

MARANA ORDINANCE NO. 2022.024

RELATING TO DEVELOPMENT; APPROVING AN AMENDMENT TO THE SANDERS GROVE SPECIFIC PLAN, INCLUDING COMPREHENSIVE REVISIONS TO THE LAND USE PLAN, AN INCREASE IN THE MAXIMUM NUMBER OF RESIDENCES PERMITTED, AND A CHANGE OF THE NAME OF THE PLAN TO RANCH HOUSE SPECIFIC PLAN, FOR THE 841-ACRE SPECIFIC PLAN AREA LOCATED NORTH OF MARANA ROAD, EAST OF WENTZ ROAD, AND WEST OF SANDERS ROAD; AND APPROVING A MINOR AMENDMENT TO THE MARANA GENERAL PLAN TO AMEND THE FUTURE CIRCULATION MAP AS IT APPLIES TO THE SPECIFIC PLAN AREA

WHEREAS The JEITO Foundation 31.53%, SREP Tucson II Associates LLC 66.94%, RB Land LLC 1.53%, Corp of the Presiding Bishop of Church of Jesus Christ of Latter Day Saints, and SREP Marana Retail Assoc. II LLC (collectively the "Property Owners") own approximately 841 acres of land previously entitled as the Sanders Grove Specific Plan by the adoption of Ordinance No. 2005.09 by the Mayor and Council on March 1, 2005, as amended by the adoption of Ordinance No. 2015.013 by the Mayor and Council on May 19, 2015, and located north of Marana Road, east of Wentz Road, and west of Sanders Road within a portion of Sections 17 and 20, Township 11 South, and Range 11 East, described on Exhibit "A" attached to and incorporated in this ordinance by this reference (the "Rezoning Area"); and

WHEREAS the Rezoning Area is subject to the Sanders Grove Development Agreement recorded in the Pima County Recorder's Office at Docket 12559 Page 2498, as amended by the First Amendment to Sanders Grove Development Agreement recorded in the Pima County Recorder's Office at Sequence No. 20163000144 (collectively the "Development Agreement"); and

WHEREAS the Property Owners have authorized Sanders Grove Management LLC and Lazarus & Silvyn, P.C. to submit an application for rezoning ("this Rezoning") to amend the Sanders Grove Specific Plan to revise the land use concept, increase the maximum number of residential lots allowed within the Plan, revise the distribution of attached and multi-family residential housing products, and make other revisions including changing the name of the plan to Ranch House Specific Plan, and to request a minor amendment to the Marana 2040 General Plan Future Circulation Map, as it applies to the Rezoning Area; and

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WHEREAS the Marana Planning Commission held a public hearing to consider this Rezoning on September 28, 2022, and voted unanimously 6-0 to recommend that the Town Council approve this Rezoning and minor general plan amendment subject to the recommended conditions, as well as two additional conditions; and

WHEREAS the Marana Mayor and Town Council held a public hearing to consider this Rezoning on November 1, 2022, and determined that this Rezoning and minor general plan amendment should be approved.

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

Section 1. The Sanders Grove Specific Plan is hereby amended and renamed the “Ranch House Specific Plan,” establishing the zoning regulations applicable to the Rezoning Area. The Ranch House Specific Plan Amendment, one electronic and one printed copy of which are on file in the office of the Town Clerk of the Town of Marana, Arizona, which was made a public record by and is attached as Exhibit A to Marana Resolution No. 2022-115, is hereby referred to, adopted and made part of this ordinance as if fully set out here.

Section 2. A minor amendment to the Marana 2040 General Plan Future Circulation Map is hereby approved, reducing the future right-of-way width for both Kirby Hughes Road and Hardin Road to be consistent with the Ranch House Specific Plan, as amended by this Ordinance, as well as the Development Agreement.

Section 3. This Rezoning is subject to the following conditions, which replace the conditions listed in Section 2 of Ordinance No. 2015.013, the violation of which shall be treated in the same manner as a violation of the Marana Town 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. Any preliminary plat or development plan for any portion of the Rezoning Area shall be in general conformance with the Land Use Concept Plan presented to and approved by the Town Council as part of this Rezoning.
3. The development proposed by this Rezoning shall be consistent with and in conformance with the Development Agreement.
4. A master drainage study must be submitted by the Property Owners and accepted by the Town Engineer prior to Town approval of a preliminary plat or development plan for any portion of the Rezoning Area.

5. A water infrastructure and phasing plan (WIP) must be submitted by the Property Owners and accepted by Marana Water and Water Reclamation (the "water utility") prior to approval of a preliminary plat or development plan for any portion of the Rezoning Area. The WIP shall identify all on-site and off-site water facilities needed to serve the proposed development. The WIP shall include all information required by the water provider, such as (but not limited to) analysis of water use and fire flow requirements, and well source, reservoir, and booster station infrastructure needed to serve the proposed development. If the water provider requires a water service agreement as a condition of service to the proposed development, the Property Owners must enter into a water service agreement with the water provider consistent with the accepted WIP.
6. A master sewer plan must be submitted by the Property Owners and accepted by Marana Water and Water Reclamation (the "wastewater utility") prior to the approval of any final plat or development plan for the Rezoning Area. The master sewer plan shall identify all on-site and off-site wastewater facilities needed to serve the proposed development, and shall include all information required by the wastewater utility. If the wastewater utility requires a sewer service agreement as a condition of service to the proposed development, the Property Owners must enter into a sewer service agreement with the wastewater utility consistent with the accepted master sewer plan.
7. The Property Owners must design and construct any roadway, drainage, water, and wastewater improvements, and dedicate or acquire any property rights associated with those improvements, that the Town requires based on the data and findings of the accepted traffic impact analysis, the accepted master drainage study, the accepted WIP, the accepted master sewer plan, and other studies approved in connection with the approval of a preliminary plat or development plan for any portion of the Rezoning Area.
8. The final design of all streets and circulation facilities, including gated access (if applicable) must be accepted by the Northwest Fire District prior to Town Council consideration of a final plat for any portion of the Rezoning Area.
9. The maximum number of residences within the Rezoning Area shall not exceed 3,500, consisting of a maximum of 3,200 single-family residences and a maximum of 300 multi-family residential units, constructed as detached rental homes.
10. 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.

11. 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.
12. 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.
13. The Property Owners shall not cause any lot split of any kind without the written consent of the Town of Marana.
14. The Property Owners shall install a non-potable system to serve the common open space areas and other landscaped amenities, as accepted by the Cortaro-Marana Irrigation District.
15. The Property Owners shall improve and dedicate to the Town of Marana a public park at a minimum size of 20 acres.
16. Pursuant to paragraph 2.3 of the Development Agreement, the Property Owners shall submit a traffic impact analysis (TIA) which must be accepted by the Town prior to approval of the initial subdivision plat for the entire Rezoning Area and which shall be updated with each new subdivision plat or development plan submittal. The timing and scope of regional roadway improvements will be determined by the Town based on the findings of the Town-approved TIA. The TIA shall take into account the redistribution of traffic from the Rezoning Area due to the termination of collector roads at park facilities interior to the Rezoning Area. If warranted by the TIA, the Property Owners shall construct improvements to Wentz Road, from Marana Road to Kirby Hughes Road, as part of the Property Owners' responsibility for regional roadway improvements.
17. Notwithstanding the General Plan amendment approved by Section 2 of this Ordinance, reducing the widths of Kirby Hughes Road and Hardin Road, the Property Owners shall dedicate all necessary rights-of-way for road expansions and drainage requirements within the Rezoning Area, as required by the Town Engineer and in accordance with the Northwest Area Drainage Master Plan, Feb 2020, including any necessary rights-of-way or drainage easements along the I-10 Frontage Road and the northern boundary of the Rezoning Area.
18. Apartment-style multi-family housing is prohibited throughout the Rezoning Area.
19. Within 60 days after the adoption of this ordinance, the Property Owners shall provide the Development Services Department with two bound copies, and two electronic copies in PDF format of the Ranch House Specific Plan Amendment.

20. The minimum lot width for detached housing products in the MHDR land use designation shall be 45 feet.

Section 4. 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 5. 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 1st day of November, 2022.



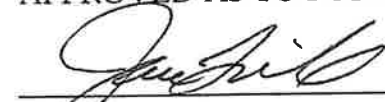
Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney

