

ORDINANCE NO. 22-1143

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, ADOPTING “2022 AMENDMENTS TO ARTICLE 5 OF THE ZONING REGULATIONS” BY REFERENCE TO AMEND SECTION 510.1, SECTION 510.2, SECTION 510.7, SECTION 510.8, AND SECTION 513.1, RENUMBER AND AMEND SECTION 513.2, SECTION 513.3, AND SECTION 513.4, AND ADD SECTION 513.2, PERMITTED USES, AND SECTION 513.3, PROPERTY DEVELOPMENT STANDARDS, OF THE CITY OF DOUGLAS ZONING REGULATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, the Mayor and Council adopted the Official Zoning Regulations, Rules and Guidelines for the City of Douglas (herein after referred to as “Zoning Regulations”) on June 14, 1995; and

WHEREAS, the proposed amendments to the Zoning Regulations per file numbers ZCA-2022-01 and ZCA-2022-02 are consistent with and implement the goals, objectives, and policies of the adopted City of Douglas General Plan; and

WHEREAS, that certain document known as the “2022 Amendments to Article 5 of the Zoning Regulations” was adopted as a public record by Resolution No. 22-1488 on March 10, 2022; and

WHEREAS, Article VII, Section 14 of the City of Douglas Charter allows the City to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions; and

WHEREAS, on March 8, 2022, and after a public meeting, the City of Douglas Planning and Zoning Commission recommended to Mayor and Council that the proposed amendments to the Zoning Regulations per file numbers ZCA-2022-01 and ZCA-2022-02 be approved; and

WHEREAS, after due notice, a public hearing was held by the Mayor and Council; and

WHEREAS, the Mayor and Council find that the proposed zoning amendments are in the best interests of the City.

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Douglas, Arizona, as follows:

SECTION 1. Pursuant to Article VII, Section 14 of the City of Douglas Charter, that certain document known as “2022 Amendments to Article 5 of the Zoning Regulations” of the City of Douglas Zoning Regulations, electronic copies of which are on file in the office of the City Clerk of the City of Douglas, Arizona, which document was made a public record by Resolution No. 22-1488 of the City of Douglas, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

SECTION 2. Section 510.1, Section 510.2, Section 510.7 and Section 510.8, and Section 513.1 of the City of Douglas Zoning Regulations are amended, and Sections 513.2, 513.3, and 513.4 are amended and renumbered to 513.4, 513.5, and 513.6, respectfully, and 513.2, Permitted Uses, and Section 513.3, Property Development Standards, are hereby added to the City of Douglas Zoning Regulations as set forth in “2022 Amendments to Article 5 of the Zoning Regulations” which was made a public record by Resolution No. 22-1488 of the City of Douglas, Arizona.

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SECTION 3. 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.

SECTION 4. 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 shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

SECTION 5. 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 6. Effective date. The provisions in this Ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

PASSED AND ADOPTED by the Mayor and council of the City of Douglas, Arizona, this 13th day of April, 2022.

Margaret Morales, Mayor Pro Tempore

Attest:

Approved as to Form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

Prepared by:
William Osborne, AICP, City Planner
Nick Cook, City Attorney