

SAHUARITA ORDINANCE NO. 2025-193

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SAHUARITA, PIMA COUNTY, ARIZONA, DECLARING THE DOCUMENT ENTITLED “TOWN OF SAHUARITA AMENDING TITLE 18 ZONING, AMENDING CHAPTER 18.69 SUBDIVISION STANDARDS, SECTIONS 18.69.040 DESIGN STANDARDS, 18.69.060 REVIEW PROCEDURES, AND 18.69.070 ASSURANCE REQUIREMENTS” AS A PUBLIC RECORD; ADOPTING THE “TOWN OF SAHUARITA AMENDING TITLE 18 ZONING, AMENDING CHAPTER 18.69 SUBDIVISION STANDARDS, SECTIONS 18.69.040 DESIGN STANDARDS, 18.69.060 REVIEW PROCEDURES, AND 18.69.070 ASSURANCE REQUIREMENTS” BY REFERENCE; AMENDING TITLE 18 ZONING BY AMENDING CHAPTER 18.69 SUBDIVISION STANDARDS, SECTIONS 18.69.040 DESIGN STANDARDS, 18.69.060 REVIEW PROCEDURES, AND 18.69.070 ASSURANCE REQUIREMENTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Sahuarita has determined it is in the Town’s best interest to revise the Town Code Title 18 Zoning by amending Chapter 18.69 Subdivision Standards, Sections 18.69.040 Design Standards, 18.69.060 Review Procedures, And 18.69.070 Assurance Requirements; and

WHEREAS, that certain document attached hereto as Exhibit A, entitled “TOWN OF SAHUARITA AMENDING TITLE 18 ZONING, AMENDING CHAPTER 18.69 SUBDIVISION STANDARDS, SECTIONS 18.69.040 DESIGN STANDARDS, 18.69.060 REVIEW PROCEDURES, AND 18.69.070 ASSURANCE REQUIREMENTS”, at least three paper copies, or one paper copy and one electronic copy are on file in the office of the Town Clerk for the Town of Sahuarita in compliance with A.R.S. §9-802, is hereby declared to be a public record and said copies are hereby ordered to remain on file with the Town Clerk.

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 before adopting this ordinance.

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

Section 1. The Code of Sahuarita, Arizona, is hereby amended by amending Title 18 Zoning, by amending Chapter 18.69 Subdivision Standards, Sections 18.69.040 Design Standards, 18.69.060 Review Procedures, and 18.69.070 Assurance Requirements to read as set forth in the attached Exhibit A entitled “TOWN OF SAHUARITA AMENDING TITLE 18 ZONING, AMENDING CHAPTER 18.69 SUBDIVISION STANDARDS, SECTIONS 18.69.040 DESIGN STANDARDS, 18.69.060 REVIEW PROCEDURES, AND 18.69.070 ASSURANCE REQUIREMENTS”, which document is hereby adopted and incorporated by reference.

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 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 4. 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 5. As stated in Chapter 18.95, Section 18.95.040 Penalties and remedies, as follows:

A. Penalties.

1. Penalties are determined by ruling of the town magistrate.
2. Each day’s continuance of a zoning violation shall be deemed a separate offense.
3. The maximum penalty for each offense shall be:
 - a. Seven hundred fifty dollars for an individual; or
 - b. Ten thousand dollars for any corporation, association, labor union or other legal entity.

B. Remedies.

1. All remedies provided in this code shall be cumulative and not exclusive.
2. The imposition of penalties on any person under this code shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited structures or improvements and shall not prevent the enforced correction or removal of such violations.
3. If any structure is erected, constructed, reconstructed, altered, maintained, or used, or any land is used, in violation of this code, the town council, the town attorney, the zoning administrator or any

adjacent or neighboring property owner who is specially damaged by the violation may institute injunction, mandamus, abatement or any other appropriate action or proceedings to prevent, abate or remove the violation.

Section 6. Pursuant to A.R.S. § 19-142, this Ordinance shall become operative 30 days after its passage.

PASSED AND ADOPTED by the Mayor and Council of the Town of Sahuarita, Arizona, this 8th day of December, 2025.

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. 2025-193, passed and adopted at a Voting Meeting of the Council of the Town of Sahuarita, Pima County, Arizona, held on the 8th day of December, 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 8th day of December, 2025.

SEAL:



Lisa Cole

Lisa Cole, MMC
Town Clerk

APPROVED AS TO FORM:

Jon M. Paladini

Jon Paladini, Town Attorney

[Exhibit on File at Town of Sahuarita,

Town Clerk's Office, 375 West Sahuarita Center Way, Sahuarita, Arizona 85269]

EXHIBIT A

TOWN OF SAHUARITA AMENDING TITLE 18 ZONING, AMENDING CHAPTER 18.69 SUBDIVISION STANDARDS, SECTIONS 18.69.040 DESIGN STANDARDS, 18.69.060 REVIEW PROCEDURES, AND 18.69.070 ASSURANCE REQUIREMENTS

The Town of Sahuarita Municipal Code Title 18 Zoning, by amending Chapter 18.69 Subdivision Standards, Sections 18.69.040 Design Standards, 18.69.060 Review Procedures, and 18.69.070 Assurance Requirements is hereby amended to read as follows (new text in **ALL CAPS**; deletions in ~~strikethrough~~):

**Chapter 18.69
SUBDIVISION STANDARDS**

* * *

18.69.040 Design standards.

A. Streets.

1. Streets developed within subdivisions serving four or more separate properties shall be designed for acceptance by the town of Sahuarita. ~~Any developer wishing to develop a subdivision with private streets shall be required to obtain written approval from the town council prior to submission of any tentative plat for the subdivision in which private streets are proposed.~~
2. All subdivision streets shall be designed in conformance with the town of Sahuarita subdivision street standards, or as approved by the town engineer and consistent with good engineering practice.
3. The arrangements, character, extent, width, grade, and location of all streets shall conform to the master plan, and with due consideration to their relation to existing and other planned streets, to topographical conditions, to surface drainage in and through the subdivision, to public convenience and safety, and appropriate relation to the proposed uses of the land to be served by such streets.
4. Arrangements and other features of streets shall:
 - a. Provide for appropriate continuation of existing principal streets in surrounding areas where essential for circulation and access to community facilities;
 - b. Conform to a plan for a neighborhood approved or adopted by the town council to meet a particular situation where topographical or other conditions make continuance or conformance to such principal streets impracticable;
 - c. Be so arranged as to discourage through traffic in residential districts, insofar as practicable;

- d. Provide sufficient right-of-way for local service or access streets along major streets and routes, or other treatment to protect residential properties by separation of through and local traffic;
- e. Along a railroad right-of-way or limited access highway right-of-way, provide a parallel street at a distance suitable for the appropriate use of the intervening land, such as for park purposes in residential districts or for commercial or industrial purposes in appropriate locations; such distances also to be determined with due regard for the requirements of approach grades and future grade separations;
- f. Avoid street jogs with centerline offsets of less than 135 feet;
- g. When the centerline of connecting neighborhood streets deflect from each other at any one point by more than 10 degrees, connect the same by a curve with a radius which meets or exceeds the adopted subdivision street standards;
- h. Have intersections as nearly as possible at right angles and in no case at less than 75 degrees, in accordance with the adopted subdivision street standards;
- i. Have property lines at street intersections rounded with a radius of 25 feet, or of a greater radius where necessary, to allow maintenance of sight distance; provided, however, comparable cutoffs or chords may be used instead of rounded corners;
- j. Provide street right-of-way widths in compliance with adopted town of Sahuarita standard street cross-sections or as approved by the town engineer. The town engineer:
 - (1) Shall not require street right-of-way widths greater than those shown on adopted town of Sahuarita standard street cross-sections for the appropriate administrative or functional classification of the highway or street,
 - (2) May reduce street right-of-way width requirements for streets or highways when it is demonstrated that adequate provisions have been made for:
 - (a) Traffic capacity,
 - (b) Utility accommodation,
 - (c) Off-street parking,
 - (d) Pedestrian safety,
 - (e) Drainage, and
 - (f) The highway or street is not included in or identified on any major transportation corridor plan and would not be included in any such plan in the future;
- k. Avoid half streets, except where essential to the reasonable development of the subdivision in conformity with these standards and where dedication of the other half will

be practicable when the adjoining property is subdivided. Wherever a half street is found adjacent to a tract to be subdivided, the other half shall be platted within such tract;

l. Include no dead-end street that is longer than 600 feet and designed to permanently remain a dead-end street. All dead-end streets must be provided at the closed end with a turnaround area which has a street property line radius of at least 40 feet and returns of the same radius; however, where the terrain is such that it is not practical to serve an area by a loop street or a street from another direction, or where the shape of the parcel of land and adjacent conditions would not permit the reasonable continuation of a street, and where the cul-de-sac will serve no more than 22 lots, and the planning and building department and the town engineer agree that this is the most practical design, a cul-de-sac may be a maximum of:

- (1) Eight hundred feet in R-3;
- (2) Nine hundred feet in R-2;
- (3) One thousand feet in R-1;
- (4) One thousand three hundred twenty feet in SR and SR-2;

m. Names of streets to be consistent with natural alignment and extensions of existing streets; new street names to be used which will not duplicate in whole or in part, or be confused with, existing names.

B. Access to Major Arterial and Collector Highways.

1. Access Streets.

a. Prior to approval of a final plat or development plan ~~by the town council~~, the town engineer shall approve the number and location of intersections of major arterial or collector highways with internal access streets in residential subdivisions and commercial and industrial developments.

b. Individual direct access for residential units fronting on the highway shall not be permitted in single-family detached residential subdivisions. Paved all-weather access to the units shall be provided by internal subdivision streets having a minimum number of intersections with the highway.

c. Multifamily residential subdivisions and commercial and industrial developments shall have no more than two access streets intersecting with a highway.

2. Access Features. Prior to approval of final plats or development plans ~~by the town council~~ for residential subdivisions and commercial and industrial developments adjacent to major arterial and collector highways, the town engineer shall determine the need for and approve the number and location of:

- a. Access of an uncurbed highway;
- b. Curb depressions on a curbed highway;

- c. Median openings on a divided highway;
- d. Center two-way left turn lanes on a highway; and
- e. Other associated access features.

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18.69.060 Review procedures.

A. Preliminary Review.

1. Since agreement on the tentative plat is deemed a step of primary importance in these proceedings, it is strongly recommended that the subdivider review the initial proposal for the subdivision with the DRC in a preapplication meeting prior to preparation of the required tentative plat while the plans for the proposed subdivision are still flexible, it being the purpose of this stage to make available general advice on the purpose and effect of this chapter, the master plan, zoning, and other town and county planning, engineering, drainage, sewerage, water system and similar standards, requirements and plans.
2. It is further recommended that the subdivider also consult with other agencies, utilities, and Pima County regarding site conditions and requirements for development.

B. Tentative Plat Submittal.

1. The subdivider shall submit a tentative plat of the proposed subdivision and other exhibits as required by the planning and building department together with application and fees.
2. Outline of Protective Covenants. A preliminary draft or outline of protective covenants proposed by the subdivider may be submitted as evidence of the proposed character of development.
3. The planning and building department shall accept or reject a submittal for completeness within five working days of submittal and shall provide the applicant notice.

C. Departmental Review of Tentative Plat.

1. The planning and building department shall cause to be transmitted copies of the tentative plat to other departments and agencies involved in the development review process, such as public works and utilities.
2. Comments and recommended conditions will be provided to the applicant within 20 working days of acceptance of the submittal.
3. The applicant will revise the submittal per the comments and recommendations provided.
4. Only when the plan has been approved for compliance with town standards and other agency requirements is it deemed approved.

D. Time Limits.

1. Approval of the tentative plat shall be valid for a period of two years.
2. A one-time 12-month extension may be granted by the planning and zoning director provided:
 - a. The applicant files for the extension prior to the approval becoming void;

b. In the opinion of the director, there is no change in regulation or in conditions within or adjoining the tentative plat area which would warrant a revision; and

c. The applicant shall pay a fee as set forth in Chapter [3.10](#) STC.

3. In no case shall a tentative plat approval exceed a total of three years from the original approval date.

4. If tentative plat approval expires prior to application for final plat approval, the plat shall be resubmitted as a new case and the subdivider shall be required to pay a new fee.

E. Initiation of Grading and Improvements. Upon approval of the tentative plat, the subdivider may proceed with grading or street and utility improvements in accordance with such approval of the tentative plat and approved plans for the grading or improvements.

F. Maintenance.

1. The subdivider, including contractors and any and all agents, shall be responsible for the keeping and maintenance, in a clean and sanitary manner, of all the described platted area.

2. Said maintenance shall include, but not be limited to, the removal from the premises of all debris, rubbish, weeds and dust-producing materials.

G. Final Plat Submittal.

1. Before the sale of any lots in a subdivision, the subdivider shall cause to be prepared a final plat in form for recording as provided in STC [18.69.050](#)(B), and shall submit four copies to the planning and building department.

2. A copy of protective covenants in form for recording shall be submitted with the final plat when the same has been made a condition of the approval of the tentative plat.

H. Final Plat Review and Approval. Procedure for approval of the final plat shall be the same as for approval of the tentative plat; ~~provided, that if the planning and building director finds that final plat conforms to the tentative plat as approved in accord with this chapter, the director shall so certify and transmit the final plat to the town council for final approval and recordation.~~

I. Assurances. As required by STC [18.69.070](#).

J. Final Plat Recordation and Transmittal.

1. Recordation. Upon final approval, the town clerk shall record the approved final plat in the office of the county recorder.

2. Transmittal. The clerk shall provide **RECORDING INFORMATION** ~~a record of the town council action to the following:~~

a. The subdivider;

b. The subdivider's engineer;

- c. The town engineer; and
- d. The planning and building director.

18.69.070 Assurance requirements.

- A. Scope. An agreement, which shall be recorded by the town, for appropriate improvement assurances shall be provided by the developer to assure the installation of all subdivision improvements prior to the recordation of any plat.
- B. Term. Assurances shall specify the date by which the improvements shall be completed.
- C. Beneficiary. The town of Sahuarita shall be named as beneficiary of the assurance.
- D. Exceptions.
 - 1. No assurances shall be required for subdivisions which have had all required improvements completed in accordance with this chapter.
 - 2. The subdivision plat shall have an assurances waiver block indicating that no assurances are required.
- E. Posting of Assurances. The approved forms of assurances are as follows:
 - 1. Cash or certified check;
 - 2. Surety (performance) bonds executed by a company authorized and licensed to do business in the state of Arizona, ensuring the performance of the principal (developer or owner) as required by this chapter;
 - 3. Certificate of deposit, United States Treasury bills, or any security guaranteed by the United States Government, state of Arizona, or any political subdivision thereof;
 - 4. A deposit of money or negotiable bonds, of the kind approved for securing deposits of public monies, with a responsible escrow agent or trust company authorized and licensed to do business in the state of Arizona;
 - 5. An irrevocable letter of credit in favor of the town of Sahuarita from a third-party financial institution authorized and licensed to do business in the state of Arizona;
 - 6. The placement of the title to the subdivision in trust with a third-party escrow agency or trust company authorized and licensed to do business in the state of Arizona along with an agreement between the trustee and the town of Sahuarita that title to any lot or parcel within the subdivision shall not be transferred until all improvements required by these regulations have been installed, accepted by the town of Sahuarita, and written approval for release has been granted by the town of Sahuarita to the escrow agency or trust company holding the property in trust. The agreement shall contain a condition authorizing the town of Sahuarita

to abandon the subdivision and resubdivide the property should the required improvements fail to be installed in compliance with the town of Sahuarita's standard specifications;

7. A trust account in the name of the town of Sahuarita in a bank or trust company authorized and licensed to do business in the state of Arizona. Periodic withdrawals may be made from the trust account for a progressive payment of installation costs by a trustee selected or approved by the town. The amount of such withdrawals shall be based upon progress work estimates and shall be approved by the town engineer and the trustee.

~~F. Town Council's Approval. The approval of the town council shall be endorsed in writing on the plat and shall include specific identification of an approval of the assurances required by these regulations.~~

GF. Substitute Assurances. The town engineer is authorized to execute substitute assurances in a form approved by the town attorney, if the town engineer and planning and building director are satisfied that the substitute assurances protect the town to an extent equal or greater than the original assurances.

HG. Release of Assurances.

1. Requests to release subdivision assurances shall be submitted in writing to the town of Sahuarita for review by the planning and building and public works departments;
2. The full release of assurances shall be processed once improvements have been completed and accepted by the town engineer and the planning and building director after town staff have completed a field inspection.

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