

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 7697 (THE NORTH LITTLE ROCK ZONING ORDINANCE); DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of North Little Rock duly adopted Ordinance No. 7697 to regulate zoning in accordance with Ark. Code Ann. § 14-56-416 and has amended the same from time to time (hereafter the “Zoning Ordinance”); and

WHEREAS, amendments to the Zoning Ordinance were duly considered and approved (8 affirmative votes; 1 absent) by the North Little Rock Planning Commission at a regularly scheduled meeting thereof held on May 12, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section 2.2 (Definitions) of the Zoning Ordinance is hereby amended to *add* the following definitions:

Bar, Tavern: An establishment primarily devoted to the serving of alcoholic beverages by the drink to the general public and in which the service of food is only incidental to the consumption of alcoholic beverages on the premises.

Restaurants: An establish in which the principal use is the preparation and sale of food and beverages.

SECTION 2: That Section 16.3 of the Zoning Ordinance is hereby amended as follows:

Section 16.3 – Uses Exclusively Conditional

A. Correctional Facilities.

B. Industrial by Right. Certain public and quasi-public uses due to their nature and impact on adjacent properties shall be permitted by right only in the appropriate industrial zoning district established by this ordinance. These uses may be permitted in other zoning districts by conditional use permit. The uses are:

1. City and County vehicle storage yards for vehicles, maintenance equipment and materials.
2. Utility substation for distribution of services or products or bulk storage.
3. Water or sewer treatment plant or ancillary facilities.

4. Communication, receiving or transmitting facilities other than wireless communication facilities (WCF).
5. ~~Cemeteries and columbaria.~~

C. Cemeteries and columbaria. Due to their nature and impact on adjacent property, cemeteries and columbaria shall require a conditional use permit in any zoning district where proposed other than the permitted O-1 zone.

Editor's note: Deleted text denoted by ~~strike through~~; added text by underline.

SECTION 3: That Article Twenty-One – Table of Permitted Uses of the Zoning Ordinance is hereby amended to add designations under certain permitted uses as follows:

Add “C” to Daycare Center under the C-6 zoning category

Add “X” to Athletic Club under the C-3 zoning category

Add a new permitted use category of “Plasma Center”

Add “X” to Plasma Center under the I-2 and I-3 zoning categories

Add a new permitted use category of “Bar, Tavern”

Add “X” to Bar, Tavern under the C-4 thru C-6 and Industrial categories

Amend the permitted use category “Cemetery” and add “Columbarium” to the permitted use category which will then be called “Cemetery, Columbarium”

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 6: It is hereby found and determined that the above amendments to the North Little Rock Zoning Ordinance are necessary in order to properly state uses and maintain consistency; therefore, the passage of this Ordinance is necessary to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

Joe A. Smith
Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:26</u>	A.M.	_____	P.M.
By	<u>City Atty. Carter</u>			
DATE	<u>5-19-15</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>D. Marshall</u>			