



# *Ordinance*

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

## **ORDINANCE NO. 236**

AN ORDINANCE OF THE CITY OF SAN LUIS, ARIZONA  
AMENDING ORDINANCE NO. 13, AS AMENDED, AND THE  
ZONING CODE OF THE CITY OF SAN LUIS TO REGULATE  
LARGE RETAIL ESTABLISHMENTS, REPEALING ANY  
CONFLICTING PROVISIONS, PROVIDING FOR SEVERABILITY,  
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Mayor and Council of the City of San Luis, Arizona, as follows:

Section 1: Article 2, Section 201.00 of the San Luis Zoning Code is hereby amended to add the following definition:

LARGE RETAIL ESTABLISHMENT shall mean a retail establishment (store) with any commercial retail uses or combination of such commercial retail uses comprised of greater than 25,000 square feet and less than 50,000 square feet of gross floor area. The 25,000 square feet of floor area includes gross floor area and ancillary outdoor storage or merchandise display areas. The floor area does not include motor vehicle parking or loading areas. For purpose of determining the applicability of the 25,000 square foot area, the aggregate square footage of all adjacent stores with common check stands, management, a controlling ownership interest, and storage areas, shall be considered one establishment, e.g. a plant nursery associated with a general merchandise area such as a home improvement area.

Section 2: Article 6, Section 611.02 of the San Luis Zoning Code is hereby amended to add to uses permitted in the C-2 district:

“General retail business establishments, except for Large Retail Establishments as defined in Section 201.00, engaged in selling goods or services to the public.”

“Large Retail Establishments as defined in Section 201.00 require a special use permit, and establishments over 50,000 square feet are prohibited.”

Section 3: Article 6, Section 611.03 of the San Luis Zoning Code is hereby amended to add to uses allowed in a C-2 district provided a special use permit is approved by the Planning and Zoning Commission as per Section 403:

“Large Retail Establishments as defined in Section 201.00 (establishments over 50,000 square feet are prohibited.)”

Section 4: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

Section 5: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 6: Whereas, it is necessary for the preservation of the peace, health, safety and welfare of the City of San Luis, Arizona, and for further reason that the best interest of the City require the amendments to go into immediate effect, an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

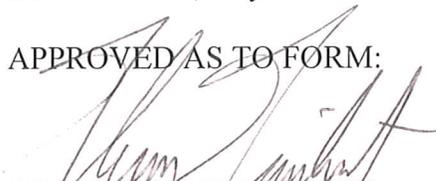
PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 29<sup>th</sup> day of November, 2005.

  
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Nieves Garcia Riedel, Mayor

ATTEST:

  
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Sonia Sanchez, City Clerk

APPROVED AS TO FORM:

  
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Glenn J. Gimbut, City Attorney