

ORDINANCE NO. 23-1169

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, REZONING PARCEL #41021002B, 6.01-ACRES, LOCATED ALONG THE NORTHERN EXTENT OF NORTH ROGERS AVENUE FROM MOBILE HOME RESIDENTIAL (MHR) TO GENERAL COMMERCIAL (GC); AND AMENDING THE OFFICIAL ZONING DISTRICT MAP; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, Ismael Cortez and the Nanette J. Ames Trust has proposed a Zoning Districts Map Amendment from Mobile Hone Residential (MHR) to General Commercial (GC) for Assessor Parcel Number 41021002B located along the northern extent of North Rogers Avenue; 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-2023-09 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 Mobile Home Residential (MHR) 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 2023-09 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 9th day of August 2023.

Donald C. Huish, Mayor

Attest:

Approval as to form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

Prepared by: Xenia Gonzalez,
Neighborhood Resources & Grants Director