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**ORDINANCE NO. 23-1170**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, REZONING ASSESOR'S PARCEL NUMBER 40825084A LOCATED ON NORTH J AVENUE ONE PARCEL NORTH OF HIGHWAY 80/EAST 16<sup>TH</sup> STREET FROM SINGLE FAMILY RESIDENTIAL 6000 (SFR6) TO GENERAL COMMERCIAL (GC); AND AMENDING THE OFFICIAL ZONING DISTRICT MAP; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.**

**WHEREAS**, Miguel F. Lopez has proposed a Zoning Districts Map Amendment from Single Family Residential 6000 (SFR6) to General Commercial (GC) for Assessor Parcel Number 40825084A located on North J Avenue one parcel north of Highway 80/E. 16<sup>th</sup> Street: and

**WHEREAS**, the appropriate and required Public Hearing was held on July 25, 2023, by the City of Douglas Planning and Zoning Commission and recommended to Mayor and Council that the proposed amendment of the Zoning District Map per file number ZMA-2023-10 be approved; and

**WHEREAS**, the Mayor and Council find that the interests of the city are served by the proposed rezoning petition.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Douglas, Arizona, as follows:

**SECTION 1.** The Property, which is more specifically described in the legal description attached hereto as Exhibit "A", is hereby rezoned from Single Family Residential 6000 (SFR6) to General Commercial (GC).

**SECTION 2.** The Development Services Department shall amend the Zoning Districts Map to reflect this amendment and a copy shall remain on file in the office of the City Clerk of the City of Douglas for examination by the public. Further, these conditions of approval imposed by the City of Douglas Council, as part of ZMA 2023-10 are hereby expressly incorporated into and adopted as part of this Ordinance by reference.

**SECTION 3.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 4. Effective date:** The provisions in this Ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

**SECTION 5. Severability:** If any chapter, section, subsection, sentence, clause or phrase 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 and this Ordinance shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 13<sup>th</sup> day of September 2023.

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Donald C. Huish, Mayor

Attest:

Approval as to form:

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Alma Andrade, City Clerk

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Denis Fitzgibbons, City Attorney