

SAHUARITA ORDINANCE NO. 2025-181

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SAHUARITA, PIMA COUNTY, ARIZONA, AMENDING TITLE 18 ZONING, CHAPTER 18.89 GENERAL PLAN, SECTION 18.89.100 MAJOR AMENDMENTS TO THE GENERAL PLAN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town Council has determined it is in the best interest of the Town to revise the Town Code regulations regarding major amendments to the general plan in order to streamline economic development opportunities while protecting public health, safety, and welfare; and

WHEREAS, in accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Sahuarita, Arizona, as follows:

Section 1. The Town of Sahuarita Municipal Code is hereby amended by amending Title 18 Zoning, Chapter 18.89 General Plan, Section 18.89.100 Major Amendments to the General Plan as follows (ADDITIONS ARE SHOWN AS ALL CAPS, ~~Deletions are shown as strike-through~~):

18.89.100 Major amendments to the general plan.

A. Major amendments are processed in accordance with the procedure for original adoption of the general plan, per STC 18.89.080. A “major amendment” means a substantial alteration of the municipality’s land use mixture or balance as defined in the general plan (refer to the introduction).

~~B. All applications for major amendments must be considered concurrently by the planning and zoning commission and at the same hearing before the town council.~~

~~1. Applications may be filed with the planning and building department between January 1st and April 30th of each year.~~

~~2. All major amendments to the general plan proposed for adoption by the governing body of a municipality shall be presented at a single public hearing during the calendar year the proposal is made.~~

~~3. Major amendments require the affirmative vote of at least two-thirds of the town council.
[Ord. 2015-098 § 1; Ord. 2011-052 § 2.]~~

B. PUBLIC HEARING AND ADOPTION SHALL BE IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN A.R.S. §9-461.06.

1. THE PLANNING AND ZONING COMMISSION SHALL HOLD TWO OR MORE PUBLIC HEARINGS AT DIFFERENT LOCATIONS WITHIN THE TOWN. ACTION BY THE COMMISSION SHALL BE TRANSMITTED TO THE TOWN COUNCIL. 2. ALL MAJOR AMENDMENTS TO THE GENERAL PLAN SHALL BE PRESENTED TO THE TOWN COUNCIL AT A PUBLIC HEARING HELD WITHIN TWELVE MONTHS AFTER THE PROPOSAL IS MADE.

3. Major amendments require the affirmative vote of at least two-thirds of the town council.

Section 3. The various Town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

Section 4. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference 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 thereof.

Section 6. Violation of this ordinance is subject to Town Code Section 18.95.040 (Penalties and Remedies).

Section 7. This ordinance shall take affect thirty (30) days after its passage by the Town Council.

PASSED AND ADOPTED by the Mayor and Council of the Town of Sahuarita, Arizona, this 24th day of March 2025.

Approved:

Tom Murphy

Mayor Tom Murphy

CERTIFICATION OF RECORDING OFFICER

State of Arizona)
County of Pima) ss.

I, the undersigned, Lisa Cole, MMC, being the duly appointed, qualified Town Clerk of the Town of Sahuarita, Pima County, Arizona, certify that the foregoing Ordinance is a true, correct, and accurate copy of Ordinance No. 2025-181, passed and adopted at a Voting Meeting of the Council of the Town of Sahuarita, Pima County, Arizona, held on the 24th day of March 2025, at which a quorum was present and by 7-0 vote, all voted in favor of the said ordinance.

Given under my hand and sealed this 24th day of March 2025.

SEAL:

Lisa Cole

Lisa Cole, MMC
Town Clerk



APPROVED AS TO FORM:

Jon M. Paladini

Jon Paladini, Town Attorney