

ORDINANCE O-22-18

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, AMENDING ZONING CODE ARTICLE 6 - GENERAL PROVISIONS, SECTION 6.3 - ADDITIONAL AREA REGULATIONS, SUBSECTION 6.3.1(D) - ACCESSORY BUILDINGS BY CHANGING THE MINIMUM SETBACK FOR OUTBUILDINGS FROM THREE (3) TO FIVE (5) FEET; 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 develops and recommends ordinances to the City Council for carrying out plans, goals, and objectives related to growth, development, and redevelopment of the City; and

WHEREAS, in order to preserve the unique beauty of the City and encourage growth, the Planning and Zoning Commission approved the recommendation of a proposed amendment to Zoning Code Subsection 6.3.1(D), by changing the minimum setback requirements for outbuildings from three (3) feet to five (5) feet; and

WHEREAS, it is in the best interests of the City and its citizens to adopt the amendment to Zoning Code Subsection 6.3.1(D) - Accessory Buildings.

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 6 - General Provisions, Section 6.3 - Additional Area Regulations, Subsection 6.3.1(D) - Accessory Buildings, is hereby amended as follows, with additions in all capital letters and deletions in ~~strikeout~~:

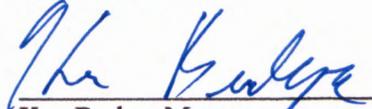
6.3.1(D) Accessory buildings shall not be constructed closer than ~~three (3)~~ FIVE (5) feet to the side or rear lot line. Private garages and carports shall not be constructed closer to the front lot line than the distance that is required for the front setback of the principal structure on that lot.

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conflict with the provisions of this Ordinance or any part of the Zoning Code adopted herein by reference, are hereby repealed.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 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.

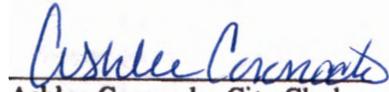
PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 15th day of November, 2022.

APPROVED:



Ken Budge, Mayor

ATTEST:



Ashlee Coronado, City Clerk

APPROVED AS TO FORM:



Joseph Estes, City Attorney