

MARANA ORDINANCE NO. 2024.XXX

RELATING TO DEVELOPMENT; APPROVING A MODIFICATION OF A REZONING CONDITION OF MARANA ORDINANCE NO. 2021.016, WHICH REZONED APPROXIMATELY 49 ACRES OF LAND LOCATED APPROXIMATELY ONE-QUARTER MILE SOUTH OF INA ROAD, WEST OF SILVERBELL ROAD, TO REVISE A PROVISION OF THE ORDINANCE THAT REQUIRED THE PROPERTY OWNER TO DESIGN AND CONSTRUCT A CONTINUOUS LEFT-TURN LANE ALONG THE ENTIRE FRONTAGE OF THE REZONING AREA

WHEREAS the Mayor and Council of the Town of Marana adopted Ordinance No. 2021.016 on August 17, 2021, approving a rezoning of approximately 49 acres of land located approximately one-quarter mile south of Ina Road, west of Silverbell Road; and

WHEREAS approval of the rezoning was subject to a number of conditions, including condition 4 which provides that the property owner shall design and construct a continuous left-turn lane along the entire frontage of the rezoning area; and

WHEREAS the property owner has applied to the Town to modify condition 4; and

WHEREAS the Mayor and Council find that modification of condition 4 as set forth in this ordinance is insubstantial enough not to require or benefit from Planning Commission consideration, and that this ordinance is 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. Section 2, condition 4 of Marana Ordinance No. 2021.016 is hereby revised as follows, with deletions shown with ~~strikeouts~~ and additions shown with double-underlining:

The Property Owners shall design and construct ~~a continuous left turn lane~~ left-turn lanes for northbound traffic on Silverbell Road for both entrances into the Rezoning Area, and bike lanes along the entire frontage of the Rezoning Area. The design shall be subject to approval by the Town Engineer.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed as of the effective date of this ordinance.

Section 3. 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.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 16th day of January 2024.

Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

David L. Udall, Town Clerk

Jane Fairall, Town Attorney