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ORDINANCE NO. 0-06-37

AN ORDINANCE DECLARING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS IN RESIDENTIAL ZONED AREAS IN CERTAIN SECTIONS OF OLD CONWAY, CREATING AN AD HOC TASK FORCE OF THE CITY COUNCIL, THE PLANNING COMMISSION, AND THE HISTORIC DISTRICT COMMISSION FOR THE PURPOSES OF CREATING ARCHITECTURAL STANDARDS FOR THE DEVELOPMENT AND CONSTRUCTION OF NEW RESIDENTIAL BUILDINGS IN SUCH AREAS, GRANTING AN ALLOWANCE PROCESS FROM THE MORATORIUM THROUGH PETITION TO THE CITY COUNCIL, AND FOR OTHER PURPOSES.

Whereas, redevelopment and residential construction is occurring across an area general called Old Conway in a fashion that incongruent with the architectural styles and standards typical to residential construction at the time of the original development of these areas of the city, and

Whereas, such residential redevelopment can alter the character and look of the Old Conway residential neighborhoods, and

Whereas, The character and look of Old Conway's residential neighborhoods is considered a community asset and neighborhood amenity regardless of whether the neighborhood designated as part of the Robinson Historic District or not, and

Whereas, community developed styles and standards are needed to preserve and protect the character and look of these neighborhoods and a Task Force needs to be created and charged in the development of those standards through a community process involving public and professional input, and

Whereas, the Old Conway residential neighborhoods needs protections now until such standards are developed

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY ARKANSAS THAT

Section 1. A moratorium is declared until further notice on all new buildings permits on residentially zoned properties within the following areas:

All properties inside an area described by the following boundaries and all properties abutting the streets and/or easements described as such boundaries unless specifically excepted:

Area One:

Robins Street west from the Union Pacific Railroad Tracks to Donaghey Avenue, hence northward to Bruce Street, hence westward to Western Avenue, hence northward to Weems Street providing for straight line connections between the centerlines of the various disconnected sections of Western Avenue, hence eastward to Donaghey Avenue, hence northward to Hairston Avenue, hence eastward to the railroad tracks, hence southward along the railroad right of way to the point of origin, but excluding any property abutting the eastern side of the railroad right-of way.

(3)
City of Conway

Area Two:

Winfield Street west from Harkrider Street to Clifton Street via the Washington Roundabout and Tyler Street, hence northward to Fleming Street, hence eastward to Harkrider Street, hence southward along the Harkrider Street right-of way to the point of origin excluding any property abutting the eastern side of Harkrider Street.

- Section 2.** An Ad Hoc Task Force consisting of two city council members, three planning commission members, and two Historic District Commissioners chosen respectively by each group is created and charged with the development of architecturally and historically relevant standards for residential development in the designated areas through study and public hearings to be submitted for approval of the City Council through the use a Historic Design Overlay Ordinance.
- Section 3.** Landowners in the designated areas may petition the city council under the same procedures used for Parking Lot variances to be granted a building permit during the moratorium period. This allowance is not to be used to evade any future standards being developed but should be used as a hardship for the construction of residential properties which are, in the best judgment of the city council, architecturally and historically relevant in the location submitted. Architectural drawings or house plans will be required to be submitted with such an Allowance application. A two-thirds majority of the council is required for the approval of the Allowance
- Section 4.** That any ordinances in conflict with this ordinance is hereby repealed to the extent of that conflict.
- Section 5.** That this ordinance is necessary for the protection of the public peace, health and safety, and therefore, an emergency is declared, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 28th day of March, 2006

APPROVED:

ATTEST:


Mayor Tab Townsell


Michael O. Garrett
City Clerk/Treasurer