

ORDINANCE NO. 23-1162

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, REZONING FOUR PARCELS OF LAND WITHIN THE OVERLOCK ADDITION, BLOCK 16, LOTS 6 THROUGH 9, FROM MOBILE HOME RESIDENCE (MHR) TO SINGLE-FAMILY RESIDENTIAL 6000 (SFR6); AND AMENDING THE OFFICIAL ZONING DISTRICT MAP; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, Michael A. Moreno has proposed a Zoning Districts Map Amendment from Mobile Home Residence (MHR) to Single-Family Residential 6000 (SFR6) for four (4) parcels situated within the Overlock Addition Block 16, Lots 6 through 9, Assessor Parcel Numbers 41016100A, 41016100B, 41016100C, and 41016100D;

WHEREAS, the appropriate and required Public Hearing was held on March 21, 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 2023-08 be approved; and

WHEREAS, after due notice, a public hearing is scheduled for April 12, 2023 by the Mayor and Council, and 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 as Lots 6-9, Block 16 of the Overlock Addition, is hereby rezoned from Mobile Home Residence (MHR) to Single-Family Residential 6000 (SFR6).

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 2023-08 are hereby expressly incorporated into and adopted as part of this Ordinance by this 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 May 2023.

Donald C. Huish, Mayor

Attest:

Approval as to form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

Prepared by: Nick Cook, City Attorney