



MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING
NOTICE AND AGENDA

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, January 25, 2023, at or after 6:00 PM

Thomas Schnee, Chairman
Ronald Hill, Vice Chair
David Bowen, Commissioner
Don Duncan, Commissioner
John Flint, Commissioner
John McIntyre, Commissioner
Joseph Parsons, 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 January 25, 2023, at or after 6:00 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 6:00 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 inside 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 inside 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.

Public Comments

Please 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 Planning Commission Meeting Summary Minutes of November 30, 2022.**
- B. Public Hearings**
 - 1. PCM2301-002: Revising Marana Town Code Title 17 (Land Development), Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and Rezoning)**
Recommendation to the Town Council regarding a revision to Marana Town Code Title 17 (Land Development), Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and Rezoning) to add provisions relating to a citizen review process for rezoning applications. (Steve Cheslak)
- 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**

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).

RESIGNATION OF COMMISSIONER DON DUNCAN

ADJOURNMENT

Planning Commission Regular Meeting

Meeting Date: 01/25/2023

To: Planning Commission

From: Terri Byler, Executive Assistant

Date: January 25, 2023

Strategic Plan Focus Area:

Subject: Approval of the Planning Commission Meeting Summary Minutes of November 30, 2022.

Discussion:

Staff Recommendation:

Suggested Motion:

Attachments

Planning Commission Meeting Summary Minutes of November 30, 2022



**MARANA PLANNING COMMISSION
REGULAR COMMISSION MEETING**

11555 W. Civic Center Drive, Marana, Arizona 85653
Council Chambers, November 30, 2022, at or after 6:00 P.M.

Thomas Schnee, Chairman
Ronald Hill, Vice Chair
David Bowen, Commissioner
Don Duncan, Commissioner
John Flint, Commissioner
John McIntyre, Commissioner
Joseph Parsons, Commissioner

SUMMARY MINUTES

CALL TO ORDER

Chairman Schnee called the meeting to order at 6:00 PM.

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

ROLL CALL

Chairman Schnee directed the Planning Commission secretary to call roll. All commission members were present. The Planning Commission secretary stated a quorum was present.

CALL TO THE PUBLIC

APPROVAL OF AGENDA

Commissioner Flint moved to approve the agenda as presented. Commissioner McIntyre seconded the motion. Motion passed, 7-0.

ANNOUNCEMENTS

GENERAL ORDER OF BUSINESS

Approval of the Regular Planning Commission Meeting Summary Minutes of October 26, 2022.

Commissioner Flint moved, and Vice Chair Hill, seconded the motion approving the minutes. Motion passed, 7-0.

PUBLIC HEARING

1. **PCM2210-001 Willow Ridge Zoning Ordinance Condition Modification;** A request for a recommendation to the Town Council approving a modification of a rezoning condition of Marana Ordinance No. 2004.07, which rezoned approximately 104.6 acres of land generally located along the south side of Cortaro Farms Road east of Hartman Lane, to remove a rezoning condition that prohibits two-story construction within 300 feet of Cortaro Farms Road as it applies to Block C of the Final Block Plat for Willow Ridge, a 3.81-acre parcel located at the southeast corner of Cortaro Farms Road and Sandy Desert Trail (Brian D. Varney)

Senior Planner Brian Varney presented on this item. **Mr. Varney** noted this is a request to modify the rezoning condition of Ordinance No. 2004.07; to allow two-story development within 300 feet of Cortaro Farms Road. The site, known as Willow Ridge Block "C", is approximately 3.81 acres and sits on the SEC of Cortaro Farms Road and Sandy Desert Trail. Current zoning is NC (Neighborhood Commercial) and R-16 (Residential.)

Marana Ordinance No. 2004.07 - Condition No. 6 states: 'No two-story construction shall be provided within three hundred (300) feet of Cortaro Farms Road on the north and along the westerly property line, as delineated in the site analysis and tentative development plan.' The applicants request a modification to Condition No. 6, only as it applies to their property, to allow two-story construction on all of the, 3.81 acre parcel.

Chairman Schnee opened the public hearing at 6:05 PM.

Chairman Schnee closed the public hearing at 6:05 PM.

Chairman Schnee had no concerns with the request. **Commissioner Bowen** felt it was a good project and had no concerns with the applicants' request. No further comments from the Commission.

Motion to approve, subject to the recommended conditions by Chairman Schnee, seconded by Commissioner Bowen. Motion passed, 7-0.

2. **PCZ2211-001 Willow Ridge Block C Rezoning;** A request for a recommendation to the Marana Town Council for approval to rezone approximately .51 acres of land from R-16 (Residential) to NC (Neighborhood Commercial). The rezoning area is generally located south of Cortaro Farms Road and east of Sandy Desert Trail within a portion of Section 25, Township 12S and Range 12E. (Brian D. Varney)

Senior Planner, Brian Varney and Robin Large; Lazarus & Silvyn presented on this item.

The proposal is to delete Condition #6; "No two-story construction shall be provided within three hundred (300) feet of Cortaro Farms Road...as delineated in the site analysis and tentative development plan," while complying with Condition #7; "Building heights shall be restricted to 24' within the NC zone."

Chairman Schnee opened the public hearing at 6:15 PM.

Chairman Schnee closed the public hearing at 6:15 PM.

There were no concerns or questions from the Commission.

Motion to approve, subject to the recommended conditions by Chairman Schnee, seconded by Commissioner Flint. Motion passed, 7-0.

3. PCZ2207-0001 Wentz 154 Rezone; A request for a recommendation to the Marana Town Council for approval to rezone approximately 154.5 acres of land from A - Small Lot Zone to R-4 (Residential) located between W Marana Rd and W Grier Rd, east of N Wentz Rd in the SW1/4 of Section 20, Township 11S, Range 11E. (Scott S. Radden)

Senior Planner, Scott Radden and Keri Silvyn; Lazarus and Silvyn presented on this item.

The proposed development is adjacent to the Marana Towne Center Specific Plan and just south of the Ranch House Specific Plan. The current zoning is A - Small Lot Zone and the proposed zoning is R-4. The project is within the Town's central-growth area. Access to the development will be off of Marana Road and Wentz Road. Over 20 acres of community open space; as well as pedestrian and bicycle trails are proposed. The applicant has agreed to all of the conditions in the staff report.

Chairman Schnee opened the public hearing at 6:24 PM.

Chairman Schnee closed the public hearing at 6:24 PM.

Chairman Schnee liked the 400 sq. ft. of recreational space per unit and the overall look of the project. No further comments from the Commission.

Motion to approve, subject to the recommended conditions by Chairman Schnee seconded by Commissioner McIntyre. Motion passed, 7-0.

4. A request for a recommendation to the Marana Town Council for approval of a minor amendment to the Marana 2040 General Plan to provide that proposed major amendments to the general plan shall be presented at a public hearing within twelve months of when the amendment is proposed (Jane Fairall)

Town Attorney, Jane Fairall presented on this item. **Ms. Fairall** noted this is a minor amendment to the General Plan to conform to a state law change that occurred in the last legislative session. The current General Plan provides that the Town Council may only consider major amendments to the General Plan, once a year at a single public hearing. The language has been changed slightly in state law to state that major amendments to the General Plan should be presented in a public hearing within 12 months of the proposal being made.

Chairman Schnee opened the public hearing at 6:28 PM.

Chairman Schnee closed the public hearing at 6:28 PM.

No questions or comments from the Commission.

Motion to approve, subject to the recommended conditions by Chairman Schnee, seconded by Commissioner Flint. Motion passed, 7-0.

COMMISSION ACTION

INFORMATIONAL ITEMS/POSSIBLE ACTION ITEMS

Discussion of and possible rescheduling or cancellation of the December 28, 2022 Planning Commission Meeting.

Due to lack of items, Chairman Schnee made a motion to cancel the December 28, 2022 Planning Commission meeting, seconded by Commissioner Flint. Motion passed, 7-0.

FUTURE AGENDA ITEMS

ADJOURNMENT

Chairman Schnee asked for a motion to adjourn the meeting.

Commissioner Flint moved to adjourn the meeting. The motion passed, 7-0. The meeting adjourned at 6:30 PM.

CERTIFICATION

I hereby certify that the foregoing are the true and correct minutes of the Marana Planning Commission meeting held on November 30, 2022. I further certify that a quorum was present.



Terri Byler, Planning Commission Secretary

Planning Commission Regular Meeting

Meeting Date: 01/25/2023

To: Planning Commission

From: Steven Cheslak, Principal Planner

Date: January 25, 2023

Strategic Plan Focus Area:

Not Applicable

Subject: PCM2301-002: Revising Marana Town Code Title 17 (Land Development), Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and Rezoning) Recommendation to the Town Council regarding a revision to Marana Town Code Title 17 (Land Development), Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and Rezoning) to add provisions relating to a citizen review process for rezoning applications. (Steve Cheslak)

Discussion:

The proposed revisions would add provisions to Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and Rezoning) of the Town Code regarding a citizen review process for all rezoning and specific plan applications that require a public hearing as required in Arizona Revised Statutes section 9-462.03.

A.R.S. §9-462.03. Amendment procedure

A. The governing body of the municipality shall adopt by ordinance a citizen review process that applies to all rezoning and specific plan applications that require a public hearing. The citizen review process shall include at least the following requirements:

- 1. Adjacent landowners and other potentially affected citizens will be notified of the application.*
- 2. The municipality will inform adjacent landowners and other potentially affected citizens of the substance of the proposed rezoning.*
- 3. Adjacent landowners and other potentially affected citizens will be provided an opportunity to express any issues or concerns that they may have with the proposed rezoning before the public hearing.*

B. A zoning ordinance that changes any property from one zone to another, that imposes any regulation not previously imposed or that removes or modifies any such regulation previously imposed must be adopted following the procedure prescribed in the citizen review process and in the manner set forth in section 9-462.04.

It has been determined that since the Town does not have codified language addressing A.R.S. §9-462.03, revising Marana Town Code Chapter 17-3 to add a citizen review process as set forth by ordinance (attached to this report) is in the best interests of the Town and its residents. The revisions to Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and Rezoning) includes a new paragraph C that states:

Section 17-3-1 Amendment and rezoning

No revisions to paragraphs A or B.

C. Citizen review process. After submission of an application for a rezoning to the town and before the planning commission holds a public hearing on the matter, the applicant and the town shall comply with the citizen review process set forth in this paragraph.

- 1. The applicant shall mail written notice of the application to all owners of property located within 300 feet of the subject property and to any other persons reasonably determined by the planning manager to be potentially affected citizens. All distances shall be measured from the property lines of the subject property.*
 - a. The written notice shall provide a general explanation of the substance of the proposed rezoning, and shall provide notice of the date, time, and location of a*

- neighborhood meeting to discuss the application.*
- b. The applicant shall mail the written notice by first class mail at least 15 days prior to the neighborhood meeting.*
- 2. The applicant shall hold the neighborhood meeting, noticed as provided in subparagraph 1, a minimum of 15 days prior to the planning commission public hearing.*
- 3. Following the neighborhood meeting, the applicant shall submit to the planning manager a meeting summary that includes:*
- a. Copies of the written notice required by subparagraph 1 and of the mailing list for the notice*
 - b. A list of the people in attendance at the meeting*
 - c. A description of the issues that were raised and a summary of the discussion*
- 4. The town shall post a sign on the subject property at least 15 days prior to the planning commission public hearing. The town will ensure that the sign complies with design standards specified by the town and is placed in a conspicuous location. The town will incorporate the costs associated with the sign posting into the town's fees for rezoning applications, as set forth in the comprehensive fee schedule approved by the council and amended from time to time.*
- 5. The planning manager may authorize an alternative citizen review process for translational, non-site analysis rezoning applications, and other similar rezoning applications deemed appropriate for the alternative process by the planning manager, as long as the alternative process meets the requirements of A.R.S. §9-462.03.*

No revisions to existing paragraphs C and D which are re-lettered as paragraphs D and E.

Town staff is proposing an effective date of July 1, 2023, to allow time to revise the Town's comprehensive fee schedule for rezoning applications to account for the sign costs, and to procure a supply of signs to have on hand when the new provisions go into effect.

Staff Recommendation:

Staff recommends that the Planning Commission forward the proposed amendment to Marana Town Code, Title 17 "Land Development" to the Town Council with a recommendation for approval.

Suggested Motion:

I move to recommend to the Town Council approval of PCM2209-003, amending Chapter 17-3 "Administration and Enforcement" of the Marana Town Code.

Attachments

Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and Rezoning)
Draft Ordinance for Section 17-3-1 Citizen Review Process for Rezoning
ARS section 9-462.03

17-3-1 Amendment and rezoning

A. Application

1. Any person may request an amendment of the text of this land development code by filing a written application with the development services department.
2. An owner of real property within the town, or that owner's authorized representative, may apply for a rezoning of that property by filing a written application with the development services department.

B. Rezoning. The town has three broad rezoning categories:

1. Translational or non-site analysis rezoning: A simplified rezoning with flexible application requirements for any rezoning that does not require a site analysis as described in subparagraph 2 below.
2. Site analysis rezoning: A rezoning used in all of the following circumstances:
 - a. When property is to be developed for more than one non-residential use or on multiple lots.
 - b. When property is to be developed with more than three lots for single- family residential use.
 - c. When property is to be developed for multi-family residential use.
3. Specific plan: A specific plan, as defined in section 17-1-6(A), contains unique development and design standards specific to a rezoning site on a parcel of five acres or more, with either single-or multi-phased development. See section 17-4-15 for further requirements regarding specific plans.

C. Procedures

1. Before any application for a text amendment or rezoning is accepted by the development services department, the applicant shall submit an application for a pre-application meeting. The purpose of the pre-application meeting is to discuss, in general, the procedures and requirements for an amendment request pursuant to this section.
2. All applications shall follow the requirements defined in the town's applications, checklists, and process guides on file with the development services department. The planning manager may waive the requirement to provide any information required by an application, checklist, or process guide by making a written finding specifying the reasons the information is not needed for a thorough review of the proposed amendment or rezoning. The waiver shall be included in the materials submitted to the planning commission and the council.
3. The planning commission shall hold a public hearing on the application and shall recommend to the town council approval, approval with conditions, or denial of the rezoning or text change. Prior to the public hearing, public notice shall be given in the manner provided in A.R.S. § 9-462.04 (A).
4. After the public hearing before the planning commission, the planning manager shall schedule the application for hearing before the town council.
5. The town council shall hold a public hearing on the application and shall approve, approve with conditions, or deny the rezoning or text change. Prior to the public hearing, public notice shall be given in the manner provided in A.R.S. § 9-462.04(A).
6. When a rezoning application is accompanied by an application for a conditional use permit applications may be processed and reviewed concurrently.
7. If the proposed rezoning is inconsistent with the land use designation in the general plan, an application for an amendment to the general plan shall be submitted by the applicant in accordance with the requirements of the general plan. Amendments to both the official zoning map and the general plan may be considered concurrently.

D. Approval criteria. The planning commission and town council shall consider the following, at a minimum, in reviewing an application for a rezoning:

1. Any change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, and development;
2. The degree to which the proposed zoning will benefit the community; whether there will be benefits derived by the community, or area, by granting the proposed rezoning;
3. Whether the proposed rezoning is compatible with the surrounding area or whether there will be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new use will generate such an excessive storm runoff, water, air, or noise pollution, excessive nighttime lighting, or other nuisances;
4. Whether the proposal conforms with and is in furtherance of the implementation of the goals and policies of the general plan, other adopted plans, and the goals, objectives and policies of this land development code, and other town regulations and guidelines, including goals and policies relating to economic development;
5. The zoning districts and existing land uses of the surrounding properties;

6. Whether the existing and proposed transportation infrastructure is suitable and adequate to serve the traffic anticipated to be generated by the proposed development.

7. Whether the existing and proposed utility infrastructure, public facilities, and public services are suitable and adequate to serve the proposed rezoning area;

8. Whether the subject property is suitable for the uses to which it has been restricted under the existing zoning classification;

9. Whether the rezoning is compatible with the adjacent neighborhood, especially residential neighborhood stability and character;

10. If applicable, the length of time the subject property has remained vacant as zoned; and,

11. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs.

Ordinance 2021.010 replaced Section 17-3-1 in its entirety; Ordinance 2022.006 amended Section 17-3-1 B. and D.

MARANA ORDINANCE NO. 2023.XXX

RELATING TO LAND DEVELOPMENT; REVISING MARANA TOWN CODE TITLE 17 (LAND DEVELOPMENT), CHAPTER 17-3 (ADMINISTRATION AND ENFORCEMENT), SECTION 17-3-1 (AMENDMENT AND REZONING) TO ADD PROVISIONS RELATING TO A CITIZEN REVIEW PROCESS FOR REZONING APPLICATIONS; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS A.R.S. §9-462.03 provides that the governing body of a municipality shall adopt by ordinance a citizen review process that applies to all rezoning and specific plan applications that require a public hearing and sets forth the minimum requirements for the citizen review process; and

WHEREAS the Mayor and Council of the Town of Marana find that revising Marana Town Code Chapter 17-3 to add a citizen review process as set forth in this ordinance is in the best interests of the Town and its residents.

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

SECTION 1. Marana Town Code Title 17 (Land Development), Chapter 17-3 (Administration and Enforcement), Section 17-3-1 (Amendment and rezoning) is hereby amended as follows (with additions shown with double underlining):

17-3-1 Amendment and rezoning

[No revisions to paragraphs A or B]

C. Citizen review process. After submission of an application for a rezoning to the town and before the planning commission holds a public hearing on the matter, the applicant and the town shall comply with the citizen review process set forth in this paragraph.

1. The applicant shall mail written notice of the application to all owners of property located within 300 feet of the subject property and to any other persons reasonably determined by the planning manager to be potentially affected citizens. All distances shall be measured from the property lines of the subject property.

a. The written notice shall provide a general explanation of the substance of the proposed rezoning, and shall provide notice of the date, time, and location of a neighborhood meeting to discuss the application.

- b. The applicant shall mail the written notice by first class mail at least 15 days prior to the neighborhood meeting.
- 2. The applicant shall hold the neighborhood meeting, noticed as provided in subparagraph 1, a minimum of 15 days prior to the planning commission public hearing.
- 3. Following the neighborhood meeting, the applicant shall submit to the planning manager a meeting summary that includes:
 - a. Copies of the written notice required by subparagraph 1 and of the mailing list for the notice
 - b. A list of the people in attendance at the meeting
 - c. A description of the issues that were raised and a summary of the discussion
- 4. The town shall post a sign on the subject property at least 15 days prior to the planning commission public hearing. The town will ensure that the sign complies with design standards specified by the town and is placed in a conspicuous location. The town will incorporate the costs associated with the sign posting into the town's fees for rezoning applications, as set forth in the comprehensive fee schedule approved by the council and amended from time to time.
- 5. The planning manager may authorize an alternative citizen review process for translational, non-site analysis rezoning applications, and other similar rezoning applications deemed appropriate for the alternative process by the planning manager, as long as the alternative process meets the requirements of A.R.S. §9-462.03.

[No revisions to existing paragraphs C and D which are hereby re-lettered as paragraphs D and E]

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

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. This ordinance shall be effective on July 1, 2023.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA,
Arizona, this _____ day of _____ 2023.

Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

David L. Udall, Town Clerk

Jane Fairall, Town Attorney

9-462.03. Amendment procedure

A. The governing body of the municipality shall adopt by ordinance a citizen review process that applies to all rezoning and specific plan applications that require a public hearing. The citizen review process shall include at least the following requirements:

1. Adjacent landowners and other potentially affected citizens will be notified of the application.
2. The municipality will inform adjacent landowners and other potentially affected citizens of the substance of the proposed rezoning.
3. Adjacent landowners and other potentially affected citizens will be provided an opportunity to express any issues or concerns that they may have with the proposed rezoning before the public hearing.

B. A zoning ordinance that changes any property from one zone to another, that imposes any regulation not previously imposed or that removes or modifies any such regulation previously imposed must be adopted following the procedure prescribed in the citizen review process and in the manner set forth in section 9-462.04.