

ORDINANCE O-24-21

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, AMENDING THE ZONING CODE OF THE CITY OF BISBEE, BY AMENDING ARTICLE 3 “PROCEDURES”, SECTION 3.5 “ARCHITECTURAL DESIGN REVIEW FOR HISTORIC PRESERVATION (HP) OVERLAY DISTRICT” SUBSECTION 3.5.2 “REVIEW REQUIREMENTS AND PROCEDURES” RELATING TO REVIEW REQUIREMENTS, EXTENSIONS AND FEES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Bisbee (“City”) Zoning Code serves to secure the social, physical, and economic advantages of the citizens of Bisbee; and,

WHEREAS, the City’s Planning and Zoning Commission develop and recommend ordinances to the City Council for carrying out plans, goals, and objectives related to growth, development, and redevelopment of the City; and,

WHEREAS, on October 17, 2024, the City of Bisbee Planning and Zoning Commission held a public hearing to consider the proposed amendment and voted unanimously to recommend the proposed amendment to Mayor and Council for approval; and,

WHEREAS, on all required public notice was provided, and all required public meetings and hearings were held, in accordance with applicable state and local laws; and,

WHEREAS, 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; and,

WHEREAS, it is in the best interest of the City and its citizens to adopt the amendment to Zoning Code, Article 3 Procedures, Section 3.5 Architectural Design Review for Historic Preservation (HP) Overlay District, Subsection 3.5.2 Review Requirements and Procedures.

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

Section 1. The City of Bisbee Zoning Code, Article 3 Procedures, Section 3.5 Architectural Design Review for Historic Preservation (HP) Overlay District, Subsection 3.5.2 Review Requirements and Procedures is hereby amended with all the additions in all CAPS and deletions in strikethrough as set forth below:

ARTICLE 3 PROCEDURES
SECTION 3.5 ARCHITECTURAL DESIGN REVIEW FOR HISTORIC PRESERVATION (HP) OVERLAY DISTRICT

SUBSECTION 3.5.2 REVIEW REQUIREMENTS AND PROCEDURES

...

- C. Prior to the issuance of a building permit for any improvements within the District, the Building Official shall determine that the Design Review Board has approved plans, as required herein, which are in substantial conformance to those presented with the building permit application. A building permit must be applied for with 6 MONTHS UNLESS IT IS FOR NEW CONSTRUCTION THEN A BUILDING PERMIT MUST BE APPLIED FOR WITHIN 1 YEAR of approval by the Design Review Board, or otherwise, the applicant must resubmit to the Design Review Board. An application form showing the action taken BY THE DESIGN REVIEW BOARD will be kept in the Building Inspection files and a copy will be given to the applicant.
- D. AN EXTENSION OF A DESIGN REVIEW BOARD APPLICATION SHOULD BE REQUESTED PRIOR TO THE EXPIRATION OF THE APPROVAL PERIOD. A ONE (1) TIME EXTENSION MAY BE GRANTED FOR A PERIOD OF THREE (3) MONTHS FOR A FEE (SEE FEE SCHEDULE).
- E. A FEE WILL BE CHARGED FOR ANY AMENDMENTS TO AN ALREADY APPROVED DESIGN REIVEW BOARD APPLICATION (SEE FEE SCHEDULE).

...

Section 2. Providing For Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Zoning Code adopted herein by reference, are hereby repealed.

Section 3. Providing For Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Zoning 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.

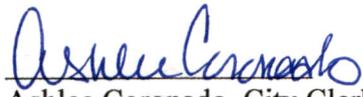
PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 19th day of November, 2024.

APPROVED:

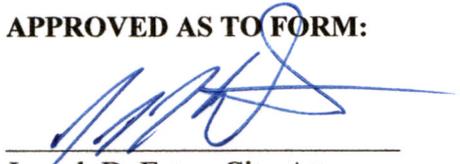


Ken Budge, Mayor

ATTEST:


Ashlee Coronado, City Clerk

APPROVED AS TO FORM:



Joseph D. Estes, City Attorney
Pierce Coleman

EXHIBIT "A"

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

Ordinance No. 24-21

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

The proposed language to the Review Requirements and Procedures does not 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.

None for the change in time frame for applying for a building permit.

Regarding charging for fees for extensions / amendments

Town of Jerome Fee Schedule

Town of Sullivan's Island South Carolina Fees

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

None.