

ORDINANCE NO. ____

AN ORDINANCE TO REPEAL PORTIONS OF THE OLD ZONING ORDINANCE (ORDINANCE NO. 7697) AND ALL AMENDMENTS THERETO; ADOPTING A NEW ZONING ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance No. 7697, as amended, regulating the use of real property within North Little Rock has become outdated and difficult to enforce; and

WHEREAS, Ordinance No. 7697 has been amended on numerous occasions, making its compilation and administrative use as a reference increasingly difficult; and

WHEREAS, reasonable and enforceable regulation of zoning provisions benefits public health, safety and welfare, enhances the value of the properties so regulated; and

WHEREAS, the request to repeal and replace Ordinance No. 7697 was duly considered and unanimously approved by an affirmative vote of nine (9) members of the North Little Rock Planning Commission at a regular meeting thereof held on June 9, 2020.

WHEREAS, the City Attorney's office and City staff are working toward revising Article Fourteen (Signs), Article Twenty-Two (Airport Zoning), and Section 19.2 (Sign Board of Adjustment) of the current Zoning Ordinance, but those revisions have not yet been completed and Article Fourteen, Article Twenty-Two and Section 19.2 should not be repealed at this time; and

WHEREAS, Appendices A through E of the current Zoning Ordinance should not be repealed, but should be included as appendices to the new Zoning Ordinance.

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

SECTION 1: Ordinance No. 7697, and subsequent amendments thereto, is hereby repealed, with the following exceptions:

- Article Fourteen (Signs)
- Article Twenty-Two (Airport Zoning)
- Section 19.2 (Sign Board of Adjustment)
- Appendix A (Park Hill Development Overlay District)
- Appendix B (Levy Development Overlay District)
- Appendix C (Traditional Neighborhood Development)
- Appendix D (Smart Code Zoning District)
- Appendix E (River Road Overlay District).

SECTION 2: The City of North Little Rock, Zoning Ordinance, attached hereto and incorporated herein as Exhibit A, is hereby adopted.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4: 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 5: It is hereby found and determined that the adoption of this Ordinance is immediately necessary to insure the proper and orderly growth of the City of North Little Rock, Arkansas, to insure the proper use of real property within the City of North Little Rock, and is 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.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:




Mayor Joe A. Smith *by AF*

Diane Whitbey, City Clerk



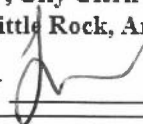
Council Member Steve Baxter *by AF*

APPROVED AS TO FORM:



Amy Beckman Fields

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED	<u>11:15</u>	A.M.	_____	P.M.
By	<u>Amy Fields, CA</u>			
DATE	<u>6/16/20</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY				



Adopted: XXXXX, XX XXXX
Ordinance: XXXX-XX

CITY OF NORTH LITTLE ROCK **ZONING ORDINANCE**

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APPENDIX (see separate document: City of North Little Rock Zoning Ordinance Appendix)

- Appendix A – Park Hill Development Overlay District
- Appendix B – Levy Development Overlay District
- Appendix C – Smart Code Zoning District
- Appendix D – River Road Overlay District

ARTICLE 1: AUTHORITY AND PURPOSE

Section 1.1 - Authority

These regulations are adopted under the authority of Arkansas Code Annotated (A.C.A.) § 14-54-103, General Powers of Cities and Towns; A.C.A § 14-54-104, Additional Powers of Cities of the First Class; and A.C.A Title 14, Chapter 56, Municipal Building and Zoning Regulations – Planning, as amended.

Section 1.2 – General Purpose

These regulations are intended to carry out the goals and intent of the Land Use Plan of the City of North Little Rock and all other adopted plans and policies of the City of North Little Rock.

Specifically, these regulations divide the City into Zoning Districts, which may also be referred to as zones or districts. Within these Zoning Districts, this Ordinance regulates the location, height, bulk, number of stories, and size of buildings; open space; lot coverage; density and distribution of population; and the uses of land, buildings, and structures. It does so in order to achieve the following objectives:

- A. Provide for and protect the general health, safety, and welfare of the City and its residents;
- B. Efficiency and economy in the process of development;
- C. The appropriate and best use of land;
- D. Convenience of traffic and circulation of people and goods;
- E. Safety from fire and other dangers;
- F. Adequate light and air in the use and occupancy of buildings;
- G. Good civic design and arrangement.

Section 1.3 – Establishment of Zoning Districts

The City of North Little Rock is divided into Zoning Districts. The boundaries of each Zoning District shall be as shown on the map entitled North Little Rock Official Zoning Map, which is a part of this Ordinance.

The following rules shall apply in determining the location of Zoning District boundaries:

- A. Boundaries indicated as approximately following the centerline of streets, highways, alleys, railways, or waterways or other natural features shall be construed as following such centerlines.
- B. Boundaries indicated as approximately following section lines, part section lines or city limits shall be construed as following these lines.
- C. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

- D. Boundaries indicated as following shorelines shall be construed to follow the shoreline, and in the event of change in the shoreline shall be construed as moving with the actual shoreline.
- E. Boundaries indicated as parallel to or extensions of features indicated above shall be so construed.
- F. When distances are not specifically indicated on the map, they shall be determined by reference to the description contained in the ordinance adopting them and any accompanying maps used to indicate the intentions of the ordinance. Written dimensions shall take precedence over scaled measurements.
- G. Where the street or property layout existing on the ground differs with that shown on the Official Zoning Map or where, for other reasons uncertainty exists as to the location of a district boundary, the Planning Commission shall interpret the location of the boundary.

Section 1.4 – Territorial Jurisdiction for Zoning

These regulations shall apply to all lands within the corporate limits of the City of North Little Rock and within those areas within the City's Territorial Jurisdiction where zoning has been established, as indicated on the Official Zoning Map of the City of North Little Rock. Authority to zone such areas rests within A.C.A. § 14-56-413, Territorial Jurisdiction.

- A. The Planning Area Boundary is the area both within the City and outside the City limits where development controls are enforced. The boundary can be up to two (2) miles beyond the City limits or, when near another city, a line as agreed to by the two (2) jurisdictions.

As a point of beginning, the boundary is the common city limits line of the City of North Little Rock and the City of Maumelle at the Arkansas River on the W border of the E half of the SE corner of Section 10, T-2-N, R-13-W; thence north along said west line to the NW corner of the E ½ of the SE ¼ of Section 10; thence west along the N border of the SE ¼ to the midpoint of Section 10; thence north along the east border of the NW ¼ 500'; thence west to a point on the western border of the SE ¼ of the NW ¼ of Section 10; thence south along said western border 600' to a point on the northern right-of-way of Crystal Hill Road; thence following the north right-of-way of Crystal Hill Road westerly to a point on the west border of Section 10; thence north along the western border of Section 10, T-2-N, R-13-W, 1300' to a point on the S right-of-way of Maumelle Boulevard; thence easterly along the south right-of-way of Maumelle Boulevard 430' to a point that intersects North Little Rock city limits; thence following the common border of the City of Maumelle and the City of North Little Rock westerly and northerly through Sections 3, 4, and 9, T-2-N, R-13-W, and Section 35, T-3-N, R-13-W; thence following the common border of the City of Maumelle and the City of North Little Rock easterly and southerly through Section 35, T-3-N, R-13-W, and Sections 2, 11, and 12, T-2-N, R-13-W to a point on the SE corner of the NW ¼ of the NW ¼ of Section 12; thence east 660' to a point on the SE corner of the W ½ of the NE ¼ of the NW ¼ of Section 12; thence north 1320' to the northern border of Section 12, T-2-N, R-13-W; thence east along the north section line of Section 12, T-2-N, R-13-W, and Section 7, T-2-N, R-12-W to a point at the NE corner of said Section 7; thence east along the northern section line of Section 12, T-2-N, R-13-W, and Sections 7 and 8, T-2-N, R-12-W, to a point at the NW corner of the NE ¼ of said Section 8; thence south along the NS centerline of Section 8 to the NW corner of the SW ¼ of the NE ¼; thence east to the midpoint of the NE ¼ of Section 8; thence south to the SW corner of the SE ¼ NE ¼ of Section 8; thence east along the EW centerline of Sections 8 and 9, T-2-N, R-12-W, to point at the SE corner SW ¼ NW ¼ of Section 9; thence south to the midpoint of the SW ¼ of Section 9, T-2-N, R-12-W;