



CITY OF SOUTH TUCSON ORDINANCE NO: 23-02

ORDINANCE NO. 23-02 OF THE CITY OF SOUTH TUCSON, ARIZONA RELATING TO ZONING; REZONING PROPERTY (PARCEL CODE 119-02-0130) IN CASE P&Z 23-01 EN FUEGO CONSTRUCTION REZONING OF APPROXIMATELY 2.6 ACRES FROM SB-2A (LOCAL BUSINESS DISTRICT) TO SB-2 (BUSINESS DISTRICT), AMENDING THE SOUTH TUCSON ZONING MAP

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA:

Section 1: The 2.6 acres located between East 36th Street on the North, South 4th Avenue to the East, East 37th Street to the South, and South 5th Avenue to the West, parcel code 119-02-0130, which amends the South Tucson Zoning Map is hereby rezoned from SB-2A (Local Business District) to SB-2 (Business District).

Section 2. Rezoning Conditions.

1. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, Chapter 8, Article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Section 3. In accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance.

Section 4. This Ordinance is effective 30 days after its adoption by the Mayor and Council of the City of South Tucson, Arizona.

PASSED AND ADOPTED by the Mayor and Council of the City of South Tucson, Arizona this 5TH, day of September 2023.

APPROVED/EXECUTED


MAYOR, PAUL DIAZ

ATTEST:


CITY CLERK, VERONICA MORENO

APPROVED AS TO FORM:

REVIEWED BY:


CITY ATTORNEY, PIERCE COLEMAN LAW FIRM


CITY MANAGER, VERONICA MORENO