

ORDINANCE NO. 24-1186

1 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF
2 DOUGLAS, COCHISE COUNTY, ARIZONA, REZONING FOURTEEN
3 PARCELS OF LAND LOCATED WITHIN APPLEWHITE DRIVE
4 ALONG BOTH SIDES OF ROGERS AVENUE FROM MOBILE HOME
5 RESIDENCE (MHR) AND GENERAL COMMERCIAL (GC) TO
6 INNOVATIVE COMMUNITY-RESIDENTIAL (IC-R) AND
7 INNOVATIVE COMMUNITY-MIXED-USE (IC-MU) IN THE CITY OF
8 DOUGLAS, ARIZONA; AND AMENDING THE OFFICIAL ZONING
9 DISTRICT MAP; ESTABLISHING SEVERABILITY OF COMPONENTS
10 OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE
11 THEREOF.

12 **WHEREAS**, the City of Douglas Mayor and Council previously adopted the Mixed Use/Infill Development Overlay
13 Zone (MUI), the Innovative Community-Residential Overlay Zone (IC-R), the Innovative Community-Commercial
14 Overlay Zone (IC-C), and the Innovative Community-Mixed Use Overlay Zone (IC-MU) districts to bring properties
15 into compliance with the City of Douglas Zoning Code and allow for growth and development within the City of
16 Douglas;

17 **WHEREAS**, the appropriate and required Public Hearing was held on February 13, 2024, by the City of Douglas
18 Planning and Zoning Commission and recommended to Mayor and Council that the proposed amendment of the
19 Zoning District Map per file number ZMA-2023-14 be approved to permit the current uses of the subject properties
20 and to facilitate consistent growth and development within the City of Douglas; and

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

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

23 **SECTION 1.** The Property, which is specifically described by the Assessor Parcel Number, address and the legal
24 description attached hereto as Exhibit "A", is hereby rezoned to be included in the overlay zoning district status as
25 identified in Exhibit "A."

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 for public examination. Further, these
conditions of approval imposed by the City of Douglas Council, as part of ZMA 2023-14; Rezoning fourteen parcels
of land located within the West ½ of the Northwest ¼ of the Southeast ¼ of Section 8, Township 24 South, Range
28 East North of Applewhite Drive along both sides of Rogers Avenue from Mobile Home Residence (MHR) and
General Commercial (GC) to Innovative Community-Residential (IC-R) and Innovative Community-Mixed-Use
(IC-MU) in the City of Douglas, Arizona, 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 10th day of April 2024.

Donald C. Huish, Mayor

Attest:

Approval as to form:

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Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

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Prepared by:
Nick Cook, City Attorney

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