

**MARANA ORDINANCE NO. 2025.001**

---

RELATING TO DEVELOPMENT; APPROVING A REZONING OF APPROXIMATELY FIVE ACRES OF LAND LOCATED AT 13049 N. COYOTE HOWL ROAD, APPROXIMATELY ONE-QUARTER MILE NORTH OF THE INTERSECTION OF MOORE ROAD AND COYOTE HOWL ROAD, FROM AG (AGRICULTURAL) TO R-36 (SINGLE-FAMILY RESIDENTIAL)

WHEREAS Cynthia Coleman and Roxanne Hampton (collectively the "Property Owners") own approximately five acres of land located at 13049 N. Coyote Howl Road, approximately one-quarter mile north of the intersection of Moore Road and Coyote Howl Road, in Section 26, Township 12 South, Range 12 East, described on Exhibit "A" attached to and incorporated in this ordinance by this reference (the "Rezoning Area"); and

WHEREAS the Property Owners have authorized Lazarus & Silvyn, P.C. to submit an application to rezone the Rezoning Area from AG (Agricultural) to R-36 (Single-Family Residential) ("this Rezoning"); and

WHEREAS the Marana Planning Commission held a public hearing on this Rezoning on December 11, 2024, and voted unanimously 7-0 to recommend that the Town Council approve this Rezoning, subject to the recommended conditions; and

WHEREAS the Marana Town Council held a public hearing on this Rezoning on January 7, 2025, and determined that this Rezoning should be approved.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Marana, Arizona, as follows:

**Section 1.** The zoning of the Rezoning Area is hereby changed from AG (Agricultural) to R-36 (Single-Family Residential).

**Section 2.** This Rezoning is subject to the following conditions, the violation of which shall be treated in the same manner as a violation of the Town of Marana Land Development Code (but which shall not cause a reversion of this Rezoning), and which shall be binding on the Property Owners and their successors in interest (all of whom are collectively included in the term "Property Owners" in the following conditions):

1. Compliance with all applicable provisions of the Town's codes and ordinances current at the time of any subsequent development including, but not limited to, requirements for public improvements and payment of application fees and applicable development impact fees.
2. A "Will Serve" letter must be obtained by the Property Owners from Tucson Water Obligated Service Area (the "water provider") prior to approval of any lot splitting for

any portion of the Rezoning Area.

3. A "Will Serve" letter must be obtained by the Property Owners from Pima County Regional Wastewater (the "wastewater utility") prior to the approval of any lot splitting for the Rezoning Area.
4. The final design of all streets and circulation facilities, including gated access (if applicable) and emergency access, must be accepted by the Northwest Fire District prior to Town Council consideration of a final plat or development plan for any portion of the Rezoning Area.
5. No approval, permit or authorization by the Town of Marana authorizes violation of any federal or state law or regulation or relieves the Property Owners from responsibility to ensure compliance with all applicable federal and state laws and regulations, including the Endangered Species Act and the Clean Water Act. The Property Owners should retain appropriate experts and consult appropriate federal and state agencies to determine any action necessary to assure compliance with applicable laws and regulations.
6. If Arizona law permits it, the Property Owners shall transfer to the water provider, by the appropriate Arizona Department of Water Resources form, those water rights being IGR, Type I or Type II for providing designation of assured water supply and water service to the Rezoning Area. If Type I or Type II is needed on the Rezoning Area, the water provider and the Property Owners shall arrive at an agreeable solution to the use of those water rights appurtenant to the affected portion of the Rezoning Area.
7. Prior to the issuance of any grading permits, the Property Owners shall submit evidence to the Town that all federal permit requirements have been met through the Corps of Engineers and the State Historic Preservation Office, if federal permits are required for the development of the Rezoning Area.
8. The Property Owners shall not cause any lot split of any kind without the written consent of the Town of Marana.

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

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


PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 7<sup>th</sup> day of January, 2025.

  
\_\_\_\_\_  
Vice Mayor Jon Post

ATTEST:

  
\_\_\_\_\_  
David L. Udall, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jane Fairall, Town Attorney



**EXHIBIT "A" to Marana Ordinance No. 2025.001**  
Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF PIMA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

Being a portion of the East half of the Northwest Quarter of the Southeast Quarter of Section 26, Township 11 South, Range 12 East, Gila and Salt River Base and Meridian, Pima County, Arizona, being more particularly described as follows:

Commencing from the East quarter corner of said Section 26, being a Brass Monument in the Centerline of Tortolita Road;

Proceed South 89 degrees 39 minutes 49 seconds West, a distance of 1324.73 feet (+ or -) to an ACP stamped PE #2363;

Thence South 00 degrees 04 minutes 25 seconds East, a distance of 990.05 feet to a 1/2 Inch rebar tagged LS #19863, the POINT OF BEGINNING;

Continuing South 00 degrees 04 minutes 25 seconds East, a distance of 330.02 feet (+ or -) to an ACP stamped PE #2368;

Thence South 89 degrees 23 minutes 22 seconds West, a distance of 662.53 feet (+ or -) to an ACP stamped PE #2368;

Thence North 00 degrees 04 minutes 04 seconds West, a distance of 330.81 feet (+ or -) to a 1/2 inch rebar tagged RLS #29267;

Thence North 89 degrees 27 minutes 28 seconds East, a distance of 662.49 feet (+ or -) To a 1/2 inch rebar tagged LS#12863, the POINT OF BEGINNING.

Above described property being shown as Lot 4 on record of survey recorded in Book 16 at Page 81, Pima County Recorder's Office, Pima County, Arizona.