

MARANA ORDINANCE NO. 2025.023

RELATING TO DEVELOPMENT; AMENDING MARANA TOWN CODE TITLE 17 "LAND DEVELOPMENT"; AMENDING CHAPTER 17-6 (GENERAL AND MISCELLANEOUS DEVELOPMENT REGULATIONS) BY ADDING NEW SECTION 17-6-15 ENTITLED "MIDDLE HOUSING"; AMENDING CHAPTER 17-4 (ZONING) BY MAKING CONFORMING AMENDMENTS TO SECTIONS 17-4-2 (USE MATRIX), 17-4-3 (USE CONDITIONS MATRIX), AND 17-4-9 (MIXED-USE ZONING DISTRICTS); APPROVING THE HOUSING IMPACT STATEMENT PERTAINING TO THIS ORDINANCE; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Arizona Legislature adopted Laws 2024, Chapter 197 (House Bill 2721), signed by Governor Katie Hobbs on May 21, 2024, and effective on September 14, 2024, requiring all Arizona municipalities with a population of more than 75,000 persons to adopt regulations allowing duplexes, triplexes, fourplexes, and townhomes (also known as "middle housing") on all lots zoned for single-family residential use within one mile of the municipality's central business district and on at least 20% of any new development of more than ten contiguous acres; and

WHEREAS House Bill 2721 is now codified in the Arizona Revised Statutes at A.R.S. § 9-462.13; and

WHEREAS A.R.S. § 9-462.13 paragraph E provides: "If a municipality does not adopt the regulations required by this section on or before January 1, 2026, middle housing shall be allowed on all lots in the municipality zoned for single-family residential without any limitations;" and

WHEREAS the population of the Town of Marana is less than 75,000 persons, but the Town desires to adopt middle housing regulations conforming to A.R.S. § 9-462.13; and

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

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

WHEREAS the Town Council finds this ordinance to be in the best interests of the Town and its citizens.

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

SECTION 1. The revisions to Title 17 "Land Development" of the Marana Town Code, amending Chapter 17-6 (General and Miscellaneous Development Regulations) by adding new Section 17-6-15 entitled "Middle housing"; amending chapter 17-4 (Zoning) by making conforming amendments to sections 17-4-2 (Use matrix), 17-4-3 (Use conditions matrix), and 17-4-9 (Mixed-use zoning districts), one paper copy and one electronic copy of which are on file in the office of the Town Clerk, which were made a public record by and attached as Exhibit A to Resolution No. 2025-109 of the Town of Marana, Arizona, are hereby referred to, adopted and made a part of this ordinance as if fully set out here.

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

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

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

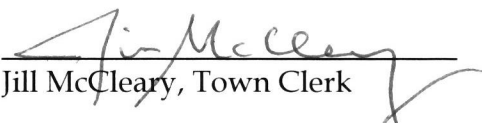
SECTION 5. This ordinance is effective on January 1, 2026.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 18th day of November, 2025.



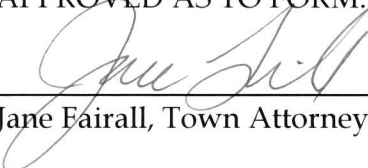
Mayor Jon Post

ATTEST:



Jill McCleary, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney



MARANA RESOLUTION NO. 2025-109

RELATING TO LAND DEVELOPMENT; DECLARING AS A PUBLIC RECORD FILED WITH THE TOWN CLERK THE AMENDMENTS ADOPTED BY ORDINANCE NO. 2025.023, REVISIONS TO TITLE 17 "LAND DEVELOPMENT" OF THE MARANA TOWN CODE, AMENDING CHAPTER 17-6 (GENERAL AND MISCELLANEOUS DEVELOPMENT REGULATIONS) BY ADDING NEW SECTION 17-6-15 ENTITLED "MIDDLE HOUSING"; AMENDING CHAPTER 17-4 (ZONING) BY MAKING CONFORMING AMENDMENTS TO SECTIONS 17-4-2 (USE MATRIX), 17-4-3 (USE CONDITIONS MATRIX), AND 17-4-9 (MIXED-USE ZONING DISTRICTS); APPROVING THE HOUSING IMPACT STATEMENT PERTAINING TO THIS ORDINANCE

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that the revisions to Title 17 "Land Development" of the Marana Town Code adopted by Marana Ordinance No. 2025.023, a copy of which is attached to and incorporated in this resolution as Exhibit A and one paper copy and one electronic copy of which are on file in the office of the Town Clerk, are hereby declared to be a public record and ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 18th day of November, 2025.



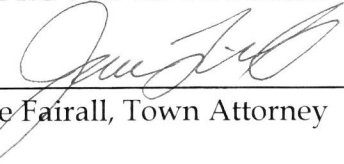
Mayor Jon Post

ATTEST:



Jill McCleary, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney



EXHIBIT A TO MARANA RESOLUTION NO. 2025-109
Amendments to Marana Town Code, Title 17 “Land Development” pursuant to Marana
Ordinance No. 2025.023

SECTION 1. Marana Town Code Title 17 (Land Development), Chapter 17-6 (General and Miscellaneous Development Regulations), is hereby amended by adding new Section 17-6-15 (Middle housing), as follows:

17-6-15 Middle housing

- A. Purpose. This section is adopted to comply with state law requiring municipalities with a population over 75,000 to allow middle housing in certain specified circumstances.
1. These regulations are in addition to the town’s residential building codes, fire codes, public health and safety regulations, and other regulations of general applicability.
 2. To the extent any provision in this section conflicts with state law, state law shall control.
- B. Definitions. For purposes of this section only, the following definitions apply:
1. Building code: The construction code adopted by the town. Includes a model building code, commercial code, plumbing and mechanical code, electric code, energy conservation code, fire code, property maintenance code, neighborhood preservation code, anti-blight code or other similar code.
 2. Central business district: An area or series of areas designated by the town that are primarily nonindustrial and that attract community activity, including the entire geographic area that the town has officially designated as its downtown or equivalent on the effective date of this section. The town’s central business district for purposes of this section is the downtown Marana overlay district (DO), as described in section 17-4-12 and depicted in Marana ordinance no. 2018.010.
 3. Duplex: Two dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy by not more than two households living independently from each other.
 4. Floor area ratio: The ratio of allowed square footage in a middle housing project to the square footage of the parcel on which it is built.
 5. Fourplex: Four dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy by not more than four households living independently from each other.
 6. Household:
 - a. A single person living or residing in a dwelling or place of residence; or
 - b. Two or more persons living together or residing in the same dwelling or place of residence.

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7. Middle housing: Buildings that are compatible in scale, form and character with single-family houses and that contain two or more attached, detached, stacked or clustered homes. Includes duplexes, triplexes, fourplexes, and townhouses.
 8. Permitted use: The ability for a development to be approved without requiring a public hearing, variance, conditional use permit, special permit or special exception, other than a discretionary zoning action to determination that a site plan conforms with applicable zoning regulations.
 9. Townhomes or townhouses: Dwelling units that are constructed in a row of two or more attached units in which each dwelling unit shares at least one common wall with an adjacent unit and that are accessed by separate outdoor entrances.
 10. Triplex: Three dwelling units on the same parcel or lot in attached, detached or semi-detached arrangements that are designed for residential occupancy by not more than three households living independently from each other.
- C. Middle housing as a permitted use. Subject to the requirements of this section, a duplex, triplex, fourplex, or townhome is allowed as a permitted use on:
1. A lot zoned for single-family residential use within one mile of the town's central business district; or
 2. At least 20% of a new development of more than ten contiguous acres.
- D. Application. A property owner seeking to develop an eligible middle housing project shall submit an application that includes the following:
1. Evidence satisfactory to the planning manager that the proposed duplex, triplex, fourplex, or townhome is eligible as a permitted use in accordance with this section.
 2. A site plan in conformance with section 17-3-5.
 3. Evidence of sufficient urban services for the entire proposed development;
 4. Evidence of adequate existing public sewer and water service for the entire proposed development.
 5. Compliance with all applicable codes, including building code, commercial code, plumbing and mechanical code, electric code, energy conservation code, fire code, property maintenance code, neighborhood preservation code, anti-blight code or other similar code.
- E. Utilities. Notwithstanding the provisions of this section, a utility provider impacted by an application under this section shall have the opportunity to review and approve the site plan for the development.

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- F. Development standards and requirements. Middle housing shall comply with the applicable development standards and requirements of the zone district where the middle housing is located.
- G. Exceptions. The following areas are not eligible to construct a duplex, triplex, fourplex, or townhome as a permitted pursuant to this section:
1. Areas that are not incorporated.
 2. Areas that lack sufficient urban services, as determined by the planning manager.
 3. Areas that are not served by water and sewer services.
 4. Areas that are not zoned for residential use.
 5. Areas that are not incorporated and are zoned under an interim zoning designation that maintains the area’s potential for planned urban development.
 6. Areas covered under A.R.S., title 48, chapter 6, article 4 (Alternative Form of Government for Domestic Water Improvement Districts and Domestic Wastewater Improvement Districts).
 7. Land within the town in the vicinity of a public airport as defined in A.R.S. § 28-8486 or to the extent this section would interfere with the public airport's ability to comply with the laws, regulations and requirements of the United States related to applying for, receiving or spending federal monies
 8. Land within the town in the vicinity of a military airport as defined in A.R.S. § 28-8461.
- H. Appeals. If an application for proposed middle housing is denied or deemed not to be a permitted use, the applicant may appeal the town’s decision to the board of adjustment.

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

Table 2. Use matrix											
Uses	AG	RA	ER	NR	GR	MR	RR	NC	VC	LI	HI
Residential											
Duplex	<u>XU</u>	<u>XU</u>	<u>EU</u>	<u>EU</u>	P	P	<u>EU</u>	U	U	X	X
Townhouse	<u>XU</u>	<u>XU</u>	<u>XU</u>	<u>XU</u>	P	P	P	U	U	X	X
<u>Triplex</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>X</u>	<u>X</u>
<u>Fourplex</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>X</u>	<u>X</u>

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SECTION 3. Marana Town Code Title 17 (Land Development), Chapter 17-4 (Zoning), section 17-4-3 (Use conditions matrix), Table 3 (Conditions per use) is hereby amended (with additions shown with double underlining; only revisions are shown with all other existing table rows remaining unchanged):

Table 3. Conditions per use		
USE	ZONE(s)	CONDITION(s)
Residential		
Duplex	NC, VC	Must comply with the development standards for R-3 zone as set forth in section 17-4-5 (B)(7) Table 4 (Development standards per residential zone)
	<u>AG, RA, ER, NR, GR, MR, RR</u>	<u>Allowed only if requirements set forth in section 17-6-15 are met.</u>
Townhouse	NC, VC	Must comply with the development standards for R-3 zone as set forth in section 17-4-5 (B)(7) Table 4 (Development standards per residential zone)
	<u>AG, RA, ER, NR, GR, MR, RR</u>	<u>Allowed only if requirements set forth in section 17-6-15 are met.</u>
<u>Triplex</u>	<u>AG, RA, ER, NR, GR, MR, RR, NC, VC</u>	<u>Allowed only if requirements set forth in section 17-6-15 are met.</u>
<u>Fourplex</u>	<u>AG, RA, ER, NR, GR, MR, RR, NC, VC</u>	<u>Allowed only if requirements set forth in section 17-6-15 are met.</u>

SECTION 4. Marana Town Code Title 17 (Land Development), Chapter 17-4 (Zoning), section 17-4-9 (Mixed-use zoning districts), Table 8 (Mixed-use zoning district use matrix) and Table 9 (Conditions per area) are hereby amended (with additions shown with double underlining and deletions shown with ~~strikeouts~~; only revisions are shown with all other existing table rows remaining unchanged):

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Table 8. Mixed-use zoning district use matrix					
Use	Blended use zone (BU) intensity			Downtown overlay (DO)	
	Low	Medium	High	DN	DT
Two-family <u>Duplex</u>	P	P	X <u>U</u>	P	X <u>U</u>
Three-family <u>Triplex</u>	X <u>U</u>	P	P	P	P
Townhouse	X <u>U</u>	P	P	P	P
<u>Fourplex</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>	<u>U</u>

Table 9. Conditions per area			
	BU low intensity	BU medium intensity; DN	BU high intensity; DT
Residential	Not applicable <u>Triplexes,</u> <u>Townhouses and</u> <u>Fourplexes</u> <u>allowed only if</u> <u>requirements set</u> <u>forth in section</u> <u>17-6-15 are met.</u>	Six dwelling units maximum <u>Fourplexes allowed only if</u> <u>requirements set forth in</u> <u>section 17-6-15 are met.</u>	No maximum <u>Duplexes and</u> <u>fourplexes allowed</u> <u>only if requirements</u> <u>set forth in section 17-</u> <u>6-15 are met.</u>