



Land Development Code

Town of Marana
Arizona

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**TITLE 1
TITLE, INTENT, AND PURPOSE**

Note to Marana Land Development Code users: As of January 15, 2016, Title 1 of the Marana Land Development Code has been recodified as Chapter 17-1 of the Marana Town Code. The following tables provide derivation and deletion information concerning sections previously found in LDC Title 1:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
<i>TITLE 1 TITLE, INTENT, AND PURPOSE</i>	<i>CHAPTER 17-1 TITLE, INTENT, PURPOSE, AND DEFINITIONS</i>
<i>01.01 Title</i>	<i>17-1-1 Title</i>
<i>01.02 Intent and Purpose</i>	<i>17-1-2 Intent and purpose</i>
<i>01.03 Interpretation</i>	<i>17-1-3 Interpretation</i>
<i>01.04 Reference to National or Uniform Codes</i>	<i>Deleted</i>

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>01.04 Reference to National or Uniform Codes</i>	<i>The building code was moved to Town Code Title 7, but this provision was inadvertently retained in the LDC. The LDC administrative clean-up made the LDC part of the Town Code, so deletion of this section removed duplication with Title 7</i>

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**TITLE 2
ADMINISTRATION**

Note to Marana Land Development Code users: As of January 15, 2016, Title 2 of the Marana Land Development Code has been recodified as Chapter 17-2 of the Marana Town Code. The following table provides derivation and deletion information concerning sections previously found in LDC Title 2:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
TITLE 2 ADMINISTRATION	CHAPTER 17-2 ADMINISTRATIVE BODIES AND OFFICERS
<i>02.01 Administration—In General</i>	<i>Deleted</i>
<i>02.01.01 Marana Mayor and Council</i>	<i>Deleted</i>
<i>02.01.02 Adoption of a General Plan</i>	<i>Deleted</i>
<i>02.01.03 Adoption of Zoning, Development, and Building Regulations</i>	<i>Deleted</i>
<i>02.01.04 Approval of Subdivisions and Large Scale Development Plans</i>	<i>Deleted</i>
<i>02.01.05 Set Fees and Manner of Charges</i>	<i>Deleted</i>
<i>02.01.06 Relation to Other Entities</i>	<i>Deleted</i>
<i>02.01.07 Amendments</i>	<i>Deleted</i>
<i>02.02 Planning Commission</i>	<i>17-2-1 Planning commission</i>
<i>02.03 Board of Adjustment</i>	<i>17-2-2 Board of adjustment</i>
<i>02.04 Planning Administrator</i>	<i>17-2-3 Planning director</i>
<i>02.04.01 [Planning Administrator] Powers and Duties</i>	<i>Deleted</i>
<i>02.04.02 [Planning Administrator] Relation to Other Entities</i>	<i>Deleted</i>
<i>02.05 Building Official/Inspector (including all subsections)</i>	<i>Deleted</i>
<i>02.06 Town Clerk (including all subsections)</i>	<i>Deleted</i>
<i>02.07 Town Engineer (including all subsections)</i>	<i>Deleted</i>
<i>02.08 Cultural Resources Preservation Board</i>	<i>17-2-4 Cultural resources preservation board</i>

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>02.01 Administration—In General</i>	<i>This section had no substantive content</i>
<i>02.01.01 Marana Mayor and Council</i>	<i>The role of the Town Council in zoning matters is set forth in the Arizona Revised Statutes. This section oversimplified the Town Council's role.</i>
<i>02.01.02 Adoption of a General Plan</i>	<i>The general plan adoption procedures and implications are fully prescribed by and described in state law. In any event, the general plan is a planning document that does not have the force of law attributed to it in this section.</i>
<i>02.01.03 Adoption of Zoning, Development, and Building Regulations</i>	<i>The Town's zoning authority is set forth in the Arizona Revised Statutes. This section provided no substantive benefit, and by having wording different from state law could be used as a basis for a party to challenge regulations the town adopts that are inconsistent with this section. Building codes are now addressed in Title 7 of the Marana Town Code.</i>

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SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>02.01.04 Approval of Subdivisions and Large Scale Development Plans</i>	<i>The Town's authority over subdivisions is set forth in the Arizona Revised Statutes, and the Town's procedural requirements for subdivisions are found in a separate title of the current LDC (Title 6). The Town no longer uses the "large scale development plans" procedures. This section provided no substantive purpose.</i>
<i>02.01.05 Set Fees and Manner of Charges</i>	<i>By law, the Town Council sets all Town fees and charges. In recent years, all Town fees have been incorporated into the comprehensive fee schedule. Although there was nothing inaccurate about this section, it provided no substantive purpose and could create a conflict with general practice if the Council ever chooses to set fees and charges by ordinance.</i>
<i>02.01.06 Relation to Other Entities</i>	<i>This section was inconsistent with state law and normal Town practice, which provide for the Town Council to consider recommendations by the Planning Commission but do not require the consideration of other officials' recommendations.</i>
<i>02.01.07 Amendments</i>	<i>This section was an oversimplification and misstatement of the adoption process for regulations found in the LDC. The LDC includes regulations adopted under the Town's zoning, subdivision, floodplain, nuisance, and general municipal authority. The procedure applicable to a particular amendment depends on various factors and enabling laws.</i>
<i>02.04.01 [Planning Administrator] Powers and Duties</i>	<i>The duties of the planning director (referred to as the "planning administrator" in the current LDC and as the "zoning administrator" in state statutes) are prescribed by state law, and change from time to time. This section included various duties that have long ago been abandoned, including advising the Town Clerk concerning building permits and processing large scale developments. Although much of the language accurately described what the planning director does, spelling those activities out in the LDC served no useful purpose and could create conflicts if normal Town practice changes over time.</i>
<i>02.04.02 [Planning Administrator] Relation to Other Entities</i>	<i>This section restated the obvious.</i>
<i>02.05 Building Official/Inspector (including all subsections)</i>	<i>Building codes is now addressed in Marana Town Code Title 7. This section was an unnecessary duplication of Title 7 provisions.</i>
<i>02.06 Town Clerk (including all subsections)</i>	<i>The duties of the Town Clerk are addressed in § 3-2-4 of the Marana Town Code. This section was an unnecessary duplication of that section.</i>
<i>02.07 Town Engineer (including all subsections)</i>	<i>The duties of the Town Engineer are addressed in § 3-2-5 of the Marana Town Code. This section was an unnecessary duplication of that section.</i>

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**TITLE 3
DEFINITIONS**

Note to Marana Land Development Code users: As of January 15, 2016, Title 3 of the Marana Land Development Code has been recodified into Title 17 of the Marana Town Code. The following tables provide derivation and deletion information concerning sections previously found in LDC Title 3:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
<i>TITLE 3 DEFINITIONS</i>	<i>Deleted</i>
<i>03.00 General Usage</i>	<i>17-1-4 Definitions</i>
<i>03.01 Definitions "A" thru 03.26 Definitions "Z"</i>	<i>17-1-4 Definitions</i>
<i>03.08 "H" (Home occupation definition, substantive provisions)</i>	<i>17-6-4 Home occupations</i>
<i>03.08 Definitions "H" Home Occupation"</i>	<i>17-6-4 (substantive restrictions only)</i>

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>Title 3 Definitions</i>	<i>The definitions themselves are now found in Chapter 17-1, but this title has been deleted</i>

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**TITLE 4
PLANNING**

Note to Marana Land Development Code users: As of January 15, 2016, Title 4 of the Marana Land Development Code has been deleted as part of the recodification of the Land Development Code into Title 17 of the Marana Town Code. The following table provides deletion information concerning sections previously found in LDC Title 3:

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>Title 4 Planning</i>	<i>All of the sections of this title are deleted, making it unnecessary</i>
<i>04.01 Comprehensive Development Plan 04.01.01 Elements of the Plan 04.01.02 Time Span to be Covered by the Plan 04.01.03 Frequency of Revision</i>	<i>These sections addressed the adoption of a "Comprehensive Development Plan for the Town of Marana." These provisions are now superseded by the Growing Smarter "general plan" required by A.R.S. § 9-461.05, -461.06, and -461.07. These LDC provisions in many cases conflicted or were inconsistent with the Growing Smarter requirements, including the state-mandated plan elements, the time span covered by the plan, and frequency and procedure for revision.</i>
<i>04.01.05 Conformance of Public Lands and Structures to the Plan</i>	<i>This section corresponded to A.R.S. § 9-461.07 (C) but contained language, procedures, and timeframes different from in the statute. To avoid potential confusion and conflicts, this LDC provision was deleted.</i>
<i>04.02 Area Development Plans</i>	<i>There is nothing under the Growing Smarter statutes that would prohibit the division of the general plan into smaller geographic area plans. But the Town's current general plan covers the entire town limits and beyond, and the Town's currently established practice is not to adopt area plans (other than specific plans, which are addressed elsewhere). So this unnecessary LDC provision was deleted.</i>
<i>04.03 Subject Development Plans</i>	<i>The Town does not use "subject development plans" or "specific subject plans," which were described in this former section as plans that "involve detailed planning for any one or more of the elements contained in the Comprehensive Plan" which "must be in conformance with the Comprehensive Development Plan but may be in greater detail and may be concerned with only a portion of the Town." This unnecessary LDC provision was deleted.</i>
<i>04.04 Annual Budget Planning</i>	<i>This provision described a budget planning process and schedule that is not currently used by the Town. In any event, this level of internal administrative practice is not recommended for inclusion in the reformatted LDC administrative provisions.</i>

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SECTION NUMBER AND TITLE	REASONS FOR DELETION
<p>04.05 Development Agreements 04.05.01 Purpose and Intent 04.05.02 Authorization 04.05.03 Procedure for Development Agreement</p>	<p><i>These provisions called for the adoption of development agreements through a legislative hearing process, identical in substance to the process used to adopt a rezoning or specific plan. These sections were originally adopted in 1995 by Ordinance 95.02. At that time, zoning practitioners were concerned that development agreements might be used to grant zoning entitlements. To protect against zoning entitlements being granted without compliance with the statutorily-mandated notice and hearing requirements for zoning actions, these LDC sections used the zoning adoption procedure. Standard Town practice is to adopt zoning entitlements by rezoning or specific plan, and to bring forward a development agreement consistent with the rezoning or development plan. So the rigorous procedures of these sections were unnecessary. They also conflicted with the general requirements for development agreements under A.R.S. § 9-500.05, and created confusion each time a development agreement was processed in the Town.</i></p>
<p>04.05.04 [Development Agreement] Fees</p>	<p><i>All fees are now addressed in the Town's comprehensive fee schedule. The provision of this section of the LDC that called for payment of additional funds as necessary to cover "actual administrative costs" appeared to give more flexibility for fees than allowed by current state law (A.R.S. §§ 9-463.05 and 9-499.15).</i></p>
<p>04.05.05 Coordination of Development Agreement Application with Other Discretionary Approvals</p>	<p><i>This section provided for the simultaneous consideration of a development agreement with its associated rezoning, specific plan, conditional use permit, or other development process. Although this is the Town's normal current practice, this provision was essentially an administrative rule that added no substantive benefit or clarification to the process.</i></p>
<p>04.05.06 [Effect of a Development Agreement on] Existing and Subsequently Adopted Town Ordinances, Policies, Rules and Regulations</p>	<p><i>The main purpose for a development agreement is to define the extent to which zoning entitlements are affected by later-adopted requirements. This LDC section established a rule that applied "unless otherwise provided by the development agreement...." All development agreements adopted to date have addressed this subject, so this provision has had no practical effect. In any event, this provision was an unnecessary restatement of the general law of zoning.</i></p>
<p>04.05.07 [Development Agreements;] Subsequently Adopted State and Federal Laws</p>	<p><i>This section required development agreements to be modified or suspended as necessary to comply with state and federal laws. This was a restatement of the general law of development agreements, and was unnecessary. In any event, the Town's standard development agreement template covers this issue.</i></p>
<p>04.05.08 Periodic Review, Termination or Modification [of Development Agreements]</p>	<p><i>This section required the Town to review development agreements every 12 months, required the owner of property subject to a development agreement to "demonstrate good faith compliance with the terms of the development agreement" at each review, and allowed the Town Council to terminate or modify the agreement unilaterally if it determined non-compliance. These procedures were inconsistent with current practice and state law.</i></p>

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SECTION NUMBER AND TITLE	REASONS FOR DELETION
04.05.09 Amendment or Cancellation of [Development] Agreement	<i>This section was an unnecessary restatement of a basic tenet of contract law—that an agreement may be modified by mutual consent of the parties.</i>
04.05.10 Enforcement [of Development Agreement]	<i>This section was another unnecessary restatement of a basic tenet of contract law—that any party to the agreement may enforce it.</i>
04.06 Reimbursement for Public Improvements (including all subsections)	<i>These sections were adopted as an alternative to the Town’s adoption of development impact fees. They purported to allow the Town and a developer to enter into an arrangement which would allow the developer to be reimbursed by other benefitting property owners for oversizing of public infrastructure. Current state law prohibits the Town from imposing any development fee on a benefited property owner for public infrastructure without first complying with the development impact fee statute, A.R.S. § 9-463.05. Any developer reimbursement must now be consistent with that statute. These sections were deleted as inconsistent with the statute and not in use by the Town.</i>

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**TITLE 5
ZONING**

SECTIONS:

05.01	Establishment of Zones
05.02	Regulations Within Zones A-E
05.03	Significant Land Use Change (Applies only to Zones A-E)
05.04	[Reserved]
05.05	[Reserved]
05.05.08	Manufactured Homes in Zone A, B, & C
05.06	Zone F – Specific Plans
05.10	New Zones Established

05.01 Establishment of Zones

Zones A-E, reflected in Sections 05.01.01 through 05.02.05, and the procedures relating to these zones, found in Sections 05.03.01 through 05.03.06 inclusive, apply only to those lands so zoned. The zones found in Sections 05.10 through 05.12, and the procedures relating to those zones found in Sections 05.20 et seq. apply to all lands so zoned.

05.01.01 Zones A-E Established

Prior to April 6, 1993, the Town of Marana was divided into five zones. These zones were as follows: Zone A, Small Lot Zone; Zone B, Medium Sized Lot Zone; Zone C, Large Lot Zone; Zone D, Designated Flood Plain Zone; and Zone E, Transportation Corridor Zone. These zones shall remain in place until reclassified by the property owner, or the Town. Subsequent to April 6, 1993, the Town of Marana established a new set of zones and criteria for those zones which are reflected in Section 5.10 through 5.12, inclusive.

05.01.02 [Reserved]

05.01.03 Official Zone Map

The location and boundaries of each of the zones shall be shown on the Official Zone Map of the Town of Marana, and said map is hereby declared to be an official record and a part of this Code. Whenever amendments or changes are made in zone boundaries, such amendments or changes shall be made by ordinance and recorded on the official zone map promptly. Regardless of the existence of purported copies of the Official Zone Map, which may from time to time be made or published, the Official Zone Map that shall be located in the Office of the Planning Department shall be final authority in determining current zoning status.

05.02 Regulations Within Zones A-E

05.02.01 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 and is consistent with the Significant Land Use Change procedure described in Section 05.03. of this Code. Significant Land Use Change approval is not required to establish a use permitted in the Neighborhood Commercial (NC) zone, section 05.11.02, 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 of Marana by this or any other Ordinance of the Town of Marana 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 in accordance with the provisions for Significant Land Use Change contained in Section 05.03 of this Code 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.

05.02.02 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 and is consistent with the Significant Land Use Change Procedure described in Section 05.03 of this Code. This is not to be construed, however, to permit any land use that may be expressly prohibited within the Town of Marana by other ordinances of the Town of Marana, 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 in accordance with the Significant Land Use Change Procedure described in Section 05.03 of this Code 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.

05.02.03 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 and is otherwise consistent with the Significant Land Use Change procedures as described in Section 05.03 of this Code. This is not to be construed, however, to permit any land use that may be expressly prohibited within the Town of Marana by other sections of this Code other ordinances of the Town of Marana, 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.

05.02.04 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.

05.02.05 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 General Plan of the Town of Marana and the Significant Land Use Change Procedure described in Section 05.03. of this Code. This is not to be construed, however, to permit any land use that may be expressly prohibited within the Town of Marana by other sections of this Code, by other ordinances of the Town of Marana, 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.

05.02.06 Medical Marijuana Dispensary in Zones A E

- A. Any medical marijuana dispensary proposed in Zones A-E is subject to the conditional use permit procedure set forth in Section 10.10 and subject to requirements found in Section 08.08.
- B. A medical marijuana dispensary in Zones A-E shall not be subject to the Significant Land Use Change process.

05.03 Significant Land Use Change (Applies only to Zones A-E)

The intent and purpose of this section is to establish a procedure for requesting and processing a Significant Land Use Change for property in Zones A, B, C, D, and E. A land use change allowed as provided in this section shall be granted to the applicant owner or lessee ("applicant") and shall run with the land. If the Significant Land Use Change is not implemented within one year, the Town Council may, after 15 days' notice to the landowner, void the Significant Land Use Change.

05.03.01 Notification of Intended Land Use Change

Upon submission of an application for a Significant Land Use Change, the Town shall give notice of the desired use by first class mail in writing to those persons identified as having a fee title property interest in all Nearby Land, the Marana Town Clerk, and the individual members of the Marana Town Council and Marana Planning Commission. All letters of notification shall include the following:

- 1. a location map showing the street address, the lot or parcel, and the immediately adjacent uses,

2. a scaled site plan showing lot dimensions, lot area, setbacks, existing and proposed buildings, building height, parking and loading areas and driveways, septic systems and walls or fences,
3. a complete description of the proposed use and its operation, number of employees, and automobile and truck traffic volume estimates, and
4. a statement that persons may protest the proposed Significant Land Use Change in writing to the Town Clerk within 35 calendar days of the date of the letter of notification.

05.03.02 Protest

If a member of the Town Council or Planning Commission who does not have a substantial interest as defined in Arizona Revised Statutes section 38-502, or if any fee title owner of real property located immediately adjacent to the lot or parcel for which a Significant Land Use Change has been proposed, or if 25% of the owners of Nearby Land protest the proposed Significant Land Use Change in writing to the Town Clerk within 35 calendar days of the date of the notification letter, then the Town Clerk shall notify the applicant in writing within five calendar days after receipt of the protest and the applicant shall proceed per 05.03.03 of this Code. If none of the above situations occur, or if the protest is withdrawn within the 35-day period, the Significant Land Use Change is approved, subject to any other requirements imposed on the proposed use.

05.03.03 Response to Protest

If the Town Clerk receives a protest of the type set forth in 05.03.02 of this Code, the applicant shall present rebuttal to the said protests before the Planning Commission at a public hearing that shall be scheduled as soon as practicable after receipt of the protest.

05.03.04 Notice of Public Hearing

Notice of the time and place of a public hearing before the Planning Commission or Town Council, including a general description of the matter to be considered as well as a description of the parcel for which a Significant Land Use Change has been proposed shall be given at least 15 calendar days prior to the hearing by first class mail to each person identified as having a fee title property interest in the Nearby Land, and by publication at least once in a newspaper of general circulation published or circulated within the Town of Marana.

05.03.05 Decision by the Planning Commission

The Planning Commission shall weigh the merits of the proposed Significant Land Use Change and either approve the land use change or deny such approval, or grant approval based on any reasonable adjustment or compromise that is acceptable to both the applicant and the majority of the Planning Commission. Where 25% or more of the owners of the Nearby Land have protested the proposed Significant Land Use Change, approval of the change must be made by a three-fourths vote of those Planning Commission members present and eligible to vote.

05.03.06 Appeal from the Decision of the Planning Commission

The applicant, the member (or members) of the Town Council who submitted a written protest under 05.03.02, the fee title owner (or owners) of adjacent real property who submitted a written protest under 05.03.02, or any one of the 25% of the owners of Nearby Land who submitted a written protest under 05.03.02 may appeal the decision of the Planning Commission to the Town Council. Such appeal must be made in writing to the Town Clerk within five working days of the

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rendering of the decision by the Planning Commission. When such a notice of appeal has been submitted to the Town Clerk, it will be brought as a public hearing before the Town Council as soon as practicable. The Town Council shall then confirm or modify or reverse the decision of the Planning Commission. Where 25% or more of the owners of the Nearby Land have protested the proposed Significant Land Use Change, an approval of the change must be made by a three-fourths vote of those Town Council members present and eligible to vote.

05.04 & 05.05 & 05.05.01 thru 05.05.07 [Reserved]

Note to Marana Land Development Code users: As of January 15, 2016, Sections 05.04 and 05.05 (except subsection 05.05.08) of the Marana Land Development Code have been recodified into Chapter 17-6 of the Marana Town Code or deleted. The following tables provide derivation and deletion information regarding these sections:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
<i>05.04 Nonconforming Structures and Land Uses</i>	<i>17-6-1 Nonconforming structures and land uses</i>
<i>05.05 Relationships to Streets, Other Structures, and Other Property</i>	<i>17-6-2 Relationships to streets, other structures, and other property</i>
<i>05.05.01 Clear View of Intersecting Streets</i>	<i>17-6-2.A [Clear view of intersecting streets]</i>
<i>05.05.02 Effect of Street Plan</i>	<i>17-6-2.B [Effect of street plan]</i>
<i>05.05.03 Animal-Keeping Structures and Fencing</i>	<i>Deleted</i>
<i>05.05.04 Drainage of Surface Waters</i>	<i>Deleted</i>
<i>05.05.05 Pollution Prohibited</i>	<i>17-6-3 Sewage sludge restriction (sewage sludge provision only; the balance has been deleted)</i>
<i>05.05.06 Off-Street Parking</i>	<i>Deleted</i>
<i>05.05.07 Motor Vehicle Access</i>	<i>Deleted</i>

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>05.05.03 Animal-Keeping Structures and Fencing</i>	<i>This section simply cross-references the development standards of Section 08.04 of the current LDC.</i>
<i>05.05.03 Animal-Keeping Structures and Fencing</i>	<i>This provision simply cross-references the requirements of LDC section 08.04 (now found at 17-6-8)</i>
<i>05.05.04 Drainage of Surface Waters</i>	<i>This section prohibits drainage from one lot to another. This is an oversimplification of the law, which generally allows natural surface flows to continue in their natural state. To the extent it is intended to address the general runoff of water from one lot to another, it is already addressed in, and prohibited by Town Code section 14-9-3, relating to utilities.</i>
<i>05.05.04 Drainage of Surface Waters</i>	<i>This is an almost verbatim restatement of LDC subsection 08.03.03, now found at 17-6-2.C</i>
<i>05.05.05 Pollution Prohibited</i>	<i>With the exception of the sewage sludge provision, which has been retained, the balance of this provision was simply a restatement of state and federal law</i>
<i>05.05.06 Off-Street Parking</i>	<i>This section allows off-street parking, vehicle access, and circulation requirements to be added as a condition of any development approval. It is an oversimplified restatement of the more specific authority given under Title 22 (Off-street parking and loading) of the current LDC.</i>

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LAND DEVELOPMENT CODE

SECTION NUMBER AND TITLE	REASONS FOR DELETION
05.05.06 Off-Street Parking	<i>This generic off-street parking provision should have been deleted when the more comprehensive LDC Title 22 (Off-Street Parking and Loading) was adopted in September 1995</i>
05.05.07 Motor Vehicle Access	<i>This section requires that "all commercial, industrial, and quasi-public buildings and structures must be provided access from a public street for motor vehicle access as a condition of zoning compliance." This is an oversimplified restatement of a requirement of the building code, now adopted by Town Code Title 7.</i>
05.05.07 Motor Vehicle Access	<i>This generic requirement for all structures to have access to a street is covered in Town Code Title 7 (Building)</i>

05.05.08 Manufactured Homes in Zone A, B, & C

A manufactured home may be placed on any lot within Zone A, B, or 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 "A" above do not exist, then a manufactured home may be placed on a lot provided the procedure set forth in Section 10.10, Conditional Use Permits are met.

(Ord. 94.18 (part), 12/94)

05.06 Zone F – Specific Plans

05.06.01 Purpose

The purpose of this Title is to provide uniform procedures and criteria for the preparation, review, adoption and implementation of specific plans as authorized by A.R.S. § 9-461.08.

05.06.02 Application

A. Public Hearing.

A public hearing on the proposed specific plan shall be held before the Planning Commission no later than 60 days following the applicant's submittal of a complete specific plan application in accordance with the provisions on Section 05.06.02(G), unless a longer period is agreed to in writing by the applicant (Ord. 89.05 (part), 4/89).

B. Restriction on Application.

1. **Consent.** The written consent of all property owners of record within the proposed specific plan zone shall be required at the time of application submittal.
2. **Area.** The applicant for a mixed use project in excess of 80 acres is encouraged to consider a specific plan, and at the option of the Planning Commission, a specific plan may be required.
3. **Configuration.** A proposed specific plan shall not be allowed which excludes an area within the plan boundary.

C. Submittals.

1. All specific plan applications shall include, at a minimum:
 - a. a completed and signed application on a form prescribed and established by the Planning Administrator;
 - b. a legal description of the property;
 - c. a precise map showing the land to be regulated by the proposed specific plan;
 - d. the written consent of all owners of the real property to be regulated by the specific plan and list, by name and title, of all ownership interests in the real property;
 - e. a letter of authorization for an agent;
 - f. a development capability report (refer to Section 05.06.02.D).
 - g. the specific plan proposed by the applicant for adoption, which shall contain the information described in Section 05.06.02.E.

D. Development Capability Report Requirements.

The development capability report are maps and supporting text summary of the impact of the proposed development on site conditions existing on the land to be regulated by the specific plan that shall address, at a minimum the following:

1. topography and slope analysis;
2. hydrology and water resources;
3. vegetation and wildlife habitat;
4. geology and soils;
5. paleontological and cultural (archaeological and historical) resources;
6. existing structures, roads and other development;
7. existing infrastructure and public services.

E. Specific Plan Requirements.

1. The map elements of the specific plan shall illustrate and identify:
 - a. All land uses;
 - b. Adjacent lots and structures within 150 feet of the plan boundary;
 - c. Open space, recreational facilities, parks and trails;
 - d. Public, educational, health care and religious facilities;
 - e. Drainage plan;
 - f. Name, location and extent of existing or proposed major and collector streets located within the area to be regulated by the specific plan or needed for servicing that area;

of Marana land use plans. In addition, adopted specific plans shall be consistent with the intent and purpose of this Development Code (refer to Title 01.02).

G. Coordination of Review of Application.

The Planning Administrator and the Town Engineer, along with any consultants retained by the Town for the purposes of reviewing the proposed specific plan and advising Town officials and agencies with respect thereto, shall jointly review specific plan applications for the purpose of determining whether such applications are in conformance with the provisions contained in this Section 05.06. The Planning Administrator shall be responsible for advising the applicant in writing within 60 days following submission of a specific plan application of any changes necessary in order to bring the specific plan application into compliance with the provisions of this Section 05.06. Following any resubmittal of the specific plan application, the Planning Administrator shall be responsible for advising the applicant in writing within 30 days following the resubmittal of the application of any further changes necessary in order to bring the application into compliance with the provisions of this Section.

05.06.03 Fees and Fees of Consultants

Non-refundable Specific plan fees are required at the time of the filing of a plan application and are payable to the Town in accordance with the fee schedules adopted by Town Resolution. The Town may require, in addition to the fees above, that the applicant pay all or a portion of the reasonable fees charged by private consultants retained by the Town for the purposes of reviewing the proposed specific plan and advising Town officials and agencies with respect thereto.

05.06.04 Planning Commission Review

A. Public Hearing.

A public hearing on the proposed specific plan shall be held by the Planning Commission no later than 60 days following the applicant's submittal of a complete Specific Plan application in accordance with the provisions of Section 05.06.02 (G), unless a longer period is agreed to in writing by the applicant.

B. Public Hearing Notice to Adjacent Property Owners.

First class mail notification shall be made by the property owner of the specific plan concurrently with the setting of the public hearing before the Planning Commission. The notice shall include at a minimum; a written notice of the availability on the proposed specific plan, b) a map and legal description covered by the proposed specific plan, c) that the proposed specific plan can be reviewed at the Marana Municipal Complex, and d) time, date and location of the public hearing before the Planning Commission. Notice shall be sent to all the property owners of record within the distances described in section 10.04.01 The proposer of the specific plan shall provide the Planning Director with a copy of the list and map used to notify the property owners per this section prior to undertaking the notification.

C. Recommendation by Planning Administrator.

The Planning Administrator and the Town Engineer, along with appropriate staff and any consultant retained by the Town for the purposes of reviewing the proposed specific plan and advising Town officials and agencies with respect thereto, shall jointly review the specific plan application for the purpose of formulating a written recommendation to the Planning

Commission with respect to the proposed specific plan. The recommendation may include, among other factors, discussion of the following:

1. conformance of the proposed specific plan with the Town of Marana General Plan and other applicable land use plans adopted by the Town;
2. assessment of the development capability report described in Section 05.06.02.D.;
3. analysis of the expected impact of the proposed development on the site and surroundings; and
4. special regulations necessary for the proposed specific plan.

The written recommendation shall be prepared by and submitted to the Planning Commission by the Planning Administrator after consultation with the Town Engineer and the consultants, if any, retained by the Town to review the Specific Plan.

D. Availability.

The written recommendation to the Planning Commission prepared by the Planning Administrator shall be available for public inspection at least 10 days prior to the date of the Planning Commission public hearing.

E. Public Notice

Notice of the public hearing before the Planning Commission shall be given with at least 15 days notice in accordance with the provisions of Title 10.02.

F. Public Hearing.

1. After the proper public notice, the Planning Commission shall hold a public hearing on the application, at which interested parties shall be heard.
2. The Planning Commission shall recommend regulations necessary to protect the public health, safety and welfare, and may recommend regulations unique to the plan or specific instructions for plan administration.
3. The Planning Commission may continue the public hearing for its consideration of the proposed specific plan for a definite time not to exceed 30 days, unless a longer period is agreed to by the applicant in writing. The continuance may be agreed to by the applicant in writing. The continuance may be granted by the Planning Commission on its own initiative or at the request of the applicant or affected property owners.
4. The Planning Commission shall transmit a written recommendation on the application to the Town Council in accordance with Paragraph A of Title 10.03.

G. Superseding Effect.

The provisions for this Title 05.06. shall supersede the provisions contained in Title 10.01. insofar as the provisions of Title 10.01. would otherwise apply to a rezoning of property to the Specific Plan Zone.

05.06.05 Town Council Review

A. Public Notice.

Public notice of the Town Council hearing shall be given in the same manner as described in Title 10.02. relating to the giving of notice of a public hearing by the Planning Commission.

1. Public Hearing.

After proper public notice, the Town Council shall hold a public hearing on the application, at which interested parties shall be heard. .

2. The Town Council may continue the public hearing or its consideration of the proposed specific plan for a definite time not to exceed 30 days, unless a longer period is agreed to by the applicant in writing. The continuance may be granted by the Town Council on its own initiative or at the request of the applicant or affected property owners.

3. The Town Council may approve by ordinance the specific plan as submitted by the applicant or with amendments, deletions or additions which promote the public's health, safety, morals and general welfare, or the Town Council may deny the request.

05.06.06 Density Transfer

A. The Planning Administrator in concurrence with the Planning Commission may permit the transfer of densities to more suitable locations within the specific plan provided:

1. The locations and procedures for such transfers are explicitly stated within the specific plan; and

2. The overall density of the specific plan or individual planning area is not exceeded.

B. The specific plan shall designate density donor and recipient areas within which density transfers are permitted. In areas adjacent to uses of similar or less intensity, appropriate buffer areas shall be delineated within an individual specific plan to be designated only as donor areas.

C. The total number of units transferred to a recipient area shall not exceed 20% of the number of dwelling units established for the area; individual specific plans may establish a lower maximum transfer percentage. Any transfer greater than to Section 05.06.07.

05.06.07 Specific Plan Changes

A. Scope

All specific plans shall describe in sufficient detail the criteria and process for amendment, which shall be no less restrictive than the minimum requirements of this Section 05.06.07.

B. Consistency

All specific plan amendments shall be in substantial conformance with the remainder of the specific plan, with the Town of Marana General Plan and with other applicable land use plans that have been adopted by the Town.

C. Procedure

1. The owner or agent of the property may submit to the Planning Administrator a written application to amend one or more of the specific plan regulations;

2. The Planning Administrator shall refer the request to amend with his recommendations to the Planning Commission for noticed public hearing. The Planning Commission shall make its recommendation to the Town Council which after public hearing, shall approve, reject or modify the proposed amendment.

D. Amendments Causing Land Use Changes

No specific plan amendment shall cause the provisions contained in Title 05.03 of this Development Code relating to Significant Land Use Changes to become applicable to property which is regulated by an adopted specific plan.

05.06.08 Specific Plan Report

A. Report

The owner or agent for each adapted Specific Plan shall annually, within 30 days of the anniversary of the Specific Plan approval, submit a written report to the Town of Marana including, but not limited to, the past year's development activity, utility, sewer, water, drainage and street improvement activities, changes in ownership structure, status of sales or leases to others and estimates for the upcoming year in the above categories. (Ord. 91.04, 5/91).

05.10 New Zones Established

Subsequent to April 6, 1993, the Town of Marana established the zones, as amended listed below. These zone classifications will apply to all land zoned subsequent to this date.

05.10.01 AG Agricultural

A. Purpose

The purpose of the Agricultural Zoning District is to protect and preserve agricultural lands and related activities in their present character. The intent of this zone is to protect agricultural lands from development of incompatible land uses and urban encroachment. In addition, the agricultural district is intended for general agricultural purposes, with appropriate single-family residences and customary buildings. Except as specifically provided elsewhere in the Land Development Code, any and every building and premises or land in the AG zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the AG zone exclusively and only in accordance with the regulations set forth in this Section.

B. Permitted Uses

The following shall be permitted in the AG 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. Growing and harvesting of fields, trees or bush's including flowers;
3. Plant nurseries and green houses for the propagation, cultivation and distribution of plants produced on the premises;
4. Apiaries;
5. Aviaries;
6. Kennels;
7. Stables (public or private);
8. Riding arena, rodeo grounds (public or private, lighted or unlighted);
9. Raising of large and small livestock;
10. Raising of ratites;
11. Raising of fowl, rodents and swine;
12. Veterinary clinics (large or small);
13. Public parks and playgrounds; and,
14. Public schools.

C. Accessory Uses

The following accessory buildings and uses may be located on the same lot with a permitted dwelling or allowable agricultural use, provided that any permanent building or structure shall be harmonious with the 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. Corrals, barns and other animal-keeping structures;
6. Fences and walls; and,
7. Home occupations, with an approved Home Occupation Permit.

D. Conditional Uses.

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

1. Communication Facilities, subject to the requirements of Title 23;
2. Utility Facilities;
3. Government buildings and facilities when necessary for serving the surrounding region; provided, that no public business offices and no repair or storage facilities are maintained therein;
4. Veterinary clinics (small or large), pounds and shelters;
5. Cemeteries, crematories and mausoleums;
6. Dairies and feedlots;
7. Livestock Auction Yard
8. Public dog or horse track;
9. Zoo;
10. Accessory living quarters;
11. Modular Home;
12. Residential facilities for non-permanent occupancy including only bed and breakfast establishments, resorts and guest ranches, subject to Section 05.11.07; and,
13. 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

1. Christmas tree lot; and,
2. Produce stand.

F. Prohibited Uses

1. All commercial and business uses, except those specifically permitted;
2. All manufacturing, warehousing and wholesaling, except those specifically permitted;
3. Multiple dwelling units;

4. Recreational vehicle parks and mobile home parks; and,
5. Uses similar to those listed above in this section, as determined by the Planning Administrator.

G. Property Development Standards – Generally:

1. Lot Area.

The minimum lot size per dwelling unit shall be five (5) acres.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of one-hundred seventy-five (175) feet.
- b. Depth. Lots shall have a minimum depth of two-hundred seventy-five (275) feet.

3. Minimum Front, Side and Rear Yards (Setbacks).

- a. **The required front yard (setback)** shall be a minimum of forty (40) feet, except that any front yard (setback) adjacent to an arterial or collector road shall be fifty (50) feet.
- b. **The required side yard (setback)** shall be a minimum of sixty (60) feet.
- c. **The required rear yard (setback)** shall be a minimum of one-hundred (100) feet.

1. 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.

2. Building Heights.

- a. Buildings and structures erected in this zone shall have a height not greater than two-stories or thirty (30) feet, except as otherwise permitted.
- b. Accessory building heights, for agricultural purposes shall be limited to a maximum of fifty (50) feet; all other structures shall be a maximum of the thirty (30) feet.

6. Building Mass.

All two-story structures 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 80% of the GFA of the previous floor. Exemption: buildings used exclusively for agricultural purposes are not required to reduce the gross floor area.

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.

05.10.02 RD-180 Rural Development

A. Purpose

The purpose of the Rural Development Zoning District is to protect and preserve the character and encourage orderly growth of rural areas within the Town. It is intended to encourage rural development in areas of the Town that are lacking in infrastructure for urban development and provide limited services to serve the immediate area. Except as specifically provided elsewhere in the Land Development Code, any and every building and premises or land in the RD-180 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the RD-180 zone, exclusively and only in accordance with the regulations set forth in this Section.

B. Permitted Uses

The following shall be permitted in the RD-180 zone, subject to the Development Standards contained in this section.

1. One single-residence on any lot or parcel, site built or manufactured home;
2. Growing and harvesting of fields, trees or bushes including flowers;
3. Plant nurseries and green houses for the propagation, cultivation and distribution of plants produced on the premises;
4. Farm product stands for materials grown on-site;
5. Public parks and playgrounds;
6. Day care center;
7. Churches, synagogues, and other places of worship;
8. Group homes;
9. Public schools;
10. Raising of large and small livestock;
11. Raising of ratites;
12. Raising of fowl, rodents and swine; and,
13. Uses similar to those listed above in this section, as determined by the Planning Administrator.

C. Accessory Uses

The following accessory buildings and uses may be located on the same lot with a permitted dwelling or allowable agricultural use, provided that any permanent building or structure shall be harmonious with the 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. Aviaries;
6. Kennels;
7. Stables, private;
8. Fences and walls; and,
9. Home occupations, with an approved Home Occupation Permit.

D. Conditional Uses.

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

1. Communication Facilities, subject to the requirements of Title 23;
2. Public Stables;
3. Utility Facilities;
4. Government buildings and facilities when necessary for serving the surrounding region provided that no public business offices and no repair or storage facilities are maintained therein;
5. Veterinary clinics (small or large), pounds and shelters;
6. Cemeteries, crematories and mausoleums;
7. Dairies and feedlots;
8. Riding arena, rodeo grounds (public or private, lighted or unlighted);
9. Livestock Auction Yard
10. Accessory living quarters;
11. Residential facilities for non-permanent occupancy including only bed and breakfast establishments, resorts and guest ranches, subject to Section 05.11.07; and
12. 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 (reserved)

F. Prohibited Uses

1. All commercial and business uses, except those specifically permitted;
2. All manufacturing, warehousing and wholesaling, except those specifically permitted;
3. Apiaries;
4. Multiple dwelling units; and,
5. Recreational vehicle parks and mobile home parks.

G. Property Development Standards – Generally:

1. Lot Area.

The minimum lot size shall be one-hundred eighty thousand (180,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of one-hundred and seventy-five (175) feet.
- b. Depth. Lots shall have a minimum depth of two-hundred and seventy-five (275) feet.

3. Minimum Front, Side and Rear Yards (Setbacks).

- a. **The required front yard (setback)** shall be a minimum of forty (40) feet, except that any front yard (setback) adjacent to an arterial or collector road shall be fifty (50) feet.
- b. **The required side yard (setback)** shall be a minimum of thirty (30) feet.
- c. **The required rear yard (setback)** shall be a minimum of fifty (50) 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 thirty (30) feet, except as otherwise permitted.
- b. Accessory building heights, for agricultural purposes shall be limited to a maximum of fifty (50) feet; all other structures shall be a maximum of the thirty (30) feet.

6. Building Mass.

Any two-story structures 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 80% of the GFA of the previous floor. Exemption: buildings used exclusively for agricultural purposes are not required to reduce the gross floor area.

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.

05.10.03 R-144 Residential

A. Purpose

The purpose of this Zoning District is to protect existing and proposed rural and low density residential uses in areas of the Town where public facilities and utilities may be limited. The intent of this district is to encourage large lot residential subdivisions and to allow for limited residential development in environmentally sensitive areas. Except as specifically provided elsewhere in the Land Development Code, any and every building and premises or land in the R-144 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-144 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-144 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. Public parks and playgrounds;
3. Public schools.
4. Churches, synagogues, and other places of worship; and,
5. Uses similar to those listed above in this section, as determined by the Planning Administrator.

C. 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. Aviaries;
11. Riding arena, rodeo grounds (private, unlighted);
12. Keeping of large and small livestock;
13. Keeping of ratites;
14. Stables, private; and,
15. Corrals, barns, and other animal-keeping structures as accessory to a primary residential use.

D. Conditional Uses

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

1. Plant nurseries and greenhouses;
2. Government buildings and facilities when necessary for serving the surrounding region provided that no public business offices and no repair or storage facilities are maintained therein;
3. Sales stands for the sale of agricultural and horticultural products produced or grown on the premises;
4. Accessory living quarters ;
5. Communication facilities, subject to the requirements of Title 23;
6. Residential facilities for the disabled;
7. Modular Housing;
8. Riding arena, rodeo grounds (private, lighted)
9. Riding arena, rodeo grounds (public, lighted or unlighted);
10. Residential facilities for non-permanent occupancy including only bed and breakfast establishments, resorts and guest ranches, subject to Section 05.11.07;
11. Stables, public;
12. Kennels;
13. Keeping of rodents, fowl and swine;
14. Veterinary clinics (small or large); and
15. 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

1. Christmas tree lot and other seasonal sales; and,
2. Temporary sales offices may be granted for a three (3) year period or until all homes in a subdivision are completed, whichever occurs first. Extensions to the three (3) year time limit may be granted if the property owner can demonstrate that the need for the temporary sales offices and/or model homes continues to exist.

F. Prohibited Uses

1. All commercial and business uses, except those specifically permitted;
2. All manufacturing, warehousing and wholesaling, except those specifically permitted;
3. Multiple dwelling units; and,
4. Recreational vehicle parks and mobile home parks.

G. Site Development Standards:

The property development standards set forth in this section shall apply to all land, structures and buildings in the R-144 zone.

1. Lot area.

The minimum lot size shall be one-hundred forty-four thousand (144,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of one-hundred seventy-five (175) feet.
- b. Depth. Lots shall have a minimum lot depth of two-hundred (200) feet.

3. Minimum Front, Side and Rear Yards (Setbacks)

- a. **The required front yard (Setback)** shall be a minimum of forty (40) feet, except that any front yard (setback) adjacent to an arterial or collector road shall be fifty (50) feet.
- b. **The required side yard (setback)** shall be a minimum of fifty (50) feet.
- c. **The required rear yard (setback)** shall be a minimum of fifty (50) 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 thirty (30) feet, except as otherwise permitted.

- b. Accessory building heights, for agricultural purposes shall be limited to a maximum of fifty (50) feet; all other structures shall be a maximum of the thirty (30) feet.

6. Building Mass.

Any two-story structures 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. Exemption: buildings used exclusively for agricultural purposes are not required to reduce the gross floor area.

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.

05.10.04 R-80 Residential

A. Purpose

The purpose of this Zoning District is to protect existing and proposed rural and low density residential uses in areas of the Town where public facilities and utilities may be limited. The intent of this district is to encourage large lot residential subdivisions and to allow for limited residential development in environmentally sensitive areas. Except as specifically provided elsewhere in the Land Development Code, any and every building and premises or land in the R-80 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-80 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-80 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. Public parks and playgrounds;
3. Public schools;
4. Churches, synagogues, and other places of worship; and,
5. Uses similar to those listed above in this section, as determined by the Planning Administrator.

C. 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. Aviaries;
11. Keeping of small and large livestock;
12. Keeping of ratites;
13. Keeping of fowl, rodents and swine;
14. Riding arena, rodeo grounds (private, unlighted);
15. Stables, private; and,
16. Corrals, barns, and other animal-keeping structures as accessory to a primary residential use.

D. Conditional Uses

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

1. Plant nurseries and greenhouses;
2. Government buildings and facilities when necessary for serving the surrounding region provided that no public business offices and no repair or storage facilities are maintained therein;
3. Sales stands for the sale of agricultural and horticultural products produced or grown on the premises ;
4. Accessory living quarters;
5. Residential facilities for the disabled;
6. Communication facilities, subject to the requirements of Title 23;
7. Modular housing;
8. Riding arena, rodeo grounds (private, lighted);
9. Riding arena, rodeo grounds (public, lighted or unlighted);
10. Residential facilities for non-permanent occupancy including only bed and breakfast establishments; and
11. 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

1. Christmas tree lot and other seasonal sales; and,
2. Temporary sales offices may be granted for a three (3) year period or until all homes in a subdivision are completed, whichever occurs first. Extensions to the three (3) year time limit may be granted if the property owner can demonstrate that the need for the temporary sales offices and/or model homes continues to exist.

F. Prohibited Uses

1. All commercial and business uses, except those specifically permitted;
2. All manufacturing, warehousing and wholesaling, except those specifically permitted;
3. Multiple dwelling units; and,
4. Recreational vehicle parks and mobile home parks.

G. Site Development Standards:

The property development standards set forth in this section shall apply to all land, structures and buildings in the R-80 zone.

1. Lot area.

The minimum lot size shall be eighty-thousand (80,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of one-hundred twenty (120) feet.
- b. Depth. Lots shall have a minimum lot depth of two-hundred (200) feet.

3. Minimum Front, Side and Rear Yards (Setbacks)

- a. **The required front yard (setback)** shall be a minimum of thirty (30) feet, except that any front yard (setback) adjacent to an arterial or collector road shall be forty (40) feet.
- b. **The required side yard (setback)** shall be a minimum of thirty (30) 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 thirty (30) feet, except as otherwise permitted.
- b. Accessory building heights, for agricultural purposes shall be limited to a maximum of fifty (50) feet; all other structures shall be a maximum of the thirty (30) feet.

6. Building Mass.

Any two-story structures 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. Exemption: buildings used exclusively for agricultural purposes are not required to reduce the gross floor area.

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.

05.10.05 R-36 Residential

A. 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.

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 -- 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.

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.

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.

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.

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.

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05.10.06 R-20 Residential

A. Purpose.

The R-20 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-20 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-20 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-20 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.

Residential 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 hose, 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 10.10 of the Land Development Code.

1. Residential facilities for non-permanent occupancy including only bed and breakfast establishments;
2. Day care center;
3. Private schools and other ancillary uses in connection with churches, synagogues, and other places of worship;
4. Group homes;
5. Accessory living quarters;
6. Aviaries; and
7. 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.

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.

Uses prohibited in the R-20 district are as follows:

1. All commercial and business 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-20 zone.

1. Lot area.

The minimum lot size shall be twenty thousand (20,000) 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 twenty-five (25) feet, except where garages open or face directly onto an abutting street in which case the garage setback shall be a minimum of thirty feet (30).
- b. **The required side yard (setback)** shall be a minimum of ten (10) feet, with a street side yard (setback) having a minimum of ten feet.

c. **The required rear yard (setback)** shall be a minimum of twenty (20) feet.

4. Building Separation (Distance Between Structures/Buildings)

- a. The minimum distance between principal (main) buildings shall be fifteen (15) feet.
- b. The minimum distance between a principal (main) building and an accessory building or two accessory buildings shall be ten (10) feet.
- c. Attached Patio Structures: A minimum setback of five (5) feet shall be maintained from the rear and side property lines for a patio structure that is open and unenclosed on three (3) sides, as measured to the structure.

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 requirements found in Section 8.05 and approval of the Town Council.

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.

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05.10.07 R-16 Residential

A. Purpose.

The R-16 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-16 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-16 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-16 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 -- 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; 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 10.10 of the Land Development Code.

1. Day care center;
2. Residential facilities for non-permanent occupancy including only bed and breakfast establishments;
3. Private schools and other ancillary uses in connection with churches, synagogues, and other places of worship;
4. Group homes;
5. Aviaries; and
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 10.10, paragraph P).

E. 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.

Uses prohibited in the R-16 district are as follows:

1. All commercial and business 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-16 zone.

1. Lot area.

The minimum lot size shall be sixteen thousand (16,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of 80 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 Twenty (20) feet, except where garages open or face directly onto an abutting street in which case the garage setback shall be a minimum of twenty-five (25) feet.
- b. **The required side yard (setback)** shall be a minimum of ten (10) feet, with a street side yard (setback) having a minimum of fifteen (15) feet.
- c. **The required rear yard (setback)** shall be a minimum of twenty (20) feet.

4. Building Separation (Distance Between Structures/Buildings)

- a. The minimum distance between principal (main) buildings shall be fifteen (15) feet.
- b. The minimum distance between a principal (main) building and an accessory building or two accessory buildings shall be ten (10) feet.
- c. Attached Patio Structures: A minimum setback of five (5) feet shall be maintained from the rear and side property lines for a patio structure that is open and unenclosed on three (3) sides, as measured to the structure.

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 requirements found in Section 8.05 and approval of the Town Council.

6. Lot Coverage.

The maximum allowable lot coverage by buildings and structures shall not exceed fifty percent (50%) of the total lot area.

7. Underground Utilities.

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

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05.10.08 R-12 Residential

A. Purpose.

The R-12 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-12 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-12 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-12 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 -- 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, 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 10.10 of the Land Development Code.

1. Day care center;
2. Residential facilities for non-permanent occupancy including only bed and breakfast establishments;
3. Private schools and other ancillary uses in connection with churches, synagogues, and other places of worship;
4. Group homes; and
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 10.10, paragraph P).

E. 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.

Uses prohibited in the R-12 district are as follows:

1. All commercial and business uses, except those specifically permitted;
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-12 zone.

1. Lot area.

The minimum lot size shall be twelve thousand (12,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of 75 feet.
- b. Depth. Lots shall have a minimum depth of ninety-five (95) feet.

3 Minimum Front, Side and Rear Yards (Setbacks)

- a. **The required front yard (setback)** shall be a minimum of twenty (20) feet, except where garages open or face directly onto an abutting street in which case the garage setback shall be a minimum of twenty-five (25) feet.
- b. **The required side yard (setback)** shall be a minimum of ten (10) feet, with a street side yard (setback) having a minimum of fifteen (15) feet.
- c. **The required rear yard (setback)** shall be a minimum of twenty (20) feet.

4. Building Separation (Distance Between Structures/Buildings)

- a. The minimum distance between principal (main) buildings shall be ten (10) feet.
- b. The minimum distance between a principal (main) building and an accessory building or two accessory buildings shall be five (5) feet.
- c. Attached Patio Structures: A minimum setback of five (5) feet shall be maintained from the rear and side property lines for a patio structure that is open and unenclosed on three (3) sides, as measured to the structure.

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 requirements found in Section 8.05 and approval of the Town Council.

6. Lot Coverage.

The maximum allowable lot coverage by buildings and structures shall not exceed fifty percent (50%) of the total lot area.

7. Underground Utilities.

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

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05.10.09 R-10 Residential

A. Purpose.

The R-10 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-10 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-10 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-10 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; and,
4. Public schools; and,
5. Uses similar to those listed above in this section, as determined by the Planning Administrator.

C. Accessory Uses.

Residential 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, 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 10.10 of the Land Development Code.

1. Day care center;
2. Residential facilities for non-permanent occupancy including only bed and breakfast establishments;
3. Private schools and other ancillary uses in connection with churches, synagogues, and other places of worship;
4. Group homes;
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 10.10, paragraph P).

E. 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.

Uses prohibited in the R-10 district are as follows:

1. All commercial and business uses, except those specifically permitted;
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-10 zone.

1. Lot area.

The minimum lot size unit shall be ten thousand (10,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of 70 feet.
- b. Depth. Lots shall have a minimum depth of ninety-five (95) feet.

3 Minimum Front, Side and Rear Yards (Setbacks)

- a. **The required front yard (setback)** shall be a minimum of sixteen (16) feet, except where garages open or face directly onto an abutting street, in which case the garage setback shall be a minimum of twenty (20) feet. A maximum of thirty-five percent (35%) of the lots may have a reduced setback to the sixteen feet, with the balance of the setbacks being twenty feet or greater.
- b. **The required side yard (setback)** shall be a minimum of five (5) feet, with a street side yard (setback) having a minimum of ten feet.

- c. **The required rear yard (setback)** shall be a minimum of twenty (20) feet. Where the front yard (setback) is increased above the twenty (20) feet, then the rear yard (setback) may be reduced one (1) foot for each foot of increase, but shall not be reduced to below fifteen (15) feet. Where the front yard (setback) is decreased below the minimum twenty (20) feet, the rear yard (Setback) shall be increased one (1) foot for each foot of decrease, but shall not be required to be over twenty-five (25) feet.

4. Building Separation (Distance Between Structures/Buildings)

- a. The minimum distance between principal (main) buildings shall be ten (10) feet.
- b. The minimum distance between a principal (main) building and an accessory building or two accessory buildings shall be five (5) feet.
- c. Attached Patio Structures: A minimum setback of five (5) feet shall be maintained from the rear and side property lines for a patio structure that is open and unenclosed on three (3) sides, as measured to the structure.

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 requirements found in Section 8.05 and approval of the Town Council.

6. Lot Coverage.

The maximum allowable lot coverage by buildings and structures shall not exceed fifty percent (50%) of the total lot area.

7. Underground Utilities.

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

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05.10.10 R-8 Residential

A. Purpose.

The R-8 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-8 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-8 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-8 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 -- 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, 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 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; 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 10.10, paragraph P).

E. 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.

Uses prohibited in the R-8 district are as follows:

1. All commercial and business 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-8 zone.

1. Lot area.

The minimum lot size shall be eight thousand (8,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of 65 feet.
- b. Depth. Lots shall have a minimum depth of ninety (90) feet.

3 Minimum Front, Side and Rear Yards (Setbacks)

- a. **The required front yard (setback)** shall be a minimum of sixteen (16) feet, except where garages open or face directly onto an abutting street, in which case the garage setback shall be a minimum of twenty (20) feet. A maximum of thirty-five percent (35%) of the lots may have a reduced setback to the sixteen feet, with the balance of the setbacks being twenty feet or greater.
- b. **The required side yard (setback)** shall be a minimum of five (5) feet, with a street side yard (setback) having a minimum of ten (10) feet.
- c. **The required rear yard (setback)** shall be a minimum of twenty (20) feet. Where the front yard (setback) is increased above the twenty (20) feet, then

the rear yard (setback) may be reduced one (1) foot for each foot of increase, but shall not be reduced to below fifteen (15) feet. Where the front yard (setback) is decreased below the minimum twenty (20) feet, the rear yard (setback) shall be increased one (1) foot for each foot of decrease, but shall not be required to be over twenty-five (25) feet.

4. Building Separation (Distance Between Structures/Buildings)

- a. The minimum distance between principal (main) buildings shall be ten (10) feet.
- b. The minimum distance between a principal (main) building and an accessory building or two accessory buildings shall be five (5) feet.
- c. Attached Patio Structures: A minimum setback of five (5) feet shall be maintained from the rear and side property lines for a patio structure that is open and unenclosed on three (3) sides, as measured to the structure.

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 requirements found in Section 8.05 and approval of the Town Council.

6. Lot Coverage.

The maximum allowable lot coverage by buildings and structures shall not exceed fifty percent (50%) of the total lot area.

7. Underground Utilities.

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

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05.10.11 R-7 Residential

A. Purpose.

The R-7 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-7 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-7 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-7 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.

Residential 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, 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 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; 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 10.10, paragraph P).

E. 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.

Uses prohibited in the R-7 district are as follows:

1. All commercial and business uses, except those specifically permitted;
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-7 zone.

1. Lot area.

The minimum lot size shall be seven thousand (7,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of 55 feet.
- b. Depth. Lots shall have a minimum depth of eighty-five (85) feet.

3 Minimum Front, Side and Rear Yards (Setbacks)

- a. **The required front yard (setback)** shall be a minimum of sixteen (16) feet, except where garages open or face directly onto an abutting street, in which case the garage setback shall be a minimum of twenty (20) feet. A maximum of thirty-five percent (35%) of the lots may have a reduced setback to the sixteen feet, with the balance of the setbacks being twenty feet or greater.
- b. **The required side yard (setback)** shall be a minimum of five (5) feet, with a street side yard (setback) having a minimum of ten (10) feet.
- c. **The required rear yard (setback)** shall be a minimum of twenty (20) feet. Where the front yard (setback) is increased above the twenty (20) feet, then

the rear yard (setback) may be reduced one (1) foot for each foot of increase, but shall not be reduced to below fifteen (15) feet. Where the front yard (setback) is decreased below the minimum twenty (20) feet, the rear yard (setback) shall be increased one (1) foot for each foot of decrease, but shall not be required to be over twenty-five (25) feet.

4. Building Separation (Distance Between Structures/Buildings)

- a. The minimum distance between principal (main) buildings shall be ten (10) feet.
- b. The minimum distance between a principal (main) building and an accessory building or two accessory buildings shall be five (5) feet.
- c. Attached Patio Structures: A minimum setback of five (5) feet shall be maintained from the rear and side property lines for a patio structure that is open and unenclosed on three (3) sides, as measured to the structure.

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 requirements found in Section 8.05 and approval of the Town Council.

6. Lot Coverage.

The maximum allowable lot coverage by buildings and structures shall not exceed fifty percent (50%) of the total lot area.

7. Underground Utilities.

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

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05.10.12 R-6 Residential

A. Purpose.

The R-6 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-6 zone shall be used for or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, moved into or within the R-6 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-6 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.

Residential 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, 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 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; 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 10.10, paragraph P).

E. 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.

Uses prohibited in the R-6 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-6 zone.

1. Lot area.

The minimum lot size shall be six thousand (6,000) square feet.

2. Lot dimensions.

- a. Width. Lots shall have a minimum width of fifty (50) feet.
- b. Depth. Lots shall have a minimum depth of eighty (80) feet.

3 Minimum Front, Side and Rear Yards (Setbacks)

- a. **The required front yard (setback)** shall be a minimum of sixteen (16) feet, except where garages open or face directly onto an abutting street, in which case the garage setback shall be a minimum of twenty (20) feet. A maximum of thirty-five percent (35%) of the lots may have a reduced setback to the sixteen feet, with the balance of the setbacks being twenty feet or greater.
- b. **The required side yard (setback)** shall be a minimum of five (5) feet, with a street side yard (setback) having a minimum of ten (10) feet.
- c. **The required rear yard (setback)** shall be a minimum of twenty (20) feet. Where the front yard (setback) is increased above the twenty (20) feet, then

the rear yard (setback) may be reduced one (1) foot for each foot of increase, but shall not be reduced to below fifteen (15) feet. Where the front yard (setback) is decreased below the minimum twenty (20) feet, the rear yard (setback) shall be increased one (1) foot for each foot of decrease, but shall not be required to be over twenty-five (25) feet.

4. Building Separation (Distance Between Structures/Buildings)

- a. The minimum distance between principal (main) buildings shall be ten (10) feet.
- b. The minimum distance between a principal (main) building and an accessory building or two accessory buildings shall be five (5) feet.
- c. Attached Patio Structures: A minimum setback of five (5) feet shall be maintained from the rear and side property lines for a patio structure that is open and unenclosed on three (3) sides, as measured to the structure.

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 requirements found in Section 8.05 and approval of the Town Council.

6. Lot Coverage.

The maximum allowable lot coverage by buildings and structures shall not exceed fifty percent (50%) of the total lot area.

7. Underground Utilities.

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

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05.10.13 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 Section 8.06 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.

Residential 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, 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 10.10 of the Land Development Code.

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 10.10, paragraph P).

E. 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.

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 thirty-five hundred (3,500) square feet.

2. Lot dimensions.

- c. Width. Lots shall have a minimum width of thirty-five (35) feet.
- d. 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 twenty (20) feet. A maximum of fifty percent (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 (5) feet, with a street side yard (setback) having a minimum of ten (10) feet.
 - c. **The required rear yard (setback)** shall be a minimum of ten (10) feet.
- 4. Building Separation (Distance Between Structures/Buildings)**
- a. **Attached Patio Structures:** A minimum setback of five (5) feet shall be maintained from the rear and side property lines for a patio structure that are open and unenclosed on three (3) sides, as measured to the structure.
- 5. Building Heights.**
- a. Buildings and structures erected in this zone shall have a height not greater than two-stories or thirty (30) feet.
- 6. Lot Coverage.**
- The maximum allowable lot coverage by buildings and structures shall not exceed seventy-five percent (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 percent (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.

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05.10.14 MR-2 Multi-Family (Med/High Density)

A. Purpose:

The MR-2 zone provides for and encourages development of multiple residence dwellings which include varied project amenities. The intent of the district is to permit medium-high density urban development with a mixture of similar intensities.

B. Location:

The MR-2 district should be located in Village Core areas, with direct frontage along arterial streets as defined in the Marana General Plan. It is not the intent of the MR-2 zone to "buffer" non-residential uses, but rather, to provide a housing type needed within the community when public and private facilities are available to serve the higher residential density such as public and private transportation systems, commercial services, and recreational facilities.

C. Permitted Uses: Property zoned MR-2 may be used for multi-family residential projects.

D. Accessory Uses:

1. Fences and walls;
2. Carports and garages;
3. Swimming pools and recreation buildings which are part of the multi-family development;
4. Tennis courts, provided they have no lighting;
5. Other similar recreation facilities as may be determined by the Planning Administrator.

E. Conditional Uses:

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

1. Public and private schools;
2. Parks;
3. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or any full-time employees related to the site;
4. Day care facilities;
5. Churches, provided they are located on the intersection of two arterial streets or one collector and one arterial street;
6. Single family housing as provided in the R-6 zone; and
7. 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).

F. Temporary Uses (Reserved)

G. Prohibited Uses (Reserved)

H. Development Standards:

1. The parcel area required per unit decreases with the increase in the number of dwelling units as follows:
 - a. 2-4 residential units -- 4,000 sq. ft. per dwelling unit
 - b. 5-8 residential units -- 3,500 sq. ft. per dwelling unit
 - c. 9 or more residential units - 2,175 sq. ft. per dwelling unit
2. Parcels of five acres or larger shall be at a maximum density of twenty dwelling units per net acre.
3. Minimum lot area: 6,000 sq. ft.
4. Minimum lot width: 60 feet.
5. Minimum lot depth: 90 feet.
6. Minimum perimeter setback: 20 feet, except setbacks shall increase one foot for each foot of height in excess of 20 feet.
7. Maximum structure height: 30 feet.
8. Maximum percent of lot coverage: 50 percent.
9. Minimum common open space: 30 % of the site excluding parking areas and drive areas.
10. Minimum private open space per dwelling unit, either patio or balcony, or combination thereof: 100 sq. ft.

05.10.15 MR-1 Multi-Family (High Density)

A. Purpose:

The MR-1 zone provides for and encourages development of multiple residence dwellings which include varied project amenities. The intent of the district is to permit high density urban development with a mixture of similar intensities.

B. Location:

The MR-1 district should be located in Village Core areas with direct frontage along arterial streets as defined in the Marana General Plan. It is not the intent of the MR-1 zone to "buffer" non-residential uses, but rather, to provide a housing type needed within the community when public and private facilities are available to serve the higher residential density such as public and private transportation systems, commercial services, and recreational facilities.

C. Permitted Uses: Property zoned MR-1 may be used for multi-family residential projects.

D. Accessory Uses:

1. Fences and walls;
2. Carports and garages;
3. Swimming pools and recreation buildings which are part of the multi-family development;
4. Tennis courts, provided they have no lighting;
5. Other similar recreation facilities as may be determined by the Planning Administrator.

E. Conditional Uses:

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

1. Public and private schools;
2. Parks;
3. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or any full-time employees related to the site;
4. Day care facilities;
5. Churches, provided they are located on the intersection of two arterial streets or one collector and one arterial street;
6. Single family housing as permitted in the R-6 zone; and
7. 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).

F. Temporary Uses: (Reserved)

G. Prohibited Uses: (Reserved)

H. Development Standards:

1. The parcel area required per unit decreases with the increase in the number of dwelling units as follows:
 - a. 2-4 residential units -- 4,000 sq. ft. per dwelling unit;
 - b. 5-8 residential units -- 3,500 sq. ft. per dwelling unit;
 - c. 9 or more residential units -- 1,500 sq. ft. per dwelling unit.
2. Parcels of five acres or larger may be at a maximum density of thirty dwelling units per net acre.
3. Minimum lot area: 43,560 sq. ft.
4. Minimum lot width: N/A
5. Minimum lot depth: N/A
6. Minimum perimeter setback: 20 feet, except setbacks shall increase one foot for each foot of height in excess of 20 feet.
7. Maximum structure height: 40 feet.
8. Maximum percent of lot coverage: 55 percent.
9. Minimum common open space: 25% of the site excluding parking areas and drive areas.
10. Minimum private open space per dwelling unit, either patio or balcony, or combination thereof: 75 sq. ft.

05.10.16 RV Recreation Vehicle

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 of Marana.

B. Location

All recreational vehicle developments shall comply with the Town of Marana General Plan. In addition, recreational vehicle developments shall abut a major arterial paved all-weather street meeting Town of Marana 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 Administrator 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 Conditional Use Permits provided for in Section 10.10 of the Land Development Code:

1. A boat, auto, or trailer storage area, provided they are in a completely enclosed area surrounded by not less than a 6 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 (5) spaces are devoted to this use, and not to exceed 12 months, unless an extension is granted by the Planning Commission. The 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 Administrator, 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 10.10, 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 eighteen (18) months, unless active construction is ongoing, in which case the Planning Administrator may grant an additional six (6) 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: 5 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 Administrator. Refer to Title 17 Landscape Requirements for further requirements. (part. Ord. No. 97.07, 3/97).
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): 7 feet
 - g. Minimum front yard: 7 feet
 - h. Minimum rear yard: 5 feet
 - i. Setbacks declared a minimum. No encroachment or variance shall be allowed within five (5) feet of the front, side or rear lot or space line required setbacks unless the building, structure, or other appurtenance meets the Uniform Building Code requirements for a minimum two (2) 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 one hundred twenty (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 Administrator, 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 of Marana, 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 twenty-eight feet (28') including required curbs when flush with the surface of the paving. Concrete sidewalks at least two feet (2') in width shall be provided on each side of interior private streets. The Planning Administrator may permit a four foot (4') sidewalk on one side of an interior street where deemed desirable.
 - 7. The maximum height of any habitable structure shall not exceed twenty (20) feet. All other structures shall not exceed fifteen (15) feet in height.
 - 8. All structures that are located on non-manufactured home spaces or lots shall not exceed thirty-five (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 Planning Administrator.

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 Planning Administrator.
11. All parks or subdivisions shall have refuse collection areas approved by the Planning Administrator. 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 Planning Administrator.

05.10.17 MH Manufactured Housing

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 of Marana 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 of Marana 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 Administrator, 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 subject to Conditional Use Permits provided for in Section 10.10 of the Land Development Code:

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. Chainlink 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 (5) 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 Administrator, and which shall be primarily for the residents of the park or the subdivision.
 5. One mobile 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 10.10, paragraph P).
- F. Temporary Uses
- G. 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 Administrator may grant additional six (6) month increments upon finding that active construction is still on-going and is necessary for the continued development of the park or subdivision.
- H. Prohibited Uses (Reserved)
- I. Site Development Standards
1. Minimum Project Size: 10 acres
 2. Minimum Project Setbacks: 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 decorative masonry wall. The setback area shall also contain a minimum of 1 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. The landscape and screening plan shall be approved by the Planning Administrator. Refer to Title 17 Landscape Requirements for further requirements. No off-street parking facilities or recreational facilities for common use shall be located in any such required exterior yard. (part. Ord. No. 97.07, 3/97).
 3. Parks and subdivisions:
 - a. Minimum lot size per rental unit or lot: 5000 sq. ft.
 - b. Maximum density: 8 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 of Marana.
 - 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): 10 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 (5) feet of the front, side, or rear yard lot or space line, unless the building, structure, or other appurtenance meets the Uniform Building Code requirements for a minimum two (2) 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 one hundred twenty (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 Uniform 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 Administrator, 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 twenty (20) feet. All other structures shall not exceed fifteen (15) feet in height.
 - n. All structures that are located on non-manufactured home spaces or lots shall not exceed two (2) stories nor shall they exceed thirty-five (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 of Marana, 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 twenty-eight feet (28') including required curbs when flush with the surface of the paving. Concrete sidewalks at least four feet (4') in width shall be provided on each side of interior private streets.

The Planning Administrator may permit a four foot (4') 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 Planning Administrator.
8. All parks or subdivisions shall have street lighting provided along private or public streets for the safety of pedestrians, as required by the Planning Administrator.
9. All parks or subdivisions shall have refuse collection areas approved by the Planning Administrator. 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 Planning Administrator.

05.10.18 MHS Manufactured Home Subdivision (Reserved)

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05.11.01 CO Commercial

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 Marana. 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 05.10.13.
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 Administrator.

D. Accessory Uses (Reserved)

E. Conditional Uses.

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

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 10.10, 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 twenty-five (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 twenty-five feet.
4. Side Yard: minimum of fifteen feet for residential uses. No side yard is required for non-residential uses provided minimum building code requirements are met. However, a non-residential use adjacent to a residential zone shall have a

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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.

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05.11.02 NC Neighborhood Commercial

A. Purpose.

The Neighborhood Commercial (NC) Zone is intended to provide for the conduct of indoor business serving neighborhood residential areas needs including retail sales of convenience goods and services, shopping goods and services and other defined goods and professional services and to insure compatibility with adjacent residential uses. It is also the intent of this zone to provide neighborhood retail uses in clusters and to avoid strip commercial sites. It is further intended that these activities will provide local business and employment opportunities for Marana.

B. Location (Reserved)

C. Permitted Uses.

1. Residential uses as permitted and subject to the development standards found in Section 05.10.13 (R-3.5)
2. Commercial Office (CO) uses as provided in Section 05.11.01C.
3. The following uses are permitted in the Neighborhood Commercial Zone.
 - a. Apparel stores.
 - b. Appliance stores.
 - c. Banks and financial institutions, excluding drive-through and outdoor teller facilities.
 - d. Barber and beauty shops.
 - e. Bicycle shops.
 - f. Child care institutions.
 - g. Churches, temples, and other places for religious services.
 - h. Clinics: medical, dental, and veterinary (completely enclosed).
 - i. Clothes cleaning, pressing, and tailoring shops (completely enclosed).
 - j. Drug stores.
 - k. Florist shops.
 - l. Food stores, including delicatessens, candy stores, and dairy product sales.
 - m. Furniture stores.
 - n. Hardware stores (no open storage, sale or display).
 - o. Laundromats.
 - p. Office buildings.
 - q. Office equipment sales and service.
 - r. Package liquor stores.
 - s. Pet shops (completely enclosed).
 - t. Public service facilities (government, civic, utility).
 - u. Restaurants, including carry-out establishments, but excluding drive-in service.
 - v. Stationery stores.
 - w. Theaters, not including drive-ins.
 - x. Schools of business, language, music, dance, and art (may require reasonable soundproofing).
 - y. Shoe repair shops.
 - z. Supermarkets.
 - aa. Comparable uses as determined by the Planning Administrator.

D. Accessory Uses -- (Reserved)

E. Conditional Uses.

The following may be permitted subject to Conditional Use Permits provided for in Section 10.10 of the Land Development Code if it is found in each case that the indicated criteria and limitations are satisfied and if specific conditions are imposed to carry out the purposes of these regulations:

1. Automobile service stations.
 - a. Criteria:
 - (1) Feasibility of arranging ingress and egress without interference or hazard to arterial street traffic and traffic to and from adjacent uses.
 - (2) No more than one other service station located on each block.
2. Plant nurseries, home and garden supplies.
 - a. Criteria:
 - (1) Location on periphery of commercial area so as not to interfere with pedestrian movement and shopping.
 - (2) Screening of all materials and supplies other than plant materials.
3. Drive-through facilities for banks, financial institutions, restaurants, and other similar uses.
 - a. Criteria
 - (1) Not closer than fifty (50) feet of any residentially developed lot line.
 - (2) (Reserved)
4. Institutions of educational, philanthropic, and charitable nature.
5. Clubs, lodges and meeting halls.
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 10.10, paragraph P).

F. Temporary Uses (Reserved)

G. Prohibited Uses.

The following uses are prohibited

1. Automobile paint, body and fender, brake and tire shops.
2. Bars and cocktail lounges not a part of a bonafide restaurant.
3. Contractor's yard.
4. Heavy equipment sales or lease.
5. Agricultural or industrial equipment sales.

H. Intensity Standards.

1. Minimum Site Size: none, except that 1 acre per free standing pad use is required.

2. Maximum Site Size: 15 acres.
3. Floor Area Ratio: the combined floor area ratio for all principal buildings, together with all accessory buildings, shall not exceed 0.5.
4. Maximum Lot Coverage: The total ground area occupied by all buildings shall not exceed thirty-five percent of the lot.

I. Site Development Standards.

The following site development standards shall apply:

1. Street Setback: minimum 20 feet from any street lot line.
2. Side and Rear Yard Setback: minimum of 20 feet from any side or rear lot line.
3. Special Buffer Adjacent to Residential Areas: Along any property line either used or planned for residential use, a buffer area shall be provided which shall be at least twenty-five (25) feet in depth, measured from the property line.
4. Building Height: No principal building shall exceed thirty (30) feet in height; no accessory building or other structure shall exceed twenty-five (25) feet in height.
5. Access and Traffic Control:
 - a. All uses shall have access limited to the collector or arterial streets.
 - b. All its buildings, other structures, parking and loading areas, shall be physically separated from all non-arterial or collector streets by vertical curbs and other suitable barriers and landscaping to prevent unchanneled motor vehicle access. Except for the access ways permitted in c. below, the barrier shall be continuous for the entire length of the property line.
 - c. Each property shall have appropriate access ways to the street. In addition, each access way shall comply with the following:
 - (1) Curb returns shall have a minimum radius of twenty-four (24) feet.
 - (2) At its intersection with the property line, no part of any access way shall be nearer than one hundred (100) feet to the intersection of any two (2) street rights-of-way lines, nor shall any such part be nearer than fifty (50) feet to any side or rear lot line.
 - (3) The number and location of access ways shall be so arranged that they will reduce traffic hazards as much as possible.
 - d. Off-Street Loading: Each shop or store shall have a rear or side entrance that is accessible to a loading area and service drive. Service drives shall be a minimum of twenty-four (24) feet in width and shall be in addition to and not part of the drives or circulation system used by the vehicles of shoppers and/or fire access. The arrangement of truck loading and unloading facilities for each shop or store shall be such that, in the process of loading or unloading, no truck will block or extend into any other private or public drive or street used for vehicular circulation. Loading and delivery zones shall be clearly marked. The Planning Administrator may permit joint-use loading

and delivery spaces as a part of the approval of a shopping complex of several retail stores being part of a complex.

- e. Storage: Except in instance where specifically permitted and controlled under the provisions of this ordinance, open storage of equipment and materials is prohibited.
- f. Landscaping: At least 10% of the area not covered by buildings shall be landscaped. Refer to Title 17, Landscape Requirements, for further requirements. (part. Ord. No. 97.07, 3/97).

05.11.03 VC Village Commercial

A. Purpose.

The Village Commercial (VC) zone is a community level retail zone and is intended to provide for the conduct of business serving the Town of Marana and surrounding communities providing the sale of goods and services and a variety of commercial and professional activities as well as higher-density residential opportunity in a planned mixed-development area. This zone is for the services requiring larger sites and service area than neighborhood level centers, but not regional level goods and services. It is further intended these activities provide employment business opportunities for Marana.

B. Location (Reserved)

C. Permitted Uses.

1. Residential uses shall be permitted and subject to the development standards found in Section 05.10.13
2. Commercial Office (CO) uses as permitted in Section 05.11.01C
3. Neighborhood Commercial (NC) uses as permitted in Section 05.11.02C
4. The following list are permitted in the VC zone:
 - a. Department stores.
 - b. Variety stores.
 - c. Retail warehouse outlets.
 - d. Showroom catalog stores.
 - e. Home improvement centers.
 - f. Automotive Supplies/Service Stations;
 - (1) Auto dealers.
 - (2) Service station.
 - (3) Car wash.
 - (4) Cycle shop.
 - g. Super drug stores (over 10,000 sq. ft.).
 - h. Pet and pet supply stores.
 - i. Such other comparable uses as may be approved by the Planning Administrator

D. Accessory Uses -- (Reserved)

E. Conditional Uses

The following may be permitted subject to the conditional use permit procedure set forth in Town Code Section 17-3-2 Conditional use permits if the indicated criteria and limitations are satisfied:

1. Automobile paint, body and fender shops, subject to the following criteria:
 - a. The parcel containing the use shall be located not closer than 250 feet from any residentially zoned lot line.
 - b. The development shall be subject to the commercial design standards (Section 08.07.03 of this code)

- c. Areas where vehicles are being stored or awaiting repair shall be screened on all sides by decorative block walls and solid gates.
 - d. Outdoor storage is prohibited.
 - e. Outdoor repairs are prohibited, except windshield replacement.
- 2. Micro-hospitals
 - 3. 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 Town Code Section 17-3-2 Conditional use permits, paragraph P).
- F. Temporary Uses -- (Reserved)
- G. Prohibited Uses.

The following uses are prohibited in the VC zone:

- 1. Contractor's yard.
 - 2. Heavy equipment sales or leases.
 - 3. Agricultural or industrial equipment sales.
 - 4. Comparable uses as determined by the Planning Administrator.
- H. Intensity Standards. (Non-Residential)
- 1. Minimum site size: 10 acres.
 - 2. Floor Area Ratio: the combined floor area ratio for all principal buildings, together with all accessory buildings, shall not exceed 0.35.
 - 3. Maximum Lot Coverage: The total ground area occupied by all buildings shall not exceed thirty-five percent of the lot.
- I. Site Development Standards. (Non-Residential)

The following site development standards shall apply:

- 1. Street Setback: minimum 30 feet from any street lot line.
- 2. Side and Rear Yard Setback: minimum of 20 feet from any side or rear lot line.
- 3. Special Buffer Adjacent to Residential Areas: along any property line either used or planned for residential use, a buffer area shall be provided which shall be at least forty (40) feet in depth, measured from the property line.
- 4. Building Height: No principal building shall exceed fifty (50) feet in height; no accessory building or other structure shall exceed thirty (30) feet in height.
- 5. Access and Traffic Control:
 - a. All uses shall have access limited to arterial streets.
 - b. All non-residential zoned property with its buildings, other structures, parking and loading areas, shall be physically separated from all non-

arterial streets by vertical curbs and other suitable barriers and landscaping to prevent unchanneled motor vehicle access.

Except for the access ways permitted in c) below, the barrier shall be continuous for the entire length of the property line.

- c. Each property shall have access ways approved by the Town Engineer and shall demonstrate the need for access points. Each access way shall comply with the following:
 - (1) The width of any access way leading to the arterial street shall be median divided to provide separation from incoming and outgoing traffic.
 - (2) Curb returns shall have a minimum radius of twenty-four (24) feet.
 - (3) At its intersection with the property line, no part of any access way shall be nearer than one hundred (100) feet to the intersection of any two (2) street rights-of-way lines, nor shall any such part be nearer than fifty (50) feet to any side or rear lot line.
 - (4) The number and location of access ways shall be so arranged that they will reduce traffic hazards as much as possible.
6. Off-Street Loading: Each shop or store shall have a rear or side entrance that is accessible to a loading area and service drive. Service drives shall be a minimum of twenty-four (24) feet in width. The arrangement of truck loading and unloading facilities for each shop or store shall be such that, in the process of loading or unloading, no truck will block or extend into any other private or public drive or street used for vehicular or fire circulation. Loading and delivery zones shall be clearly marked. The Planning Administrator may permit joint-use loading and delivery spaces as a part of the approval.
7. Storage: Except in instance where specifically permitted and controlled under the provisions of this Plan, open storage of equipment and materials is prohibited.
8. Landscaping: At least 10% of the area not covered by buildings shall be landscaped. Refer to Title 17, Landscape Requirements, for further requirements.

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05.11.04 RC Regional Commercial

A. Purpose

The RC, Regional Commercial zone is intended to provide for regional shopping malls and related uses. It allows the conduct of a wide range of businesses and services serving a regional area, primarily involved in the retail sale of shopping goods and services, and a variety of commercial and professional activities. It is further intended that these activities shall provide business opportunities and employment opportunities for the residents of the Town of Marana.

B. Location

The following criteria shall be considered in establishing and maintaining the RC zone:

1. Need based on population of service area.
2. Convenient and efficient vehicular access to at least two major arterial streets, preferably to an existing or planned parkway or Interstate location.
3. Availability of land suitable for grouping of related activities in sub-centers with pedestrian circulation within such sub-centers.

C. Permitted Uses

Premises in the RC zone may be used for the following uses:

1. Regional shopping malls, including at least three major department stores.
2. Hotels or motels in conjunction with a regional shopping mall.
3. Uses permitted in the NC and VC commercial zones.

D. Conditional Uses

The following uses may be permitted in the RC zone subject to the conditional use permit procedure set forth in Section 10.10, if it is found in each case that the indicated criteria and limitations are satisfied and specific conditions are imposed to carry out the purposes of these regulations.

1. Automobile Service Stations. Criteria:
 - a. Feasibility of arranging ingress and egress without interference or hazard to arterial street traffic and traffic to and from adjacent uses.
 - b. No more than one other service station located within 500 feet of each other.
 - c. Proposed architecture and site location enhance the appearance and character of neighboring properties.
2. Plant Nurseries Home and Garden Supplies. Criteria:
 - a. Location on periphery of commercial area so as to not interfere with pedestrian movement and shopping.
 - b. Screening of all materials and supplies other than plants.
3. Bowling Centers, Fitness Centers, and Other Commercial Recreational Uses. Criteria:

- a. Feasibility of arranging ingress and egress without interference or hazard to arterial street traffic and traffic to and from adjacent uses.
 - b. The proposed architecture and site location enhance the appearance and character of neighboring properties.
 - c. Compatibility with the appearance, character and activities of other uses located on the site.
 - d. Noise mitigation measures shall include but not be limited to the orientation of buildings and the design of floor plans to assure the interior ambient noise will not be heard outside the building.
4. Automobile Car Washes. Criteria:
- a. Location on periphery of commercial area so as to not interfere with pedestrian movement and shopping.
 - b. Screening of all car wash operations.
 - c. Location sufficiently removed from any residential area to negate any possible nuisance due to noise or other features associated with the operation of the car wash.
5. Medical marijuana dispensary, subject to the conditional use permit procedure set forth in Section 10.10 and subject to the requirements found in Section 08.08.
6. Compatible uses determined acceptable by the Planning Administrator.
7. 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.
- The following temporary uses are permitted in the SC zone as permitted by the Planning Administrator, for a specified period of time, and subject to such conditions as may be necessary.
1. Christmas Tree Lots
 2. Special Event Shows, not to exceed 5 calendar days in duration, such as arts and crafts, automobiles, recreational vehicles, and others as may be determined acceptable by the Planning Administrator, and provided no such event is permitted within one week of Thanksgiving, Christmas, or New Years Day.
- F. Prohibited Uses
- The following uses are prohibited in the RC zone:
1. Automobile repair other than in connection with an automobile sales facility or minor servicing at an automobile service station, or brake or tire shop.
 2. Bars and cocktail lounges not part of a bonafide restaurant.
 3. Contractor's yard.
 4. Heavy equipment sales or lease.

5. Agricultural or industrial equipment sales.

G. Intensity Standards

On any parcel of land or unit of development the following intensity standards shall apply:

1. Minimum Site Size: 30 acres.
2. Maximum Site Size: None
3. Floor Area Ratio: The combined floor area ratio for all principal buildings, together with all accessory buildings shall not exceed 0.50.
4. Maximum Lot Coverage: The total ground area occupied by all buildings shall not exceed thirty percent of the land.

H. Site Development Standards

In addition to the Development Standards established by these regulations, the following standards shall apply to property in the RC zone:

1. Street Setback: Minimum 80 feet from any street lot line.
2. Side and Rear Yard Setback: Minimum of 50 feet from any side or rear lot line.
3. Special Setback and Buffer Adjacent to Residential Areas: Along any property line either used or planned for residential use, a buffer area shall be provided which shall be at least one hundred feet in depth, measured from the property line.
4. Building Height: No principal building shall exceed sixty feet in height. No accessory building or other structure shall exceed twenty-five feet.
5. Access and Traffic Control:
 - a. All RC uses shall have access limited to arterial streets.
 - b. All RC zoned property with its buildings, other structures, parking and loading areas, shall be physically separated from all non-arterial streets by vertical curbs and other suitable barriers and landscaping to prevent unchanneled motor vehicle access. Except for the access ways permitted in paragraph c below, the barrier shall be continuous for the entire length of the property line.
 - c. Each property shall not have more than two access ways to any one street unless unusual circumstances demonstrate the need for additional access points. In addition, each access way shall comply with the following:
 - (1) the width of any access way leading to the arterial street shall be median divided to provide separation from incoming and outgoing traffic.
 - (2) curb returns shall have a minimum radius of thirty feet.
 - (3) at its intersection with the property line, no part of any access way shall be nearer than one hundred feet to the intersection of any two street rights-of-way, nor shall any such part be nearer than fifty feet to any side or rear lot line.

- (4) the number and location of access ways shall be so arranged that they will reduce traffic hazards as much as possible.
6. Off-street Loading: Each shop or store shall have a rear or side entrance that is accessible to a loading area and service drive. Service drives shall be a minimum of twenty six feet in width and shall be in addition to and not part of the drives or circulation system used by the vehicles of shoppers and/or fire access. The arrangement of truck loading and unloading facilities for each shop or store shall be such that, in the process of loading or unloading, no truck will block or extend into any private or public drive or street used for vehicular circulation. Loading and delivery zones shall be clearly marked. The Planning Administrator may permit joint-use loading and delivery spaces as a part of the approval of a shopping complex of several retail stores being a part of the mall complex.
7. Storage: Except in the instance where specifically permitted and controlled under the provisions of this Code, open storage of equipment and materials is prohibited.
8. Landscaping: At least fifteen percent of the area not covered by buildings shall be landscaped. The landscaping within parking areas shall not be included as a part of the required fifteen percent landscaping. Refer to Title 17, Landscape Requirements, for further requirements.

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05.11.05

SC

Specialty Commercial

(Reserved).

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05.11.06 VRC Vehicle Related Commercial (Reserved).

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05.11.07 RESORT AND RECREATION ZONE

PURPOSE AND INTENT

The Resort and Recreation Zone is established to provide for the development and operation of temporary lodging, recreation opportunities and associated specialized commercial guest facilities while protecting adjacent land uses from inappropriate and adverse impacts. The intent is to provide for the designation and regulation of certain land uses that are primarily intended for visitors to the Town of Marana. The Resort and Recreation Zone may be applied to property that is best suited to accommodating the needs of the visiting public without inappropriate impacts upon the daily functioning of the community or inappropriate impacts upon surrounding properties.

PERMITTED USES

The following types of uses are allowed within the RR (Resort and Recreation) District as permitted uses.

1. Residential Facilities for nonpermanent occupancy including Bed and Breakfast Establishments, Hotels, Motels, Inn's, Timeshare Projects, Resorts and Guest Ranches.

ACCESSORY USES

The following are Accessory Uses and may be established only when a part of, or accessory to a permitted use.

1. Entertainment, cultural and recreation facilities including lawn bowling, exercise facilities, handball and racquetball facilities, archery ranges, tennis, swimming and spa facilities, volleyball courts, dinner theaters, museums, art galleries, nature walk trails and amusement game rooms.
2. Service and specialty uses including beauty and barbershops, health spas, gift shops, newsstands, and specialty food shops (including on-site preparation and service).
3. Restaurants, dining facilities, bars, cocktail lounges and specialty food shops (deli's) with or without alcohol (including on-site preparation and service), excluding drive-through facilities.
4. Conference and gathering facilities including meeting rooms and chapels, with or without provisions for catering into the facilities designed to serve 200 people or less in a single room.
5. Business offices for the resort.
6. Freestanding open air pavilions less than 1,000 square feet, for outdoor events.
7. Riding and hiking trails, excluding trails for motor vehicles.
8. Equestrian facilities and horse stables, excluding boarding of horses for commercial purposes.
9. Observatories.
10. Living quarters for persons employed and deriving a major portion of their income on the premises, if occupied by such persons and their immediate families.
11. Live entertainment for the enhancement of the guest's visit to the temporary lodging facilities, excluding sexually oriented performances.

12. Support facilities such as outdoor cooking areas, pool house, shade structures (ramada's and gazebo's) laundry facilities (for guests only), and other like uses as permitted by the Planning Director.
13. Campgrounds that may consist of temporary or permanent buildings, tent areas, or other structures (bunk houses, mess halls, etc.).
14. Motion picture studios and sets including the temporary use of domestic and wild animals in motion picture and television production, provided that said animals are kept and maintained pursuant to all applicable regulations, and are not retained on the premises for a period exceeding 60 days.

CONDITIONAL USES

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

1. Entertainment and recreational facilities that are designed for large audiences such as rodeo (horse) arenas, auditoriums, stadiums, theme parks, water parks, zoos, wild animal parks and race tracks.
2. Outdoor activities such as go-cart tracks, skateboard parks, golf courses, shooting ranges, and off-road vehicle trails.
3. Convention centers/facilities that provide meeting rooms and a complete range of services including food preparation, assembly for more than 200 people in a single room, and/or an exhibit area exceeding 3,000 sq. ft.
4. Freestanding open-air pavilions greater than 1,000 square feet, for outdoor events.
5. Horse stables, for the purpose of boarding horses.
6. Amphitheaters.
7. Petting zoos.
8. Churches and other permanent places of worship.
9. Recreational vehicle spaces (with or without full hook-up) not to exceed the number of permanent guestrooms. These spaces are to be for the use of guests while staying at the resort.
10. Hot air balloon launch pads.
11. Helistops.
12. Residential, subject to the R-144 development standards.
13. 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).

DEVELOPMENT STANDARDS

The following development standards shall apply to development in the Resort and Recreation Zone.

A. Site Planning

A resort, and subsequent additions or expansions, shall be designed and developed in a manner compatible with, and complimentary to existing and future development in proximity to the project site. Site planning on the perimeter shall provide for the protection of the surrounding areas from potentially adverse influences within the development, including flooding, erosion, subsidence, sloping of the soil or other dangers, unreasonable site and noise annoyances or inconveniences. Condition of the soil, groundwater level, drainage and topography shall be appropriate to both kind and pattern of use intended.

B. Lot Area and Density

1. Each development shall have a minimum lot area of ten (10) acres.
2. The minimum required lot area for each lodging unit shall be ten thousand square feet (4.36 units per acre).

C. Yards

1. Front Yards
 - a. There shall be a front yard of not less than forty (40) feet in depth where a parcel abuts an arterial or major collector.
 - b. There shall be a front yard of not less than twenty-five (25) feet in depth where a parcel abuts other than an arterial or major collector street.
2. Side Yards
 - a. Side yards - Minimum side yard – twenty (20) feet, except where the site abuts a lot that is residentially zoned, the minimum required yard shall be twenty-five (25) feet.
 - b. Street side yards - Minimum street side yard - twenty-five (25) feet.
3. Rear Yards
 - a. Minimum rear yard - twenty-five (25) feet.

D. Building Separation (Distance between buildings)

1. Minimum distance between buildings
 - a. Between two main buildings – twenty-five (25) feet.
 - b. Between main building and accessory building/facilities – fifteen (15) feet.
 - c. Between accessory and accessory – ten (10) feet.

E. Building Height

1. No main building shall exceed fifty (50) feet in height;
2. No accessory building or other structure shall exceed forty (40) feet;
3. In conjunction with a Conditional Use Permit application, the Planning Commission may allow an increase to the building height up to an additional fifty percent (50%) of the allowable, provided that the applicant provides acceptable justification for the need to exceed the height limit.

F. 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 80% of the GFA of the previous floor.

G. Lot Coverage

Buildings, including accessory buildings, shall not cover a total of more than forty percent (40%) of the area of any lot.

H. Landscape Requirements

The following yards and areas shall be developed into and permanently maintained as landscaped areas containing ground cover, trees, and shrubs:

1. A minimum twenty-five (25) feet of required front yard shall be landscaped.
2. A minimum twenty-five (25) feet of any street side yard shall be landscaped.
3. A minimum twenty-five (25) feet improved landscaped area shall be provided where the site abuts any residentially zoned property.
4. The twenty-five (25) foot landscaped areas along all street frontages shall use desert plant materials and inorganic groundcover, together with a 6' decorative masonry screen wall. A landscape plan shall be submitted and approved that provides enhanced vegetation of such a variety and density so as to establish both canopy and ground planting. Trees shall be planted every 20- feet on center with a minimum of 25% to be 24" box or greater.
5. Landscaped islands shall be provided to accommodate a minimum of one tree for every six parking stalls within the parking area.
6. Screening shrubs and trees are required and shall be permanently maintained adjacent to the fencing and property lines in conformance with the Screening and Bufferyard requirements of the Land Development Code.
7. A minimum landscaped area equal to at least fifteen (15) percent of the required parking area to be evenly distributed throughout the parking area and adjacent to buildings shall be provided. Plant materials shall be chosen so that within five (5) years of installation, planting materials shall achieve a thirty-five percent shading of the paved/parking areas.
8. The Planning Commission may approve an alternative proposal, equal to or exceeding the landscaped area provisions provided herein, subject to review and approval.

I. Parking Requirements

The minimum parking requirements are as follows:

1. The Resort shall provide a minimum of one and a quarter (1.25) parking spaces for each sleeping room. If there are other uses operated in conjunction with and/or as part of the resort, additional off-street parking spaces shall be provided per the requirements listed in the Off-Street Parking Section of the Development Code (i.e. restaurant, office, recreational areas, etc.).
2. In a resort with more than 200 rooms and for uses such as restaurants, meeting rooms and recreational amenities, the required number of parking spaces may be reduced to account for the shared use of parking spaces and to minimize the impact of paved parking areas on the resort environment.

3. At least one (1) bus/recreational vehicle parking stall with minimum measurements of 50' x 12' shall be provided and maintained for each twenty-five (25) rooms, to be located on the same lot as the resort.

J. Fencing

1. Where development occurs within 100 feet of a residentially zoned property, a solid opaque wall six (6) feet high or appropriate opaque landscape buffering as approved by the Planning Director shall be installed and thereafter maintained by the owner of property in this zoning district on all common property lines with residentially zoned property or with property designated as residential in the Town of Marana General Plan.
2. The screen walls shall be constructed of, or painted, with graffiti-resistant materials. The screen wall adjacent to the public rights-of-way shall incorporate one of the following decorative materials: (a) tile, (b) stone, (c) brick, (d) textured brick/block, (e) a coarse textured material such a stucco or plaster, or (f) a combination of the above materials. Any continuous wall greater than fifty (50) feet in length shall include variation in the wall alignment such as jogs, curves, notches, setbacks, etc.. and shall include trees or shrubs in the voids created by the variations.

K. Access and Circulation

1. All lots shall have frontage on and vehicular access from a dedicated street unless alternative frontage and/or permanent vehicle access has been accepted by the Planning Director and Town Engineer.
2. Traffic congestion must be minimized through satisfactory level of service ratings regarding all related circulation elements. Consideration of adequate queueing, turning lanes, loop roads, and other site-specific design aspects is essential. These design aspects must also account for anticipated traffic generation levels. These design aspects must similarly account for and minimize the generation of particulate matter, noise, and any other relevant environmental impact created directly or indirectly by the project.
3. All facilities shall include adequate service and emergency access. When appropriate, the Town encourages these routes to be designed to perform double duty with pedestrian, equestrian, and bicycle routes through the use of special paving materials and textures.
4. Any project in which the range and frequency of travel demand and volume is dynamic with respect to the scheduling of events, holidays, or other intensely organized gatherings must provide for primary, secondary, and possibly tertiary circulation methods to ensure safe, mobile, and efficient interaction.

L. Lighting

Lighting shall reflect away from residential areas and comply with the Town of Marana adopted outdoor lighting code. The light source of any outdoor lighting shall be shielded from adjoining properties and shall be the minimum intensity needed to serve the intended purpose. All lighting shall be directed down and away from residential parcels and public roadways and shall be as low in elevation as possible.

M. Signage

On-site signage shall be limited to one low-profile freestanding ground monument sign per street frontage, not greater than 5 feet in height and 25 square feet in area. The sign shall be

setback a minimum of 5 feet from the property line and shall be designed to be architecturally compatible with the facility building and constructed with the same or similar materials.

N. Trash Disposal

Each property shall provide adequate and accessible trash disposal areas, as accepted by the Planning Director. Disposal areas shall be screened from public view by a masonry enclosure, with solid gates, at least five (5) feet in height and able to adequately screen the trash and trash receptacle.

O. Noise Impact

Noise impact shall be considered and incorporated in the design of all facilities and uses to minimize the impact on adjacent residential properties. When appropriate an acoustical analysis will be required as part of the review process.

Intrusive noise level. An event or development shall be considered to produce a noise disturbance if the sound level emitted by said development exceeds the following at the property line:

- During the hours of 7:00 a.m. to 10:00 p.m. not to exceed 55 decibel.
- During the hours of 10:00 p.m. to 7:00 a.m. not to exceed 45 decibel.

P. Nuisance

All uses shall be so located, constructed, and operated so as not to constitute a public nuisance because of dust, gas, smoke, noise, fumes, odors, vibrations, glare, appearance or other public nuisances.

Q. Improvement Standards

The Planning Director and Town Engineer may make Administrative Modifications to the established development standards based on the following procedures:

1. The applicant shall submit a letter, addressed to the Planning Director, regarding the following:
 - a. How and why the applicant finds there exist extraordinary conditions and/or other circumstances such that the strict application of the particular requirement would result in practical difficulties or unnecessary hardship to the proposed resort project;
 - b. The improvements would be inconsistent with the general intent of this zone or the project and that there are exceptional circumstances or conditions applicable to the subject property which make the standard in question unfair, oppressive or not in keeping with the resort theme.
2. In addition, the letter shall explain how the request meets all of the following conditions necessary to granting an Administrative Modification to the required Development Standards of the Land Development Code:
 - a. The proposal is consistent with the Town of Marana General Plan;
 - b. With the exception of the requested waiver, the proposal complies with the Land Development Code and other applicable provisions of the Town of Marana Municipal Code, and, if applicable, the Northwest Marana Area Plan;

- c. The site is of a sufficient size and configuration to accommodate the design and scale of proposed development, including buildings and elevations, landscaping, parking and other physical features of the proposal;
- d. The design, scale and layout of the proposed development will not unreasonably interfere with the use and enjoyment of neighboring existing or future developments, will not create traffic or pedestrian hazards, and will not otherwise have a negative impact on the aesthetics, health, safety or welfare of neighboring uses;
- e. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood, will enhance the visual character of the neighborhood, and will provide for the harmonious, orderly and attractive development of the site;
- f. The design of the proposed development will provide a desirable environment for its occupants, the visiting public and its neighbors through good aesthetic use of materials, texture, and color that will remain aesthetically appealing and will retain a reasonably adequate level of maintenance; and
- g. The Modification on the proposed development is compatible with and enhances the design of existing buildings and other physical features of the site.

Neither the Planning Director or Town Engineer may in their deliberations grant approval of an Administrative Modification unless it has first been determined, based on the evidence, that all of the following findings can be made:

1. The strict application of the particular requirement would result in practical difficulties or unnecessary hardship to the proposed resort and would be inconsistent with the general intent of this zone or the project;
2. There are exceptional circumstances or conditions applicable to the subject property which make the standard in question unfair, oppressive or not in keeping with the resort theme; and
3. The granting of the waiver would not be materially detrimental to the public health, safety and welfare, nor injurious to the property or alternative improvements thereon in the immediate vicinity.

The Town shall provide a written response within fifteen (15) days of receiving the modification request approving or denying said request with the reason(s) why.

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05.11.08 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 (7) 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 CUP Section);
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 subject to Conditional Use Permits provided for in Section 10.10 of the Land Development Code:

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 Article 9-6 of the Marana Town Code;
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 10.10, 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:
 - i. 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.
 - ii. Each type of use (residential, commercial and industrial) shall have its own separate pedestrian entrance;
 - iii. Adequate bufferyards are provided between incompatible uses;
 - iv. Parking and vehicular accesses are separate between incompatible uses;
 - v. 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 (1 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 10 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 (5) feet in height is constructed along the property line;
- f. Building Separation. The minimum distance between two primary structures shall be twenty (20) feet. The minimum distance between all other structures shall be ten (10) 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 (4) feet, subject to compliance with applicable standards of the applicable Building and Fire Codes;
- h. Maximum lot coverage shall not exceed a total of 55 percent for each parcel;
- i. Maximum building height shall be 24 feet. In conjunction with a Conditional Use Permit application, 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 Title 17 of the Marana Land Development 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 Title 22 of the Marana Land Development Code and the following requirements listed below:

- a. Per Title 6 of the Land Development Code, all lots must abut a Public Street (06.03.03.B), or a private street improved to a standard satisfactory to the Town;
- b. Access control and driveway locations will be evaluated per Town of Marana 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 Title 16 of the Marana Land Development Code and the following additional sign requirements:

- a. Materials, colors and shades of proposed signs shall be compatible with the related building(s) on the property;
- b. Monument, wall-mounted and free-hanging signboards shall be the approved styles;
- c. Signage shall be limited to one (1) freestanding sign for each street frontage and one (1) wall sign (near the main entrance). In cases where there are multiple tenants, each tenant within the property shall be allowed one (1) wall sign (near each main entrance, the sign area shall be determined by Section 16-14-2;
- d. Freestanding signs shall be limited to double-faced, ground-mounted monument style, with proper landscaping in accordance with Section 16-14-4. Freestanding pole signs are prohibited;
- e. Freestanding signs shall not exceed eight (8) 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 percent 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 (5) foot wide planting strip consisting of trees, decorative walls and/or landscaping combination that will provide a six (6) 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 building(s). 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.

05.12.01 CBC Campus Business Center.

A. Purpose.

It is the purpose of the CBC zone to create a centerpiece employment and business center meeting the highest standards of amenity and technology. Toward that end, there are special development criteria created for this zone which shall prevail over all other criteria established in these regulations.

B. Location. (Reserved)

C. Permitted Uses. The following uses are specifically permitted in the CBC zone.

1. Lodging facilities
2. Medical, professional and general business offices.
3. Financial institutions, including drive-through facilities.
4. Uses primarily engaged in research activities, including, but not limited to, research laboratories and facilities, developmental laboratories and facilities including compatible light manufacturing similar to the following examples:
 - a. Bio-chemical;
 - b. Chemical;
 - c. Film and photography;
 - d. Medical or dental;
 - e. Metallurgy;
 - f. Pharmaceutical;
 - g. Optical;
 - h. X-ray.
5. Manufacture, research, assembly, testing, and repair of components, devices, equipment, and systems and parts such as, but not limited to the following:
 - a. Computers
 - b. Coils, tubes, semi-conductors
 - c. Communication, navigation control, transmission and reception equipment, control equipment and system guidance equipment
 - d. Data processing systems and equipment
 - e. Metering instruments
 - f. Newspaper publishing and printing
 - g. Optical devices, equipment, and systems
 - h. Photographic equipment
 - i. Optical equipment
 - j. Scientific instruments
6. Corporate and regional headquarter facilities and offices

D. Accessory Uses. (Reserved)

E. Conditional Uses.

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

1. Day care facilities;
2. Churches and religious facilities;
3. Private educational facilities;
4. Medical facilities;
5. Retail services;
6. Eating and drinking establishments, including drive-through facilities;
7. Automotive service stations;
8. Warehouse and distribution in connection with a permitted use;
9. Blueprinting, Photostatting, photo engraving, printing, publishing and book binding;
and
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 10.10, paragraph P).

F. Temporary Uses (Reserved)

G. Prohibited Uses.

The following uses are specifically prohibited from the CBC zone:

1. Automobile sales or repair
2. Animal care, boarding and kennels
3. Manufacture and/or assembly of any of the following:
 - a. Concrete products;
 - b. Farm equipment;
 - c. Heating and ventilating equipment;
 - d. Sheet metal products;
 - e. Trailers;
 - f. Trucks;
 - g. Wool and yarn.

H. Intensity Standards

1. Minimum Parcel Size: the minimum size for all industrial parcels shall be one acre (43,560 square feet). The minimum site size for commercial or professional office uses shall be 20,000 square feet.
2. Maximum Building Coverage: the maximum building coverage for a lot shall be thirty percent (30%). Parking structures shall not be calculated as buildable area; however, said structures shall only be used for the parking of company vehicles, employee vehicles, or vehicles of persons visiting the site.

I. Site Development Standards

1. Minimum Lot Dimensions. The minimum lot dimensions shall be as follows:
 - a. Site width: 100 feet
 - b. Site depth: 200 feet

The Planning Administrator may vary site width and depth provisions to accommodate proper site design.

2. Building Setbacks

- a. Front Yard: 50 feet, except that an unsupported roof or sun screens may project 6 feet into the setbacks area.
- b. Side Yard: 25 feet, except that an unsupported roof and sunscreens may project 6 feet into the setback area; provided that if a single building is constructed on two or more lots, or if a site on which a single building was originally constructed is further subdivided into two or more lots in accordance with the provisions of these Standards, no side yard setback is required from interior lot lines; provided further that, in any event, there shall be a minimum of at least 25 feet of open space between all buildings on the property. In the case of a corner lot, the side street setback shall be 30 feet, except an unsupported roof or sun screen may project 6 feet into the setback area.

3. Maximum Building Height

- a. Principal building: 50 feet
- b. Accessory building: 20 feet

4. Parking and Drives

- a. In General. The intent of these provisions is to provide adequate on-site parking for all employees, visitors, and company vehicles and, thus, eliminate the need for any on-street parking. If the parking requirements of a site increase as a result of change of use or addition of employees, additional on-site or proximate off-street parking shall be provided to satisfy the intent of these provisions. Parking may be provided on a contiguous site for employees or company vehicles, provided the contiguous site is within 500 feet of the site. Where off-site parking is provided, a document shall be filed with the Planning Administrator signed by the owners of the adjacent site stipulating to the permanent reservation of the use of the site for parking, and the subsequent reduction in parking available to the adjacent site.
- b. Parking Area Location. Parking areas should be located at the sides or rear of a building whenever possible. Parking is permitted in the required front yard setback if adequate setback and landscaping provisions are made to effectively shield the parking from the street. No parking shall be permitted within 25 feet of the front lot line. Parking within the front of a building should be limited to customers, invitees, and visitors of the building occupant.
- c. Landscaping and Screening. The front, sides, and rear yard areas of every lot not used for building, parking, access drives, and pedestrian ways shall

be landscaped. Refer to Title 17, Landscape Requirements, for further requirements. (part. Ord. No. 97.07, 3/97).

- (1) Screening of parking. Front and side lot parking areas shall be landscaped and screened with an effective combination of street trees, trees, ground cover, earthen berms that are landscaped, and shrubbery so as to preclude, or effectively preclude, view of the parking areas from view from any street or public way.
- (2) Parking lot landscaping. Parking areas must be landscaped and designed to preclude the monotony of a large paved area. Toward this end, the following minimum standards apply:
 - (1) A minimum 15 foot width landscaped median running the length of the aisle shall be provided for every 3 contiguous rows of double-loaded parking spaces.
 - (2) A 10 foot minimum width landscaped island shall be spaced at a minimum of every 15 parking spaces.
 - (3) Parking aisles shall not exceed 40 cars in a row. Total parking areas shall be broken into sections not to exceed 400 cars.
 - (4) Native and /or approved vegetation is required within all medians and islands and shall be irrigated and maintained to insure viability.
 - (5) Curbs and/or wheel stops shall be placed in such a manner as to preclude damage to landscaped areas.
- (3) Parking lot landscape plans and administration.
 - (1) A separate parking lot landscape plan must be approved by the Planning Administrator prior to any construction of any building, structure or other improvement.
 - (2) Every site, including parking areas, shall be landscaped according to approved plans within 30 days of occupancy or completion of construction, whichever comes first. A performance bond shall be posted with the Planning Administrator to insure compliance with this provision.
 - (3) Natural or approved landscape material is required.
 - (4) All landscaped areas shall be maintained in a well kept condition.
 - (5) During construction and hereafter, the owner or lessee shall take all reasonable means to protect and preserve all trees and protected plants on a site, unless otherwise approved by the Planning Administrator. All protected plants must be inventoried and identified prior to any construction and noted on the landscape plans. Fencing must be installed prior to

construction around all vegetation to be preserved as required by approved plans.

d. Driveways

- (1) No driveway approach shall be permitted within 100 feet of a street intersection where an arterial or collector street is part of that intersection.
- (2) No driveway approach shall be permitted within 50 feet of the intersection of two local roads.
- (3) One curb cut is allowed for every 150 feet of street frontage.
- (4) Driveways shall be a minimum of 24 feet and a maximum of 30 feet with a minimum return radius of 30 feet.

5. Loading and Storage Areas. No loading area shall be allowed which is visible from the front lot line or from any adjacent streets. Loading areas shall be screened by an opaque wall, architecturally compatible with and extending from the building to effectively screen the loading area. The screen wall shall extend vertically a distance equal to two-thirds (2/3) the height of the loading door as measured from the ground to the top of the door, and shall extend at least forty-five (45) feet from the building surface on which the doors are located.

Storage areas, including areas used for dumpster or private garbage facilities, shall be screened from all streets, freeways, and adjacent property. Said screening shall form a complete opaque screen up to a point eight (8) feet in vertical height. Storage within said screened area may not exceed the height of the screen. Outdoor storage shall include the parking of company trucks and vehicles, with the exception of passenger vehicles. Trucks and other company vehicles may exceed the maximum storage height of eight (8) feet.

6. Utilities. All utilities shall be placed underground. Transformer or terminal equipment shall be visually screened from view from all adjacent streets and properties.

J. Architectural Standards.

1. In General. All construction within the CBC zone shall be reviewed and approved by the Planning Commission.
2. Architectural Design. Any building or structure erected on a site shall conform to the following practices:
 - a. The architectural design shall be consistent with the accepted sound design principals of the profession, compatible with surrounding development, and in harmony with the desert environment of the Town of Marana. Elements to be considered include size and shape of the buildings, materials and color selection, facade treatment, height, and site and landscape treatment.
 - b. Materials and colors must be in harmony with the natural environment. Stark white shall not be used. Buildings should be predominantly one of exterior material. An exterior materials and color board or samples must be submitted and approved by the Planning Commission.

- c. All sides and the rear of a building shall receive appropriate design considerations.
- d. All flues, vents, downspouts, electric meters, transformers and similar elements shall be painted to match the surface from which they project, or hidden by design features.
- e. All buildings must be designed by a licensed architect. Mechanical, electrical, and plumbing systems and structures must be designed and stamped by a registered engineer.
- f. Durable materials such as masonry and tilt-up concrete panels are preferred for all structures. Construction details such as change-of-plane, ribbing, fluting, texturing, banding, and/or reveals should be employed to break up large exterior wall surfaces.
- g. All roof-top equipment must be fully screened from view from any street, public way, or from any site within the area.
- h. Building designs should consider energy conservation in determining the orientation of the building on its site:
 - (1) Geometric shape of the building and the building aspect ratio (ratio of length to width).
 - (2) Thermal mass of the building.
 - (3) Exterior surface colors.
 - (4) Shading or reflection from adjacent structures, surrounding surfaces or vegetation.
 - (5) Opportunities for natural ventilation.
 - (6) Wind direction and velocity. Building envelopes should be designed for adequate thermal resistance and low air leakage. Incorporation of an alternate energy source, such as solar, is highly encouraged.
- i. No excavation shall be made except in conjunction with construction of an improvement. When such improvement is completed, all exposed excavations shall be back-filled, graded, and returned as near as possible to its natural state.
- j. Once commenced, construction shall be diligently pursued to the end. Such construction may not be left in a partly finished condition any longer than is reasonably necessary.
- k. Upon completion of construction, the architect shall be required to submit to the Planning Administrator a letter stating that the building has been completed in substantial compliance with the approved plans.

05.12.02 Light Industrial

A. Purpose

The LI zone is intended to provide for manufacturing, processing, research, science, engineering, wholesale trade and services and other commercial, institutional and certain limited retail sales and service. It is further intended that these activities shall:

1. Provide Marana residents with employment opportunities; and,
2. Provide for the manufacture and distribution of goods, materials, and services important to local as well as regional commerce and industry. The LI zone is intended to provide a high quality working environment that is safe, healthy, aesthetically pleasing, and which in no instance shall cause a detrimental effect on adjacent land uses or the community environment as a whole.

B. Location

The following criteria shall be considered in establishing and maintaining the LI zone:

1. Consistency with the Marana General Plan.
2. Availability of a sufficiently large area to permit industrial development that can accommodate substantial buffering from non-industrial uses.
3. Existence of a freeway, flood control channels, railroad tracks, and highways on the periphery of an area to provide barriers and separation from non-industrial uses.
4. Vehicular access from a freeway and arterial highways without inducing traffic on residential streets or non-arterial streets.

C. Permitted Uses

The following uses shall be permitted in the LI zone:

1. Manufacturing of:
 - a. Electronics
 - (1) Electrical and related parts
 - (2) Electrical appliances
 - (3) Electrical devices
 - (4) Motors
 - (5) Radios, televisions and phonographs
 - b. Instruments
 - (1) Electronic
 - (2) Medical and dental tools
 - (3) Precision
 - (4) Timing and measuring
 - c. Office and Related Machinery
 - (1) Audio machinery
 - (2) Computers
 - (3) Visual machinery
 - d. Pharmaceuticals
 - (1) Cosmetics
 - (2) Drugs

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- (3) Perfumes
 - (4) Soap
 - (5) Toiletries
 - e. Laboratories
 - (1) Chemical
 - (2) Dental
 - (3) Electrical
 - (4) Optical
 - (5) Mechanical
 - (6) Medical
 - f. Manufacture and maintenance of signs
 - g. Novelties and holiday paraphernalia
 - h. Rubber and metal stamps
 - i. Furniture and upholstery
 - j. Candy
 - k. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:
 - (1) Canvas
 - (2) Cellophane
 - (3) Cloth
 - (4) Cork
 - (5) Felt
 - (6) Fiber
 - (7) Fur
 - (8) Glass
 - (9) Leather
 - (10) Paper
 - (11) Precious or semi-precious stones or metals
 - (12) Plaster
 - (13) Shells
 - (14) Textiles
 - (15) Wood
 - (16) Yarns
- 2. Wholesaling and Warehousing
- 3. Services:
 - a. Banks and financial institutions
 - b. Blueprinting and photocopying
 - c. Business research office related to the administration and operation of a permitted industrial use
 - d. Day care
 - e. Newspaper publishing
 - f. Office, business and professional
 - g. Printing, lithographing, publishing
 - h. Radio and television broadcasting
 - i. Restaurants, including drive-through facilities
- 4. Processing:
 - a. Carpet and rug cleaning
 - b. Cleaning and dyeing

- c. Laundry
- 5. Movie, Television and Radio Studios
- 6. Similar Uses Permitted by Planning Administrator

The Planning Administrator may permit other uses which may be determined to be similar to those listed above, and in conformity with the intent and purpose of this zone.

- D. Accessory Uses (Reserved)
- E. Conditional Uses

The following may be permitted subject to Conditional Use Permits provided for in Section 10.10 of the Land Development Code if specific conditions are imposed to carry out the purposes of this zone:

- 1. Bottling works
- 2. Machine shops
- 3. Manufacture of:
 - a. Products made from pre-prepared materials including metal, plastic, wood, and ceramic
 - b. Food products such as bakery goods, candy, and dairy products.
- 4. Metal plating shops
- 5. Public service facilities, whether public utility or government
- 6. Veterinary kennels and hospitals
- 7. Medical marijuana dispensary, subject to the requirements found in Section 08.08.
- 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).

- F. Temporary Uses (Reserved)

- G. Prohibited Uses

- 1. The following manufacturing uses:
 - a. Abrasives
 - b. Carbon black and lamp plant
 - c. Chemical plant
 - d. Soaps and by-products using animal fat
 - e. Fertilizers of all types
 - f. Glue and sizing manufacturing plant
 - g. Graphite manufacturing plant
 - h. Gypsum and other forms of plaster base manufacturing
 - i. Flammable Insulation manufacturing

- j. Metals extraction and smelting
 - k. Paraffin manufacturing
 - l. Petroleum and petroleum products
 - m. Tannery
 - n. Turpentine manufacturing
 - o. Wax and wax products
 - p. Other similar uses as determined by the Planning Administrator
2. The following processing uses:
- a. Animal by-products processing
 - b. Auto salvage yards
 - c. Dog and cat food processing
 - d. Fertilizers of all types
 - e. Rubber reclaiming or processing
 - f. Tar or asphalt roofing processing
 - g. Other similar uses as determined by the Planning Administrator.

H. Intensity Standards

On any parcel of land or unit of development, the following intensity standards shall apply:

- 1. Building Coverage: Not more than 50% of the parcel area
- 2. Floor Area Ratio: 0.5

I. Site Development Standards

The following standards apply in the LI zone:

- 1. Parcel Width: Minimum of 100 feet
- 2. Parcel Depth: Minimum of 200 feet
- 3. Setbacks:
 - a. Adjacent to a Residential Street: Not less than 50 feet along any street facing a residential area, which shall be landscaped; except, a low profile office structure of less than 18 feet in height may encroach into the required yard no more than 25 feet and may not cover more than 25% of the required setback area
 - b. Adjacent to a Non-Residential Arterial Street: Not less than 25 feet and at least 50% of the required setback shall be landscaped.
 - c. Adjacent to a Local Industrial Street: Not less than 15 feet and at least 50% of the required setback shall be landscaped.

- d. Adjacent to a Residential Parcel Not Separated by a Street: Not less than 30 feet or the height of the building, whichever is greater, and the entire setback shall be landscaped.
 - e. Adjacent to a Non-Residential Parcel Not Separated by a Street: Not less than 15 feet and the entire area shall be landscaped.
4. Building Height: Not greater than 50 feet.
5. Architecture: Architectural considerations shall include, but not be limited to, the following provisions:
- a. Exterior walls shall be of concrete, glass or masonry construction.
 - b. Exterior color and materials of all buildings and block walls facing residential areas shall be harmonious with the residential development. All exterior walls must be either painted or surfaced with decorative materials.
 - c. Lighting shall be designed not only to afford safety and security, but also to enhance the general appearance of the development. Parking lot lighting fixtures are to have a height of no greater than 16 feet. Walkway lighting fixtures are to have a height of no greater than 12 feet. Security lighting fixtures are not to project above the fascia or roof line of the building and are to be shielded from streets and other properties. Shields are to be painted to match the surface to which they are attached. Security lighting are not to be a substitute for parking lot or walkway lighting fixtures and are restricted to lighting entrances, loading and storage areas, and other similar service areas.
 - d. Mechanical Equipment and Ductwork
 - (1) All roof mounted equipment and/or ductwork which projects above the roof or roof parapet shall be screened by an enclosure consistent with the architecture of the building.
 - (2) Mechanical equipment shall not be exposed on an exterior wall surface of a building.
 - (3) Cyclone blowers shall be screened by walls, fences or landscape materials and shall be located below the fascia and/or roof line of the building.
 - (4) Incinerators are prohibited.
 - (5) Gutters and downspouts are to be painted to match the surface to which attached.
 - (6) Vents, louvers, exposed flashing, tank stacks, overhead doors, and service doors are to be painted consistent with the color scheme of the building.
6. Storage: Outdoor storage of wares, merchandise, materials, equipment, crates, bottles, or similar items shall be screened on all sides by masonry fencing and solid gates. Outdoor storage areas shall be permitted only as an accessory use

to a main building and the total area for such storage shall not exceed 20% of the floor area of any buildings on a site.

7. Refuse Containment: All outdoor trash and refuse storage areas shall be enclosed from view on all sides by a concrete block or masonry wall and a solid gate. Trash may be contained within an enclosable metal bin if screened from public view.
8. Loading Areas: Loading areas or docks shall be located in a manner that prohibits a truck from backing to such an area from any street other than a local industrial street. No loading dock shall face an arterial street or a street adjacent to a school or residential use. All loading areas shall be screened with view-obscuring landscaping and/or decorative block walls.
9. Landscaping: A minimum of 20% of the area not occupied by buildings or structures shall be landscaped. Refer to Title 17, Landscape Requirements, for further requirements. (part. Ord. No. 97.07, 3/97).

05.12.03 HI HEAVY INDUSTRY

A. Purpose.

The purpose of the HI zone is to provide for those employment activities that often require outdoor activity and/or storage. It is also the purpose to provide employment opportunity.

B. Permitted Uses.

The following uses shall be permitted in the HI zone:

1. All uses in Sections 5.10.09, MR-1, High Intensity Residential
2. All uses in Section 5.11.04, RC, Regional Commercial
3. All uses in Section 5.12.02, LI, Light Industrial
4. MANUFACTURING
 - a. Electronics
Electrical and related parts
Electrical appliances
Electrical devices
Motors
Radio, television and phonograph
 - b. Instruments
Electronic
Medical and dental tools
Precision
Timing and measuring
 - c. Office and Related Machinery
Audio machinery
Computers - electrical
Computers - manual
Visual machinery
 - d. Pharmaceuticals
Cosmetics
Drugs
Perfumes
Soap
Toiletries
 - e. Laboratories
Chemical
Dental
Electrical
Optical
Mechanical
Medical
 - f. Manufacture and maintenance of electrical and neon signs
Novelties and holiday paraphernalia
Rubber and metal stamps
Furniture upholstery
Candy

- g. Manufacturing, compounding, assembly or treatment of article or merchandise from the following previously prepared materials:
 - Canvas
 - Cellophane
 - Cloth
 - Cork
 - Felt
 - Fiber
 - Fur
 - Glass
 - Leather
 - Paper (no milling)
 - Precious or semi-precious stones or metals
 - Plaster
 - Shells
 - Textiles
 - Tobacco
 - Wood
 - Yarns
 - Fabrication of projects made from finished rubber.

5. WHOLESALE AND WAREHOUSING

6. SERVICES

- Banks and financial institutions
- Blueprinting and photocopying
- Business and research office related to the administration and operation of the permitted industrial uses
- Newspaper publishing
- Office, business and professional
- Printing, lithographing, publishing
- Radio and television broadcasting
- Restaurants, excluding drive-through facilities

7. PROCESSING

- Carpet and rug cleaning
- Cleaning and dyeing
- Laundry

8. MOVIE, TELEVISION AND RADIO STUDIOS

9. SIMILAR USES PERMITTED BY PLANNING ADMINISTRATOR

The Planning Administrator may permit any other uses which may be determined to be similar to those listed above, in conformity with the intent and purpose of this zone.

C. Accessory Uses Reserved.

D. Conditional Uses.

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

1. Any other use which may be similar to those listed above, in conformity with the intent and purpose of this zone, and not more obnoxious or detrimental to the public health, safety, welfare or to other uses permitted in this zone.
2. Medical marijuana dispensary, subject to the requirements found in Section 08.08.
3. 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. Uses Prohibited.

The following uses are expressly prohibited in HI:

1. Junk or salvage yard.
2. Manufacture or storage of explosives.
3. Other comparable uses determined and found to be incompatible, harmful, undesirable, or a use which would negatively affect the environment of Marana.

F. Temporary Uses (Reserved)

G. Site Intensity Standards

1. Minimum Site Size: 1 acre.
2. Maximum Building Coverage: 50% of the site.
3. Maximum Floor-Area Ratio: 0.50.
4. Minimum Parcel or Pad Size: None.

H. Site Development Standards

The following standards shall apply to property in the HI zone:

1. Parcel Width: None.
2. Parcel Depth: None.
3. Setbacks: The following setback areas shall be provided:
 - a. Adjacent to a Residential Street. Buildings shall be located at least 50 feet from the property line along any street facing a residential area and 50% of the setback area shall be landscaped with the exception that low profile office structures of less than 16 feet in height may encroach into the required yard no more than 35 feet and may cover not more than 40% of the required setback area.
 - b. Adjacent to a Local Industrial Street. Along any local industrial street, buildings shall be located at least 10 feet from the property line. 50% of the required setback area shall be landscaped.

- c. Adjacent to a Residential Parcel. Along any property line adjacent to a residential area and not separated by a street, the building setback shall be 30 feet or a distance equal to the height of the building, which ever is greater.
 - d. Adjacent to a Commercial Parcel. Along any property line adjacent to a commercial area and not separated by a street, there shall be a setback of at least 20 feet.
 - e. Adjacent to an Industrial Parcel. Along property lines that separate industrial uses there shall be a minimum setback of 10 feet. Buildings may be constructed on a property line adjacent to an industrial site, provided that the plan for development is agreed to by the owners involved, said agreement to be approved by the Planning Administrator, and recorded as a covenant among the property owners and the Town of Marana.
 - f. Adjacent to Flood Control Channel and Vacant Easements in excess of 50 feet wide. Along property lines adjacent to freeways, flood control channels and easements in excess of 50 feet in width, there shall be a minimum setback of 10 feet.
4. Building Height: Building height shall be no greater than 55 feet, with the exception that business and research offices and scientific laboratories needing additional office space may be permitted additional building height if the Planning Administrator deems that the proposed development enhances existing and planned development in the area. In no instance shall a building or structure exceed a height equal to the least horizontal distance between the building or structure and a property line adjacent to a residential area.
5. Lighting: Lighting shall be designed not only to afford safety and security, but shall serve to enhance the general appearance of the proposed development. Parking lot lighting fixtures are to have a height no greater than 25 feet. Walkway lighting fixtures are to have a height no greater than 16 feet. Security lighting fixtures are not to project above the fascia or roof line of the building and are to be shielded from streets and other properties. The shields shall be painted to match the surface to which attached. Security lighting fixtures are not to be substituted for parking lot or walkway lighting fixtures and are restricted to lighting of entrances, loading and storage areas, and similar service area.
6. Mechanical Equipment and Ductwork.
- a. All roof mounted mechanical equipment and/or ductwork, which projects above the roof or roof parapet shall be screened by an enclosure which is consistent with the architecture of the building. Screening shall be provided by increasing the height of the parapet unless the building's roof is visible from an elevated street or highway, then a decorative screen higher than the roof equipment shall be provided. The screens shall be designed so that it conforms and is compatible with the overall architecture and design of the exterior of the building.
 - b. Mechanical equipment shall not be exposed on an exterior wall surface of a building.

- c. Cyclone blowers shall be screened by walls, fences or landscape materials and shall be located below the fascia and/or roof line of the building. Further, they shall not be located on the front of a building and shall be painted to match the surface to which attached.
 - d. Incinerators are prohibited.
 - e. Gutters and downspouts are to be painted to match the surface to which attached unless used as a major design element, in which case the color is to be consistent with the color scheme of the building.
 - f. Vents, louvers, exposed flashing, tanks stacks, overhead doors, and service doors are to be painted consistent with the color scheme of the building.
- 7. Storage: The outdoor storage of wares, merchandise, materials, equipment, crates, bottles, or similar items shall be screened on all sides by solid fencing and solid gates.
 - 8. Refuse Containment: All outdoor trash and refuse storage areas located within public view shall be enclosed from view on all sides not adjacent to a building by a solid wall or fence and solid wood gate at least 6 feet high.
 - 9. Loading and Unloading: Loading areas or docks shall be located in a manner that prohibits a truck from backing to any street other than a local industrial street. All loading areas and loading activities shall be screened from an arterial street, school, or residential area with view-obscuring landscaping and/or decorative block walls. In addition, all loading areas or docks shall be located to minimize the interaction between these areas.
 - 10. Landscaping: A minimum of 10% of the area not occupied by buildings or structures shall be landscaped. Landscaped areas located between a parking area or driveway and a street right-of-way shall include earth mounding. Refer to Title 17, Landscape Requirements, for further requirements. (part. Ord. No. 97.07, 3/97).
- I. Environmental Performance Standards. (Reserved)

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**TITLE 6
SUBDIVISIONS**

Note to Marana Land Development Code users: As of January 15, 2016, Title 6 of the Marana Land Development Code has been recodified as Chapter 17-5 of the Marana Town Code. The following table provides derivation information concerning sections previously found in LDC Title 6:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
<i>TITLE 6 SUBDIVISIONS</i>	<i>CHAPTER 17-5 SUBDIVISIONS</i>
<i>06.01 Purpose and Intent</i>	<i>17-5-1 Purpose and intent</i>
<i>06.02 General Applicability</i>	<i>17-5-2 Procedure</i>
<i>06.02.01 Pre-Application Conference</i>	<i>17-5-2.B [Pre-application conference]</i>
<i>06.02.02 Preliminary Plat</i>	<i>17-5-2.C [Preliminary plat]</i>
<i>06.02.03 Final Plat</i>	<i>17-5-2.D [Final plat]</i>
<i>06.03 Subdivision Requirements</i>	<i>17-5-3 Subdivision requirements</i>
<i>06.03.01 Design and Documentation Requirements</i>	<i>17-5-3.A [Design and documentation requirements]</i>
<i>06.03.02 Improvement Requirements</i>	<i>17-5-3.B [Improvement requirements]</i>
<i>06.03.03 General Requirements</i>	<i>17-5-3.C [General requirements]</i>
<i>06.04 Design Standards</i>	<i>17-5-4 Design standards</i>
<i>06.04.01 General</i>	<i>17-5-4.A [General]</i>
<i>06.04.02 Building and Site Design</i>	<i>17-5-4.B [Building and site design]</i>
<i>06.04.03 Street Location and Arrangement</i>	<i>17-5-4.C [Street location and arrangement]</i>
<i>06.05 Conservation Subdivision Standards (Reserved)</i>	<i>Deleted</i>
<i>06.06 Performance Guarantee</i>	<i>17-5-5 Performance guarantee</i>
<i>06.07 Minor Land Division</i>	<i>17-5-6 Minor land division</i>
<i>06.07.01 In General</i>	<i>17-5-6.A [In general]</i>
<i>06.07.02 Pre-Application Conference</i>	<i>17-5-6.B [Pre-application conference]</i>
<i>06.07.03 Minor Land Division Design Standards and Requirements</i>	<i>17-5-6.C [Minor land division design standards and requirements]</i>
<i>06.07.04 Minimum Required Minor Land Division Improvements</i>	<i>17-5-6.D [Minimum required minor land division improvements]</i>
<i>06.07.05 Minor Land Division Applications</i>	<i>17-5-6.E [Minor land division applications]</i>
<i>06.07.06 Engineering Plans for Minor Land Division</i>	<i>17-5-6.F [Engineering plans for minor land division]</i>
<i>06.07.07 Assurance for the Construction of Minor Land Division Improvements</i>	<i>17-5-6.G [Assurance for the construction of minor land division improvements]</i>
<i>06.07.08 Minor Land Division Appeal</i>	<i>17-5-6.H [Minor land division appeal]</i>
<i>06.08 Modifications</i>	<i>Deleted (heading only)</i>

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<i>OLD LDC NUMBER AND TITLE</i>	<i>LOCATION IN TOWN CODE TITLE 17</i>
<i>06.08.01 Modifications to Requirements of Title</i>	<i>17-5-7 Modifications to requirements of chapter</i>
<i>06.09 Violations</i>	<i>Deleted (heading only)</i>
<i>06.09.01 Violations and Penalties</i>	<i>17-5-8 Violations and penalties</i>

**TITLE 7
LARGE SCALE DEVELOPMENTS**

Note to Marana Land Development Code users: As of January 15, 2016, Title 7 of the Marana Land Development Code has been deleted in connection with the recodification of the Marana Land Development Code as Title 17 of the Marana Town Code. The following table provides deletion information concerning sections previously found in LDC Title 7:

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>07 Title 7 Large Scale Developments (including all subsections)</i>	<i>This title set forth special procedures for so-called “large scale developments,” which included “planned unit developments, condominium projects, mobile home parks, recreational vehicle parks, planned shopping centers, planned industrial parks, group dwellings, or apartment buildings or complexes located on a lot or parcel of land larger than 2.5 acres.” The procedures called for large scale developments to be approved through the same process as a subdivision, with financial assurances and other special requirements. The Town’s standard development plan approval process now makes the special large scale developments requirements unnecessary and burdensome.</i>

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(BLANK)

**TITLE 8
GENERAL DEVELOPMENT REGULATIONS**

SECTIONS:

08.01	[Reserved]
08.02	[Reserved]
08.03	[Reserved]
08.04	[Reserved]
08.05	[Reserved]
08.06	Residential Design
08.07	Commercial Design Standards
08.08	[Reserved]

08.01 – 08.05 [Reserved]

Reviser's note to Marana Land Development Code users: As of January 15, 2016, all except sections 08.06 (Residential Design) and 08.07 (Commercial Design Standards) of Title 8 of the Marana Land Development Code has been recodified into Chapter 17-6 of the Marana Town Code. The following tables provide derivation and deletion information concerning sections previously found in LDC Title 8:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
TITLE 8 GENERAL DEVELOPMENT REGULATIONS <i>(except residential and commercial design standards)</i>	CHAPTER 17-6 GENERAL DEVELOPMENT REGULATIONS
<i>08.01. Building Permits Required, Procedure Therefore [sic]</i>	<i>Deleted</i>
<i>08.03 Adoption of the Uniform Building, Plumbing, and Electrical Codes, with Exceptions</i>	<i>Deleted</i>
<i>08.03.01 Height of buildings and structures</i>	<i>17-6-4 Height of buildings and structures</i>
<i>08.03.02 Clear view of intersecting streets</i>	<i>17-6-5 Clear view of intersecting streets</i>
<i>08.03.03 Drainage of lots</i>	<i>17-6-2.C [Drainage]</i>
<i>08.03.04 Location of gasoline pumps</i>	<i>17-6-7 Location of gasoline pumps</i>
<i>08.03.06 Motor vehicle access</i>	<i>17-6-8 Motor vehicle access</i>
<i>08.03.07 Mobile homes</i>	<i>Deleted</i>
<i>08.03.08 Location of structures to house animals</i>	<i>17-6-12.A [Location of structures to house animals]</i>
<i>08.03.09 Waste disposal</i>	<i>Deleted</i>
<i>08.03.10 Lot numbers and building addresses</i>	<i>Deleted</i>
<i>08.03.11 Designation of Non-public Facilities</i>	<i>Deleted</i>
<i>08.03.12 Irrigation Lines and Ditches</i>	<i>17-6-9 Irrigation lines and ditches</i>
<i>08.03.13 Specifications for the installation of fiber optics</i>	<i>17-6-11 Specifications for the installation of fiber optics</i>
<i>08.04 Animal Keeping and Related Structures</i>	<i>17-6-12 Animal keeping and related structures</i>
<i>08.04.01 General Maintenance</i>	<i>17-6-12.B [General maintenance]</i>
<i>08.04.02 Development Standards</i>	<i>17-6-12.C [Development standards]</i>
<i>08.04.03 Enforcement</i>	<i>Deleted</i>
<i>08.04.04 Severability</i>	<i>Deleted</i>
<i>08.04.05 Administrative relief</i>	<i>Deleted</i>
<i>08.05 Building Height Increase</i>	<i>17-6-13 Building height increase</i>

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
08.08 Medical Marijuana Dispensary	17-6-14 Medical marijuana dispensary

SECTION NUMBER AND TITLE	REASONS FOR DELETION
08.01. Building Permits Required, Procedure Therefore [sic]	Building permit requirements and procedures are now set forth in Town Code Title 7 (Building)
08.03 Adoption of the Uniform Building, Plumbing, and Electrical Codes, with Exceptions	This was a section title with no text.
08.03.07 Mobile homes	This provision, setting standards for mobile homes and mobile home skirting, is addressed by Town Code Title 7 (Building) and state law
08.03.09 Waste disposal	This provision, requiring connection to sewer or approved septic, was an unnecessary restatement of state law
08.03.10 Lot numbers and building addresses	This provision required addresses to be assigned to all buildings, and is now covered by administrative procedure and (to the extent necessary) by Town Code Title 7 (Building)
08.03.11 Designation of Non-public Facilities	This provision required a notation on a building permit regarding access to a non-public street or for property not served by a public sewer, and is now covered (to the extent necessary) by Town Code Title 7 (Building)
08.04.03 Enforcement	This provision was an unnecessary duplication of the general enforcement provisions applicable to the entire LDC
08.04.04 Severability	This provision was an unnecessary duplication of the standard severability provision inserted in each individual adopting ordinance, where appropriate
08.04.05 Administrative relief	This provision established an administrative relief procedure through the office of the planning director. By state law, administrative relief is available from the board of adjustment. Having both procedures was unnecessary and confusing.

08.06 Residential Design

8.06.01 Purpose

A. The purpose of the neighborhood and residential design standards is to foster the establishment of neighborhoods that avoid the appearance of “production,” leading to greater diversity and quality of residential development within the Town of Marana. It is necessary that new developments in which any lot is 16,000 square feet or smaller accomplish the following:



1. Foster variety of architectural style, house and lot size, and price within and among residential neighborhoods.
2. Create pedestrian friendly neighborhood streets through reduced pavement and increased landscaping.
3. Provide visual relief and shade through landscaping along streets, common entryways, common areas, and on individual lots.
4. Integrate roads, paths, and trails within neighborhoods and through adjoining neighborhoods.
5. Incorporate parks and open space into the fabric of the neighborhood.



WHAT NOT TO DO:
Same thing over and over...



8.06.02 Applicability

- A. Neighborhood design standards shall apply to any subdivision containing one or more lots 16,000 square feet or smaller, unless the subdivision is part of a specific plan governed by neighborhood design regulations tailored to that plan. However, these standards shall not apply to applications for preliminary plats submitted on or before the effective date of this ordinance provided that a final plat is approved not later than one year after the adoption date.
- B. Residential design standards shall apply to all detached dwellings in subdivisions containing one or more lots 16,000 square feet or smaller for which an application for a building permit is submitted after January 1, 2006, unless the residential lot is within a specific plan governed by residential design regulations tailored to that plan. Where model home plans have been approved for a specific subdivision prior to January 1, 2006, construction may continue thereafter according to the approved models.
- C. Where an application for a subdivision contains multiple blocks, the standards of this ordinance shall apply to each block as if it were a single subdivision.
- D. The standards of this ordinance supplement the standards of Title 5, Zoning and Title 6, Subdivisions. Where there is a conflict between this ordinance and either of these Titles, the standards of this ordinance shall apply.

8.06.03 Definitions

A. For the purpose of this ordinance the following terms are defined as follows:

1. Adjacent - Near or close to, but not necessarily touching or abutting or having a common dividing line, such as two properties separated by a street, alley, easement, or common area.
2. Adjoining - Two or more land parcels having a common property line.
3. Curbside - The landscaped area between the outside edge of a sidewalk and the inside edge of a curb.
4. Four-sided architecture - Residential design wherein each side of a house displays one or more features, including, but not limited to, balconies, bay windows, recessed windows, porches, and other architectural details.



8.06.04 Neighborhood Design Plan Submittal

- A. Time of submittal. A property owner shall submit a neighborhood design plan in accordance with these regulations as part of the preliminary plat submittal. Where a preliminary plat consists of one or more parcels or a block plat to be further subdivided into lots, the adopted neighborhood design plan shall apply to all subsequent subdivisions and resubdivisions, unless a new neighborhood design plan has been approved.
- B. Submittal process. An applicant shall submit all documents, exhibits, data, and information as required on the application form provided by the Town of Marana. The

applicant shall provide additional information, documents, or other relevant material that the planning director believes is reasonable and necessary to evaluate, analyze, and understand the application.

C. Approval.

1. Neighborhood Design Basic Plan. The Town Council shall approve the neighborhood design plan at the time of preliminary plat approval.
2. Alternative Neighborhood Design Plan. The Town Council shall consider for approval the alternative neighborhood design plan at the time of preliminary plat approval. The adopting resolution shall indicate which of the alternative standards is approved, and any modifications made to those standards.

8.06.05 Neighborhood Design Plan Basic Standards

A. Basic Standards. The neighborhood design plan shall be at a minimum comprised of the following basic standards as described below, or as described in Section 8.06.06, to accomplish the purpose of this ordinance.

B. Site Planning Standards.

1. Streetscape Standards.

a. All subdivision streets shall depict street layout, curbs, sidewalks, and landscaping and their relationship to building frontages.

b. Where a submittal includes only parcels or blocks, but not individual lots, the neighborhood design plan shall depict all collector streets within the subdivision and points of access to adjacent streets. All subdivisions shall have at least two points of access.

2. Common Area and Recreation Area Standards.

a. Before submission of a preliminary plat, each applicant for subdivision approval shall consult with the planning director and parks director as to the number, size, location, and design of parks required within the subdivision and as to the amount of any regional park impact fee credit for regional public park facilities developed or dedicated by the subdivider as part of the subdivision.

b. Public neighborhood parks and open spaces shall be incorporated within the fabric of the neighborhood, located and designed to maximize proximity to the largest number of homes within the neighborhood and to maximize accessibility and visibility from the front of surrounding and nearby residences. Neighborhoods shall be designed around parks and open spaces. Required parks shall not be located on remnants of land remaining upon completion of the lotting layout of the subdivision.

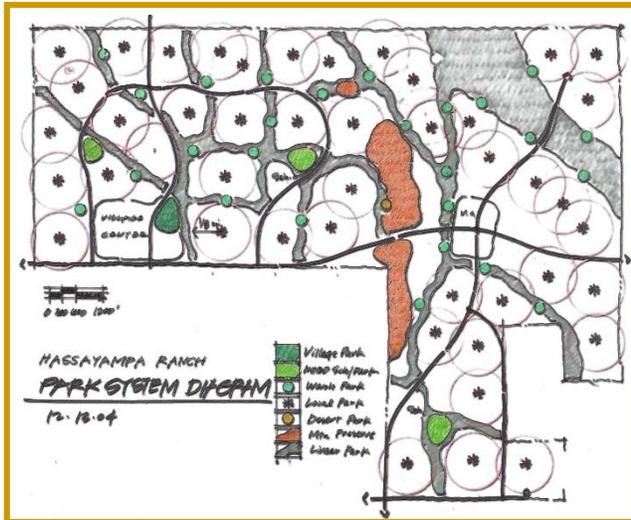
**WHAT NOT TO DO:
Take left over space and call it a park!**



Examples of amenities and design:



c. All subdivisions shall contribute to the Town’s regional park and trail system, either through land donation and/or an impact fee. Public neighborhood parks of five acres or larger shall be incorporated within the fabric of the neighborhood, or shall link two or more neighborhoods. The applicant shall consult with the planning director and parks director as to the number, size, location, and design of parks.



d. Paths or trails within subdivisions shall be designed to link neighborhood components and amenities and shall connect to adjacent subdivisions.

e. Where private neighborhood parks smaller than five acres are required, parks shall be located on average within a half mile of the front of dwellings within the subdivision, and shall be connected to the neighborhood path or trail system.

f. Preserved washes and constructed drainage features shall be integrated into the overall site design.



g. Drainage ways and detention/retention areas shall be designed to create a natural appearance, with meandering channels rather than linear and trapezoidal channels.

h. Land shall be graded to balance cut-and-fill areas and to distribute grade changes throughout the subdivision, to avoid where practicable grade differences and cut slopes greater than 4:1 between adjacent lots and between lots and adjacent rights of way.



**WHAT NOT TO DO:
Drainage feature
squeezed in between
homes!**



3. Street trees.

a. A local street plan wherein sidewalks are separated from the curb by a landscaped curbway not less than six feet wide meets the intent of these regulations. Street trees shall be planted every 50 feet along the curbway. The homeowners' association shall maintain all landscaping in the right of way as provided for in a license agreement from the Town.



b. Council may consider an alternative street tree plan where the development adjoins existing development and the applicant can show the plan integrates with an acceptable precedent of landscaping set by surrounding development.



c. All trees and plants shall meet Arizona Nursery Association minimum guidelines as to caliper and height and the Town of Marana's approved plant list.

C. Entry and Edge Standards.

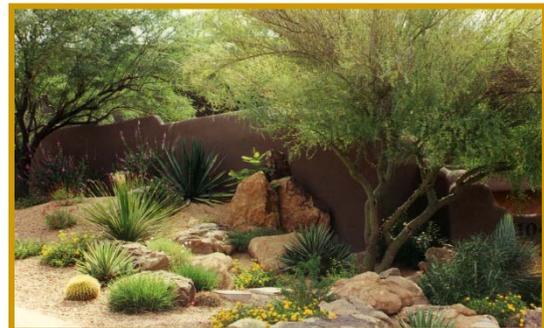
1. Entry landscaping. Entry landscaping may be used to visually enhance the character of the neighborhood and complement the community. Secondary treatments may be used at other access locations. Entry landscaping shall be located so that it does not interfere with the sight visibility triangle.



WHAT NOT TO DO:
“Engineered” landscape treatments that de-emphasize aesthetics and highlight roads.



2. Edge landscaping. Where the edge of a subdivision adjoins public right of way for an arterial street, the applicant shall develop a landscaping plan for the right of way in consultation with the planning director and subdivision engineer.



WHAT NOT TO DO:
Nondescript walls with minimal ground plane treatment.



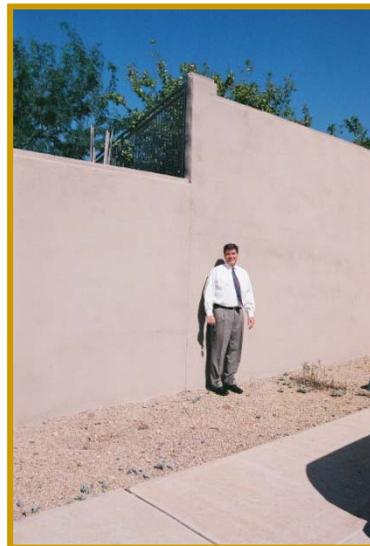
3. Irrigation. All plants shall be on an underground drip irrigation system. If turf is used, it must be irrigated from a secondary, non-potable source where available.

4. Perimeter walls. Where the neighborhood design plan includes perimeter walls, all walls visible from the public right of way and adjacent existing residential development shall incorporate one or more visually appealing design treatments, such as the use of two or more decorative materials like stucco, tile, stone, wrought iron or brick; a visually interesting design on the wall surface; varied wall alignments, such as jog, curve, notch, setback; and/or trees and shrubbery in voids created by wall variations. View fencing shall not be used where houses can be viewed from public streets. Uncolored grey block is not permitted. Perimeter walls shall be kept free of graffiti.

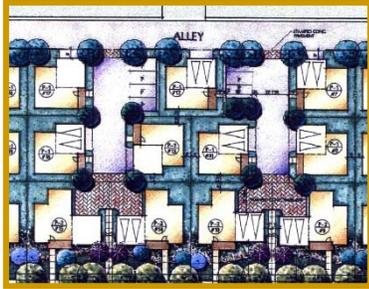


and shrubbery in voids created by wall variations. View fencing shall not be used where houses can be viewed from public streets. Uncolored grey block is not permitted. Perimeter walls shall be kept free of graffiti.

WHAT NOT TO DO:
Big, nondescript walls that look like barriers.



WHAT NOT TO DO: Unattractive, “oversized”, “linear” parking lots!



8.06.06 Alternative Neighborhood Design Plan

A. Alternative neighborhood design. A property owner may submit an alternative neighborhood design plan that varies from the standards of Section 8.06.05 B. 1, above, to include one or more of the following options, providing that a property owner shall also submit in conjunction a conceptual residential design plan in accordance with Sections 8.06.08 or 8.06.09. The residential concept design plan is for illustrative purposes, but will establish the intent of the alternative plan. The final residential design shall substantially conform to the concept plan.

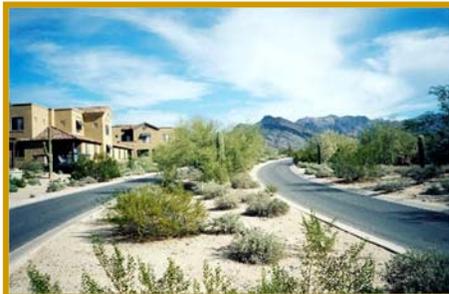


1. Narrow streets. An alternative street plan that shows narrowed street pavement may be acceptable to meet design objectives; however, such alternative plan shall be accompanied by a letter from the fire district chief



stating that such plan meets minimum safety requirements.

2. Divided landscaped local collector streets. The Town of Marana encourages a local collector street plan with travel lanes separated by a landscaped median. The homeowners’ association shall maintain all landscaping in the right of way as provided in a license agreement from the Town. The Town encourages the applicant to locate dwellings to face collector streets with garages accessed from an alley or parking court.



3. Alleys or parking courts. The Town of Marana encourages a street plan that provides rear access parking, either from an alley located behind lots running parallel to the public street, or from a parking court that serves a specified group of dwellings. The planning director, in consultation with the subdivision engineer, shall provide guidelines for alleys and parking courts.

WHAT NOT TO DO:
Unattractive, “oversized”, “linear” parking lots



[Paragraph 4, Small Lot Option, was deleted by Marana Ordinance No. 2007.34.]



WHAT NOT TO DO:
Sprawl! Sameness over and over...

5. Multi-story dwellings. An alternative neighborhood design plan may request subdivisions where multi-story dwellings exceed 50%. An alternative residential design plan per Section 8.06.09 shall be required.



WHAT NOT TO DO:
The same two-story pattern over and over.



8.06.07 Residential Design Plan Submittal

- A. Plan required. A property owner shall submit a residential design plan prior to applying for a building permit.
- B. Submittal process. The applicant shall submit all documents, exhibits, including building elevations, as required by the Town of Marana. The applicant shall provide additional information or other relevant material that the planning director believes is reasonable and necessary to evaluate, analyze, and understand the application.
- C. Review process. The planning director or designee shall review residential design plans according to the standards of Sections 8.06.08 or 8.06.09.

8.06.08 Residential Design Plan Basic Standards

- A. Architectural Standards.
 - 1. Multi-story development.
 - a. Not more than 50% of the lots in a subdivision may contain multi-story dwellings.
 - b. All multi-story houses must display four-sided architecture, except where a wall is on a lot line.
 - 2. Garage layout. Not more than 40% of the lots in a subdivision, nor more than three lots in a row, nor more than 50% of the lots along a single side of a street from one intersection to the next intersection shall have garages flush with or that project in front of the livable space of the dwelling. A cul-de-sac or “eyebrow” shall be considered an intersection. Where a front porch or courtyard extends five feet or more in front of a garage the garage shall not be considered to be flush or projecting.

WHAT NOT TO DO:
**Incorporate the same car oriented,
garage dominate condition along the
neighborhood street scene.**





3. Color. Color schemes other than a dwelling's trim color shall not exceed a light reflectivity value of 50 %. The residential design plan shall include a color palette that ensures variety along the streetscape and within the neighborhood. The plan shall describe how the color palette will be implemented.

4. Front Dwelling Facade. The residential design plan shall incorporate a range of details and massing conditions for each dwelling that, when placed together, will provide an attractive, unique street scene.

Each front dwelling façade on any residential street shall include at least three of the following design features, or shall present an alternative that achieves the intent of these regulations:



- a. Varied roof line, wherein elements of the dwelling display different heights, or where roof design changes more than two planes or directions.
- b. Windows recessed at least two inches from the building wall, or casement windows.
- c. Bay window or other similar projection or a front façade that displays a contrasting building material, including, but not limited to, stone, brick, or tile.
- d. Front porches or courtyards fifty square feet or larger that project five feet or more from the dwelling façade.
- e. Recessed or projecting balconies of three feet or more.
- f. Garages entered from a side street crossing a side lot line of the lot or a side entry garage located perpendicular to the



front façade of the dwelling. The wall of the garage facing a street shall include at least one window.

g. Front entry garages recessed seven feet or more from the livable area of the dwelling.

h. Rear entry garages from an alley or parking court, where there is an approved alternative neighborhood design plan.

5. Corner lots, lots adjacent to a park, or lots separated by an easement or common area. Where a house is located on a corner lot, is adjacent to a park, or where two lots are separated by an easement or common area, the house on such lots shall display four-sided architecture except where a wall is on a lot line.



B. Individual Lot Landscaping.

1. An individual lot shall contain a minimum of one tree planted in the front yard.

2. Where drainage permits, landscaping shall be required within adjoining side yards between two adjacent dwellings.

3. All trees and plants shall meet Arizona Nursery Association minimum guidelines for caliper and size and shall conform to the Town of Marana approved plant list.

4. All screen walls enclosing individual side and rear lots shall be uniform throughout the subdivision and shall be designed to incorporate color or contrasting materials or design elements. No uncolored grey block shall be allowed. View fencing may be required in certain locations where houses back onto natural features or other amenities, but shall not be permitted where backs of houses are visible from public streets.

5. Air conditioners, pool equipment, or other mechanical equipment shall be fully screened from view by a screen wall.

C. Lots adjoining major roads, collectors or arterials.

1. Lots adjoining arterial or collector streets. Any house located adjoining an arterial or collector street shall display four-sided architecture; no adjacent houses may display the same rear elevation.

2. Multi-story dwellings. Multi-story dwellings shall be prohibited on those lots along the edge of a subdivision where adjoining existing lots have one-story dwellings. This provision shall not apply to subdivisions located adjoining each other within a master planned community approved under a common rezoning

D. Building materials. Materials may include stucco, brick, adobe, rock, flagstone, wood, metal, and other similar distinct materials. Where metal is used, including window shades, it shall be treated so that its light reflective value does not exceed 50%.

E. Architectural variety.

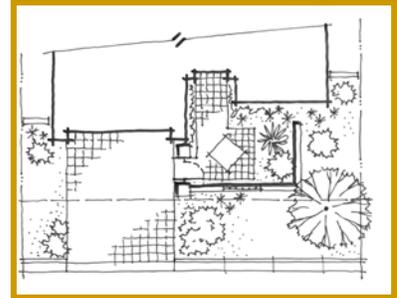
1. For subdivisions with 30 lots or more, the residential design plan shall include at least four different base models with three different front elevations per model; the number of elevations per model may be reduced to two if the residential design plan provides five or more models. For subdivisions with fewer than 30 lots, the residential design plan shall include at least two different base models with two elevations per model.

2. For subdivisions with 30 lots or more no front elevation may be repeated more than one house in every five along a single side of a street. For subdivisions with fewer than 30 lots no two houses shall display the same elevation.

3. The base color of a house may be repeated no more than one house in every three along a single side of a street.

8.06.09 Alternative Residential Design Plan

A. Alternative residential plan. An alternative residential design plan is required when an alternative neighborhood design plan requests the small lot option or multi-story dwellings for more than 50% but no more than 60% of the subdivision. [Editor's note: The small lot option was deleted by Marana Ordinance No. 2007.34.]



B. If both options are requested, subdivisions of 50 or more units must provide 250 square feet of private open space per residential unit.

C. Architectural Standards.

1. Color. Color schemes other than a dwelling's trim color shall not exceed a light reflectivity value of 50 %.

2. Front Dwelling Façade. The front dwelling façade shall include:

a. Varied roof line, wherein elements of the dwelling display different heights, or where roof design changes more than two planes or directions; or where adjacent houses display different heights or different roof styles.

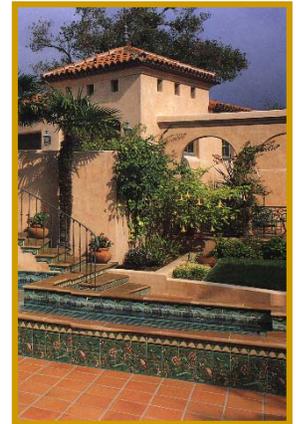
b. Windows recessed at least two inches from the building wall, or casement windows, or bay windows or other similar projection as a structural element.

3. Front porches. At least 50% of all dwellings in a subdivision shall include front porches or courtyards fifty square feet or larger that project five feet or more from the dwelling façade.

4. Front entry garages.

a. Where front entry garages are used, not more than 25% of those garages may be flush with or project in front of the livable space of the dwelling. Where a front porch or courtyard extends five feet or more in front of a garage the garage shall not be considered to be flush or projecting.

b. Garages that are not flush with or do not project in front of the livable space of the dwelling shall be set back at least seven feet from the livable space of the dwelling.



5. Side entry garages. Garages entered from a side street crossing a side lot line of the lot or a side entry garage located perpendicular to the front façade of the dwelling. The wall of the garage facing a street shall include a window or other architectural detail.



6. Rear entry garages. Rear entry garages where access is taken from an alley or parking court may be used, in accordance with an approved alternative neighborhood design plan.

7. Corner lots. Where a house is located on a corner lot it shall display four-sided architecture except where a wall is on a lot line.

D. Individual Lot Landscaping.

1. An individual lot shall contain a minimum of one tree planted in the front yard.

2. Where drainage permits, landscaping shall be required within adjoining side yards between two adjacent dwellings.

3. All trees and plants shall meet Arizona Nursery Association minimum guidelines for caliper and size and shall conform to the Town of Marana approved plant list.

4. All screen walls enclosing individual side and rear lots shall be uniform throughout the subdivision and shall be designed to incorporate color, or contrasting materials or design elements. No uncolored grey block shall be allowed. View fencing may be required in certain locations.

5. Air conditioners, pool equipment, or other mechanical equipment shall be fully screened from view by a screen wall.

E. Lots adjoining major roads, collectors or arterials.

1. All lots adjoining arterial or collector streets. Any house located adjoining an arterial or collector street shall display four-sided architecture except where a wall is on a lot line.

2. Multi-story dwellings. Multi-story dwellings shall be prohibited on those lots along the edge of a subdivision where adjoining existing lots have one-story dwellings along that edge. This provision shall not apply to subdivisions located adjoining each other within a master planned community approved under a common rezoning.



E. Building materials. Materials may include stucco, brick, adobe, rock, flagstone, wood, metal, and other similar distinct materials. Where metal is used, including window shades, it shall be treated so that its light reflective value does not exceed 50%.

F. Architectural variety.

1. For subdivisions with 30 lots or more, the residential design plan shall include at least four different base models with three different front elevations per model; the number of elevations per model may be reduced to two if the residential design plan provides five or more models. For subdivisions with fewer than 30 lots, the residential design plan shall include at least two different base models with two elevations per model.

2. For subdivisions with 30 lots or more no front elevation may be repeated more than one house in every five along a single side of a street. For subdivisions with fewer than 30 lots no two houses shall display the same elevation.

3. The base color of a house may be repeated no more than one house in every three along a single side of a street.

8.06.10 Setback, Lot Coverage and, Building Height Modifications

The planning director may approve the following modifications in conjunction with a basic residential design plan in order to achieve the purpose of this ordinance.

A. Setbacks. Setbacks shall adhere to the requirements of Title 5, Zoning, except for the following:

1. Front setback.

a. Front entry garages. 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.

b. Side entry garages. Where a side entry garage is located perpendicular to the front façade of the dwelling, the front setback may be reduced to five feet. However, the driveway must provide a 20-foot space to accommodate a parked vehicle without blocking the sidewalk or a driveway less than eight feet, so that a vehicle must be parked in the garage to avoid blocking the sidewalk. The garage wall facing the street must have at least one window or other architectural detail.

c. Front porches or courtyards. Front setbacks may be reduced to five feet. However, the driveway must provide a 20-foot space to accommodate a parked vehicle without blocking the sidewalk or a driveway less than eight feet, so that a vehicle must be parked in the garage to avoid blocking the sidewalk.

2. Side setback. Side setbacks may be reduced for zero lot-line or z-lot siting of dwelling units on individual lots, providing there shall be a three foot access easement on the adjacent property.

3. Rear setback.

a. Front entry garages. Where front entry garages are recessed ten feet or more from the livable portion of the dwelling, the rear setback may be reduced to five feet.

b. Rear entry garages. Where there are rear entry garages, the dwelling area rear setback may be reduced to five feet. Parked cars shall not block alley access.

B. Lot coverage. Where a garage is recessed ten feet or more from the livable portion of the dwelling, or where there is a rear entry garages, lot coverage may be increased to 55% of the lot.

C. Height. Building height may be increased to 30 feet to meet the design objectives of a residential design plan.

08.07 Commercial Design Standards

08.07.01 General Intent

The purpose of these commercial design standards is to establish clear design and development standards for commercial development that promote high-quality, attractive development that is compatible with the town's General Plan principles and policies. Furthermore, the standards are intended to:

1. Encourage consistency in the quality of commercial development within the town;
2. Establish a set of baseline review criteria for commercial projects (both new development and renovation of existing centers) that provide consistency for town staff, elected officials, and the development community;
3. Foster a more creative approach to commercial development in the town;
4. To serve as the foundation for the development of future commercially-oriented specific plans;
5. Assure the fair and consistent application of the town's design objectives for commercial projects; and
6. Ensure that commercial development is functional and safe.

08.07.02 Applicability

These standards will be applied to all new commercial development, unless the development is part of a specific plan governed by commercial design standards or guidelines tailored to that plan. If a new specific plan will be established for a particular property, these commercial design standards shall serve as the "baseline" for the development of any commercial standards or guidelines to be incorporated into the plan. In addition, the standards will be applied to:

1. An addition or major renovation, addition, or retrofit of an existing commercial center where the total square footage of the proposed addition is greater than fifty percent (50%) of the total square footage of the existing principal structure or that exceeds fifty percent (50%) of the current appraised value of the renovated or retrofitted structure or the entire site as established by Pima County or a acceptable current appraisal of the property. Major rehabilitation shall not include routine maintenance and repair of a structure or other feature within the commercial center, such as roof replacement or general repairs to a parking area or other non-structural site feature.

08.07.03 Commercial Design Standards

A. Site Planning

1. Site Layout and Building Orientation

a) Intent

1. To ensure that the organization of commercial centers helps to define primary street frontages and development entrances, and to establish a more compact, pedestrian-friendly pattern of development.
2. To encourage a less engineered, more naturalized approach to the treatment of washes, drainage basins, and other natural features in commercial developments.

b) Design Standards

(1) General

- (a) Commercial buildings should be oriented with the primary building entrance facing the primary public street, unless topographical or other site features make such orientation infeasible.
- (b) The layout of large, commercial developments shall be designed to break the site into a series of smaller "blocks" defined by pad site buildings, pedestrian walkways, streets or other vehicular circulation routes.

(2) Building Relationships and Orientation:

- (a) Buildings within multi-building centers shall be arranged and grouped so that their primary orientation complements one another and adjacent, existing development and either:

- (i) Frames the corner of an adjacent street intersection or entry point to the development;
- (ii) Frames and encloses a "main street" pedestrian and/or vehicle access corridor within the development site;



- (iii) Frames and encloses on at least two sides parking areas, public spaces, or other site amenities; or
- (iv) Frames and encloses outdoor dining or gathering spaces for pedestrians between buildings.

(3) Washes/Natural Features

- (a) To the maximum extent practicable, washes with significant quality vegetation or other significant natural features shall be incorporated into the overall design and layout of a development as visual and functional amenities (e.g., naturalized drainages, pedestrian connections), rather than being piped and placed underground.

2. Circulation and Access

a) Intent

1. To provide safe, efficient, and convenient vehicular and pedestrian access and circulation patterns within and between developments;
2. To preserve the efficiency of arterial roadways as additional development occurs; and
3. To ensure that service areas (delivery, trash, and loading facilities) are located and sized so as to function without impeding regular vehicular and pedestrian circulation and access routes.

b) Design Standards

(1) Preliminary Site Plan Requirements

- (a) In addition to site plan requirements outlined in the Land Development Code, the following shall be illustrated:
 - (i) Vehicular circulation and access;
 - (ii) Pedestrian circulation and access, including location and treatment of entrances from the adjacent roadways;
 - (iii) Stacking capacity of drive-thru lanes;
 - (iv) Location and access to trash receptacles;
 - (v) Loading and delivery circulation and access; and
 - (vi) Building layout and orientation.

(2) Vehicular Circulation and Access

- (a) Vehicular connections shall be provided from a development site to adjoining roadways or circulation routes on adjacent properties to allow convenient access to multiple businesses and to help reduce the overall number of access points on arterial roadways.
- (b) Circulation patterns for drive-thru facilities shall be designed to accommodate the stacking of vehicles without interfering with the movement of vehicles or pedestrians on primary circulator routes.
- (c) To the maximum extent practicable, drive aisles shall utilize a two-way traffic circulation pattern unless buildings are configured in a "Main Street"

pattern that can efficiently accommodate on-street parking, a one-way traffic flow, or other alternative circulation pattern

- (d) The preferred parking design shall be 90-degree parking stalls, with two way traffic.

(3) Loading, Trash Receptacle, and Delivery Area Circulation and Access

- (a) Loading and delivery facilities shall be separated and screened from customer parking, pedestrian areas, and main drive aisles and located away from major roadways and to the maximum extent practicable adjacent residential areas
- (b) Developments that include fuel dispensing facilities shall delineate the delivery vehicle radius to safely deliver the fuel without conflicting with the operation of the facilities. .
- (c) On smaller sites, where separate facilities may not be feasible (e.g., gas station), a Circulation and Access Plan must demonstrate that loading and unloading of goods and trash receptacles may be accomplished without disrupting primary vehicular access and circulation.



A continuous network of on-site pedestrian walkways shall be provided to allow for direct access and connections between on-site uses, as well as connections to adjoining sites.

(4) Pedestrian Circulation and Access

- (a) All sidewalks and pedestrian walkways shall be a minimum of 6 feet in width. Where sidewalks are adjacent to parking overhangs a minimum of 8 feet is required.
- (b) A continuous network of on-site pedestrian walkways shall be provided to allow for direct access and connections to and between the following:
 - (i) The primary entrance or entrances to each commercial building on the site, including pad site buildings;
 - (ii) Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the commercial development;
 - (iii) Public sidewalk along the perimeter streets adjacent to the commercial development;

- (iv) Where practicable and appropriate, adjacent land uses and developments, including but not limited to adjacent residential developments, retail shopping centers, office buildings, or restaurants; and
- (v) Where practicable and appropriate, any adjacent public park, greenway, or other public or civic use including but not limited to: schools, places of worship, public recreational facilities, or government offices.
- (c) On-site pedestrian walkways shall not “dead-end” without a logical connection.
- (d) At each point that a designated on-site pedestrian walkway crosses a parking lot, street, or driveway, the walkway shall be clearly visible to pedestrians and motorists through the use of two or more of the following delineation methods:
 - (i) A change in paving material or paving color;
 - (ii) A change in paving height;
 - (iii) Decorative bollards;
 - (iv) A painted crosswalk;
 - (v) Signage; or
 - (vi) A raised median walkway buffered by landscaping.



3. Pedestrian Amenities and Refuge Areas

a) Intent

1. To provide opportunities for outdoor patio dining, plazas, and other outdoor gathering spaces that encourage pedestrian activity within commercial developments.
2. To provide opportunities for pedestrians to seek refuge from the harsh desert elements.
3. To provide convenient “comfort stations” in large commercial developments.

b) Design Standards

(1) Outdoor Gathering Spaces

- (a) The incorporation of plazas, pocket parks, patio dining spaces, and other outdoor gathering spaces is strongly encouraged for all



commercial development, particularly in large, multi-building developments.

- (b) Developments that incorporate outdoor gathering spaces shall be eligible for the following incentives:
 - (i) For each 2,000 square feet of dedicated outdoor dining space, a 2-foot reduction in the required perimeter landscape buffer may be granted;
 - (ii) For each 8,000 square feet of dedicated plaza, pocket park or similar outdoor gathering space, a 5 foot reduction in perimeter landscape buffer may be granted.
- (c) Incentives shall be evaluated in conjunction with parking lot screening alternatives to evaluate eligible level of credit. The following limitations shall apply:
 - (i) Cumulative credits shall not exceed a 10-foot reduction in the required perimeter buffer or reduce the buffer to less than 50-percent of the required buffer;
 - (ii) Reductions may not be granted where the reduction in perimeter landscape buffer would occur adjacent to a separate residential area.
- (d) Outdoor gathering spaces shall be integrated as part of the overall design of the center and shall be located within close proximity of anchor tenants, transit stops (if applicable), or attached to the building that they are intended to serve.
- (e) Single-tenant or in-line centers with a limited site area shall incorporate outdoor gathering spaces by expanding pedestrian walkways along the front or side of the building, to the maximum extent practicable. A minimum of 4 feet in depth shall be dedicated for the outdoor gathering space to maintain clear circulation for pass-through pedestrian traffic.
- (f) Outdoor gathering spaces shall incorporate a variety of pedestrian-scaled features such as:
 - (i) Bollards;
 - (ii) Tables and chairs;
 - (iii) Benches;
 - (iv) Seat walls and/or raised landscape planters;

Attractive outdoor seating, shade



Creative use of sidewalk in front of an in-line commercial center to provide protected outdoor dining space with limited space.

- (v) Shade trees;
 - (vi) “Comfort Station” (restrooms), trash receptacles;
 - (vii) Pots or hanging baskets filled with seasonal plant material;
 - (viii) Information kiosks or signage; and
 - (ix) Sculptures or other public art features.
- (g) Shade structures (either freestanding or integrated with the building wall) shall be integrated with outdoor gathering spaces, particularly those with western or southern exposures.
- (h) Outdoor gathering spaces shall have direct access to the sidewalk and pedestrian walkway network.

(2) Pedestrian Refuge Areas

- (a) To the maximum extent practicable, primary pedestrian circulation routes shall be anchored by special design features that establish them as pedestrian refuge areas—or areas where pedestrians are physically separated from the flow of vehicular traffic and/or are protected from the desert elements. Appropriate design features may include, but shall not be limited to the following:

- (i) Arcades, porticos, shade trees or other shade structures;
- (ii) Pedestrian light features and information kiosks,
- (iii) Bollards,
- (iv) Seat walls or benches;
- (v) Landscape planters, and
- (vi) Other urban design elements, including public art.

- (b) Design features used to create pedestrian refuge areas shall be constructed of materials that are similar in quality and consistent with the overall architectural character of the center.



Major primary pedestrian circulation routes clearly delineated through the use of landscaping and shade structures.

4. Cart Storage Areas

a) Intent

1. To ensure that cart storage areas are located and designed so as to minimize conflicts with primary drive aisles, parking areas, and pedestrian walkways.
2. To ensure that the appearance of cart storage areas is consistent with the overall theme of the development in terms of their materials, color, and design character.
3. Shopping cart corrals shall be distributed throughout the development to provide reasonable access for the customers.

b) Design Standards

(1) Cart Storage Areas

- (a) Where retail tenants are providing shopping carts for the customers, long-term shopping cart storage areas shall be provided within or adjacent to tenant space and shall be located behind a decorative screening wall that is at least as high as the height of the carts.
- (b) Shopping cart corrals that provide short-term storage shall be designed with durable materials and design features that complement the architectural character of the center.
- (c) Shopping cart corrals and storage areas shall be located so as not to encroach upon vehicular and pedestrian circulation patterns.

5. Signage

a) Intent

1. To ensure that signage for multi-tenant, or phased commercial developments is consistent with the overall character of the development in terms of its materials, design features, and scale; and
2. To reduce the visual clutter created when numerous signs are placed along arterial roadways.

b) Design Standards

- (a) A Planned Sign Program shall be reviewed and accepted for all multi-tenant commercial developments prior to final approval. Signage Plans shall provide specifications on sign:
 - (i) Type;
 - (ii) Materials;
 - (iii) Height; and
 - (iv) Location.

- (b) On-site signs shall incorporate design elements that are consistent with each other and with the overall architectural character of the development, in terms of their materials, height, and lettering style, to reinforce the visual continuity of each center.

6. Landscaping

a) Intent

1. To visually soften and unify the appearance of commercial developments;
2. To define major entryways, circulation (both vehicular and pedestrian) and parking patterns to help buffer less intensive adjacent land uses; and
3. To integrate the rugged and colorful landscape character of the Sonoran Desert into the town's commercial developments.



b) Design Standards

(1) General

- (a) All landscape plans shall meet the town's adopted landscape requirements as contained in the Land Development Code in addition to the standards contained in these commercial development standards. Where conflicts arise between the two, this chapter shall take precedence.
- (b) All trees and plants shall meet Arizona Nurserymen's Association minimum guidelines as to caliper and height and the Town of Marana's approved plant list.
- (c) Water conservation should be an important criterion for plant material selection. Low-water plants that reflect and enhance the image of Sonoran Desert landscape shall be used.
- (d) All landscaped areas shall be irrigated using an underground drip irrigation system. All landscaping shall be irrigated from a secondary, non-potable water source where available.
- (e) Trees within landscaped areas should be sited and spaced to avoid conflicts with overhead light fixtures.



Landscape plans should integrate the rugged and colorful landscape character of the Sonoran Desert.

- (f) Landscape plans shall be coordinated with above-and below-ground utilities to avoid irresolvable conflicts at the time of installation.

(2) Interior Parking Lot Landscaping

- (a) Parking lots shall devote a minimum of 15 percent of the gross parking area including all landscaped areas within 5-feet of the perimeter of the parking area.

- (b) Landscape islands shall be a minimum of 6 feet in order to protect plant materials from car overhangs and pedestrian traffic.



- (c) Plant materials selected for use at the perimeter of landscape islands shall be limited to ground covers or other low-growing species that are capable of withstanding regular foot traffic.

- (d) All landscape islands shall be delineated using a 6-inch vertical curb. The use of wheel stops as a means of protecting landscape islands from vehicular contact and pedestrian traffic is ineffective and shall not be permitted as the sole protective device.

A minimum of 15 percent of parking lots with 30 or more spaces shall be devoted to interior parking lot landscaping.

(3) Perimeter Landscaping

- (a) Prior to any reduction a minimum landscape buffer of 20 feet is required along all rights-of-way. With the appropriate License Agreement and acceptable design up to fifty percent may be located in the right-of-way.

- (b) The perimeter of all parking lots shall be screened from adjacent streets, pedestrian circulation systems, public open space, and other adjacent uses through the use of the required minimum landscape buffer above, or through the use of one of the following in combination with a reduced landscape buffer:



Traditional perimeter landscape buffer with pedestrian walkway. Perimeter buffers may vary in width and treatment, depending upon site conditions and the type and quantify of outdoor gathering spaces that are provided within the center.

- (i) A masonry wall not less than 3 ½ feet in height in combination with a 15-foot landscape buffer;
 - (ii) A landscaped berm contained within a 17-foot landscape buffer;
 - (iii) A formal hedge a minimum of 3 ½ feet in height, consisting of a double row of shrubs planted 3 feet on center in a triangular pattern contained within a 17-foot landscape buffer; or
 - (iv) A formal hedge a minimum of 3 ½ feet in height, consisting of a double row of shrubs planted 3 feet on center in a triangular pattern in combination with a 10 foot landscape buffer and masonry retaining wall where a significant variation in grade exists.
- (c) All buffers shall contain the following minimum plant materials for each 1500 square feet or fraction thereof: Six 15-gallon trees, fifteen 1-gallon shrubs and ten 1-gallon ground cover plants
- (d) Screen walls and landscaping shall be sited so as not to block the sight lines of vehicular circulation routes as they enter, exit or pass through the site.
- (e) A minimum landscape buffer of 20 feet shall be provided adjacent to the Interstate Highway10 right-of-way. No reduction is allowed.

(4) Entryways

- (a) Commercial projects that are 10 acres or larger in size shall incorporate prominent focal points at major entrances to the center. Focal points shall be created through the use of:
- (i) Gateway monuments,
 - (ii) Sculpture or other public art elements,
 - (iii) Intense concentrations of vertical landscape forms or seasonal color,
 - (iv) Distinctive landforms,
 - (v) Monument signage, or
 - (vi) Other features as appropriate to define entrances as visual gateways to the development.
- (b) Commercial projects that are 15 acres or larger in size shall incorporate a landscaped median at major entrances to separate ingress and egress lanes and to enhance the appearance of the project gateway.



Commercial projects that are 10 acres or larger in size shall incorporate focal points, such as this sculpture and tree line, at major entrances to the center.

- (c) All entryway focal points and landscaped medians shall be compatible with required site visibility triangles, as contained in the Land Development Code.

7. Fencing and Walls

a) Intent

- 1. To promote visually interesting and attractive streetscapes along the town's arterials;
- 2. To encourage creativity in the design of fencing and walls;
- 3. To ensure that fencing and walls are consistent with the character of the development they serve;
- 4. To protect views from Interstate-10.

b) Design Standards

(1) General

- (a) Colors, materials, and forms used for fences and walls shall complement the architectural character of the primary building or overall development.
- (b) The maximum length of continuous, unbroken fence or wall plane shall be 20 feet. Walls shall be articulated using a combination of the following to break up the length of longer spans:
 - (i) Decorative columns;
 - (ii) Diversity in texture and/or materials;
 - (iii) Offsets;
 - (iv) Landscape pockets; or
 - (v) Serpentine design; or
 - (vi) Similar features.
- (c) Screen walls located along a primary street frontage or that are visible from Interstate-10 shall provide a higher level of design detail for visual interest.
- (d) The use of chain link fencing or exposed cinder block walls is not permitted.

B. Building Design and Character

1. Architectural Character

a) Intent

1. To encourage commercial development to incorporate design features that are unique to each center or development, yet that are evocative of Marana's farming and ranching heritage or its Sonoran Desert context.
2. To achieve a unified appearance for multi-building or phased commercial developments through the use of compatible materials, colors, and architectural character as they build out over time;
3. To ensure building materials used for commercial developments are durable and have low maintenance requirements when used in a desert environment.



b) Design Standards

(1) Unified Theme

- (a) The architectural design of buildings within a commercial center, including freestanding pad buildings, shall provide complimentary architectural styles in terms of the character, materials, texture, color, and scale used on the buildings.
- (b) Buildings shall include features typical of Marana's farming and ranching heritage or desert context, such as, but not limited to:
 - (i) Architectural shade devices;
 - (ii) Low-slung buildings with a strong, horizontal orientation;
 - (iii) Deeply recessed windows;
 - (iv) Covered porches or arcades;
 - (v) Shed roof forms; and

Buildings within a commercial center shall be organized around a consistent architectural theme in terms of the character, materials, texture, color, and scale used on the buildings.

(vi) The use of earthy materials, colors, and textures associated with the region.

(vii) The use of architectural accent features and/or colors for visual interest.

- (c) The above standard is not intended to promote “cookie cutter” commercial development or the literal *replication* of Southwestern or ranch-style architecture; rather, it is intended to promote a creative and modern *interpretation* of vernacular architectural elements that are unique to each development and to Marana.



All sides of a building shall incorporate architectural detailing that is compatible with the front façade. Blank walls void of architectural details (as found in the top example, above) or other variation are prohibited.



(2) Four-sided Design

- (a) Although the front façade of a building is expected to be the focal point in terms of level of architectural character and features, all sides of a buildings shall incorporate architectural detailing that has a character that is consistent with the front facade. Blank walls void of architectural details or other variation are prohibited.
- (b) The backs or sides of buildings that are clearly visible from an arterial roadway or from Interstate Highway 10 shall receive the most design emphasis in this regard.

(3) Pad Site Buildings

- (a) Pad site buildings shall incorporate materials and colors that are similar to and compatible with those used on the primary building(s) in the development or center.
- (b) Themed restaurants, small retail chains, and other similar tenants may be required to adjust some aspects of their “standard” architectural model in order to meet the above standard.

(4) Parking Structures

- (a) Parking structures shall be designed to incorporate a comparable level of architectural detailing and quality of materials as found on primary buildings on the site.
- (b) To the maximum extent practicable, parking structures shall be “wrapped” with active uses, such as retail storefronts, at the street level. This is particularly important where parking structures are located adjacent to major pedestrian walkways, outdoor gathering spaces or other pedestrian-oriented spaces, or along a pedestrian-oriented “main street” within a larger development.



Themed restaurants, small retail chains, and other similar tenants shall be required to adjust some aspects of their “standard” architectural model in order to meet the above standard.

2. Building Massing

a) Intent

- 1. To add character and visual interest to the blocky building forms typical of commercial development; and
- 2. To break up the visual mass of large-format or “big box” retail uses and establish a more pedestrian-friendly scale at the street level and at primary entrances.

b) Design Standards

(1) Building Massing

- (a) The perceived mass and scale of commercial buildings, including large-format retail uses, shall be reduced by incorporating a series of smaller design elements that are consistent with the center’s architectural character. Design elements may include, but are not limited to at least 4 of the following:



- (i) Variations in roof form and parapet heights;
- (ii) Pronounced recesses and projections;
- (iii) Wall plane off-sets;
- (iv) Distinct changes in texture and color of wall surfaces;
- (v) Ground level arcades and second floor galleries/balconies;
- (vi) Protected and recessed entries; and
- (vii) Vertical accents or focal points.



The perceived mass and scale of commercial buildings, including large-format retail uses, shall be reduced by incorporating a series of smaller design elements that are consistent with the center's architectural character, as illustrated by the use of awnings, varied roof forms and heights, above.

- (b) In-line commercial centers or building walls that exceed 100 feet in length shall incorporate a minimum of 4 of the following elements to distinguish the modulation of individual storefronts (where applicable) and break up the appearance of lengthy wall spans:
 - (i) Distinct change in color;
 - (ii) Change in material or texture;
 - (iii) Change in plane of the building wall that incorporates offsets, reveals, recesses, archways, and/or projections;
 - (iv) Deep-set windows with mullions;
 - (v) Awnings or pedestrian canopies;
 - (vi) Ground level arcade; and/or
 - (vii) Window or door openings.

(2) Primary Building Entrances

- (a) Primary building entrances shall be designed to be visually prominent and to provide shade for pedestrians. This objective shall be accomplished through the use of a combination of 2 or more of the following features at the primary building entrance:

- (i) A canopy, portico, archway, arcade, or similar overhang that provides architectural interest and pedestrian protection;
- (ii) Peaked roof forms;
- (iii) Raised corniced parapets over the door;
- (iv) Outdoor pedestrian features such as seat walls and landscaping with seasonal color or permanent landscape planters with integrated benches; and/or
- (v) Architectural detailing such as tile work and moldings integrated into the building structure.



Primary building entrances shall be designed to be visually prominent and to provide shade for pedestrians, using features such as this peaked roof form, and covered walkway.

(3) Multi-Story Buildings

- (a) All multi-story buildings shall incorporate a recognizable base, middle, and top through the use of changes in material, architectural accents, or other features. Other methods for providing architectural character may be used if approved by the Planning Director.



(4) Building Transparency

- (a) Large format retail uses shall devote a minimum of ten percent of the length of the front façade to windows or transparent entrances.
- (b) Pad site buildings shall devote a minimum of 40 percent of the length of the front façade to windows or transparent entrances.
- (c) In-line commercial centers shall devote a minimum of 50 percent of the length of each storefront module to windows or transparent entrances.

All multi-story buildings shall incorporate a recognizable base, middle, and top through the use of changes in materials, architectural accents, or other features.

3. Exterior Building Materials and Colors

a) Intent

1. To avoid the appearance of bland, “cookie-cutter” commercial development;
2. To encourage the creative incorporation of a broad range of colors in commercial development that reflect the rich, natural tones found in Marana’s Sonoran Desert context; and
3. To achieve a unified appearance for multi-building or phased commercial developments through the use of compatible materials and colors.



b) Design Standards

(1) Permitted Materials

- (a) Materials shall be of high quality and proven durability in the harsh desert environment. Permitted materials include:

- (i) Brick;
- (ii) Stone (natural or simulated);
- (iii) Integrally-colored, split face or ground face concrete masonry units (CMU);
- (iv) Traditional cement hardcoat stucco;
- (v) Exterior Insulation and Finish Systems (EIFS);
- (vi) Standing seam metal roofs;
- (vii) Concrete and clay tile roofs;
- (viii) Clear and tinted glass;
- (ix) Mosaic tile;
- (x) Wood (limited to architectural accents); and

Retail uses shall devote a percentage of their front façade to windows or transparent entrances, based on their size and configuration.





- (xi) Architectural metal.
- (b) Additional materials may be considered provided they are of a comparable quality, durability, and character, as determined by town staff.

(2) Prohibited Materials

(a) The following materials shall be prohibited:

- (i) Un-textured or unarticulated tilt-up concrete panels;
- (ii) Pre-fabricated steel panels(as sole material);
- (iii) Corrugated metal (Corten or rust finish acceptable as an accent element);
- (iv) Asphalt shingle roofs; and
- (v) Mirrored or otherwise highly reflective glass.



Commercial developments should incorporate a broad range of colors and materials that reflect the rich natural tones found in Marana's Sonoran Desert context.

(3) Exterior Building and Roof Colors

- (a) Bland, monotonous color schemes comprised of variations on a beige palate shall be avoided.
- (b) Each commercial development shall incorporate a distinctive color palate that reflects the rich range of colors found in Marana's Sonoran Desert context, such as:
 - (i) Earthy browns, sepias, and tans;
 - (ii) Dark reds and maroons;
 - (iii) Dark oranges to pinks;
 - (iv) Dark greens;
 - (v) Deep sky blues to gray-blues;
 - (vi) Deep purples;

(vii) Ochres, yellow-browns; or

(viii) Variations of the above colors that result from natural weathering or oxidation processes (rusts, grays, etc.).

(4) Metal Finishes

(a) The use of metals shall be limited to paints and coatings within the color range described above or natural finishes which derive their character from weathering and oxidation.

(b) No bright or highly reflective metal finishes shall be allowed on any exterior building material or building element other than for accent materials that enhance, but do not dominate the architectural character.

08.08 [Reserved]

[See reviser's note at the beginning of this Title]

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

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**TITLE 9
ADMINISTRATION AND ENFORCEMENT**

Note to Marana Land Development Code users: As of January 15, 2016, Title 9 of the Marana Land Development Code has been recodified as Chapter 17-3 of the Marana Town Code. The following tables provide derivation and deletion information concerning sections previously found in LDC Title 1:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
TITLE 9 ADMINISTRATION AND ENFORCEMENT	CHAPTER 17-3 ADMINISTRATION AND ENFORCEMENT
<i>09.01 Permits Required</i>	
<i>09.01.01 Building Permit Requirements</i>	<i>Deleted</i>
<i>09.01.02 Certificate of Zoning Compliance</i>	
<i>09.01.03 Certificate of Occupancy</i>	
<i>09.01.04 Temporary Use Permit</i>	<i>17-3-3 Temporary use permit</i>
<i>09.02 Compliance with Code</i>	<i>17-3-4 Compliance with code</i>
<i>09.03 Responsibility for Violation</i>	<i>17-3-5 Responsibility for violation</i>
<i>09.04 Responsibility for Enforcement</i>	<i>17-3-6 Responsibility for enforcement</i>
<i>09.05 Liability of the Town</i>	<i>Deleted</i>
<i>09.06 Appeal Procedure</i>	<i>Deleted</i>
<i>09.07 Permits on Lots Not Served by Public Facilities</i>	<i>Deleted</i>
<i>09.08 Annexation (including all subsections)</i>	<i>Deleted</i>

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>09.01 Permits Required (including all subsections except 09.01.04 Temporary Use Permit)</i>	<i>These sections described the building permit process, which is now found in Marana Town Code Title 7.</i>
<i>09.05 Liability of the Town</i>	<i>This section was an ill-advised attempted restatement of Arizona law concerning liability for damages resulting from the denial of a building permit or other approvals. This complex area of law changes frequently. The Town cannot limit its liability with a provision of this type.</i>
<i>09.06 Appeal Procedure</i>	<i>This section granted a right of appeal to the Planning Commission. State law provides for appeals to the Board of Adjustment. This section could either have been interpreted as inconsistent with state law, or as providing an alternate right of appeal. Either way, it created unnecessary confusion.</i>
<i>09.07 Permits on Lots Not Served by Public Facilities</i>	<i>This provision simply required a building permit file to include a statement indicating that the lot in question is not on a dedicated street or is not served by sewer, as applicable. This administrative requirement created unnecessary potential liability for the Town by being placed in the LDC.</i>

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>09.08 Annexation (including all subsections)</i>	<i>These sections attempted to define rights and address issues that are defined and addressed in state law and in Arizona case law concerning municipal annexations. Some of the substantive provisions of these sections did not conform to state law or to the Town's standard current practice. To avoid conflicts and confusion, these sections were deleted.</i>

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

**TITLE 10
PROCEDURES**

Note to Marana Land Development Code users: As of January 15, 2016, Title 10 of the Marana Land Development Code has been recodified into Chapter 17-3 of the Marana Town Code. The following tables provide derivation and deletion information concerning sections previously found in LDC Title 10:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
<i>TITLE 10 PROCEDURES</i>	<i>Deleted (title only)</i>
<i>10.01 Amendment Procedure</i>	<i>17-3-1 Amendment procedure</i>
<i>10.02 Public Hearing Requirement</i>	<i>Deleted</i>
<i>10.03 Recommendation to the Town Council</i>	<i>Deleted</i>
<i>10.04 Protest</i>	<i>Deleted</i>
<i>10.04.01 Specific Plan Protest</i>	<i>Deleted</i>
<i>10.05 Zoning Amendment</i>	<i>Deleted</i>
<i>10.10 Conditional Use Permits</i>	<i>17-3-2 Conditional use permits</i>

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>10 Title 10 Procedures</i>	<i>The surviving sections of Title 10 can be found in Chapter 17-3 (Administration and enforcement); but the title itself has been deleted</i>
<i>10.02 Public Hearing Requirement</i>	<i>This section simply restated the provisions of A.R.S. § 9-462.04 (A)</i>
<i>10.03 Recommendation to the Town Council</i>	<i>This section restated the provisions of A.R.S. § 9-462.04 (C) and (D), except for revisions to state law since this section's 1997 adoption.</i>
<i>10.04 Protest</i> <i>10.04.01 Specific Plan Protest</i>	<i>These sections were shortened restatements of A.R.S. § 9-462.04 (H)</i>
<i>10.05 Zoning Amendment</i>	<i>Paragraph A of this section paraphrased an older version of A.R.S. § 9-462.01 (E) and was inconsistent with state law. Paragraph B of this section paraphrased the requirements of A.R.S. § 9-462.04 (J).</i>

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

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**TITLE 11
PROHIBITION OF ILLEGAL AND NUISANCE USES**

Note to Marana Land Development Code users: As of January 15, 2016, Title 11 of the Marana Land Development Code has been recodified into Chapter 17-6 of the Marana Town Code. The following tables provide derivation and deletion information concerning sections previously found in LDC Title 11:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
TITLE 11 PROHIBITION OF ILLEGAL AND NUISANCE USES	<i>17-6-6 (nuisance uses only; the balance has been deleted)</i>
<i>11.01 Illegal Uses Prohibited</i>	<i>Deleted</i>
<i>11.02 Nuisance Uses Prohibited</i>	<i>17-6-10 Nuisance uses prohibited</i>
<i>11.03 Similar Uses.</i>	<i>17-6-10.E [Similar uses prohibited]</i>
<i>11.04 Violation</i>	<i>Deleted</i>

SECTION NUMBER AND TITLE	REASONS FOR DELETION
<i>11.01 Illegal Uses Prohibited</i>	<i>This provision, which basically addressed uses that violated the previous code, was an unnecessary and somewhat cumbersome restatement of the law of legal nonconforming uses</i>
<i>11.04 Violation</i>	<i>Redundant</i>

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**TITLE 12
CONFLICT OF INTEREST**

Note to Marana Land Development Code users: As of January 15, 2016, Title 12 of the Marana Land Development Code has been deleted as part of the recodification of the Marana Land Development Code into Title 17 of the Marana Town Code. The following table provides deletion information concerning former LDC Title 12:

SECTION NUMBER AND TITLE	REASON FOR DELETION
<i>Title 12 Conflict Of Interest</i>	<i>This title was redundant with state law</i>

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**TITLE 13
PENALTY**

Note to Marana Land Development Code users: As of January 15, 2016, Title 13 of the Marana Land Development Code has been deleted as part of the recodification of the Marana Land Development Code into Title 17 of the Marana Town Code. The following table provides deletion information concerning former LDC Title 13:

SECTION NUMBER AND TITLE	REASON FOR DELETION
<i>Title 13 Penalty</i>	<i>This title was redundant with Town Code Chapter 1-8 (Penalty)</i>

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**TITLE 14
SEVERABILITY**

Note to Marana Land Development Code users: As of January 15, 2016, Title 14 of the Marana Land Development Code has been deleted as part of the recodification of the Marana Land Development Code into Title 17 of the Marana Town Code. The following table provides deletion information concerning former LDC Title 14:

SECTION NUMBER AND TITLE	REASON FOR DELETION
<i>Title 14 Severability</i>	<i>This title was redundant with Town Code Chapter 1-7 (severability of parts of the code)</i>

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TITLE 15
REPEAL OF OTHER ORDINANCES AND EFFECTIVE DATE

Note to Marana Land Development Code users: As of January 15, 2016, Title 15 of the Marana Land Development Code has been deleted as part of the recodification of the Marana Land Development Code into Title 17 of the Marana Town Code. The following table provides deletion information concerning former LDC Title 15:

SECTION NUMBER AND TITLE	REASON FOR DELETION
<i>Title 15 Repeal of Other Ordinances and Effective Date</i>	<i>This title was redundant with Town Code Chapter 1-6 (effect of repeal)</i>

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TITLE 16
SIGNS

Note to Marana Land Development Code users: As of March 8, 2019, Title 16 of the Marana Land Development Code was comprehensively rewritten and recodified as Chapter 17-10 (Signs) of the Marana Town Code.

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TITLE 17

**ENVIRONMENTAL RESOURCE PRESERVATION
NATIVE PLANT PROTECTION
LANDSCAPE REQUIREMENTS**

SECTIONS:

17.01 Environmental Resource Zone

17.01.01 Protected Ridges, Protected Peaks, Riparian Areas, Wildlife Corridors and Areas of Significant Vegetation

17.01.02 Site Resource Inventory

17.02 Native Plant Protection

17.02.01 Findings

17.02.02 Applicability

17.02.03 Exceptions

17.02.04 Professional Expertise

17.02.05 Native Plant Protection

17.02.06 Native Plant Permit

17.02.07 Approval/Denial Native Plant Permit

17.02.08 Appeals

17.02.09 Fees

17.02.010 Native Plant Program

17.02.011 Native Plant Inventory Methodologies

17.02.012 General Provisions and Submittal Requirements

17.02.013 Plant Disposition

17.02.014 Criteria

17.02.015 Protective Native Plant List

17.03 Landscape Requirements

17.03.01 Purpose

17.03.02 Intent and Objectives

17.03.03 Landscape Plan Requirement

17.03.04 Applicability

17.03.05 Form, Submission and Filing Fees

17.03.06 Landscape Plan Content and Standards

17.03.07 Landscape Buffer Standards

17.03.08 Landscaping Standards for Off-Street Parking Areas

17.03.09 Roadway Landscape Standards

17.03.010 Maintenance Provisions

17.04 Enforcement

17.01 ENVIRONMENTAL RESOURCE ZONES

PURPOSE. These regulations provide for the protection and preservation of unique and significant ridges, peaks, riparian areas, wildlife corridors, rock outcroppings, and areas of significant vegetation where they occur throughout the Town. The protection

of these unique natural areas is a priority that can be achieved through the implementation of the following procedures, requirements and standards.

17.01.01 PROTECTED RIDGES, PROTECTED PEAKS, RIPARIAN AREAS, WILDLIFE CORRIDORS AND AREAS OF SIGNIFICANT VEGETATION

All development shall be reviewed to determine to what extent the site contains unique and significant ridges, peaks, riparian areas, wildlife corridors and significant vegetation. Where it is determined, through the preparation of a Site Resource Inventory (Section 17-1-2) that unique and significant natural features occur on the subject property, measures shall be taken to protect and preserve these areas. The following information shall be required, as it may apply:

- A. The property owner shall provide the Town with a complete Site Resource Inventory (SRI) per the requirements of Section 17-1-2.
- B. Biological linkages between existing wildlife and riparian corridors shall be maintained. Animal species shall be protected within these linkages.
- C. The size and shape of riparian and wildlife corridor linkages shall be determined based on the SRI on a case-specific basis. The linkage can be further protected and enhanced by a buffer of low-density land use, such as custom home lots with delineated natural open space and/or open space or golf course. The combined linkage and buffer shall be wide enough to accommodate the wildlife species most sensitive to human encroachment known to inhabit the property based on the recommendations of the biologist and acceptance by the Town of Marana.
- D. All areas determined to include riparian or wildlife linkages and corridors shall be protected and remain undisturbed throughout the course of development and shall be fenced-off during construction. All construction documents (grading plans) shall include the location of the riparian and wildlife corridors and linkages clearly delineated and labeled as such with an added written notation "off-limits" added on the plans.
- E. Any inadvertent grading of the riparian and wildlife corridors and linkages shall be mitigated at one hundred (100) percent by revegetation with plantings chosen to match adjacent undisturbed natural areas with a minimum of five (5) years growth. Plant materials shall be introduced to closely match existing species in terms of size, massing and quality, as approved by the Planning Director.

17.01.02 SITE RESOURCE INVENTORY

The Site Resource Inventory (SRI) shall be the primary evaluative design tool upon which the site design (site plan, rezoning, subdivision plat, and/or development plan) and Native Plant Program are based. The information contained in the SRI shall be utilized for purposes of site planning and design, and shall describe and identify natural characteristics of the site, as listed below, including areas of unique and significant peaks, ridges, vegetation and rock outcroppings, riparian areas and wildlife corridors.

- A. To promote these objectives, the Town will require a Site Resource Inventory be prepared in conformance to these regulations and submitted two (2) weeks prior to the Pre-Application Meeting required for all Rezoning, Preliminary Plat and Development Plan submittals or at a minimum of one month prior to development submittal.

- B. The Site Resource Inventory shall be based on an aerial photograph of the site (scale of 1"=40') that is no older than two years from the date of submittal. The SRI shall contain the following information, clearly identified and distinguished:
1. The following information shall be graphically shown:
 - a. *Unique Significant Vegetation* shall be delineated with *heavy solid lines*.
 - b. *Riparian Areas* shall be delineated with *dashed lines*.
 - c. *Wildlife Corridors* shall be delineated with *dash-dot-dash lines*.
 - d. *Unique Rock Outcroppings* shall be delineated with *light shading*.
 - e. *Steep Hillside Slopes* shall be delineated with *hatching indicating 15 percent to 25 percent and greater slopes*.
 - f. *100-Year Regulatory Flood Limits (FEMA)* shall be delineated with *alternating dash-dash-dot-dot-dash-dash lines*.
 - g. *Property Boundaries* clearly identified and labeled with lengths of each.
 - h. *Location Map* (at a scale of 3"=1 mile) provided in the Upper right-hand corner of the sheet.
 - i. *Graphic Scale and North Arrow* of drawing clearly shown.
 2. Town review of the Site Resource Inventory shall be completed within 15 days of the SRI submittal.
- C. Unique Significant Vegetation is characterized as specific plant communities and/or unique plant occurrences and/or unique individual specimens that demonstrate through the presence of certain criteria, as listed below, areas of special value to the Sonoran Desert Ecosystem.
1. *Plant Community* is an area of vegetation dominated by one or more species. Climate, elevation, soil type and other factors ultimately determine the limits and boundaries of particular plant communities. Examples of a plant community dominated by one species are grassland and creosote bush association, or a grove of trees, for example a mesquite bosque. These communities can form almost pure stands of single species. Examples of co-dominant communities are Cottonwood-Willow and Palo Verde - Saguaro associations. Plant communities create an environment that is beneficial, unique and/or valuable to the desert ecosystem.
 2. *Unique Plant Occurrences* are areas of vegetation that exist in contrast to the majority of the surrounding vegetative community due to either microclimates or availability of water resources. Examples are stands of ironwood trees and riparian areas.
 3. *Unique Plant* refers to any native tree, shrub or cacti with extraordinary characteristics such as, but not limited to, age, size, shape, form, canopy cover or aesthetic value. An example may be crested saguaros, a rare, massive, ancient tree or specimen tree with an unusual shape.
- D. Criteria for Identifying Unique Significant Vegetation.
Due to the subjectivity involved with identifying unique significant vegetation, the following criteria and site conditions should at a minimum exist and be utilized:
1. Plant species are native to the area.
 2. Plant species composition is typical for the area.

3. Plants are generally healthy and will survive for 5 or more years.
 4. Plant density is unusually high for the conditions (soil, slope, orientation, water availability).
 5. An unusually large number of mature specimens of individual trees and/or columnar cactus species are present.
 6. Noxious/invasive species are few and not visually prominent, such as Desert Broom, Tamarisk, Mexican Palo Verde and Tree of Heaven.
 7. Grading or clearing has not substantially altered the landscape in the area.
 8. Constructed non-native landscapes do not qualify as unique significant vegetation.
- E. Preservation of unique significant vegetation should emphasize contiguous groups of natural areas and unique significant vegetation. Areas of unique significant vegetation include, but are not limited to, other natural areas protected by this code.

Definitions:

- Ridges/Peaks:** Raised land formations that are a dominant feature in the surrounding landscape or constitute a significant linking element.
1. Any parcel, lot, or project site containing slopes of fifteen (15) percent or greater, which are both longer than fifty (50) feet when measured in any horizontal direction and higher than seven and one-half (7.5) feet when measured vertically.
 2. Areas which exhibit slopes that fail to meet the aforementioned standards but contain; boulder collapse, boulder rolling, rockfalls, slope collapse, and or talus slopes shall also be considered significant and or unique, and therefore subject to the preservation standards described in Article 17-1.
- Riparian Areas:** Riparian areas contain a moderate to high density of healthy and diverse species and habitats adjacent to or occurring on or near a watercourse or drainage feature.
- Rock Outcroppings:** Land containing a diversity of rock groupings, structure types, exposed bedrock, and or any significant geomorphic formation of varying dimension and texture.
- Wildlife Corridors:** Any area or parcel of land that composes or contributes to a region where habitat is fragmented by urbanization and thereby compromises natural animal movement. Wildlife Corridors shall be established in such areas as to provide a source of connectivity between two or more isolated habitat islands. This designation is designed to increase the confluence of the natural landscape and the degree of animal mobility. Any land identified as suitable for wildlife movement must include enough native resources to temporarily sustain migrating animals.

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17.02 NATIVE PLANT PROTECTION

PURPOSE. These regulations provide for the preservation, protection, transplanting, and replacement of existing designated native plants including cacti, succulents, trees, and shrubs through the establishment of comprehensive procedures, requirements, and standards which protect the public health, safety, and general welfare.

17.02.01 FINDINGS

The Town of Marana has determined that:

- A. Native vegetation within the Town of Marana is a unique natural resource that promotes tourism and contributes to the economic and aesthetic well-being of the community.
- B. Native vegetation, as an integral part of the Sonoran Desert, contributes to the high property values, high quality of life, and unique lifestyle which the community enjoys.
- C. Native vegetation is important in stabilizing desert soils and providing food and protection for many types of desert wildlife.
- D. Native vegetation is more drought tolerant, requires less maintenance, and uses less water than other types of landscaping.
- E. Native vegetation is a slow-growing type of plant material that cannot always be successfully relocated. A plant of like character cannot replace certain specimen plants, because of their form, age or location.

17.02.02 APPLICABILITY

The provisions of this Regulation apply to all development as listed below:

- A. All new development.
- B. Expansions of existing development.
 - 1. If the expansion is less than twenty-five (25) percent, the requirements of this ordinance apply only to the proposed expansion area.
 - 2. If the expansion is twenty-five (25) percent or greater or if expansions after October 2, 2001, cumulatively result in a twenty-five (25) percent or greater expansion in land area, floor area, lot coverage, or vehicular use area, the requirements of this ordinance apply to the proposed expansion area and the remaining undeveloped site area.

17.02.03 EXCEPTIONS

The provisions of this Regulation do not apply to the following:

- A. A project on a site that does not contain any plant on the Protected Native Plant List, demonstrated by the applicant through photographic and/or on-site verification, subject to the Planning Department's determination. A Native Plant Permit Exception Form and supporting photographic verification must be submitted to the Planning Department for review and approval at the time of development application.
- B. Previously graded sites containing no significant native vegetation may apply for a Native Plant Permit Exception. A Native Plant Permit Exception Form and supporting photographic verification must be submitted to the Planning Department for review and approval at the time of development application.
- C. Projects for which a residential site plan, development plan or subdivision plat has been submitted or approved prior to October 2, 2001, provided that permits are obtained within one (1) year from the date this ordinance is approved.

- D. Projects on a site or parcel that maintain a minimum 30% of the gross site area as natural undisturbed open space (NUOS). The perimeter boundary of the NUOS shall be surveyed and a metes and bounds description identified and certified by the engineer of record to assure that the set-aside area equals a minimum of 30% of the gross site area.

17.02.04 PROFESSIONAL EXPERTISE

Preparation of all elements of the Native Plant Preservation Plan and on-site monitoring shall be performed by one of the following plant professionals:

- A. A landscape architect registered in the State of Arizona.
- B. An arborist certified by the International Society of Arboriculture.
- C. A horticulturist, biologist, or botanist with a minimum B.A. or B.S. in an appropriate arid environment natural resource field, or an individual based on there credential is accepted by the Planning Director.

17.02.05 NATIVE PLANT PROTECTION

No person shall destroy, mutilate, remove from the premises or relocate to another place on the premises any cacti, indigenous trees and/or shrubs which are four (4) inches or greater in caliper, any plants listed in the endangered species act as threatened, endangered, and category 1, 2 and 3 species, and any plants included in the listing of Protected Native Plants, Section 17-2-15, contained in this ordinance without first applying for and obtaining a Native Plant Permit from the Town under the terms of this ordinance.

17.02.06 NATIVE PLANT PERMIT

A Native Plant Permit, required by this ordinance, shall only be issued upon submittal of a complete Native Plant Permit application and written approval by Planning Staff. All permits are subject to the provisions of this ordinance and are not intended to replace, modify or circumvent the requirements of any other State, Federal or local agency. A Native Plant Permit application shall include an approved Site Resource Inventory (SRI) per the requirements of Section 17-1-2 and an approved Native Plant Program per the requirements of Section 17-2-10 and shall be signed by the property owner of record. In the event an application for a Native Plant Permit is for all or part of a proposed development which requires Town Planning Commission or Town Council approval, the permit shall not be issued until the necessary development approvals have been secured.

17.02.07 APPROVAL/DENIAL NATIVE PLANT PERMIT

Applications may be approved, approved conditionally, or denied. Where the Planning Director determines that the application is in conformance with the provisions of this ordinance a permit shall be issued with such conditions and assurances attached as necessary to insure that the Site Resource Inventory and Native Plant Program are successfully accomplished. Where it is determined that the application is not in conformance with the provisions of this ordinance, the application shall be denied. To modify, alter or amend an approved Native Plant Permit or Native Plant Program requires reapplication for a Native Plant Permit. Every permit issued by the Town under the provisions of this article shall

expire and become null and void if the work authorized under the provisions of this article is not commenced within six (6) months from the date of issuance unless otherwise specified as a condition of the permit approval. Before such work can be recommenced, a new permit shall be obtained pursuant to the provisions of this article. The Planning Director shall have the authority to grant a single time extension not to exceed one-hundred eighty (180) days, for completion of the work upon written request of the applicant. Failure to comply with the time limitation without an extension authorized by the Town shall require application for a new permit pursuant to the provisions of this Article.

17.02.08 APPEALS

- A. Once the Planning Director has rendered a written decision per this Title or issued a notice of action per this Title, the aggrieved person may appeal the decision or action of the Planning Director by submitting a written appeal to the Planning Commission within ten (10) days of the decision or action of the Planning Director. The Planning Commission will act and render a decision on this appeal within forty-five (45) days. If no appeal is made within ten (10) days, the decision or action of the Planning Director shall be final.
- B. Either the aggrieved person or the Planning Director may appeal the decision of the Planning Commission to the Town Council. Such appeal must be made in writing to the Town Clerk within five (5) working days of the decision by the Planning Commission. When such a notice of appeal has been submitted to the Town Clerk, it will be brought before the Town Council at the Town Council's next available regular meeting as a regular agenda item, classified as new business. The Town Council may then confirm or modify or reverse the decision of the Planning Commission. Any motion to modify or reverse the decision of the Planning Commission shall contain the explicit reasons therefore. If the Town Council takes no action on the matter, the decision of the Planning Commission shall be final.

17.02.09 FEES

Fees are payable to the Town of Marana in accordance with the fee schedule adopted by Town Council Resolution.

17.02.10 NATIVE PLANT PROGRAM

The Native Plant Program is a plan, which specifies the proposed treatment of the Protected Native Plants (per Section 17-2-15), which are being disturbed. The Planning Director shall review the Native Plant Program presented as part of the Native Plant Permit application and may approve, conditionally approve, or deny an application based upon compliance with and in consideration of the criteria contained herein.

17.02.11 NATIVE PLANT INVENTORY METHODOLOGIES

Any combination of at least one or more of the following three methodologies shall be utilized to prepare a Native Plant Program for Protected Native Plants on the project site. The applicant shall conform with all requirements of the applicable Set Aside Methodology, Plant Inventory Methodology or the Plant Appraisal Methodology.

- A. *Set Aside Methodology.* The preservation and mitigation requirements of this Section shall be satisfied by the set aside of an area of the site as undisturbed natural desert area in conformance with the following requirements. The provisions of this section may be combined, or used in conjunction with the provisions of other plant protection methodologies of this section. A minimum of thirty (30) percent of the site shall be set aside in perpetuity as Natural Undisturbed Open Space (NUOS). The NUOS set aside area shall consist of the area(s) with the highest resource value as determined by the Site Resource Inventory (SRI), Section 17-1-2. Boundaries of all NUOS set aside areas shall be clearly delineated on an aerial photograph and site plan, development plan, or subdivision plat and fenced for the duration of any construction activities.
- B. *Plant Inventory Methodology.* The Plant Inventory Methodology is based upon a Native Plant Inventory of all Protected Native Plants (Section 17-2-15). The Criteria set forth in Section 17-2-14 shall be used to determine the viability and transplantability of Protected Native Plants as well as to determine the numbers and locations of plants required for preservation-in-place (PIP) or transplanted-on-site (TOS). The minimum number of Protected Native Plants required for PIP and/or TOS is based upon a percentage of the viable and transplantable Protected Native Plants inventoried on-site.
 - 1. The minimum standards for the preservation of Protected Native Plants in the Plant Inventory Methodology shall be satisfied as follows:
 - a. *Endangered Species and "Crested" Saguaros.* One hundred (100) percent of Federal Endangered Species and Crested Saguaros shall be preserved-in-place or salvaged and transplanted on-site.
 - b. *Saguaros and Ironwoods.* At least fifty (50) percent of all Viable Saguaros and Ironwood trees shall be preserved-in-place or salvaged and transplanted on-site.
 - c. *Other Protected Native Plants.* At least thirty (30) percent of each genus and species of other Viable and Transplantable Protected Native Plants shall be preserved-in-place or salvaged and transplanted on-site.
- C. *Plant Appraisal Methodology.* The preservation and mitigation requirements of this Section shall be satisfied when the monetary replacement value is determined for each genus and species of Protected Native Plant which is removed from the site, damaged, or destroyed. The provisions of this subsection may be combined, or used in conjunction, with other Plant Preservation Methodologies specified in this Section.
 - 1. *Site Appraisal.* A plant appraisal shall be prepared which shall identify and state the financial value of each Protected Native Plant

- which is proposed to be removed from the site, damaged, or destroyed and shall be keyed to the Native Plant Inventory of the Native Plant Program. The monetary value of these plants shall be paid into an Escrow Account of the Town's choosing, to be used for Public Works Landscaping Projects within the Town of Marana. The plant appraisal shall be conducted by a recognized Plant Professional according to the most current methods and procedures accepted by the Council of Tree and Landscape Appraisers.
2. *Expiration of Appraisals.* Appraisals shall be current within six (6) months of submittal of the Native Plant Program and shall be valid for a period of two (2) years after the Plan approval date. A revised appraisal value shall be required for development which does not proceed before the two (2) year time limit of the appraisal has expired.
 3. *Amendment of Appraisals.* Where any Protected Native Plant is removed from the site, damaged, or destroyed and is not identified on the appraisal prepared in conformance with the Native Plant Program, the Protected Native Plants shall be appraised pursuant to this section, and the appraisal shall be amended to include all additional Protected Native Plants removed and their financial value.
- D. *Preservation and Mitigation Requirements.* Protected Native Plants which are proposed to be or are removed from the site, damaged, or destroyed during development shall be replaced by plants of the same genus and species. The Native Plant Preservation Plan shall detail the size and value of replacement plants to demonstrate that the monetary value of replacement plants shall be equal to the monetary value of each genus and species of Protected Native Plant which is removed from the site, damaged, or destroyed.

17.02.12 GENERAL PROVISIONS AND SUBMITTAL REQUIREMENTS.

The following General Provisions and Submittal Requirements shall apply to the submittal of all Native Plant Programs and Native Plant Permits:

A. Submittals Required

1. The Native Plant Program shall consist of the following information. Additional information may also be required by the Planning Director in order to insure that the findings of this ordinance are fulfilled.
 - a. Native Plant Inventory, containing:
 - (1). Aerial photograph and site plan overlay at a minimum scale of 1" = 100' showing the location of all protected native plants within the proposed affected area and within 10' of any construction limits.
 - (2). List of the number, species, size, general condition, and salvage status of all protected native plants within the proposed affected area that are to be either transplanted on or off-site or preserved in-place. This inventory shall be based upon the Criteria set forth in Section 17-2-14 of this Code.
 - (3). The Native Plant Inventory Methodology selected from Section 17-2-11, shall include the proposed location of all protected native plants to be relocated within the proposed affected area.

- (4). Native Plant Holding Nursery site location where plant material is to be stored.
2. If the Plant Appraisal Methodology is selected, a plant appraisal based on a Native Plant Inventory for each plant to be removed from the site shall be submitted.
3. If the Set Aside Methodology is selected; no grubbing, grading, construction, or salvaging of any plants on the site shall take place prior to the submittal and approval. Protected Native Plants designated shall not be destroyed, damaged, salvaged, transplanted, or removed from the site except in accordance with the approved Plan.

17.02.13 PLANT DISPOSITION

The Native Plant Preservation Plan shall indicate the disposition of Protected Native Plants in excess of those needed to meet the requirements of this Code and other applicable regulations. It is encouraged that all Protected Native Plants that are not proposed to remain on-site be salvaged and transplanted off-site. The Plan shall indicate conformance with the requirements of the Federal Endangered Species Act and the Arizona Native Plant Law. The Planning Department shall be provided with verification of required salvage permits from the U.S. Fish and Wildlife Service for the applicable Endangered and Threatened genus and species and verification of required notification to the Arizona Department of Agriculture prior to the issuance of a grading permit.

17.02.14 CRITERIA

Protected Native Plants shall not be destroyed, mutilated, or removed from the premises, or relocated on the premises except in accordance with an approved Native Plant Program required in conjunction with the issuance of Native Plant Permit. No Native Plant Program shall be approved until it has been demonstrated that the following Criteria have been met:

- A. The density/intensity of the development for the approved land use shall be an important element in the determination of the base requirements for plant retention and salvage. A Site Resource Inventory (Section 17-1-2) shall be submitted and approved prior to submittal element of the Native Plant Program. The Native Plant Program shall provide reasonable plant salvage, protection, and storage and shall insure consistency with existing neighborhood character.
- B. The site plan shall be consistent with the Site Resource Inventory and be designed to protect and incorporate significant on-site natural amenities (i.e. unique and significant vegetation, unique and significant rock outcroppings, significant riparian habitats and wildlife corridors, etc.) and minimize the number of salvageable plants which need to be removed to allow reasonable construction on the site. These relationships shall promote and enhance the character of the native environment rather than contrast or domesticate it.
- C. A vegetation inventory and analysis shall provide a clear, comprehensive review and listing of plant materials, their condition and physical relationships on-site so as to aid the site planning and determination of plant salvageability. The native plant viability and transplantability status shall be determined for each native plant of the

minimum size and shall be used to determine the numbers and locations of plants required for preservation. The following plant viability and transplantability criteria shall be used:

1. *Plant Viability Criteria.* Plant viability is based upon plant health, age and form. Plants rated Low are not considered Viable and are not required to be assessed according to the Transplantability Criteria. Plants rated Medium or High are considered Viable and shall be further assessed under the Transplantability Criteria.
 - a. *High.* A high plant viability rating shall be assigned to plants meeting the following criteria
 - (1). *Health:* plant is good to excellent with no major infestations of insects or apparent diseases.
 - (2). *Age:* plant age is young or mature with likely chance of long survival.
 - (3). *Form:* plant is relatively undamaged with a healthy branching habit.
 - b. *Medium.* A medium rating shall be assigned to plants which do not meet all of the criteria for a High rating but have sufficient merit to warrant preservation, in the opinion of the qualified plant professional conducting the inventory.
 - c. *Low.* A low plant viability rating shall be given to plants meeting any one or more of the following:
 - (1). *Health:* plant health is poor. Generally the result of severe infestations of pests or diseases or lack of water over time.
 - (2). *Age:* Plant is in a state of decline, suggesting a low probability of lengthy survival.
 - (3). *Form:* plant form and character is severely damaged. For trees, this may include new branches from large, old, dead trunks or weak branching habit.
2. *Plant Transplantability Criteria.* Plant Transplantability is based upon plant genus and species, size, soils, context and topography. The following five (5) categories shall be inventoried to determine the ability to salvage the viable plants, which will not be preserved-in-place. Plants rated Low for Transplantability should not be considered for salvage and transplant. Plants rated Medium to High that are not preserved-in-place should be considered for salvage and transplant on-site or off-site.
 - a. *High.* A high rating for Transplantability shall be assigned to Viable plants which also meet the following criteria:
 - (1). *Genus and Species:* has a high survival rate for reestablishment after transplant.
 - (2). *Size:* Overall plant dimensions are suitable for transplanting based upon the genus and species.
 - (3). *Soils:* can be excavated, are cohesive, and seem capable of supporting the rootball system.
 - (4). *Topography:* Permits access with the appropriate equipment needed to remove plants and their rootball systems.
 - (5). *Context:* adjacent plants do not possess a likely interference with root systems or interfere with plant removal.
 - b. *Medium:* A medium Transplantability rating shall be assigned to plants which do not meet all of the criteria for a High rating but

- do have sufficient merit, in the opinion of the qualified plant professional conducting the inventory, to warrant transplanting.
- c. *Low*: A low rating shall be assigned to plants which meet the following criteria:
- (1). *Genus and Species*: has a low survival rate for re-establishing after transplant.
 - (2). *Size*: overall plant dimensions are not suitable for transplanting based upon the genus and species.
 - (3). *Soils*: too rocky, sandy, or shallow to excavate a cohesive rootball system.
 - (4). *Topography*: seriously limits access to the specimen by the appropriate equipment (i.e., steep slopes, rock barriers).
 - (5). *Context*: adjacent plants interfere with removal or present likely conflicts with the rootball system.
- D. Areas of the site shall be inventoried to estimate representative numbers of protected native plants. Areas of the site must be inventoried by sampling typical identifiable areas for each genus and species and estimating representative plant numbers per square acre of the total site area. The samples must be representative of the viable species found on site and shall not be less than 20% of the total site. If different plant communities (upland, riparian, valley floor, etc.) are found on one site, then a sample of not less than 20% of each defined community, shall be inventoried.
- E. All plants which are salvaged and transplanted on-site shall be rated as Viable and Transplantable prior to relocation.
- F. All Protected Native Plants shall be properly tagged and/or permitted in accordance with the Federal Endangered Species Act, the Arizona Native Plant Law, and this Article, as applicable.
- G. Once the inventory by sampling is complete, then the field tagging and protection of those plants to be preserved-in-place (PIP) or transplanted-on-site (TOS) can take place.
- H. All PIP plants must be identified on an aerial photo and fenced for protection prior to subsequent grading of the site and construction activities. Plants within a designated natural undisturbed open space, under any method, do not require individual tagging since their boundaries will be fenced.
- I. Plants to be TOS may be identified and included in a TOS 'pool'. A summary report shall be prepared that identifies all TOS plants by quantity, genus and species. This summary shall be located on the Native Plant Program plan and any associated Landscape Plan. The selection of specific TOS plants may vary according to field conditions and therefore, final selection will be made by the "Plant Professional" and the salvage contractor. Once the total numbers of plants to be TOS have been identified in the field, they must be field tagged for TOS.
- J. All protected native plants scheduled to remain in place (except those scheduled to remain in place as part of a NUOS area) or authorized for relocation by the approved Native Plant Permit must be tagged with an embossed metal inventory number which cross references to the inventory list and aerial photograph submitted as part of the Native Plant Program, so that the disposition of each plant can be easily identified. Tags required by this article shall be affixed in a visible location on the plant, preferably on the north side of each plant, whenever possible. Once affixed, the tags

shall not be removed until the plants are removed or relocated in compliance with the Native Plant Permit and a final inspection has been made.

- K. All protected native vegetation to remain in-place as part of a NUOS area shall be adequately protected during grading and construction through placement of a fence barrier surrounding the entire NUOS area. NUOS plants that are to remain in-place as part of a NUOS area, do not require tagging.
- L. A conceptual analysis and design of the site vegetation and/or landscaping shall insure that the character of the project be consistent with the natural density, distribution, and maturity of vegetation on adjacent properties.
- M. Should the conceptual analysis and design reveal an excess supply of on-site salvageable plants, the relocation program shall designate alternative projects within areas of suitable habitat, in Municipal, County, State and Federal Reclamation and Revegetation Projects in addition to off-site privately owned properties.
- N. In order to assure full implementation and completion of the approved plans and permits, the Town will require a mutual consent agreement between the Town and the applicant signed and guaranteed by cash or a bond acceptable to the Town Attorney in an amount set by the Town Manager to guarantee performance of the provisions of the mutual consent agreement.
- O. On-site monitoring of all aspects of site clearing, grading, plant protection, preservation, salvage, and mitigation shall be provided during project construction, at the expense of the developer, for all residential development that is over five (5) acres and for all commercial and industrial development that is over one (1) acre. The monitoring shall be performed by an individual who is qualified in arid lands native plant resource identification and protection as specified in Section 17-2-4. The monitor shall provide periodic progress reports to the developer outlining the status of work accomplished and any problems encountered. The Town shall receive a copy of these reports for the project file.
 - 1. The monitor shall be responsible for an assessment of the condition of the site's plants one (1) year after the final inspection has been performed on the site. The monitor shall visit the site and prepare a report on plant status, including general plant condition, the identification of plants under stress and the appropriate method to relieve the stress, and recommendations for replacement of plants that are dead or dying. Dead or dying plants shall be replaced with the same size plant at a one-to-one (1:1) ratio of like genus and species. Copies of the report shall be submitted to the site owner/developer and to the Planning Department. The owner shall respond to the plant needs as outlined in the status report within ninety (90) days of report submittal or within a shorter period if required to improve the health of stressed plants and prevent plant loss.

17.02.15 PROTECTED NATIVE PLANT LIST

All Sites proposed for development shall be inventoried for each of the following Protected Native Plants:

A. CACTI

Common Name	Latin Name
Fishhook Barrel	Ferocactus wislizenii
Compass Barrel	Ferocactus acanthodes
Blue Barrel Cactus	Echinocactus horizonthalonius var. Nicholii
Saguaro	Carnegiea gigantea
Crested or Fan-top Saguaro	Carnegiea gigantea "Crested"
Ocotillo	Fouquieria splendens
**Pima Pineapple Cactus	**Coryphantha scheeri var. robustipina
*Chain Fruit Cholla	*Opuntia fulgida var. fulgida
*Engelmann Prickly-Pear	*Opuntia phaeacantha var. discata
**Desert Night-Blooming Cereus	**Peniocereus greggii

* The total number of Prickly-Pear and Cholla may be estimated based on a sample inventory, submitted by the applicant and approved by the Planning Director. If an abundance of Prickly-Pear and/or Cholla exist, the Planning Director may determine the percentage required of these plants.

** Denotes plants listed as Endangered or Threatened under the Federal Endangered Species Act (ESA) as of March 24, 1997. Any plants designated by the ESA, as amended, shall be subject to the applicability of this ordinance.

B. TREES OF A MINIMUM SIZE OF FOUR (4) INCH CALIPER

Common Name	Latin Name
Whitethorn Acacia	Acacia constricta
Catclaw Acacia	Acacia greggii var. arizonica
Crucifixion Thorn	Castela emoryi
Desert Hackberry	Celtis pallida
Net Leaf Hackberry	Celtis reticulata
Blue Palo Verde	Cercidium floridum
Foothills Palo Verde	Cercidium microphyllum
Desert Willow	Chilopsis linearis
Arizona Ash	Fraxinus velutina var. velutina
Arizona Black Walnut	Juglans major
Ironwood	Olneya tesota
Screwbean Mesquite	Prosopis pubescens
Velvet Mesquite	Prosopis velutina
Western Soapberry	Sapindus saponaria var. drummondii
Soaptree Yucca	Yucca elata

C. SHRUBS OF A MINIMUM SIZE OF THREE (3) FEET IN HEIGHT

Common Name	Latin Name
Catclaw Acacia	Acacia greggii var. arizonica
Desert Hackberry	Celtis pallida
Desert Willow	Chilopsis linearis
Greythorn	Ziziphus obtusifolia var. canescens
Kearney	Condalia warnockii var. kearneyana
Whitethorn Acacia	Acacia constricta

17-3 LANDSCAPE REQUIREMENTS

17.03.01 PURPOSE

The purpose of this Title is to provide landscaping requirements and standards, which reflect the character and enhance the image of the community. These standards are meant to minimize the potential adverse impacts associated with adjacent or abutting land uses of varying intensities. The intent is to provide the landowner, developer, or designer with flexibility while protecting the public interest.

17.03.02 INTENT AND OBJECTIVES

- A. This Title will utilize landscaping to achieve the following goals and objectives:
1. Conserve groundwater resources in conformance with the Arizona Groundwater Code, Arizona Revised Statutes Title 45, Chapter 2, by:
 - a. Specifying the use of xeriscape design principles and standards;
 - b. Helping control and utilize storm water runoff;
 - c. Specifying xeriscape plant materials from approved lists; and
 - d. Encouraging the use of reclaimed water.
 2. Protect the general public health, safety, and welfare by incorporating the following design guidelines:
 - a. Minimize noise, air, water, dust and visual pollution;
 - b. Screen and buffer incompatible land uses;
 - c. Preserve property values and the character of neighborhoods;
 - d. Reduce the heat and glare absorbed and radiated by development;
 - e. Conserve energy resources;
 - f. Control soil erosion;
 - g. Control growth of noxious, invasive plants; and
 - h. Increase traffic safety.
 3. Reduce the negative impacts between potentially incompatible uses and zones by buffering or screening.

17-3-3 LANDSCAPE PLAN REQUIREMENT

An approved landscape plan including a planting plan, irrigation plan, and maintenance plan is required prior to approval of the development plan, tentative plat and final plat or issuance of building permits. All landscape plans shall be sealed by a Registered Landscape Architect.

17.03.04 APPLICABILITY

- A. The provisions of this Title shall apply to all new development, including:
1. All new development plans and tentative plats.
 2. Additions to buildings which increase the gross building area by twenty-five (25) percent or more shall conform to the landscaping standards specified in this Title or to the extent possible as determined by the Planning Director.
 3. All off-street parking areas and landscape buffers shall conform to the landscaping requirements of this Title.

B. Exceptions:

1. Individually owned residential lots;
2. Additions of less than twenty-five (25) percent of total floor area of buildings zoned Commercial or higher;
3. The provisions of this Title shall not apply to any tentative plats and development plans submitted prior to the effective date of this Title.

17.03.05 FORM, SUBMISSION AND FILING FEE

- A. Copies of the Landscape and Irrigation Plans and supporting data, prepared in accordance with the requirements set forth in this Title, shall be filed with the Planning and Zoning department as part of any subdivision tentative plat or development plan submittal. Copies of the Landscape and Irrigation Plans shall be reproduced in the form of blue line or black line prints on a white background. Scheduling of the Landscape Plan for review by the Planning Department staff will be dependent upon data presented and completion of processing.
 1. Three (3) full sized copies of the Landscape and Irrigation Plans, folded to 8 1/2" x 11", must be submitted for review, and one reduced set.
 2. For all resubmittals, previous review sheets and a copy of a response letter shall be submitted. In addition to resolving review comments on plan sheets, revisions shall be summarized in letter form.
 3. On all proposals involving State rights-of-way, copies of Arizona Department of Transportation approval letters shall be submitted to the Town Engineer prior to approval.
- B. The submittal will be checked by the Planning and Zoning staff for completeness. If found to be incomplete as to those requirements set forth in this Title, the submittal will be rejected and the applicant notified within ten (10) working days of the date the plans were received.
- C. A filing fee, as determined by a fee schedule adopted by the Town Council, to cover costs of examining and processing of Landscape and Irrigation Plans and field inspection related thereto, shall be paid by the applicant at the time of filing.

17.03.06 LANDSCAPE PLAN CONTENT AND STANDARDS

- A. All improvements and site information shall be readable on the submitted plans and be identical in scale and layout to the submitted base plan (site plan, tentative plat, or development plan).
- B. Plans must be drawn to a scale at which all necessary details are clearly shown (one inch equals forty feet preferred) on sheets measuring 24" x 36". Scale to be the same for all sheets. Larger sheet size or smaller scale may be approved by the Planning Director.
- C. Plans and details shall follow industry standard drafting guidelines and use, at minimum, 12 point text.
- D. The following shall be shown on landscape plans:
 1. Adjacent right-of-way widths and locations of existing or planned roadways;
 2. Property lines, project limits and zoning of the project site and all adjacent properties;

3. Any related Specific Plans, covenants, waivers, restrictions, and/or phase lines shall be referenced by case number if appropriate and indicated in the general, or otherwise, notes.
4. Topographic lines and elevations;
5. North arrow, graphic scale, and location map. Location map shall be placed in the upper right corner of the sheet and shall show the subject area centered in an approximately 3 mile square area;
6. In the lower right corner of the sheet, the following information shall be shown:
 - a. Name, address and phone number of the preparer and owner;
 - b. Project name and reference number as supplied by the Planning Department
 - c. Contour interval
 - d. Date (revised plans should show date of all revisions)
 - e. Brief legal description, i.e. "Portion of Section____, T____S, R____E, G&SRB&M, Town of Marana, Pima County, Arizona
7. Plant materials shall be graphically delineated on the plan with written information in list format on the plan, that includes genus and species name, common name, size and quantity;
8. Proposed location of all new and salvaged plant materials.
9. All inorganic materials such as crushed rock or decomposed granite groundcovers, paving materials, boulders, benches, fountains, water features, sculpture, and trash receptacles shall be shown graphically and include information regarding size, quantity, color, and location.
10. Water harvesting, detention/retention basins, and berms used for water collection shall be graphically shown on the plan and shall include a written explanation of their purpose and anticipated runoff collection. Water harvesting from parking areas is discouraged.
11. Irrigation plans shall show size and location of all equipment needed to irrigate the site to industry standards. Calculation for the longest run shall be provided.
12. Site visibility triangles, per Pima County Standards and roadway design speed shall be included in notes.
14. One hundred foot stationing shall be indicated along all roadway/linear park center lines.
15. Underground or overhead utilities, including but not exclusively, sewer manholes, sewer, electric, gas, telephone, cable, communication, and water.
- E. A copy of any referenced Plant Salvage Plan shall be included in submittal package.
- F. When proposed development falls within a Specific Plan the landscape guidelines for that plan shall be adhered to. If the plan does not provide guidelines for any standard as defined in this ordinance, this ordinance shall override the Specific Plan. If the Specific Plan landscape design guidelines are less restrictive than related guidelines in the ordinance, the more restrictive of the two shall be adhered to.
- G. Plants must conform to the Town of Marana Official Regulatory Plant List, Table 7-2, available at the end of this Title. If a designer wishes to use a plant not found on the list a written request must be made. The request shall state the plant's characteristics which make it compatible with the regulations.

- H. The landscape design shall be consistent with the environmental context of the development site. Preservation of native on-site vegetation shall be a primary objective of site planning and development. Specimen plants shall be given particular consideration for retention on site.
- I. Any part of a development site which has been disturbed and is not required for buildings, structures, private residential yards, loading and vehicular access ways, streets, paved parking and utility areas, pedestrian walks and hard-surfaced activity areas shall be landscaped.
- J. Natural undisturbed desert is an acceptable form of landscaping. Wherever the undisturbed natural desert landscape cannot be preserved, landscape design and construction shall promote the use of transplanted on-site desert plants, container-grown native plants, seeded desert plants and inorganic groundcover.
- K. Xeriscape design principles and plant selection based on function, water requirement and most suitable environmental exposure of the plant materials shall be included in all proposals.
- L. Turf applications for parks, recreational facilities, golf courses, school grounds, institutions and cemeteries are regulated by the Arizona Department of Water Resources and are not covered in this Title. All other building uses are covered in Section 17-3-2.
- M. Landscape designs shall be in harmony with the environmental context of the development site.
 - 1. Plants shall be selected from the plant lists contained in Table 7-2 at the end of this Title.
 - 2. Trees and shrubs.
 - a. Trees shall be at least fifteen-gallon size at planting time.
 - b. Shrubs shall be at least one-gallon size at planting time.
 - c. Trees and shrubs shall be planted so that at maturity they do not interfere with overhead or underground service lines, traffic sight lines and the property rights of adjacent property owners.
 - d. Trees with invasive roots which are planted near public sidewalks or curbs shall be installed with suitable root diverters to minimize heaving of those improvements.
 - e. Plants shall be grouped, clustered or unevenly spaced to prevent an unnatural landscape appearance.
 - 3. Groundcover.
 - a. Inorganic groundcover shall be used in combination with trees and shrubs and shall not exceed two-thirds (2/3) of the total landscaped area, devoted to groundcover.
 - b. All unpaved landscape areas shall be planted with shrubs, accents or vines, or covered with appropriate organic or inorganic groundcover.
 - 4. Irrigation and water features.
 - a. All water use for landscape irrigation and enhancement shall conform to the Arizona Groundwater Code, Arizona Revised Statutes Title 45, Chapter 2.
 - b. Irrigation plans shall indicate how each introduced planting is served by a water-conserving, underground irrigation system. Storm water harvesting and drip irrigation are recommended

methods. Irrigation shall be designed to avoid watering hardscape areas and built structures.

- c. Reclaimed water irrigation shall be encouraged for all landscaped and turf areas. Turf areas greater than five (5) acres shall have reclaimed water irrigation. For turf areas greater than five (5) acres, a written statement of reclaimed water use feasibility shall be included on landscape plans indicating the cost-effectiveness, potential sources and availability. If not available, reclaimed water lines shall be installed for future irrigation.
 - d. Landscape designs shall be integrated with hydrology, grading and earthwork plans for the site and shall make maximum use of site stormwater run-off for irrigation purposes.
 - e. Water design features, such as ponds and fountains, shall be at a scale and design compatible with the desert environment.
5. Natural and built features.
- a. Earth berms shall be designed with a reverse curve at the base to allow a natural transition to existing grades. They shall not exceed a slope of 3:1 and shall be adequately covered with plant material, groundcover or rip-rap to control erosion. Planted berms shall be designed to retain irrigation water. A zero contour shall be shown and placed a minimum of 12" from any hardscape element.
 - b. Walls, fences, signs, landscaping and other potential obstructions shall be located to minimize sight line or view limitations.
 - c. If boulders are used one third of the approximate volume shall be buried to provide a natural appearance.
 - d. Spans of walls or fence shall not exceed 20 feet without a variation in distance from property line. Walls and fences may be curvilinear or staggered to achieve this goal.
 - e. Any wall used for screening purposes shall be kept clean of graffiti. Graffiti shall be removed through cleaning or repainting, whichever is appropriate. Unpainted walls that are painted to cover graffiti shall be painted a color to match existing material. Vines or other landscape screening material may be supplemented as an additional deterrent from graffiti. Town Personnel will issue a forty-eight (48) hour notice to remove graffiti. After that time, the property owner, agent or other responsible party shall be liable for fines of One Hundred Dollars (\$100) per day until the graffiti is removed or covered.
6. Oasis Exception.
- a. An oasis area is a zone of planting where non-drought tolerant plant materials and turf are allowed. Turf use shall not exceed twenty (20) percent of the total landscaped area. This area must be located near an area of high pedestrian use such as an entry, a recreation area, break area, clubhouse, courtyard, seating or dining area. Consideration will be made for areas developed as special focal points. There are two methods of determining the allowed oasis area. The calculation must be shown on the plans.

1. Multifamily uses: Multiply net site area by 5%

2. All other uses: Multiply net site area by 2.5%

NOTE: If a site is being phased, only that phase or area presented for development will be considered a part of the net site area.

17.03.07 LANDSCAPE BUFFER STANDARDS

PURPOSE: Landscape Buffers provide the following four distinct functions:

- Serve as landscape screens to mitigate visual impacts;
 - Provide a landscape setback to reduce noise;
 - Physically separate incompatible adjacent land uses; and
 - Provide an aesthetic transition between adjacent compatible land uses.
- In addition, Landscape Buffers function to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, and signs. They also visually soften and screen unsightly buildings or parking areas. Landscape Buffers are also designed to ensure a desired character along public streets and roads.
- A. A Landscape Buffer may be used for passive recreation. It may contain pedestrian, bike and equestrian trails. Where appropriate, linkages shall be encouraged within or along a Landscape Buffer as long as the total width of the buffer is maintained, and all other regulations of the Code are met. Swimming pools, tennis courts, sports fields, golf courses, parking lots, or other uses requiring structures or removal of vegetation shall not be permitted within a Landscape Buffer.
- B. Landscape Buffers shall be located on the outer perimeter of a lot or parcel, extending to the property or boundary lines and shall be determined as follows:

TABLE 7-1
Landscape Buffers

Landscape Buffer plant requirements shall be determined by a comparison of zone and/or existing land use (whichever is most restrictive). Once the zones are determined, the appropriate formula to determine plant requirements must be applied per the following landscape buffer matrix:

BUFFERYARD MATRIX								
Symbol	PROPOSED DEVELOPMENT	EXISTING ZONING/ DEVELOPMENT				STREET FRONTAGE		
		A	B	C	D	Front	Side or Rear	Street
A	AG, R-144, R-36, R-16, R-8, R-7, R-6 Agriculture, Low Density Residential	1	2	3	4	5	3	3
B	R-2, R-1, RV, MHP, MHS High Density Residential	2	1	1/2 +	1/3 +	5	3	3
C	CO, NC, VC, RC, SC, VRC Commercial	3	2	1	2/3 +	5	3	3
D	CBC, LI, HI Industrial	4	4	3	2+	4	4	4

+ Use this code if existing development occurred previous to buffer requirements.

Code	Depth of Buffer	Plant Count
1	6' minimum	1.5 per 100 sq. ft.
2	10' minimum*	1.5 per 100 sq. ft.
3	15' minimum*	2.0 per 100 sq. ft.
4	25' minimum**	1.5 per 100 sq. ft.
5	10' minimum	1.0 per 100 sq. ft.
	15'	0.8 per 100 sq. ft.
	20'	0.6 per 100 sq. ft.

Notes:

1. For every 3 shrubs planted, one 15 gallon tree shall be planted.
Example using Code 1: a one thousand square foot landscape buffer area would need fifteen (15) plants: twelve (12) one gallon shrubs and four (4), fifteen (15) gallon trees. Earth berms of a minimum size of two cubic yards (approximately 8'W x 4.5'L x 1.5'H) may be used in lieu of three (3) shrubs not to exceed 25% of shrubs.
2. Ground cover plants are required in addition to above plants. Ground cover equal to 20% of the total number of trees and shrubs will be located in the landscape buffer area.

ADDITIONAL LANDSCAPE BUFFER OPTIONS

- A. **Landscape Buffer Agreements:** Property owners may enter into agreements, subject to the approval of the Planning Director, with abutting landowners to use adjoining land to provide some or all of a required landscape buffer. The total size and plant quantities of the landscape buffer requirements shall remain as required with this Title.
- B. **Reduction of Landscape Buffer Requirements:** The landscape buffer requirement may be reduced if a six (6) foot high decorative masonry wall is constructed and the wall requirement is noted on the approved subdivision plat and landscape plan. If a wall is used as part of the landscape buffer requirement, the calculations for plant materials shall be reduced by one-third (1/3). Any wall used for screening purposes shall be kept clean of graffiti. Graffiti shall be removed through cleaning or repainting, whichever is appropriate. Unpainted walls that are painted to cover graffiti shall be painted a color to match existing material. Vines or other landscape screening material may be supplemented as an additional deterrent from graffiti. Town Personnel will issue a forty-eight (48) hour notice to remove graffiti. After that time, the property owner, agent or other responsible party shall be liable for fines of One Hundred Dollars (\$100) per day until the graffiti is removed or covered.
- C. **All Landscape Buffers are required to be landscaped:** The landscape buffers shall contain the following minimum planting materials; six (6) - 15 gallon trees, fifteen (15) - 1 gallon shrubs and ten (10) - 1 gallon ground cover / accent plants per 1500 square feet of area. Existing natural desert may be utilized to meet or exceed these planting requirements. Where the number of existing natural desert plants do not meet the minimum landscape buffer planting requirement of this Section, the natural desert plants shall be supplemented with additional native plants transplanted from on-site or from nursery plants. The applicant is encouraged to utilize on-site native plants within the landscape buffers where possible.
- D. **Natural drainage ways and existing natural vegetation:** Natural drainage ways and existing natural vegetation may be used for screening if approved, in writing by the Planning and Zoning Director, provided such uses are consistent with the regulations contained in Title 21 of this Code. Natural drainage ways and existing vegetation used for this purpose shall be a minimum of twenty (20) feet wide.

17.03.08 LANDSCAPING STANDARDS FOR OFF-STREET PARKING AREAS

All off-street parking areas are required to comply with the following regulations:

- A. **Minimum Requirements.** A minimum of fifteen (15%) percent of the gross parking area (includes all paved access and parking areas) shall be devoted to amenity landscaping as follows:
 - 1. All landscape areas within ten (10') feet of the perimeter of the gross paved parking area may be included in the 15% gross parking area calculation.
 - 2. Any off-street parking area for five (5) or more vehicles shall include a ten (10) foot minimum width landscape buffer between the parking area and the public right-of-way. This area shall include a minimum three (3') foot tall decorative masonry wall and/or a three (3') foot

tall-landscaped berm adjacent to parking stalls to screen the parked cars from the public right-of-way.

3. At a minimum, every group of ten (10) parking spaces shall be separated with a raised curb landscape planter island measuring a minimum five (5') feet in width (from inside of curb to inside of curb) by the length of the parking stall, containing a minimum of one (1) canopy tree and two (2) groundcover plants per planter island.
4. Plant materials, shall be chosen so that within five years of installation, planting materials shall achieve a forty (40) percent shading of the asphalt areas.
4. Landscaping materials shall not obstruct sight distances or vehicle turning movements.
5. The use of decorative paving materials to indicate pedestrian crossings and paths within the parking area is encouraged.
6. For every one-hundred fifty (150) square feet of landscaped area, a minimum of one (1) tree, five (5) shrubs and groundcover plants as required.
7. Landscaped areas in parking lots are encouraged to utilize any combination of decorative paving, inert groundcover, berms and additional plant materials.
8. Planters, walls and fences adjacent to the parking areas shall have a protective six (6) inch curb to shield against damage to plants and irrigation heads. Appropriate paving should be used where pedestrians are likely to cross landscaped areas.
9. Protective concrete curbs and standard concrete wheel stops are required where walls and fences abut driveways and parking stalls.

17.03.09 ROADWAY LANDSCAPE STANDARDS

The primary purpose of this section is to promote the safety of those people using Marana roadways, vehicular and bicycle traffic as well as maintenance workers and pedestrians. Sight visibility and plant material selection and location are important factors. This section also is intended to promote the harvesting of water within the landscape area.

- A. Hardscape shall be designed to deter materials from washing onto sidewalks and the roadway. The toe of slopes with decomposed granite shall be located 12" minimum from walls and curb, and shall end in reverse curves.
- B. Boulders shall have a maximum 18" exposed above grade.
- C. Bullnoses or any median three feet or less in width shall not be planted.
- D. All sight visibility triangles shall be indicated on plans. No mature plants over 18" or tree canopies growing lower than six feet shall be allowed in these zones.
- E. Shrubs shall be placed so that when the mature size is reached, the edge of the shrub is one foot from the curb.
- F. Tree trunks shall be located a minimum of seven feet from median curb and nine feet from right-of-way curb.
- G. Planting of tree materials which shall overhang into roadway at maturity is discouraged. Overhanging branches are a hazard to bicyclists and have the potential of being injured or destroyed by high profile automobiles.

17.03.010 MAINTENANCE PROVISIONS

- A. Continuous maintenance provisions shall be provided on the landscape plan. Maintenance shall include a plan, which accommodates the following:
1. The irrigation system should be designed to assure consistent water coverage of newly planted areas, regular watering of non-native species and specific watering schedule per plant type or xeriscape zone.
 2. Pruning methods shall allow maximum shading while preventing obstruction into walkways, curb areas, drives, and line of sight triangles. Tree clearance for pedestrian and automobile passage shall be a minimum of seven (7) feet once the tree has reached maturity. Pruning shall be consistent with the natural growth pattern or characteristic form of the plant. Opaque hedges are permitted.
 3. Ornamental landscaping shall require regular fertilizing, aerating and mulching schedules to encourage plant growth and water conservation.
 4. General landscape maintenance such as the clearing of debris, litter and weeds shall be included on a regular maintenance schedule.
 5. Any plant material in areas of required landscaping that does not survive shall be replaced with an equivalent size and species within thirty (30) days on an ongoing basis.
 6. Irrigation shall be routinely tested and shall be repaired and replaced as necessary to prevent excess spray or water to planted areas, curbs and pavement, clogged emitters at each plant, and flooding of low lying areas.
 7. Architectural and built structures, sculpture or decorative features, and exterior furnishings (benches, trash receptacles, etc.) shall be maintained to prevent injury, maintain access, and prevent defacement.

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

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17-4 ENFORCEMENT

17.04.01 COMPLIANCE

- A. Failure to comply with the requirements of the approved native plant program shall cause immediate suspension of all inspection activity. Inspection(s) shall not resume until a sum of money is paid to the Town for the purpose of replacing and maintaining protected native plant materials as required in the approved Native Plant Program.
- B. The Planning Commission shall determine the sum of money to be paid to the Town from the following schedule:
 - 1. Protected native trees - three hundred dollars (\$300.00) per caliper inch (measured one-foot above ground level).
 - 2. Protected native cacti - two hundred dollars (\$200.00) per foot.
 - 3. Maximum per plant - ten thousand dollars (\$10,000.00).
 - 4. Determination of the sum of money to be paid to the Town pursuant to this section shall be based upon the type, size, density, distribution, and condition of plant materials that existed on the property prior to the violation, or upon inspection of the remains of destroyed plant materials or other physical evidence as may be available.
- C. The sum of money required by this subsection shall be used to replace removed or damaged plant materials whose retention was required by this ordinance and to maintain replacement plant materials for a period of three (3) years. Additionally, fifteen (15) percent of the total amount payable shall be kept by the Town as payment for the enforcement of these regulations and administration of the agreement specified below.
- D. Prior to issuance of any permits for development of the property on which the violation occurred, the property owner shall enter into an agreement with a landscape installation and maintenance service and the Town to ensure replacement and three (3) years maintenance of the replacement plant materials, to provide disbursement of the sum of money for the purposes of replacement and to pay administrative costs. The sum of money paid to the Town in excess of the amounts specified in the agreement shall be refunded.
- E. An on-site visit will be conducted by Staff at the time of final installation to approve compliance with the Native Plant Program and Permit and the approved Landscape Plan prior to authorizing a certificate of occupancy. The zoning inspector may recommend correction of non-compliance items that will need to be corrected. Re-evaluation shall be made within an agreed upon time frame. Prior to receiving a certificate of approval or occupancy, all non-compliance items shall be completed to specification in this Title. The property owner, agent or other authorized personnel will be notified in writing of the non-compliance items by Planning Department staff.
- F. The Planning Department staff will periodically spot-inspect all native plant salvage projects and all landscape installations for compliance with the approved Native Plant Program and Permit and

the approved Landscape Plans and on-going maintenance as required in this Title.

17-4-2 APPEALS

Decisions made by the Planning Commission may be appealed in writing to the Town Council. The approval, with or without conditions, or denial by the Planning Commission of an application shall be final unless within twelve (12) days from the date of the Commission's decision, an appeal in writing to the Town Council is received by the Town Clerk. The appeal shall indicate where, in the opinion of the applicant, the Commission was in error. The Town Clerk shall schedule the appeal for a Town Council agenda and the Town Council at its meeting shall uphold, modify, or overrule the decision of the Commission. The decision of the Town Council shall be final.

17.04.03 VIOLATIONS AND ENFORCEMENT

A. Violations:

1. It shall be a Class 1 Misdemeanor for any person to violate any of the provisions of this title. Each and every day during which the violation continues shall constitute a separate offense.
2. Any powers granted the Town herein to enforce the provisions of this title are cumulative and in addition to any other powers the Town might have, to enforce the same.

B. Enforcement:

The provisions of this Title shall be enforced by Town Staff. When any condition which would constitute a violation of the provisions of this ordinance exist, a notice thereof shall be served upon the owner, lessee, or other person in control of the premises, specifying the nature of the violation and a reasonable period to correct the conditions specified. Permits for any aspect of the development project may be delayed until remedial actions occur.

17.04.04 PLAN APPROVAL PRIOR TO PERMITTING

The Native Plant Preservation Plan shall be submitted to the Planning Department prior to or concurrently with any plan(s) and applicable fees required for development approval, including a grubbing/grading plan, landscape plan, site plan, development plan, or tentative plat. No permits shall be issued prior to submittal and approval of the Native Plant Program.

17.04.05 ASSURANCES

A. Native Plant Assurances. Implementation and compliance with the approved Native Plant Preservation Plan shall be guaranteed by assurances, such as performance bonds, a letter of credit from a financial institution, or a third party trust acceptable to the Town of Marana, as determined by Town policy and regulation.

B. Landscape Maintenance Assurances. An approved site plan, development plan, or final plat shall require covenants or assurances which:

1. Ensure the continued maintenance of required landscaping, buffering and associated irrigation systems;

2. Assign responsibility of maintenance to the property owner, lessee, heirs, assigns, agent, a homeowner's association or other liable entity;
3. Require future building pads within a phased development to be maintained in a dust-free condition by paving or applying mulch or native groundcover materials; and
4. Ensure that any plant materials included in an approved landscape plan that do not survive after installation are replaced with plant material(s) of the same or like species of equal size within thirty (30) days of the plant's demise. Failure to replace dead plant material within the specified time period shall constitute a zoning violation and be subject to fines.
5. Improper irrigation system maintenance which results in pooling or runoff of excess water shall result in a warning. If the problem is not resolved within thirty (30) days a fine shall be imposed.

Town of Marana

OFFICIAL REGULATORY PLANT LIST

LOW WATER USE / DROUGHT TOLERANT PLANT LIST

The plants on this list can be grown with moderate to no supplemental irrigation once they are established. Occasionally, for good appearance, supplemental irrigation may be applied during the growing season. In addition to the cacti on this list, any cacti salvaged and tagged in compliance with state agricultural and horticultural regulations may be used.

All of the plants on the Plant List meet the Arizona Department of Water Resources (ADWR) standard for low consumption.

Some plants on the list may fall under more than one plant type category (e.g. *Acacia constricta* can be grown as a tree or a shrub depending upon the growth habit that is preferred).

Applications for additions, deletions or exceptions to the list may be submitted to the Zoning Administrator.

Key to symbols:

A - Accent Plant

***** - Toxic; may be harmful if eaten. (For more information call Arizona Poison Control Center at (520) 626-6016.)

C - Cactus

Gc - Groundcover

I - Invasive -- may spread and intrude into natural areas.

Gr - Ornamental Grass

sh - Semi-hardy -- some dieback in a hard frost

S - Shrub

(t) - Tender (may be severely damaged or killed in a hard frost)

Sc - Succulent (other than cacti)

- Exceptions to the nomenclature in Hortus III.

T - Tree

an - Annual

V - Vine

p - Perennial

cl - Seasonal Color (showy flowers, fall color or berries).

CD - Chihuahuan Desert Region - (broadly interpreted to include a large area of north central and northwest Mexico, southwest Texas, southern New Mexico and extreme southeast Arizona.)

SD - Sonoran Desert Region - (broadly interpreted to include the arid and semi-arid areas of northwest Mexico, southeast California and most of Arizona south of the Mogollon Rim.)

(Note: Chihuahuan and Sonoran Desert Regions annotated by Matt Johnson, Native Plant Society.)

Approximate Watering Needs (depending on soil and climate conditions)

1 - No supplemental irrigation once established.

2 - Once a month during the growing season once established.

3 - Twice a month during the growing season once established.

4 - Once a week during the growing season once established.

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

TABLE 7-2
Town of Marana
OFFICIAL REGULATORY PLANT LIST

BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
<i>Abronia villosa</i>	Sand verbena	Gc, an	SD	1	
<i>Acacia abyssinica</i>	Abyssinian Acacia	T	Africa	3	(sh)
<i>Acacia aneura</i>	Mulga	T	Australia	2	(sh)
<i>Acacia angustissima</i>	White Ball Acacia	S	SD	2	(sh)
<i>Acacia berlandieri</i>	Guajillo	S,T	CD	3	
<i>Acacia constricta</i>	Whitethorn Acacia, Mescat	T,S*	SD, CD	1	
<i>Acacia crasspedocarpa</i>	Waxleaf Acacia	T,S	Australia	1	
<i>Acacia cultriformis</i>	Knife-Leaf Acacia	T,S	Australia	2	(sh)
<i>Acacia greggii</i>	Cat's Claw Acacia	T,S	SD, CD	1	
<i>Acacia minuta (smallii)</i>	Southwestern Sweet Acacia	T,S,cl	SD, CD	2	
<i>Acacia notabilis</i>	Acacia	S	Australia	2	
<i>Acacia redolens</i>	Prostrate Acacia	S,Gc	Australia	2	
<i>Acacia rigidula</i>	Black Brush Acacia	S,T	CD	3	
<i>Acacia salicina</i>	Weeping Wattle	T,cl	Australia	2	(sh)
<i>Acacia saligna</i>	Wattle Tree	T	Australia	1-2	(sh)
<i>Acacia schaffneri</i>	Twisted Acacia	T	CD	1-2	
<i>Acacia stenophylla</i>	Pencilleaf Acacia	T	Australia	1-2	
<i>Acacia willardiana</i>	Palo Blanco	T	SD	1-2	(sh)
<i>Agave americana</i>	Century Plant	Sc	CD	1-2	
<i>Agave colorata</i>	Agave	Sc	SD	1	
<i>Agave filifera</i>	Agave	Sc	CD	1-2	
<i>Agave huachucensis</i>	Huachuca Agave	Sc	SD	1-2	
<i>Agave lophantha (univittata)</i>	Agave	Sc	CD	2	
<i>Agave ocahui</i>	Ocahui Agave	Sc	SD	1-2	
<i>Agave palmeri</i>	Palmer Agave	Sc	SD	1	
<i>Agave victoriae-reginae</i>	Victoria Regina Agave	Sc	CD	1-2	
<i>Agave vilmoriniana</i>	Octopus Agave	Sc	SD	1-2	(sh)
<i>Aloe barbadensis</i>	Barbados Aloe	Sc,cl	Africa	2-3	(sh)
<i>Aloe ferox</i>	(sh) Cape Aloe	Sc,cl	Africa	2-3	
<i>Aloe saponaria</i>	Mediterranean Aloe	Sc,cl	Africa	2-3	(sh)
<i>Aloysia gratissimma</i>	Fragrant Bush, Bee Brush	S	SD, CD	2	
<i>Aloysia wrightii</i>	Wright's Oregano, Lemon Verbena	S	SD, CD	2	
<i>Ambrosia (Franseria)</i>	Triangle-leaf	S	SD		

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
deltoidea	Bursage				
Ambrosia (Franseria) dumosa	White Bursage	S	SD	1	
Anisacanthus thurberi	Desert Honeysuckle	S	SD	2	
Antigonon leptopus	Queen's Wreath	V,cl	SD	2-3	(t)
Aristida purpurea	Purple Three-Awn	Gr,cl	SD, CD	1	
Asclepias linaria	Pine-Leaf Milkweed	S	SD, CD	2	
Asclepias subulata	Desert Milkweed	A	SD	2	(sh)
Aster bigelovii	Aster	an	SD	1	(t)
Aster tanacetifolius	Aster	an	SD, CD	1	(t)
Atriplex canescens	Four-Wing Saltbush	S	SD, CD	1	
Atriplex lentiformis	Quail Bush	S	SD	1	
Atriplex lentiformis breweri	Brewer Saltbush	S	SD	1-2	
Atriplex nummularia	Old Man Saltbush	S	Australia	1	
Atriplex polycarpa	Desert Saltbush	S	SD	1	
Atriplex semibaccata	Australian Saltbush	S	Australia	2	
Baccharis sarothroides (male plants only)	Desert Broom	S,l	SD	1-2	
Baccharis sarothroides 'Centennial'	Centennial	S,Gc	SD	2-3	
Bahia absinthifolia	Desert Daisy	p,cl	SD	2	
Baileya multiradiata	Desert Marigold	p,cl*	SD, CD	1-2	
Berberis harrisoniana	Barberry	S	SD	3	
Berberis trifoliata	Agritos	S	SD	3	
Bothriochloa barbinodis	Cane Beardgrass	Gr,cl	SD, CD	1	
Bougainvillea spp.	Bougainvillea	V,S,cl	Brazil	3	(t)
Bouteloua chondrosioides	Sprucetop Grama	Gr	SD, CD	2	
Bouteloua curtipendula	Sideoats Grama	Gr,cl	SD, CD	2	
Bouteloua eriopoda	Black Grama	Gr,cl	SD	3	
Bouteloua gracilis	Blue Grama	Gr	SD, CD	2	
Bouteloua hirsuta	Hairy Grama	Gr	SD	2	
Bouteloua rothrockii	Rothrock Grama	Gr	SD, CD	1	
Brachychiton populneus	Bottle Tree	T	Australia	2-3	
Brahea (Erythea) armata	Mexican Blue Palm	T	SD	2-3	
Buchloe dactyloides	Buffalo Grass	Gr	CD	2-3	
Buddleia marrubifolia	Wooly Butterfly Bush	S,cl	CD	2-3	
Caesalpinia (Poinciana) mexicana,	Mexican Bird of Paradise (yellow)	S,cl*	CD	2	

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BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
Caesalpinia (Poinciana) gilliesii	Yellow Bird of Paradise	S,cl*	Argentina	1-2	
Caesalpinia pulcherrima	Red Bird of Paradise	S,cl*	Caribbean	3	(sh)
Calliandra californica	Red Fairy Duster, Baja Fairy Duster	S,cl	SD	2-3	
Calliandra eriophylla	Fairy Duster, False Mesquite	S,cl	SD	1	
Calliandra peninsularis	Red Calliandra, Baja Fairy Duster	S,cl	SD	2-3	(sh)
Callistemon citrinus	Lemon Bottlebrush	T,S,cl	Australia	3	(sh)
Calylophus hartwegii	Calylophus	Gc,cl	CD	3	
Campsis radicans	Common Trumpet Creeper	V,cl	SD, CD	2-3	
Carnegiea gigantea	Saguaro	C	SD	1	
Carpobrotus edulis	Ice Plant	Gc,Sc,cl,	Africa	3	(t)
Cassia artemisioides	Wormwood Senna, Feathery Cassia	S,cl	Australia	2-3	(sh)
Cassia nemophila (eremophila)	Green Cassia	S,cl	Australia	2	
Cassia phyllodinea	Silvery Cassia	S,cl	Australia	2-3	
Casuarina cunninghamiana	Australian Pine	T	Australia	3	
Casuarina stricta	Coast Beefwood	T	Australia	2-3	
Cathostecum erectum	False Grama	Gr,cl	SD	1	
Celtis pallida	Spiny or Desert Hackberry	S	SD, CD	1-2	
Celtis reticulata	Netleaf or Western Hackberry	T	SD, CD	2	
Centaurea cineraria	Dusty Miller	p,cl	Mediterranean	3	
Cephalophyllum 'Red Spike'	Red Spike Ice Plant	Gc,Sc,cl		2	
Ceratonia siliqua	Carob, St. John's Bread Tree	T	Mediterranean	3	(sh)
Cercidium floridum	Blue Palo Verde	T,cl	SD	2-3	
Cercidium microphyllum	Littleleaf or Foothill Palo Verde	T,cl	SD	1	
Cercidium praecox	Palo Brea	T,cl	SD	2	(sh)
Cercidium sonorae	Sonoran Palo Verde	T,cl	SD	1-2	
Cercis canadensis var. mexicana	Mexican Redbud	T,S	CD	3	
Cereus peruvianus 'Monstrosus'	Peruvian Cereus	C	South America	1-2	(sh)
Chamaerops humilis	Mediterranean Fan Palm	T	Spain	2-3	
Chilopsis linearis	Desert Willow	T,S,cl	SD, CD	2-3	

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BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
<i>Cissus incisa</i>	Desert Grape Ivy	V,I	CD	1-2	
<i>Cissus trifoliata</i>	Desert Grape Ivy	V	SD	1-2	
<i>Condalia warnockii</i> var. <i>kearneyana</i>	Condalia	S	SD, CD	1	
<i>Convolvulus cneorum</i>	Bush Morning Glory	S,Gc,cl*	Mediterranean	1-2	
<i>Convolvulus mauritanicus</i>	Ground Morning Glory	Gc,cl	Africa	3	(sh)
<i>Cordia boissieri</i>	Anacahuita, Texas Olive	T,S,cl	CD	2-3	(sh)
<i>Cordia parvifolia</i>	Littleleaf Cordia	S,cl	SD, CD	1-2	
<i>Cortaderia selloana</i>	Pampas Grass	Gr	Argentina	3	
<i>Cupressus arizonica</i>	Arizona Cypress	T	SD, CD	2	
<i>Cupressus glabra</i>	Smooth Bark Cypress	T	SD	2-3	
<i>Dalbergia sissoo</i>	Rosewood	T	India	3	(sh)
<i>Dalea bicolor</i> var. <i>argyrea</i>	Silver Dalea	S	SD	2-3	
<i>Dalea frutescens</i>	Black Dalea	S,cl	CD	2-3	
<i>Dalea greggii</i>	Trailing Indigo Bush	Gc	CD	2-3	
<i>Dalea pulchra</i>	Indigo Bush	S,cl	SD	2-3	
<i>Dalea versicolor</i> var. <i>sessilis</i>	Indigo Bush, Dalea	S,cl	SD	3	
<i>Dasyilirion acrotriche</i>	Green Desert Spoon	A	CD	1	
<i>Dasyilirion wheeleri</i>	Sotol, Desert Spoon	A	SD, CD	1	
<i>Datura wrightii</i>	Sacred Datura	Gc,p,cl*	SD	3	(sh)
<i>Digitaria californica</i>	Arizona Cottontop	Gr	SD, CD	1	
<i>Dimorphotheca sinuata</i>	African Daisy, Cape Marigold	an,cl	South Africa	4	
<i>Dodonaea viscosa</i>	Hopbush	S	SD, CD	1-2	(sh)
<i>Dyssodia acerosa</i>	Dogweed	Gc,p,cl,S D,CD	SD, CD	2-3	
<i>Dyssodia pentachaeta</i>	Dyssodia	Gc,an,p,c l	SD,CD	2-3	
<i>Echinocactus grusonii</i>	Golden Barrel	C,cl	SD	1-2	
<i>Echinocereus</i> spp.	Hedgehog, Rainbow Cactus	C,cl	SD, CD	1	
<i>Echinopsis</i> spp.	Easter Lily, Sea Urchin Cactus	C,cl	So. America	1	
<i>Encelia californica</i>	California Brittlebush (green)	S,cl	SD	1-2	(sh)
<i>Encelia farinosa</i>	Brittlebush	S,cl	SD	1-2	(sh)
<i>Ephedra nevadensis</i>	Ephedra	S	SD	3	
<i>Eragrostis intermedia</i>	Plains lovegrass	Gr	SD, CD	1	
<i>Eremophila decipiens</i>	Emu Bush	S,cl	Australia	1	

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BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
<i>Erioneuron pulchellus</i>	Fluffgrass	Gr	SD, CD	1	
<i>Eschscholtzia californica</i>	California Poppy	an,cl	SD	2-3	
<i>Eschscholtzia mexicana</i>	Mexican Gold Poppy	an,cl	SD	3	
<i>Eucalyptus camaldulensis</i>	Red River Gum	T	Australia	2	
<i>Eucalyptus campaspe</i>	Silver Gimlet	T	Australia	2-3	(sh)
<i>Eucalyptus formanii</i>	Eucalyptus	T	Australia	2	
<i>Eucalyptus leucoxylon</i> (rosea)	White Iron Bark	T,cl	Australia	2	
<i>Eucalyptus microtheca</i>	Tiny Capsule Eucalyptus	T	Australia	1-2	
<i>Eucalyptus polyanthemos</i>	Silver Dollar Gum	T	Australia	2	
<i>Eucalyptus rudis</i>	Desert Gum	T	Australia	2	
<i>Eucalyptus spathulata</i>	Swamp Mallee	T	Australia	3	
<i>Euphorbia antisyphilitica</i>	Wax Plant, Candelilla	S	CD	1	
<i>Euphorbia myrsinites</i>	Euphorbia	Gc		2	
<i>Euphorbia rigida</i> (biglandulosa)	Gopher Plant	A,Sc,cl* Africa	Africa	2	
<i>Feijoa sellowiana</i>	Pineapple Guava	T,S,cl	So. America	3	
<i>Ferocactus</i> spp.	Barrel Cactus	C,cl	SD, CD	1	
<i>Fouquieria splendens</i>	Ocotillo	A,cl	SD, CD	1	
<i>Gaillardia pulchella</i>	Fire Wheel, Blanket Flower	an,cl	CD	3	
<i>Gazania rigens</i> 'Copper King'	Copper King Gazania	Gc,cl	Africa	3-4	
<i>Gazania rigens</i>	Treasure Flower Gazania	Gc,cl	Africa	3-4	
<i>Gazania rigens leucolaena</i>	Trailing Gazania	Gc,cl	Africa	3-4	(t)
<i>Geoffreyia</i> (Gourleia) <i>decorticans</i>	Chilean Palo Verde	T,cl	So. America	1	
<i>Gossypium harknessii</i>	Gossypium	S,cl	SD	2	(t)
<i>Haplopappus</i> (Ericameria) <i>laricifolius</i>	Turpentine Bush	S,cl	SD, CD	1	
<i>Hesperaloe funifera</i>	Giant Hesperaloe	A	CD	1-2	
<i>Hesperaloe parviflora</i>	Red Yucca, Red Flowered Hesperaloe	A,cl	CD	1-2	
<i>Hetropogon contortus</i>	Tanglehead	Gr	SD	3	
<i>Hibiscus coulteri</i>	Yellow Hibiscus, Coulter's Hibiscus	S	SD, CD	2	
<i>Hilaria berlanderi</i>	Curly Mesquite	Gr	SD, CD	2	
<i>Hilaria mutica</i>	Tobosa Grass	Gr	SD, CD	1	
<i>Hilaria rigida</i>	Big Galleta Grass	Gr	SD, CD	2	

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BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
Hyptis emoryi	Desert Lavendar	S	SD	3	(sh)
Jatropha cardiophylla	Limberbush	S	SD	1	
Jatropha dioica	Jatropha	S,cl	CD	1	(t)
Juniperus chinensis	Juniper (many cultitvars)	T,S	Asia	3	
Juniperus deppeana	Alligator Bark Juniper	T	SD, CD	3	
Juniperus sabina 'Arcadia'	Arcadia Juniper	S		3	
Justicia (Beloperone) californica	Chuparosa	S,cl	SD	2-3	
Justicia candicans	Red Jacobinia	S,cl	SD	3	(sh)
Justicia spicigera	Mexican Honeysuckle, Firecracker Bush	S,cl	SD	3	(sh)
Lantana camara	Bush Lantana (many cultivars)	S,cl*	No. America	3-4	(t)
Lantana montevidensis	Trailing Lantana	Gc,cl* S. Am.	So. America	3-4	(t)
Larrea tridentata (divaricata)	Creosote Bush, Greasewood	S,cl	SD, CD	1	
Leptochloa dubia	Green Sprangle-Top	Gr	CD	3	
Leucaena retusa	Golden Leadball	T,S,cl	CD	1-2	
Leucophyllum spp.	Texas Ranger (all cultivars)	S,cl	CD	2	
Linum grandiflorum 'Rubrum'	Scarlet Flax	Gc,an,cl		3	
Linum lewisii	Blue Flax	an,cl	SD, CD	3	
Lupinus arizonicus	Lupine	an,cl	SD	1	
Lupinus sparsiflorus	Desert Lupine	an,cl	SD	1	
Lupinus succulentus	Arroyo Lupine	an,cl	SD	1	
Lycium exsertum	Lycium	S	SD	1	
Lycium fremontii	Wolfberry	S	SD	1	
Lysiloma thornberi	Feather Tree	T,S	SD	2-3	(sh)
Macfadyena unguis-cati	Cat's Claw Vine	V,cl	America	2-3	
Malephora crocea	Croceum, Ice Plant	Gc,Sc,cl		2-3	
Mamillaria spp.	Mamillaria Cactus	C,cl	SD, CD	1-2	
Mascagnia lilacina	Lavender Orchid Vine	V,cl	CD	2-3	
Mascagnia macroptera	Yellow Orchid Vine	V,cl	SD, CD	2-3	(sh)
Maytenus phyllanthoides	Mangle Dulce	S	SD, CD	2	

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BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
Melampodium leucanthum	Blackfoot Daisy	Gc,p,cl SD,CD	SD, CD	2	
Merremia aurea	Yellow Merremia	V,cl	SD	2-3	(t)
Mimosa dysocarpa	Velvetpod	S,cl	SD	2	
Muhlenbergia dumosa	Bush Muhlenbergia, Bamboo Muhly	Gr	SD	3-4	
Muhlenbergia emersleyi	Bullgrass	Gr,cl	SD	1	
Muhlenbergia porteri	Bush Muhly	Gr,cl	SD, CD	1	
Muhlenbergia rigens	Deer Grass	Gr	SD	3	
Muhlenbergia rigida	'Nashville' TM	Gr,cl	SD	3	
Myoporum parvifolium	Myoporum	Gc	Australia	3	
Myrtus communis	True Myrtle, Roman Myrtle	S	Mediterranean	3	
Myrtus communis 'Boetica'	Twisted Myrtle	S#	Mediterranean	3	
Myrtus communis 'Compact'	Dwarf Myrtle	S	Mediterranean	3	
Nandina domestica	Heavenly Bamboo (many cultivars)	S,cl		3	
Nerium oleander	Oleander (many cultivars)	S,cl*	Asia	2-3	
Nolina bigelovii	Beargrass	A	SD	1-2	
Nolina matapensis	Tree Beargrass	A,T	SD	1-2	
Nolina microcarpa	Beargrass	A	SD	1-2	
Nolina parryi	Parry's Beargrass	A	SD	1-2	
Oenothera berlandieri (speciosa childsii)	Mexican Evening Primrose	Gc,cl	CD	3	
Oenothera caespitosa	Tufted Evening Primrose	p,cl	SD	2-3	
Oenothera stubbei	Chihuahuan Primrose, Baja Primrose	Gc,cl	CD	2-3	
Olea europaea 'Swan Hill'	Swan Hill Olive	T	Mediterranean	3	
Olneya tesota	Desert Ironwood, Tesota	T	SD, CD	1	(sh)
Opuntia spp.	Prickly Pear, Cholla	C	SD, CD	1	
Oryzopsis hymenoides	Indian Ricegrass	Gr	SD, CD	3	
Osteospermum fruticosum	Trailing African Daisy	Gc,cl	Africa	3-4	(sh)
Pappophorum mucronulatum	Pappusgrass	Gr	SD	1	
Parkinsonia aculeata	Mexican Palo Verde	T,I,cl	SD, CD	1-2	

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BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
Passiflora foetida	Passion Flower	V	SD	3	(sh)
Pedilanthus macrocarpus	Slipper Flower	A,Sc,cl*	SD	2	
Pennisetum setaceum 'Cupreum'	Purple Fountain Grass	Gr	Africa	1-2	
Penstemon baccharifolius	Cutleaf Penstemon	p,cl	CD	1	
Penstemon barbatus	Beardtongue Penstemon	p,cl	SD, CD	1	
Penstemon eatoni	Eaton's Penstemon	p,cl	SD	1	
Penstemon parryi	Parry Penstemon	p,cl	SD	1	
Penstemon pseudospectabilis	Canyon Penstemon, Mohave Beardtongue	p,cl	SD	1	
Penstemon superbus	Superb Penstemon	p,cl	CD	1	
Pentzia incana	Karoo Bush	Gc	Africa	1-2	
Phacelia campanularia	Desert Canterbury Bells	an,cl	SD	2-3	
Phacelia tanacetifolia	Tansy Phacelia	an,cl	SD	2-3	
Phoenix canariensis	Canary Island Date Palm	T		3	
Phoenix dactylifera	Date Palm	T	Asia	3	
Phyla nodiflora	Lippia	Gc,cl		3-4	
Pinus edulis	Piñon Nut Pine	T		2-3	
Pinus eldarica	Afghan Pine	T#	Asia	2	
Pinus halepensis	Aleppo Pine	T	Mediterranean	2	
Pinus monophylla	Singleleaf Piñon Pine	T	Mojave	2	
Pinus pinea	Italian Stone Pine	T	Mediterranean	2-3	
Pinus roxburghii	Chir Pine	T	Asia	3	
Pistacia atlantica	Mt. Atlas Pistache	T	Africa	2	
Pistacia chinensis	Chinese Pistache	T,cl	Asia	3	
Pistacia terebinthus x integerrima	Pistache hybrid terebinthus x integerrima	T,cl		3	
Pistacia vera	Pistachio	T	Asia	2-3	
Pithecellobium flexicaule	Texas Ebony	T	CD	2	(sh)
Pithecellobium mexicanum	Mexican Ebony	T	SD	3	
Pithecellobium pallens	Tenaza	T	CD	2	(sh)
Pittosporum phillyraeoides	Willow Pittosporum	T	Australia	2	
Plantago spp.	Indian Wheat	an	SD, CD	1-2	

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
Prosopis (So. Am. hybrid)	Thornless Mesquite (So. Am. hybrid)	T#	So. America	2	
Prosopis alba	Argentine Mesquite	T#	So. America	2	
Prosopis chilensis	Chilean Mesquite	T#	So. America	2	
Prosopis glandulosa glandulosa	Honey or Texas Mesquite	T#	CD	2	
Prosopis pubescens	Screwbean Mesquite	T	SD, CD	2	
Prosopis velutina	Velvet Mesquite	T#	SD	2	
Psilostrophe cooperi	Paper Flower	p,cl	SD, CD	2	
Punica granatum	Pomegranate	S,T,cl	India	2-3	
Pyracantha (red berried types)	Pyracantha (many cultivars)	S,cl		3	
Quercus arizonica	Arizona White Oak	T	SD, CD	3	
Quercus emoryi	Emory Oak	T	SD, CD	3	
Quercus ilex	Holly Oak	T		3	
Quercus suber	Cork Oak	T*	Mediterranean	2	
Quercus virginiana 'Heritage'	Heritage Live Oak	T	SE U.S.A.	3	
Rhus lancea	African Sumac	T,l	Africa	2	
Rhus microphylla	Littleleaf Sumac	S,cl	CD	2	
Rhus ovata	Sugar Bush, Sugar Sumac	S	SD	2	
Rhus virens	Evergreen Sumac	S,cl	CD	2	
Rosa banksiae	Lady Banks Rose, Tombstone Rose	S,Gc,V		3	
Rosmarinus officinalis	Bush Rosemary	S,cl	Mediterranean	2-3	
Rosmarinus officinalis 'Prostratus'	Dwarf or Trailing Rosemary	Gc,cl	Mediterranean	2-3	
Ruellia californica	Ruellia	S,cl	SD	3	(t)
Ruellia peninsularis	Ruellia	S,cl	SD	3	(t)
Ruschia uncinatus	Ruschia	Sc,Gc		2	
Salvia chamaedryoides	Blue Sage	S,p,cl	CD	2-3	
Salvia clevelandii	Cleveland Sage	S,cl		3	
Salvia columbariae	Chia	an,cl	SD	3	
Salvia farinacea	Mealy Blue Sage	S,cl	CD	3-4	
Salvia greggii	Texas Red Salvia, Autumn Sage	S,cl	CD	2-3	
Salvia mohavensis	Mohave Sage	S,cl	SD	2	
Sambucus mexicana	Mexican Elderberry	T	SD, CD	2	
Santolina chamaecyparissus	Lavendar Cotton	S,Gc	Mediterranean	2-3	

TOWN OF MARANA, ARIZONA
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BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
<i>Santolina virens</i>	Green Santolina	Gc,S,cl Medit.	Mediterranean	3-4	
<i>Sapindus saponaria</i>	Soapberry	T*	SD, CD	3-4	
<i>Schinus molle</i>	California Pepper Tree	T	So. America	2-3	
<i>Senecio cineraria</i>	Dusty Miller, Silver Plant	p,cl*		3	
<i>Senna covesii</i>	Desert Senna	p,cl	SD	1-2	
<i>Senna lindheimeriana</i>	Senna	S	CD	4	(sh)
<i>Senna wislizenii</i>	Cassia, Shrubby Senna	S,p,cl	SD, CD	2	
<i>Sesuvium verrucosum</i>	Sea Purslane, Ice Plant	Gc	Africa	2	(t)
<i>Setaria macrostachya</i>	Plains Bristle Grass	Gr	SD, CD	3	
<i>Simmondsia chinensis</i>	Jojoba, Goat Nut	S	SD	1-2	
<i>Sophora secundiflora</i>	Mescal Bean, Texas Mountain Laurel	S,T,cl*	CD	2-3	
<i>Sphaeralcea</i> spp.	Globe-Mallow	p,cl	SD, CD	1	
<i>Sporobolus airoides</i>	Alkali Sacaton	Gr	SD, CD	3	
<i>Sporobolus contractus</i>	Spike Dropseed	Gr	SD, CD	1	
<i>Sporobolus cryptandrus</i>	Sand Drops	Gr	SD, CD	3	
<i>Sporobolus flexuosus</i>	Mesa Dropseed	Gr	SD, CD	2	
<i>Sporobolus wrightii</i>	Sacaton	Gr	SD, CD	1	
<i>Stenocereus (Lemaireocereus) thurberi</i>	Organ Pipe Cactus	C	SD	1	
<i>Stipa neomexicana</i>	New Mexico Feathergrass	Gr	SD, CD	2	
<i>Tagetes lemmoni</i>	Mountain Marigold	p,cl	SD	3-4	
<i>Tamarix aphylla</i>	Athel Tree, Tamarisk	T	Asia	1	
<i>Tamarix parviflora or chinensis</i>	Spring Flowering Salt Cedar	T,S,l	Asia	2	
<i>Tecoma stans</i> var. <i>angustata</i>	Trumpet-Bush	S,cl	SD, CD	2-3	(sh)
<i>Tecomaria capensis</i>	Cape Honeysuckle	S,cl	Africa	4	(sh)
<i>Teucrium chamaedrys (prostratum)</i>	Prostrate Germander	Gc,p	Mediterranean	2-3	
<i>Teucrium fruticans</i>	Bush Germander	S		3	
<i>Trucklers crinita</i>	Two-feather Trichloris	Gr	SD, CD	2	
<i>Trichocereus</i> spp.	Trichocereus Cactus	C		1-2	
<i>Tridens muticus</i>	Slim Tridens	Gr	SD, CD	2	

TOWN OF MARANA, ARIZONA
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BOTANICAL NAME	COMMON NAME	STATUS	ORIGIN	NEEDS	HARDY
Ungnadia speciosa	Mexican Buckeye	T,cl	CD	3	
Vauquelinia californica	Arizona Rosewood	S,T#	SD	2	
Verbena gooddingii	Goodding Verbena	p,cl	SD	3-4	
Verbena peruviana	Peruvian Verbena	p,cl	So. America	4	
Verbena tenuisecta (pulchella)	Moss Verbena, Fineleaf Verbena	p,cl	So. America	3	
Verbesina encelioides	Crown Beard	an,cl	SD, CD	2	
Viguiera deltoidea	Golden Eye	p,cl	SD	2	
Vitex agnus-castus	Chaste Tree, Monk's Pepper	T,S,cl		2	
Washingtonia filifera	California Fan Palm	T	SD	2	
Washingtonia robusta	Mexican Fan Palm	T	SD	2-3	(sh)
Xylosma congestum	Xylosma	T,S	China	3-4	
Yucca aloifolia	Spanish Bayonet Yucca	A	SD	1	
Yucca baccata	Banana Yucca	A	SD, CD	1	
Yucca brevifolia	Joshua Tree	A	CD	1	
Yucca carnerosana	Giant Dagger Yucca	A	CD	1	
Yucca elata	Soaptree Yucca	A	SD, CD	1	
Yucca glauca	Small Soapweed Yucca	Sc	U.S.A.	1	
Yucca recurvifolia (pendula)	Pendulous or Curveleaf Yucca	A	U.S.A.	2	
Yucca rigida	Blue Dagger Yucca	A,cl	CD	1	
Yucca rostrata	Beaked Yucca	A	CD	1	
Yucca schottii	Mountain Yucca	Sc	SD	1	
Yucca treculeana	Tree Yucca	A	CD	1	
Yucca whipplei	Our Lord's Candle	A	SD	1	
Zauschneria californica	Hummingbird Trumpet	Gc,cl	SD	3	
Zinnia acerosa	Desert Zinnia	p,cl	SD, CD	1	
Zinnia grandiflora	Rocky Mountain Zinnia	p,cl	CD	2	
Zizyphus jujuba	Chinese Date	T,l	Asia	2	

List Sorted Alphabetically by Botanical Name

TITLE 18
OUTDOOR LIGHTING CODE

Note to Marana Land Development Code users: As of August 12, 2008, Title 18 of the Marana Land Development Code was moved to and incorporated by reference in section 7-1-2 (Building codes adopted) of the Marana Town Code.

TOWN OF MARANA, ARIZONA
LAND DEVELOPMENT CODE

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**TITLE 19
STANDARDS FOR GRADING AND RELATED SITE WORK**

SECTIONS:

19.010	Purpose and Interpretation
19.020	Applicability and Exemptions.
19.030	Definitions.
19.040	General Grading and Related Site Work Performance Standards.
19.050	Submittal and Procedures: Type 1
19.060	Submittals and Procedures: Type 2
19.070	Inspection and Performance Defaults.
19.080	Enforcement and Penalties.
19.090	Waivers and Interpretation Review.
19.100	Illustrations.

HILLSIDE DEVELOPMENT

19.010 Purpose and Interpretation

A. Purpose

1. The purpose of this Title is to protect the public health, safety, general welfare, and aesthetics by regulating grading and related site work (including initial clearing, brushing or grubbing, subsequent excavating or filling, and related site work) on private and public land, including land owned by the Town of Marana.
2. It establishes standards designed to:
 - a. Regulate the development of potentially hazardous terrain;
 - b. Conserve the general visual character of sites and settings;
 - c. Enhance the value of new development; and
 - d. Conserve the value of existing affected properties.
3. The guidelines and standards of this Title have been prepared in the context of Town of Marana specific desert environment. They are intended to complement the applicable provisions of development code and other Town ordinances.
4. Granting of a permit for grading and related site work shall not relieve the applicant of responsibilities to other jurisdictions.

B. Interpretation.

1. This section shall be used as a guide whenever a conflict arises in the interpretation or enforcement of this Title. The design, implementation, and mitigation of grading and related site work regulated by this Title (19) shall be reviewed by the Town of Marana staff prior to the issuance of any permit to ensure compliance with the guidelines of this Title and the specific standards and requirements of this Title.

2. The design and implementation of all grading and related site work shall;
 - a. Minimize scars and other adverse visual impacts resulting from cut and fill;
 - b. Blend with the natural contours of the land;
 - c. Conserve the natural scenic beauty and vegetation of the site, and;
 - d. Restrict the area and volumes to the minimum necessary to implement the planned development.
3. In all projects, measures shall be taken to:
 - a. Ensure that graded hillside, slopes, or other areas subject to erosion are stabilized;
 - b. Reduce the erosion effects of stormwater discharge, preserve the floodway-carrying capacity of natural or constructed waterways by limiting soil loss, and protect drainways from siltation;
 - c. Minimize dust pollution and surface water drainage from graded areas during grading and development; and
 - d. Ensure that development activity is designated and implemented to minimize adverse impacts and include appropriate restorative measures.

19.020 Applicability and Exemptions.

A. Scope

1. All development projects shall require either a Type 1 or a Type 2 grading permit, except as exempted in subsection D of this section.
2. Town development projects shall abide by the requirements of this Title. The Town Council may grant a special exception at a public hearing to a requirement of this Title for a Town development project.

B. Type 1 permit applicability: A Type 1 permit is required for:

1. Residential development on a single lot, with a development envelope not exceeding the following:

<u>Lot Area</u>	<u>Development Envelope</u>
0.5 to 5.0 acres (21,780 to 217,800 sq.ft.)	12.000 sq. ft. plus 9.5% lot area
5.0 acres and more	15.0% lot area

2. Residential development on a single lot of less than one-half acre, with a development envelope of more than twelve thousand square feet.
3. Non-residential development on less than 1.0 acre, or which does not require a subdivision plat or development plan.
4. The clearing, brushing, or grubbing of an area within the limits given in (B) (1) above.

5. Temporary off-site stockpiling of between one hundred cubic yards and ten thousand cubic yards of fill.
 6. Grading -- except when reviewed during a golf course review, a floodplain review, or a Type 2 grading permit review process -- which requires a permanent cut or fill slope greater than five feet in height and steeper than a 3:1 slope.
 7. New pavement of three thousand to five thousand square feet.
- C. Type 2 permit applicability: A Type 2 permit is required for:
1. residential development on a single lot with a development envelope exceeding the following:

<u>Lot Area</u>	<u>Development Envelope</u>
0.5 to 5.0 acres (21,780 to 217,800 sq. ft.)	12,00 sq. ft. plus 9.5% lot area
5.0 acres and more	15% lot area
 2. Residential development which requires a subdivision plat or development plan.
 3. Non-residential development on one or more acres, or which requires a subdivision plat or development plan
 4. The clearing, brushing, or grubbing of an area exceeding the standards of subsection (C)(1) above.
 5. Temporary off-site stockpiling of more than ten thousand cubic yards of fill.
 6. New pavement of more than five thousand square feet.
- D. Exemptions: The following activities are exempted from this Title.
1. Residential development on a single lot, with a development envelope of less than fourteen thousand square feet.
 2. One subsequent expansion, by not more than twenty-five percent, of an exempted or approved Type 1 graded area.
 3. The clearing, brushing, or grubbing of an area of less than fourteen thousand square feet.
 4. Temporary off-site stockpiling of less than one hundred cubic yards of fill.
 5. Resurfacing or maintenance of an existing paved surface.
 6. New pavement of less than three thousand square feet.
 7. Single-home sewage disposal system with a County Health Department permit.
 8. Excavation below finished grade for a basement, foundation, wall or swimming pool authorized by a building permit.
 9. Cemetery graves.
 10. Refuse disposal site controlled by other regulations.

11. Exploratory excavation under the direction of a soil engineer or engineering geologist, provided all excavation is properly backfilled in accordance with Town of Marana standards.
12. Qualified archaeological exploration of a registered archaeological site.
13. Removal of no more than 25 percent of the individual plants for storage and replanting on the same property. This provision shall not exempt clearing, brushing, or grubbing.
14. Underground utility installations under a paved roadway surface or a continuously-maintained unpaved roadway surface and which provide no disturbance of the surface.
15. Grading for the maintenance of an existing private access, road or driveway, provided that it either existed prior to adoption of, or was established in conformance with, this Title. Proof of such may be required by the Town of Marana.
16. Grading for an appurtenant access or utility easement.
17. Grading for normal agricultural practices on or within existing areas of agricultural use.
18. Excavations for specific building foundations which are permitted by issuance of a building permit.
19. Projects in the floodplain which are authorized under a specific floodplain permit.

19.030 Definitions.

- A. General usage: The definition and usage of terms in this Title are as contained within this code, except that the definition and usage of terms describing drainage are as contained within the Marana Floodplain Management Ordinance.
- B. Definitions: For purposes of this Title only, the following words and terms shall mean:
 1. Access road: A road within one mile of the grading site, designed on the approved grading plan, and used, during grading, for the transport of grading equipment, hauling of fill and other equivalent vehicular traffic to and from the grading site.
 2. Approval: Written notice by the Town of Marana staff approving the design, progress or completion of work. A copy of which will be filed in the office of the Planning and Zoning Administrator.
 3. Approved plan: The most current grading plan which bears the authorized signature of approval of the Town of Marana staff.
 4. Approved testing agency: A facility which is equipped to perform and certify the tests required by this Title and whose testing operations are controlled and monitored by a Registered Civil Engineer.
 5. Borrow: Earth material acquired from an off-site location for use in grading a site.

6. Brushing: The selective removal of vegetation.
7. Building height contour line: A contour elevation line set at the existing grade elevation, plus the maximum building height permitted by site rezoning conditions of this code and fifty percent of the additional height added by permitted fill. Refer to illustration (19.100A.1).
8. Clearing: The substantial removal of vegetation.
9. Development Project: Any manmade change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, and excavating.
10. Envelope, building:
 - a. A dwelling unit and all attached roofed structures, including carports or patio ramadas;
 - b. For non-residential development, the building envelope shall be the main building and all attached roofed structures.
11. Envelope, development: The total area encompassed by a continuous line drawn a minimum distance of five (5) feet outside any and all work shown on the approved plan and any other surfaces which will be disturbed (as access roads). There shall be no more than one envelope per permit unless such envelopes are separated by an undisturbed distance of at least 100 feet.
12. Erosion: The wearing away of the ground surface as a result of the movement of wind, water or ice.
13. Excavation: The artificial (e.g. mechanical, manual, blasting, etc.) removal of earth materials.
14. Final inspection: Field inspection conducted by the Town of Marana prior to project acceptance or release of assurances (if required).
15. Grade: The vertical location of the ground surface.
16. Grade, existing: The actual, current ground surface as of the date of adoption of the ordinance adopting this Title.
17. Grade, finished: The final grade conforming to the approved grading plan.
18. Grade, rough: The stage at which grading substantially conforms with the approved grading plan.
19. Grading: The initial clearing, brushing, or grubbing, and subsequent excavating or filling, of a site.
20. Grading permit: An official document issued by the Town of Marana staff authorizing the grading and related site work activity specified by the permit conditions.
21. Grubbing: The removal of trees and other large plants by their roots.
22. Inspector: A person authorized by the Town of Marana to perform inspection on grading or related site work.

23. Permit conditions: The specifications and requirements of the approved grading plan, grading statement, soils report, or other documents necessary for permit approval.
24. Related site-work: Work other than general, or mass grading which involves (1) below-the-surface operations (such as trenching for utilities or landscaping); (2) placing of pavement and its substructure; (3) curbs, gutters, and sidewalk; (4) grading of drainage channels; and (5) constructing minor slope protection facilities and retaining walls.
25. Retaining wall: A wall designed to withstand lateral and hydrostatic pressures and built to keep earth from sliding, and which is two feet or greater in height from the lowest point of earth at the foundation to the top of the wall.
26. Revegetation: Placement of living plant material on sites or cut and fill slopes where the natural vegetation has been removed.
27. Site: Any lot or parcel of land, or contiguous combination of lots and parcels under the same ownership, or unified control, where grading or related site work is to be performed.
28. Slope: An inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
29. Soil: Naturally occurring deposits overlying bedrock.
30. Stabilized slope: A slope treated with revegetation or other mitigation measures approved by the Town of Marana that contribute to resistance to erosion of siltation or to structural strength of the slope.
31. Temporary stock-piling: The storing of a quantity of material for not more than 90 days. A revised period may be accepted by the Town Engineer, at his discretion when the permit is issued, and shall determine the expiration date.

19.040 General Grading and Related Site Work Performance Standards.

- A. Scope: The performance standards of this section are general grading and related site work performance requirements. Illustrations (see 19.100) elaborate on minimum performance standards referenced by this section and may include non-regulatory guidelines for superior grading performance.
- B. Site revegetation and stabilization: All graded areas that have not been revegetated, stabilized, or constructed upon at expiration of the permit shall be subject to an additional fee and an amended permit and shall be revegetated or stabilized within 60 days of the expiration date of the original permit.
- C. Slopes: All exposed cut or fill slopes shall be revegetated or stabilized in accordance with the approved grading plan.
- D. Terracing: Terracing to control surface drainage and debris on cut or fill slopes may be required.
- E. Fill: Fill shall be compacted and soil-tested in accordance with Town of Marana standards.

- F. Setbacks: The following minimum setbacks shall be increased by the Town staff if considered necessary for safety or stability, or to prevent possible damage from water, soil or debris:
1. Terraces: The width of a terrace shall be a minimum of six feet.
 2. Buildings: Buildings shall be set back from the toe and crest of a slopes in accordance with this Title, the Town of Marana building code, or the approved soils reports, whichever is greatest.
 3. Rights-of-way: The required setback of a slope toe adjacent to a public right-of-way may be reduced with the approval of the Town of Marana staff, if there will be no adverse effect and:
 - a. Easements are not required; or
 - b. Retaining walls are used.
- G. Building height: The finished grade and building pad shall be established so that the maximum building height shall not exceed the building height contour lines.
- H. Drainage control systems:
1. Permanent control systems:
 - a. Erosion control shall be constructed and maintained to prevent erosion of slopes, and cleared, brushed, grubbed, or graded areas, in accordance with the approved grading plan and Town of Marana standards.
 - b. Where cut slopes are not subject to erosion due to the erosion resistant character of the native materials, erosion control may be omitted upon approval by the Town of Marana.
 - c. Erosion control devices to prevent erosion or sediment deposition on off-site property may be required,
 - d. The shoulders of a paved public or private roadway shall be protected against erosion whenever curbing or constructed spillways are not provided.
 - e. Surface drainage:
 - (1) Cut and fill slopes shall be provided with approved surface drainage for stability and erosion protection of affected properties.
 - (2) Approved surface drainage interceptors shall be provided at the top of cut and fill slopes where there is surface runoff and erosion potential.
 - (3) Approved drainage slopes to protect foundations shall be provided.
 - f. Subsurface drainage: Subsurface drainage for stability and protection of affected properties from ground water seepage may be required by the Town of Marana staff.

2. Interim systems: Approved interim drainage control systems shall be provided.
- I. Import and export of earth and materials:
 1. Loading of earth material shall occur only within the time limits of subsection J of this section, and dust palliatives shall be applied as may be required by the Town of Marana staff.
 2. The transportation of earth material on public right-of-way shall be in a manner that minimizes blowing soil and other hazards.
 - J. Hours of construction:
 1. Construction equipment operation within one-half mile of an occupied structure shall not be conducted between sunset and seven a.m.
 2. Normal equipment maintenance involving lights, motors or generators, and occurring within six hundred feet of an occupied structure, shall not be conducted between nine p.m. and seven a.m.
 3. Town of Marana staff may allow equipment operation or maintenance during other hours if such operations are not detrimental to the health, safety, or welfare of the inhabitants of the structure.
 4. Permitted hours of operation or maintenance may be shortened by written notice, if the Town staff finds a substantial adverse effect on the health, safety, or welfare of the surrounding community.
 - K. Restrictions of vehicles:
 1. No vehicles shall be driven over "natural open space areas", as designated on the approved grading plan.
 2. Points-of-entry to the site during construction shall be only as designated on the approved grading plan.
 3. For Type 2 permits, access roads to the site during construction shall be only as designated on the approved grading plan.
 - L. Additional requirements:
 1. During construction, and until revegetation or stabilization has taken place, dust shall be minimized through application of approved dust controls as may be required be Town of Marana staff.
 2. Public rights-of-way, sidewalks, and other improvements shall be maintained during construction in a neat and clean condition, free of loose soil, construction debris, and trash.
 3. Debris, fill, or equipment shall not be stored within a public right-of-way without the written approval of the Town of Marana.
 4. Cut or fill material in excess of that allowed by the permit shall be disposed of in an approved manner.
 - M. Removal of native vegetation. In order to minimize erosion and sedimentation in the run off from the Tortolita mountains, native vegetation shall not be removed from that part of the Town of Marana East of I-10 except where the Town Engineer

has approved the methods to control erosion, sedimentation, flow and related factors and their implementation is assured by a mutual consent agreement between the Town and the applicant signed and guaranteed by cash or a bond acceptable to the Town Attorney in an amount set by the Town Manager to guarantee performance of the provisions of the mutual consent agreement (Ord. 91.19, 1991).

19.050 Submittal and Procedures: Type 1

- A. Scope: An application for a Type 1 permit requires a completed permit application, grading plan, and grading statement. A survey sealed by a registered land surveyor is not required.
- B. Grading plan requirements:
 - 1. The existing and proposed finished grade of the area to be graded, based on spot elevations or one-foot contour interval maps;
 - 2. The extent of graded areas, shaded and labeled "graded area", and, where structures are to be constructed:
 - a. The existing grade at the primary building corners and proposed finished floor elevations; and
 - b. The proposed building heights, shown to be within the building height contour line;
 - 3. The location of proposed mitigative measures, such as revegetation or retaining walls;
 - 4. The exterior boundaries of the site;
 - 5. Access roads and points-of-entry to the construction site;
 - 6. The grading envelope.
- C. Grading statement: A written grading statement shall be submitted with an application for a permit. The Statement shall include, where applicable:
 - 1. A description of stabilization, erosion, and drainage control measures;
 - 2. The off-site disposal location and estimated quantity of earth material and vegetation to be removed from the site during construction;
 - 3. Estimated starting and completion dates;
 - 4. A description of the dust control method to be used during construction and until revegetation or stabilization has been completed.
- D. Documents preparation:
 - 1. Documents shall be prepared in accordance with the requirements of this Title and other Town of Marana standards.
 - 2. Information shall conform to the specific plan, rezoning conditions (where applicable), and other applicable regulations.

- E. Application:
1. The permit application, grading plan, and other required materials shall be submitted for review to the Town of Marana.
 2. The permit application shall be completed and signed by the owner or authorized representative.
 3. Fees are payable to the Town of Marana in accordance with the fees schedule adopted by the Town of Marana.
- F. Application review:
1. The grading plan and statement shall be reviewed for consistency with applicable regulations and standards, and if approved, a permit shall be issued within five working days of application.
 2. If determined inadequate, the application shall be returned within five working days and the owner may resubmit, without additional fees, an amended grading plan or statement.
 3. If a second additional submitted is required, it shall be accompanied by a fee equal to one-half of the initial fee.
 4. The Town of Marana shall require that plans and specifications be modified to make them consistent with this code or other applicable regulations. A permit may be issued with additional conditions.
- G. Permit issuance and expiration:
1. Issuance: Permits are issued by the Town of Marana. A copy of the permit and approved grading plan shall be kept in an easily accessible location on the site.
 2. Expiration: A permit shall be null and void if the authorized work has not been completed within six months of permit issuance.
- H. Permit extension and reapplication:
1. Extensions: Upon written request by the permit holder, the Town of Marana may approve a single time extension of a permit for up to 90 days.
 2. Reapplication: Reapplication for a permit may be made in accordance with this Title.
- I. Changes to permit:
1. Hazardous conditions: If drainage problems, flood hazards, or other potential hazards become known that were not considered at the time the permit was issued, the Town of Marana may require that engineering modifications be submitted in a report and that the designed be modified.
 2. Nonhazardous conditions: If unanticipated nonhazardous conditions are encountered during construction and are beyond the scope of the permit, the permit holder may submit the necessary engineering modifications in a report to be reviewed and approved by the Town of Marana.

19.060 Submittals and Procedures: Type 2

- A. Scope: An application for a Type 2 permit requires a completed permit application, grading plan, grading statement, and soils report. Where applicable and not otherwise submitted, drainage improvement plans shall be required also.
- B. Grading plan requirements:
1. The existing and proposed finished grade contours (except as amended in subdivision 2 of this subsection) of the area to be graded, at a minimum of two-foot contour intervals for slopes up to fifteen percent. Slopes over fifteen percent shall be identified clearly and labeled.
 2. The development envelope, showing the extent of graded area, shaded and labeled "graded area", and, where structures are to be constructed:
 - a. Spot elevations may be shown for the finished grade within the building envelope;
 - b. All building pads, showing the existing grade at the primary building corner and proposed finished floor elevations; and
 - c. The proposed building height, shown to be within the building height contour line.
 3. The general topography for one hundred feet, or as specified by the Town of Marana, outward from sites greater than five acres: The Town may determine that such information is necessary for smaller sites.
 4. A description of the mitigation methods, specifying elevations, dimensions, qualities and locations, to be used during grading and until revegetation or stabilization has been completed.
 5. The exterior boundaries of the site, the bases of bearing and a benchmark to establish the vertical datum.
 6. The extent and manner of preserving, relocating, clearing and disposing of vegetation.
 7. The final ground cover, revegetation (if any), erosion control and proposed methods for cut or fill stabilization, based upon the soils report (refer to subsection C of this section).
 8. Access roads, haul routes, and points-of-entry to the construction site.
 9. Where drainage improvement plans have not been submitted separately or where interim drainage conditions exist because of project phasing, plans for:
 - a. Drainage or other protective devices to be constructed as part of the grading;
 - b. The drainage area and estimated runoff of the area served by drains.
 10. A general description of potential paleontological, archaeological or historical resources, and proposed mitigation measures; or a clearance letter from a qualified archaeologist or archaeological institute.

11. The off-site disposal location and estimated quantity of earth material to be moved from the site during construction.
 12. Estimated starting and completion dates for each construction phase. For superior project design and construction performance, it is encouraged that the project designer prepare for project design use an existing site inventory, identifying and quantifying vegetation, soils, on-and-off site view shed constraints, slope analysis, and drainage.
- C. Soil report:
1. The report shall contain all geotechnical engineering information and recommendations applicable to the project, and shall be sealed by the Soils Engineer prior to submittal.
 2. The Civil Engineer responsible for preparing the grading plan shall incorporate all report recommendations into the plan and statement.
 3. Approved report recommendations shall become conditions of the permit.
- D. Documents preparation:
1. Documents shall be prepared in accordance with the provisions of this Title and standards of the Town of Marana.
 2. Information shall conform with rezoning conditions and other applicable regulations.
 3. Grading plan preparation: The plan shall be prepared by, or under the direction of, a Registered Civil Engineer.
- E. Application:
1. The permit application, grading plan, and other required materials shall be submitted to the Town of Marana for distribution to the applicable Town of Marana review agencies.
 2. When desired, a letter of request to exercise the inspection certification option (refer to Section 19.070B) shall be submitted with the application.
 3. The permit application shall be completed and signed by the owner or authorized representative.
 4. Fees are payable to the Town of Marana in accordance with the fees schedule adopted by the Town.
 5. At the discretion of the Town of Marana, assurances may be required in accordance with Section 19.070E (Subdivision Standards).
- F. Application review:
1. Grading and related site work plans and related submittals shall be review concurrent with the tentative plat or development plan review process for the project.
 2. Plans and reports shall be reviewed for consistency with applicable regulations and standards, and with the approved rezoning site analysis (if required). If determined inadequate, they shall be returned within ten working days.

3. Written review comments shall be provided to the applicant within twenty working days of each submittal or resubmittal. Two submittals are covered by the initial fee. An added fee of 50% is required with third submittal.
- G. Preliminary grading:
1. Preliminary grading approval: A preliminary grading permit for clearing, brushing, grubbing, preliminary excavation, or filling may be issued in special circumstances at the discretion of the Town of Marana while the grading plan is being reviewed, provided:
 - a. The Town of Marana finds that the proposed grading is consistent with this Title and code, the submitted grading plan, and the approved tentative plat or reviewed development plan;
 - b. The Town of Marana finds that the proposed grading will not have an adverse effect on the grading project and surrounding area;
 - c. Preliminary grading shall occur no less than twenty feet from the boundaries of the development envelope, exclusive of approved points-of-entry; and
 - d. Preliminary grading assurances have been provided in accordance with subdivision 2 of this subsection.
 2. Preliminary grading assurances;
 - a. When approval has been granted for preliminary grading, grading assurances shall be posted in an amount not to exceed the approved preliminary grading cost estimate made by a Registered Civil Engineer.
 - b. The assurances shall be applied only to:
 - c. Eliminate potential hazardous conditions; or
 - (1) Mitigate the effects of dust, drainage, erosion, visual scars or hazardous conditions, in accordance with the approved design.
 - (2) The assurances shall be released by the Town of Marana when the preliminary grading has been inspected and received the written approval of the Town of Marana. Final approval of a permit shall not require the release of the assurances in the event of preliminary grading noncompliance.
- H. Permit issuance and expiration:
1. Issuance: Permits shall be issued by the Town of Marana no earlier than at the time of Town of Marana written staff approval of the tentative subdivision plat or development plan. A copy of the approved permit with plan shall be kept in an easily accessible location on the site.
 2. Expiration: A permit shall be null and void if the authorized work has not been completed within one year of permit issuance.

- I. Permit extension and reapplication:
 - 1. Extensions: Upon written request by the permit holder, the Town of Marana may approve a single extension of a permit for up to 180 days.
 - 2. Reapplication: Reapplication for a permit may be made in accordance with this Title.
- J. Changes to permit:
 - 1. Hazardous conditions: If drainage problems, flood hazards, or other potential hazards became known that were not considered at the time the permit was issued, the Town of Marana may require that engineering modifications be submitted in a report and that the grading design be modified.
 - 2. Nonhazardous conditions: If unanticipated nonhazardous conditions are encountered during constructions and are beyond the scope of the permit, the permit holder may submit the necessary engineering modifications in a report to be reviewed and approved by the Town of Marana.

19.070 Inspection and Performance Defaults.

- A. General Inspections:
 - 1. All construction which requires a permit shall be inspected by the Town of Marana in accordance with the permit:
 - a. The inspection schedule shall be prepared in advance and approved by the Town of Marana. Fees shall be based on the inspection schedule and payable to the Town of Marana. Fees shall be based on the Town of Marana in accordance with the fees schedule adopted by the Town.
 - b. The permit holder shall request inspection at least two full working days prior to the anticipated need.
 - 2. If the Town of Marana finds site conditions are not as stated in the approved permit conditions, the Town of Marana may order work authorized by the permit to stop until a revised grading plan has been approved.
 - 3. Whenever grading work requiring Town of Marana inspection is concealed by additional work without first having been inspected, the Town of Marana may require, by written notice, that such work be:
 - a. Exposed, for inspection by the Town of Marana, or, at the option of the Town of Marana,
 - b. Certified by the project Registered Civil Engineer as being in conformance with applicable regulations.
- B. Inspection certification option:
 - 1. Upon approval by the Town of Marana, the owner may retain a Civil Engineer, registered to practice in the State of Arizona, to:
 - a. Perform the required construction inspection.

Town of Marana shall make a post-construction inspection within six months of permit expiration or as required by the permit.

- E. Maintenance of revegetation:
1. Maintenance of approved landscaping and revegetated graded areas shall consist of regular watering , pruning, fertilizing, clearing of debris and weeds, the removal and replacement of dead plants, and the repair and replacement of irrigation systems and architectural features.
 2. Maintenance assurances: The final approval of any subdivision plat or development plan that includes an approved final landscaping plan shall require covenants or assurances which:
 - a. Ensure the continued maintenance of required landscaping, buffering and associated irrigation systems; and
 - b. Assign the responsibility of maintenance to the property owner of agent, a homeowners' association or other liable entity.
- F. Compliance: Town personnel, qualified in landscape architectural review will periodically spot-inspect landscape installations for compliance with this Title and approved landscape plans.

19.080 Enforcement and Penalties.

- A. Permit enforcement:
1. The enforcement of this Title and conditions of the permit shall be in accordance with this section.
 2. When the Town of Marana staff determines a non-compliance with the conditions of the permit, the Town of Marana shall issue a stop-work order and hold in abeyance, by written notice, the Town of Marana review of other submittals related to the development project and the issuance of Town of Marana permits for any aspect of the development project until remedial actions have received the written approval of the Town of Marana staff.
- B. Stop-work order:
1. Whenever the Town of Marana determines that grading does not comply with this Title of the permit conditions, or that the soil or other conditions are not as stated on the permit, the Town of Marana may order the work stopped by written notice served on any person engaged in doing or causing such work to be done.
 2. Any such person shall immediately stop such work until authorized by the Town of Marana to proceed with the work.
- C. Penalties:
1. Failure to obtain permit: Unless exempted by this Title (refer to Section 19.020D), failure to obtain a permit prior to commencement of grading shall be a violation of this code. However, the Town of Marana may issue an exception permit if the Town of Marana finds that an emergency existed which made it impossible first to obtain a permit.

2. Violations: A violation may result in issuance of a stop-work order, and penalties may be assessed in accordance with the Town of Marana Development Code. A violation of this Title shall also constitute a Class 1 misdemeanor. Payment of any fines or penalties shall not relieve any person from otherwise complying with the requirements of this Title. Each and every day that a violation of this Title exists shall be deemed to be a separate offense.

19.090 Waivers and Interpretation Review.

A. Waivers:

1. Scope: A waiver from a provision of this Title may be granted by the Town of Marana staff when the strict application of the provision would require work by the permit holder detrimental to the purposes of this Title and cause an unnecessary hardship to the property owner.
2. Standards: A waiver shall not be granted unless:
 - a. The waiver is the minimum necessary to afford relief;
 - b. The waiver will not be materially detrimental to the rights of owners and residents of other affected properties; and
 - c. The waiver is in harmony with the intent, the purposes, and the provisions of this Title from which the waiver is requested.
3. Conditions: Conditions may be imposed on a waiver that will:
 - a. Secure the intent, the purposes, and the provisions of this Title from which the waiver is granted; and
 - b. Provide adequately for the protection of surrounding property owners and residents.
4. Application: The request for a waiver shall be made on a form provided by the Town of Marana staff and shall be heard within thirty days. Fees shall be paid in accordance with the fees schedule adopted by the Town of Marana.
5. Notice and Review: Notice of the application and the hearing shall be mailed to all property owners within 300 feet of the site and shall be posted at the Town's official notice positions. The Town Manager shall hold a hearing on the waiver request and render a decision within five (5) working days thereafter.
6. Appeal: Within fifteen (15) days of receipt of a notice of decision from the Town of Marana, the applicant may file an appeal for a hearing by the Town Council.

B. Interpretation review:

1. Scope: Upon request by an affected person who believes there has been a misinterpretation, the Manager of the Town of Marana shall review an interpretation of a provision of this Title made by a Town official.
2. The request for review shall cite:

- a. The disputed interpretation made by the Town official; and
 - b. The words alleged to have been misinterpreted.
3. Application: The request shall be made in writing and shall be heard within thirty (30) days. Fees shall be paid in accordance with the fees schedule adopted by the Town of Marana.
 4. Notice and Review: Notice of the application and the hearing shall be mailed to all property owners within 300 feet of the site and shall be posted at the Town's official notice positions. The Town Manager shall hold a hearing on the request and render a decision within five (5) working days thereafter.
 5. Appeal: A decision of the Town Manager may be appealed to the Town Council within fifteen days of the decision.

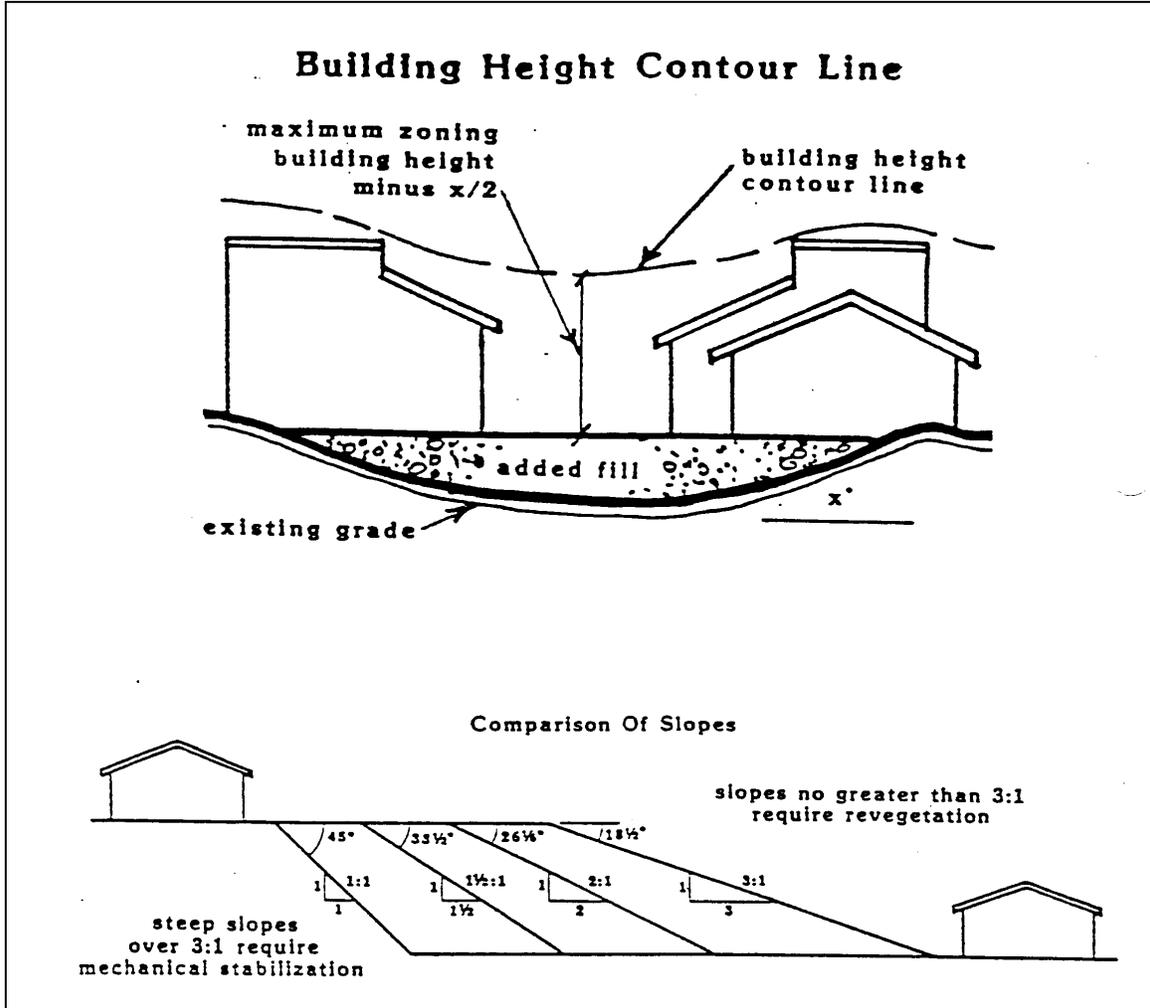
19.091 Severability

If any provisions of this Title or its application to any person or circumstance is held invalid or unconstitutional, the invalidity or unconstitutionality does not effect other provisions or applications of this Title which can be given effect without the invalid provision or application, and to this extent the provisions of this Title are severable.

19.092 Delay Effective Date With Respect To Existing Projects.

Any project or action or use which would be regulated under the provisions of these standards and which would require a permit, but which are in operation on the date that these standards are adopted by Ordinance of the Town Council, shall have a period of not more than 60 days from the date of adoption of these standards to comply with all of the requirements as set forth in these standards.

19.100 Illustrations.



**HILLSIDE DEVELOPMENT
(Outline 8/29/91)**

A. PURPOSE

The mountains and foothills in and around Marana are a valuable scenic resource which should be preserved. Dominant peaks and ridges should be protected and the intensity of development regulated according to the natural characteristics of hillside terrain such as slope, vegetation, landform, soil stability and drainage pattern.

B. REVIEW REQUIRED

All subdividing and development which occurs in any lot or parcel containing protected peak and ridge areas designated by the Council and in any lot or parcel containing slopes of fifteen (15) percent or greater, requires a review and compliance with this Code. Until approval of a plat or plan or permit is granted, no grubbing, grading excavation or construction is to occur. A non-refundable fee established by Town Council resolution shall accompany a review request.

C. STANDARDS

The following standards apply to lots and parcels affected by this section:

1. Any lot or parcel created must meet slope/size/density per table one (1). All development is subject to a 300 foot setback from each protected peak or ridge designated.

AVERAGE NATURAL CROSS SLOPE (%)	MINIMUM AREA (ACRE)	MAXIMUM DENSITY (Dwelling units/acre)
Less than 15	AS PERMITTED BY ZONING DISTRICT	
15-15.9	1.00	1.00
16-16.9	1.00	1.00
17-17.9	1.25	.80
18-18.9	1.37	.73
19-19.9	1.50	.67
20-20.9	2.00	.50
21-21.9	2.25	.44
22-22.9	2.50	.40
23-23.9	3.50	.29
24-24.9	4.50	.22
25-25.9	6.00	.17
26-26.9	7.00	.14
27-27.9	8.60	.12
28-28.9	10.40	.09
29-29.9	12.80	.08
30-30.9	16.00	.06
31-31.9	23.50	.04
32-32.9	31.00	.03
33- and greater	36.00	.027

- A. Tucson Development Standard (Latest Version) 9.04 shall be utilized.

1. Buildings are limited to a building height of twenty-four (24) feet. All exposed exterior walls and roofs of structures are recommended for earth tone colors to blend in with the predominant natural colors found on the lot or parcel.
2. All utilities and services shall be underground.
3. Roads and drives leading to lots shall be located to minimize scarring, be in low visibility view areas and maximize the retention of natural vegetation.

B. CERTIFICATION

The developer and/or property owner will be responsible for the following:

1. Submitting sloped area analysis certified by an Engineer, registered in the State of Arizona, for review and verification by the Town Engineer.
2. Submitting a grading plan prepared by an Engineer, registered in the State of Arizona, complying with the standards, for review by the Town Engineer.
3. Surveying, staking, and inspection of the lot or parcel by an Engineer, registered in the State of Arizona, to determine compliance with this Code and the conditions of approval.
4. On site enforcement by certifying to the Town Engineer, that the development complies with the Code during the period of construction.

C. DESIGNATION/AMENDMENT OF PROTECTED PEAKS OR RIDGES:

1. The Town Council designates a peak or ridge for protection by the established of a 300 foot setback from each peak or ridge. Peaks or ridges designated for protection must:
 - a. Have been designated by Pima County as a protected peak or ridge prior to annexation by the Town, or
 - b. Be significant in relationship to the surrounding property, or
 - c. Be highly visible from the lower elevations, or
 - d. Form a silhouette against the sky when viewed from a scenic route,

D. No designation or amendment shall be acted upon until a public hearing has been held.

1. The Planning Commission may notify the 300 foot setback from a protected peak or ridge if they find that the requests meet the following conditions:
 - a. The proposed development is for a single family residence.
 - b. The only area to graded within the protected peak and ridge setback area is for a building pad and access to the building.
 - c. Have the highest portion of the structure not higher than twenty (20) feet below the elevation of the peak or ridge.
 - d. Have no more than six (6) feet of the external portion of the structure exposed except at points of ingress and egress.

- e. All exposed exterior walls roofs and retaining walls are recommended earth tone color to blend in with the predominant natural colors and all glass surfaces shall be designated to not reflect beyond the lot or parcel boundaries.

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TITLE 20
Protection of Cultural Resources

SECTIONS:

20.01	Purpose
20.02	Definitions
20.03	Applicability
20.04	Professional Qualifications
20.05	Archaeological Review
20.06	Development of Cultural Resources
20.07	Appeals
20.08	Enforcement

20.01 Purpose

The purpose of this section is to establish guidelines and specifications for the documentation and protection of archaeological and other cultural resources and to encourage sensitive development within the Town of Marana. Its intent is to preserve cultural resources within the Town and to protect and perpetuate the unique character of the geographic area where existing sites, objects, archaeological remains, architecture, or other tangible records of past eras can be of enduring value to the people of the Town in advancing education and appreciation of their cultural heritage.

20.02 Definitions

For the purposes of this Article, the terms and phrases listed below shall have the following meanings:

Archaeological Resources: Material remains of past human activity and life, which are at least fifty (50) years old and of historic or pre-historic significance, including artifacts, monuments, and other cultural remains.

Certificate of Approval: An official form issued by the Town of Marana stating that the applicant has satisfactorily implemented the approved mitigation plan for a significant archaeological resource.

Certificate of Appropriateness: An official form issued by the Town of Marana stating that the proposed work on a cultural resource is compatible with the historic character of the property and, therefore: (1) the proposed work may be completed as specified in the Certificate; and (2) the Town's departments may issue any permits needed to do the work specified in the Certificate.

Certificate of No Effect: An official form issued by the Town of Marana stating that no archaeological resources were identified in the archaeological survey and report, or that the archaeological resources that may be impacted by the proposed work have been determined not to be significant, or that proposed work involving one (1) or more significant cultural resources or sites will have no adverse effect on the character of the resources or sites and, therefore, work may proceed as specified in the certificate

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without obtaining further authorization under this article, and authorizing the issuance of any permits for said proposed work.

Cultural Resource: any prehistoric or historic district, site, building, structure, object, or landmark included in, or eligible for inclusion on, the National Register of Historic Places, the Arizona Register of Historic Places or the Marana Historic Register, including artifacts, records and material remains related to such property or resource.

Cultural Resource Preservation Board: a voluntary advisory board with five (5) members, appointed by the Mayor and approved by the Town Council, which shall hear and consider matters of a legislative nature, of policy and of other cultural resource preservation functions as necessary. The Board's primary duties involve making recommendations to the Town Council on matters of historic preservation, including developing, maintaining, and from time to time amending a plan for cultural resource preservation in the Town of Marana. The Board shall also provide public information and education on preservation, coordinate resources, and confer with other city, county, regional, state and national historic preservation boards and commissions.

Development: The performance of any building or grading operation, the making of any material change in the use or appearance of any structure or land, the division of land into two (2) or more parcels, and the creation or termination of access rights. "Development" includes, but is not limited to, such activities as the construction, reconstruction, or alteration of the size, or material change in the external appearance of a structure or land; commencement of mining excavation, trenching, or grading; demolition of a structure or removal of vegetation; deposit of refuse, solid waste or fill; alteration of a floodplain, or bank of a watercourse.

Mitigation Plan: A plan prepared by a qualified archaeologist for the preservation, recovery, excavation, archiving, monitoring and/or documentation of one (1) or more significant archaeological resources or sites.

Records Search: A process whereby a qualified archaeologist searches for documentation with the State Historic Preservation Office (SHPO) and the Arizona State Museum (ASM), including AZSITE (archaeological resource database maintained by SHPO), to determine if a particular site has been surveyed and inventoried.

20.03 Applicability

This Article shall apply to all development and ground disturbance within the Town of Marana, unless the development project is included in the exemptions listed below:

1. An archaeology survey and report is not required for the following exempt development projects:
 - a. A private single-family residence on a single family lot.
 - b. A non-residential development with one-half (½) acre or less ground disturbance activity by the project. This exemption does not apply to a linear project, such as an underground utility installation, greater than one thousand (1,000) feet in length, and with above ground or below ground disturbance of greater than two (2) feet in width or

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depth. A report by a qualified archaeologist on a records check is still required to identify potential archaeological resources that may be discovered or disturbed by construction.

2. Sections IV.G. and H., on discoveries during construction, still apply to any development project exempt from completing an archaeology survey and report.
3. An archaeology survey is not required for a development project on previously disturbed land where fifty (50) percent or more of the land was built upon prior to the current development project. This exemption applies to archaeological surveys only. A report by a qualified archaeologist on a records check is still required to identify potential archaeological resources that may be discovered or disturbed by construction. Sections IV.G. and H., on discoveries during construction, still apply to a development project on previously disturbed land.
4. The following approved and pending applications, as of the effective date of this Article, and subsequent applications relying on the prior approvals listed are exempt from the archaeology survey and report requirement. Sections IV.G. and H., on discoveries during construction, still applies to any development project exempt from completing an archaeology survey and report.
 - a. Building permits.
 - b. Single family residential lot splits into two or three lots.
 - c. Preliminary and final plats.

20.04 Professional Qualifications

All documents and activities relevant to the management, preservation, and recovery of archaeological and historic resources will be prepared or undertaken by a qualified archaeologist and/or archaeological historian working under the appropriate State survey and recovery permits. Any study conducted by or endorsed by a qualified archaeologist must satisfy the Code of Ethics and Standards of Performance of the Society of Professional Archaeologists.

A “qualified archaeologist” is a person who possesses the following minimum professional qualifications per the Secretary of the Interior’s Professional Qualification Standards:

A graduate degree in archaeology, anthropology, or closely related field, plus:

1. At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration or management;
2. At least four months of supervised field and analytic experience in general North American archaeology; and

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3. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the historic period. Five years of professional experience may serve as a substitute for the graduate degree requirement.

20.05 Archaeological Review

- A. All proposed development projects within the Town of Marana shall be reviewed for their potential impact on archaeological resources. The review process shall take one of two paths:
 1. If the proposed development is a federal or state undertaking (i.e. to take place on federal or state land, funding to come from federal or state agencies, or circumstances dictate federal or state agency regulation), the project must necessarily pass through the State Historic Preservation Office (SHPO) for compliance review. In which case, the Town of Marana shall be copied on all reports and other information regarding the status of the projects. Approval from SHPO shall be required before appropriate Town permits may be issued.
 2. All other proposed development, those involving private land, private funding, etc., shall be reviewed by the Town of Marana in the process outlined below.
- B. With any application for development, the applicant may provide a letter from the Arizona State Museum (ASM) or SHPO containing a recommendation on how development should proceed based on existing information. In lieu of a letter from ASM or SHPO, the applicant may submit a report from a qualified archaeologist that reviews all of the available information for the project area.

At minimum, the report shall:

1. Determine whether the project area had been previously surveyed for cultural resources.
2. Identify any previously recorded archaeological or historic resources known to exist on the property or in the general vicinity.
3. State the probability that buried archaeological resources not visible from the surface would be discovered in the project area.
4. Make an informed recommendation as to whether an archaeological survey of the project area is needed.
5. Describe and map archaeological and historic sites identified on the property in either the records check or a subsequent field survey.

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Detailed location maps of such sites should be available from the archaeologist or consultant for staff review of this document.

- C. If the letter from ASM or SHPO, or the qualified archaeologist's report, states that a field survey has been completed and no significant resources were found, or that significant resources have been located on the site but the site's informational value has been exhausted, then a Certificate of No Effect shall be issued by the Planning Department, authorizing the issuance of appropriate permits for the proposed project.

A Certificate of No Effect shall be issued, including any conditions:

1. If it is determined the proposed work is minor and clearly within adopted development guidelines; and
2. If modifications to the proposed work are requested by the Planning Department Staff after review, they are agreed to by the applicant; and
3. In any case the proposed work will not diminish, eliminate, or adversely affect the historic character of the subject property.

- D. If the qualified archaeologist determines through his/her records search that a field survey has never been performed for the site, or that the survey is outdated or incomplete, a field survey shall be completed by a qualified archaeologist and be submitted to the Planning Department.

- E. If a Certificate of No Effect is not approved, a Certificate of Approval shall be required to proceed with development according to the following procedures:

1. Town of Marana Planning Department Staff and/or archaeological consultants retained by the Town shall review the survey and report and approve or disapprove of the recommended significance of archaeological resources impacted by the proposed development. The survey and report can also be returned to the applicant for modifications by a qualified archaeologist if it is found to be incomplete and/or inaccurate by Town Staff.
2. Town Staff shall require the applicant to have a mitigation plan, in report format and prepared by a qualified archaeologist, submitted for review when it has been determined that a significant archaeological site exists on the property that is proposed to be impacted by development.

The mitigation plan will detail strategies for the management of the affected sites and include standards for: further testing, sampling strategies, documentation, data recovery (excavation), preservation and protection, curation, analysis, and report preparation. Off-site developments and ancillary construction (utility trenches, water and sewage treatment facilities, roads, etc.) shall also be investigated,

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evaluated, and treated by the same criteria as cultural resources within the proposed development site.

The mitigation plan shall:

- a. Outline a resource assessment program to evaluate the significance of those resources to be affected by the proposed land use;
 - b. Outline an effective preservation plan or data recovery and documentation plan for those resources determined to have significant research or other value;
 - c. Provide a schedule for the implementation of the accepted mitigation plan; and
 - d. Provide a cost estimate for mitigation strategies, including testing, data recovery, curation and report preparation, as described in the mitigation plan.
3. Town Staff shall review the mitigation plan and may request technical assistance from ASM, SHPO and/or a qualified archaeologist as appropriate and shall approve or deny the recommended mitigation plan within fifteen (15) working days after it is submitted. If the plan is not approved as submitted, Staff shall advise the applicant on the changes needed in the mitigation plan for it to be approved.
 4. In making a decision on the mitigation plan, Town Staff shall consider methods to avoid, reduce, or mitigate effects on historic and cultural resources, such as a preservation easement, while taking into consideration the current needs of the property owner and reasonable methods for carrying out the recommended plan. Appropriate financial assurances, amount to be determined by the Town, must be posted with the Town of Marana for the implementation and completion of the accepted mitigation plan.
 5. A Certificate of Approval shall be granted by Town Staff upon the satisfactory implementation of an approved mitigation plan.
 6. Construction activity on the site may proceed once all the necessary excavation and collecting of archaeological resources is complete. A final report describing the collection and summarizing the finding is due within one year after receiving a Certificate of Approval. A copy of the final report, and any other pertinent information regarding historic properties, shall be sent to SHPO for recordation in their cultural resource inventory.
- F. In the event work is being performed without first having obtained a Certificate of No Effect or a Certificate of Approval, the Planning Director or designee shall contact the person performing the work and all work shall cease. The Town may seek an injunction and any other remedy at law or equity to enforce the stop order.

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- G. When a previously unidentified archaeological site is discovered in the course of construction, the property owner immediately shall notify the Town of Marana Planning Department. The property owner shall have a preliminary study made by a qualified archaeologist to determine the effect that the proposed development project may have on the site. The Town's consulting archaeologist, with concurrence from the qualified archaeologist hired by the property owner, shall evaluate on-site the significance of the archaeological finding as soon as possible. When the Town's consulting archaeologist and the qualified archaeologist hired by the property owner concur that no adverse effect on the archaeological site will take place, the project may proceed immediately. Where an adverse effect on a significant archaeological site will take place, the project shall comply with the Certificate of Approval process as described in Section IV.E. of this article.
- H. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during discovery, scientific excavation or construction, ground disturbing activities shall cease in the immediate vicinity of the discovery. State law (ARS §41-844 and ARS §41-865) requires that ASM be notified of the discovery of these remains so that, in consultation with Native American communities or other groups, appropriate arrangements can be made for their repatriation and reburial by cultural groups who claim cultural or religious affinity to them. The remains shall be removed from the site pending the review and decision of the affected cultural groups and ASM.

20.06 Development of Cultural Resources

When a building permit or other permit is sought from the Town to alter, remodel, move, build, or otherwise develop or landscape property, which has been designated as historic by the Cultural Resource Preservation Board, issuance of the permit shall be deferred until after a Certificate of No Effect or a Certificate of Appropriateness is obtained from the Town of Marana Planning Department or the Cultural Resources Preservation Board.

- A. Certificate of No Effect
1. The Planning Department shall issue a Certificate of No Effect if:
 - a. It is determined the proposed work is minor and clearly within the adopted Historic Preservation Plan, and
 - b. Any modifications to the proposed work requested by the Town of Marana are agreed to by the owner/applicant, and
 - c. The proposed work will not diminish, eliminate, or adversely affect the historic character of the subject property or district.
 2. A Certificate of No Effect shall expire and become null and void two (2) years from the date of issuance unless construction work is started within that time.

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B. Certificate of Appropriateness

1. If a Certificate of No Effect is not issued, a Certificate of Appropriateness from the Cultural Resource Preservation Board shall be required.
2. The Town of Marana Planning Department shall schedule a public hearing before the Cultural Resource Preservation Board within forty-five (45) days of the filing of an application for a development permit. Notice of the application shall be posted on the property at least ten (10) days before the date set for the public hearing. The Cultural Resources Preservation Board shall review the application for consistency with the Town of Marana Historic Preservation Plan, and after reviewing the evidence presented at the hearing, the Board shall grant or deny the Certificate of Appropriateness, grant it with stipulations, or issue a Certificate of No Effect.
3. In the event work is being performed without first having obtained a Certificate of No Effect or a Certificate of Appropriateness, the Planning Director or designee shall contact the person performing the work and all work cease. The Town may seek an injunction and any other remedy at law or equity to enforce the stop order.

20.07 Appeals

- A. All appeals of Staff determinations of the significance of archaeological sites, Certificates of No Effect, Certificates of Approval, Certificates of Appropriateness and disapproval of mitigation plans shall be made in writing by the applicant within five (5) days of the decision and shall be appealed to the Cultural Resources Preservation Board.
- B. A hearing on appeals regarding cultural resources and procedures shall be scheduled for the Cultural Resources Preservation Board within thirty (30) days of the request. The Board shall hold a hearing and can approve, disapprove, approve with stipulations or remand to the applicant for modifications the significance of cultural resource sites, the Certificate of No Effect, the Certificate of Approval, the Certificate of Appropriateness or the mitigation plan.
- C. The owner, applicant, or other aggrieved party may appeal the Cultural Resources Preservation Board's decision in writing to the Town Council within five (5) days of the Board's decision.
- D. Town Council shall hear and decide the appeal within forty-five (45) days of the date on which the appeal is filed. Notice of the hearing shall be posted on the property at least ten (10) days prior to the hearing.

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20.08 Enforcement

A. Classification of penalty.

1. Any person, firm corporation, partnership, or association whether as principal, owner, agent, tenant or otherwise who violates, or fails to comply with, any of the provisions of Article 20-02, Protection of Cultural Resources, is subject to a civil sanction.
2. A second or subsequent violation of any of the provisions of Article 20-02, Protection of Cultural Resources, within a two-year period following a finding of responsible to a civil violation of this Article shall be guilty of a class one misdemeanor offense.
3. Each day any violation of any provision of Article 20-02, Protection of Cultural Resources, shall constitute a separate violation.

B. Penalties.

1. Upon a finding of responsible to a civil violation, the court shall impose a civil sanction not to exceed one thousand dollars (\$1,000.00), or less than two hundred fifty dollars (\$250.00).
2. Upon a conviction of a misdemeanor the court may impose a sentence in accordance with the Marana Town Code and state law for class one misdemeanors.
3. Additional remedies and penalties for violation of any section or other part of Article 20-02, Protection of Cultural Resources, are:
 - a. Any person who alters, removes, relocates or demolishes any historic or archaeological resource in violation of this Article shall be required to turn over any such resource, artifact or object to the Town of Marana, and may be required to restore the archaeological resource to its appearance or setting prior to the violation. Any action to enforce this provision shall be brought by the Town of Marana. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.
 - b. If any person removes or destroys an archaeological resource in violation of this Article, or removes such a resource from or on publicly-owned land or on a public right-of-way without a permit, then the Marana business license of the company, individual, principal owner or its or his successor in interest initiating (such as the developer or property owner) such removal or destruction, shall be revoked for a period of three (3) years.

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**TITLE 21
FLOOD PLAIN AND EROSION HAZARD MANAGEMENT CODE**

Note to Marana Land Development Code users: As of January 15, 2016, Title 21 of the Marana Land Development Code has been recodified as Chapter 17-15 of the Marana Town Code. The following table provides derivation information concerning sections previously found in LDC Title 21:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
TITLE 21 FLOOD PLAIN AND EROSION HAZARD MANAGEMENT CODE	CHAPTER 17-15 FLOODPLAIN AND EROSION HAZARD MANAGEMENT CODE
21.01 GENERAL INFORMATION	17-15-1 General information
21.01.01 STATUTORY AUTHORIZATION	17-15-1.A [Statutory authorization]
21.01.02 FINDINGS OF FACT	17-15-1.B [Findings of fact]
21.01.03 STATEMENT OF PURPOSE	17-15-1.C [Statement of purpose]
21.01.04 METHODS OF REDUCING FLOOD LOSSES	17-15-1.D [Methods of reducing flood losses]
21.02 ABBREVIATIONS AND DEFINITIONS	17-15-2 Abbreviations and definitions
21.02.01 ABBREVIATIONS	17-15-2.A [Abbreviations]
21.02.02 DEFINITIONS	17-15-2.B [Definitions]
21.03 GENERAL PROVISIONS	17-15-3 General provisions
21.03.01 LANDS TO WHICH THIS TITLE APPLIES	17-15-3.A [Lands to which this title applies]
21.03.02 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD	17-15-3.B [Basis for establishing the areas of special flood hazard]
21.03.03 COMPLIANCE	17-15-3.C [Compliance]
21.03.04 ABROGATION AND GREATER RESTRICTIONS	17-15-3.D [Abrogation and greater restrictions]
21.03.05 INTERPRETATION	17-15-3.E [Interpretation]
21.03.06 DISCLAIMER OF LIABILITY	17-15-3.F [Disclaimer of liability]
21.03.07 STATUTORY EXEMPTIONS	17-15-4 Statutory exemptions
21.03.08 UNLAWFUL ACTS	17-15-5 Unlawful acts
21.03.09 DECLARATION OF PUBLIC NUISANCE	17-15-6 Declaration of public nuisance
21.03.10 ABATEMENT OF VIOLATIONS	17-15-7 Abatement of violations
21.03.11 SEVERABILITY	17-15-9 Severability
21.04 ADMINISTRATION	17-15-9 Administration
21.05 PROVISIONS FOR FLOOD HAZARD REDUCTION	17-15-10 Provisions for flood hazard reduction
21.05.01 STANDARDS OF CONSTRUCTION IN FLOODPRONE AREAS	17-15-10.B [Standards of construction in floodprone areas]
21.05.02 STANDARDS FOR STORAGE OF MATERIALS AND EQUIPMENT	17-15-10.C [Standards for storage of materials and equipment]
21.05.03 STANDARDS FOR UTILITIES	17-15-10.D [Standards for utilities]
21.05.04 STANDARDS FOR SUBDIVISIONS AND COMMERCIAL DEVELOPMENTS	17-15-10.E [Standards for subdivisions and commercial developments]
21.05.05 STANDARDS FOR MANUFACTURED HOMES AND MANUFACTURED HOME PARKS OR SUBDIVISIONS	17-15-10.F [Standards for manufactured homes and manufactured home parks or subdivisions]
21.05.06 STANDARDS FOR RECREATIONAL VEHICLES	17-15-10.G [Standards for recreational vehicles]
21.05.07 STANDARDS FOR CRITICAL FACILITIES	17-15-10.H [Standards for critical facilities]

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OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
21.05.08 STANDARDS FOR EXCAVATIONS, INCLUDING SAND AND GRAVEL OPERATIONS	17-15-10.I [Standards for excavations, including sand and gravel operations]
21.05.09 FLOODWAY REQUIREMENTS	17-15-10.J [Floodway requirements]
21.05.10 EROSION HAZARD SETBACK REQUIREMENTS	17-15-10.K [Erosion hazard setback requirements]
21.05.11 DETENTION AND RETENTION REQUIREMENTS	17-15-10.L [Detention and retention requirements]
21.05.12 ACCESS REQUIREMENTS	17-15-10.M [Access requirements]
21.06 FLOODPLAIN VARIANCE PROCEDURE	17-15-11 Floodplain variance procedure
21.06.01 CONDITIONS FOR FLOODPLAIN VARIANCES	17-15-11.C [Conditions for floodplain variances]
21.06.01 NATURE OF FLOODPLAIN VARIANCES	17-15-11.A [Nature of floodplain variances]
21.06.02 APPEAL BOARD	17-15-11.B [Appeal board]
APPENDIX 1 – TABLE OF REGULATORY PEAK DISCHARGES	17-15-12 Appendix 1 – Table of regulatory peak discharges

TITLE 22
OFF-STREET PARKING AND LOADING

Note to Marana Land Development Code users: Title 22 of the Marana Land Development Code was repealed effective September 6, 2019, by Marana Ordinance No. 2019.018, which also adopted Chapter 17-9 (Parking) of the Marana Town Code.

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TITLE 23
WIRELESS COMMUNICATION FACILITIES

Note to Marana Land Development Code users: As of February 16, 2018, Title 23 (Wireless Communication Facilities) of the Marana Land Development Code was comprehensively rewritten and recodified as Chapter 12-8 (Wireless communication facilities in the right-of-way) and Chapter 17-18 (Wireless communication facilities) of the Marana Town Code.

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**TITLE 24
OVERLAY DISTRICT REGULATIONS**

SECTION:

24.01 Silverbell Road Corridor Overlay District

24.01 Silverbell Road Corridor Overlay District

A. Purpose

The following regulations are hereby established to promote the health, safety, general welfare and the orderly growth of the Silverbell Road corridor. These regulations were created to accomplish the following: 1.) achieve the goals and policies defined within the Town of Marana General Plan; 2.) establish basic development standards for structures, as well as landscaping, and other improvements within the corridor; and 3.) promote good quality and innovative site design while encouraging the efficient use of land and capital investment and promoting safe and efficient traffic circulation.

This title further seeks to encourage and promote commercial development which is oriented to serve the adjacent neighborhoods. This overlay district is intended to provide for specific uses in a planned commercial setting which will be compatible with, and complimentary to, adjacent uses including nearby residential neighborhoods. The Overlay District will promote a high level of architectural and landscaping excellence. More specifically, the creation of this special district shall be encouraged through a coordinated set of design principles for site planning, structures, architecture, landscaping, and signage. These principles are intended to guide development activity in a manner that results in compatibility in terms of land use, site design, and aesthetics.

No land use or development within the Silverbell Road Corridor Overlay District boundaries, subject to these regulations, shall commence or be approved except in conformance with the provisions of this title. This title shall regulate all land use and development within the overlay district and shall supplement the provisions of the underlying zoning district and/or the applicable specific plan(s) that comprise the area.

The Silverbell Road Corridor Overlay District provides for a variety of uses such as multi-family residential, offices, commercial retail and commercial services on undeveloped and previously developed commercial property. Compatibility with existing land uses is intended for new development.

B. Applicability

The regulations for the Silverbell Road Corridor Overlay District shall apply to all commercial and multi-family developments within the district and to any property within the district subsequently changed to a commercial or high

density residential land use designation as a result of rezoning or a specific plan amendment. This title applies to any commercial land, parcel, lot or project site lying adjacent to Silverbell Road between Cortaro Road and Twin Peaks Road. These regulations shall also apply to any commercial or multi-family residential project site contiguous to any applicable land, parcel, lot or project site adjacent to Silverbell Road.

The regulations contained herein shall apply to the area known as the Silverbell Road Corridor Overlay District, the boundaries of which are shown on Exhibit 1, herein, and on the Town of Marana Zoning Map.

C. Interpretation, Scope of Regulations

The regulations set forth by this title shall be minimum regulations for new or proposed commercial or multiple family developments and shall apply uniformly to each class of use, structure or land, except as hereinafter provided.

For building and development occurring subsequent to the enactment of this title, no building structure or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein. These regulations shall not apply to properties for which development approval has been obtained prior to the effective date of this ordinance.

D. Definitions

Certain words used in this Chapter shall be interpreted as defined within this Section or as defined in Chapter 3 of The Marana Land Development Code.

Abutting: The condition of two (2) adjoining properties having a common property line or boundary, including cases where two (2) or more lots adjoin only corner or corners, but not including cases where adjoining lots are separated by a street or alley.(also see adjacent/adjoining; contiguous).

Adjacent/Adjoining: The condition of being near to or close to but not necessarily having a common dividing line, *i.e.*, two (2) properties which are separated only by a street or alley shall be considered as adjacent to each other. (Also, see abutting; contiguous).

Compatible: Capable of existing together in harmony and without conflict or ill effects.

Contiguous: Next to, abutting, or touching and having a boundary, or portion thereof which is common or coterminous, as distinguished from being adjacent. (also see abutting; adjacent/adjoining).

E. Effect of Other Provisions

These provisions are intended to supplement the requirements of the underlying zoning district or specific plan. If any provision of this Chapter is found to be in conflict with any other provision of the Marana Land Development Code or with any provision of the Continental Ranch Specific Plan, Pima Farms Specific Plan or Pima Farms North Specific Plan, the provision that establishes the higher and/or more restrictive standard shall prevail.

F. Design Review Overlay District

1. Purpose

To guide the general appearance of buildings and improvements and achieve the stated objectives of the Silverbell Road Corridor Overlay District. The Design Review (DR) Overlay District is superimposed over the Silverbell Road Corridor Overlay District.

2. Applicability

The Design Review (DR) Overlay District includes the entire Silverbell Road Corridor Overlay District. Such development includes, but is not limited to, new commercial, institutional, office, multi-family residential projects, proposed conversions, exterior remodeling, exterior restoration, enlargement or expansion of existing buildings, and requires the submittal of a design review plan pursuant to this Chapter. The development or modification of an individual single family detached dwelling on a single parcel is specifically excluded from the requirements of the Design Review Overlay District.

3. Standards

No new land use or development within the boundaries of the Silverbell Road Corridor Overlay District shall commence or be approved except in conformance with the provisions of this title.

G. Design Guidelines, Objectives and Considerations

Town staff will review all design review applications and evaluate each application for compliance with standards that address the following: 1.) Site Design; 2.) Site Landscaping and Buffering; 3.) Site Grading and Drainage; 4.) Signage; 5.) Utilities; and 6.) Building Design.

- 1. Site Design Considerations:** How the site design impacts adjacent residences and neighborhoods, sensitive lands, viewsheds, adjacent streets, pedestrian needs, and parking lot function and safety.

- a. Compatibility: Examine the functional relationship of the site to its surroundings. Protection of adjacent residential neighborhoods is the Town's primary concern. Particular attention should be given to the location of parking, driveways, outdoor lighting, outdoor use areas and compatibility of uses. Adjoining residential areas should be protected by maintaining a landscape buffer edge and directing building openings away from residential areas; and,
- b. Traffic Patterns: Evaluate the separation or integration of vehicular, pedestrian and bicycle traffic patterns. The development of land in cooperation with owners of adjoining properties is encouraged where parking, driveways, plazas and entries can be shared. Pedestrian and vehicular safety should be maximized by carefully siting and limiting the number of driveways; and,
- c. Off-Street Parking: Evaluate the arrangement and adequacy of off-street parking facilities and access points. Parking should be safe, easily accessible and not allowed to dominate the entire development. Plant materials should accent and define entries. Large paved areas should be scaled down by introducing different materials. Whenever possible, parking should be located to the rear or side of buildings to provide screening and a strong architectural street edge. Paving materials should be compatible with other on-site materials. Additional specialty paving materials such as tile, brick and exposed aggregate should be introduced where appropriate; and,
- d. Loading Areas: The location, arrangement, and dimensions of loading ramps, docks and bays should minimize visual and noise impacts on adjacent residential areas; and,
- e. The location of trash receptacles and screening of such. Careful screening of undesirable elements such as loading, trash receptacles, mechanical equipment, etc., is critical; and,
- f. The illumination plans and hours of operation; and,
- g. Circulation Visibility: Evaluate the site distance requirements of the streets and driveways. Adequate site distance for motorists and pedestrians entering and exiting the site must be ensured. Landscaping should not interfere with circulation effectiveness; and,
- h. The coordination of the site development with the planned right-of-way alignments, acquisitions and street improvements; and,

- i. Urban design and aesthetic considerations; and,
 - j. Solar considerations: Trees and architectural features such as overhangs, trellises and awnings are encouraged to provide shade from the summer sun; and,
 - k. Any sensitive lands located on the property or possibly affected by the proposed development must be avoided, mitigated or otherwise resolved per Town, County, State or Federal requirements and recommendations.
- 2. Site Landscaping and Buffering:** The site landscaping should provide a highly attractive landscaping that buffers unwanted views and sound, creates an interesting streetscape, and provides a safe transition between contrasting uses.
- a. Evaluate the location, height, and materials of walls, fences and screen plantings. Selection of plant materials should be based on year-round interest, color, branching pattern, etc. Parking lots should be broken up with landscaped buffers. Trees should provide a lush overhead canopy for solar control. The overall effect of both the perimeter landscaping and the interior landscaping should be one of a relatively consistent tree cover which will shade the pavement and vehicles; and,
 - b. Evaluate plans for the on-going maintenance of the finished landscaping; and,
 - c. Evaluate plans for safe sound and site buffers in consideration of the preservation of adjoining residential neighborhoods relative to view sheds, ambient noise levels, light and air, both on the site and on adjacent property. Earth berming, fences or dense landscaping should be used at the perimeter of the parking areas to provide for visual enclosure and screening; and,
 - d. The design and utilization of open spaces and trails, if applicable.
- 3. Site Grading and Drainage:** The on-site grading and drainage shall provide slope and soil stabilization, prevent soil erosion, and minimize off-site impact.
- a. Evaluate plans for soil removal, fill work, soil stabilization, and erosion control; and,
 - b. Evaluate plans for plantings, ground covers, or shrubbery as a means to prevent dust, stabilize soils and control erosion.

4. **Signage:** Commercial signage should provide business identification, minimize clutter and confusion and comply with provisions herein as well as Chapter 16 of the Marana Land Development Code.
 - a. Evaluate the size, location, lighting, and hours of operation of all signs and advertising features to achieve compliance with this chapter. Signage plans for the entire site should indicate how signs will be illuminated, their design and spatial relationship to other site amenities, including buildings. Signage, window designs and awnings are most effective when color coordinated with the building façade. Darker, deeper and brighter colors on these elements create interest on the facade and call attention to windows and doorways; and,
 - b. Evaluate the function and maintenance aspects of signs and other advertising features.

5. **Utilities:** Utility systems should not detract from building or site appearance. The size and location of all service systems should be appropriate and maintainable.
 - a. Electrical and telephone service systems shall be underground; and,
 - b. Transformers and pad-mounted mechanical and electrical equipment shall be screened.

6. **Building Design Considerations:** The Commercial Design Standards defined in Section 08.07 of the Marana Land Development Code shall be used in conjunction with the following building design considerations.
 - a. **Building Mass:** Evaluate the building mass and its relationship to surrounding development and its proposed use. The relationship to the surrounding uses shall be considered in respect to the scale and massing of the proposed uses; and,
 - b. **Proportion of Building:** Evaluate the height to width relationship of new structures for compatibility with the proposed use; and,
 - c. **Building Openings:** Evaluate openings. They should provide interest through the use of such features as balconies, bays, porches, covered entries, overhead structures, awnings, changes in building facade and roofline alignment; and,
 - d. **Relationship of Exterior Materials:** Evaluate the appropriateness of exterior materials and color to reduce

- apparent building mass and blend with the surrounding area. Exterior building materials should be genuine and not simulated. Shadow patterns created by architectural elements such as overhangs, trellises, projections and awnings are encouraged to contribute to a building's character while aiding climate control; and,
- e. Building Color: Building color should be compatible with the neighborhood and should reinforce the visual character of the proposed building. Warm muted shades should be used as the body or overall building background color. Brighter, more intense and richer hues of related or contrasting color should be used as accent colors and highlight colors for architectural elements; and,
 - f. Building Elevations: Building elevation treatments should be carried to all sides of the building. Building construction and design shall be used to create a structure with substantially equal attractive sides of high quality, rather than placing emphasis on the front elevation of the structure and neglecting or downgrading the aesthetic appeal of the side and rear elevations. The character of the surrounding residential development should be incorporated into the architectural design and materials. Production designs common to fast food restaurants, convenience markets, etc., are strongly discouraged; and,
 - g. Roofline: Rooflines of buildings on adjacent properties should be considered in the design to avoid clashes in style and materials. All roof materials and colors should complement the primary building material and color; and,
 - h. Accessory Buildings: Accessory structures and /or additions should utilize the same materials and design as the primary structure; and,
 - i. Evaluate compliance of architectural design with the requirements of the appropriate specific plan, when applicable.

H. Application Requirements

Prior to the approval of a Development Plan application or issuance of a building permit to erect, construct, alter, remodel, move or otherwise change the use of a building or structure within the Silverbell Road Corridor Overlay District, an applicant must submit a complete design review application to the Planning Department and receive approval of the application.

All applications shall be submitted in accordance with the Development/ Site Plan Review Procedural Guide and Application and shall be in compliance with Section 08.07 (Commercial Design Standards) of the Land Development Code.

1. **Architectural Plans:** In addition to the development plan, architectural plans are required that include the following:
 - a. Building materials; and,
 - b. At least four (4) elevations, so that all sides of the development are presented. Perspectives, models or other graphic materials may be submitted at the option of the applicant and the Planning Director; and,
 - c. Proposed color scheme of the entire building, including roof; and,
 - d. Site photographs of the site and adjacent properties; and,
 - e. Color and texture chips of actual sample materials may be submitted at the option of the applicant or as may be required by the Planning Director; and,
 - f. Scale drawings of all signs showing size, material, text or other graphic symbols, colors and illumination.
2. **Landscape Plans:** Landscape Plans shall be submitted in accordance with the Landscape Plan Procedural Guide and Application, as well as Title 17 of the Land Development Code.
3. **Existing Structures and Sites:** Applicants proposing conversion, remodeling, renovation, enlargement or expansion of existing structures or sites shall submit sufficient information and detail so that the Planning Department may determine compliance with the provisions of this title.

I. **Restrictions on Other Required Documents**

1. **Building Permits:** The Town of Marana Building Services Department shall not issue a building permit to any applicant within the Silverbell Road Corridor Overlay District until the design review application has been accepted by the Planning Department.
2. **Certificate of Occupancy:** The Town shall not issue a final Certificate of Occupancy to the applicant until all of the requirements of the design review process have been met.

J. Silverbell Road Corridor Overlay District Development Plan Procedures

1. Development Plan Review

Development Plan Review, in accordance with the Town of Marana Development/Site Plan Review Procedural Guide, is required for any non-single family development within the Silverbell Road Corridor Overlay District.

2. Planning Commission Action Required

Upon the completion of the Development Plan Review, applications for development within the Silverbell Road Corridor Overlay District shall be scheduled for consideration and action by the Planning and Zoning Commission, subject to the requirements of the underlying Specific Plan or zoning district, as well as the Commercial Design Standards. The Commission may, if satisfied that all the objectives of the Marana Land Development Code and Town standards have been met, approve the Development Plan, or approve with conditions. If the Commission finds that the Development Plan requires revision, the plan may be continued pending revision.

3. Appeal Procedure

The action of the Planning Commission may be appealed to the Town Council by the applicant. Requests for appeal must be filed on an application form provided by the Planning Department, and must include the appropriate fee as established by the Town Council. Requests for appeal must be filed within ten (10) days following the date of the Planning Commission action. The Town Council shall act to affirm or reverse in whole or in part, or modify the Commissions decision including the addition or deletion of conditions or restrictions.

4. Modifications

A request to modify, expand, or otherwise change an approved development plan application, not in substantial conformance with the Planning Commission approval, shall be processed according to the provisions of this title.

a. The following modifications shall require an amended application:

- (1) A request that would significantly alter the design of the site and/or buildings / structures.
- (2) A request to change or delete a condition approved by the Planning Commission or Town Council.

- b. Minor modifications to an approved plan may be approved by the Planning Director as specified below:
 - (1) Minor relocation of building pads provided that the modification does not significantly alter the site design in terms of parking layouts, vehicular circulation, landscape design and other similar components of the development plan provided that ordinance requirements are still met.
 - (2) An increase or decrease in a proposed setback provided that the ordinance requirements are still met.
 - (3) A minor change to landscape design and plant material changes.
 - (4) A minor change to parking lot / site plan.

K. Use Regulations

The allowable uses within the Silverbell Road Corridor Overlay District were selected to permit a full range of retail sales, as well as personal, professional and business services required to meet the demands of a developing local market. The uses are intended to promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas. It is recognized that certain uses may be appropriate within the District; however, may have unique characteristics such as proposed location, site and/or building design, or standards of operation that may have a greater impact than other uses upon adjoining properties, businesses or residences. These uses have been designated as conditional uses and will require a Conditional Use Permit. Limitations are imposed upon uses within the District which limit the full range of uses permitted within the underlying zone or specific plan. It is recognized that some of the uses allowed within the underlying zones or specific plans may not be compatible with the intent of the District and compliance with architectural guidelines would not be practical.

- 1. **Permitted Uses.** The following land uses are permitted in the Silverbell Road Corridor Overlay District, subject to the provisions of this Chapter.
 - a. Community, multiservice, neighborhood or senior citizens center.
 - b. Daycare Center (adult, child or handicapped).
 - c. Health Services (excluding Hospitals and Substance Abuse Centers).
 - (1) Blood Donor Stations.
 - (2) Convalescent or nursing home.
 - (3) Medical or dental labs.

- (4) Offices and clinics of MD's, dentists, optometrists or chiropractors.
- (5) Outpatient clinics.

d. Office Uses

- (1) Business or personal service.
- (2) Governmental.
- (3) Financial.
- (4) Social services.
- (5) Veterinarian (including kennel for indoor inpatient hospitalization services of small animals).

e. Public and Semi-Public

- (1) Art gallery.
- (2) Civic clubs.
- (3) Churches and religious institutions.
- (4) Library.
- (5) Museum.
- (6) Schools: public and private.

f. Personal Service Establishments

- (1) Barber and beauty shop.
- (2) Carpet cleaning establishments (provided that no on-site cleaning is conducted).
- (3) Interior decorator.
- (4) Dry cleaning and laundry and garment pressing establishments (non-industrial service to the general public only).
- (5) Locksmith.
- (6) Parcel packing/mailing service.
- (7) Pet grooming, (provided that no animals shall be kept on the premises overnight).
- (8) Photography studio, photo finishing.
- (9) Tailor, seamstress.
- (10) Tanning salon.

g. Repair of:

- (1) Bicycles.
- (2) Cameras.
- (3) Clocks, watches, jewelry.
- (4) Computers.
- (5) Household appliances.
- (6) Musical instruments.
- (7) Optical goods.
- (8) Radios, televisions and electronics.
- (9) Shoes

h. Retail Uses

- (1) Antique stores.
- (2) Appliance Stores (household or minor).
- (3) Art stores or galleries.
- (4) Arts and crafts shops.
- (5) Auto parts/supply stores (no installation).
- (6) Bakery shop, bagel shop.
- (7) Banks, financial institutions and similar uses, provided drive-thru facilities and queuing lines are located a minimum of seventy-five (75) feet from a residential district.
- (8) Bicycle shops.
- (9) Book Stores (new or used).
- (10) Camera and photographic supply stores.
- (11) Candy, Nut or confectionary stores.
- (12) Card Stores.
- (13) Carpet and floor covering stores.
- (14) Clothing, apparel or accessory stores.
- (15) Computer and computer software stores.
- (16) Convenience stores.
- (17) Drugstores.
- (18) Fabric Stores.
- (19) Florist and plant shops.
- (20) Food store and markets.
- (21) Frame shops.
- (22) Furniture and appliance rental center.
- (23) Gift shops.
- (24) Grocery stores.
- (25) Hardware, paint stores.
- (26) Hobby shops.
- (27) Ice cream shops.
- (28) Jewelry stores.
- (29) Laundromats, automatic self-service (provided that the establishment is operated exclusively as a retail business and laundry machines are of an automatic type, capable of being operated by the public and shall not include machines ordinarily found in industrial laundries).
- (30) Lighting stores.
- (31) Liquor stores.
- (32) Luggage and leather goods.
- (33) Music stores.
- (34) Office supply stores.
- (35) Optical goods.
- (36) Pet/pet supplies.
- (37) Photocopying services.
- (38) Record, tape or CD stores.
- (39) Religious goods.

- (40) Restaurants, cafes, delicatessens or coffee shops, including outdoor seating areas.
- (41) Second hand stores and thrift stores, provided there is no outside display or storage of merchandise.
- (42) Shoe stores.
- (43) Sporting goods stores.
- (44) Stamp and coin shops.
- (45) Stationery stores.
- (46) Tobacco stores.
- (47) Toy stores.
- (48) Variety stores.
- (49) Video tape/DVD rentals.
- (50) Other uses which the Planning Director determines to be similar in nature, function and operation to listed permitted uses.
- (51) Accessory uses and structures, subordinate, appropriate and incidental to the above permitted uses, including supportive services directly related to and located within the same building as the primary use. Automated Teller Machines (ATMs) are permitted accessory uses provided they are not free standing.

2. Permitted Temporary Uses and Structures

The following temporary uses and structures shall be permitted subject to the issuance of a Temporary Use Permit in accordance with Section 09.01.04 of the Marana Land Development Code.

- a. Contractor's office and/or storage. Temporary structures for the storage of tools and equipment or containing supervisory offices of the minimum necessary in connection with a project on site may be established and maintained only during the progress of active construction under an effective grading, building or other development permit. Such temporary structure(s) shall be immediately removed upon project completion or upon expiration of the applicable permits.
- b. Holiday related sales lots.

3. Conditional Uses. The following uses may be permitted conditionally, subject to the provisions of Section 10.10 of the Marana Land Development Code

- a. Automobile Service Uses, including gasoline service stations, service shops performing minor auto repair, fuel sales, oil

change and lubrication shops, muffler shops, auto glass shops, auto detail shops, speedometer shops and tire shops, not to include body repair, painting, major engine or transmission repair, or radiator repair. All service, except the sale of gasoline, shall be within an enclosed building. No service bays associated with an automotive use shall be visible from a public street;

- b. Automobile and Truck Sales and Rental, new or used;
- c. Bars, taverns, cocktail lounges;
- d. Car wash establishments, including full-service and self-service, coin-operated facilities, provided a full-time attendant is on-site and wash bays are not visible from a public street;
- e. Emergency Medical Care Facility 24 hour operations;
- f. Restaurants, cafes, delicatessens or coffee shops providing drive-thru or drive-up service;
- g. Lodging facilities, including hotels and motels;
- h. Pawn Shops;
- i. Plant Nurseries, including open air display and storage;
- j. Recreational Vehicle and Boat Storage;
- k. Self-storage Facilities;
- l. Small Equipment and Light Machinery sales or rental;
- m. Tattoo establishments;
- n. Wireless communications facilities, subject to the provisions of Chapter 23 of the Marana Land Development Code;
- o. Any establishment receiving deliveries other than between the hours of 6:00 A.M. and 10:00 P.M.

4. Prohibited Uses. The following uses are not permitted uses within the Silverbell Road Corridor Overlay District:

- a. Adult Entertainment Uses;
- b. Automobile Bodywork and Painting;
- c. Bowling Alleys;
- d. Commercial Outdoor Recreation;
- e. Heavy Equipment and machinery sales or rental;
- f. Hospitals;
- g. Industrial uses;
- h. Kennels, except as permitted in S.1.d.(5);
- i. Live Entertainment Facilities, including nightclubs which include dancing and music performed by more than 1 musician;
- j. Major automobile repair facilities, including major engine, mechanical or transmission repair and radiator service;
- k. Manufactured Home Sales;
- l. Open air or outside storage uses, including swap meets and storage of inoperable or damaged vehicles, except as permitted in Section S.3.i. and S.3.j.;
- m. Recreational Vehicle Sales;
- n. Theatres;
- o. Towing businesses; and

p. Warehousing Uses, excepting self-storage facilities.

L. Performance Standards

The following limitations shall apply to the conduct of uses within the Silverbell Road Corridor Overlay District:

1. No outdoor storage of equipment or materials (except screened trash containers) or outside mechanical repair or service is permitted.
2. There shall be no manufacturing, compounding, processing or treatment of products other than that which is clearly incidental to a retail store or business, and where all such completed products are sold at retail on the premises.
3. No use shall be established, maintained or conducted within the Overlay District which may cause the dissemination of noxious smoke, gas, dust, odor or any other atmospheric pollutant outside of the building in which the use is conducted.
4. No use shall result in noise perceptible beyond the boundaries of the immediate site of the use. All noise sources shall be identified such as parking areas, trash dumpsters, mechanical equipment and loading areas. Screen walls and landscaping shall be employed which screen these areas from the adjacent residential neighborhoods.
5. No use shall result in the creation of traffic hazards or undue congestion of any public street.

M. Development Standards

The following standards shall apply to all developments within the Silverbell Road Corridor Overlay District:

1. General Development Standards

- a. All development proposed within the District shall comply with Section 08.07 Commercial Design Standards of the Land Development Code.)
- b. Commercial lots adjacent to a residential district shall require a 25 foot landscape buffer in the side and rear yards adjacent to or facing the residential area. Such buffers shall not be used for the purpose of parking, loading, servicing or any other activity. Screening shall consist of decorative screening walls or

landscaping combination that will provide a barrier of adequate height at the time of installation

2. Landscaping

The intent of the Landscaping requirements is to provide corridor residents and businesses with highly attractive landscaping that buffers unwanted views, 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 Silverbell Road Corridor Overlay District shall provide site landscaping including buffer yards, parking lot landscaping and screening as required herein and in accordance with Title 17 (Environmental Resource Preservation, Native Plant Protection, and Landscape Requirements) and Section 08.07 (Commercial Design Standards) of the Land Development Code.

3. Off-Street Parking and Loading

The number, size and design of all parking spaces, driveways and loading areas for all development within the Silverbell Road Corridor Overlay District shall comply with the applicable specific plan or the provisions of Title 22 (Off-Street Parking and Loading) of the Marana Land Development Code and the following requirements listed below:

- a. Access control and driveway locations will be evaluated per Town of Marana standards. Joint driveways are desirable whenever possible in order to minimize the number of access points to streets.
- b. All parking shall be off-street in paved, landscaped parking areas.
- c. No parking or maneuvering space is permitted within any required landscape buffer.
- d. Loading or service areas shall not be located adjacent to residential areas.

4. Signs

Sign standards are hereby established to: promote a high quality visual appearance throughout the Silverbell Road Corridor Overlay District; 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 Silverbell Road Corridor Overlay District shall comply with the provisions of Title 16 (Signs) of the Land Development Code

- a. Freestanding signs shall be limited to double-faced, ground-mounted monument style, with proper landscaping in accordance with Section 16-14-4. Freestanding pole signs are prohibited.

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 Silverbell Road Corridor Overlay District:

- a. All service entrances and loading areas must be screened from adjacent properties, and view from adjacent public streets. Such screening shall consist of decorative walls and or landscaping combination that will provide a barrier of adequate height at the time of installation.
- b. All refuse containers and trash handling areas shall be enclosed and screened from public view. All screening devices shall be constructed of materials and colors compatible with those of the primary building(s). Chain link fencing (with or without slats) is not allowed.
- c. No articles, materials, trash, debris, equipment or inoperable vehicles shall be stored or kept in the open or exposed to view from the adjacent streets, sidewalks, 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 each phase of construction.
- d. All equipment, such as but not limited to, mechanical, electrical, communications and air conditioning shall be selected and located in a manner consistent with the architecture of the project and shall be screened from view from adjacent properties and public streets. Parapet walls, enclosing walls, louvers and grills shall be used to conceal from view all equipment on site or on the roofs of buildings. Exceptions may be made for equipment that, by nature of simple geometric shape, blends well with the architecture of the project. Satellite dishes and other communications equipment must be integrated with the architecture or screened in an acceptable manner.

- e. 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

Exterior lighting should be designed as part of the architectural and landscape themes. Site lighting should serve functional, safety and aesthetic purposes. Site and security lighting shall be designed to enhance the 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.

7. Design Standards

To maintain a high level of architectural quality of buildings and structures, all new development within the Silverbell Road Corridor Overlay District shall comply with the standards herein, as well as the Commercial Design Standards defined in Section 08.07 of the Land Development Code.

- a. Building design should reflect traditional or contemporary variations of southwestern architecture and should reflect an individual style. Reliance on or the use of standardized “corporate or franchise” style is discouraged.
- b. High-quality construction and materials should be used to ensure that the aesthetic quality of buildings will not diminish over time. Building design must be consistent in material usage and detail on all elevations. Exterior materials that may be utilized in various aspects of the building design includes brick masonry, natural stone masonry, concrete (with an approved architectural finish), glass (use of highly reflective coating may be limited), plaster, stucco, wood and cultured stone.
- c. No masonite, visible asphaltic exterior material, aluminum or steel siding, non-architectural sheet metal or other similar materials shall be used on any building except as a trim material, as approved.
- d. Materials for roofs, eaves and canopies may include tile, fireproof faux wood shakes or metal with standing rib seams.
- e. Deep eaves, overhangs, canopies and other architectural features that provide shelter from the elements and shade in the

summer shall be incorporated into the building design where feasible.

- f. Roof-top heating and air conditioning equipment and similar features shall be painted so as to be non-reflective and shall be screened from view.

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**TITLE 25
STORMWATER MANAGEMENT**

Note to Marana Land Development Code users: As of January 15, 2016, Title 25 of the Marana Land Development Code has been recodified as Chapter 17-16 of the Marana Town Code. The following table provides derivation information concerning sections previously found in LDC Title 25:

OLD LDC NUMBER AND TITLE	LOCATION IN TOWN CODE TITLE 17
TITLE 25 STORMWATER MANAGEMENT	CHAPTER 17-16 STORMWATER MANAGEMENT
25.01 GENERAL PROVISIONS	17-16-1 General provisions
25.01.01 Purpose	17-16-1.A [Purpose]
25.01.02 Definitions	17-16-1.B [Definitions]
25.01.03 Applicability	17-16-1.C [Applicability]
25.01.04. Delegation of Authority for Administration and Enforcement	17-16-1.D [Delegation of authority for administration and enforcement]
25.01.05 Regulatory Consistency	17-16-1.E [Regulatory consistency]
25.01.06 General	17-16-1.F [General]
25.01.07 Severability	17-16-1.G [Severability]
25.02 PROHIBITIONS AND CONTROLS TO REDUCE THE DISCHARGE OF POLLUTANTS IN STORMWATER	17-16-2 Prohibitions and controls to reduce the discharge of pollutants in Stormwater
25.02.01 General Requirements	17-16-2.A [General requirements]
25.02.02 Prohibition of Non-Stormwater Discharge to the Municipal Storm Sewer System; Exemptions	17-16-2.B [Prohibition of non-stormwater discharge to the municipal storm sewer system; exemptions]
25.02.03 Operating Facilities or Activities	17-16-2.C [Operating facilities or activities]
25.02.04 Construction Sites	17-16-2.D [Construction sites]
25.02.05 Stormwater Pollution Prevention Plans (SWPPP)	17-16-2.E [Stormwater pollution prevention plans (SWPPP)]
25.02.06 Maintenance of Stormwater Facilities	17-16-2.F [Maintenance of Stormwater facilities]
25.02.07 Cleanup and Notification Requirements	17-16-2.G [Cleanup and notification requirements]
25.03 COMPLIANCE MONITORING	17-16-3 Compliance monitoring
25.03.01 Inspections	17-16-3.A [Inspections]
25.03.02 Enforcement and Penalties	17-16-3.B [Enforcement and penalties]

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