

ORDINANCE NO. 20-1127

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, PARTIALLY REASSIGNING DUTIES OF THE BOARD OF ADJUSTMENTS TO THE PLANNING AND ZONING COMMISSION BY AMENDING ORDINANCE NO. 352, 659 702, 04-862, AND 14-1034 AS TO ARTICLE 11 OF THE ZONING REGULATIONS AND AMENDING ORDINANCE 700 AND 35-881 AS TO ARTICLE 3 OF THE ZONING REGULATIONS; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, the Mayor and Council adopted the Official Zoning Regulations, Rules and Guidelines for the City of Douglas (herein after referred to as "Zoning Regulations") on June 14, 1995; and

WHEREAS, on September 16, 2020, and after a public hearing, the City of Douglas Planning and Zoning Commission voted unanimously to recommend to Mayor and Council that the proposed amendments to the Zoning Regulations be approved.

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

SECTION 1. This ordinance is designed to consolidate approvals of Conditional Use Permits as part of the authority of the Planning and Zoning Commission, and away from the Board of Adjustments. All other ordinances or portion of ordinances in conflict with or inconsistent with this ordinance are hereby repealed and rescinded to the extent necessary to give this amending Ordinance full force and effect.

SECTION 2. The City of Douglas Zoning Regulations are hereby amended reflecting language additions as shown in colored print, and language deletions shown in strikeout format, as noted on the attached Exhibit "A", incorporated and collaterally functional by reference herein.

SECTION 3. Amending the City of Douglas Zoning Regulations by deleting Sections 1103.2, 1103.21 and 1103.22, of Article 11.

SECTION 4. Amending the City of Douglas Zoning Regulations by replacing all references to the Board or Board of Adjustments in Sections 310.1 through 310.5, of Article 3 with Commission or Planning and Zoning Commission, respectively.

SECTION 5. Amending the City of Douglas Zoning Regulations by creating new 310.5 through 310.7, in Article 3.

1 **SECTION 6.** Severability: If any chapter, section, subsection, sentence, clause or phrase of
2 this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any
3 court of competent jurisdiction, such decision shall not affect the validity of the remaining
4 portions of this Ordinance and shall continue in full force and effect after the deletion of the
5 illegal or unconstitutional provision.

6 **SECTION 7.** Effective date. The provisions in this Ordinance shall be effective thirty (30)
7 days after final approval and adoption by the Mayor and Council.

8 **PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this
9 10th day of February, 2021.

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11 Donald C. Huish, Mayor

12 Attest:

13 Approved as to Form:

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15 Alma Andrade, City Clerk

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17 Donna Aversa, Acting City Attorney