



OFFICE OF THE
MAYOR
CITY OF SOMERTON

Ordinance

No. 2018-001

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL, AMENDING PORTIONS PERTAINING TO SECTION 4.4 (OPEN SPACE, LANDSCAPE AND WALLS) OF THE 2015 SOMERTON ZONING ORDINANCE; AND SEVERABILITY.

WHEREAS, the City of Somerton City Council adopted Ordinance No. 2015-002, CITY OF SOMERTON ZONING AND SUBDIVISION ORDINANCE, on March 3, 2015; and,

WHEREAS, the City Council may from time to time consider changes to the Somerton Zoning Code to correct scrivener's errors and omissions and to maintain it more up to date.

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

SECTION ONE: That the Somerton City Code, Article 2-7-1, SOMERTON ZONING ORDINANCE, Table 4.4-1 Required Open Space Areas is hereby amended by Adding Footnote 1 next to "Minimum percentage of net project/lot area to be open space" and remove Footnote 4; Changing under Residential (R-1, R-2, R-3, MH/RV) Land Use Types, the percentage of required open space from 20% to 5% and add Footnote (4) next to the new percentage; Changing under Commercial (C-1, and C-2) Land Use Types, the percentage of required open space from 15% to 5% and add Footnote (5) next to the new percentage; Changing under Industrial (L-I, and H-I) Land Use Types, the percentage of required open space from 10% to 5% and adding Footnote (5) next to the new percentage.

SECTION TWO: That the Somerton City Code, Article 2-7-1, SOMERTON ZONING ORDINANCE Table 4.4-1 Required Open Space Areas Footnote One (1), is hereby amended by Remove the wording of this footnote in its entirety and replace with "Drainage facilities and Pathway improvements that are required as part of this Code or the Subdivision Ordinance shall be met regardless of minimum open space requirements"

SECTION THREE: That the Somerton City Code, Article 2-7-1, SOMERTON ZONING ORDINANCE Table 4.4-1 Required Open Space Areas Footnote Four (4), is hereby amended by removing the wording of this footnote in its entirety and replace with "New residential development adjacent to sections of pathway required in the Pathway Masterplan shall abide with requirements in Footnote 1 above. New residential development not adjacent to sections of Pathways shall be required to provide the drainage requirement and the 5% of open space required in this table."

SECTION FOUR: That the Somerton City Code, Article 2-7-1, SOMERTON ZONING ORDINANCE Table 4.4-1 Required Open Space Areas Footnote Five (5), is hereby amended by adding a new Footnote (5) to read: "Commercial and Industrial developments shall meet all Development Design Standards in Section 4 (General Development Regulations) of this Code."

SECTION FIVE: That the Somerton City Code, Article 2-7-1, SOMERTON ZONING ORDINANCE Section 4.4-2. C.3 Usable Open Space, is hereby amended by removing this section in its entirety.

SECTION SIX: That the Somerton City Code, Article 2-7-1, SOMERTON ZONING ORDINANCE Table 4.4-2 Required Usable Open Space Areas, is hereby amended by removing this table in its entirety and replace it with a revised table 4.4-2 Qualified Open Space.

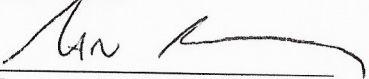
SECTION SEVEN: That the Somerton City Code, Article 2-7-1, SOMERTON ZONING ORDINANCE Table 4.4-2 Qualified Usable Open Space Areas, is hereby amended by removing this table in its entirety.

SECTION EIGHT: That all amendments described in Sections One through Seven above are set forth in their entirety in that public record entitled "SOMERTON ZONING AND SUBDIVISION ORDINANCE" and are incorporated by reference in their entirety in this Ordinance as adopted by Resolution No. 2015-004.

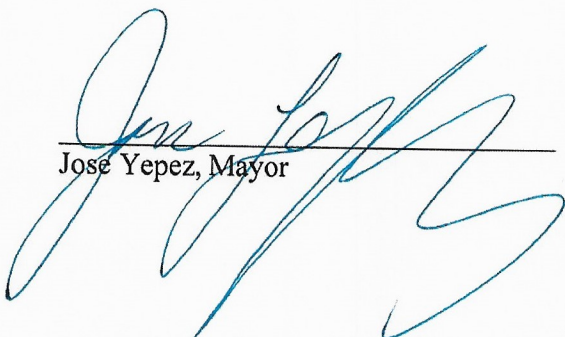
SECTION NINE for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall **not** affect the validity of the remaining portions thereof.

PASSED AND ORDAINED by Mayor and Council of the City of Somerton Arizona
this 15th day of May 2018.

ATTEST:

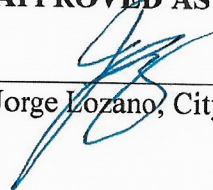


Ian McGaughey, City Manager



Jose Yepez, Mayor

APPROVED AS TO FORM:



Jorge Lozano, City Attorney