

## ARTICLE 1. TITLE, PURPOSE AND INTENT

### Sec. 101. Title.

This Ordinance shall be known and cited as the "Zoning Ordinance of the City of Douglas." The provisions of this Ordinance may be cited as the "City of Douglas Zoning Regulations," or "City of Douglas Zoning Code," or simply "Zoning Code" or "Zoning Regulations."

### Sec. 102. Purpose.

This Ordinance is hereby established approved and adopted by the City Council of Douglas, Arizona, for the purpose of promoting and protecting the public health, safety, ~~morals~~ and general welfare of the citizens of the City of Douglas and to provide for the social, physical and economic advantages resulting from the comprehensive and orderly planned use and conservation of land and constructed resources.

### Sec. 103. Intent.

It is the intent of these regulations to ~~insure~~ensure that future growth and revitalization of existing developed areas in the city occurs in a planned and orderly manner and in accordance with the City of Douglas' ~~Comprehensive~~General Plan. Specifically, it is the intent of these regulations to stabilize and improve property values, provide for a variety of affordable housing types and a variety of commercial spaces and uses in closer proximity to neighborhoods, to secure adequate light and air, to secure safety ~~form~~from fire, panic and other dangers, to lessen or avoid congestion in the streets, increase pedestrian traffic, improve public health, and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public facilities.

~~103.1A.~~ **Declaration.** In its interpretation and application, the provisions of the Ordinance shall be held to be minimum requirements. These regulations shall not annul any permits issued before the effective date of this Ordinance, nor shall they affect the right to continued use of existing property for the purpose used at the effective date of this Ordinance, nor uses prior to amendments of the Ordinance thereto.

## ARTICLE 2. ESTABLISHMENT OF DISTRICTS, ZONING MAP

### Sec. 201. Establishment of zoning districts.

A. **District Types.** For the purposes of these Zoning Regulations, the following types of zoning districts are hereby established:

1. SFR - Single-Family Residence
2. MFR - Multi-Family Residence
3. MHR - Mobile Home Residence

4. NC - Neighborhood Convenience
5. LC - Limited Commercial
6. OP - Office Professional
7. GC - General Commercial
8. IP - Industrial Park
9. LI - Light Industrial
10. HI - Heavy Industrial
11. AA - Airport Airspace Overlay Zone
12. H-P - Historic Preservation Overlay Zone
13. DR - Design Review Overlay Zone
14. MUI – Mixed Use/Infill Development Overlay Zone
15. IC-R – Innovative Community-Residential Overlay Zone
16. IC-C – Innovative Community-Commercial Overlay Zone
17. IC-MU – Innovative Community-Mixed-Use Overlay Zone

**~~201.1B.~~ Conformity to Regulations.** The regulations set forth in this Ordinance for each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of land or structure, except as hereinafter provided:

**~~201.1(a)1.~~** No building, structure, or land shall hereinafter be used or occupied, and no building or structure or part thereof shall hereinafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations hereinafter specified for the district in which it is located.

**~~201.2C.~~ Classification of Annexed Areas.** All territory which may hereafter be annexed to the City of Douglas shall occur in a manner consistent with A.R.S. §§ 9-471 and 9-462.04, or as otherwise required by statute as amended from time to time. ~~initially be zoned into a district which permits no greater intensity of use and/or housing density (units per acre) than was permitted in that territory prior to annexation. If the annexation of such territory does not specifically establish a zoning classification, the territory shall be deemed, upon annexation, to be zoned into the district with the greatest intensity of use and/or housing density. Following annexation, the property may be rezoned following the procedures detailed in Article 13.~~

**~~201.3D.~~ Classification of Vacated Streets.** Whenever a public street or alley is vacated by official action of the City Council, the Zoning districts adjoining each side of such street or alley shall automatically be extended to the center-line thereof, and all land area thus vacated shall then and henceforth be subject to all regulations of the extended districts.

## Sec. 202. Official Zoning Districts Map.

**~~202.1A.~~ Establishment.** The areas and boundaries of zoning districts are hereby established as shown on the Official Zoning Districts Map which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

**202.2B. Identification.** The Official Zoning Districts Map shall be identified by the most recent Ordinance adopted signature of the Mayor, attested by the City Clerk, and bear the seal of the City of Douglas. Regardless of the existence or purported copies of the Official Zoning District Map which may, from time to time, be made or published, which shall be stored in the vault, under the authority of the City Clerk, and shall be the definitive map to determine the current zoning status of land areas, buildings, and other structures in the City.

**202.3C. Changes.** If, in accordance with the provisions of this Ordinance changes are made in district boundaries or in other matters portrayed on the Official Zoning Districts Map, such changes shall be made ~~on to~~ said map promptly thirty (30) days after the amendment has been approved by the City Council, ~~together with an entry signed by the City Clerk certifying to the accuracy and date.~~ No amendment to this Ordinance which involves matter portrayed on the Official Zoning Districts Map shall become effective until after such change and entry have been made on said map. No changes of any nature shall be made on the Official Zoning Districts Map of matter shown thereon except in conformity with the provisions of this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as hereinafter provided in Article 17.14.

**202.4D. Replacement.** In the event that the Official Zoning Districts Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the City Council may, by resolution, adopt a new Official Zoning Districts Map which shall supersede the prior map. The new Official Zoning Districts Map may correct drafting or other errors or omissions in the prior map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof. ~~The new Official Zoning District Map shall be identified by the signature of the Mayor attested by the City Clerk, and bear the seal of the City of Douglas under the following words: "This is to certify that this Official Zoning District Map supersedes and replaces the Official Zoning District Map adopted October 10, 1966 as part of Ordinance No. 350 of the City of Douglas, Arizona."~~

**202.5E. Interpretation.** Where, due to scale, lack of detail, or illegibility of the Official Zoning Districts Map there is an uncertainty, contradiction, or conflict as to the intended location of any district boundary shown thereon, the exact location of such boundary shall be determined by the ~~Board of Adjustments~~ City Planner. The ~~Board of Adjustments~~ City Planner, in reaching ~~its a~~ determination, shall apply the following standards:

- ~~(a)~~ 1. Zoning district boundary lines are intended to follow lot lines, or be parallel or perpendicular thereto, or along the center-lines of streets, alleys or rights-of-way, unless otherwise fixed by dimensions shown on the Official Zoning Districts Map-;
- ~~(b)~~ 2. In subdivided property, or where a zoning district boundary divides a lot, the exact location of such boundary, unless same is indicated by dimensions shown on the Official Zoning Districts Map, shall be determined by use of the map scale shown thereon-; and
- ~~(c)~~ 3. If, after application of foregoing rules, uncertainty still exists as to the exact location of a zoning district boundary, by appeal in a public hearing, the Board of Adjustment shall determine and fix the location of said line in accordance with the purpose and intent of this Ordinance as provided for in Article 17.11.

## ARTICLE 3. GENERAL PROVISIONS