

R 7253

ORDINANCE NO. O-03-27

AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE TO ALLOW OWNERSHIP OF THE LAND FOR PARKING LOTS SERVING PRE-EXISTING, NON-CONFORMING USES TO BE DIFFERENT FROM THAT OF THE PRIMARY USE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES:

WHEREAS; pre-existing, non-conforming uses often exist in constrained areas with varying ownerships of the surrounding properties, and;

WHEREAS; those uses may seek expansion of accessory uses, including parking lots, and;

WHEREAS; the Zoning Ordinance does not allow expansion of those parking lots onto parcels that are not in the same ownership as the parcel on which the primary use is located, and;

WHEREAS; it is sometimes preferable for those parking lots and other accessory uses to be allowed to expand in order to reduce on-street parking or other detrimental conditions;

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

Section 1: That SECTION 501.5 - OWNERSHIP of the Conway Zoning Ordinance as adopted by Ordinance No. 0-94-54 is hereby amended to add text that shall read as follows:

"However, a pre-existing, non-conforming use may utilize land for expansion parking that is under an ownership other than that of the primary use if the required procedures are followed and the expansion is approved by the City Council as stipulated in this Zoning Ordinance. Such expansion parking shall not be used for any subsequent use of the property that is not in compliance with the requirements of the Zoning Ordinance."

Section 2: That all ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 3: 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 and after its passage and approval.

PASSED this 13th day of March, 2003.

APPROVED:

ATTEST:

Michael O. Garrett

City Clerk Michael O. Garrett

Tab Towns

Ordinance #2003-7183

Date 8/26/2003 03:26:10 PM

Filed & Recorded in Official Records of Faulkner County SHARON RIMMER FAULKNER COUNTY CIRCUIT CLERK

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\$11.00 J.C.

