

ORDINANCE NO. 22-1144

1 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE  
2 CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA,  
3 REZONING FIVE PARCELS OF LAND COMPRISING LOTS  
4 14 THROUGH 26, THE NORTH-HALF OF BLOCK 30 OF THE  
5 FOOTHILLS ADDITION TO THE CITY OF DOUGLAS,  
6 NUMBERED 41032119B, 41032120B, 41032120C, 41032120D,  
7 41032121, LOCATED TO IN DOUGLAS, ARIZONA, FROM  
8 SINGLE-FAMILY RESIDENTIAL 8000 (SFR8) TO SINGLE-  
FAMILY RESIDENTIAL 6000 (SFR6) 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.

9 **WHEREAS**, the City of Douglas has provided regulations for development of residential use to allow for an  
10 increase in a diversity of housing supply to host a growing population while maintaining attractiveness of  
11 neighborhoods; and

12 **WHEREAS**, the City owns Assessor Parcel Number 41032121 and has initiated a bid process for selling  
13 that parcel; and

14 **WHEREAS**, the four (4) parcels numbered 41032119B, 41032120B, 41032120C, 41032120D were  
15 created through subdivision and due to a staff interpretation error, a seventy-five (75) foot minimum lot  
16 width standard was waived to allow lot frontages of just over fifty (50) feet, since the minimum lot sizes  
17 had been well-exceeded; and

18 **WHEREAS**, each of the four (4) parcels is non-conforming within the Single-Family Residential 8000  
19 (SFR8) Zoning District, but would be fully conforming within a Single-Family Residential 6000 (SFR6)  
20 Zoning District;

21 **WHEREAS**, the rezoning of the City property is consistent with the development pattern of the existing  
22 single-family residential homes constructed between January 2017 and May 2020 would be consistent  
23 with the General Plan; and

24 **WHEREAS**, after due notice and public hearing on March 8, 2022, the City of Douglas Planning and  
25 Zoning Commission affirmatively recommended the rezoning petition; and

**WHEREAS**, after due notice, a public hearing was held by the Mayor and Council, and the Mayor and  
Council finds that the interests of the City are served by the proposed rezoning petition; and

**WHEREAS**, the proposed rezoning is reasonably designed in context with the to prevent the proposed  
use from negatively effecting nearby single-family residential and multi-family residential zoned  
properties.

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

**SECTION 1.** The zoning designation of that certain properly legally described in Exhibit "A" attached hereto, is hereby changed from its current designation of Single-Family Residential Classification 8 (SFR8) to Single Family Residential Classification 6 (SFR6).

1 **SECTION 2.** The Development Services Department shall amend the Zoning Districts Map to reflect this  
2 amendment and a copy shall remain on file in the office of the City Clerk of the City of Douglas for  
3 examination by the public. to reflect this zoning change. Further, those conditions of approval imposed by  
the City of Douglas Council, as part of ~~ZMA-ON~~ 2022-012 are hereby expressly incorporated into and  
adopted as part of this Ordinance by this reference.

4 **SECTION 3.** If any chapter, section, subsection, sentence, clause or phrase of this Ordinance is for any  
5 reason held to be invalid of unconstitutional by the decisional of any court of competent jurisdiction, such  
decision shall not affect the validity of the remaining portions of this Ordinance.

6 **SECTION 4.** Severability: If any chapter, section, subsection, sentence, clause or phrase of this Ordinance  
7 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.

8 **SECTION 5.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance  
9 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.

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

12 **PASSED AND ADOPTED** by the Mayor and council of the City of Douglas, Arizona, this 13<sup>th</sup> day of April,  
2022.

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Margaret Morales, Mayor Pro Tempore

Attest:

Approved as to Form:

\_\_\_\_\_  
Alma Andrade, City Clerk

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Denis Fitzgibbons, City Attorney

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