at least 100 lots are subdivided or rental spaces provided.
4. Any use not appearing in this section which may be permitted by the planning director, and which shall be primarily for the residents of the park or the subdivision.
5. One manufactured home may be installed per lot on a commercial or industrial parcel or lot, provided a minimum setback of at least 20 feet from all other structures is provided. This provision is principally intended to allow for a caretaker on a commercial or industrial complex. When provided, the unit shall be entirely screened, and meet all development standards, as applicable, listed below. The planning commission shall approve the final site plan.
6. Upon annexation and translation of county zoning, any use or uses and densities that were permitted on the annexed property under the county zoning at the time of annexation (see section 17-3-2 (conditional use permits), paragraph P).

F. Temporary uses. Temporary construction buildings and yards during the actual construction and development of the park or subdivision, and sales office, not to exceed 18 months unless active construction is ongoing at the end of the 18 month period, in which case the planning director may grant additional six-month increments upon finding that active construction is still on-going and is necessary for the continued development of the park or subdivision.

G. Prohibited uses (reserved).

H. Site development standards.

1. Minimum project size: ten acres
2. Minimum project setbacks: 20 feet from all street frontages measured from the right-of-way line.
 - a. This setback shall be fully landscaped and screened, and may include a perimeter decorative masonry wall.
 - b. The setback area shall also contain a minimum of one tree, not less than 15 gallons, per 40 lineal feet of street frontage, with 65% vegetative cover in shrubs and groundcover on the exterior side of the wall.
 - c. The landscape and screening plan shall be approved by the planning director. Refer to section 17-11-7 for further requirements.

- d. No off-street parking facilities or recreational facilities for common use shall be located in any such required exterior yard.

3. Parks and subdivisions:

- a. Minimum lot size per rental unit or lot: 5000 sq. ft.
- b. Maximum density: eight units per net acre.
- c. Minimum common recreation area per park or subdivision space: 250 sq. ft. A homeowners association shall be established in manufactured home subdivisions to own and maintain the park/open space as may be approved by the town.
- d. Minimum width per space: 55 feet.
- e. Minimum depth per space: 90 feet.
- f. Minimum setback between units (exterior of all structures, drives, and accessory structures): ten feet.
- g. Minimum front-yard setback: 20 feet.
- h. Minimum rear-yard setback: 25 feet.
- i. Minimum common recreation area per rental or subdivision space: 250 sq. ft.
- j. Setbacks declared a minimum. No encroachment or variance shall be allowed within five feet of the front, side, or rear yard lot or space line, unless the building, structure, or other appurtenance meets the applicable international building code requirements for a minimum two-hour fire wall rating. Setbacks established above are determined the minimum necessary for the public health, safety, and general welfare.
- k. Detached storage buildings not exceeding 120 square feet in area are permitted on each manufactured home space or lot. All storage buildings shall be located in the rear of the manufactured home space or lot. Detached storage buildings shall not encroach into the required setbacks without a variance, and shall be subject to the applicable international building code fire wall requirements set forth above.
- l. Certain accessory structures, which are complimentary to individual manufactured homes (i.e. covered carports, patio awnings, ramadas, storage buildings, and room additions) which are made an integral part of and are architecturally compatible with the manufactured home may be permitted by the planning director, after review of plans assuring the required compatibility, and provided further, that the owner/developer of the park or subdivision has provided sufficient setbacks to meet the requirements of paragraph j above.

- m. The maximum height of any habitable structure shall not exceed 20 feet. All other structures shall not exceed 15 feet in height.
 - n. All structures that are located on non-manufactured home spaces or lots shall not exceed two stories nor shall they exceed 35 feet in height from grade to the highest point on the roof.
- 4. Common recreation area shall be provided both in manufactured home parks and subdivisions. Common recreation areas shall be owned and maintained by a property owner's association where a manufactured subdivision is developed. Plans for the common recreation areas shall be approved by the town, and shall include facilities and equipment for both adults and children. Public or private streets, vehicle storage areas, exterior boundary landscaped areas and other areas shall not be included when calculating required recreational areas.
 - 5. Access to all lots or spaces shall be from the interior of the park or subdivision.
 - 6. Private streets shall be a minimum paved width of 28 feet including required curbs when flush with the surface of the paving. Concrete sidewalks at least four feet in width shall be provided on each side of interior private streets. The planning director may permit a four foot sidewalk on one side of an interior street where deemed desirable.
 - 7. All utility lines shall be placed underground within the park or subdivision. Each lot shall be provided with water, sanitary sewer, electric lines, telephone lines and gas lines, as needed, in compliance with applicable town codes. Fire hydrants shall be installed as required by the building official.
 - 8. All parks or subdivisions shall have street lighting provided along private or public streets for the safety of pedestrians, as required by the town engineer.
 - 9. All parks or subdivisions shall have refuse collection areas approved by the planning director. Such refuse collection areas shall be screened from public view.
 - 10. All parks or subdivisions shall have a minimum of two vehicular entrances. One entrance may be kept closed to the general public, but is required to meet public safety standards.
 - 11. All parks and subdivisions shall improve to town standards and dedicate any abutting public street and shall dedicate all interior easements and drives for utilities and public service vehicles where required by the town engineer.

17-4-24 Commercial office (CO)

- A. Purpose. The CO zone is intended to provide for the use of designated properties for professional offices and limited commercial facilities to serve the residents of the town. It includes those uses related to medical, professional, financial, administrative, and interrelated uses. This zone is intended to prohibit most retail commercial uses which, more properly, belong in other commercial zones. It is also intended to provide multi-family residential opportunities and options to commercial and other higher-intensity districts.
- B. Location. The following shall be considered in establishing and maintaining the CO zone:
1. Convenient and efficient vehicular access to an arterial or collector street.
 2. Availability of land suitable for grouping of professional activities.
 3. Availability of parcels whose general commercial use is less desirable and/or inappropriate.
- C. Permitted uses. The following uses may be permitted subject to demonstration of architectural compatibility with adjacent uses:
1. Residential dwelling units as permitted and subject to the development standards found in section 17-4-26.
 2. Professional offices: Law, architectural, engineering, planning, business and management consulting.
 3. General offices: Real estate, data processing, executive suites, photographic services, travel agents, research services, and administrative offices.
 4. Medical and dental: Offices, laboratories, clinics, and pharmacies; but not including drug stores.
 5. Veterinary clinic, small.
 6. Financial services: Accounting, auditing, bookkeeping, tax consultation, collection agencies, credit services, insurance and investment, security and commodity brokers, dealers and exchanges, insurance and financial planning.
 7. Public service: Detective and protective services, employment services and public utility offices.
 8. Such other comparable uses as determined by the planning director.
- D. Accessory uses (reserved)
- E. Conditional uses. The following uses may be permitted with the issuance of a conditional use permit pursuant to the procedure set forth in section 17-3-2 (conditional use permits):

1. Restaurants and cafes (not to include drive-ins or carry-outs) subject to:
 - a. The facility is designed to preclude vehicular ingress and egress in conflict with existing or planned adjacent residential uses.
 - b. The facility is located and designed to eliminate noise and/or odors.
 - c. The facility is an integral part of the office building.
2. Private schools: Business, music, dance, art, and vocational, which must be an integral part of the office building.
3. Special retail: Specialty retail services such as florist, jewelry, barber and beauty shops, child care facilities, clothes cleaning and tailor shops, and such other compatible uses as may be determined by the conditional use process and which shall all be integral to the primary use as an office complex.
4. Banks and savings and loans.
5. Upon annexation and translation of county zoning, any use or uses and densities that were permitted on the annexed property under the county zoning at the time of annexation (see section 17-3-2 (conditional use permits), paragraph P).

F. Temporary uses (reserved).

G. Prohibited uses (reserved).

H. Intensity standards.

1. Residential. On any parcel or unit of development, the following intensity standards apply:
 - a. Dwelling unit density: There shall be no more than 25 dwelling units for each acre of parcel area.
 - b. Building coverage: The sum of all buildings and structures shall cover no more than 40% of all land area developed.
2. Non-residential. The following standards shall apply:
 - a. Building coverage: The sum of all buildings and structures shall cover no more than 30% of all land area developed.
 - b. Reserved.

I. Site development standards. The following site development standards shall apply:

1. Street frontage: minimum of 100 feet.
2. Lot area:
 - a. Multifamily: minimum of 3.0 acres.
 - b. Non-residential: none
3. Front yard: minimum of 25 feet.

4. Side yard: minimum of 15 feet for residential uses. No side yard is required for non-residential uses provided minimum international building code requirements are met. However, a non-residential use adjacent to a residential zone shall have a minimum side yard of not less than 15 feet plus an additional 10 feet for each story over one story, or in excess of 18 feet in height, whichever is greater.
5. Street side yard: minimum of twenty-five feet.
6. Rear yard: minimum of twenty-five feet.
7. Building height: maximum of forty feet.

17-4-25 Mixed-use (MU-1)

- A. Purpose. The purpose of the mixed use zoning district is to promote, and regulate existing low density mixed uses in areas of the Town where public facilities and utilities may be limited. The intent of this district is to encourage orderly growth in semi-rural areas, as well as provide for semi-rural residential uses. In addition, this zone is intended to allow limited commercial and industrial development where appropriate and designed to be compatible or provide the appropriate buffers where potentially incompatible uses are proposed with the surrounding uses. This zone is to be located only where existing mixed-uses are historically located and the area is transitioning into a more intensive use area.
- B. Permitted uses.
 1. One single-family detached home or caretakers quarters (site built or manufactured);
 2. Antique shop;
 3. Automobile repair garages, provided that no machining is conducted on the premises; no outdoor storage of parts or outdoor parking of automobiles waiting for service for more than seven days;
 4. Aviaries;
 5. Barber and beauty shop;
 6. Blacksmith shop;
 7. Carpentry, upholstery & furniture repair;
 8. Churches, synagogues, and other places of worship;
 9. Construction/contractor's yards;
 10. Crop production;
 11. Feed store;
 12. Foster and group homes;
 13. Grazing and raising of large and small livestock;

14. Kennels;
15. Massage therapy establishments;
16. Plant nurseries and greenhouses;
17. Private stables;
18. Professional offices, not including medical (see section 17-3-2 (conditional use permits));
19. Raising and marketing of poultry, rabbits and small animals;
20. Repair shops for appliances, bicycles, etc.;
21. Sales stands for the sale of agricultural and horticultural products produced or grown on the premises;
22. Second hand store;
23. Trucking operations and yards;
24. Veterinary clinics, small;
25. Uses similar to those listed above in this section, as determined by the planning director.

C. Accessory uses (uses incidental to a permitted established use):

1. Corrals, barns & other animal-keeping structures;
2. Detached accessory buildings and structures;
3. Fences and walls;
4. Game courts, unlighted;
5. Garage, enclosed storage, or barn;
6. Guest quarters, provided that no kitchen is provided;
7. Home occupations;
8. Riding arena, rodeo grounds (private, unlighted); and,
9. Swimming pools.

D. Conditional uses. The following may be permitted with the issuance of a conditional use permit pursuant to the procedure set forth in section 17-3-2 (conditional use permits):

1. Additional building height;
2. Apiaries;
3. Commercial riding stables and boarding stables;
4. Game courts, lighted;
5. Health care facilities, including clinics, offices and laboratories;
6. Keeping of ratites;
7. Keeping of swine;
8. Livestock auction yards;

9. Stables, public;
 10. Manufacturing, processing and assembly;
 11. Mini-storage and/or recreational vehicle storage facilities;
 12. Restaurants;
 13. Riding arena, rodeo grounds (private lighted, or any public);
 14. Sexually oriented business, subject to town code chapter 9-7;
 15. Veterinary clinic, large;
 16. Warehouse facilities; and,
 17. Upon annexation and translation of county zoning, any use or uses and densities that were permitted on the annexed property under the county zoning at the time of annexation (see section 17-3-2 (conditional use permits), paragraph P).
- E. Performance standards. The following limitations shall apply to the conduct of uses within the mixed-use zone:
1. More than one use may be permitted on a single parcel if the following criteria can be met:
 - a. The total of all uses on a single parcel, shall not exceed the Pima county department of environmental quality and other applicable codes and ordinances for individual sewage disposal system, this includes lot area, number of fixtures, required engineering plans, etc.
 - b. Each type of use (residential, commercial and industrial) shall have its own separate pedestrian entrance;
 - c. Adequate bufferyards are provided between incompatible uses;
 - d. Parking and vehicular accesses are separate between incompatible uses;
 - e. The proposed use does not exceed the standards of the applicable codes and ordinances of the Town nor create any overburden of public or private streets, utilities, emergency services and/or facilities, and;
 2. No outdoor storage of equipment or materials shall be permitted unless screened, by a permanent opaque decorative wall at least six feet in height or by a combination of solid wall or fence and landscape screening accepted by the town.
 3. No use shall be established, maintained or conducted within the mixed-use zone which may cause the dissemination of smoke, gas, dust, odor or any other atmospheric pollutant that is in violation of Pima county department of environmental quality. Every use shall be so operated that it does not emit dust, heat, glare or vibration in such quantities or degree as to be readily

detectable on any property line of the lot upon which it is located.

4. No use shall result in the creation of traffic hazards or undue congestion of any public street or private access.

F. Development standards. The following standards shall apply to all developments within the mixed-use zone:

1. General development standards.
 - a. Minimum lot area shall be 43,560 square feet (one acre);
 - b. Minimum lot width shall be 100 feet;
 - c. Minimum lot depth shall be 100 feet;
 - d. Minimum required building setback abutting a street or ingress/egress easement shall be 30 feet. Fifty percent of such setback area shall be landscaped and shall remain as open space, free from structures and parking/loading areas.
 - e. Minimum side and rear setbacks shall be 25 feet. A minimum of ten feet of the setback area shall be landscaped and shall remain free from structures. This setback may be reduced to include driveways, screening walls, parking if a permanent opaque decorative screening wall five feet in height is constructed along the property line;
 - f. Building separation. The minimum distance between two primary structures shall be 20 feet. The minimum distance between all other structures shall be ten feet;
 - g. Setback exceptions. Architectural features such as, but not limited to, eaves, chimneys, bay windows, overhangs, awnings, porches and similar architectural features may encroach into setbacks by no more than four feet, subject to compliance with applicable standards of the applicable international building and fire codes;
 - h. Maximum lot coverage shall not exceed a total of 55% for each parcel;
 - i. Maximum building height shall be 24 feet. With the issuance of a conditional use permit pursuant to the procedure set forth in section 17-3-2 (conditional use permits) the planning commission may allow an increase to the building height, provided that the applicant provides acceptable justification for the need to exceed the height limit;
2. Landscaping. The intent of the landscaping requirements is to provide residents and businesses with attractive landscaping that creates an interesting streetscape, and provides a safe and effective transition between potentially incompatible land uses. In addition, these requirements regulate the protection of native vegetation as a significant natural resource. All development within the mixed-use zone shall provide site landscaping,

including the bufferyard, parking lot and any applicable screening as required herein and in accordance with chapter 17-11 of the town code.

3. Access and off-street parking. The number, size and design of all parking spaces, driveways and loading areas for all development within the mixed-use zone shall comply with the provisions of chapter 17-9 of the town code and the following requirements listed below:
 - a. All lots must abut a public street or a private street improved to a standard satisfactory to the Town;
 - b. Access control and driveway locations will be evaluated per town standards. Joint driveways are desirable whenever possible in order to minimize the number of access points to streets and access easements; and,
 - c. All parking shall be off-street in paved, landscaped parking areas;
4. Signs. Sign standards are hereby established to promote a quality visual appearance throughout the mixed-use zone; to allow individual businesses to clearly identify themselves and the goods and services offered; to create a unique environment to attract visitors; to safeguard and enhance property values; to reduce potential hazards to motorists and pedestrians; and to eliminate excessive and confusing sign displays. All signs for developments within the mixed-use zone shall comply with the provisions of town code chapter 17-10 (signs) and the following additional sign requirements:
 - a. Materials, colors and shades of proposed signs shall be compatible with the related buildings on the property;
 - b. Monument, wall-mounted and free-hanging signboards shall be the approved styles;
 - c. Signage shall be limited to one freestanding sign for each street frontage and one wall sign (near the main entrance). In cases where there are multiple tenants, each tenant within the property shall be allowed one wall sign (near each main entrance, with the sign area determined by town code chapter 17-10 (signs));
 - d. Freestanding signs shall be limited to double-faced, ground-mounted monument style, with associated landscaping. Freestanding pole signs are prohibited;
 - e. Freestanding signs shall not exceed eight feet in height (from grade to the top of sign) and 40 square feet per side and shall be located in such a manner that does not create a traffic hazard, and;
 - f. Changeable letter boards may make up no more than 20% of the area of a freestanding sign.

5. Screening. To create an attractive environment and visually screen land uses that are not fully compatible, the following standards shall apply to all development within the mixed-use zone:

- a. Service entrances and/or loading areas. All service entrances, loading areas and spaces must be screened from the abutting property and view from a public street. Such screening shall consist of a minimum five foot wide planting strip consisting of trees, decorative walls and/or landscaping combination that will provide a six foot high barrier;
- b. Dumpsters and trash handling areas. All dumpsters and trash handling areas shall be enclosed and screened from public view. These areas shall be constructed of materials and colors compatible with those of the primary buildings. Chain link fencing (with or without slats) is not permitted;
- c. No articles, materials, trash, equipment or inoperable vehicles shall be stored or kept in the open or be visible from the street, ingress/egress easement, and/or adjacent properties. This limitation does not apply to temporary storage of materials, equipment and supplies needed for the construction of improvements on a site, provided such items are completely removed immediately upon completion of the applicable phase of construction, and;
- d. Utilities. All utilities including electric power, telephone, gas and water shall be located underground. Utilities shall be coordinated with landscape plans to ensure proper screening and landscaping around utility vaults, box transformers, etc.

6. Lighting. Site lighting should serve functional, safety and aesthetic purposes. Site and security lighting shall be designed to enhance the safety and quality of the development. Screening of lights from residential areas and glare from traffic areas shall be required. All site lighting shall be in compliance with the adopted Marana outdoor lighting code.

17-4-26 R-3.5 Residential

A. Purpose. The R-3.5 single-family residential zone is primarily intended as an affordable, compact medium-high density neighbor district. The district shall contain small-lot single-family homes and/or attached units, with not more than one dwelling and customary accessory building upon an individual lot, with a variety of housing sizes and containing a quality design. To ensure high-quality, well designed development, the alternative neighborhood and residential design plan standards set forth in chapter 17-7 shall apply. Except as specifically provided elsewhere in the land development code, any and every building and premises or land in

the R-3.5 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-3.5 zone, exclusively and only in accordance with the regulations set forth in this section.

B. Permitted uses. The following shall be permitted in the R-3.5 single-family residential zone, subject to the development standards contained in this section.

1. One single-family residential detached home of a permanent character placed in a permanent location;
2. Churches, synagogues, and other places of worship;
3. Public parks and playgrounds;
4. Public schools; and,
5. Uses similar to those listed above in this section, as determined by the planning director.

C. Accessory uses. The following accessory buildings and uses may be located on the same lot with a permitted dwelling, provided that any permanent building or structure shall be harmonious with the architectural style of the main building and further provided that all residential accessory uses are compatible with the residential character of the neighborhood:

1. Detached accessory structures, such as tool sheds, patios and cabanas, noncommercial hobby shops, children's playhouses, etc.;
2. Swimming pools, spas, and related structures;
3. Garage, carport or enclosed storage;
4. Sports courts, unlighted;
5. Fences and walls;
6. Home occupations, with an approved home occupation permit;
7. Community recreation uses, including sports courts, swimming pools, spas, recreation buildings, patio shelters and other community facilities common to a homeowner's association, for a specific subdivision;
8. Community identification, entry monuments, community design elements, and other enhancements common to a homeowner's association, and designed for a specific subdivision; and,
9. Model homes, within an approved subdivision.

D. Conditional uses. The following may be permitted subject to conditional use permits provided for in section 17-3-2.

1. Day care center;
2. Private schools;

3. Group homes; and
 4. Upon annexation and translation of county zoning, any use or uses and densities that were permitted on the annexed property under the county zoning at the time of annexation (see section 17-3-2(P)).
- E. Temporary uses. The following may be permitted for a specified time period, subject to Section 17-3-3: temporary sales trailer, within an approved subdivision.
- F. Prohibited uses. Uses prohibited in the R-3.5 district are as follows:
1. Commercial uses, except those specifically permitted; and,
 2. Industrial uses.
- G. Property development standards—generally. The property development standards set forth in this section shall apply to all land, structures and buildings in the R-3.5 zone.
1. Lot area. The minimum lot size shall be 3,500 square feet.
 2. Lot dimensions.
 - a. Width. Lots shall have a minimum width of thirty-five (35) feet.
 - b. Depth. Lots shall have a minimum depth of seventy-five (75) feet.
 3. Minimum front, side and rear yards (setbacks)
 - a. The required front yard (setback) where front entry garages are recessed ten feet or more from the livable portion of the dwelling, front setbacks may be reduced to ten feet, except where garages open or face directly onto an abutting street, in which case the garage setback shall be a minimum of 20 feet. A maximum of 50% of the lots may have a reduced setback, with the balance of the setbacks being twenty feet or greater.
 - b. The required side yard (setback) shall be a minimum of five feet, with a street side yard (setback) having a minimum of ten feet.
 - c. The required rear yard (setback) shall be a minimum of ten feet.
 4. Building separation. A minimum setback of five feet shall be maintained from the rear and side property lines for a patio structure that is open and unenclosed on three sides, as measured to the structure.
 5. Building heights. Buildings and structures erected in this zone shall have a height not greater than two-stories or 30 feet.

6. Lot coverage. The maximum allowable lot coverage by buildings and structures shall not exceed 75% of the total lot area.
7. Underground utilities. All on-site utilities shall be placed underground on the site.
8. Multi-story dwellings. No more than 60% of the homes may be two stories.
9. Location. This district shall be located in areas where neighborhood shopping, schools, parks and/or other community services are planned or existing within one-half mile.