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**City of Conway, Arkansas**

**Ordinance No. O-09-43**

**AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE TO ALLOW RESTRICTED OFFICE IN RESIDENTIAL ZONES BY CONDITIONAL USE PERMIT, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES:**

**WHEREAS**, the City of Conway wishes to allow the conversion of older residential structures no longer useful, serviceable, or desirable in present use to office use,

**WHEREAS**, the City of Conway wishes that such offices have minimal to no negative impact on residential areas, parking and heights will be designed for compatibility with any residential area adjacent to it:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:**

**SECTION 1.** That ARTICLE 301, SECTION 301.2 – DEFINITIONS of the Conway Zoning Ordinance as adopted by Ordinance O-94-54, September 27, 1994 is hereby amended to add the following language:

**Office, Restricted:** A residential structure or new structure compatible in scale with a residential area available for the transaction of general business but excluding retail, artisan, and manufacturing uses. Activity is limited to administrative, executive, general, professional, and medical office uses that will not generate significant amounts of traffic. See Section 601.27 for required conditions.

**SECTION 2.** That ARTICLE 401 SECTION 401.4 – RESIDENTIAL DISTRICTS – USE REGULATIONS 1. PERMITTED USES of the Conway Zoning Ordinance as adopted by Ordinance O-94-54 on September 27, 1994 is hereby amended to add the following language:

USES (PERMITTED – X) (CONDITIONAL – C)	ZONING DISTRICTS								
	R-1	R-2A	R-2	SR	MF-1	MF-2	MF-3	RMH	HR
<b>3. OTHER USES</b>									
▪ <b>Office, Restricted</b>	C	C	C	C	C	C	C	C	C

\*See Article 601 Special Provisions Conditions Applying to Uses.

**SECTION 3.** That ARTICLE 601 SPECIAL PROVISIONS, SECTION 601.27 – OFFICE AS CONDITIONAL USE IN RESIDENTIAL DISTRICTS of the Conway Zoning Ordinance as adopted by Ordinance O-94-54 on September 27, 1994 is hereby added with the following language:

A conditional use may be granted to allow the conversion of older structures within residential districts that are no longer useful, serviceable, or desirable in their present use to Restricted Office use. Such offices will have minimal to no negative impact on the residential areas. The following conditions are required:

- Hours of operation: Appropriate hours of operation must be determined.
- Signage: Wall signage shall be limited to a non-illuminated faceplate attached to the structure no greater than 2 square feet in area. Freestanding signage shall be a non-illuminated monument or two pole sign no greater than 4 feet in height and 4 feet wide. A non-illuminated post and arm sign as defined by Conway sign regulations, may be substituted for a monument or two pole sign. No banners shall be permitted.
- Architectural Compatibility: Any remodeling or new construction must be compatible with the surrounding architecture. In areas outside of the Old Conway Design Overlay District or any

Certified Local Government Historic District, compatibility shall be decided by the City Council after review by the Planning Commission.

Within the Old Conway Design Overlay District or any Certified Local Government Historic District, the Old Conway Design Review Board or Historic District Commission shall review and decide compatibility. This review shall include overall exterior appearance, materials, setbacks, height, lot coverage, etc. The setbacks, height, and lot coverage restrictions will be no greater than allowed by the lot regulations per zone, overlay, or historic district.

- Term of the Conditional Use: Conditions are limited to the applicant. If the applicant does not own the property within 6 months of approval, the conditional use permit shall be void. If the property is sold, the conditional use shall be void.
- Lighting, parking, screening/buffering shall minimally match Conway Development Review Standards. Additional parking and/or screening/buffering requirements may be recommended by the Planning Commission and required by the City Council including, but not limited to, parking location and design, fencing or landscaping as required to provide an adequate buffer for neighboring properties.
- Sidewalks: Construction and or repair of existing sidewalks, if necessary, is required as per Conway Development Review Standards.

These conditions are to ensure the compatibility of the office use with any adjacent residential use. New construction designed to reinforce existing residential area characteristics that would not be detrimental to the surrounding residential area may also be allowed by conditional use.

**SECTION 4.** That ADDENDUM A to the Conway Zoning Ordinance USES ALLOWED IN THE VARIOUS ZONING DISTRICTS as adopted by Ordinance O-94-54 on September 27, 1994 is hereby amended to add the following language:

Allowed Uses	R - 1	R - 2 A	R - 2	S R	M - 1	M - 2	M - 3	R M H	H R	C - 1	C - 2	C - 3	C - 4	O - 1	O - 2	O - 3	I - 1	R U - 1	I - 3	A - 1	S - 1	S - 2
Office (See 601.27)		C	C	C	C	C	C	C	C	X	X	X	X	X	X	X	X	X	X		X	X

**SECTION 5.** That any ordinances or parts of ordinances in effect at the time of the passage of this ordinance that are in conflict with this ordinance are repealed to the extent of the conflict.

**SECTION 6.** That this ordinance is necessary for the protection of the public peace, health and safety and an emergency is hereby declared to exist, and this ordinance will be in full force and effect from and after its passage and approval.

**SECTION 7.** All ordinances in conflict herewith are repealed to the extent of the conflict.


**SECTION 8.** That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from its passage and approval.

**PASSED** this 14th day of April, 2009.

**APPROVED:**

  
**Mayor Tab Townsell**

**ATTEST:**

  
**Michael O. Garrett**  
 City Clerk/Treasurer