

ORDINANCE NO. 22-1145

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

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

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

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

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

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

18 **SECTION 1.** The property, which is more specifically described in the legal description attached hereto as
19 Exhibit "A", is hereby rezoned from Single-Family Residential 32000 to Heavy Industry (HI).

19 **SECTION 2.** The Development Services Department shall amend the Zoning Districts Map to reflect this
20 amendment and a copy shall remain on file in the office of the City Clerk of the City of Douglas for
21 examination by the public. Further, those conditions of approval imposed by the City of Douglas Council, as
22 part of ZON 2022-01 are hereby expressly incorporated into and adopted as part of this Ordinance by this
23 reference.

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

24 **SECTION 4.** Severability: If any chapter, section, subsection, sentence, clause or phrase of this Ordinance
25 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.

1 **SECTION 5.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance
2 shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal
3 any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

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

6 **PASSED AND ADOPTED** by the Mayor and council of the City of Douglas, Arizona, this 13th day of April,
7 2022.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
Attest: _____
Margaret Morales, Mayor Pro Tempore
Approved as to Form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

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