

ORDINANCE NO. 22-1145

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, REZONING THREE PARCELS OF LAND WITHIN THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 24 SOUTH, RANGE 28 EAST FRONTING ON N. LESLIE CANYON RD, LOCATED IN DOUGLAS, ARIZONA, FROM SINGLE-FAMILY RESIDENTIAL 32,000 (SFR32) AND GENERAL COMMERCIAL (GC) TO HEAVY INDUSTRY (HI) AND AMENDING THE OFFICIAL ZONING DISTRICT MAP, ESTABLISHED BY ORDINANCE 691 AND AMENDED BY ORDINANCE 858.; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, the City has proposed a Zoning Districts Map Amendment from Single-Family Residential 32 (SFR32) and General Commercial (GC) to Heavy Industrial (HI) for three (3) parcels situated within the Northwest ¼ of Section 7, Township 24 South, Range 28 East fronting on N. Leslie Canyon Rd, totaling approximately 4.39 acres (APNs 41013010B, 41013010C, 41013028A) and amending the zoning map accordingly to encourage redevelopment of a long-vacant parcel and suitable buffering parcels with close access to State Highway 80; and

WHEREAS, the General Plan contains policies encouraging industrial development with close access to state highways, with controls for impacts on neighboring properties; and

WHEREAS, after due notice, a public hearing was held on March 8, 2022, the City of Douglas Planning and Zoning Commission recommended to Mayor and Council that the proposed amendment of the Zoning Districts Map per file number ZMA-2022-01 be approved; and

WHEREAS, after due notice, a public hearing was held by the Mayor and Council, and the Mayor and Council find that 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 32000 to Heavy Industry (HI).

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, those conditions of approval imposed by the City of Douglas Council, as part of ZON 2022-01 are hereby expressly incorporated into and adopted as part of this Ordinance by this reference.

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.

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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