

ORDINANCE O-24-13

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, REPEALING ORDINANCE O-09-03 AND ABOLISHING THE STREETS AND INFRASTRUCTURE COMMITTEE; AMENDING THE ZONING CODE, ARTICLE 2 OFFICIALS, BOARDS AND COMMISSIONS, SECTION 2.3 PLANNING AND ZONING COMMISSION, SUBSECTION 2.3.2 POWERS AND DUTIES, ADDING A NEW SUBSECTION G PROVIDING FOR ADDITIONAL DUTIES; PROVIDING A HOUSING IMPACT STATEMENT FOR THE ZONING CODE TEXT AMENDMENT; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY.

WHEREAS, Section 5.01 of the City of Bisbee Charter authorizes the Mayor and Council to create or abolish boards, commissions, or committees; and,

WHEREAS, Ordinance O-09-03 established a Streets and Infrastructure Committee to make recommendations to the Council regarding construction and repairs to the City's streets and public infrastructure; and,

WHEREAS, the purposes for the Streets and Infrastructure Committee have largely been accomplished and any remaining needs can be addressed through the Planning and Zoning Commission; and,

WHEREAS, it is in the best interests of the City of Bisbee and its citizens to abolish the Streets and Infrastructure Committee and amend the duties of the Planning and Zoning Commission; and,

WHEREAS, the City has considered the impact this Zoning Code text amendment may have on housing.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, THAT:

Section 1. In General.

The Streets and Infrastructure Committee established under Ordinance O-09-03 is hereby abolished and Ordinance O-09-03 is hereby repealed in its entirety.

The City of Bisbee Zoning Code, Article 2 Officials, Boards and Commissions, Section 2.3 Planning and Zoning Commission, Subsection 2.3.2 Powers and Duties, is hereby amended by adding a new subsection "G" with additions in all CAPS as set forth below:

ARTICLE 2 OFFICIALS, BOARDS AND COMMISSIONS

2.3 Planning and Zoning Commission

...

2.3.2 Powers and Duties

...

G. HEAR AND CONSIDER COMMUNITY INPUT ON MATTERS CONCERNING THE CITY'S PUBLIC INFRASTRUCTURE, TO INCLUDE STREETS, ROADWAYS, RIGHTS-OF-WAY, BRIDGES, STAIRS AND RETAINING WALLS. RECOMMENDATIONS REGARDING THESE MATTERS WILL BE FORWARDED TO THE PUBLIC WORKS DEPARTMENT AND IF NECESSARY TO THE CITY COUNCIL.

Section 2. Housing Impact Statement.

The City has considered the impact this Zoning Code text amendment may have on housing as provided for in the attached Zoning Housing Impact Form, attached hereto as Exhibit A and incorporated herein.

Section 3. Providing for Repeal of Conflicting Ordinances.

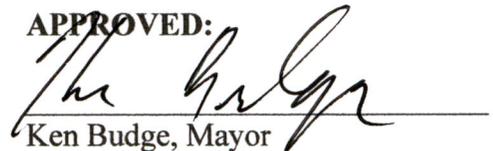
All ordinances and parts of ordinances in conflict with this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 4. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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 thereof.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 2nd day of April, 2024.

APPROVED:


Ken Budge, Mayor

ATTEST:


Ashlee Coronado, City Clerk

APPROVED AS TO FORM:


Joseph D. Estes, City Attorney

EXHIBIT "A"

A.R.S. § 9-462.01 HOUSING IMPACT STATEMENT

Ordinance No. 24-13

General estimate of the ordinance's probable impact on the average cost to construct housing for sale or rent.

Because the proposed language amending the duties of the Planning and Zoning Commission does not impact housing for sale or rent, and the proposed language does not add residential uses to the permitted uses, there is no probable impact on the average cost to construct housing for sale or rent as a result of this zoning code text amendment.

Describe any data or reference material on which the ordinance is based.

The City conducted its own internal review and determination on the assigned duties of the Planning and Zoning Commission.

Describe any less costly or less restrictive alternative methods of achieving the ordinance's purpose.

None.